

**JOURNAL**  
**OF THE**  
**HOUSE**  
**OF REPRESENTATIVES**

**SEVENTY-FIRST SESSION**

**OF THE**  
**LEGISLATURE**

**STATE OF MINNESOTA**

**1979**

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**STATE OF MINNESOTA**

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

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FIRST DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, JANUARY 3, 1979

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 Wednesday, the third day of January, 1979.

At the hour of twelve o'clock noon and pursuant to Minnesota Statutes 1978, Section 3.05, the Honorable Joan Anderson Grove, Secretary of State, called the members-elect to order and appointed the Honorable Ray W. Faricy from District 63A as Clerk pro tem.

The Secretary of State appointed Lawrence W. Bothwell and Walter C. Strand as Sergeants-At-Arms pro tem.

The Sergeant-At-Arms pro tem announced the arrival of the Honorable Robert J. Sheran, Chief Justice of the Supreme Court. The Chief Justice was escorted to the front of the Chamber.

Prayer was offered by the Reverend Gretchen Fogo.

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

District 1A	Myron Nysether
District 1B	John Corbid
District 2A	Tony Stadium
District 2B	Willis R. Eken
District 3A	Irvin N. Anderson
District 3B	Norman R. Prahl
District 4A	John A. Ainley
District 4B	Glen A. Sherwood
District 5A	Dominic J. Elióff
District 5B	Lona Minne



District 6A	Joseph R. Begich
District 6B	David Battaglia
District 7A	Willard Munger
District 7B	Mike Jaros
District 8A	Arlene Lehto
District 8B	Thomas R. Berkelman
District 9A	Dwaine Hoberg
District 9B	Merlyn Valan
District 10A	Jim Evans
District 10B	Bob Anderson
District 11A	Paul Aasness
District 11B	Dave Fjoslien
District 12A	Bruce G. Nelsen
District 12B	Stephen G. Wenzel
District 13A	Paul Thiede
District 13B	Marlin B. "Doc" Nelsen
District 14A	Douglas W. Carlson
District 14B	Mary Murphy
District 15A	Delbert F. Anderson
District 15B	Glen H. Anderson
District 16A	Joseph Niehaus
District 16B	B. J. Brinkman
District 17A	Al W. Patton
District 17B	James C. Pehler
District 18A	Richard J. Welch
District 18B	Bob McEachern
District 19A	John T. Clawson
District 19B	John L. Weaver
District 20A	Ray Welker
District 20B	Cal Ludeman
District 21A	Dean E. Johnson
District 21B	Gaylin Den Ouden
District 22A	Adolph L. Kvam
District 22B	Tony Onnen
District 23A	Raymond J. Albrecht
District 23B	Carl M. Johnson
District 24A	Robert E. Vanasek
District 24B	Marnie Luknic
District 25A	Steve Sviggum
District 25B	Lyle Mehrkens
District 26A	Bruce W. "Buzz" Anderson
District 26B	Wendell O. Erickson
District 27A	George Mann
District 27B	David Jennings
District 28A	Gilbert Esau
District 28B	Terry Dempsey
District 29A	Mark Piepho
District 29B	Richard E. Wigley
District 30A	Henry J. Kalis
District 30B	Rod Searle
District 31A	M. R. "Bob" Haukoos
District 31B	Leo Reding
District 32A	John S. Biersdorf
District 32B	Donald L. Friedrich

District 33A	John R. "Dick" Kaley
District 33B	Kenneth P. Zubay
District 34A	Warren "Tom" Stowell
District 34B	Tom Stoa
District 35A	Elton R. Redalen
District 35B	Al W. Wieser, Jr.
District 36A	Kenneth J. McDonald
District 36B	Tom Rees
District 37A	Shirley A. Hokanson
District 37B	James C. Swanson
District 38A	Kathleen Blatz
District 38B	Bill Peterson
District 39A	Mary M. Forsythe
District 39B	Ray O. Pleasant
District 40A	Douglas R. Ewald
District 40B	Gerald C. Knickerbocker
District 41A	Sally Olsen
District 41B	Elliott Rothenberg
District 42A	Tad Jude
District 42B	Robert L. Searles
District 43A	O. J. "Lon" Heinitz
District 43B	James Heap
District 44A	Lyndon R. Carlson
District 44B	Leo G. Adams
District 45A	William Schreiber
District 45B	Robert L. Ellingson
District 46A	Paul McCarron
District 46B	Wayne Simoneau
District 47A	Joel Jacobs
District 47B	Gordon O. Voss
District 48A	Steven G. Novak
District 48B	John T. Rose
District 49A	Don Valento
District 49B	Robert W. Reif
District 50A	Connie Levi
District 50B	
District 51A	Gary Laidig
District 51B	Michael Sieben
District 52A	James P. Metzen
District 52B	Harry Sieben, Jr.
District 53A	Ray Kempe
District 53B	Charles C. Halberg
District 54A	Carl W. Kroening
District 54B	James I. Rice
District 55A	Stanley J. Fudro
District 55B	John J. Sarna
District 56A	James R. Casserly
District 56B	Dee Long
District 57A	Phyllis L. Kahn
District 57B	Leon "Lee" Greenfield
District 58A	Bill Dean
District 58B	Todd Otis
District 59A	Linda L. Berglin
District 59B	Ken Nelson

District 60A	Janet Clark
District 60B	Stanley A. "Stan" Enebo
District 61A	William A. Crandall
District 61B	James Norman
District 62A	Ann Wynia
District 62B	M. D. "Mike" Fritz
District 63A	Ray W. Faricy
District 63B	John Drew
District 64A	C. Thomas Osthoff
District 64B	Peggy Byrne
District 65A	Fred C. Norton
District 65B	Donald M. Moe
District 66A	Eugene T. Waldorf
District 66B	Randy Kelly
District 67A	Robert L. Pavlak
District 67B	John D. Tomlinson

133 eligible persons answered to the call by legislative district.

#### OATH OF OFFICE

The members-elect subscribed to the oath of office as administered to them by the Honorable Robert J. Sheran, Chief Justice of the Supreme Court.

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

Aasness	Drew	Jude	Nelson	Searles
Adams	Eken	Kahn	Niehaus	Sherwood
Ainley	Elioff	Kaley	Norman	Sieben, H.
Albrecht	Ellingson	Kalis	Norton	Sieben, M.
Anderson, B.	Enebo	Kelly	Novak	Simoneau
Anderson, D.	Erickson	Kempe	Nysether	Stadum
Anderson, G.	Esau	Knickerbocker	Olsen	Stoa
Anderson, I.	Evans	Kroening	Onnen	Stowell
Anderson, R.	Ewald	Kvam	Osthoff	Sviggum
Battaglia	Faricy	Laidig	Otis	Swanson
Begich	Fjoslien	Lehto	Patton	Thiede
Berglin	Forsythe	Levi	Pavlak	Tomlinson
Berkelman	Friedrich	Long	Pehler	Valan
Biersdorf	Fritz	Ludeman	Peterson	Valento
Blatz	Fudro	Luknic	Piepho	Vanasek
Brinkman	Greenfield	Mann	Pleasant	Voss
Byrne	Halberg	McCarron	Prahl	Waldorf
Carlson, D.	Haukoos	McDonald	Redalen	Weaver
Carlson, L.	Heap	McEachern	Reding	Welch
Casserly	Heimitz	Mehrkens	Rees	Welker
Clark	Hoberg	Metzen	Reif	Wenzel
Clawson	Hokanson	Minne	Rice	Wieser
Corbid	Jacobs	Moe	Rose	Wigley
Crandall	Jaros	Munger	Rothenberg	Wynia
Dean	Jennings	Murphy	Sarna	Zubay
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searle	

A quorum was present.

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

*Resolved*, that the Clerk pro tem be instructed to inform the Senate that the House members have been duly sworn pursuant to law, and to invite the Senate to meet with the House in Joint Convention at 11:45 a.m., Thursday, January 4, 1979, to receive the message of the Governor which will be delivered at 12:00 noon;

*Further*, request that the President of the Senate preside at the Joint Convention of the two Houses of the Legislature and call the members to order;

*Further*, that the Clerk pro tem of the House shall serve as Secretary for the Joint Convention and the Sergeants-at-Arms pro tem of the House shall be the Sergeants-at-Arms of the Joint Convention.

The motion prevailed and the resolution was adopted.

Searle and Anderson, I., 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 Thursday, January 4, 1979, said Joint Convention to convene at 11:45 a.m. and said message to be delivered at 12:00 noon; and that the Secretary of State appoint a committee of eight 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 sworn pursuant to law.

The motion prevailed and the resolution was adopted.

#### ANNOUNCEMENT BY THE SECRETARY OF STATE

The Secretary of State announced the appointment of the following members on the committee to invite the Governor today to address the Joint Convention tomorrow and to notify him that the members of the House are duly sworn:

Ewald; Chairman; Den Ouden; Blatz; Luknic; Berglin; Minne; Jacobs and Jude.

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

*Resolved*, that the Secretary of State be and she is hereby directed to appoint a committee of eight 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 Thursday, January 4, 1979.

The motion prevailed and the resolution was adopted.

#### ANNOUNCEMENT BY THE SECRETARY OF STATE

The Secretary of State announced the appointment of the following members on the committee to escort the Governor to the House chamber Thursday, January 4, 1979, for the Joint Convention:

Enebo; Waldorf; Anderson, B.; Otis; Albrecht; Wieser; Olsen; and Levi.

#### ANNOUNCEMENT BY THE SECRETARY OF STATE

The Secretary of State announced that Representative Richard J. Kostohryz, District 50B, was administered the oath of office by the Honorable Joseph P. Summers, Judge of District Court, at St. John's Hospital, St. Paul, Minnesota, at 12:05 p.m. today, Wednesday, January 3, 1979. A signed and sworn statement of the oath of office and accompanying affidavit were received by the House.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Secretary of State:

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 and Appointments Clerk

Eugene Daly, Sergeant at Arms

Marvin Raiola, 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

Madam Secretary of State:

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., Thursday, January 4, 1979, to receive the message of the Honorable Albert H. Quie, Governor of the State of Minnesota.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Secretary of State:

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

Messrs. Lewis, Jensen, Pillsbury, Vega, Mrs. Knaak, Messrs. Johnson, Kleinbaum and Spear have been appointed as members of such committee on the part of the Senate.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Secretary of State:

I have the honor to announce that the Senate has appointed a committee of eight 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, Thursday, January 4, 1979, at 12:00 noon.

Messrs. Wegener, Bang, Bernhagen, Engler, Dunn, Benedict, Luther and Dieterich have been appointed to such committee on the part of the Senate.

PATRICK E. FLAHAVEN, Secretary of the Senate

Ewald, for the Committee to invite the Governor, 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, Thursday, January 4, 1979.

#### ADJOURNMENT

Searle moved that when the House adjourns today it adjourn until 11:30 a.m., Thursday, January 4, 1979. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Secretary of State declared the House stands adjourned until 11:30 a.m., Thursday, January 4, 1979.

**RAY W. FABICY, Clerk Pro Tem, House of Representatives**

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 4, 1979

The House of Representatives convened at 11:30 a.m. and was called to order by Joan Anderson Growe, Secretary of State.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Aasness	Drew	Jude	Nelson	Searles
Adams	Eken	Kahn	Niehaus	Sherwood
Ainley	Elioff	Kaley	Norman	Sieben, H.
Albrecht	Ellingson	Kalis	Norton	Sieben, M.
Anderson, B.	Enebo	Kelly	Novak	Simoneau
Anderson, D.	Erickson	Kempe	Nysether	Stadum
Anderson, G.	Esau	Knickerbocker	Olsen	Stoa
Anderson, I.	Evans	Kroening	Onnen	Stowell
Anderson, R.	Ewald	Kvam	Osthoff	Swiggum
Battaglia	Faricy	Laidig	Otis	Swanson
Begich	Fjoslien	Lehto	Patton	Thiede
Berglin	Forsythe	Levi	Pavlak	Tomlinson
Berkelman	Friedrich	Long	Pehler	Valan
Biersdorf	Fritz	Ludeman	Peterson	Valento
Blatz	Fudro	Luknic	Piepho	Vanasek
Brinkman	Greenfield	Mann	Pleasant	Voss
Byrne	Halberg	McCarron	Prahl	Waldorf
Carlson, D.	Haukoos	McDonald	Redalen	Weaver
Carlson, L.	Heap	McEachern	Reding	Welch
Casserly	Heinitz	Mehrkens	Rees	Welker
Clark	Hoberg	Metzen	Reif	Wenzel
Clawson	Hokanson	Minne	Rice	Wieser
Corbid	Jacobs	Moe	Rose	Wigley
Crandall	Jaros	Munger	Rothenberg	Wynia
Dean	Jennings	Murphy	Sarna	Zubay
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searle	

A quorum was present.

Kostohryz was absent.

The Clerk pro tem proceeded to read the Journal of the preceding day. Johnson, C., moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Clerk pro tem. The motion prevailed.



Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, January 8, 1979. 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 Secretary of State declared the House recessed.

#### RECESS

#### RECONVENED

The Secretary of State called the House to order at 11:45 a.m.

The Sergeant at Arms pro tem 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 President of the Senate 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 and Bang.

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

The Sergeant at Arms pro tem announced the arrival of the Constitutional Officers of the State of Minnesota: Arne H. Carlson, State Auditor; Jim Lord, State Treasurer; and Warren Spannaus, Attorney General. The Constitutional Officers were escorted to the seats reserved for them at the rostrum.

The Sergeant at Arms pro tem 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 pro tem announced the arrival of former governors Harold E. Stassen, Karl F. Rolvaag, Elmer L. Andersen, Harold LeVander and Wendell R. Anderson; United States Senator David Durenberger; and Congressman Bill Frenzel. The distinguished guests were escorted to the seats reserved for them.

The Sergeant at Arms pro tem announced the arrival of the Honorable Lou Wangberg, Lieutenant Governor of the State of Minnesota. The Lieutenant Governor was escorted to the rostrum.

The Sergeant at Arms pro tem announced the arrival of the Honorable Albert H. Quie, Governor of the State of Minnesota, and his official party. The Governor was escorted to the rostrum by the appointed committees.

#### OATH OF OFFICE

Chief Justice Sheran administered the oath of office to Governor Albert H. Quie.

#### ADDRESS BY THE GOVERNOR

Governor Albert H. Quie was presented by the President of the Joint Convention, and the Governor delivered his "State of State Address" to the members of the Convention and their guests.

Following the address, Senator Coleman 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 Secretary of State.

#### ADJOURNMENT

Searle moved that the House adjourn. The motion prevailed, and the Secretary of State declared the House stands adjourned until 2:00 p.m., Monday, January 8, 1979.

RAY W. FARICY, Clerk Pro Tem, House of Representatives



## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## THIRD DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 8, 1979

The House of Representatives convened at 2:00 p.m. and was called to order by Joan Anderson Growe, Secretary of State.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Aasness	Drew	Jude	Niehaus	Sherwood
Adams	Eken	Kaley	Norman	Sieben, H.
Ainley	Elioff	Kalis	Norton	Sieben, M.
Albrecht	Ellingson	Kelly	Novak	Simoneau
Anderson, B.	Enebo	Kempe	Nysether	Stadum
Anderson, D.	Erickson	Knickerbocker	Olsen	Stoa
Anderson, G.	Esau	Kroening	Onnen	Stowell
Anderson, I.	Evans	Kvam	Osthoff	Sviggum
Anderson, R.	Ewald	Laidig	Otis	Swanson
Battaglia	Faricy	Lehto	Patton	Thiede
Begich	Fjoslien	Levi	Pavlak	Tomlinson
Berglin	Forsythe	Long	Pehler	Valan
Berkelman	Friedrich	Ludeman	Peterson	Valento
Biersdorf	Fritz	Luknic	Piepho	Vanasek
Blatz	Fudro	Mann	Pleasant	Voss
Brinkman	Greenfield	McCarron	Prahl	Waldorf
Byrne	Halberg	McDonald	Redalen	Weaver
Carlson, D.	Haukoos	McEachern	Reding	Welch
Carlson, L.	Heap	Mehrkens	Rees	Welker
Casserly	Heinitz	Metzen	Reif	Wenzel
Clark	Hoberg	Minne	Rice	Wieser
Clawson	Hokanson	Moe	Rose	Wigley
Corbid	Jacobs	Munger	Rothenberg	Wynia
Crandall	Jaros	Murphy	Sarna	Zubay
Dean	Jennings	Nelsen, B.	Schreiber	
Dempsey	Johnson, C.	Nelsen, M.	Searle	
Den Ouden	Johnson, D.	Nelson	Searles	

A quorum was present.

Kostohryz was excused.

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

## ELECTION OF OFFICERS

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

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

The name of Irvin N. Anderson was placed in nomination by Norton. The nomination was seconded by Sieben, H.

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

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

The following members of the House voted for Searle:

Aasness	Esau	Kaley	Onnen	Stadum
Ainley	Evans	Knickerbocker	Pavlak	Stowell
Albrecht	Ewald	Kvam	Peterson	Sviggum
Anderson, D.	Fjoslien	Laidig	Piepho	Thiede
Anderson, R.	Forsythe	Levi	Pleasant	Valan
Biersdorf	Friedrich	Ludeman	Redalen	Valento
Blatz	Fritz	Luknic	Rees	Weaver
Carlson, D.	Halberg	McDonald	Reif	Welker
Crandall	Haukoos	Mehrkens	Rose	Wieser
Dean	Heap	Nelsen, B.	Rothenberg	Wigley
Dempsey	Heinitz	Niehaus	Schreiber	Zubay
Den Ouden	Hoberg	Norman	Searle	
Drew	Jennings	Nysether	Searles	
Erickson	Johnson, D.	Olsen	Sherwood	

Searle received 67 votes.

The following members of the House voted for Anderson, I.:

Adams	Corbid	Kalis	Nelsen, M.	Simoneau
Anderson, B.	Eken	Kelly	Nelson	Stoa
Anderson, G.	Elioff	Kempe	Norton	Swanson
Anderson, I.	Ellingson	Kroening	Novak	Tomlinson
Battaglia	Enebo	Lehto	Osthoff	Vanasek
Begich	Farcy	Long	Otis	Voss
Berglin	Fudro	Mann	Patton	Waldorf
Berkelman	Greenfield	McCarron	Pehler	Welch
Brinkman	Hokanson	McEachern	Prahl	Wenzel
Byrne	Jacobs	Metzen	Reding	Wynia
Carlson, L.	Jaros	Minne	Rice	
Casserly	Johnson, C.	Moe	Sarna	
Clark	Jude	Munger	Sieben, H.	
Clawson	Kahn	Murphy	Sieben, M.	

Anderson, I., received 66 votes.

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

Knickerbocker; Nelsen, B.; Dean; Anderson, R.; Johnson, C.; Greenfield; Casserly and Berglin 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 "DFL-IR Agreement For House Organization" dated January 8, 1979, was reported to the House.

Sieben, H., moved that the organizational contract as signed by and ratified by the negotiation team be approved by the House.

The question was taken on the adoption of the organizational agreement and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Draw	Jude	Niehaus	Sieben, H.
Adams	Eken	Kaley	Norman	Sieben, M.
Ainley	Elioff	Kalis	Norton	Simoneau
Albrecht	Ellingson	Kelly	Novak	Stadum
Anderson, B.	Enebo	Kempe	Nysether	Stoa
Anderson, D.	Erickson	Knickerbocker	Olsen	Stowell
Anderson, G.	Esau	Kroening	Onnen	Sviggum
Anderson, I.	Evans	Kvam	Osthoff	Swanson
Anderson, R.	Ewald	Laidig	Otis	Thiede
Battaglia	Faricy	Lehto	Patton	Tomlinson
Begich	Fjoslien	Levi	Pavlak	Valan
Berglin	Forsythe	Long	Pehler	Valento
Berkelman	Friedrich	Ludeman	Peterson	Vanasek
Biersdorf	Fritz	Luknic	Piepho	Voss
Blatz	Fudro	Mann	Pleasant	Waldorf
Brinkman	Greenfield	McCarron	Prahl	Weaver
Byrne	Halberg	McDonald	Redalen	Welch
Carlson, D.	Haukoos	McEachern	Reding	Welker
Carlson, L.	Heap	Mehrkens	Rees	Wenzel
Casserly	Heinitz	Metzen	Reif	Wieser
Clark	Hoberg	Minne	Rice	Wigley
Clawson	Hokanson	Moe	Rose	Wynia
Corbid	Jacobs	Munger	Rothenberg	Zubay
Crandall	Jaros	Murphy	Sarna	Speaker Searle
Dean	Jennings	Nelsen, B.	Schreiber	
Dempsey	Johnson, C.	Nelsen, M.	Searles	
Den Ouden	Johnson, D.	Nelson	Sherwood	

The motion prevailed and the organizational agreement was adopted.

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 Sieben, H. The nomination was seconded by Anderson, D.

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

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

Aasness	Drew	Jude	Nelson	Sherwood
Adams	Eken	Kahn	Niehaus	Sieben, H.
Ainley	Elioff	Kaley	Norman	Sieben, M.
Albrecht	Ellingson	Kalis	Norton	Simoneau
Anderson, B.	Eaebo	Kelly	Novak	Stadum
Anderson, D.	Erickson	Kempe	Nysether	Stoa
Anderson, G.	Esau	Knickerbocker	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	Mann	Pleasant	Waldorf
Byrne	Halberg	McCarron	Prahl	Weaver
Carlson, D.	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Casserly	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	

Burdick, having received the most votes 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.

Sieben, H., 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 by Sieben, H.:

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

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

The name of John Kivimaki was placed in nomination for Postmaster.

The name of Robert A. Marquardt was placed in nomination for Assistant Postmaster.

The name of Walter C. Strand was placed in nomination for Chief Sergeant at Arms.

The name of Lawrence M. Bothwell was placed in nomination for Assistant Sergeant at Arms.

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

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

The name of Reverend Philip L. Hansen was placed in nomination for Chaplain.

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 them:

Aasness	Drew	Jude	Nelson	Sherwood
Adams	Eken	Kahn	Niehaus	Sieben, H.
Ainley	Elioff	Kaley	Norman	Sieben, M.
Albrecht	Ellingson	Kalis	Norton	Simoneau
Anderson, B.	Enebo	Kelly	Novak	Stadum
Anderson, D.	Erickson	Kempe	Nysether	Stoa
Anderson, G.	Esau	Knickerbocker	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	Mann	Pleasant	Waldorf
Byrne	Halberg	McCarron	Prahl	Weaver
Carlson, D.	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Cassery	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	



The nominees, having received the most votes were declared duly elected to their respective offices.

#### OATH OF OFFICE

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

Sieben, H., offered the following resolution and moved its adoption:

*Resolved*, that the DFL-IR Agreement for House Organization dated January 8, 1979 be and the same is hereby ratified by the members of the House and that the document be printed in the Journal for today, January 8, 1979.

*Resolved Further*, that the Rules of the House for the 70th Regular session, as the same were in effect on March 24, 1978, be and the same are hereby adopted and as modified by the DFL-IR agreement for House Organization dated January 8, 1979, as the temporary Rules of this House for the 71st 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.

#### DFL-IR AGREEMENT FOR HOUSE ORGANIZATION

Dated January 8, 1979

#### WRITTEN CONTRACT

##### I. Duration

- A. The provisions of the organizational contract shall expire when either side obtains an organizational majority of 68 votes through the issuance of a new election certificate.
- B. The caucus obtaining such a majority could consider continuing portions of the contract arrangements on a voluntary basis.

II. The provisions of the organizational contract shall prevail over the provisions of House Rules where in conflict.

III. The organizational contract shall be signed and ratified by the 10 negotiators.

IV. The organizational contract shall be ratified by roll call of the House immediately following the election of the Speaker. The contract shall be published in the Journal of the House.

V. Upon ratification of the contract, a standing subcommittee on Rules of the Committee on Rules and Legislative Administration shall assume the functions of the negotiation team for the duration of the contract as provided herein.

VI. Upon ratification of this agreement, Representative Irv Anderson, District 3A, is hereby designated chairman of the Committee on Rules and Legislative Administration.

VII. Upon ratification of this agreement, the Rules of the House for the 70th Regular session, as the same were in effect on March 24, 1978, be and the same are hereby adopted and as modified by this agreement as the temporary Rules of this House for the 71st 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.

#### COMMITTEE STRUCTURE

1. Except as provided elsewhere in this agreement, membership on all standing committees, divisions and subcommittees shall be evenly divided between DFL and IR caucus members.

2. Subcommittee chairmanship shall be designated by the committee chairman with the advice and consent of the caucus leader of the caucus holding the chairmanship. The respective caucus leaders shall confirm the appointment of subcommittee members.

3. The chairmen of all committees shall retain their present powers except as modified by this agreement.

4. There shall be no more than two subcommittees per committee, designated by the chairman. The allotted number of subcommittees for any committee may be increased upon approval of the Committee on Rules and Legislative Administration, upon the request of the appropriate committee chairman.

5. A majority of a committee's members may bring a matter before the full committee for consideration.

6. Except for the modifications noted in Number 7 below, committee jurisdictions shall be the same as in the 70th Session.

7. All existing committees and divisions shall be re-established for the 71st legislative session with the following modifications: Re-establish the Committee on Judiciary; create a new Committee on Energy and Utilities; combine Committees of Education and Higher Education and create a Division of Higher Education within the combined committee; create two divisions of Taxes; and add the word "Housing" to Committee on Commerce and Economic Development.

8. Committee chairmen, vice-chairmen, division chairmen and standing committee members shall be designated by announcements of the Speaker and Rules Committee Chairman for their respective caucuses and printed in the House Journal.

9. The chairmanship of committees and divisions shall be assigned to one or the other caucus as follows:

<i>Committee</i>	<i>Caucus Chairing</i>	<i>Size of Committee</i>
Agriculture .....	DFL	20
Appropriations .....	DFL	36
Education Division .....	I-R	(12)
Health, Welfare & Corrections Division .....	I-R	(12)
Semi-State Division .....	I-R	( 8)
State Departments Division .....	I-R	(12)
Commerce, Economic Development and Housing .....	I-R	24
Criminal Justice .....	I-R	20
Education .....	DFL	28
School Aids Division .....	DFL	(12)
Higher Education Division .....	I-R	(14)
Energy and Utilities .....	I-R	24
Environment and Natural Resources ..	DFL	24
Financial Institutions and Insurance ...	DFL	24
General Legislation and Veterans Affairs .....	DFL	20
Governmental Operations .....	DFL	28
Health and Welfare .....	I-R	24
Judiciary .....	DFL	20

<i>Committee</i>	<i>Caucus Chairing</i>	<i>Size of Committee</i>
Labor/Management Relations .....	DFL	20
Local and Urban Affairs .....	I-R	28
Taxes .....	DFL	31
Division 1 .....	I-R	(15)
Division 2 .....	I-R	(15)
Transportation .....	DFL	24

10. There shall be a one-vote majority for the caucuses chairing the full committee and the two divisions of the Committee on Taxes.

#### RULES COMMITTEE

I. The Committee on Rules and Legislative Administration shall be chaired by a member of the DFL caucus. It shall be composed of 23 members, 12 of whom are DFL caucus members and 11 of whom are I-R caucus members.

II. There shall be a regularly-scheduled weekly meeting of the Committee on Rules and Legislative Administration. In addition, either the Rules Committee Chairman or caucus leader opposite the chairman may call a committee meeting upon notice to each member of the committee, provided there is no conflict with a regularly-scheduled standing committee or subcommittee meeting. If not occurring during a day on which the House meets, ample opportunity must be given to all members to attend. Either the chairman or caucus leader opposite the chairman may place an item on the agenda for the next meeting.

III. All duties of the Committee on Rules and Legislative Administration as presently provided in the rules remain the same with the following modifications:

- A. *Reference of bills to committee.* The Speaker shall make the initial reference. However, the chief author or either caucus leader may object to the reference on the same day as the bill is referred. In this case, the bill will be referred to the Committee on Rules and Legislative Administration for referral to a committee. The Rules Committee report on the referral is not subject to objection on the floor. If the Rules Committee does not make such a reference within five (5) legislative days, the referral of the Speaker shall stand.

- B. Before action by the full House, all constitutional amendments shall be referred or re-referred to the Committee on Rules and Legislative Administration.
- C. No amendment to the report of the Committee on Rules and Legislative Administration on the Rules of the House shall be allowed on the floor of the House.
- D. The Speaker's power to supervise the Chief Clerk under Rule 7.3 shall be subject to review by the Committee on Rules and Legislative Administration.

IV. The Chairman of the Committee on Rules and Legislative Administration shall create a standing subcommittee on Rules composed of 10 members evenly divided between the DFL and IR caucuses which members shall be designated by the appropriate caucus leader. No amendment to the Rules of the House or this document shall be considered by the full House without approval of this subcommittee. The full committee may consider but not amend or defeat any proposed amendment to the Rules of the House reported by the subcommittee. Proposed amendments or disputes as to the interpretation of the Rules or this document shall be automatically referred to this subcommittee.

#### V. Appointments

- A. The Chairman of the Committee on Rules and Legislative Administration shall continue to fill vacancies in those commissions and boards provided by statute (Refer to Sec. 4 of House Research Report) in such a way as to assure proportional representation between the two caucuses. In making appointments of members of the opposite caucus, the Chairman shall follow the recommendations of that particular caucus leader.
- B. The Rules Committee shall devise a method to determine the proportionality of appointments to those commissions and boards listed in Section 1 of the House Research memorandum dated December 6, 1978. Upon devising such a method, each caucus shall select members for those commissions and boards in any manner it chooses.

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House Research Memorandum of December 5, 1978

#### *Legislative Advisory Commission*

Fills vacancies in LAC during interim periods if the last speaker is not available. Minn. Stat. §3.30.

*Legislative Commission on Pensions and Retirement*

Fills vacancies in this commission during interim if the last speaker is not available. Minn. Stat. §3.85.

*Legislative Audit Commission*

Is a member of this commission. Minn. Stat. §3.97.

*Education Commission*

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.82.

*Midwestern Education Board*

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.844.

## SPEAKER

I. An I-R caucus member shall serve as Speaker.

II. *Powers and Responsibilities*—All present powers and responsibilities are retained with the following modifications:

A. *Statutory Commissions, Special Committees and Boards.* (Refer to Sec. 1 of House Research Memo dated December 5, 1978 as amended by memo of Dec. 6, 1978).

1. The Speaker will make all appointments to statutory commissions, special committees, and boards as provided by law. In those cases where statutory provisions refer to "minority leader", the Speaker shall make the appointments to assure proportional representation of the two caucuses.
2. In making appointments of members of the opposite caucus, the Speaker shall follow the recommendations of that particular caucus.
3. Where regular appointments are combined with automatic ex-officio appointments on a commission, special committee, or board, those regular appointments will be made so that all appointees, including those ex-officio, will be in a proportional balance between the two caucuses.
4. Where an odd number of appointments is to be made to a particular commission, special committee, or board, balancing appointments will be made to another commission in order to assure overall proportionality.

5. In filling vacancies occurring after the initial appointments, the Speaker shall follow the guidelines set forth above.

### Section 1

#### Powers and Responsibilities of the Speaker as Established by Legislation, Related to Commissions, Special Committees, and Boards

##### *Legislative Commission to Review Administrative Rules*

Speaker appoints five house members who serve on commission. Commission has power to review and temporarily suspend administrative rules. Minn. Stat. §3.965.

*Term:* No length of term specified. Members of the commission must be state representatives or senators.

##### *Legislative Advisory Commission*

Chairmen of the Appropriations and Taxes Committee serve, but if a vacancy occurs when the Legislature is not in session the Speaker shall fill the vacancy. LAC is to be consulted by the Governor before transfers in excess of \$10,000 are made from the contingent appropriation. Minn. Stat. §3.30.

##### *Legislative Audit Commission*

Speaker serves as a member of the Legislative Audit Commission. (Minority leader appoints three house members to the commission.) The Audit Commission, through the legislative auditor and its staff, conducts financial audits of state departments, boards, commissions, and agencies and evaluates programs funded by the state. The commission is authorized to prescribe additional duties or powers to be exercised or performed by the legislative auditor. Minn. Stat. §§3.97-3.98.

*Term:* Terms expire at the opening of the next regular legislative session.

##### *Legislative Coordinating Commission*

Speaker serves as a member of the LCC and appoints two additional house members. The Speaker serves as chairman of the commission in alternate years. LCC may establish and control office of legislative research which may include the office of revisor of statute and legislative reference library. LCC also has

budgetary review authority over statutory commissions the majority of whose members are legislators. Minn. Stat. §§3.303-3.305.

*Term:* Members serve until a successor is appointed at the next regular legislative session.

#### *Education Commission*

Speaker appoints the house member serving on the Education Commission, created by the Interstate Compact for Education. Minn. Stat. §121.82. The purpose of this commission is to facilitate interstate cooperation, discussion, and improvement of education. Minn.Stat. §121.81.

*Term:* Terms are for two years, coinciding with the member's term in the house.

#### *Midwestern Education Board*

Speaker appoints the house member serving on the Midwestern Education Board, created by the Midwestern Education Compact. Minn. Stat. §121.844. The purposes of this interstate compact are similar to those of the interstate compact for education, except that it is limited to several midwestern states. Minn. Stat. §121.843.

*Term:* Terms are for two years, coinciding with the member's term in the house.

#### *Great Lakes Basin Commission*

Speaker appoints the two house members of the Great Lakes Basin Commission, created by the Great Lakes Basin Compact. This compact has the purpose of promoting and planning orderly development, use, and conservation of the water resources of the Great Lakes Basin through the implementation of an interstate compact of the states bordering on the great lakes. Minn. Stat. §1.22.

*Term:* No term specified in state; however, four of the commissioners must be members of the legislature.

#### *\*\*Indian Affairs Intertribal Board*

The Speaker appoints three house members to serve as non-voting members on the Indian Affairs Intertribal Board. This board acts as a liaison between state government and the Indian tribes and is to assist the tribes in various matters in their relationships with private agencies and government. Minn. Stat. §3.922.



*Term:* Office is vacant when legislative member appointed is no longer a member of the legislature.

*Commission on Interstate Cooperation*

The Speaker serves as an ex officio, honorary member of the commission and appoints the five members of the commission from the house of representatives, so long as he retains the power to appoint members of standing committees of the house. (The law creates a five member standing committee of both the senate and house. Together the members of these standing committees, along with governor's committee, constitute the commission.) The purpose of the commission is to further the participation of the state in the council of state governments and to advance cooperation in developing proposals for interstate compacts, uniform statutes, reciprocal statutes, and informal cooperation among the states. Minn. Stat. §3.29.

*Term:* Term is for duration of the legislative session—membership is the same as that of any other standing committee of the House.

*Iron Range Resources and Rehabilitation Board*

The Speaker appoints the five house members on the Iron Range Resources and Rehabilitation Board. All expenditures and projects made by the commissioner of iron range resources and rehabilitation must be submitted to the board for a recommendation of approval, disapproval or modification. The board must approve or disapprove all disbursements. Minn. Stat. §298.22, subd. 2.

*Joint Legislative Committee on Solid and Hazardous Waste*

Speaker appoints seven members of the house to serve on the committee. This committee is to assist and advise the State Planning Agency in designing research and work programs regarding solid and hazardous waste and is to review the research in progress. (Expires 7-1-79) L.1978, C.728 §2.

*Term:* No term specified. Members are to be members of the legislature.

*\*\*Legislative Commission on Minnesota Resources*

Speaker appoints seven house members to the commission. The commission is charged with making various studies relative to the use of the natural resources of the state. Minn. Stat. §§86.06-86.12.

*Term:* Members of the house are appointed at the close of the regular legislative session and are "to serve until successors

are chosen." Vacancies are to be filled in the same manner as the original positions.

*Legislative Advisory Committee to the Minnesota-Wisconsin Boundary Area Commission*

Speaker appoints the five house members of the committee. The committee is charged with assisting the commission in the performance of its duties. Minn. Stat. §1.34.

*Term:* New members are to be selected by January 31st of odd numbered years.

*Mississippi River Parkway Commission*

Speaker appoints the three house members of the commission. The commission is charged with working toward planning and development of the great river road or the Mississippi River Parkway and to aid in securing the location of federal parks within Minnesota. Minn. Stat. §161.1419.

*Term:* Terms are coterminous with the regular legislative session.

*Legislative Commission on Pensions and Retirement*

Speaker appoints the five house members of the commission. The commission is charged with studying and investigating public retirement systems. Minn. Stat. §3.85.

*Term:* Terms are for two years commencing January 16th in odd numbered years.

*\*\*Steering Committee of the MTC Directing the Feasibility Study of the Downtown People Mover*

Speaker appoints one house member to serve as a nonvoting member of the steering committee which is studying the feasibility of the downtown people mover project in St. Paul. L. 1977, C. 454, §45.

*Personnel Board*

Speaker submits a list of eligible appointees to the governor who appoints one member of the board from the Speaker's list. Minn. Stat. §43.03.

*\*Legislative Commission to Study Public Broadcasting in the State*

Speaker appoints five house members to serve on the commission which is charged with studying various aspects of public

broadcasting in Minnesota. (Effectively expires 1-15-79) L. 1977, C. 445 §3; L. 1978, C. 793 §86.

*Term:* Vacancies are to be filled by appointing power.

*\*Privacy Study Commission*

Speaker appoints three of the six members of the commission. The commission is charged with studying the collection, storage, and use of data on individuals by public or private entities in Minnesota. Minn. Stat. §15.169.

*Term:* Terms expired with start of the 1977 session. The power of the commission to act effectively expired at that time.

*\*Small Business Advisory Task Force*

Speaker appoints three house members to serve on a task force to advise the commissioner of economic development and the legislature on allocating resources to the small business unit of DED and to develop a plan for a statewide or regional education system(s) for small business and for a system of providing technical service assistance to small businesses. L. 1978, C. 709 §2.

*Term:* No provision for terms or filling vacancies. Task Force's final report is to be submitted by 12-1-78 and is to be implemented by DED by 7-1-79.

*Tax Study Commission*

Speaker appoints six of the seven members of the commission. Commission is to study and make recommendations regarding long range tax policy and to review and analyze tax legislation. Minn. Stat. §3.86.

*Term:* Terms are for two years, expiring on January 15th of the succeeding biennial session. Members serve only for as long as they are members of the house.

*Voyageurs National Park Citizens' Committee*

Speaker appoints two members of the committee. The committee is to conduct meetings and research relating to the establishment of Voyageurs National Park and to make recommendations to the National Park Service. (Expires 6-30-83) Minn. Stat. §84B.11.

*Term:* Legislative members serve for the term of the legislative office to which they were elected.

*Council on Economic Status of Women*

Speaker appoints five members of the house to serve on the commission, over half of which must be women. The council is to report to the governor and the legislature regarding any necessary changes in laws or programs to achieve full participation by women in the economy. (Expires 6-30-81) L. 1976, C. 337; L. 1978, C. 793 §§82-83.

*Term:* "Members shall serve until the expiration of this act or until the expiration of their legislative terms."

*\*Workers Compensation Study Commission*

Speaker appoints three house members to serve on the commission. The commission is charged with studying various specific aspects of the Minnesota workers compensation system. (Expires 12-31-78) L. 1977, C. 342 §27.

*Term:* Members serve until expiration of the commission.

*Laws 1977, Chap. 455 §19, Subd. 2.*

Speaker has authority to designate "appropriate legislative committees and staff in the House of Representatives . . . who shall be involved in the ongoing process" of a study of economic development by the State Planning Agency.

*\*Laws 1977, Chap. 430 §28, Subd. 2.*

Speaker appoints three members of the Governmental Operations Committee to review a report submitted by the commissioner of economic security regarding the reorganization or creation of the department of economic security. The report was to be submitted by 1-1-78.

*\*Laws 1977, Chap. 311 §12*

Speaker appoints two house members to the commission to study and consider alternatives for continuing financing of the statewide 911 telephone emergency system. Commission may act until the commencement of the 1978 legislative session.

*National Council of State Legislatures*

Appointments to NCSL and other national organizations shall be by caucus leaders in a proportional manner.

\*Commission, committee, board, or task force has expired or will expire early in 1979 session.

\*\*Only vacancies to be filled before the close of the 1979 session.

B. Statutory power other than those related to commissions, special committees, and boards (Refer to Section 2 of House Research Report dated December 5, 1978).

1. Standing committees as interim committees. In making such appointments, the Speaker shall follow the recommendations of the leader of the caucus in which the vacancy occurs.

## Section 2

### Powers and Responsibilities of the Speaker as Established by Statute, Other Than those Related to Commissions, Special Committees and Boards

#### *Standing Committees as Interim Study Committees*

For House committees, vacancies shall be filled by the last elected speaker of the House. Minn. Stat. §3.921.

#### *Gubernatorial Succession*

Order of succession is the lieutenant governor and then the president of the senate. If there is no president of the senate, then the speaker of the house shall become governor for the remainder of the term.

In case of death or other failure to take office of the governor elect, the lieutenant governor, the president of the senate, or the last duly elected speaker of the house take office in that order. Minn. Stat. §4.06.

#### *Legislative Manual*

Speaker to approve students edition of Legislative Manual which is prepared by the Secretary of State. Minn. Stat. §5.09.

#### *Lobbyist Report*

Director of Ethical Practices Board to report names of registered lobbyists to speaker. Minn. Stat. §10A.05.

#### *Conflicts of Interest*

Members of house to deliver conflict of interest statements to speaker. Minn. Stat. §10A.07.

#### *Statements of Economic Interest*

Ethical Practices Board to notify speaker of names of individuals filing statements. Minn. Stat. §10A.09, Subd. 3.

*Appointments to Agencies*

Ethical Practices Board to submit copies of any statements which candidates must file with it to the speaker. Minn. Stat. §15.0597, Subd. 5.

*Acting Department Heads*

Notice of designation of a commissioner or an acting commissioner shall be filed with the speaker. Minn. Stat. §15.06, Subd. 5.

*Transmittal of Judgments*

If any candidate for the house be convicted of a violation of §210A.01-.44, a certificate of such conviction is to be transmitted to the speaker. Minn. Stat. §210A.40.

2. A copy of all reports or lists received by the Speaker pursuant to statutory direction shall, immediately upon receipt, be provided to the caucus leader of the other caucus.

C. House Rules and Joint Rules (Refer to Section 3 of House Research Report dated 12-5-78.)

All powers and duties enumerated in the House Rules are retained with the following modifications:

1c Power to require any motion to be in writing shall be subject to consultation between caucus leaders, if abused.

2b and 2c Appointments to standing committees shall be made as designated above in the section on Committee Structure.

3a Directs the chief clerk in preparation of General Orders. Continues as at present but with the understanding that committee reports shall be given their second reading (before placement on General Orders) in numerical order of introduction with House Files placed ahead of Senate Files.

3b Power to issue permits for admission to floor continued with understanding that each caucus leader will have equal number of floor passes available to him until one hour before each daily session.

3c The Speaker or opposing caucus leader may give permission to a member of his caucus to absent himself from a session of the House and have his excused absence noted in the Journal.

3d Schedule of committee meetings shall be worked out by agreement of the Speaker and the opposing caucus leader.

3e The power to set times during the interim when per diems are not charged against committee budgets (Rule 6.12) may be exercised by either caucus leader.

3f Space allocation is subject to agreement of the caucus leaders. Each caucus leader shall assign space within the area designated for that particular caucus. Spaces held in common shall be shared equally.

3g Power to direct Chief Clerk. Speaker's supervision subject to review by the Committee on Rules and Legislative Administration. All supervision will be with the understanding that the Chief Clerk will fully cooperate with the caucus leader opposite the Speaker.

4b and 4c Reference of bills to Committee shall be as designated above in the section on the Rules Committee.

### Section 3

#### Powers and Responsibilities of the Speaker As Established by House Rules and Joint Rules, 1977-78

##### *House Rules*

- (1) *Presiding Officer of the House*
  - a) Power to call the House to order. Rule 1.1
  - b) Power to excuse members during a call of the House. Rule 2.2
  - c) Power to require any motion to be in writing. Rule 3.1
  - d) May allow 2 minute statement of reasons why House should not adjourn after nondebatable motion to adjourn has been made. Rule 3.3
  - e) Power to recognize members on floor. Rule 4.2
  - f) Power to call House or any member to order. Rule 4.3
  - g) General powers of a presiding officer under rules of parliamentary procedure. Rule 7.1
  - h) Power to order Sergeant at Arms to take action. Rule 7.9

*(2) Appointive Powers*

- a) May appoint another member to preside over Committee of the Whole. Rule 1.5
- b) Appoints members of standing committees. Rule 6.1
- c) Designates the number of minority members on standing committees. (Minority selects specific members who serve on committees.) Rule 6.2
- d) Appoints chief Sergeant at Arms or designates him from among those elected by the House. Rule 7.1
- e) May appoint temporary Speaker pro tem. Rule 7.2

*(3) Administrative Duties and Powers*

- a) Directs the Chief Clerk in preparation of general orders. Rule 1.7
- b) Power to issue permits for admission onto the House floor for nonmembers. Rule 4.9
- c) Gives permission to members to be absent from a session. Rule 4.1
- d) Prepares schedule of regular committee meetings. Rule 6.3
- e) Power to set times during the interim when per diems are not charged against committee budgets. Rule 6.12
- f) General control of chamber, corridors, passages, and rooms assigned to the use of the House. Rule 7.1
- g) Power to direct the Chief Clerk in the performance of his duties. Rule 7.3

*(4) Control of Bill Flow*

- a) Presents petitions, memorials, and other papers to full House. Rule 4.10
- b) Refers bills to standing committees after first reading. Rule 5.4
- c) Power to refer committee bills to committee. Rule 5.5

*(5) Official Representative of the House*

- a) Signs all acts, addresses, joint resolutions, writs, warrants, and subpoenas. Rule 7.1



*Joint Rules*

- (1) Presiding officer at joint conventions. Rule 1.01
- (2) Certifies election results in conjunction with the President of the Senate. Rule 1.08

**D. Appointment of Conference Committees.**

Membership on conference committees shall be evenly divided between the two caucuses with Speaker and Chairman of Rules Committee appointing members of conference committees from their own caucuses.

E. There shall be no committees created by the Speaker without agreement of the two caucus leaders. The membership of any committee so created shall be evenly divided between the DFL and IR caucuses with members selected by the respective caucus leaders.

**FLOOR MANAGEMENT**

1. The position of floor leader shall be held by a DFL caucus member or his designee. In addition to his other duties and responsibilities, his function shall include making all procedural motions on the floor of the House.

2. All information pertaining to floor motions and actions for a particular day shall be provided by the Speaker and Chief Clerk to both caucus leaders prior to the beginning of a particular day's session or upon receipt of the information whichever occurs first.

3. All bills and resolutions for introduction shall be delivered to the Chief Clerk at least 24 hours prior to the convening of a daily session. Immediately upon receipt, the Chief Clerk shall note on the document the time at which the matter was received. All bills and resolutions shall be introduced in the order received.

4. During a daily session, all written amendments, motions and resolutions shall be delivered to the Chief Clerk who, immediately upon receipt, shall note on the document the time at which it was received. Such motions, resolutions and amendments shall be put before the body in the order in which they were received by the Chief Clerk.

5. The Speaker shall appoint a permanent Speaker Pro Tem who shall serve in the absence with all of the duties, powers and responsibilities of the Speaker when acting in his stead of the Speaker except that the Speaker may also call a member to preside as a temporary Speaker Pro Tem, but such temporary appointment shall not extend beyond adjournment for the day.

This agreement, consisting of 17 pages, has been signed and ratified this 8th day of January, 1979.

DFL: IRVIN N. ANDERSON, DFL Caucus Leader; HARRY SIEBEN; CARL JOHNSON; JAMES CASSERLY; and AL W. PATTON.

IR: RODNEY SEARLE, IR Caucus Leader; DOUGLAS CARLSON; BOB ANDERSON; JERRY KNICKERBOCKER; and BRUCE NELSEN.

The question was taken on the adoption of the resolution providing for temporary Rules of the House as modified by the DFL-IR agreement and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelson	Sherwood
Adams	Eken	Kahn	Niehaus	Sieben, H.
Ainley	Elioff	Kaley	Norman	Sieben, M.
Albrecht	Ellingson	Kalis	Norton	Simoneau
Anderson, B.	Enebo	Kelly	Novak	Stadum
Anderson, D.	Erickson	Kempe	Nysether	Stoa
Anderson, G.	Esau	Knickerbocker	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	Mann	Pleasant	Waldorf
Byrne	Halberg	McCarron	Prahl	Weaver
Carlson, D.	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Casserly	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	

The motion prevailed and the temporary Rules as modified by the DFL-IR Agreement were adopted.

Sieben, H., 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 8, 1979, to better expedite the business of the House.

The question was taken on the adoption of the resolution relating to employees and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelson	Sherwood
Adams	Eken	Kahn	Niehaus	Sieben, H.
Ainley	Elioff	Kaley	Norman	Sieben, M.
Albrecht	Ellingson	Kalis	Norton	Simoneau
Anderson, B.	Enebo	Kelly	Novak	Stadium
Anderson, D.	Erickson	Kempe	Nysether	Stoa
Anderson, G.	Esau	Knickerbocker	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	Mann	Pleasant	Waldorf
Byrne	Halberg	McCarron	Prahl	Weaver
Carlson, D.	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Cassery	Heimitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	

The motion prevailed and the resolution was adopted.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of two I-R members as follows to a temporary Committee on Rules and Legislative Administration to act as the permanent Committee on Rules and Legislative Administration until the full committee is appointed: Searle and Knickerbocker.

#### ANNOUNCEMENT BY THE CHAIRMAN OF THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Chairman announced the appointment of three DFL members as follows to a temporary Committee on Rules and Legislative Administration to act as the permanent Committee on Rules and Legislative Administration until the full committee is appointed:

Anderson, I.; Sieben, H., and Carlson, L.

Sieben, H., offered the following resolution and moved its adoption:

*Resolved*, that the Chief Clerk be instructed to inform the Senate and the Governor that the House is duly organized pursuant to law.

The motion prevailed and the resolution was adopted.

Sieben, H., 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, 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.

The motion prevailed and the resolution was adopted.

Sieben, H., 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 1979-80 Regular Session.

## RECONVENED

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

## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, January 11, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, January 11, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## FOURTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 11, 1979

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:

Aasness	Drew	Kaley	Norman	Sieben, M.
Adams	Eken	Kalis	Norton	Simoneau
Ainley	Elioff	Kelly	Novak	Stadum
Albrecht	Enebo	Kempe	Nysether	Stoa
Anderson, B.	Erickson	Knickerbocker	Olsen	Stowell
Anderson, D.	Esau	Kroening	Onnen	Sviggum
Anderson, G.	Ewald	Kvam	Osthoff	Swanson
Anderson, I.	Faricy	Laidig	Otis	Thiede
Anderson, R.	Fjoslien	Lehto	Patton	Tomlinson
Battaglia	Forsythe	Levi	Pavlak	Valan
Begich	Friedrich	Long	Pehler	Valento
Berglin	Fritz	Ludeman	Peterson	Vanasek
Berkelman	Fudro	Luknic	Piepho	Voss
Biersdorf	Greenfield	Mann	Pleasant	Waldorf
Blatz	Halberg	McCarron	Prahl	Weaver
Brinkman	Haukoos	McDonald	Redalen	Welch
Byrne	Heap	McEachern	Reding	Welker
Carlson, D.	Heinitz	Mehrkens	Rees	Wenzel
Carlson, L.	Hoberg	Metzen	Reif	Wieser
Casserly	Hokanson	Minne	Rice	Wigley
Clark	Jacobs	Moe	Rose	Wynia
Clawson	Jaros	Munger	Rothenberg	Zubay
Corbid	Jennings	Murphy	Sarna	Speaker Searle
Crandall	Johnson, C.	Nelsen, B.	Schreiber	
Dean	Johnson, D.	Nelsen, M.	Searles	
Dempsey	Jude	Nelson	Sherwood	
Den Ouden	Kahn	Niehaus	Sieben, H.	

A quorum was present.

Ellingson, Evans and Kostohryz were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly 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.

## OATH OF OFFICE

The oath of office was administered by the Speaker to John Kivimaki, Postmaster, and Reverend Philip L. Hansen, Chaplain who were elected to their respective offices on Monday, January 8, 1979.

## 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 Senate Concurrent Resolution, herewith transmitted:

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

PATRICK E. FLAHAVER, Secretary of the Senate

## SUSPENSION OF RULES

Sieben, H., 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 House of Representatives for the 70th session are adopted as the temporary joint rules of the 71st session to be effective until the adoption of permanent joint rules by the Senate and House.

Sieben, H., moved that Senate Concurrent Resolution No. 1 be now adopted.

Sieben, H., moved to amend Senate Concurrent Resolution No. 1 as follows:

Line 6, after "session" insert "as modified by the negotiated agreement of January 8, 1979 and House Rules."

The motion prevailed and the amendment was adopted.

The question recurred on the adoption of Senate Concurrent Resolution No. 1, as amended, and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Jude	Nelsen, M.	Searles
Adams	Drew	Kahn	Nelson	Sherwood
Ainley	Eken	Kaley	Niehaus	Sieben, H.
Albrecht	Elioff	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Ewald	Kroening	Olsen	Stowell
Anderson, R.	Faricy	Kvam	Onnen	Sviggum
Battaglia	Fjoslien	Laidig	Osthoff	Swanson
Begich	Forsythe	Lehto	Otis	Thiede
Berglin	Friedrich	Levi	Patton	Tomlinson
Berkelman	Fritz	Long	Pavlak	Valan
Biersdorf	Fudro	Ludeman	Pehler	Valento
Blatz	Greenfield	Luknic	Peterson	Vanasek
Brinkman	Halberg	Mann	Piepho	Voss
Byrne	Haukoos	McCarron	Pleasant	Waldorf
Carlson, D.	Heap	McDonald	Prahl	Weaver
Carlson, L.	Heinitz	McEachern	Redalen	Welch
Casserly	Hoberg	Mehrkens	Reding	Welker
Clark	Hokanson	Metzen	Rees	Wenzel
Clawson	Jacobs	Minne	Reif	Wieser
Corbid	Jaros	Moe	Rose	Wigley
Crandall	Jennings	Munger	Rothenberg	Wynia
Dean	Johnson, C.	Murphy	Sarna	Zubay
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	Speaker Searle

The motion prevailed and Senate Concurrent Resolution No. 1, as amended, 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 Senate 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

Sieben, H., 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 shall 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 71st 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 may deduct from the check of any legislator or legislative employee in each year of the 71st 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.

Sieben, H., moved that Senate Concurrent Resolution No. 2 be now adopted.

The question was taken on the adoption of the resolution and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Crandall	Jacobs	McEachern	Piepho
Adams	Dean	Jaros	Mehrkens	Pleasant
Ainley	Dempsey	Jennings	Metzen	Prahl
Albrecht	Den Ouden	Johnson, C.	Minne	Redalen
Anderson, B.	Drew	Johnson, D.	Moe	Reding
Anderson, D.	Eken	Jude	Munger	Rees
Anderson, G.	Elioff	Kahn	Murphy	Reif
Anderson, I.	Enebo	Kaley	Nelsen, B.	Rice
Anderson, R.	Erickson	Kalis	Nelsen, M.	Rose
Battaglia	Esau	Kelly	Nelson	Rothenberg
Begich	Ewald	Kempe	Niehaus	Sarna
Berglin	Faricy	Knickerbocker	Norman	Schreiber
Berkelman	Fjoslien	Kroening	Norton	Searles
Biersdorf	Forsythe	Kvam	Novak	Sherwood
Blatz	Friedrich	Laidig	Nysether	Sieben, H.
Brinkman	Fritz	Lehto	Olsen	Sieben, M.
Byrne	Fudro	Levi	Onnen	Simoneau
Carlson, D.	Halberg	Long	Osthoff	Stadum
Carlson, L.	Haukoos	Ludeman	Otis	Stoa
Casserly	Heap	Luknic	Patton	Stowell
Clark	Heinitz	Mann	Pavlak	Sviggum
Clawson	Hoberg	McCarron	Pehler	Swanson
Corbid	Hokanson	McDonald	Peterson	Thiede

Tomlinson  
Valan  
Vanasek

Voss  
Waldorf  
Weaver

Welch  
Welker  
Wenzel

Wieser  
Wigley  
Wynia

Zubay  
Speaker Searle

The motion prevailed and Senate Concurrent Resolution No. 2 was adopted.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, January 15, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, January 15, 1979.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**



## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## FIFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 15, 1979

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:

Aasness	Drew	Jude	Nelson	Sherwood
Adams	Eken	Kahn	Niehaus	Sieben, H.
Ainley	Elioff	Kaley	Norman	Sieben, M.
Albrecht	Ellingson	Kalis	Norton	Simoneau
Anderson, B.	Enebo	Kelly	Novak	Stadum
Anderson, D.	Erickson	Kempe	Nysether	Stoa
Anderson, G.	Esau	Knickerbocker	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Farcy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	Mann	Pleasant	Waldorf
Byrne	Halberg	McCarron	Prahl	Weaver
Carlson, D.	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Casserly	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	

A quorum was present.

Kostohryz was 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.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Faricy, Greenfield, Ewald, Friedrich and Pleasant introduced:

H. F. No. 1, A bill for an act relating to metropolitan government; fixing the revenues of the metropolitan sports facilities commission; repealing the commission liquor tax authority; amending Minnesota Statutes 1978, Section 473.581; repealing Minnesota Statutes 1978, Section 473.591.

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

Adams introduced:

H. F. No. 2, A bill for an act appropriating money to the crime control planning board for grants-in-aid to youth intervention programs.

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

Wynia introduced:

H. F. No. 3, A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

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

Niehaus, Kempe, Sherwood, Aasness and Brinkman introduced:

H. F. No. 4, A bill for an act relating to public health; requiring family planning employees who advise an abortion, sterilization, or contraceptive use to a minor to notify the parent before this recommendation; amending Minnesota Statutes 1978, Section 145.925, Subdivision 4.

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

Anderson, G.; Kalis; Anderson, D.; Fjoslien and Anderson B., introduced:

H. F. No. 5, A bill for an act relating to taxation; sales tax; exempting certain farm machinery and repair parts; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Agriculture. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Anderson, G.; Munger; Anderson, D.; Eken and Erickson introduced:

H. F. No. 6, A bill for an act relating to game and fish; computation of payments to counties in lieu of taxes on certain game and fish lands; amending Minnesota Statutes 1978, Section 97.49, Subdivision 3.

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

Fjoslien, Aasness, Begich, Sherwood and Kalis introduced:

H. F. No. 7, A bill for an act relating to the state building code; limiting its application; permitting certain state agencies and departments to adopt rules relating to the building code; amending Minnesota Statutes 1978, Sections 16.84; and 16.86, Subdivision 4; repealing Minnesota Statutes 1978, Section 16.851.

The bill was read for the first time and referred to the Committee on Energy and Utilities. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Fjoslien, Kalis, Den Ouden, Mann and McDonald introduced:

H. F. No. 8, A bill for an act relating to taxation; gasoline tax; reducing the tax on grain alcohol gasoline; creating the Minnesota agricultural products industrial utilization board and the agricultural alcohol fuel tax fund; appropriating money; amending Minnesota Statutes 1978, Sections 296.01, by adding a subdivision; 296.02, by adding a subdivision; 296.18, Subdivision 8; and Chapter 24, by adding a section.

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

Fjoslien introduced:

H. F. No. 9, A bill for an act relating to education; authorizing the pairing of certain independent school districts; extending the time for pairing; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.

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

Fjoslien and Aasness introduced:

H. F. No. 10, A bill for an act relating to the city of Ashby; authorizing issuance of general obligation bonds for the purpose of building a fire hall-administrative building and purchasing a fire truck.

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

Nelson, Pleasant, Casserly and Norton introduced:

H. F. No. 11, A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

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

Sherwood, Reding, Kalis, Aasness and Fjoslien introduced:

H. F. No. 12, A bill for an act relating to the state building code; restricting state-wide application of its provisions; amending Minnesota Statutes 1978, Sections 16.851, Subdivisions 1 and 2; 16.861, Subdivision 1; and 16.866, Subdivision 1; repealing Laws 1978, Chapter 786, Section 22.

The bill was read for the first time and referred to the Committee on Energy and Utilities. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Sherwood; Johnson, D.; Waldorf; Thiede and Battaglia introduced:

H. F. No. 13, 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.

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

Berglin introduced:

H. F. No. 14, A bill for an act relating to taxation; motor vehicle excise; exempting used motor vehicle sales; amending Minnesota Statutes 1978, Section 297B.03.

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

Berglin introduced:

H. F. No. 15, A bill for an act relating to physically handicapped persons; providing parking privileges for the physically handicapped; authorizing parking privileges for operators of vehicles used in transporting the physically handicapped; amending Minnesota Statutes 1978, Sections 168.021, Subdivision 1; 169.345, Subdivisions 3 and 4; and 169.346, Subdivision 1.

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

Berglin, Heinitz and Dean introduced:

H. F. No. 16, A bill for an act relating to public welfare; adjusting eligibility requirements for medical assistance benefits; amending Minnesota Statutes 1978, Sections 256B.06, Subdivision 1; and 256B.07.

The bill was read for the first time and referred to the Committee on Health and Welfare. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Casserly, Berglin, Otis, Sieben, M., and Sieben, H., introduced:

H. F. No. 17, A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

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

Murphy, Battaglia and Begich introduced:

H. F. No. 18, A bill for an act relating to commerce; restricting discontinuation of service by utilities and fuel distributors during winter; providing procedures for discontinuing service; providing claim procedures for disputed billings.

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



Faricy, Pehler and Novak introduced:

H. F. No. 19, A bill for an act relating to taxation; income; adopting 1978 federal amendments increasing the exclusion from gross income of gain from a sale of a residence for certain persons; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Faricy, Pehler and Wynia introduced:

H. F. No. 20, A bill for an act relating to taxation; property; providing that property tax refund claims be made with the income tax return; amending Minnesota Statutes 1978, Sections 290A.06 and 290A.07.

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

Faricy, Wynia and Pehler introduced:

H. F. No. 21, A bill for an act relating to taxes; exempting from the sales and use tax sales to associations of the elderly; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

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

Kalis; Carlson, D.; Eken; Haukoos and Anderson, B., introduced:

H. F. No. 22, 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.

Enebo, Osthoff, Kroening and Dean introduced:

H. F. No. 23, 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.

Hoberg and Valan introduced:

H. F. No. 24, A bill for an act relating to the city of Moorhead; authorizing a housing finance program and providing for the issuance of 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.

Sherwood, Ainley, McDonald, Wenzel and Kalis introduced:

H. F. No. 25, A bill for an act relating to regional development; providing a procedure for county withdrawal from development regions; amending Minnesota Statutes 1978, Chapter 462, by adding a section.

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

McDonald, Redalen, Sviggum, Johnson, D., and Esau introduced:

H. F. No. 26, A bill for an act relating to taxation; sales tax; reducing the tax rate on certain new farm machinery; exempting certain used farm machinery; amending Minnesota Statutes 1978, Sections 297A.01, by adding a subdivision; 297A.02; 297A.14; 297A.24; and 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Agriculture. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Vanasek introduced:

H. F. No. 27, A bill for an act relating to the city of Northfield; authorizing an increase in firemen's service pensions.

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

Enebo; Metzen; Anderson, I.; Biersdorf and Rose introduced:

H. F. No. 28, A bill for an act relating to migrant labor; establishing a study commission on migrant labor; appropriating money.

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

Enebo, Kelly, Rice, Metzen and Osthoff introduced:

H. F. No. 29, A bill for an act relating to labor; providing for full employment and economic equity; creating an advisory council on full employment and economic equity; creating a joint full employment and economic equity committee of the legislature; prescribing certain duties and responsibilities of the governor, the legislature and executive state agencies; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Begich, Elioff, Battaglia and Munger introduced:

H. F. No. 30, A bill for an act relating to local government; setting conditions for the removal of local government units to permit mining.

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

Begich, Munger, Prah, Minne and Anderson, I., introduced:

H. F. No. 31, A bill for an act relating to taconite and semi-taconite companies; withdrawing the right to exercise eminent domain; authorizing the grant of licenses, permits and leases of state owned land; amending Minnesota Statutes 1978, Section 117.47; repealing Minnesota Statutes 1978, Sections 117.46; and 117.461.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Simoneau, Otis, Wynia, Pehler and Enebo introduced:

H. F. No. 32, A bill for an act relating to taxation; extending 3cc classification to certain homesteads; amending Minnesota Statutes 1978, Section 273.13, Subdivision 7.

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

Pleasant, Nelson, Tomlinson and Ewald introduced:

H. F. No. 33, A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

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

Simoneau introduced:

H. F. No. 34, A bill for an act relating to education; abolishing the higher education coordinating board; transferring some of its functions; amending Minnesota Statutes 1978, Sections 3.732, Subdivision 1; 15A.081, Subdivision 1; 16.911, Subdivision 1; 43.064; 124.565, Subdivision 4; 136.15; 136A.06; 136A.08, Subdivisions 1 and 2; 136A.101, Subdivisions 2 and 3; 136A.111, Subdivisions 1, 3, and 4; 136A.132, Subdivision 1; 136A.133, Subdivision 2; 136A.141; 136A.143; 136A.144; 136A.15, Subdivisions 3 and 4; 136A.16, Subdivisions 1, 9, and 10; 136A.171; 136A.172; 136A.173, Subdivisions 1, 2, 3, 4, and 5; 136A.174; 136A.175, Subdivisions 1, 2, and 3; 136A.177; 136A.19, Subdivisions 2 and 3; 136A.21, Subdivision 3; 136A.22, Subdivision 3; 136A.225, Subdivision 2; 136A.23; 136A.232; 136A.236, Subdivision 1; 136A.26; 136A.29, Subdivisions 2, 3, and 4; 136A.42; 136A.52, Subdivision 2; 136A.55, Subdivision 2; 136A.62, Subdivision 2; 136A.70; 147.30; 147.31; 147.32; 147.33; 197.09, Subdivision 2; 214.14, Subdivision 1 and 352D.02, Subdivision 1; repealing Minnesota Statutes 1978, Sections 136A.01; 136A.02; 136A.03; 136A.04; 136A.041; 136A.042; 136A.05; 136A.07; 136A.111, Subdivision 5; 136A.17, Subdivision 9; 136A.21, Subdivision 4; 136A.85; 136A.86; 136A.87 and 136A.88.

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

Pehler, Simoneau, Clark and Enebo introduced:

H. F. No. 35, 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.

Pehler, Dean, Patton and Zubay introduced:

H. F. No. 36, A bill for an act relating to taxation; local government; allowing local governments to impose a tax on sales of hotel, motel, and room services; amending Minnesota Statutes 1978, Section 477A.01, Subdivision 18.

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

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

H. F. No. 37, A bill for an act relating to public local grain warehouses; providing for deferral of payments for grain at the seller's option; providing for escrow accounts of surety bond; amending Minnesota Statutes 1978, Chapter 232, by adding a section.

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

Sieben, M., introduced:

H. F. No. 38, A bill for an act relating to reapportionment of the legislature and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3 to provide for congressional and legislative apportionments by a commission; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; appropriating money; imposing a penalty; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.

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

McEachern, Welch and Wenzel introduced:

H. F. No. 39, A bill for an act relating to hospitals; providing for payment of election judges; providing hospital board members with travel and other expenses incurred in the performance of their duties; authorizing hospital boards to set compensation for board members; amending Minnesota Statutes 1978, Section 447.32, Subdivision 4, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Welfare. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

McEachern, Friedrich, Welch, Biersdorf and Wenzel introduced:

H. F. No. 40, A bill for an act relating to taxation; property tax; changing class 3b to include certain noncontiguous agricultural acreage; amending Minnesota Statutes 1978, Section 273.13, Subdivision 6.

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

McEachern, Friedrich, Welch, Biersdorf and Wenzel introduced:

H. F. No. 41, A bill for an act relating to taxation; sales tax; reducing the tax rate on certain new farm machinery; exempting certain used farm machinery; amending Minnesota Statutes 1978, Sections 297A.01, by adding a subdivision; 297A.02; 297A.14; 297A.24; and 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Agriculture. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

McEachern, Friedrich, Biersdorf, Wenzel and Berkelman introduced:

H. F. No. 42, A bill for an act relating to game and fish; clarifying the definition of "agricultural lands" for the purpose of restricting trespass thereon; amending Minnesota Statutes 1978, Section 100.273, Subdivision 1.

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

McDonald, Albrecht, Redalen, Den Ouden and Onnen introduced:

H. F. No. 43, A resolution concerning amending the Constitution of the United States; memorializing Congress to propose an amendment to the United States Constitution to require a balanced federal budget.

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

McEachern, McDonald and Wenzel introduced:

H. F. No. 44, A bill for an act relating to zoning; making state owned lands subject to local planning and zoning ordinances.

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

Berkelman introduced:

H. F. No. 45, A bill for an act relating to retirement; authorizing prior service credit for a certain member of the judge's retirement fund.

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

Luknic and Vanasek introduced:

H. F. No. 46, A bill for an act relating to appropriations; appropriating funds for the replacement of King's Mill Dam.

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

Reding; Kempe; Anderson, G.; Sherwood and Fjoslien introduced:

H. F. No. 47, A bill for an act relating to education; abolishing the age limit for tuition subsidies for public post-secondary vocational-technical school students; amending Minnesota Statutes 1978, Section 136A.236, Subdivision 2.

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

Reding, Jaros and Zubay introduced:

H. F. No. 48, A bill for an act relating to the city of Austin; authorizing an on-sale liquor license for Riverside Arena.

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

Reding, Pehler, Hoberg, Piepho and Stoa introduced:

H. F. No. 49, A bill for an act relating to cities; allowing installment purchases by certain cities; amending Minnesota Statutes 1978, Section 465.71.

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

Prahl, Begich, Lehto, Long and Elioff introduced:

H. F. No. 50, A bill for an act relating to retirement; authorizing purchase of allowable service credit by a certain member of the public employees retirement association.

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

Reding, Begich, Redalen, Fjoslien and Anderson, I., introduced:

H. F. No. 51, A bill for an act relating to noise pollution; exempting certain existing skeet, trap and shooting sports clubs from noise standards of the pollution control agency; amending Minnesota Statutes 1978, 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.

Nelson and Clark introduced:

H. F. No. 52, A bill for an act relating to physically handicapped persons; providing parking privileges for the physically handicapped; authorizing parking privileges for operators of vehicles used in transporting the physically handicapped; amending Minnesota Statutes 1978, Sections 168.021, Subdivision 1; 169.345, Subdivisions 3 and 4; and 169.346, Subdivision 1.

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

Anderson, B.; Eken; Welch; Clawson and Erickson introduced:

H. F. No. 53, A bill for an act relating to taxation; providing a refund or credit of the excise tax paid on certain gasoline; amending Minnesota Statutes 1978, Section 296.14, Subdivision 2.

The bill was read for the first time and referred to the Committee on Agriculture. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Battaglia, Begich, Elioff and Anderson, D., introduced:

H. F. No. 54, A bill for an act relating to education; appropriating money to plan, construct and equip a fine arts building at Vermillion community college.

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



Battaglia, Begich, Murphy, Anderson, I., and Kroening introduced:

H. F. No. 55, A bill for an act relating to the Boundary Waters Canoe Area; providing for a temporary citizen's committee thereon.

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

Wieser, Redalen, Kalis, Anderson, B., and Den Ouden introduced:

H. F. No. 56, A bill for an act relating to railroads; regulating the disposal of certain abandoned property.

The bill was read for the first time and referred to the Committee on Transportation. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Prahl; Enebo; Anderson, I.; Byrne and Battaglia introduced:

H. F. No. 57, A bill for an act relating to human rights; specifying medical standards for employment and bona fide occupational qualifications; amending Minnesota Statutes 1978, Section 363.03, Subdivision 1.

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

Niehaus, Wenzel, Fjoslien, Reding and Stowell introduced:

H. F. No. 58, A bill for an act relating to taxation; inheritance; increasing certain exemptions; adjusting certain rates; amending Minnesota Statutes 1978, Sections 291.03; and 291.05.

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

Wieser introduced:

H. F. No. 59, A bill for an act relating to towns; providing an alternate method of vacating town roads; amending Minnesota Statutes 1978, Section 164.06.

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

Wieser, Redalen, Clawson, Den Ouden and Brinkman introduced:

H. F. No. 60, A bill for an act relating to natural resources; modifying certain trespass laws; amending Minnesota Statutes 1978, Section 100.273, Subdivisions 1 and 2.

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

Den Ouden, McDonald, Fjoslien, Mann and Anderson, G., introduced:

H. F. No. 61, A bill for an act relating to power plant siting; rule making powers of the environmental quality board; amending Minnesota Statutes 1978, Section 116C.66.

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

Niehaus, McEachern, Reding and Albrecht introduced:

H. F. No. 62, A bill for an act relating to regional development; removing the voting authority of certain members of regional development commissions; amending Minnesota Statutes 1978, Section 462.388, Subdivision 1.

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

Jacobs, Otis, Sarna and Osthoff introduced:

H. F. No. 63, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 2; setting the size of the legislature.

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

Jacobs, Otis, Greenfield, Sarna and Osthoff introduced:

H. F. No. 64, A bill for an act relating to metropolitan government; providing for election of council members; amending Minnesota Statutes 1978, Section 473.123, Subdivisions 2, 4, 5, and by adding subdivisions.

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

Jacobs; Anderson, I.; Sarna and Rees introduced:

H. F. No. 65, A bill for an act relating to taxation; income tax; increasing individual credits against tax; increasing national guard credit; amending Minnesota Statutes 1978, Section 290.06, Subdivisions 3c and 12.

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

Jacobs, McDonald, Rees and Otis introduced:

H. F. No. 66, A bill for an act relating to the legislature; establishing a commission to apportion legislative districts.

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

Wigley; Johnson, C.; Dempsey and Kalis introduced:

H. F. No. 67, A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch No. 27; setting limits for the expenditure of money for the improvement thereof; providing for the financing thereof; amending Laws 1975, Chapter 249, Section, 1, Subdivision 1, as amended; and Section 2, as amended.

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

Den Ouden, McEachern, Fjoslien, Nelsen, B., and Kalis introduced:

H. F. No. 68, A bill for an act relating to education; authorizing school districts to make agreements providing for the discontinuance by a district of grades or portions of grades and the instruction in another of the districts of the pupils in the discontinued grades or portions of grades; providing for the calculation of pupil units, tuition payments, teacher employment, pupil transportation and transportation aids; amending Minnesota Statutes 1978, Sections 122.84 and 122.85, Subdivisions 1, 2, 3, 4 and 6; repealing Minnesota Statutes 1978, Section 122.85, Subdivision 7.

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

Enebo, Moe, Murphy, Byrne and Kroening introduced:

H. F. No. 69, 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 1978, 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 1978, Section 179.72, Subdivision 1a.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kempe introduced:

H. F. No. 70, A bill for an act relating to workers' compensation; requiring employer to provide certain podiatric treatment and orthotics; including certain podiatrists in definition of "physicians"; amending Minnesota Statutes 1978, Section 176.135, Subdivisions 1 and 2a.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

#### HOUSE ADVISORIES

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

Enebo, Kahn, Wynia, Byrne and Clark introduced:

H. A. No. 1, A proposal for investments.

The advisory was referred to the Committee on Governmental Operations.

#### ANNOUNCEMENT BY THE CHAIRMAN OF THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Chairman announced the appointment of the following members as chairmen of the committees listed:

Agriculture

Mann

Appropriations

Norton

Education	Johnson, C.
School Aids Division	Eken
Environment and Natural Resources	Munger
Financial Institutions and Insurance	Brinkman
General Legislation and Veterans Affairs	Swanson
Governmental Operations	Enebo
Judiciary	Faricy
Labor-Management Relations	Rice
Taxes	Sieben, H.
Transportation	Fudro

## ADJOURNMENT

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, January 16, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## SIXTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 16, 1979

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:

Aasness	Eken	Kahn	Niehaus	Sieben, H.
Adams	Elioff	Kaley	Norman	Sieben, M.
Ainley	Ellingson	Kalis	Norton	Simoneau
Albrecht	Enebo	Kelly	Novak	Stadum
Anderson, B.	Erickson	Kempe	Nysether	Stoa
Anderson, D.	Esau	Knickerbocker	Olsen	Stowell
Anderson, G.	Evans	Kroening	Onnen	Sviggum
Anderson, I.	Ewald	Kvam	Osthoff	Swanson
Anderson, R.	Fariy	Laidig	Otis	Thiede
Battaglia	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	Mann	Pleasant	Waldorf
Byrae	Halberg	McCarron	Prahl	Weaver
Carlson, D.	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Casserly	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	
Drew	Jude	Nelson	Sherwood	

A quorum was present.

Begich and Kostohryz were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Johnson, C., 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.

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Anderson, I, from the Committee on Rules and Legislative Administration, designated the committee referral of the following bills, which bills were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
5	Jan. 15, 1979	Taxes
7	Jan. 15, 1979	Governmental Operations
12	Jan. 15, 1979	Governmental Operations
16	Jan. 15, 1979	Health and Welfare
26	Jan. 15, 1979	Taxes
29	Jan. 15, 1979	Labor/Management Relations
31	Jan. 15, 1979	Environment and Natural Resources
39	Jan. 15, 1979	Local and Urban Affairs
41	Jan. 15, 1979	Taxes
53	Jan. 15, 1979	Taxes
56	Jan. 15, 1979	Transportation
69	Jan. 15, 1979	Labor/Management Relations
70	Jan. 15, 1979	Labor/Management Relations

MOTIONS AND RESOLUTIONS

Wigley moved that H. F. No. 67 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on Environment and Natural Resources.

The motion prevailed.

Jacobs moved that the name of Kempe be added as an author on H. F. No. 63.

The motion prevailed.

Pehler introduced:

House Resolution No. 1, A house resolution commending the cosponsors and participants of the Minnesota State Handicapped Awareness Day.

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

ANNOUNCEMENT BY THE SPEAKER AND CHAIRMAN OF THE  
COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Speaker and Chairman announced the following schedule of committee meetings for the 1979 regular session:

1979 HOUSE COMMITTEE SCHEDULE

<i>Committee</i>	<i>Meeting Room</i>	<i>Hour</i>
MONDAY THROUGH THURSDAY		
Appropriations	57	8:00- 9:45 a.m.
Governmental Operations	83	8:00- 9:45 a.m.
MONDAY		
Education	81	8:00- 9:45 a.m.
Local and Urban Affairs	83	10:00-11:45 a.m.
Criminal Justice	81	10:00-11:45 a.m.
Transportation	83	12:00- 1:45 p.m.
Labor-Management Relations	81	12:00- 1:45 p.m.
TUESDAY		
Taxes	81	8:00- 9:45 a.m.
Health and Welfare	57	10:00-11:45 a.m.
Environment and Natural Resources	83	10:00-11:45 a.m.
Commerce, Economic Development and Housing	81	10:00-11:45 a.m.
Local and Urban Affairs	83	12:00- 1:45 p.m.
Energy and Utilities	22	12:00- 1:45 p.m.
WEDNESDAY		
Education	81	8:00- 9:45 a.m.
Local and Urban Affairs	83	10:00-11:45 a.m.
Criminal Justice	81	10:00-11:45 a.m.
Agriculture	57	10:00-11:45 a.m.
Transportation	83	12:00- 1:45 p.m.
Financial Institutions and Insurance	81	12:00- 1:45 p.m.
Rules and Legislative Administration	95	4:00 p.m.



<i>Committee</i>	<i>Meeting Room</i>	<i>Hour</i>
THURSDAY		
Taxes	81	8:00- 9:45 a.m.
Health and Welfare	57	10:00-11:45 a.m.
Environment and Natural Resources	83	10:00-11:45 a.m.
Commerce, Economic Development and Housing	81	10:00-11:45 a.m.
General Legislation and Veterans Affairs	83	12:00- 1:45 p.m.
Judiciary	81	12:00- 1:45 p.m.

## FRIDAY

Taxes	83	8:00- 9:45 a.m.
Education	83	10:00-11:45 a.m.

Appropriations Divisions will meet when the full committee is not meeting in the following rooms:

Education	57
Health, Welfare and Corrections	51
State Departments	14
Semi-State	22

Taxes Divisions will meet when the full committee is not meeting in the following rooms:

Division 1	81
Division 2	14

Education Divisions will meet when the full committee is not meeting in the following rooms:

School Aids	81
Higher Education	14

ANNOUNCEMENTS BY THE CHAIRMAN OF THE COMMITTEE ON  
RULES AND LEGISLATIVE ADMINISTRATION

The Chairman announced the following committee assignments:

RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., Chairman	Carlson, L. Enebo	Osthoff Sieben, H.
Adams	Jacobs	Swanson
Begich	Mann	Tomlinson
Berglin	Metzen	

## AGRICULTURE

Mann, Chairman	Brinkman	Nelsen, M.
Kalis, Vice Chairman	Eken	Welch
Anderson, B.	Johnson, C.	Wenzel
Anderson, G.	Kahn	

## APPROPRIATIONS

Norton, Chairman	Kahn	Rice
Voss, Vice Chairman	Kempe	Sieben, M.
Anderson, G.	McCarron	Swanson
Berkelman	Metzen	Waldorf
Corbid	Munger	Welch
Hokanson	Osthoff	Wynia

## DIVISION ON EDUCATION (APPROPRIATIONS)

Sieben, M., Ranking Member	Munger Osthoff	Swanson Wynia
Metzen		

DIVISION ON HEALTH, WELFARE AND CORRECTIONS  
(APPROPRIATIONS)

McCarron, Ranking Member	Hokanson Rice	Waldorf Welch
Corbid		

## DIVISION ON SEMI-STATE (APPROPRIATIONS)

Anderson, G., Ranking Member	Hokanson Osthoff	Sieben, M.
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## DIVISION ON STATE DEPARTMENTS (APPROPRIATIONS)

Kahn, Ranking Member	Berkelman Kempe	Norton Voss
Anderson, G.		

## COMMERCE, ECONOMIC DEVELOPMENT AND HOUSING

Jaros, Ranking Member	Kroening Metzen	Sarna Sieben, M.
Adams	Murphy	Simoneau
Anderson, G.	Osthoff	
Fudro	Reding	

## CRIMINAL JUSTICE

Moe, Ranking Member	Greenfield	Nelson
Battaglia	Jaros	Novak
Clark	Lehto	Tomlinson
	Minne	

## EDUCATION

Johnson, C., Chairman	Eken	Mann
Nelson, Vice Chairman	Elioff	McEachern
Anderson, B.	Kalis	Nelsen, M.
Carlson, L.	Kelly	Otis
	Kostohryz	Tomlinson
	Long	

## SCHOOL AIDS DIVISION (EDUCATION)

Eken, Chairman	Johnson, C.	Nelson
McEachern, Vice Chairman	Kostohryz	Tomlinson

## HIGHER EDUCATION DIVISION (EDUCATION)

Kelly, Ranking Member	Carlson, L.	Long
Anderson, B.	Elioff	Nelsen, M.
	Kalis	Otis

## ENERGY AND UTILITIES

Corbid, Ranking Member	Kelly	Nelson
Greenfield	Lehto	Otis
Jude	Minne	Reding
Kahn	Munger	Stoa

## ENVIRONMENT AND NATURAL RESOURCES

Munger, Chairman	Begich	Nelsen, M.
Kostohryz, Vice Chairman	Ellingson	Patton
Battaglia	Jacobs	Prahl
	Lehto	Vanasek
	Long	

## FINANCIAL INSTITUTIONS AND INSURANCE

Brinkman, Chairman	Ellingson	Swanson
Wenzel, Vice Chairman	Faricy	Voss
Corbid	Greenfield	Wynia
	Kelly	
	Norton	

## GENERAL LEGISLATION AND VETERANS AFFAIRS

Swanson, Chairman	Fudro Kostohryz	Osthoff Otis
Carlson, L., Vice Chairman	McCarron Minne	Rice Vanasek

## GOVERNMENTAL OPERATIONS

Enebo, Chairman	Byrne Clawson	Sarna Simoneau
Patton, Vice Chairman	Kroening Minne	Stoa Wenzel
Adams Battaglia	Moe Reding	

## HEALTH AND WELFARE

Berglin, Ranking Member	Clark Clawson	Hokanson Waldorf
Anderson, B. Berkelman	Elioff Enebo	Welch
Byrne	Greenfield	

## JUDICIARY

Faricy, Chairman	Byrne Casserly	Sieben, M. Stoa
Jude, Vice Chairman	Enebo Kempe	Voss

## LABOR-MANAGEMENT RELATIONS

Rice, Chairman	Begich Carlson, L.	Moe Murphy
Prahl, Vice Chairman	Kempe Metzen	Pehler Simoneau

## LOCAL AND URBAN AFFAIRS

Casserly, Ranking Member	Elioff Ellingson	McEachern Murphy
Berglin Berkelman	Kroening Long	Pehler Waldorf
Clawson	McCarron	Wynia

## TAXES

Sieben, H., Chairman	Berglin Brinkman	Jaros Johnson, C.
Tomlinson, Vice Chairman	Casserly Eken	Novak Pehler
Anderson, I. Begich	Faricy Jacobs	Prahl Vanasek

## DIVISION I (TAXES)

Vanasek, Ranking Member	Berglin Brinkman	Prahl Tomlinson
Anderson, I., ex-officio	Jacobs Jaros	

## DIVISION II (TAXES)

Pehler, Ranking Member	Eken Faricy	Sieben, H., ex-officio
Begich Casserly	Johnson, C. Novak	

## TRANSPORTATION

Fudro, Chairman	Clark Hokanson	Mann McEachern
Sarna, Vice Chairman	Jacobs Jude	Novak Patton
Adams	Kalis	

## ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following committee assignments:

## AGRICULTURE

Aasness Albrecht Carlson, D. Erickson	Ludeman Luknic McDonald Nelsen, B.	Stowell Sviggum Valan
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## APPROPRIATIONS

Anderson, D. Anderson, R. Dean Den Ouden Erickson Forsythe	Haukoos Johnson, D. Laidig Mehrkens Nelsen, B. Piepho	Reif Stadum Valan Weaver Welker Wieser
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## DIVISION ON EDUCATION (APPROPRIATIONS)

Erickson,  
Chairman

DIVISION ON HEALTH, WELFARE AND CORRECTIONS  
(APPROPRIATIONS)

Forsythe,  
Chairman

## DIVISION ON SEMI-STATE (APPROPRIATIONS)

Dean,  
Chairman

## DIVISION ON STATE DEPARTMENTS (APPROPRIATIONS)

Anderson, D.,  
Chairman

## COMMERCE, ECONOMIC DEVELOPMENT AND HOUSING

Biersdorf,  
Chairman  
Ewald,  
Vice Chairman  
Ainley

Albrecht  
Anderson, R.  
Forsythe  
Friedrich  
Heap

Olsen  
Piepho  
Welker  
Wieser

## CRIMINAL JUSTICE

Pavlak,  
Chairman  
Laidig,  
Vice Chairman

Crandall  
Drew  
Jennings  
Kvam

Nysether  
Rothenberg  
Sherwood  
Zubay

## EDUCATION

Ainley  
Drew  
Esau  
Fjoslien  
Heap

Hoberg  
Jennings  
Knickerbocker  
Levi  
Niehaus

Olsen  
Redalen  
Sherwood  
Thiede  
Zubay

## SCHOOL AIDS DIVISION (EDUCATION)

## HIGHER EDUCATION DIVISION (EDUCATION)

Zubay, Chairman  
Ainley,  
Vice Chairman

## ENERGY AND UTILITIES

Wigley, Chairman  
Friedrich,  
Vice Chairman  
Ainley  
Carlson, D.

Evans  
Ewald  
Kaley  
Nysether  
Redalen

Rees  
Rothenberg  
Welker

## ENVIRONMENT AND NATURAL RESOURCES

Carlson, D.	Levi	Sherwood
Dean	Nysether	Stadum
Den Ouden	Peterson	Stowell
Fjoslien	Rose	Weaver

## FINANCIAL INSTITUTIONS AND INSURANCE

Anderson, D.	Heinitz	Sviggum
Blatz	Jennings	Valan
Ewald	Johnson, D.	Wieser
Fritz	Pavlak	

## GENERAL LEGISLATION AND VETERANS AFFAIRS

Halberg	McDonald	Valento
Haukoos	Norman	Wigley
Hoberg	Olsen	
Laidig	Onnen	

## GOVERNMENTAL OPERATIONS

Aasness	Ludeman	Rose
Albrecht	McDonald	Sviggum
Biersdorf	Norman	Stowell
Heinitz	Pavlak	Wigley
Kaley	Rees	

## HEALTH AND WELFARE

Niehaus, Chairman	Blatz	Kvam
Kaley, Vice Chairman	Crandall	Onnen
Aasness	Drew	Reif
	Esau	Zubay
	Heinitz	

## JUDICIARY

Anderson, D.	Dempsey	Mehrkens
Crandall	Erickson	Peterson
Dean	Forsythe	Pleasant

## LABOR-MANAGEMENT RELATIONS

Biersdorf	Niehaus	Rose
Evans	Norman	Searles
Fritz	Reif	Stadum
Heap		

## LOCAL AND URBAN AFFAIRS

Pleasant, Chairman	Hoberg Johnson, D.	Schreiber Searles
Fjoslien, Vice Chairman	Levi Piepho	Thiede Valento
Anderson, R. Haukoos.	Rees	Weaver

## TAXES

Blatz	Kvam	Rothenberg
Dempsey	Luknic	Schreiber
Evans	Onnen	Searle
Fritz	Peterson	Searles
Halberg	Pleasant	Valento

## DIVISION I (TAXES)

Searles, Chairman	Evans, Vice Chairman
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## DIVISION II (TAXES)

Kvam, Chairman	Dempsey, Vice Chairman
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## TRANSPORTATION

Dempsey	Halberg	Nelsen, B.
Den Ouden	Ludeman	Redalen
Esau	Luknic	Schreiber
Friedrich	Mehrkens	Thiede

## RULES AND LEGISLATIVE ADMINISTRATION

Anderson, R.	Friedrich	Nelsen, B.
Carlson, D.	Heinitz	Schreiber
Dempsey	Knickerbocker	Searle
Forsythe	Laidig	Weaver

## ANNOUNCEMENT BY THE SPEAKER AND THE CHAIRMAN OF THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Speaker and the Chairman announced the appointment of the following members of the House to the following commission:

*Iron Range Resources and Rehabilitation Board*, pursuant to the provisions of Minnesota Statutes 1978, Section 298.22:

Battaglia; Begich; Carlson, D.; Prah and Sherwood.



## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, January 18, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, January 18, 1979.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**

## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## SEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 18, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieba, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

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.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

January 15, 1979

The Honorable Edward J. Gearty  
President of the Senate

The Honorable Rod Searle  
Speaker of the House

Sirs:

I respectfully request the opportunity of addressing a joint session of the House and Senate of the 71st Session of the Minnesota Legislature on Tuesday, January 23, 1979, at 12:00 noon for the purpose of presenting my budget recommendations for the 1979-80 biennium to the Legislature.

Sincerely,

ALBERT H. QUIE  
Governor

Sieben, H., 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 23, 1979; 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 and the Chairman of the Committee on Rules and Legislative Administration 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:

Piepho, Wigley, Swanson, Pehler and Hoberg introduced:

H. F. No. 71, A bill for an act relating to education; providing aid to schools employing teachers with advanced training and above average experience; appropriating money.

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

Begich, Elioff, Minne, Kaley and Reif introduced:

H. F. No. 72, A bill for an act relating to education; providing that adult vocational pupils be included for foundation aid purposes in the computation of average daily membership for pupils enrolled in post-secondary vocational-technical schools; amending Minnesota Statutes 1978, Section 124.562, Subdivision 2.

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

Greenfield, McCarron, Moe, Kahn and Long introduced:

H. F. No. 73, A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

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

McDonald, Redalen, Kalis, Wenzel and Clark introduced:

H. F. No. 74, A bill for an act relating to taxation; income tax; increasing amount of non-farm income allowed for purposes of deductions attributable to farming; amending Minnesota Statutes 1978, Section 290.09, Subdivision 29.

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

McDonald introduced:

H. F. No. 75, A bill for an act relating to health; establishing penalties for failure to perform life-support measures on behalf of a human conceptus produced as a result of an abortion; prohibiting fetal experimentation; specifying actions comprising unprofessional conduct; amending Minnesota Statutes 1978, Sections 145.421; 145.422, Subdivision 1; 145.423; and Chapter 145, by adding a section; repealing Minnesota Statutes 1978, Sections 145.415; and 145.422, Subdivision 2.

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

McDonald, Reding, Ainley, Welch and Rees introduced:

H. F. No. 76, A bill for an act relating to utilization of financial assistance or grants from the government of the United States by the state of Minnesota; requiring review of applications for financial assistance or grants by the legislature prior to their submission; amending Minnesota Statutes 1978, Section 16A.30; and Chapter 16A, by adding a section.

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

Anderson, B.; Evans; Welch; Berkelman and Mehrkens introduced:

H. F. No. 77, A bill for an act relating to workers' compensation; changing retraining benefits for certain employees; amending Minnesota Statutes 1978, Section 176.101, Subdivision 7.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Anderson, B.; Evans; Welch; Berkelman and Mehrkens introduced:

H. F. No. 78, A bill for an act relating to workers' compensation; providing the time in which actions or proceedings shall be taken; amending Minnesota Statutes 1978, Section 176.151.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Sieben, M., introduced:

H. F. No. 79, A bill for an act relating to workers' compensation; requiring second medical opinion prior to surgery; amending Minnesota Statutes 1978, Section 176.135, by adding a subdivision.

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

McDonald and Rees introduced:

H. F. No. 80, A bill for an act relating to labor; eliminating certain procedures and restrictions on wage rates for state projects and highway construction; repealing Minnesota Statutes 1978, Sections 177.41, 177.42, 177.43 and 177.44.

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

Wigley, Kalis, Ludeman and Anderson, B., introduced:

H. F. No. 81, A bill for an act relating to railroads; regulating the disposal of certain abandoned property.

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

Niehaus, Waldorf, Blatz, Murphy and Albrecht introduced:

H. F. No. 82, A bill for an act relating to health; requiring only one license of an administrator serving both a hospital and a nursing home; amending Minnesota Statutes 1978, Sections 144.59 and 144A.18.

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

McDonald; Johnson, C.; Anderson, B.; Onnen and Adams introduced:

H. F. No. 83, A bill for an act relating to retirement; establishing and empowering a division of actuary review in the office of legislative auditor; requiring actuarial notes on all bills affecting public pensions; providing penalties.

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

Clawson, Welch, Friedrich, Anderson, G., and Nelsen, B., introduced:

H. F. No. 84, A bill for an act relating to natural resources; modifying certain trespass laws; amending Minnesota Statutes 1978, Section 100.273, Subdivisions 1 and 2.

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

Pehler, Knickerbocker, Patton, Forsythe and Dean introduced:

H. F. No. 85, A bill for an act relating to taxation; income; increasing the pension exclusion from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Long, Kahn, Greenfield, Berglin and Norman introduced:

H. F. No. 86, A bill for an act relating to retirement; clarifying construction of the law governing the required age for the payment of service allowances to certain elective municipal officials; repealing Laws 1978, Chapter 562, Section 35.

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

Enebo, Schreiber, Clark, Hoberg and Jude introduced:

H. F. No. 87, A bill for an act relating to highways; providing for bus shelters and benches on streets and highways; authorizing road authorities to grant franchises; amending Minnesota Statutes 1978, Section 160.27, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

McDonald, Waldorf, Jude, Rees and Searles introduced:

H. F. No. 88, A bill for an act relating to metropolitan government; the membership of the metropolitan council; requiring certain representation from each county in the metropolitan area; amending Minnesota Statutes 1978, Section 473.123, Subdivision 3.

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

Faricy introduced:

H. F. No. 89, A bill for an act relating to adoption; providing that an adopted child may inherit from its natural parent in certain cases; amending Minnesota Statutes 1978, Section 259.29, Subdivision 1.

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

Faricy introduced:

H. F. No. 90, A bill for an act relating to taxation; inheritance tax; changing provisions for commissioner's certification of satisfaction of tax lien on affidavits or instruments of conveyance; amending Minnesota Statutes 1978, Section 291.14, Subdivisions 1a, 2, and by adding a subdivision.

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

Brinkman; Nelsen, B.; Mann; Den Ouden and Patton introduced:

H. F. No. 91, A bill for an act relating to agriculture; requiring the labeling of fryers as to state of origin; amending Minnesota Statutes 1978, Chapter 29, by adding sections.

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

Drew, Wynia, Norman and Valento introduced:

H. F. No. 92, A bill for an act relating to taxation; providing homemaker credit to persons earning income by providing day care services; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3e.

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

Drew, Halberg, Crandall, Fritz and Dempsey introduced:

H. F. No. 93, A bill for an act relating to taxation; providing an inflation adjustment for income subject to income tax; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

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

Nelsen, B.; Friedrich; Niehaus; Wenzel and Anderson, G., introduced:

H. F. No. 94, A bill for an act relating to the state building code; making adopting of the code voluntary; amending Minnesota Statutes 1978, Sections 16.851; and 16.861, Subdivision 1.

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



Den Ouden and Searle introduced:

H. F. No. 95, A bill for an act relating to pipelines; minimum depth in certain areas; limiting grants of easements, restricting landowners liability; amending Minnesota Statutes 1978, Chapter 299F, by adding a section.

The bill was read for the first time and referred to the Committee on Energy and Utilities. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Hokanson; Sieben, H.; Forsythe; Clawson and Kaley introduced:

H. F. No. 96, A bill for an act relating to children; establishing a comprehensive child protective services program; prescribing duties of the commissioner of public welfare and county welfare boards; authorizing grants for experimental programs to encourage interagency cooperation; appropriating money.

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

McDonald, Heinitz, Pleasant, Redalen and Jude introduced:

H. F. No. 97, A bill for an act proposing an amendment to the Minnesota Constitution; adding an article to limit the amount of taxes that may be raised by the state and its agencies and local government units.

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

Vanasek; Anderson, G.; Kvam; Dempsey and Johnson, C., introduced:

H. F. No. 98, A bill for an act relating to taxation; inheritance and gift tax; exempting certain transfers to spouses; increasing exemptions of certain other transfers; amending Minnesota Statutes 1978, Sections 291.05; 291.065; 292.04; 292.05, Subdivision 1; and 292.07, Subdivisions 3 and 5; repealing Minnesota Statutes 1978, Sections 291.051, Subdivisions 1 and 2, and 292.01, Subdivision 7.

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

Nelson; Laidig; Sieben, M.; Piepho and Pavlak introduced:

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

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

Clawson, Welch, Voss and Byrne introduced:

H. F. No. 100, A bill for an act relating to taxation; sales; exempting residential water and sewer; amending Minnesota Statutes 1978, Section 297A.01, Subdivision 3.

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

Jacobs; Otis; Anderson, G.; Novak and Vanasek introduced:

H. F. No. 101, A bill for an act relating to taxation; income tax; reducing the tax rate imposed upon certain corporations; eliminating the arithmetic average from the formulas used for apportionment of trade or business income among states; amending Minnesota Statutes 1978, Sections 290.06, Subdivision 1; 290.19, Subdivision 1; and 290.361, Subdivision 2.

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

Kempe, Waldorf, Casserly and McDonald introduced:

H. F. No. 102, A bill for an act relating to children; changing liability of parents for damage done by their minor children; amending Minnesota Statutes 1978, Section 540.18, Subdivision 1.

The bill was read for the first time and referred to the Committee on Criminal Justice. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Johnson, D.; Den Ouden; Anderson, B.; Anderson, G., and Jennings introduced:

H. F. No. 103, A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; limiting the width and prescribing conditions for the movement of loads of round baled hay; amending Minnesota Statutes 1978, Section 169.80, Subdivision 2.

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

Kahn; Battaglia; Anderson, D.; Norton and Dean introduced:

H. F. No. 104, 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 1978, Chapters 16, by adding a section; and 139, by adding a section.

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

Kahn, McCarron, Greenfield, Dean and Long introduced:

H. F. No. 105, A bill for an act relating to crimes; increasing penalties for certain acts relating to prostitution; increasing penalties for certain acts relating to juveniles and prostitution; prohibiting solicitation on public streets; decreasing penalties for engaging in prostitution or hiring a prostitute; repealing laws relating to consensual sodomy, fornication, adultery and vagrancy; amending Minnesota Statutes 1978, Section 609.32; repealing Minnesota Statutes 1978, 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.

## MOTIONS AND RESOLUTIONS

Sieben, M., moved that H. F. No. 38 be recalled from the Committee on General Legislation and Veterans Affairs and be referred to the Committee on Judiciary. The motion prevailed.

Berglin moved that the names of Novak and Osthoff be added as authors on H. F. No. 14. The motion prevailed.

Clawson moved that the name of Welch be stricken and the name of Sherwood be added as an author on H. F. No. 84. The motion prevailed.

Clawson moved that the name of Minne be added as an author on H. F. No. 100. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER AND THE CHAIRMAN OF  
THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Speaker and the Chairman of the Committee on Rules and Legislative Administration 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 23, 1979: Esau, Nysether, Haukoos, Kempe, and Long.

ANNOUNCEMENTS BY THE SPEAKER

Pursuant to the organizational agreement, the Speaker announced the appointment of O. J. "Lon" Heinitz as permanent Speaker pro tem.

The Speaker announced the following division assignments:

DIVISION ON EDUCATION (APPROPRIATIONS)

Erickson, Chairman	Haukoos Nelsen, B.	Stadum Weaver
Dean, Vice Chairman		

DIVISION ON HEALTH, WELFARE AND CORRECTIONS  
(APPROPRIATIONS)

Forsythe, Chairman	Anderson, R. Den Ouden	Mehrkens Reif
Wieser, Vice Chairman		

DIVISION ON SEMI-STATE (APPROPRIATIONS)

Dean, Chairman	Stadum, Vice Chairman	Laidig Mehrkens
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DIVISION ON STATE DEPARTMENTS (APPROPRIATIONS)

Anderson, D., Chairman	Johnson, D. Peipho	Valan Welker
Laidig, Vice Chairman		

DIVISION ON SCHOOL AIDS (EDUCATION)

Esau Jennings	Knickerbocker Levi	Olsen Thiede
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## DIVISION ON HIGHER EDUCATION (EDUCATION)

Zubay,  
Chairman  
Ainley,  
Vice Chairman

Drew  
Fjoslien  
Heap

Hoberg  
Redalen  
Sherwood

## DIVISION I (TAXES)

Searles,  
Chairman  
Evans,  
Vice Chairman

Halberg  
Luknic  
Onnen

Rothenberg  
Searle  
Valento

## DIVISION II (TAXES)

Kvam, Chairman  
Dempsey,  
Vice Chairman

Blatz  
Fritz  
Halberg

Peterson  
Pleasant  
Schreiber

ANNOUNCEMENT BY THE CHAIRMAN OF THE COMMITTEE ON  
RULES AND LEGISLATIVE ADMINISTRATION

The chairman announced the following changes in House Standing Committee assignments:

**Criminal Justice:** strike the name of Tomlinson; add the name of Kelly.

**Energy and Utilities:** strike the names of Kelly and Lehto; add the names of Clark and Tomlinson.

**Labor-Management Relations:** strike the name of Kempe; add the name of Lehto.

**Transportation:** strike the name of Clark; add the name of Kempe.

## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, January 22, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, January 22, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## EIGHTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 22, 1979

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:

Aasness	Eken	Kahn	Niehaus	Sherwood
Adams	Elioff	Kaley	Norman	Sieben, H.
Ainley	Ellingson	Kalis	Norton	Sieben, M.
Albrecht	Enebo	Kelly	Novak	Simoneau
Anderson, D.	Erickson	Kempe	Nysether	Stadum
Anderson, G.	Esau	Knickerbocker	Olsen	Stoa
Anderson, I.	Evans	Kroening	Onnen	Stowell
Anderson, R.	Ewald	Kvam	Osthoff	Sviggum
Battaglia	Faricy	Laidig	Otis	Swanson
Begich	Fjoslien	Lehto	Patton	Thiede
Berglin	Forsythe	Levi	Pavlak	Tomlinson
Berkelman	Fritz	Long	Pehler	Valan
Bjersdorf	Fudro	Ludeman	Peterson	Valento
Blatz	Greenfield	Luknic	Piepho	Vanasek
Brinkman	Halberg	Mann	Pleasant	Voss
Byrne	Haukoos	McCarron	Prahl	Waldorf
Carlson, D.	Heap	McDonald	Redalen	Weaver
Carlson, L.	Heinitz	McEachern	Reding	Welch
Casserly	Hoberg	Mehrkens	Rees	Welker
Clark	Hokanson	Metzen	Reif	Wenzel
Clawson	Jacobs	Minne	Rice	Wieser
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	
Drew	Jude	Nelsen, M.	Searles	

A quorum was present.

Anderson, B.; Corbid; Friedrich; Kostohryz; Nelson and Wigley were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson 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.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Casserly, Blatz, Norton, Swanson and Pleasant introduced:

H. F. No. 106, A bill for an act relating to financial institutions; defining reverse mortgage loans; authorizing investments in reverse mortgage loans by certain financial institutions and insurance companies; providing tax deductions for accrued interest on reverse mortgage loans; allowing lenders to include accrued earned interest on such loans in their yearly earned income under certain circumstances; amending Minnesota Statutes 1978, Section 290.09, Subdivision 3; and Chapters 47, by adding a section; and 290, by adding a section.

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

Lehto, Sherwood, Begich, Zubay and Berkelman introduced:

H. F. No. 107, A bill for an act relating to constables; exempting certain constables from licensing requirements; amending Minnesota Statutes 1978, Section 367.41, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Anderson, G.; Welch; Eken and Anderson, B., introduced:

H. F. No. 108, A bill for an act relating to taxation; inheritance; adopting federal alternative valuation provisions for family businesses and farms; amending Minnesota Statutes 1978, Chapter 291, by adding a section.

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

Anderson, G., introduced:

H. F. No. 109, A bill for an act relating to corrections; establishing grants-in-aid for construction or renovation of lockups, jails and other correctional facilities; appropriating money.

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

Murphy introduced:

H. F. No. 110, A bill for an act relating to the state building code; providing for local option for use of ungraded lumber; appropriating money; amending Minnesota Statutes 1978, Section 16.861, Subdivision 4.

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

Hoberg and Valan introduced:

H. F. No. 111, A bill for an act relating to Independent School District No. 152; authorizing it to add any portion or all of its operating debt for the fiscal year ending June 30, 1978 to its statutory operating debt as of June 30, 1977 for certain purposes.

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

Thiede and Crandall introduced:

H. F. No. 112, A bill for an act proposing an amendment to the Minnesota Constitution to add an article to provide for initiative and referendum.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Pleasant and Kahn introduced:

H. F. No. 113, A bill for an act relating to taxation; sales tax; exempting feminine hygiene products; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

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

Battaglia, Begich, Prah, Sherwood and Thiede introduced:

H. F. No. 114, A bill for an act relating to the state building code; providing a county option for code applicability; amending Minnesota Statutes 1978, Section 16.851.

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



Enebo introduced :

H. F. No. 115, A bill for an act relating to retirement; authorizing the purchase of prior service credit by certain court reporters.

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

Ewald, Faricy, Onnen, Wieser and Brinkman introduced :

H. F. No. 116, A bill for an act relating to banks and banking; extending the period for activation of detached facilities after issuance of certificates of authorization; amending Minnesota Statutes 1978, Section 47.54, Subdivision 4.

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

Sieben, M., introduced :

H. F. No. 117, A bill for an act relating to highway traffic regulation; requiring motorcycle operators and passengers to wear protective headgear; eliminating the provision for reduction of damages for persons not wearing protective headgear; eliminating report on the effects of limiting the motorcycle helmet requirement; amending Minnesota Statutes 1978, Section 169.974, Subdivision 4; repealing Minnesota Statutes 1978, Section 169.974, Subdivision 6; and Laws 1977, Chapter 17, Section 5.

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

Redalen, Wieser, Stoa, Stowell and Mehrkens introduced :

H. F. No. 118, 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 and farm homesteads in the Richard J. Dorer Memorial Hardwood Forest; amending Minnesota Statutes 1978, Section 89.036.

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

Redalen, Friedrich and Wieser introduced:

H. F. No. 119, A bill for an act relating to state lands; providing for the sale of certain former railroad rights-of-way to private persons.

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

Reding, Peterson, Battaglia, Simoneau and Levi introduced:

H. F. No. 120, A bill for an act relating to taxation; motor vehicle excise tax; defining purchase price; providing for a used motor vehicle credit on the excise tax in certain transactions; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

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

Reding, Peterson, Battaglia, Simoneau and Levi introduced:

H. F. No. 121, A bill for an act relating to taxation; motor vehicle, excise; providing a credit on the excise tax for the value of a motor vehicle destroyed in an accident in certain transactions; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

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

Nelson and Laidig introduced:

H. F. No. 122, A bill for an act relating to 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 1978, Section 260.315; and Chapter 260, by adding a section.

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

Nelson introduced:

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

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

Hokanson, McDonald, Jacobs, Minne and Onnen introduced:

H. F. No. 124, A bill for an act relating to taxation; income; excluding certain payments to members of the armed services from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Reding, Minne, Stowell, Johnson, D., and Murphy introduced:

H. F. No. 125, A bill for an act relating to bonds; requiring claimant filing notice of action on a bond to pay postage costs; amending Minnesota Statutes 1978, Section 574.32.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Reding, Kahn, Murphy, Stowell and Johnson, D., introduced:

H. F. No. 126, A bill for an act relating to taxation; motor vehicle excise; allowing a credit for a commodity trade-in in determining the purchase price of a moped; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

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

Clawson, Simoneau, Jacobs, McDonald and Rose introduced:

H. F. No. 127, A bill for an act relating to the Minnesota historical society; repealing Minnesota Statutes 1978, Section 138.02.

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

Luknic introduced:

H. F. No. 128, A bill for an act relating to the city of Faribault; authorizing subletting of certain property leased from the state; directing disposition of rentals therefrom; amending Laws 1977, Chapter 245, Section 1, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Lehto, Vanasek, Clark, Weaver and Heinitz introduced:

H. F. No. 129, A bill for an act relating to the military; providing payments to certain government employees while on military leave; amending Minnesota Statutes 1978, Section 192.26, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Pehler and Patton introduced:

H. F. No. 130, A bill for an act relating to intoxicating liquor; places where sales are forbidden; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Simoneau introduced:

H. F. No. 131, A bill for an act relating to crimes; setting the minimum age for the use of tobacco; providing penalties; amending Minnesota Statutes 1978, Sections 325.765, Subdivision 1; and 609.685.

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

Simoneau introduced:

H. F. No. 132, A bill for an act relating to crimes; defining criminal trespass; prohibiting smoking in posted schools; amending Minnesota Statutes 1978, Section 609.605.

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

Olsen, Tomlinson, Zubay, Berkelman and Pehler introduced:

H. F. No. 133, A bill for an act relating to taxation; sales; exempting residential water and sewer; amending Minnesota Statutes 1978, Section 297A.01, Subdivision 3.

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

Den Ouden; Wenzel; Anderson, B.; Johnson, D., and Redalen introduced:

H. F. No. 134, A bill for an act relating to the state building code; making the code nonapplicable in certain counties; amending Minnesota Statutes 1978, Sections 16.851, Subdivision 1; 16.861, Subdivision 1; and 16.866, Subdivision 1.

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

Jaros, Begich, Berglin, Blatz and Onnen introduced:

H. F. No. 135, A bill for an act relating to taxation; sales; exempting certain residential utilities; amending Minnesota Statutes 1978, 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.

Novak, Valento and Sarna introduced:

H. F. No. 136, A bill for an act relating to highway traffic regulations; setting speed limits; reducing the speed limit in certain urban districts; amending Minnesota Statutes 1978, Section 169.14, Subdivision 2.

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

Berglin, Swanson and Carlson, L., introduced:

H. F. No. 137, A bill for an act relating to health care; providing benefits for pre-natal care under the Minnesota comprehensive health insurance act of 1976; amending Minnesota Statutes 1978, Section 62E.06, Subdivision 1.

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

## HOUSE ADVISORIES

The following House Advisory was introduced:

Murphy, Enebo, Simoneau and Evans introduced:

H. A. No. 2, A proposal to study unemployment patterns.

The advisory was referred to the Committee on Labor-Management Relations.

## MOTIONS AND RESOLUTIONS

Reif, Olsen, Piepho, Swanson and Niehaus introduced:

House Resolution No. 2, A house resolution relating to D-Day.

## SUSPENSION OF RULES

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

## HOUSE RESOLUTION NO. 2

A house resolution relating to D-Day.

*Whereas*, smoking is the number one cause of preventable death; and,

*Whereas*, approximately 850,000 Minnesotans smoke; and,

*Whereas*, each year 325,000 Americans die prematurely from the effects of smoking; and,

*Whereas*, cigarette smoking is the major cause of emphysema, chronic bronchitis, lung cancer, and one of the major causes of heart diseases; and,

*Whereas*, pregnant women who smoke have a greater number of stillbirths than non-smoking women, and their infants are more likely to die within the first month; and,

*Whereas*, exposure to tobacco smoke can precipitate asthma attacks and breathing difficulties for those suffering from chronic lung diseases; and,

*Whereas*, the Minnesota Lung Association and Minnesota Division of the American Cancer Society co-sponsor Minnesota D-Day as a statewide health effort to reduce smoking; and,

*Whereas*, the State Departments of Education and Health, Minnesota Public Health Association, Minnesota Interagency Council on Smoking and Health, Association for Non-Smokers' Rights, Minnesota Medical Association, and Minnesota Heart Association support the D-Day project; *now, therefore*,

*Be it resolved*, by the House of Representatives of the state of Minnesota that it supports D-Day and recommends that its members and staff who smoke sign the pledge to quit smoking on D-Day, January 25, 1979.

Reif moved that House Resolution No. 2 be now adopted. The motion prevailed and the resolution was adopted.

Kempe moved that the name of Crandall be added as an author on H. F. No. 102. The motion prevailed.

ANNOUNCEMENT BY THE CHAIRMAN OF THE COMMITTEE ON  
RULES AND LEGISLATIVE ADMINISTRATION

The chairman announced the following changes in House Standing Committee assignments:

Appropriations (Division on Health, Welfare and Corrections): strike the name of Welch and add the name of Wynia.

Appropriations (Division on Education): strike the name of Wynia and add the name of Welch.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 11:30 a.m., Tuesday, January 23, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:30 a.m., Tuesday, January 23, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## NINTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 23, 1979

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:

Aasness	Eken	Kaley	Norman	Sieben, H.
Adams	Elioff	Kalis	Norton	Sieben, M.
Ainley	Ellingson	Kelly	Novak	Simoneau
Albrecht	Enebo	Kempe	Nysether	Stadum
Anderson, D.	Erickson	Knickerbocker	Olsen	Stoa
Anderson, G.	Esau	Kroening	Onnen	Stowell
Anderson, I.	Evans	Kvam	Osthoff	Sviggum
Anderson, R.	Ewald	Laidig	Otis	Swanson
Battaglia	Faricy	Lehto	Patton	Thiede
Begich	Fjoslien	Levi	Pavlak	Tomlinson
Berglin	Forsythe	Long	Pehler	Valan
Berkelman	Fritz	Ludeman	Peterson	Valento
Biersdorf	Fudro	Luknic	Piepho	Vanasek
Blatz	Greenfield	Mann	Pleasant	Voss
Brinkman	Halberg	McCarron	Prahl	Waldorf
Byrne	Haukoos	McDonald	Redalen	Weaver
Carlson, D.	Heap	McEachern	Reding	Welch
Carlson, L.	Hoberg	Mehrkens	Rees	Welker
Casserly	Hokanson	Metzen	Reif	Wenzel
Clark	Jacobs	Minne	Rice	Wieser
Clawson	Jaros	Moe	Rose	Wynia
Crandall	Jennings	Munger	Rothenberg	Zubay
Dean	Johnson, C.	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	
Drew	Kahn	Niehaus	Sherwood	

A quorum was present.

Anderson, B.; Corbid; Friedrich; Heinitz; Kostohryz; Nelson and Wigley were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly 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.



INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Rothenberg, Blatz, Jude and Enebo introduced:

H. F. No. 138, A bill for an act relating to public utilities; repealing authority of a public utility or telephone company to impose increased rates pending a final determination by the public service commission; repealing Minnesota Statutes 1978, Sections 216B.16, Subdivision 3; and 237.075, Subdivision 3.

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

Stoa, Stowell, Welch, Kaley and Wieser introduced:

H. F. No. 139, A bill for an act relating to public health; establishing a preventive dental health program for certain children; appropriating money; amending Minnesota Statutes 1978, Chapter 144, by adding a section.

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

Crandall, Halberg and Patton introduced:

H. F. No. 140, A bill for an act relating to taxation; income tax; changing definition of gross income; subtracting certain capital gains realized in divorce settlement; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.14.

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

Crandall, Halberg and Patton introduced:

H. F. No. 141, A bill for an act relating to taxation; inheritance and gift taxes; lowering certain penalties for failure to pay taxes on time; amending Minnesota Statutes 1978, Sections 291.131, Subdivisions 1 and 2; and 292.111, Subdivisions 1 and 2.

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

Crandall and Halberg introduced:

H. F. No. 142, A bill for an act relating to civil actions; providing for authority for attorney to bind his client and execute a satisfaction of judgment; amending Minnesota Statutes 1978, Sections 481.08 and 548.15.

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

Crandall, Halberg and Patton introduced:

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

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

Redalen, Reding, Friedrich and Wieser introduced:

H. F. No. 144, A bill for an act relating to the environment; requiring the state to file an environmental impact statement prior to developing certain trails; amending Minnesota Statutes 1978, Chapter 85, by adding a section.

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

Carlson, L.; Crandall; Swanson; Adams and Heinitz introduced:

H. F. No. 145, A bill for an act relating to health; changing requirements for school employee tuberculosis examinations; amending Minnesota Statutes 1978, Section 123.69, Subdivision 1.

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

Hoberg; Evans; Anderson, R.; Murphy and Elioff introduced:

H. F. No. 146, A bill for an act relating to retirement; directing recalculation of certain annuities and benefits paid by the teachers retirement association; appropriating funds.

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

McEachern, Osthoff, Pehler, Dempsey and Drew introduced:

H. F. No. 147, A bill for an act relating to education; adding a member to the council on quality education; expanding its purpose; extending the eligibility for developing proposals; amending Minnesota Statutes 1978, Sections 3.924, Subdivision 1; 3.925; and 3.926, Subdivision 1.

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

Carlson, L.; Heinitz and Adams introduced:

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

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

Pehler; Patton; Sieben, M.; Dean and Halberg introduced:

H. F. No. 149, A bill for an act relating to women; appropriating money to continue certain emergency shelter and support services programs for battered women.

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

Carlson, L.; Kaley; Swanson; Adams and Heinitz introduced:

H. F. No. 150, A bill for an act relating to public health; authorizing waiver of minimum health maintenance organization requirements for experimental and demonstration projects; amending Minnesota Statutes 1978, Chapter 62D, by adding a section.

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

Pehler, Patton, Knickerbocker, Eken and Peterson introduced:

H. F. No. 151, A bill for an act relating to taxation; income tax; providing additional credits for blind dependents; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3c.

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

Erickson introduced:

H. F. No. 152, A bill for an act relating to transportation; authorizing the commissioner of transportation to enter into an agreement with the state of Iowa for the construction and improvement of a short segment of highway within the state of Iowa to connect a trunk highway with the highway system of that state; providing for the payment of the costs therefor.

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

Wenzel, McCarron, Laidig, Thiede and Valento introduced:

H. F. No. 153, A bill for an act relating to taxation; income; excluding certain payments to members of the armed services from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20; repealing Minnesota Statutes 1978, Section 290.06, Subdivision 12.

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

Prahl, Otis and Battaglia introduced:

H. F. No. 154, A bill for an act relating to retirement; granting certain military service credit for teachers; amending Minnesota Statutes 1978, Section 354.53, Subdivisions 1 and 3.

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

Swanson, Reif, Berkelman, Carlson, L., and Forsythe introduced:

H. F. No. 155, A bill for an act relating to health; providing for several types of life support transportation service; providing for health systems agencies to be involved in the licensing process; providing factors to be used in making licensing recommendations; providing for standards for services; forbidding inquiry as to ability to pay before provision of emergency ambulance services; appropriating money; amending Minnesota Statutes 1978, Sections 144.801; 144.802; 144.803; 144.804; 144.805; 144.807, Subdivision 1; 144.808; 144.809 and 144.8091, Subdivision 1.

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

Laidig, Kahn, Reif, Sieben, H., and Berkelman introduced:

H. F. No. 156, A bill for an act relating to highway traffic regulations; requiring the use of child passenger restraint systems for certain children under the age of four years; prescribing penalties; amending Minnesota Statutes 1978, Section 169.685, by adding a subdivision.

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 have the honor to inform the House that the Senate is ready to meet with the House at 11:50 a.m., Tuesday, January 23, 1979, to receive the budget message of the Honorable Albert H. Quie, Governor of the State of Minnesota.

Messrs. Frederick, Rued, Engler, Schrom and Purfeerst have been appointed to such committee on the part of the Senate.

PATRICK E. FLAHAVEN, Secretary of the Senate

### MOTIONS AND RESOLUTIONS

Wynia moved that the names of Pleasant, Novak, Murphy and Jude be added as authors on H. F. No. 3. The motion prevailed.

Sieben, M., moved that the name of Berkelman be added as an author on H. F. No. 117. The motion prevailed.

Pleasant moved that the name of Fjoslien be added as an author on H. F. No. 113. The motion prevailed.

Enebo moved that the name of Enebo be stricken and the name of Pehler be added as chief author on H. F. No. 28. The motion prevailed.

Murphy moved that the names of Prahl, Elioff and Wenzel be added as authors on H. F. No. 110. The motion prevailed.

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, January 25, 1979. The motion prevailed.

Sieben, H., 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 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, Bang.

Senator Coleman 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 Albert H. Quie, 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 Albert H. Quie 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, Senator Coleman 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

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, January 25, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## TENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 25, 1979

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Aasness	Eken	Kaley	Norman	Sieben, H.
Adams	Elioff	Kalis	Norton	Sieben, M.
Ainley	Ellingson	Kelly	Novak	Simoneau
Albrecht	Enebo	Kempe	Nysether	Stadum
Anderson, D.	Erickson	Knickerbocker	Olsen	Stoa
Anderson, G.	Esau	Kroening	Onnen	Stowell
Anderson, I.	Evans	Kvam	Osthoff	Sviggum
Anderson, R.	Ewald	Laidig	Otis	Swanson
Battaglia	Faricy	Lehto	Patton	Thiede
Begich	Fjoslien	Levi	Pavlak	Tomlinson
Berglin	Forsythe	Long	Pehler	Valan
Berkelman	Fritz	Ludeman	Peterson	Valento
Biersdorf	Fudro	Luknic	Piepho	Vanasek
Blatz	Greenfield	Mann	Pleasant	Voss
Brinkman	Halberg	McCarron	Prahl	Waldorf
Byrne	Haukoos	McDonald	Redalen	Weaver
Carlson, D.	Heap	McEachern	Reding	Welch
Carlson, L.	Heinitz	Mehrkens	Rees	Welker
Casserly	Hoberg	Metzen	Reif	Wenzel
Clark	Hokanson	Minne	Rice	Wieser
Clawson	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	
Drew	Jude	Niehaus	Sherwood	

A quorum was present.

Anderson, B.; Corbid; Friedrich; Kahn; Kostohryz; Nelson and Wigley were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Rose 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.



INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Enebo, Rice, Metzen, Fritz and Norman introduced:

H. F. No. 157, A bill for an act relating to labor and employment; prohibiting mandatory retirement of public and private employees before the age of 70; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 1; 125.12, Subdivision 5; 181.81; 181.811; 354.44, Subdivision 1a; 354.49, Subdivision 3; 354A.05; 354A.21; 423.076; 473.419; and Chapter 181, by adding a section.

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

Begich; Anderson, I.; Battaglia; Murphy and Carlson, D., introduced:

H. F. No. 158, A bill for an act relating to waters; requiring approval by affected county boards of designation of wild and scenic rivers; amending Minnesota Statutes 1978, Section 104.35, Subdivision 2.

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

Kempe introduced:

H. F. No. 159, A bill for an act relating to the city of Mendota Heights; authorizing an increase in firefighters' service pensions; amending Laws 1973, Chapter 173, Section 1, Subdivisions 1 and 2.

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

Berglin, Heinitz, Hokanson, Rose and Rice introduced:

H. F. No. 160, A bill for an act relating to welfare; changing income disregard provisions for certain medical assistance recipients and certain supplemental aid recipients; amending Minnesota Statutes 1978, Sections 256B.06, Subdivision 1; and 256D.37, Subdivision 1.

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

Drew, Blatz, Ainley, Olsen and Kelly introduced:

H. F. No. 161, A bill for an act relating to taxation; income tax; providing for the deduction of post-secondary educational expenses; amending Minnesota Statutes 1978, Section 290.09, by adding a subdivision.

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

McEachern; Nelsen, M.; Osthoff; Niehaus and Valento introduced:

H. F. No. 162, A bill for an act relating to elections; providing additional compensation for election judges who travel to pick up election supplies or deliver ballots; authorizing town boards to fix the compensation of town election judges; amending Minnesota Statutes 1978, Section 204A.23.

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

McEachern and Welch introduced:

H. F. No. 163, A bill for an act relating to highways; permitting towns to purchase certain gravel pits; amending Minnesota Statutes 1978, Section 160.11, Subdivision 1.

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

McEachern introduced:

H. F. No. 164, A bill for an act relating to the Minnesota municipal board; providing for the membership of the board; amending Minnesota Statutes 1978, Section 414.01, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Mehrkens, Luknic, Jaros, Berglin and Rothenberg introduced:

H. F. No. 165, A bill for an act relating to taxation; exempting certain payments to deceased military personnel from the inheritance tax; appropriating money; amending Minnesota Statutes 1978, Section 291.05.

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

Elioff, Valento, Minne, Battaglia and Prahl introduced:

H. F. No. 166, A bill for an act relating to motor vehicles; repealing the motor vehicle transfer tax; repealing Minnesota Statutes 1978, Section 168B.11.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Elioff, Fudro, Minne, Schreiber and Sarna introduced:

H. F. No. 167, A bill for an act relating to the city of Virginia; extending an eligibility deadline for special funding for the improvement of a segment of a certain municipal state-aid street within the city.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kahn, Faricy, Sherwood, Reif and Lehto introduced:

H. F. No. 168, A bill for an act relating to health; 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 1978, 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.

Wenzel, Minne, Fjoslien, Wieser and Begich introduced:

H. F. No. 169, A bill for an act relating to taxation; exempting farm machinery from the sales tax; reducing motor vehicle excise tax to two percent and exempting used motor vehicles; amending Minnesota Statutes 1978, Sections 297A.25, Subdivision 1; 297B.02; and 297B.03.

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

Reding, Niehaus and Kalis introduced:

H. F. No. 170, A bill for an act relating to regional development; providing for the dissolution and property tax levies of regional development commissions; amending Minnesota Statutes 1978, Sections 462.387, by adding a subdivision; and 462.396, Subdivision 2.

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

Murphy, Battaglia, Thiede and Minne introduced:

H. F. No. 171, A bill for an act relating to the state building code; making the code optional for certain localities; providing for the inspection of Minnesota grown lumber; amending Minnesota Statutes 1978, Section 16.851; and Chapter 16, by adding a section; and repealing Minnesota Statutes 1978, Section 16.84, Subdivision 2a.

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

Luknic; Johnson, D.; Heap; Vanasek and Hoberg introduced:

H. F. No. 172, A bill for an act relating to retirement; increasing the minimum period of service required to qualify for legislators retirement; amending Minnesota Statutes 1978, Section 3A.02, Subdivision 1.

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

Long and Otis introduced:

H. F. No. 173, A bill for an act relating to retirement; increasing the vesting period required for legislator's retirement; amending Minnesota Statutes 1978, Section 3A.02, Subdivision 1.

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

Vanasek, Munger, Dean and Stoa introduced:

H. F. No. 174, A bill for an act relating to pollution control; authorizing the pollution control agency to enter property to remove pollutants under certain circumstances; amending Minnesota Statutes 1978, Sections 115.01, by adding a subdivision; and 115.061.

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

Pavlak, Kelly and Pleasant introduced:

H. F. No. 175, A bill for an act relating to metropolitan government; fixing and limiting the powers of the metropolitan sports facilities commission; amending Minnesota Statutes 1978, Sections 473.556, Subdivisions 5 and 7; 473.568, Subdivision 1; 473.581, Subdivisions 1, 4 and 5; and 473.595, Subdivision 1; repealing Minnesota Statutes 1978, Sections 473.551, Subdivision 7; 473.552; 473.571; 473.581, Subdivision 3; and 473.591.

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

Heinitz and Knickerbocker introduced:

H. F. No. 176, A bill for an act relating to highway traffic regulations; regulating speed limits within school zones; prescribing penalties; amending Minnesota Statutes 1978, Section 169.14, Subdivision 5a.

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

Jacobs, Brinkman, Kvam and Dempsey introduced:

H. F. No. 177, A bill for an act relating to taxation, providing for an ad valorem tax on railroads in lieu of the gross earnings tax; amending Minnesota Statutes 1978, Chapter 270, by adding sections; and Chapter 429, by adding a section; repealing Minnesota Statutes 1978, 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.

Rose, Valento, Novak, Fritz and Levi introduced:

H. F. No. 178, A bill for an act relating to taxation; property; providing for agreements for joint assessments by certain political subdivisions; amending Minnesota Statutes 1978, Section 273.072, Subdivision 1.

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

Rose, Valento, Novak, Fritz and Osthoff introduced:

H. F. No. 179, A bill for an act relating to retirement; authorizing an increase in service pensions for members of the Lake Johanna Volunteer Firemen's Benefit Association; amending Laws 1975, Chapter 124, Section 1.

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

Pehler, Kelly, McEachern and Patton introduced:

H. F. No. 180, A bill for an act relating to education; requiring the board of education to establish and fill the position of specialist for industrial arts education and to prescribe the duties of the specialist; appropriating money; amending Minnesota Statutes 1978, Section 121.11, by adding a subdivision.

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

Heinitz, Swanson, Blatz, Schreiber and Ellingson introduced:

H. F. No. 181, A bill for an act relating to Hennepin county; authorizing the county board to self insure against claims and losses; allowing conditions of commercial insurance.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Jacobs introduced:

H. F. No. 182, A bill for an act relating to taxation; increasing the amount of deductible losses from out-of-state property; amending Minnesota Statutes 1978, Section 290.17, Subdivision 1.

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

Jacobs, Munger, Elioff, Carlson, D., and Dean introduced:

H. F. No. 183, A bill for an act relating to pollution control; authorizing the pollution control agency to assist small businesses; amending Minnesota Statutes 1978, Section 115.03, by adding a subdivision.

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

Lehto, Laidig, Elioff, Olsen and Byrne introduced:

H. F. No. 184, A bill for an act relating to health; stipulating compliance with the Minnesota clean indoor air act as a requirement for restaurant licensure; establishing a penalty; amending Minnesota Statutes 1978, Sections 144.417, by adding a subdivision; and 157.09; and Chapter 157, by adding a section.

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

Byrne introduced:

H. F. No. 185, A bill for an act relating to public health; providing for the regulation of cigarette and intoxicating liquor advertising; restricting the sale of cigarettes and tobacco products; altering minimum benefits of qualified health insurance plans; appropriating money; amending Minnesota Statutes 1978, Sections 62E.06, Subdivision 1; and 340.15, Subdivision 1.

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

REPORTS FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration, designated the committee referral of the following bills, which bills were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. No.</i>	<i>Date Referred To Committee</i>	<i>Committee Referral</i>
77	Jan. 18, 1979	Labor-Management Relations
78	Jan. 18, 1979	Labor-Management Relations
87	Jan. 18, 1979	Transportation
95	Jan. 18, 1979	Environment and Natural Resources
102	Jan. 18, 1979	Judiciary
107	Jan. 22, 1979	Criminal Justice
112	Jan. 22, 1979	General Legislation and Veterans Affairs
125	Jan. 22, 1979	Judiciary
128	Jan. 22, 1979	Environment and Natural Resources
129	Jan. 22, 1979	Governmental Operations
130	Jan. 22, 1979	Commerce, Economic Development and Housing

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 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 1980.

The question was taken on the adoption of the report and the roll was called. There were 122 yeas and 0 nays as follows:



Those who voted in the affirmative were:

Aasness	Ellingson	Kelly	Norton	Sieben, M.
Adams	Enebo	Kempe	Novak	Simoneau
Ainley	Erickson	Knickerbocker	Nysether	Stadum
Anderson, D.	Esau	Kroening	Olsen	Stoa
Anderson, G.	Evans	Kvam	Onnen	Stowell
Anderson, I.	Ewald	Laidig	Osthoff	Sviggum
Battaglia	Faricy	Lehto	Otis	Swanson
Begich	Fjoslien	Levi	Patton	Thiede
Berglin	Forsythe	Long	Pavlak	Tomlinson
Berkelman	Fritz	Ludeman	Pehler	Valan
Biersdorf	Fudro	Luknic	Peterson	Valento
Blatz	Greenfield	Mann	Piepho	Vanasek
Brinkman	Halberg	McCarron	Prahl	Voss
Byrne	Haukoos	McDonald	Redalen	Waldorf
Carlson, D.	Heap	McEachern	Reding	Weaver
Carlson, L.	Heinitz	Mehrkens	Rees	Welch
Clark	Hoberg	Metzen	Reif	Welker
Clawson	Hokanson	Minne	Rice	Wenzel
Crandall	Jacobs	Moe	Rose	Wieser
Dean	Jennings	Munger	Rothenberg	Wynia
Dempsey	Johnson, C.	Murphy	Sarna	Zubay
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	Speaker Searle
Drew	Jude	Nelsen, M.	Searles	
Eken	Kaley	Niehaus	Sherwood	
Elioff	Kalis	Norman	Sieben, H.	

The motion prevailed and the report was adopted.

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 up to 3,500 letter-size letterheads and 3,500 envelopes; up to 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 by 11 letterheads and matching envelopes in lieu of the note-size stationery and envelopes; and

*Be it further resolved*, that the Speaker, the DFL Caucus Leader, the IR Caucus Leader, the House Floor 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 24, 1979 Postage Resolution; and

*Be it further resolved*, that at the time of 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, sub-

sequent 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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kaley	Niehaus	Sherwood
Adams	Elioff	Kalis	Norman	Sieben, H.
Ainley	Ellingson	Kelly	Norton	Sieben, M.
Albrecht	Enebo	Kempe	Novak	Simoneau
Anderson, D.	Erickson	Knickerbocker	Nysether	Stadum
Anderson, G.	Esau	Kroening	Olsen	Stoa
Anderson, I.	Evans	Kvam	Onnen	Stowell
Anderson, R.	Ewald	Laidig	Osthoff	Sviggum
Battaglia	Faricy	Lehto	Otis	Swanson
Begich	Fjoslien	Levi	Patton	Thiede
Berglin	Forsythe	Long	Pavlak	Tomlinson
Berkelman	Fritz	Ludeman	Pehler	Valan
Blatz	Fudro	Luknie	Peterson	Valento
Brinkman	Greenfield	Mann	Piepho	Vanasek
Byrne	Halberg	McCarron	Prahl	Voss
Carlson, D.	Haukoos	McDonald	Redalen	Waldorf
Carlson, L.	Heap	McEachern	Reding	Weaver
Casserly	Heinitz	Mehrkens	Rees	Welch
Clark	Hoberg	Metzen	Reif	Welker
Clawson	Hokanson	Minne	Rice	Wenzel
Crandall	Jacobs	Moe	Rose	Wieser
Dean	Jennings	Munger	Rothenberg	Wynia
Dempsey	Johnson, C.	Murphy	Sarna	Zubay
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	Speaker Searle
Drew	Jude	Nelsen, M.	Searles	

The motion prevailed and the report was adopted.

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 long distance telephone expenses incurred by each member of the House of Representatives in the amount of \$600.00 per year. Any unused amounts allotted for the first year of the biennium may be carried over and credited to the amount allotted in the second year of the biennium. 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 report and the roll was called. There were 122 yeas and 1 nay as follows:

## Those who voted in the affirmative were:

Aasness	Eken	Kalis	Norton	Sieben, M.
Adams	Elioff	Kelly	Novak	Simoneau
Ainley	Ellingson	Kempe	Nysether	Stadum
Anderson, D.	Enebo	Knickerbocker	Olsen	Stoa
Anderson, G.	Erickson	Kroening	Onnen	Stowell
Anderson, I.	Esau	Laidig	Osthoff	Sviggum
Anderson, R.	Evans	Lehto	Otis	Swanson
Battaglia	Faricy	Levi	Patton	Thiede
Begich	Fjoslien	Long	Pavlak	Tomlinson
Berglin	Forsythe	Ludeman	Pehler	Valan
Berkelman	Fritz	Luknic	Peterson	Valento
Biersdorf	Fudro	Mann	Piepho	Vanasek
Blatz	Greenfield	McCarron	Prahl	Voss
Brinkman	Halberg	McDonald	Redalen	Waldorf
Byrne	Haukoos	McEachern	Reding	Weaver
Carlson, D.	Heap	Mehrrens	Rees	Welch
Carlson, L.	Heinitz	Metzen	Reif	Welker
Casserly	Hoberg	Minne	Rice	Wenzel
Clark	Hokanson	Moe	Rose	Wieser
Clawson	Jacobs	Munger	Rothenberg	Wynia
Crandall	Jennings	Murphy	Sarna	Zubay
Dean	Johnson, C.	Nelsen, B.	Schreiber	Speaker Searle
Dempsey	Johnson, D.	Nelsen, M.	Searles	
Den Ouden	Jude	Niehaus	Sherwood	
Drew	Kaley	Norman	Sieben, H.	

## Those who voted in the negative were:

Ewald

The motion prevailed and the report was adopted.

## MOTIONS AND RESOLUTIONS

Blatz moved that her name be stricken as an author on H. F. No. 138. The motion prevailed.

Anderson, G., moved that the name of Kalis be added as an author on H. F. No. 109. The motion prevailed.

Rothenberg moved that the name of Otis be added as an author on H. F. No. 138. The motion prevailed.

Jacobs moved that the name of Anderson, I., be added as an author on H. F. No. 177. The motion prevailed.

Thiede moved that the name of Sviggum be added as an author on H. F. No. 112. The motion prevailed.

Jacobs moved that the name of Schreiber be added as an author on H. F. No. 182. The motion prevailed.

## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, January 29, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker pro tem Heinitz declared the House stands adjourned until 2:00 p.m., Monday, January 29, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## ELEVENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 29, 1979

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:

Aasness	Eken	Kahn	Nelson	Searles
Adams	Elioff	Kaley	Niehaus	Sherwood
Ainley	Ellingson	Kalis	Norman	Sieben, H.
Albrecht	Enebo	Kelly	Norton	Sieben, M.
Anderson, B.	Erickson	Kempe	Novak	Simoneau
Anderson, D.	Esau	Knickerbocker	Nysether	Stadum
Anderson, G.	Evans	Kroening	Olsen	Stoa
Anderson, I.	Ewald	Kvam	Onnen	Stowell
Anderson, R.	Faricy	Laidig	Osthoff	Sviggum
Battaglia	Fjoslien	Lehto	Otis	Swanson
Begich	Forsythe	Levi	Patton	Thiede
Berglin	Friedrich	Long	Pavlak	Tomlinson
Berkelman	Fritz	Ludeman	Pehler	Valan
Biersdorf	Fudro	Luknic	Peterson	Valento
Blatz	Greenfield	Mann	Piepho	Vanasek
Brinkman	Haukoos	McCarron	Pleasant	Voss
Carlson, D.	Heap	McDonald	Prahl	Waldorf
Carlson, L.	Heinitz	McEachern	Redalen	Weaver
Casserly	Hoberg	Mehrrens	Reding	Welch
Clawson	Hokanson	Metzen	Rees	Welker
Corbid	Jacobs	Minne	Reif	Wenzel
Crandall	Jaros	Moe	Rice	Wieser
Dean	Jennings	Munger	Rose	Wigley
Dempsey	Johnson, C.	Murphy	Rothenberg	Wynia
Den Ouden	Johnson, D.	Nelsen, B.	Sarna	Zubay
Drew	Jude	Nelsen, M.	Schreiber	Speaker Searle

A quorum was present.

Byrne, Clark, Halberg and Kostohryz were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson 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 STANDING COMMITTEES

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 3, A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

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.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Schreiber, Clawson, McCarron, Novak and Pleasant introduced:

H. F. No. 186, A bill for an act relating to metropolitan government; providing for the debt of the metropolitan transit commission; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; and Chapter 473, by adding a section.

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

Begich, Battaglia, Elioff, Prah and Den Ouden introduced:

H. F. No. 187, A bill for an act relating to taxation; sales; exempting residential water and sewer services; providing that savings be passed to renters; providing penalties; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.

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

Begich, Battaglia, Elioff, Prah and Den Ouden introduced:

H. F. No. 188, A bill for an act relating to taxation; sales; exempting electricity furnished for residential use; providing that savings be passed to renters; providing penalties; amending Minnesota Statutes 1978, 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, Vanasek, Fjoslien, Rothenberg and Long introduced:

H. F. No. 189, 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.

Ludeman, Dempsey, Fritz, Reding and Patton introduced:

H. F. No. 190, A bill for an act relating to taxation; inheritance and gift; exempting transfers to a spouse; reducing the rates of tax for certain persons; amending Minnesota Statutes 1978, Sections 291.01, Subdivision 4; 291.03; 291.05; 291.065; 292.04; 292.05, Subdivision 1; and 292.07, Subdivisions 2, 3, and 5; repealing Minnesota Statutes 1978, Sections 291.051, and 292.01, Subdivision 7.

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

Sieben, H., introduced:

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

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

Sieben, M., introduced:

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

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



Jacobs, McEachern, Anderson, I., and Murphy introduced:

H. F. No. 193, A bill for an act relating to the department of public safety; financing the divisions of highway patrol and driver's license from the general fund; amending Minnesota Statutes 1978, Sections 299D.02, Subdivision 1; 299D.03, Subdivision 2; 299D.04; 299D.05, Subdivision 3; Chapter 171, by adding a section; and Chapter 299D, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Jacobs, Murphy and Anderson, I., introduced:

H. F. No. 194, A bill for an act relating to the department of public safety; financing the division of highway patrol from the general fund; amending Minnesota Statutes 1978, Sections 299D.02, Subdivision 1; 299D.03, Subdivision 2; 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 Transportation. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Evans introduced:

H. F. No. 195, A bill for an act relating to taxation; sales; exempting farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

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

Berkelman, Blatz, Novak and Evans introduced:

H. F. No. 196, A bill for an act relating to taxation; property tax; establishing a system for exemption from tax and levying an alternative tax on certain industrial rehabilitation and new industrial development projects; amending Minnesota Statutes 1978, Chapter 273, by adding a section.

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

Mehrkens, Norton, Johnson, C., and Stoa introduced:

H. F. No. 197, A bill for an act relating to Independent School District No. 256, Red Wing; appropriating money.

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

Faricy, Norton, Wenzel and Kempe introduced:

H. F. No. 198, A bill for an act relating to tort liability; requiring political subdivisions to indemnify officers and employees for certain judgments and settlements; amending Minnesota Statutes 1978, Chapter 471, by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Piepho, Dempsey, Blatz, Haukoos and Searles introduced:

H. F. No. 199, 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.

Wieser, Forsythe, Redalen, Dempsey and Piepho introduced:

H. F. No. 200, A bill for an act proposing an amendment to the Minnesota Constitution to add a section to Article IV; providing a biennial limit on state spending based on changes in state income.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Welker, Ludeman, McDonald, Adams and Kroening introduced:

H. F. No. 201, A bill for an act relating to political subdivisions; regarding public officers; permitting contracts between hospital district boards and board members; amending Minnesota Statutes 1978, Section 471.88, Subdivision 1.

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

Welker; Dempsey; Anderson, G.; Mehrkens and Fjoslien introduced:

H. F. No. 202, A bill for an act relating to aeronautics; limiting state regulation of certain federally licensed mechanics; amending Minnesota Statutes 1978, Section 360.018, by adding a subdivision.

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

Forsythe; Sieben, M.; Simoneau; Olsen and Anderson, R., introduced:

H. F. No. 203, A bill for an act relating to employment agencies; providing an exemption for management consultant firms from employment agency regulation; amending Minnesota Statutes 1978, Section 184.22.

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

Kaley, Berglin, Heinritz, Patton and Pleasant introduced:

H. F. No. 204, A bill for an act relating to taxation; property; allowing joint owners of property other than husband and wife to file separate property tax refund claims; amending Minnesota Statutes 1978, Sections 290A.03, Subdivisions 5, 8 and 13; 290A.05 and 290A.08.

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

Johnson, C.; Kalis; Esau; Elioff and Nelsen, B., introduced:

H. F. No. 205, A bill for an act relating to education; increasing eligibility for foundation aid for declining pupil units by permitting a school district with a current increase in pupil units to qualify according to a formula; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

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

Biersdorf, Osthoff, Ainley, Sarna and Welker introduced:

H. F. No. 206, A bill for an act relating to construction contracts; requiring distribution of partial payments to subcontractors; requiring interest on delayed payments; providing for recovery of damages.

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

Moe, Laidig, Crandall, Novak and Clark introduced:

H. F. No. 207, A bill for an act relating to sheriffs; requiring licensure within one year of assuming office; amending Minnesota Statutes 1978, Section 387.01.

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

McCarron, Novak, Voss, Valento and Simoneau introduced:

H. F. No. 208, A bill for an act relating to the metropolitan airports commission; providing compensation to property owners adversely affected by the expansion of certain minor use airports; amending Minnesota Statutes 1978, Sections 473.121, by adding a subdivision; and 473.217, by adding a subdivision.

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

McCarron, Novak, Voss, Valento and Simoneau introduced:

H. F. No. 209, A bill for an act relating to the establishment of local airport zoning authorities; amending Minnesota Statutes 1978, Section 360.063, by adding a subdivision.

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

Erickson, Swanson, Waldorf, Blatz and Haukoos introduced:

H. F. No. 210, A bill for an act relating to juveniles; concerning foster care; extending county cost of care payment provisions; amending Minnesota Statutes 1978, Sections 260.251, Subdivisions 1 and 1a; and 261.27.

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

Vanasek, Rees, Patton, Den Ouden and Fjoslien introduced:

H. F. No. 211, A bill for an act relating to transportation; authorizing the commissioner to grant variances from county state-aid highway and municipal state-aid street rules and engineering standards subject to certain procedures; establishing variance committees and prescribing their duties; amending Minnesota Statutes 1978, Sections 162.02, by adding a subdivision; 162.07, Subdivision 2; 162.09, by adding a subdivision; 162.13, Subdivision 2; and Chapter 162, by adding sections.

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

Stoa introduced:

H. F. No. 212, A bill for an act relating to crimes; escape from custody; authorizing prosecution of persons who escape jail while serving time as a condition of probation and persons who fail to report to or return from employment while under work release programs; providing penalties; amending Minnesota Statutes 1978, Section 609.485, Subdivision 3, and by adding a subdivision.

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

Kaley, Evans, Adams and Vanasek introduced:

H. F. No. 213, A bill for an act relating to taxation; income tax; clarifying apportionment of charitable contribution deduction for certain taxpayers; amending Minnesota Statutes 1978, Section 290.21, Subdivision 3.

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

Kaley, Zubay and Brinkman introduced:

H. F. No. 214, A bill for an act relating to taxation; excise tax on intoxicating liquor and malt beverages; providing for a refund of taxes paid if product is destroyed upon an agency order; appropriating money; amending Minnesota Statutes 1978, Chapter 340, by adding a section.

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

Kaley, Levi, Berglin, Stowell and Adams introduced:

H. F. No. 215, A bill for an act relating to taxation; income tax; excluding pensions of non-residents from gross income; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.17, Subdivision 3.

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

Pleasant, Swanson, Haukoos, and Weaver introduced:

H. F. No. 216, A bill for an act relating to metropolitan government; fixing the revenues of the metropolitan sports facilities commission; changing the liquor tax revenues of the commission; providing for an advisory referendum; appropriating money; amending Minnesota Statutes 1978, Section 473.581; repealing Minnesota Statutes 1978, Section 473.591.

The bill was read for the first time and referred to the Committee on Taxes. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Jude, Heinitz, Clawson, Kaley and Enebo introduced:

H. F. No. 217, A bill for an act relating to nursing homes; adding a member to the advisory council; amending Minnesota Statutes 1978, Section 144A.17.

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

Fjoslien; Anderson, G.; Anderson, R.; Eken and Aasness introduced:

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

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

Brinkman; Anderson, G.; Nelsen, B.; Anderson, D., and Anderson, R., introduced:

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

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Greenfield, Simoneau, Ellingson, Ewald and Wieser introduced:

H. F. No. 220, A bill for an act relating to prearranged funeral plans; authorizing deposit of trust funds in credit unions; amending Minnesota Statutes 1978, Sections 149.12; and 149.13.

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

Wieser, Greenfield, Simoneau, Ellingson and Ewald introduced:

H. F. No. 221, A bill for an act relating to credit unions; providing for the appointment and compensation of a chief executive officer; allowing the chief executive officer to be a director of the credit union; amending Minnesota Statutes 1978, Sections 52.08; and 52.09, Subdivisions 2 and 3.

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

Jude, Ewald, Greenfield, Rothenberg and Rees introduced:

H. F. No. 222, A bill for an act relating to the public service commission; regulating commissioners' conflicts of interest; amending Minnesota Statutes 1978, Section 216A.035.

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

Eken, McEachern, Esau, Johnson, C., and Knickerbocker introduced:

H. F. No. 223, A bill for an act relating to education; providing that the early retirement incentive be paid at the time and in the manner agreed upon by a teacher and the board of the employing school district; amending Minnesota Statutes 1978, Section 125.61, Subdivision 4.

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

#### MOTIONS AND RESOLUTIONS

McEachern moved that the name of Berkelman be added as an author on H. F. No. 163. The motion prevailed.

Mehrkens moved that the name of Friedrich be added as an author on H. F. No. 197. The motion prevailed.

Long moved that the names of Jacobs, Haukoos and Kelly be added as authors on H. F. No. 173. The motion prevailed.

Pavlak moved that the name of Greenfield be added as an author on H. F. No. 175. The motion prevailed.

Murphy moved that the name of Fjoslien be added as an author on H. F. No. 171. The motion prevailed.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 1, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, February 1, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives





## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## TWELFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 1, 1979

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:

Aasness	Drew	Kahn	Norman	Sieben, M.
Adams	Eken	Kaley	Norton	Simoneau
Ainley	Elioff	Kalis	Novak	Stadum
Albrecht	Ellingson	Kelly	Nysether	Stoa
Anderson, B.	Erickson	Kempe	Olsen	Stowell
Anderson, D.	Esau	Knickerbocker	Onnen	Sviggum
Anderson, G.	Evans	Kroening	Osthoff	Swanson
Anderson, I.	Ewald	Kvam	Otis	Thiede
Anderson, R.	Faricy	Laidig	Patton	Tomlinson
Battaglia	Fjoslien	Lehto	Pavlak	Valan
Begich	Forsythe	Levi	Pehler	Valento
Berglin	Friedrich	Long	Peterson	Vanasek
Berkelman	Fritz	Ludeman	Piepho	Voss
Biersdorf	Fudro	Luknic	Pleasant	Waldorf
Blatz	Greenfield	Mann	Prahl	Weaver
Brinkman	Halberg	McCarron	Redalen	Welch
Byrne	Haukoos	McDonald	Reding	Welker
Carlson, D.	Heap	McEachern	Rees	Wenzel
Carlson, L.	Heinitz	Mehrkens	Reif	Wieser
Casserly	Hoberg	Metzen	Rice	Wigley
Clark	Hokanson	Minne	Rose	Wynia
Clawson	Jacobs	Moe	Rothenberg	Zubay
Corbid	Jaros	Murphy	Sarna	Speaker Searle
Crandall	Jennings	Nelsen, B.	Schreiber	
Dean	Johnson, C.	Nelsen, M.	Searles	
Dempsey	Johnson, D.	Nelson	Sherwood	
Den Ouden	Jude	Niehaus	Sieben, H.	

A quorum was present.

Enebo, Kostohryz and Munger were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson 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 communication was received:

STATE OF MINNESOTA  
HOUSE OF REPRESENTATIVES

February 1, 1979

The Honorable Rod Searle  
Speaker  
House of Representatives  
and  
The Honorable Irvin N. Anderson  
Chairman, Committee on Rules and  
Legislative Administration

Dear Sirs:

I hereby resign effective today, February 1, 1979, as Postmaster of the Minnesota House of Representatives.

Yours truly,  
JOHN KIVIMAKI

Sieben, H., moved that the resignation of John Kivimaki as Postmaster be accepted. The motion prevailed.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Kelly and Otis introduced:

H. F. No. 224, A bill for an act relating to education; exempting certain handicapped pupils from certain tuition at a post-secondary vocational-technical school; amending Minnesota Statutes 1978, Section 124.565, Subdivision 3.

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

Stoa introduced:

H. F. No. 225, A bill for an act relating to taxation; sales; exempting solar energy systems; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

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

Stowell, Friedrich, Piepho, Stoa and Greenfield introduced:

H. F. No. 226, A bill for an act relating to motor vehicles; defining physically handicapped persons entitled to secure special license plates; amending Minnesota Statutes 1978, Section 168.021, Subdivision 5.

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

Casserly, Norton, Pavlak, Heinritz and Anderson, I., introduced:

H. F. No. 227, A bill for an act relating to insurance; regulating homeowner's insurance; requiring insurers to disclose and file information; prescribing certain procedures for an insurer's refusal to renew or to write homeowner's insurance; prohibiting redlining; amending Minnesota Statutes 1978, Section 72A.20, Subdivision 1; and Chapter 65A, by adding sections.

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

Casserly, Norton, Faricy, Schreiber and Rothenberg introduced:

H. F. No. 228, A bill for an act relating to real estate; providing a flexible procedure for registering land; amending Minnesota Statutes 1978, Section 508.52.

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

Kelly, Moe and Novak introduced:

H. F. No. 229, A bill for an act relating to the administration of criminal justice; establishing a program for the undercover investigation of cross jurisdictional criminal activity through the purchase of narcotics, stolen property and information; providing for the restoration or disposal of stolen property; amending Minnesota Statutes 1978, Section 299C.07; and Chapter 299C, by adding a section.

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

Kelly, Zubay, Novak and Moe introduced:

H. F. No. 230, A bill for an act relating to the administration of criminal justice; appropriating money to be used by law enforcement agencies for the purchase of drugs and contraband.

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

Kelly introduced:

H. F. No. 231, A bill for an act relating to health; permitting placement of pets with certain individuals in certain institutions; amending Minnesota Statutes 1978, Chapters 144A, by adding a section; and 343, by adding a section.

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

Stoa; Voss; Anderson, D.; Laidig and Simoneau introduced:

H. F. No. 232, A bill for an act relating to the secretary of state; providing for printing and distributing the student edition of the legislative manual; appropriating money; amending Minnesota Statutes 1978, Section 5.09.

The bill was read for the first time and referred to the Committee on Appropriations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Dean introduced:

H. F. No. 233, A bill for an act relating to retirement; judicial service credit for referees in juvenile court; amending Minnesota Statutes 1978, Section 490.121, Subdivision 4.

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

Reding, Zubay, Esau, Kalis and Lehto introduced:

H. F. No. 234, A bill for an act relating to state government; abolishing achievement awards for commissioners and assistant commissioners; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 6; 43.062, Subdivision 3; and 43.067, Subdivision 4; repealing Minnesota Statutes 1978, Section 43.069.

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

Battaglia, Voss, Kahn, Pavlak and Kroening introduced:

H. F. No. 235, A bill for an act relating to state parks; removing certain lands from within the boundaries of Split Rock Lighthouse State Park.

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

Battaglia, Elioff, Minne, PrahI and Begich introduced:

H. F. No. 236, A bill for an act relating to intoxicating liquor; prohibiting local authorities from requiring early payment of property taxes as a condition for the issuance or renewal of licenses; amending Minnesota Statutes 1978, Section 340.11, Subdivision 17.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Swanson, Hokanson, Pleasant, Blatz and Peterson introduced:

H. F. No. 237, A bill for an act relating to the city of Richfield; authorizing the issuance of bonds for a certain recreational facility; authorizing the pledge of certain revenues as security therefor.

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

Dean, Ewald and Nelsen, B., introduced:

H. F. No. 238, A bill for an act relating to taxation; inheritance tax; exempting federal survivor benefit plan benefits from taxation; amending Minnesota Statutes 1978, Section 291.05.

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

Casserly, Voss, Dean, Olsen and Ewald introduced:

H. F. No. 239, A bill for an act relating to metropolitan government; providing for election of the members of the council; amending Minnesota Statutes 1978, 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.

Lehto, Fjoslien and Nelsen, M., introduced:

H. F. No. 240, A bill for an act proposing an amendment to the Minnesota constitution, adding a section to Article IV; providing for popular initiative on taxes and appropriations.

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

Sieben, M., and Laidig introduced:

H. F. No. 241, A bill for an act relating to mobile homes; requiring mobile homes to be secured to the ground; providing penalties; amending Minnesota Statutes 1978, Section 327.32, by adding a subdivision; and 327.34, Subdivision 4.

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

Erickson, Kempe, Olsen, Kahn and Sherwood introduced:

H. F. No. 242, A bill for an act relating to taxation; inheritance; establishing a presumption of contribution by a spouse in property held jointly with the decedent; amending Minnesota Statutes 1978, Section 291.01, Subdivision 4.

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

Ewald, Enebo, Swanson, Schreiber and Laidig introduced:

H. F. No. 243, A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Section 2; limiting the number of terms of governors and lieutenant governors.

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

Clark, Forsythe, Pleasant, Enebo and Berglin introduced:

H. F. No. 244, A bill for an act relating to Hennepin County; providing for the appointment, compensation, duties and powers of the medical examiner; amending Laws 1963, Chapter 848, Section 1, Subdivision 2; Section 5; and by adding a section; repealing Laws 1963, Chapter 848, Section 1, Subdivision 4.

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

Clawson introduced:

H. F. No. 245, A bill for an act relating to the department of public safety; changing the name of the highway patrol to the state patrol; amending Minnesota Statutes 1978, Section 299D.01, Subdivision 1.

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

Waldorf, Kelly, Wynia, Drew and Kempe introduced:

H. F. No. 246, A bill for an act relating to the city of Saint Paul; authorizing the disposition of the Gillette state hospital property, building and grounds.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kempe, Waldorf, Erickson, Sherwood and McDonald introduced:

H. F. No. 247, A bill for an act relating to health; providing for the canceling of an appropriation for the family planning services grant program under certain conditions.

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

Wieser, Brinkman, Pavlak, Wenzel and Ellingson introduced:

H. F. No. 248, A bill for an act relating to banks and banking; authorizing state banks to lease personal property under certain conditions; amending Minnesota Statutes 1978, Section 48.152.

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

Clawson, Heinitz, Kvam and Berkelman introduced:

H. F. No. 249, A bill for an act relating to public welfare; providing exemptions from licensing for certain facilities; amending Minnesota Statutes 1978, Section 245.791.

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



Searle, Olsen, Vanasek and Haukoos introduced:

H. F. No. 250, A bill for an act relating to elections; restoring the right to vote to certain persons under guardianship; amending Minnesota Statutes 1978, Section 201.15.

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

Brinkman, Heinitz, Voss, Stoa and Wieser introduced:

H. F. No. 251, A bill for an act relating to local government; permitting self insurance of health benefits; authorizing joint self insurance; amending Minnesota Statutes 1978, Section 471.616, Subdivision 1; and Chapter 471, by adding a section.

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

Brinkman, Patton, Anderson, D., and Mann introduced:

H. F. No. 252, A bill for an act relating to workers' compensation; providing for appointments to court of appeals; providing for disability payments; altering retraining payments; providing time limitations on actions; amending Minnesota Statutes 1978, Sections 175.006, Subdivision 1; 176.101, Subdivisions 3, 4, 7 and by adding a subdivision; 176.131, Subdivision 8; and 176.151; repealing Minnesota Statutes 1978, Sections 176.101, Subdivisions 1 and 2; and 176.645.

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

Sieben, M., introduced:

H. F. No. 253, A bill for an act relating to Washington County; authorizing the commissioner of public safety under certain circumstances to appoint an agent to assist the clerk of the district court in Washington County in accepting applications for drivers licenses and permits; repealing Minnesota Statutes 1978, Section 171.06, Subdivision 5.

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

Murphy, Hokanson, Jacobs, Carlson, L., and Otis introduced:

H. F. No. 254, A bill for an act relating to taxation; exempting certain military pay from income taxation; amending Minnesota Statutes 1978, Section 290.08, by adding a subdivision.

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

Eken; Anderson, G.; Redalen; Mehrkens and Johnson, C., introduced:

H. F. No. 255, A bill for an act relating to taxation; property tax; exempting certain wetlands from taxation; providing a wetlands credit; providing for state reimbursement of lost local revenues; appropriating money; amending Minnesota Statutes 1978, Section 272.02, Subdivision 1; and Chapter 273, by adding a section; repealing Minnesota Statutes 1978, Section 272.59.

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

McDonald, Kalis, Stadum, Anderson, G., and Rees introduced:

H. F. No. 256, A bill for an act relating to agriculture; providing for the promotion of Minnesota agricultural products; providing for production research; appropriating money; amending Minnesota Statutes 1978, Sections 15.057; and 17.101.

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

Cassery, Tomlinson, Pehler, Hoberg and Knickerbocker introduced:

H. F. No. 257, A bill for an act relating to taxation; providing standards and procedures for tax increment financing; authorizing the issuance of bonds; authorizing tax increment financing for the payment of principal and interest on such bonds; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1978, Sections 362A.05; 458.192, Subdivision 11; 462.545, Subdivision 5; 462.585, Subdivisions 2, 3 and 4; 472A.06; 472A.07, by adding a subdivision; 473F.02, Subdivision 3; 473F.05; 473F.08, Subdivisions 2, 4 and 6; 474.10, Subdivisions 2 and 3; and Chapter 273, by adding sections; repealing Minnesota Statutes 1978, Sections 472A.02, Subdivision 3; 472A.07, Subdivision 4; and 472A.08.

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

Welch; Nelsen, M.; Rose; Patton and Sherwood introduced:

H. F. No. 258, A bill for an act relating to crimes; littering; prohibiting the owner or operator of certain vehicles from permitting certain articles and materials being thrown, deposited, or dumped from vehicles; prescribing penalties; amending Minnesota Statutes 1978, Sections 169.42, by adding a subdivision; and 609.68.

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

Kahn; Carlson, D.; Anderson, G., and Biersdorf introduced:

H. F. No. 259, A bill for an act relating to cooperative associations; providing for boards of directors; prescribing the minimum number of directors governing a cooperative apartment corporation; amending Minnesota Statutes 1978, Section 308.11.

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

Carlson, L.; Berglin and Swanson introduced:

H. F. No. 260, A bill for an act relating to health; providing for health planning; requiring certificates of need for construction or modification of certain health care facilities and services and health maintenance organizations; repealing Minnesota Statutes 1978, Sections 145.71 to 145.831.

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

Schreiber, Casserly, Adams, Pehler and Friedrich introduced:

H. F. No. 261, A bill for an act relating to municipal industrial development; excepting certain projects; amending Minnesota Statutes 1978, Section 474.02, by adding a subdivision.

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

Brinkman, Heinitz, Voss, Wieser and Stoa introduced:

H. F. No. 262, A bill for an act relating to local government; permitting self insurance for local governments; authorizing insurance pooling; amending Minnesota Statutes 1978, Sections 60A.02, Subdivisions 3 and 4; 79.01, Subdivisions 2 and 3; and Chapter 471, by adding sections.

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

Faricy introduced:

H. F. No. 263, A bill for an act relating to juvenile court referees; authorizing referees to hear contested trials or motions unless objection is made; amending Minnesota Statutes 1978, Section 484.70, Subdivision 3.

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

Pehler introduced:

H. F. No. 264, A bill for an act relating to taxation; income tax; changing the rates of certain income tax brackets; amending Minnesota Statutes 1978, Section 290.06, Subdivision 2c.

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

Heinitz, Adams, Heap and Carlson, L., introduced:

H. F. No. 265, A bill for an act relating to transportation; appropriating money to the department of transportation for the purpose of providing operating subsidies for Medicine Lake transit service.

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

McEachern, Sarna, Fudro and Friedrich introduced:

H. F. No. 266, A bill for an act relating to taxation; providing that the proceeds of the motor vehicle excise tax shall be deposited in the highway user tax distribution fund for highway purposes; amending Minnesota Statutes 1978, 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.

McEachern and McCarron introduced:

H. F. No. 267, A bill for an act relating to aeronautics; providing a referendum on certain airport locations; amending Minnesota Statutes 1978, Section 360.032, by adding a subdivision.

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

Forsythe, Wieser, Hokanson, McCarron and Niehaus introduced:

H. F. No. 268, A bill for an act relating to children; establishing a program in the department of public welfare to allow subsidized adoptions under certain circumstances; appropriating money; amending Minnesota Statutes 1978, Chapter 259, by adding a section; repealing Minnesota Statutes 1978, Section 393.07, Subdivision 1a.

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

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following bills, which bills were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
164	Jan. 25, 1979	Local and Urban Affairs
166	Jan. 25, 1979	Taxes
167	Jan. 25, 1979	Transportation
181	Jan. 25, 1979	Financial Institutions and Insurance
193	Jan. 29, 1979	Appropriations
194	Jan. 29, 1979	Appropriations
198	Jan. 29, 1979	Local and Urban Affairs
200	Jan. 29, 1979	Appropriations
216	Jan. 29, 1979	Local and Urban Affairs
219	Jan. 29, 1979	Labor-Management Relations

MOTIONS AND RESOLUTIONS

Sieben, M., moved that the names of Faricy, Zubay, Lehto and Laidig be added as authors on H. F. No. 38. The motion prevailed.

Pleasant moved that the name of Ewald be added as an author on H. F. No. 113. The motion prevailed.

Evans moved that the names of Luknic and Stadum be added as authors on H. F. No. 195. The motion prevailed.

Thiede moved that the name of Aasness be added as an author on H. F. No. 112. The motion prevailed.

Ainley moved that his name be stricken as an author on H. F. No. 161. The motion prevailed.

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, February 5, 1979. The motion prevailed.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in House Standing Committee assignments:

Local and Urban Affairs: strike the name of Rees and add the name of Fritz.

Financial Institutions and Insurance: strike the name of Fritz and add the name of Rees.

Sieben, H., moved that the House recess subject to the call of the Chair. The motion prevailed.

#### RECESS

#### RECONVENED

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

#### ADJOURNMENT

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, February 5, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

[The following text is extremely faint and largely illegible. It appears to be a list of names or entries, possibly a roll call or a list of members, arranged in several columns. Some words are difficult to discern but may include names like "Mr. [Name]", "Mr. [Name]", etc.]

## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## THIRTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 5, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Schreiber
Adams	Elioff	Kahn	Nelson	Sherwood
Ainley	Ellingson	Kaley	Niehaus	Sieben, H.
Albrecht	Enebo	Kalis	Norman	Sieben, M.
Anderson, B.	Erickson	Kelly	Norton	Simoneau
Anderson, D.	Esau	Kempe	Novak	Stadum
Anderson, G.	Evans	Knickerbocker	Nysether	Stoa
Anderson, I.	Ewald	Kroening	Olsen	Stowell
Anderson, R.	Faricy	Kvam	Onnen	Sviggum
Battaglia	Fjoslien	Laidig	Osthoff	Swanson
Begich	Forsythe	Lehto	Otis	Thiede
Berglin	Friedrich	Levi	Patton	Tomlinson
Berkelman	Fritz	Long	Pavlak	Valan
Biersdorf	Fudro	Ludeman	Pehler	Valento
Blatz	Greenfield	Luknic	Peterson	Vanasek
Brinkman	Halberg	Mann	Piepho	Voss
Byrne	Haukoos	McCarron	Pleasant	Waldorf
Carlson, D.	Heap	McDonald	Prahl	Weaver
Carlson, L.	Heinitz	McEachern	Redalen	Welch
Casserly	Hoberg	Mehrkens	Reding	Welker
Clark	Hokanson	Metzen	Rees	Wenzel
Clawson	Jacobs	Minne	Reif	Wieser
Crandall	Jaros	Moe	Rice	Wigley
Dean	Jennings	Munger	Rose	Wynia
Dempsey	Johnson, C.	Murphy	Rothenberg	Zubay
Den Ouden	Johnson, D.	Nelsen, B.	Sarna	Speaker Searle

A quorum was present.

Corbid, Eken, Kostohryz and Searles were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Crandall 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.



## ELECTION OF OFFICER

Knickerbocker placed the name of Bruno B. Aijala in nomination for Postmaster.

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

The roll being called on the election of the Postmaster, the following voted for the nominee:

Aasness	Enebo	Kaley	Norman	Sieben, M.
Adams	Erickson	Kalis	Norton	Simoneau
Ainley	Esau	Kelly	Novak	Stadum
Anderson, B.	Evans	Kempe	Nysether	Stoa
Anderson, D.	Ewald	Knickerbocker	Olsen	Stowell
Anderson, G.	Faricy	Kroening	Onnen	Sviggum
Anderson, R.	Fjoslien	Kvam	Osthoff	Swanson
Battaglia	Forsythe	Laidig	Otis	Thiede
Begich	Friedrich	Lehto	Patton	Tomlinson
Berglin	Fritz	Levi	Pavlak	Valan
Berkelman	Fudro	Long	Pehler	Valento
Biersdorf	Greenfield	Ludeman	Peterson	Vanasek
Blatz	Halberg	Luknic	Piepho	Voss
Brinkman	Haukoos	Mann	Pleasant	Waldorf
Carlson, D.	Heap	McCarron	Prahl	Weaver
Carlson, L.	Heinitz	McDonald	Redalen	Welch
Casserly	Hoberg	McEachern	Reding	Welker
Clark	Hokanson	Mehrkens	Rees	Wenzel
Clawson	Jacobs	Metzen	Reif	Wieser
Crandall	Jaros	Minne	Rose	Wigley
Dempsey	Jennings	Munger	Rothenberg	Wynia
Den Ouden	Johnson, C.	Murphy	Sarna	Zubay
Drew	Johnson, D.	Nelsen, B.	Schreiber	Speaker Searle
Elioff	Jude	Nelsen, M.	Sherwood	
Ellingson	Kahn	Niehaus	Sieben, H.	

The nominee, having received the most votes was declared duly elected Postmaster.

## OATH OF OFFICE

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

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Aasness, Peterson, Johnson, C., and Fjoslien introduced:

H. F. No. 269, A bill for an act relating to agriculture; providing a wetlands property tax credit; providing for state reimbursement of lost local revenues; appropriating money; amending Minnesota Statutes 1978, Chapter 273, by adding a section; repealing Minnesota Statutes 1978, Section 272.59.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Pehler, Dempsey, Osthoff, Faricy and Den Ouden introduced:

H. F. No. 270, A bill for an act relating to education; changing definition of textbook to include certain text substitutes; amending Minnesota Statutes 1978, Section 123.932, Subdivision 1b.

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

Novak; Anderson, I., Jacobs; Faricy and Simoneau introduced:

H. F. No. 271, A bill for an act relating to taxation; allowing a one-time exclusion of gain up to \$100,000 on the sale of a principal residence of an individual who has attained age 55; allowing an income tax credit for blind dependents; establishing a presumption of ownership for inheritance tax purposes in property held jointly by husband and wife; providing a minimum homestead exemption from the inheritance tax; equalizing inheritance tax exemptions; equalizing gift tax rates and credits between spouses; removing the sales tax from water used for residential use; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.06, Subdivision 3c; 291.01, Subdivision 4; 291.03; 291.05; 292.07, Subdivisions 1 and 5, and by adding a subdivision; and 297A.01, Subdivision 3.

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

Norton, Kaley, Hokanson, Waldorf and Anderson, R., introduced:

H. F. No. 272, A bill for an act relating to public welfare; child care services; defining a sliding fee schedule payment plan for child care; appropriating money; amending Minnesota Statutes 1978, Section 245.84, Subdivision 2.

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

Clark, Levi, Byrne, Clawson and Dean introduced:

H. F. No. 273, A bill for an act relating to public health; regulating the use of psychosurgery; 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.

Clark; Greenfield; Carlson, L.; Niehaus and Esau introduced:

H. F. No. 274, A bill for an act relating to medical assistance; nursing home rates; modifying exceptions to rate limits; requiring annual hearings on limits on nursing care; amending Minnesota Statutes 1978, Section 256B.47, Subdivision 1; and by adding a subdivision.

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

Rose, Halberg, Faricy, Prah and Pehler introduced:

H. F. No. 275, A bill for an act relating to taxation; property tax refund; providing for payment of refunds to personal representatives of certain decedents; amending Minnesota Statutes 1978, Section 290A.18.

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

Carlson, D.; Minne; Johnson, D.; Clawson and Wieser introduced:

H. F. No. 276, A bill for an act relating to the state auditor; providing for the examination of municipal records pursuant to petition; requiring signatures of 20 percent of the number of voters in the last presidential election for a petition to examine municipal records; establishing certain other requirements for petitions for examination of towns and school districts; requiring that the city as well as county auditor be notified when the petition is certified; amending Minnesota Statutes 1978, Section 6.54.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Pleasant, Kalis, Wynia, Hoberg and Sieben, H., introduced:

H. F. No. 277, A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; appropriating money; amending Minnesota Statutes 1978, Sections 18.023, Subdivisions 1 and 3a; and 275.50, Subdivision 6.

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

Fritz introduced:

H. F. No. 278, A bill for an act relating to state government; providing for periodic legislative review and modernizing of state statutes; providing for repeal of certain old statutes.

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

Minne, Murphy, Begich and Elioff introduced:

H. F. No. 279, A bill for an act relating to the county of St. Louis; providing rights to suspended classified service employees; amending Laws 1941, Chapter 423, Section 22.

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

Drew, Halberg, Crandall, Knickerbocker and Valento introduced:

H. F. No. 280, A bill for an act relating to taxation; providing for optional rent credit amount in lieu of property tax refund; amending Minnesota Statutes 1978, 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.

Fritz introduced:

H. F. No. 281, A bill for an act relating to taxation; real property; providing a delayed assessment of certain homestead improvements.

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

Stowell and Wieser introduced:

H. F. No. 282, A bill for an act relating to game and fish; establishing a procedure for selection of applicants for licenses to take wild turkeys; providing a penalty; amending Minnesota Statutes 1978, Section 100.271.

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

Fritz introduced:

H. F. No. 283, A bill for an act relating to the state board of investment; requiring investment of certain retirement funds in bank and savings and loan association certificates and accounts; amending Minnesota Statutes 1978, Section 11.16, Subdivision 14.

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

Simoneau, Tomlinson, Dean, Evans and Heinritz introduced:

H. F. No. 284, A bill for an act proposing an amendment to the Minnesota Constitution, Article X, adding a section; permitting parimutuel wagering on races if authorized by law.

The bill was read for the first time and referred to the Committee on Taxes. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Biersdorf, Evans, Fritz, Sarna and Patton introduced:

H. F. No. 285, A bill for an act relating to taxation; motor vehicle excise; exempting used automobiles and pickup trucks sales; amending Minnesota Statutes 1978, Section 297B.03.

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

Biersdorf, Patton, Redalen and Metzen introduced:

H. F. No. 286, A bill for an act relating to taxation; motor vehicle excise tax; defining purchase price; providing for a used motor vehicle credit on the excise tax in certain transactions; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

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

Reding, McDonald and Lehto introduced:

H. F. No. 287, A bill for an act relating to state government; establishing and empowering a temporary joint legislative study commission to examine financing of state mandated services; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Vanasek, Kvam, Swanson, Valento and Sieben, H., introduced :

H. F. No. 288, A bill for an act relating to taxation; sales; exempting certain sales of bingo cards by veterans groups; amending Minnesota Statutes 1978, Section 297A.25.

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

Wenzel, Sviggum, Kalis, Mehrkens and Brinkman introduced :

H. F. No. 289, A bill for an act relating to taxation; inheritance; increasing exemptions for certain persons; amending Minnesota Statutes 1978, Section 291.05.

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

Esau, Berkelman, Hoberg, Fjoslien and Murphy introduced :

H. F. No. 290, A bill for an act relating to towns; changing certain limits on payments for attorney's fees; amending Minnesota Statutes 1978, Section 368.121.

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

Fjoslien, Corbid, Redalen, Anderson, G., and Wenzel introduced :

H. F. No. 291, A bill for an act relating to taxation; defining conveyances that must be presented to the auditor before recording; eliminating duty of county recorder to list judgments affecting real estate titles; eliminating payment to county recorder for making lists; amending Minnesota Statutes 1978, Sections 272.12; and 272.17; repealing Minnesota Statutes 1978, Section 272.18.

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

Carlson, L.; Adams; Jacobs; Pleasant and Peterson introduced :

H. F. No. 292, A bill for an act relating to taxation; real property; delayed assessment of homestead improvement.

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

Kalis, Jennings, Vanasek, Johnson, C., and Mehrkens introduced:

H. F. No. 293, A bill for an act relating to taxation; income tax; providing for an investment credit for purchases of farm equipment; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

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

Prahl, Begich, Battaglia and Fritz introduced:

H. F. No. 294, A bill for an act relating to private passenger vehicle insurance; prohibiting certain premium increases attributable to relatives living in the same household; amending Minnesota Statutes 1978, Chapter 65B, by adding a section.

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

Berkelman, Heinitz, Kaley, Clark and Clawson introduced:

H. F. No. 295, A bill for an act relating to nursing homes; requiring notice of rate increases to residents who are not recipients of medical assistance; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision.

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

Welker, Ludeman, Mann and Anderson, B., introduced:

H. F. No. 296, A bill for an act relating to flood plain management; authorizing counties within the southern Minnesota river basin area II to levy an additional tax for flood control, improved water quality and erosion and sediment control; amending Minnesota Statutes 1978, Section 275.50, Subdivision 5.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Minne and Elioff introduced:

H. F. No. 297, A bill for an act relating to the city of Chisholm; exempting volunteer firefighters from civil service commission jurisdiction.

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

Kahn, Wynia, Osthoff and Jaros introduced:

H. F. No. 298, A bill for an act relating to human rights; requiring educational institutions and public services to provide equal opportunity for members of both sexes to participate in athletic programs; prescribing powers and duties for the Minnesota state high school league; amending Minnesota Statutes 1978, Section 129.121, Subdivision 1, and by adding a subdivision; and Chapter 363, by adding sections; repealing Minnesota Statutes 1978, Section 126.21.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Hoberg, Zubay, Adams, Piepho and Reding introduced:

H. F. No. 299, A bill for an act relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarifying the term "civil defense"; amending Minnesota Statutes 1978, Sections 12.03, Subdivision 4; and 12.31; repealing Minnesota Statutes 1978, Section 12.25, Subdivision 4.

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

Wenzel, Stoa, Fjoslien, Anderson, G., and Johnson, D., introduced:

H. F. No. 300, A bill for an act relating to highway traffic regulations; specifying the acts constituting the offense of hit and run; prescribing penalties; amending Minnesota Statutes 1978, Section 169.09, Subdivision 1; and Chapter 609, by adding a section.

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

Nelson and Clark introduced:

H. F. No. 301, A bill for an act relating to police officers in cities of the first class; prohibiting employment of police officers for the purpose of maintaining law and order in bottle clubs or certain establishments licensed for the sale of liquor; providing penalties.

The bill was read for the first time and referred to the Committee on Criminal Justice. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.



Rothenberg, Heap, Otis, Enebo and Jude introduced:

H. F. No. 302, A bill for an act relating to public utilities; reducing time periods involved in obtaining approval of rate changes; amending Minnesota Statutes 1978, Sections 216B.16, Subdivisions 1 and 2; and 237.075, Subdivisions 1 and 2.

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

Jaros introduced:

H. F. No. 303, A bill for an act validating and legalizing certain state assignment certificates.

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

Jaros, Kaley, Battaglia, Pavlak and Lehto introduced:

H. F. No. 304, A bill for an act relating to corrections; community corrections; crediting counties for the cost of care for offenders committed to local correctional facilities; amending Minnesota Statutes 1978, Section 401.13.

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

Heap, Tomlinson, Johnson, C., and Laidig introduced:

H. F. No. 305, A bill for an act relating to education; requiring the expungement of certain material from the files of certain supervisory employees; amending Minnesota Statutes 1978, Sections 125.12, Subdivision 14 and 125.17, Subdivision 12.

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

Weaver, Fudro, Patton, Jude and Sviggum introduced:

H. F. No. 306, A bill for an act relating to state contracts; requiring public work contracts to contain an equitable adjustment clause.

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

Blatz, Rose, Adams, Osthoff and Biersdorf introduced :

H. F. No. 307, A bill for an act relating to commerce; regulating building movers; amending Minnesota Statutes 1978, Chapter 221, by adding a section.

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

Kostohryz; Hoberg; Johnson, C.; Olsen and Swanson introduced :

H. F. No. 308, A bill for an act relating to education; exempting veterans from tuition payments at post-secondary vocational-technical schools under certain conditions; amending Minnesota Statutes 1978, Section 124.565, Subdivision 3.

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

#### HOUSE ADVISORIES

The following House Advisories were introduced :

Biersdorf, Sarna, Metzen, Niehaus and Searle introduced :

H. A. No. 3, A proposal to study need for legislation setting criterion and standards for mental health centers.

The advisory was referred to the Committee on Health and Welfare.

Biersdorf, Sarna, Metzen, Friedrich and Redalen introduced :

H. A. No. 4, A proposal to study need for legislation setting standards for mobile home park operation.

The advisory was referred to the Committee on Commerce, Economic Development and Housing.

#### 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 Files, herewith transmitted :

S. F. Nos. 67 and 118.

PATRICK E. FLAHAVEN, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 67, A bill for an act relating to statutes; providing for the effect of grammar and punctuation; amending Minnesota Statutes 1978, Section 645.18.

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

S. F. No. 118, A bill for an act relating to crimes; defining the crime of receiving stolen property; amending Minnesota Statutes 1978, Section 609.53, Subdivision 2.

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

## MOTIONS AND RESOLUTIONS

Stoa moved that the names of Long and Fjoslien be added as authors on H. F. No. 225. The motion prevailed.

McDonald moved that the name of Welker be added as an author on H. F. No. 80. The motion prevailed.

McDonald moved that the name of Onnen be stricken and the name of Peterson be added as an author on H. F. No. 43. The motion prevailed.

McEachern moved that the name of Luknic be added as an author on H. F. No. 266. The motion prevailed.

Faricy moved that the name of Norman be added as an author on H. F. No. 20. The motion prevailed.

ANNOUNCEMENT BY THE CHAIRMAN OF THE COMMITTEE ON  
RULES AND LEGISLATIVE ADMINISTRATION

The chairman announced the appointment of the indicated members of the House to the following commissions:

*Legislative Commission On Pensions and Retirement*, pursuant to the provisions of Minnesota Statutes 1978, Section 3.85: Moe, Patton and Sarna.

*Legislative Coordinating Commission*, pursuant to the provisions of Minnesota Statutes 1978, Section 3.303: Anderson, I., Faricy and Sieben, H.

## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 8, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, February 8, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

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FOURTEENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, FEBRUARY 7, 1979

The Senate met on Wednesday, February 7, 1979, which was the Fourteenth Legislative Day of the Seventy-first Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.

The following bills were introduced and read:  
 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]  
 H. B. 106, by Mr. [Name], for the purpose of [purpose]  
 H. B. 107, by Mr. [Name], for the purpose of [purpose]  
 H. B. 108, by Mr. [Name], for the purpose of [purpose]  
 H. B. 109, by Mr. [Name], for the purpose of [purpose]  
 H. B. 110, by Mr. [Name], for the purpose of [purpose]

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION

## FIFTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 8, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

A quorum was present.

The Chief Clerk proceeded to read the Journals of the preceding days. Crandall 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 S. F. Nos. 118 and 67 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

June 29, 1978

The Honorable Martin Sabo  
Speaker of the House

Dear Sir:

The following appointment to the Ethical Practices Board is hereby respectfully submitted to the House for confirmation as required by law:

Mr. John B. Carey, Box 182, Fairfax, Renville County, has been appointed by me, effective June 29, 1978 for a term expiring the first Monday in January, 1981.

Sincerely,

RUDY PERPICH  
Governor

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

## REPORTS OF STANDING COMMITTEES

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 13, 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 3, line 9, after "be" delete "held" and insert "commenced"

With the recommendation that when so amended the bill pass.

POINT OF ORDER

Sieben, H., raised a point of order pursuant to rule 1.16 of the House temporary rules. The Speaker ruled the point of order well taken. The Committee Report together with H. F. No. 13 was referred without action to the Committee on Rules and Legislative Administration.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 107, A bill for an act relating to constables; exempting certain constables from licensing requirements; amending Minnesota Statutes 1978, Section 367.41, Subdivision 2.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

POINT OF ORDER

Sieben, H., raised a point of order pursuant to rule 1.16 of the House temporary rules. The Speaker ruled the point of order well taken. The Committee Report together with H.F. No. 107 was referred without action to the Committee on Rules and Legislative Administration.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 277, A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; appropriating money; amending Minnesota Statutes 1978, Sections 18.023, Subdivisions 1 and 3a; and 275.50, Subdivision 6.

Reported the same back with the following amendments:

Page 4, line 25, reinstate "(UP TO)"

Page 4, line 30, strike "1,000" and insert "2,500"

Page 4, line 31, reinstate "(UP TO)"

Page 4, line 33, after "1979" insert "or 1980"

Page 5, line 30, reinstate "(, AND TERMINATING WITH THE LEVY MADE IN)"

Page 5, line 31, reinstate "(1978, PAYABLE IN 1979.)"

Page 5, line 31, strike "1978" and insert "1980"

Page 5, line 31, strike "1979" and insert "1981"

Page 6, line 9, strike the period

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

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

H. F. No. 3, A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. No. 3 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Rose introduced:

H. F. No. 309, A bill for an act relating to taxation; motor vehicle excise tax; exempting certain transfers from an individual to himself and another as joint tenants; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 7.

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

Berglin, Otis, Kaley, Byrne and Onnen introduced:

H. F. No. 310, A bill for an act relating to welfare; establishing a program of subsidies to families caring in the home for certain mentally retarded and developmentally disabled minor dependents and families caring for certain physically-handicapped persons over age 65; appropriating money; amending Minnesota Statutes 1978, Chapter 245, by adding a section; repealing Minnesota Statutes 1978, Section 252.27, Subdivision 4.

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

Simoneau, Greenfield, Ewald, Sviggum and Heinitz introduced:

H. F. No. 311, A bill for an act relating to credit unions; allowing membership by spouses of relatives of regularly qualified members; amending Minnesota Statutes 1978, Section 52.05.

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

McCarron, Pehler, Dean, Knickerbocker and Jacobs introduced:

H. F. No. 312, A bill for an act relating to taxation; property tax; including homesteads of certain disabled persons in class 3cc; amending Minnesota Statutes 1978, Section 273.13, Subdivision 7.

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

Simoneau, Fudro, Patton, Friedrich and Biersdorf introduced:

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

The bill was read for the first time and referred to the Committee on Appropriations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Pehler, Tomlinson and Vanasek introduced:

H. F. No. 314, A bill for an act relating to taxation; exempting pension income of nonresidents from taxation; amending Minnesota Statutes 1978, Section 290.17, Subdivision 2.

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

Pehler, Tomlinson and Vanasek introduced:

H. F. No. 315, A bill for an act relating to taxation; authorizing the commissioner of revenue to publish lists of persons having unclaimed income tax refunds; amending Minnesota Statutes 1978, Section 290.61.

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

Pehler and Tomlinson introduced:

H. F. No. 316, A bill for an act relating to taxation; reducing purchase price for purposes of determining motor vehicle excise tax when vehicle is purchased to replace other vehicle which is sold; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

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

Wenzel; Johnson, C.; Jude; Rose and Fjoslien introduced:

H. F. No. 317, A bill for an act relating to highway traffic regulations; passing a stopped school bus displaying stop arm signals; providing civil remedies; prescribing penalties; amending Minnesota Statutes 1978, Section 169.44, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Wenzel introduced:

H. F. No. 318, A bill for an act relating to domestic relations; contracts and conveyances between husband and wife; amending Minnesota Statutes 1978, Sections 500.19, by adding a subdivision; and 519.06.

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

Ludeman, Fritz and Jennings introduced:

H. F. No. 319, A bill for an act relating to game and fish; authorizing, licensing and regulating nonresidents' fish houses or dark houses; amending Minnesota Statutes 1978, Section 98.46, Subdivision 15.

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

Ludeman, Friedrich, Onnen and Anderson, B., introduced:

H. F. No. 320, A bill for an act relating to public welfare; medical assistance; denying eligibility under some circumstances for persons transferring property prior to application for medical assistance; amending Minnesota Statutes 1978, Section 256B.17.

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

Elioff, Battaglia, Minne, Valento and Anderson, I., introduced:

H. F. No. 321, A bill for an act relating to trade regulations; requiring service stations selling motor vehicle fuel at retail to be equipped with operational devices for inflating motor vehicle tires.

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

Wenzel, McCarron, Vanasek, Pleasant and Thiede introduced:

H. F. No. 322, A bill for an act relating to taxation; income; exempting pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Novak, Simoneau, Byrne, Reif and Battaglia introduced:

H. F. No. 323, A bill for an act relating to labor; requiring certain employers to provide employees with annual chest x-rays and hearing tests.

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

Kaley, Zubay, Friedrich and Reding introduced:

H. F. No. 324, A bill for an act relating to taxation; real property; reassessment of real property damaged in a federally declared disaster area.

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

Brinkman; Anderson, D.; Mann and Wenzel introduced:

H. F. No. 325, A bill for an act relating to township mutual fire insurance companies; authorizing indemnification of certain expenses incurred by officers, employees, agents and other individuals; amending Minnesota Statutes 1978, Section 67A.06.

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

Kroening, Schreiber, Weaver, Tomlinson and Pehler introduced:

H. F. No. 326, A bill for an act relating to taxation; providing for state reimbursement of cities for tax reduction granted to Title II and certain other property; amending Minnesota Statutes 1978, Sections 273.13, Subdivision 17b; 276.04; and Chapter 273, by adding a section.

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

Vanasek, Valento, Swanson, Halberg and Battaglia introduced:

H. F. No. 327, A bill for an act relating to taxation; sales; exempting sales to certain veterans groups; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

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

Vanasek; Dempsey; Johnson, C.; Halberg and Faricy introduced:

H. F. No. 328, A bill for an act relating to taxation; providing that the reduced property tax classification for homesteads of disabled veterans be continued for their surviving spouses; extending the 3cc classification to property of persons receiving disability benefits from political subdivisions; amending Minnesota Statutes 1978, Section 273.13, Subdivision 7.

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

Erickson; Den Ouden; Anderson, B.; Anderson, D., and Mann introduced:

H. F. No. 329, A bill for an act relating to education; authorizing the extension, to a certain date, of experimental pairing agreements between certain school districts; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.

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

Sieben, M., introduced:

H. F. No. 330, A bill for an act relating to courts; eliminating erroneous and ambiguous references relating to municipal courts outside Hennepin and Ramsey counties; amending Minnesota Statutes 1978, Sections 480.055, Subdivision 1; 487.01, Subdivision 8; 487.16; 487.38; 488A.113; 488A.282; 525.011, Subdivision 1; 525.013, Subdivisions 1 and 8; and 525.014.

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

Sieben, M., introduced:

H. F. No. 331, A bill for an act relating to profit and nonprofit corporations; simplifying certain requirements governing formation and management of nonprofit corporations; resolving certain inconsistencies between profit and nonprofit corporations; removing certain ambiguities and deficiencies; amending Minnesota Statutes 1978, Sections 301.30, Subdivision 1; 317.02, Subdivision 5; 317.07; 317.08, Subdivisions 1 and 2; 317.20, Subdivision 1; and 317.21, Subdivision 1.

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

Sieben, M., introduced:

H. F. No. 332, A bill for an act relating to liens; enacting the revised uniform federal lien registration act; amending Minnesota Statutes 1978, Sections 272.481; 272.482; 272.483; 272.484; 272.486; and Chapter 272, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.



Berglin, Otis, Clark, Greenfield and Nelson introduced:

H. F. No. 333, A bill for an act relating to public welfare; child care services; defining a sliding schedule fee payment plan for child care; appropriating money; amending Minnesota Statutes 1978, Section 245.84, Subdivision 2.

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

Berkelman, Jaros, Tomlinson, Begich and Novak introduced:

H. F. No. 334, A bill for an act relating to taxation; income; increasing the exclusion from gross income of gain from a sale of a residence for certain persons; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Berglin, Pehler, Wieser, Reding and Rose introduced:

H. F. No. 335, A bill for an act relating to the aging; appropriating funds to the department of public welfare for a certain volunteer program.

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

Laidig, Levi, Dean, Kahn and Munger introduced:

H. F. No. 336, A bill for an act relating to game and fish; disposition of protected species taken by falconry; amending Minnesota Statutes 1978, Section 100.27, Subdivision 8.

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

Simoneau, Enebo, Biersdorf, Long and Nelsen, M., introduced:

H. F. No. 337, A bill for an act relating to labor relations; changing certain selection authority of public employers; amending Minnesota Statutes 1978, Section 179.63, Subdivision 4.

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

Halberg; Sieben, H.; Fritz; Johnson, C., and Dempsey introduced:

H. F. No. 338, A bill for an act relating to taxation; providing for a minimum standard deduction from gross income; amending Minnesota Statutes 1978, Section 290.09, Subdivision 15.

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

Halberg; Luknic; Sieben, H.; Johnson, C., and Dempsey introduced:

H. F. No. 339, A bill for an act relating to taxation; providing a corporate income tax deduction equal to the federal investment credit; amending Minnesota Statutes 1978, Section 290.09, by adding a subdivision.

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

Anderson, B., and Voss introduced:

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

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

Anderson, B., introduced:

H. F. No. 341, A bill for an act relating to Independent School District No. 583; providing that it shall not lose special state aid because it exempts certain 12th grade pupils from attendance at school the minimum number of hours of a day required by law and rule of the state board of education pursuant to a senior privileges program.

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

Kempe, Den Ouden, Waldorf, Halberg and McDonald introduced:

H. F. No. 342, A bill for an act relating to taxation; income; providing for additional credits when elderly persons and disabled children are cared for in the home; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3c.

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

Jude, Rothenberg, Halberg, Dempsey and Sieben, M., introduced:

H. F. No. 343, A bill for an act relating to professional corporations; clarifying the kinds of professional services which may be rendered alone or in combination with other services; allowing nonprofessionals to hold certain corporate offices and positions; providing for reconstitution of corporate powers and privileges; amending Minnesota Statutes 1978, Sections 319A.02, Subdivision 2; 319A.04; 319A.12, by adding a subdivision; and 319A.16.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Long, Greenfield, Heinitz, Clark and Berglin introduced:

H. F. No. 344, A bill for an act relating to abortion; eliminating restrictions on medical assistance for abortion services; amending Minnesota Statutes 1978, Section 256B.02, Subdivision 8; repealing Minnesota Statutes 1978, Sections 256B.011; 256B.40; 261.28; and 393.07, Subdivision 11.

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

Johnson, D., introduced:

H. F. No. 345, A bill for an act relating to state property; authorizing the conveyance of certain state property in Kandiyohi County to the city of Willmar; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Novak, Laidig, Moe, Pehler and Rothenberg introduced:

H. F. No. 346, A bill for an act relating to crimes; establishing a program for undercover arson investigation; appropriating money.

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

Farcy and Murphy introduced:

H. F. No. 347, A bill for an act relating to state holidays; making the anniversary of Minnesota's admission to statehood a holiday; amending Minnesota Statutes 1978, Section 645.44, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kahn, Byrne, Laidig, Anderson, D., and Norton introduced:

H. F. No. 348, A bill for an act relating to health; establishing a council on physical fitness; prescribing its duties; appropriating money.

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

Patton introduced:

H. F. No. 349, A bill for an act relating to sheriffs; providing for appointment of sheriffs; amending Minnesota Statutes 1978, Sections 382.01; 382.02; 387.01; 387.02; 387.20, Subdivision 2; and Chapter 382, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Patton and Pehler introduced:

H. F. No. 350, A bill for an act relating to the city of St. Cloud; policemen's relief association administration and benefits; amending Laws 1973, Chapter 432, Sections 2, by adding a subdivision; 4; 5, Subdivisions 1 and 2; and 6, Subdivision 1; repealing Laws 1973, Chapter 432, Sections 5, Subdivision 5; 6, Subdivision 2; and 9, 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. 351, A bill for an act relating to the city of St. Cloud; authorizing an on-sale liquor license for the Municipal Sports Complex.

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

Patton, Heinitz, Esau, Byrne and Onnen introduced:

H. F. No. 352, A bill for an act relating to medical assistance; nursing home rates; modifying rule-making procedures; amending Minnesota Statutes 1978, Section 256B.41, Subdivision 1.

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

Valan, Fritz, Knickerbocker, Sieben, H., and Anderson, G., introduced:

H. F. No. 353, A bill for an act relating to taxation; inheritance; establishing a presumption of contribution by a spouse in property held jointly with the decedent; amending Minnesota Statutes 1978, Section 291.01, Subdivision 4.

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

Wynia, Berkelman, Luknic, Kroening and Heinitz introduced:

H. F. No. 354, A bill for an act relating to housing; creating a grant program for accessible housing; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, Subdivision 15, and by adding a subdivision; and 462A.21, Subdivision 6, and by adding a subdivision.

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

Wynia, Vanasek, Clark and Heinitz introduced:

H. F. No. 355, A bill for an act relating to families; establishing a council on children and families; prescribing membership procedures and functions of the council; transferring personnel and functions from the governor's task force on the family; appropriating money.

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

Peterson, Pleasant, Swanson, Blatz and Hokanson introduced:

H. F. No. 356, A bill for an act relating to the city of Bloomington; authorizing additional on-sale liquor licenses.

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

Patton, Adams, Enebo, Osthoff and Kaley introduced:

H. F. No. 357, A bill for an act relating to professional regulation; regulating architects, engineers, surveyors, and landscape architects; adding an additional member to the board of architecture, engineering, land surveying and landscape architecture; amending Minnesota Statutes 1978, Sections 326.02, Subdivision 4; and 326.04.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Patton, Niehaus and Biersdorf introduced:

H. F. No. 358, A bill for an act relating to retirement; transferring tax court judges to the judge's retirement fund; transferring funds; amending Minnesota Statutes 1978, Sections 352.01, Subdivisions 2A and 2B; and 490.121, Subdivision 2; repealing Laws 1978, Chapters 672, Sections 14 and 15; and 720, Section 23.

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

Berkelman, Blatz, Greenfield, Reif and Mehrkens introduced:

H. F. No. 359, A bill for an act relating to discrimination against handicapped persons; establishing an advisory task force to evaluate state government compliance with Section 504 of the Federal Rehabilitation Act of 1973; appropriating money.

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

Brinkman, Voss, Heinitz, Norton and Ewald introduced:

H. F. No. 360, A bill for an act relating to commerce; extending an exception for certain loans from the usury laws; amending Minnesota Statutes 1978, Section 334.01, Subdivision 2.

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

Sieben, H.; Enebo; Rose; Heinitz and Kaley introduced:

H. F. No. 361, A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means of securing full performance; amending Minnesota Statutes 1978, Sections 162.04; and 162.10.

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

Patton and Pehler introduced:

H. F. No. 362, A bill for an act relating to financial institutions; authorizing use of collection boxes by state banks and certain other financial institutions; amending Minnesota Statutes 1978, Section 47.51; and Chapter 47, by adding sections.

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

Kaley, Berglin, Friedrich, Forsythe and Kvam introduced:

H. F. No. 363, A bill for an act relating to taxation; repealing the tax upon inheritances, devises and bequests; repealing Minnesota Statutes 1978, Chapter 291.

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

Kaley, Patton, Friedrich and Begich introduced:

H. F. No. 364, A bill for an act relating to taxation; income tax; increasing the exemption of certain pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Kaley, Brinkman, Welker and Friedrich introduced:

H. F. No. 365, 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 1978, 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.

Wenzel, Nysether, Jennings, Anderson, B., and Jude introduced:

H. F. No. 366, A bill for an act relating to peace officers; providing for certification of part time peace officers; providing for a change in the composition of the peace officer standards and training board; establishing minimum standards of conduct for peace officers; authorizing only licensed or certified peace officers to carry deadly weapons; authorizing the peace officer standards and training board to prepare and distribute a model code of peace officer standards of conduct for adoption by employers of peace officers; amending Minnesota Statutes 1978, Sections 624.714, Subdivision 1; 626.84; 626.841; 626.843; Subdivisions 1 and 3; 626.845, Subdivision 1; 626.846, Subdivisions 1, 1a and 2; and 626.848.

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

Berkelman; Heinitz; Anderson, G.; Searle and Brinkman introduced:

H. F. No. 367, A bill for an act relating to commerce; placing certain restrictions on product liability and related court actions; providing a statute of limitations; allowing installment payments of judgments; providing certain defenses; allowing admission of certain evidence; limiting recovery in certain instances; amending Minnesota Statutes 1978, Section 549.20, by adding a subdivision; repealing Minnesota Statutes 1978, Section 604.02, Subdivision 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

McCarron and Kaley introduced:

H. F. No. 368, A bill for an act relating to community social services; establishing a formula for allocating state and federal funds to counties for the administration and provision of community social services; providing for community social service tax levies; prescribing the duties of county boards and the commissioner of public welfare; appropriating money.

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

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the fol-



lowing bills, which bills were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. Nos.</i>	<i>Date Referred To Committee</i>	<i>Committee Referral</i>
232	Feb. 1, 1979	Governmental Operations
236	Feb. 1, 1979	Commerce, Economic Development and Housing
246	Feb. 1, 1979	Governmental Operations
269	Feb. 5, 1979	Taxes
276	Feb. 5, 1979	Local and Urban Affairs
284	Feb. 5, 1979	General Legislation and Veterans Affairs
287	Feb. 5, 1979	Local and Urban Affairs
296	Feb. 5, 1979	Taxes
298	Feb. 5, 1979	Education
301	Feb. 5, 1979	Local and Urban Affairs

#### 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 File, herewith transmitted:

S. F. No. 20.

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. 63.

PATRICK E. FLAHAVEN, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 20, A bill for an act relating to metropolitan government; fixing the revenues of the metropolitan sports facilities commission; repealing the commission liquor tax authority; amending Minnesota Statutes 1978, Section 473.581; repealing Minnesota Statutes 1978, Section 473.591.

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

S. F. No. 63, A bill for an act relating to civil actions; providing for the issuance of process in proceedings supplementary to execution; amending Minnesota Statutes 1978, Section 575.02.

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

## MOTIONS AND RESOLUTIONS

Faricy moved that the name of Kelly be added as an author on H. F. No. 19. The motion prevailed.

Enebo moved that the name of Norman be added as an author on H. F. No. 23. The motion prevailed.

Enebo moved that the name of Enebo be stricken and the name of Berglin be added as chief author on H. F. No. 29. The motion prevailed.

Evans moved that the name of Haukoos be added as an author on H. F. No. 195. The motion prevailed.

Pehler moved that the name of Kelly be added as an author on H. F. No. 264. The motion prevailed.

Aasness moved that the name of Valan be added as an author on H. F. No. 269. The motion prevailed.

Minne moved that the name of Prahll be added as an author on H. F. No. 297. The motion prevailed.

Osthoff moved that his name be stricken as an author on H. F. No. 298. The motion prevailed.

Kaley moved that the name of Adams be added as an author on H. F. No. 365. The motion prevailed.

Laidig moved to amend House temporary rule 1.16 by striking the last paragraph.

## POINT OF ORDER

Sieben, H., raised a point of order pursuant to paragraph IV of the negotiated agreement, page 24 of the House Journal for Monday, January 8, 1979. The Speaker ruled the point of order well taken and the amendment out of order.

Sieben, H., introduced:

House Concurrent Resolution No. 1, 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

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, February 12, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, February 12, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## SIXTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 12, 1979

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:

Aasness	Elioff	Kaley	Norman	Sieben, M.
Adams	Ellingson	Kalis	Norton	Simoneau
Ainley	Enebo	Kelly	Novak	Stadum
Albrecht	Erickson	Kempe	Nysether	Stoa
Anderson, B.	Esau	Knickerbocker	Olsen	Stowell
Anderson, D.	Evans	Kostohryz	Onnen	Sviggum
Anderson, G.	Ewald	Kroening	Osthoff	Swanson
Anderson, I.	Faricy	Kvam	Otis	Thiede
Battaglia	Fjoslien	Laidig	Patton	Tomlinson
Begich	Forsythe	Lehto	Pavlak	Valan
Berglin	Friedrich	Long	Pehler	Valento
Berkelman	Fritz	Ludeman	Peterson	Vanasek
Biersdorf	Fudro	Luknic	Pienho	Voss
Blatz	Greenfield	Mann	Pleasant	Waldorf
Brinkman	Halberg	McCarron	Prahl	Weaver
Byrne	Haukoos	McDonald	Redalen	Welch
Carlson, D.	Heap	McEachern	Reding	Welker
Carlson, L.	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	
Drew	Jude	Nelson	Sherwood	
Eken	Kahn	Niehaus	Sieben, H.	

A quorum was present.

Anderson, R.; Casserly and Levi were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson 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. 3 and S. F. Nos. 20 and 63 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 13, 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 recommendation that the bill pass as amended by the Committee on Criminal Justice and printed in the Journal of the House for Thursday, February 8, 1979.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

H. F. No. 38, A bill for an act relating to reapportionment of the legislature and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3 to provide for congressional and legislative apportionments by a commission; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; appropriating money; imposing a penalty; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Subdivision 1. An amendment to the Minnesota Constitution is proposed to the people as provided by subdivisions 2 and 3.

Subd. 2. If the amendment is adopted, article IV, sections 2 and 3 will read as follows:

Sec. 2. The number of members who compose the senate and house of representatives shall be prescribed *by the legislature by law.* (THE REPRESENTATION IN BOTH HOUSES SHALL BE APPORTIONED EQUALLY THROUGHOUT THE DIFFERENT SECTIONS OF THE STATE IN PROPORTION TO THE POPULATION THEREOF.)

Sec. 3. (AT ITS FIRST SESSION AFTER EACH ENUMERATION OF THE INHABITANTS OF THIS STATE MADE BY THE AUTHORITY OF THE UNITED STATES, THE LEGISLATURE SHALL HAVE THE POWER TO PRESCRIBE THE BOUNDS OF CONGRESSIONAL AND LEGISLATIVE DISTRICTS. SENATORS SHALL BE CHOSEN BY SINGLE DISTRICTS OF CONVENIENT CONTIGUOUS TERRITORY. NO REPRESENTATIVE DISTRICT SHALL BE DIVIDED IN THE FORMATION OF A SENATE DISTRICT. THE SENATE DISTRICTS SHALL BE NUMBERED IN A REGULAR SERIES.) *The legislature shall make no law dividing the state into districts either for senators and representatives or for representatives in the congress of the United States.*

Subd. 3. If the amendment is adopted, a new article will be added to the Constitution which will read as follows:

## ARTICLE XV

### REAPPORTIONMENT COMMISSION

*Section 1. [REAPPORTIONMENT COMMISSION.] There shall be a reapportionment commission which shall divide the state into as many districts as there are or will be senators and representatives and as there are representatives of the state in the congress of the United States as provided by the law. The commission shall divide the state:*

(1) following each decennial census of the United States; or,

(2) when required by a court order; or,

(3) when the number of senators and representatives has been changed by law.

*Sec. 2. [COMPOSITION OF COMMISSION.] The commission shall consist of the members provided by this section. Before entering upon the duties of the office, each member of the commission shall take an oath to faithfully discharge the duties of the office.*

*The speaker and the caucus leader of each political party of the house of representatives, other than the political party the speaker represents, which has 20 percent or more of the membership, shall each either be members or shall each appoint a member as each shall choose.*

*The caucus leaders of each political party of the senate which has 20 percent or more of the membership shall each either be members or shall each appoint a member as each shall choose.*

*For the purposes of this section, political party shall be determined solely on the basis of the party designated by legislators on the most recent general election ballot on which they ran.*

*The governor shall appoint two members.*

*Two members shall be appointed by the state executive committee of each political party, other than the political party the governor represents, whose candidate for governor received 20 percent or more of the votes at the most recent gubernatorial election.*

*Five or six members, whichever is necessary in order to result in a commission composed of an odd number of members, shall be appointed by a 75 percent vote of the other members appointed to the commission. These members shall be impartial on the matter of reapportionment.*

*Sec. 3. [TIME OF APPOINTMENT.] The secretary of state shall request the appointing authorities provided in section 2, paragraphs 2 to 5, to appoint members of the commission:*

*(1) not later than January 15 of each year ending in the numeral one; or,*

*(2) within 15 days of the deposit with the secretary of state of an enrolled act signed by the governor which changes the number of senators or representatives effective at a time when a commission would not otherwise be constituted; or,*

*(3) upon receipt of a certified copy of a bill enacted by congress and signed by the president which changes the number of representatives of the state in the congress of the United States at a time when a commission would not otherwise be constituted.*

*Within ten days after the date of the secretary of state's request, the appointing authorities provided in section 2, paragraphs 2 to 5, shall either certify the members they have appointed, or, if permitted, that they personally will serve, to the secretary of state or shall notify the secretary of state of their failure to make an appointment.*

*The commission members appointed by section 2, paragraphs 2 to 5, shall meet within 17 days of the secretary of state's request at a time and place selected by the secretary. Within 17 days of the meeting, they shall either certify the names of the commission members they have appointed under section 2, paragraph 6, to the secretary of state or notify the secretary of state of their failure to make appointments.*

*Any vacancy on the commission shall be filled within five days by the same appointing authority as for the original appointment.*

*Sec. 4. [FAILURE TO MAKE APPOINTMENTS.] Within three days after receiving notice that an appointing authority provided in section 2, paragraphs 2 to 5, has failed to make an appointment, the secretary of state shall notify the chief justice of the supreme court of the failure. Within ten days after notification, the supreme court, by not less than majority vote, shall make the failed appointment and certify the names of the appointees to the secretary of state.*

*Within three days after receiving notice of a failure to make an appointment under section 2, paragraph 6, the secretary of state shall notify the chief justice of the failure. Within 17 days after the notification, the supreme court, by not less than a majority vote, shall make the failed appointment and certify the names of the appointees to the secretary of state.*

*Sec. 5 [REAPPORTIONMENT STANDARDS.] The districts created by the commission, to the extent which all three standards can be simultaneously complied with, shall be equal in population and composed of compact and contiguous territory. The boundaries of all districts shall, to the extent permitted by the requirement of equal population, follow the boundaries of counties, towns, and statutory or home rule charter cities. No district shall be drawn for the purpose of favoring any political party, incumbent legislator, or other person or group.*

*Sec. 6. [REVIEW.] The supreme court shall have original jurisdiction of all petitions concerning the reapportionment. If the court shall find that the districts into which the state was divided conflict with the United States constitution, this constitution or the laws of this state, it shall state the reasons for its findings and conclusions and require the commission to divide the state into districts with consideration to the court's findings and conclusions. If the commission which divided the state shall have been dissolved, the court shall order it reconstituted.*

*No action involving reapportionment shall be maintained unless commenced by filing a petition with the supreme court within 30 days from the effective date of the new districts. The supreme court shall render its opinion within 60 days of the date the action was commenced.*

*Sec. 7. [IMPLEMENTATION.] The legislature shall, by law, provide for the implementation of this article. However, the legislature shall make no law which infringes the duties and powers of the reapportionment commission.*

*Nothing in this article shall invalidate either:*

*(1) districts which exist at the date of the ratification of this article and prior to the effective date of the first division of the state into new districts by the commission; or,*



(2) *districts which exist on the date new districts are effective but prior to the first election at which they govern.*

Sec. 2. The amendment shall be submitted at the 1980 general election. The question proposed shall be:

“Shall the Minnesota Constitution be amended to transfer from the legislature to a commission the power to apportion congressional and legislative districts?”

Yes .....

No .....

Sec. 3. [2A.01] [CITATION.] *Sections 3 to 19 may be cited as the Reapportionment Implementation Act.*

Sec. 4. [2A.02] [DEFINITIONS.] *Subdivision 1. When used in sections 4 to 19, unless the context requires otherwise, the words in subdivisions 2 to 8 have the meanings given them.*

*Subd. 2. “Commission” means the reapportionment commission established pursuant to article XV of the constitution.*

*Subd. 3. “Federal census” means the census required by federal law to be prepared by the United States Bureau of the Census in every year ending in zero.*

*Subd. 4. “Lobbyist” means any individual required to register pursuant to Minnesota Statutes, Section 10A.03.*

*Subd. 5. “Political party office” means membership in the state central committee or state executive committee of a political party; or the chairman, treasurer, secretary or similar office of a political party.*

*Subd. 6. “Public office” means any elected or appointed office or employment in the executive, judicial, or legislative branch or in any independent agency of the federal, state, or local government.*

*Subd. 7. “Relative” means any individual who is related to the person in question as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, grandfather, grandmother, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.*

*Subd. 8. “State executive committee of each political party” shall mean the committee provided for in Minnesota statutes, Section 202A.12, Subdivision 3.*

Sec. 5. [2A.03] [DUTIES OF COMMISSION.] *Subdivision 1. The commission may prescribe and shall publish, after notice and reasonable opportunity for public comment, written procedures necessary to carry out sections 4 to 22. The written procedures shall provide that not less than 60 percent of the members of the commission constitute a quorum to do business and that the votes of 60 percent of the members of the commission are required for any official action of the commission. No proxy voting is permitted. Any written procedures of the commission are exempt from the provisions of Minnesota Statutes, Sections 15.0411 to 15.052.*

*Subd. 2. The commission shall preserve all information filed with and developed by the commission. This information shall be available for public inspection and copying during regular office hours.*

*Subd. 3. The commission shall provide notice of all meetings of the commission in a manner reasonably calculated to give interested parties an opportunity to attend.*

*Subd. 4. The commission shall prepare and maintain written transcripts or audio recordings of all meetings of the commission. Transcripts or audio recordings shall be available within a reasonable time after the meeting for public inspection and copying during regular office hours.*

Sec. 6. [2A.04] [POWERS OF COMMISSION.] *Subdivision 1. Any commissioner shall have the power to administer oaths to persons who appear before the commission.*

*Subd. 2. A majority of the commission may compel the attendance of absent members in the manner that either the senate or house of representatives provide for their members.*

Sec. 7. [2A.05] [QUALIFICATIONS OF APPOINTEES.] *Subdivision 1. No person shall be appointed to the commission under the Minnesota Constitution, Article XV, Section 2, Paragraph 6 who:*

*(a) is not an eligible voter of the state at the time of appointment; or,*

*(b) holds or has held public or political party office within two years prior to selection; or,*

*(c) is a relative of either a member of the legislature or a person employed as a legislative employee by a member of the legislature; or,*

*(d) is a relative of either a member of congress or a person employed as a legislative employee by a member of congress; or,*

(e) is a relative of a person employed by the legislature or congress; or,

(f) is or has within two years prior to appointment been a lobbyist; or,

(g) is a relative of a member of the supreme court of the State of Minnesota.

Subd. 2. Persons appointed to the commission under the Minnesota Constitution, Article XV, Section 2, Paragraph 6, shall, to the extent practicable, represent different geographical areas of the state.

Sec. 8. [2A.06] [RESTRICTED ACTIVITIES.] No person appointed to the commission under the Minnesota Constitution, Article XV, Section 2, Paragraph 6, shall:

(a) hold or be a candidate for public or political party office while a member of the commission; or,

(b) participate in or contribute to any political campaign of any candidate for state or federal elective office while a member of the commission; or,

(c) hold or be a candidate for a seat in the state house of representatives, state senate, or United States House of Representatives for four years after the final report of the commission is issued.

Sec. 9. [2A.07] [SECRETARY OF STATE TO FURNISH STAFF.] The secretary of state is the executive secretary of the commission. The secretary of state shall furnish all staff, professional and technical services and other assistance as may be needed by the commission. The department of administration, attorney general and revisor of statutes shall make available to the secretary such personnel, facilities and other assistance as the commission may request.

Sec. 10. [2A.08] [INITIAL ORGANIZATION OF COMMISSION.] Subdivision 1. Within seven days of the date of receiving all certifications of appointment, the secretary of state shall select a time and place of the first meeting of the commission and shall notify the commission members of the time and place of the meeting. The first meeting shall be held not later than 21 days after the date of receiving all certifications of appointment.

Subd. 2. The secretary of state shall preside at the meeting until the election of a permanent presiding officer.

Subd. 3. The commission shall elect a presiding officer, and other officers as it shall find necessary.

Sec. 11 [2A.09] [MEETINGS.] *Subdivision 1. The commission shall meet upon the call of either the presiding officer or a majority of the members of the commission. The commission may meet anywhere in the state.*

*Subd. 2. All meetings of five or more members of the commission are open to the public. The votes of each commissioner shall be recorded in a journal kept for that purpose. The journal shall be open to the public and available in the office of the secretary of state. A person who violates this subdivision shall be punished as provided by Minnesota Statutes, Section 471.705, Subdivision 2. The provisions of this subdivision shall govern the commission notwithstanding the provisions of Minnesota Statutes, Section 471.705, Subdivision 1.*

Sec. 12. [2A.10] [REPORT OF COMMISSION.] *Subdivision 1. Not later than five months after either the first meeting of the commission or the date the population count for the state of the federal census is received by the secretary of the commission, whichever is later, the commission shall file its final report with the secretary of state.*

*Subd. 2. The final report shall consist of:*

(a) *a written description of all districts into which the state was divided; and,*

(b) *maps of the state showing exactly the district boundaries as provided in the written description; and,*

(c) *an explanation of the standards used in developing the districts; and,*

(d) *a justification of any deviation in excess of one-half of one percent in a districts population from the average district's population; and,*

(e) *such other information, conclusions and recommendations as the commission shall believe beneficial.*

*Subd. 3. The final report shall be adopted by an affirmative vote of 60 percent of the commission members. Any commission members in the minority may prepare a minority report and have it included in the report of the commission.*

Sec. 13. [2A.11] [EFFECTIVE DATE OF NEW DISTRICTS.] *The districts into which the state is divided by the commission in its report shall be effective upon the date of publication pursuant to section 14. They shall govern all offices at the next general election. The districts shall remain effective until the effective date of new districts into which the state is divided by the same or subsequent commission.*

Sec. 14. [2A.12] [PUBLICATION OF REPORT.] *Within ten days from the date of filing of the report of the commission, the secretary of state shall publish a summary of the report in at least eight newspapers of substantial circulation located throughout the state. The summary shall contain:*

- (a) *a map showing all the new districts in the state; and,*
- (b) *separate maps showing the districts in the principal area served by the newspaper in which the publication is made; and,*
- (c) *a statement of the population of each district; and,*
- (d) *a statement of the percentage variation of each district from the average population of other districts of the same kind; and,*
- (e) *an indication of where a copy of the final report of the commission may be examined; or purchased and its purchase price.*

Sec. 15. [2A.13] [REVIEW OF NEW DISTRICTS.] *Subdivision 1. Within 30 days after the publication required by section 14, a petition may be filed with the supreme court for reviewing the new districts created in the final report. The reapportionment commission shall be the named defendant in the petition. One copy of the petition shall be served upon the presiding officer of the commission and another upon the attorney general.*

*Subd. 2. A petition shall state such facts as the petitioner believes shows that the districts into which the state is divided conflict with the United States Constitution or the constitution or laws of this state.*

*Subd. 3. The supreme court shall hold hearings and arguments upon petition.*

*Subd. 4. The attorney general shall represent the commission and shall argue the validity of the districts created in the final report of the commission.*

*Subd. 5. The supreme court shall render its opinion within 45 days of the date the petition was filed.*

*Subd. 6. If the supreme court shall find that the districts into which the state was divided violate any constitutional or statutory standard, the court shall specify how the standards are violated and may make recommendations as to how the district boundaries should be redrawn. However, the court shall not redraw the boundaries itself but shall permit the commission to do so with consideration to the court's findings and conclusions.*

*If the commission which divided the state shall have been dissolved, the court shall order it reconstituted.*

*Subd. 7. The attorney general shall represent the commission in any federal court action to review the districts created in the final report. He or she shall request the court to expedite the proceedings.*

*Subd. 8. If a United States court determines that any districts into which the state was divided conflict with the United States constitution, the constitution of Minnesota or the laws of the United States or this state, and the court permits the commission to redraw the boundaries with consideration to the court's findings and conclusions, the commission shall reconstitute itself to redraw the districts.*

**Sec. 16. [2A.14] [COMMISSION RECONSTITUTED.]**  
*The reconstituted commission shall convene within 15 days of any court opinion finding the prior plan violates any constitutional or statutory provisions. Within 30 days of reconvening, it shall issue an amended report which shall consider the findings and conclusions of the court decision. The report shall be filed and a summary published as required for in the original final report. The amended report may be reviewed in the same manner as provided for in the original final report.*

**Sec. 17. [2A.15] [FAILURE OF COMMISSION TO ADOPT REPORT.]**  
*If the commission fails to adopt a final report or its final report fails to divide the state into all necessary districts, each member of the commission, individually or jointly with other members, may submit a proposed final report. The proposed final reports shall be drafted in the same manner as provided in section 12. The proposed final reports shall be submitted to the supreme court within 30 days after the expiration of the time established pursuant to section 12 for the filing of the commission's final report.*

*Within 90 days after submission, the supreme court shall select the proposed final report which it finds most closely satisfies the constitutional and statutory requirements and, with the modifications it finds necessary to make the plan comply with constitutional and statutory requirements, order it into effect.*

*If no commission member submits a proposed final report by the time specified, a majority of the entire supreme court shall select a panel of three district court judges to prepare a final report. The panel shall submit its final report within 120 days of the date which is 30 days after the expiration of the time established pursuant to section 12 for the filing of the commission's final report. The panel shall be governed by all substantial and procedural requirements of the United States con-*

*stitution and the constitution and laws of this state. The secretary of state shall furnish the panel with all requested staff, professional and technical services. The department of administration, attorney general and revisor of statutes shall make available to the secretary such personnel, facilities and other assistance as the panel may request.*

*The districting prescribed by the panel shall be published by the secretary of state within ten days of its filing. The report may be reviewed in the same manner as provided for a report by the commission.*

Sec. 18. [2A.16] [DISSOLUTION OF COMMISSION.] *When the final report becomes effective and all known legal challenges to the plan have been resolved, the commission shall conclude its business and dissolve. The conclusion of business shall include preparation of a financial statement disclosing all expenditures made by the commission. The official record shall contain all relevant information developed by the commission pursuant to carrying out its duties including records of public hearings, data collected, transcripts or audio recordings of hearings and meetings, and other information of a similar nature. The secretary of state shall provide for the permanent preservation of this official record.*

Sec. 19. [2A.17] [COMPENSATION AND EXPENSES OF COMMISSIONERS.] *Subdivision 1. Commissioners, other than commissioners who are paid a salary by the state, shall be compensated at the same rate provided by section 15.059, subdivision 3, for members of advisory councils and committees.*

*Subd. 2. Commissioners shall be compensated for their actual and necessary expenses in performing work on commission business.*

Sec. 20. *The sum of \$ . . . . . is appropriated to the secretary of state for the purpose of paying all costs relating to the commission, to be available until expended.*

Sec. 21. *Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811 are repealed effective January 1, 1982.*

Sec. 22. *Sections 3 to 21 shall take effect on the date the constitutional amendment in section 1 is ratified as provided by the constitution."*

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.

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

H. F. No. 107, A bill for an act relating to constables; exempting certain constables from licensing requirements; amending Minnesota Statutes 1978, Section 367.41, 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. 13 and 107 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Ludeman, Jennings, Onnen, Mann and Mehrkens introduced:

H. F. No. 369, A bill for an act relating to education; allowing school districts to make agreements, subject to the approval of the department of education, for the discontinuance of certain grades or portions of grades and to provide for the instruction of the pupils in the discontinued grades in a participating district; providing for the calculation of pupil units, for tuition payments, for teacher placement, for pupil transportation and transportation aids, for consultation with parents and the community and for termination of an agreement; requiring the department of education to promulgate certain rules; amending Minnesota Statutes 1978, Chapter 122, by adding a section.

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

McEachern, Welch and Clawson introduced:

H. F. No. 370, A bill for an act relating to hospitals; providing for payment of election judges; providing hospital board members with travel and other expenses incurred in the performance of their duties; authorizing hospital boards to set compensation for board members; amending Minnesota Statutes 1978, Section 447.32, 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.



Begich, Elioff, Stadum and Biersdorf introduced:

H. F. No. 371, 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; requiring transferee permits or transfer reports to transfer pistols within cities of the fourth class or larger; prohibiting discrimination in the issuance of permits to carry pistols; providing penalties; amending Minnesota Statutes 1978, Sections 624.712, Subdivisions 2, 4 and 5; 624.713, Subdivision 1; 624.7132, Subdivision 16; 624.714, Subdivisions 1, 4, 5, 6, 7, 9 and 10; 624.717; and Chapter 624, by adding a section.

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

Jacobs; Sieben, H.; Anderson, I.; Sarna and Metzen introduced:

H. F. No. 372, A bill for an act relating to taxation; requiring payment of an income tax rebate; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Anderson, G.; McDonald; Brinkman; Luknic and Mann introduced:

H. F. No. 373, A bill for an act relating to agriculture; allowing food products grown, processed or manufactured in Minnesota to be so labeled; amending Minnesota Statutes 1978, Chapter 17, by adding a section.

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

Osthoff, Metzen, Kroening, Wigley and Biersdorf introduced:

H. F. No. 374, A bill for an act relating to ethics in government; defining administrative action; clarifying campaign report filing dates; providing for the registration of political committees and political funds; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 2; 10A.14, Subdivision 1; and 10A.20, Subdivision 2.

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

Pehler; Evans; Johnson, C.; Luknic and Faricy introduced:

H. F. No. 375, A bill for an act relating to taxation; sales tax; exempting all newsprint and ink; amending Minnesota Statutes 1978, Sections 297A.14; and 297A.25, Subdivision 1.

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

Anderson, G.; Corbid; Erickson; Searle and Kalis introduced:

H. F. No. 376, A bill for an act relating to pipelines; establishing a process for routing and issuing construction permits for certain pipelines; establishing standards for pipeline routing to protect the environment and minimize adverse impact to agricultural land; granting powers and imposing duties on the environmental quality board; prohibiting construction of certain pipelines, exercise of eminent domain power and acquisition of easements without a construction permit; allowing exemptions for certain pipelines; requiring public meetings and hearings; requiring state inspection of pipeline construction; requiring minimum depth of cover for certain pipelines; relieving liability for damage to certain pipelines; establishing a property tax credit for land crossed by certain pipelines; setting fees to cover routing and inspection costs; authorizing permanent and temporary rules; providing penalties; appropriating money; amending Minnesota Statutes 1978, Sections 117.49; 276.04; 299F.61; and Chapter 299F, by adding a section.

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

Valan, Stadum, Brinkman, Evans and Ludeman introduced:

H. F. No. 377, A bill for an act relating to taxation; income; including all income and losses in the gross income of Minnesota residents; amending Minnesota Statutes 1978, Section 290.17, Subdivision 1.

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

Otis, Vanasek, Kahn, Fjoslien and Reif introduced:

H. F. No. 378, A bill for an act relating to nuclear waste management and disposal; requiring certificates of feasibility; administration by the Minnesota energy agency; legislative approval; providing penalties.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Jacobs and Anderson, I., introduced:

H. F. No. 379, A bill for an act relating to game and fish; authorizing the elderly to take small game, deer or bear without a license; amending Minnesota Statutes 1978, Section 98.47, Subdivision 1; repealing Minnesota Statutes 1978, Section 98.45, Subdivision 8.

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

Jacobs, Anderson, I., and Adams introduced:

H. F. No. 380, A bill for an act relating to taxation; income tax; reducing rates for individuals, estates, and trusts; amending Minnesota Statutes 1978, Section 290.06, Subdivision 2c.

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

Faricy; Searle; Johnson, C.; Sieben, M., and Erickson introduced:

H. F. No. 381, A bill for an act relating to education; increasing the maximum awards for scholarships and grants-in-aid; changing the eligibility for certain financial assistance; increasing the bonding authority of the higher education coordinating board; requiring that data on certain applicants for student financial assistance be classified as private and providing an exception; increasing the eligibility for a tuition subsidy for a public post-secondary vocational-technical school; appropriating money; amending Minnesota Statutes 1978, Sections 136A.121, Subdivisions 4, 5, 7 and 8; 136A.162; 136A.171; and 136A.236, Subdivision 2.

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

Pehler; Anderson, I.; Searle; Nelsen, B., and Haukoos introduced:

H. F. No. 382, A bill for an act relating to railroads; requiring the use of a caboose on freight trains; providing penalties.

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

Drew and Fritz introduced:

H. F. No. 383, 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.

Crandall, Valento, Jennings, Dempsey and Kempe introduced:

H. F. No. 384, A bill for an act relating to game and fish; authorizing resident deer or bear licenses for certain non-resident minors; amending Minnesota Statutes 1978, Section 98.45, by adding a subdivision.

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

Minne, Osthoff, Otis and Carlson, L., introduced:

H. F. No. 385, A bill for an act relating to elections; providing for the official identification of ballots; amending Minnesota Statutes 1978, Sections 123.32, Subdivision 5; 203A.13; 203A.15; 204A.26, Subdivision 1; 204A.32, Subdivision 3; and 206.17.

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

Elioff, Begich, Battaglia, Minne and Prahl introduced:

H. F. No. 386, A bill for an act relating to the range association of municipalities and schools; providing for the court standing of the association; amending Minnesota Statutes 1978, Section 471.58.

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

Battaglia, Elioff, Begich, Sarna and Murphy introduced:

H. F. No. 387, A bill for an act relating to game and fish; authorizing the elderly to take small game without a license; amending Minnesota Statutes 1978, Section 98.47, Subdivision 1; repealing Minnesota Statutes 1978, Section 98.45, Subdivision 8.

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

Battaglia and Begich introduced :

H. F. No. 388, A bill for an act relating to the city of Ely; providing for the salaries of the mayor and council.

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

Onnen, McEachern, Clawson, Niehaus and Ludeman introduced :

H. F. No. 389, A bill for an act relating to towns; removing certain levy limitations; amending Minnesota Statutes 1978, Section 164.041; repealing Minnesota Statutes 1978, Section 275.10.

The bill was read for the first time and referred to the Committee on Taxes. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Rees, Weaver, Jacobs, Fritz and Pleasant introduced :

H. F. No. 390, A bill for an act relating to metropolitan government; changing procedures for contesting decisions by the metropolitan council to require modification of local land planning; amending Minnesota Statutes 1978, Section 473.866.

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

Lehto, Onnen, Kostohryz and Rice introduced :

H. F. No. 391, 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.

Jude introduced :

H. F. No. 392, A bill for an act relating to statutes; providing for the effect of grammar and punctuation; amending Minnesota Statutes 1978, Section 645.18.

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

Sieben, M., and Dean introduced:

H. F. No. 393, 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.

Clawson, Blatz, Novak, Onnen and PrahI introduced:

H. F. No. 394, 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 1978, Sections 280.001; 280.07; 281.02; 281.36; and 281.37; repealing Minnesota Statutes 1978, 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.

Clawson; Carlson, D.; McEachern; Wenzel and Hoberg introduced:

H. F. No. 395, A bill for an act relating to state historic sites; authorizing management contracts with counties, municipalities, or county or local historical societies.

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

Berglin, Blatz, Byrne, Drew and Clark introduced:

H. F. No. 396, A bill for an act relating to welfare; altering the conditions under which a day care facility will be considered a single family residential use of property for zoning purposes; amending Minnesota Statutes 1978, Section 245.812, Subdivision 3.

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

Carlson, L.; Swanson; Norman; Otis and Heinitz introduced:

H. F. No. 397, 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 1978, Section 488A.021, Subdivision 3.

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

Clawson, Welch, Novak, Carlson, D., and Nelsen, M., introduced:

H. F. No. 398, A bill for an act relating to taxation; property tax; increasing the percentage of valuation used in the assessment of certain structures financed by the farmers home administration; amending Minnesota Statutes 1978, Section 273.13, Subdivision 17b.

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

Waldorf, Laidig, Jude, Den Ouden and Osthoff introduced:

H. F. No. 399, A bill for an act relating to health; providing for nonseverability of the provisions of the family planning services grant program; amending Minnesota Statutes 1978, Section 145.925, by adding a subdivision.

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

Erickson introduced:

H. F. No. 400, A bill for an act relating to Rock County; providing for the service of deputy assessors.

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

Berglin, Casserly and Pehler introduced:

H. F. No. 401, A bill for an act relating to taxation; providing for homestead classification of property owned by certain real estate trusts; amending Minnesota Statutes 1978, Section 273.133, by adding a subdivision.

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

Reding, Murphy, Thiede and Nelsen, M., introduced:

H. F. No. 402, A bill for an act relating to motor vehicles; removing penalties for registering and paying taxes late for certain vehicles; amending Minnesota Statutes 1978, Sections 168.11, Subdivision 1; 168.31, Subdivisions 3, 4 and 6; and 168.33, Subdivision 2.

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

Reding, Brinkman and Wieser introduced:

H. F. No. 403, A bill for an act relating to banks; authorizing banks to acquire and hold additional real estate for use as banking premises; amending Minnesota Statutes 1978, Sections 47.10; and 48.21.

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

Blatz, Jaros, Jacobs, Rees and Onnen introduced:

H. F. No. 404, A bill for an act relating to taxation; sales and use tax; providing an exemption for solar energy devices; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.

The bill was read for the first time and referred to the Committee on Energy and Utilities. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Blatz, Swanson, Peterson, and Pleasant introduced:

H. F. No. 405, A bill for an act relating to the city of Bloomington; placing the chief of police of Bloomington under the public employees police and fire fund.

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

Fjoslien, Mann, Stadum, Wenzel and Clawson introduced:

H. F. No. 406, A bill for an act relating to agriculture; changing the eligibility requirements for a family farm security loan; amending Minnesota Statutes 1978, Section 41.55.

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



Nelson; Anderson, D.; Hokanson and Osthoff introduced:

H. F. No. 407, A bill for an act relating to public welfare; establishing an energy assistance program; providing for installment payments for energy bills; setting penalties; appropriating money.

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

Prahl; Nelsen, M.; Stowell and Lehto introduced:

H. F. No. 408, A bill for an act relating to state lands; authorizing the lease of certain state lands in Itasca County for use by the Itasca Ski and Outing Club, Inc.

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

Sherwood; Prahl; Nelsen, B.; Carlson, D., and Nelsen, M., introduced:

H. F. No. 409, A bill for an act relating to taxation; requiring county to reimburse township for certain errors made by county auditor.

The bill was read for the first time and referred to the Committee on Taxes. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Nelsen, B.; Sherwood; Munger; Clawson and Carlson, D., introduced:

H. F. No. 410, A bill for an act relating to game and fish; increasing the general penalty for law violations; amending Minnesota Statutes 1978, Section 97.55, Subdivision 1.

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

Nelsen, B.; Sherwood; Munger; Clawson and Rose introduced:

H. F. No. 411, A bill for an act relating to game and fish; imposing a mandatory jail term upon persons convicted of shining deer or moose; amending Minnesota Statutes 1978, Section 97.55, Subdivision 9.

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

Halberg; Sieben, H.; Faricy; Vanasek and Evans introduced:

H. F. No. 412, A bill for an act relating to taxation; income; providing an exclusion of \$10,000 for pension income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Voss, Kelly, Heinitz, Jennings and Brinkman introduced:

H. F. No. 413, A bill for an act relating to insurance; providing for the coordination of reparations benefits for automobile losses; amending Minnesota Statutes 1978, Section 65B.49, by adding a subdivision.

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

Aasness, McDonald and Ewald introduced:

H. F. No. 414, A bill for an act relating to nursing homes; allowing county owned nursing homes to hire certified public accountants as auditors; amending Minnesota Statutes 1978, Sections 6.48; 6.55; and 6.552.

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

Prahl; Anderson, I.; Rice; Evans and Begich introduced:

H. F. No. 415, A bill for an act relating to labor; requiring employers to provide employees with a meal break.

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

Ellingson; Sieben, M.; Jude; Peterson and Friedrich introduced:

H. F. No. 416, A bill for an act relating to legal process; providing for replevin of personal property before and after a hearing; providing for bonds; providing a penalty; repealing Minnesota Statutes 1978, Sections 565.01; 565.02; 565.03; 565.04; 565.05; 565.06; 565.07; 565.08; 565.09; 565.10; and 565.11.

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

Wigley, Piepho, Jennings, Dempsey and Vanasek introduced :

H. F. No. 417, A bill for an act relating to retirement; increasing the service requirement for the legislator's retirement program; amending Minnesota Statutes 1978, Sections 3A.02, Subdivision 1; and 3A.03, Subdivision 2.

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

Piepho, Vanasek, Sviggum and Elioff introduced :

H. F. No. 418, A bill for an act relating to taxation; income; increasing the amount of the exemption for certain pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Nelson introduced :

H. F. No. 419, A bill for an act relating to education; requiring the commissioner of education and the higher education coordinating board to review a new program for an area vocational-technical institute within a time limit; amending Minnesota Statutes 1978, Chapter 121, by adding a section; and Section 136A.04.

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

Nelson, Pleasant and Norton introduced :

H. F. No. 420, A bill for an act relating to education; authorizing a school district to make certain teacher terminations and reinstatements on the basis of affirmative action goals, as well as on the basis of seniority; making a substitution for a feminine pronoun; amending Minnesota Statutes 1978, Section 125.17, Subdivision 11.

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

Nelson and Evans introduced :

H. F. No. 421, A bill for an act relating to taxation; income tax; providing a residential energy credit; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Energy and Utilities. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Nelson, Rees, Minne and Battaglia introduced :

H. F. No. 422, A bill for an act relating to energy; authorizing establishment of community energy conservation councils; prescribing their powers and duties.

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

Pleasant introduced :

H. F. No. 423, A bill for an act relating to holidays; establishing January 15, Martin Luther King, Jr.'s birthday, as a holiday; amending Minnesota Statutes 1978, Section 645.44, Subdivision 5.

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

Valan, Erickson, Mann and Luknic introduced :

H. F. No. 424, A bill for an act relating to taxation; sales and use tax; reducing the tax rate on tractors and machines used in agriculture; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.

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

Faricy, Heap, Luknic, Onnen and Johnson, C., introduced :

H. F. No. 425, A bill for an act relating to taxation; increasing income tax credits for certain low income taxpayers; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3d.

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

Faricy, Halberg, Sviggum, Schreiber and Berkelman introduced:

H. F. No. 426, A bill for an act relating to taxation; changing the income tax rate structure for individuals, estates, and trusts; amending Minnesota Statutes 1978, Section 290.06, Subdivision 2c.

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

Pehler, Long, Stoa, Patton and Piepho introduced:

H. F. No. 427, A bill for an act relating to liquor; defining certain terms; amending Minnesota Statutes 1978, Section 624.701, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Brinkman; Anderson, D.; Mann and Wenzel introduced:

H. F. No. 428, A bill for an act relating to taxation; sales tax; exempting certain farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

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

Brinkman; Patton; Anderson, D.; Anderson, G., and Wenzel introduced:

H. F. No. 429, A bill for an act relating to courts; providing statewide jurisdiction for conciliation courts; providing statewide jurisdiction for the municipal courts of Hennepin and Ramsey counties; providing that venue for an action in conciliation court may lie in the county where the plaintiff resides; amending Minnesota Statutes 1978, Sections 487.30, Subdivision 1; 488A.01, Subdivision 8; 488A.12, Subdivision 3; 488A.18, Subdivisions 4 and 9; 488A.29, Subdivision 3; and 542.09.

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

Carlson, L.; Swanson; Laidig; Norman and Welch introduced:

H. F. No. 430, A bill for an act relating to elections; allowing employees of the state or its political subdivisions to serve as election judges; amending Minnesota Statutes 1978, Section 204A.18, Subdivision 3; repealing Minnesota Statutes 1978, Section 204A.17, Subdivision 5.

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

Levi; Sieben, M.; Pavlak and Minne introduced:

H. F. No. 431, A bill for an act relating to retirement; allowing early vesting of firefighters pensions in plans operated by nonprofit corporations; amending Minnesota Statutes 1978, Section 69.691, Subdivision 2.

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

Berglin, Levi, Clark, Kahn and Forsythe introduced:

H. F. No. 432, A bill for an act relating to taxation; gift tax; changing rates and credits; amending Minnesota Statutes 1978, Section 292.07, Subdivisions 1 and 5, and by adding a subdivision.

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

Olsen, Norman and Rothenberg introduced:

H. F. No. 433, A bill for an act relating to the legislature; providing for the payment only of actual claimed expenses of legislators; making limitations on in-session living expenses permanent; repealing certain redundant provisions; amending Minnesota Statutes 1978, Sections 3.099, Subdivision 1; and 3.102; repealing Minnesota Statutes 1978, Sections 3.101; and 3.103.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kahn, Greenfield, Casserly, Laidig and Berglin introduced:

H. F. No. 434, A bill for an act relating to the state board of investment; prohibiting certain investments; amending Minnesota Statutes 1978, Sections 11.13; and 11.16, Subdivision 13.

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

Kahn and Greenfield introduced:

H. F. No. 435, A bill for an act relating to medical assistance; excluding payments for services provided to a recipient after an irreversible cessation of brain function; amending Minnesota Statutes 1978, Section 256B.02, Subdivision 8.

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

Novak; Sieben, H.; Sarna; Kvam and Simoneau introduced:

H. F. No. 436, A bill for an act relating to taxation; income; increasing the exclusion for certain pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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. 370.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 370, A bill for an act relating to taxation; requiring payment of an income tax rebate; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations. Anderson, I., objected to the reference.

#### POINT OF ORDER

Knickerbocker raised a point of order stating that the reference of Senate files was not covered by the negotiated agreement, that the objection raised by Anderson, I., was therefore not in

order, and that the dispute and the Senate File should be referred to the standing 10-member subcommittee of Rules and Legislative Administration pursuant to the negotiated agreement.

The Speaker ruled that the point of order was well taken.

Anderson, I., appealed the decision of the chair.

A roll call was requested and properly seconded.

#### CALL OF THE HOUSE

On the motion of Anderson, I., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Aasness	Eken	Jude	Nelsen, M.	Schreiber
Adams	Elioff	Kahn	Nelson	Sherwood
Ainley	Ellingson	Kaley	Niehaus	Sieben, H.
Albrecht	Enebo	Kalis	Norman	Sieben, M.
Anderson, B.	Erickson	Kelly	Norton	Simoneau
Anderson, D.	Esau	Kempe	Novak	Stadum
Anderson, G.	Evans	Knickerbocker	Nysether	Stoa
Anderson, I.	Ewald	Kostohryz	Olsen	Stowell
Battaglia	Faricy	Kroening	Onnen	Sviggunn
Begich	Fjoslien	Kvam	Osthoff	Swanson
Berglin	Forsythe	Laidig	Otis	Thiede
Berkelman	Friedrich	Lehto	Patton	Tomlinson
Biersdorf	Fritz	Long	Pavlak	Valan
Blatz	Fudro	Ludeman	Pehler	Valento
Brinkman	Greenfield	Luknic	Peterson	Vanasek
Byrne	Halberg	Mann	Piepho	Voss
Carlson, D.	Haukoos	McCarron	Pleasant	Waldorf
Carlson, L.	Heap	McDonald	Prahl	Weaver
Clark	Heinitz	McEachern	Redalen	Welch
Clawson	Hoberg	Mehrkens	Reding	Welker
Corbid	Hokanson	Metzen	Rees	Wenzel
Crandall	Jacobs	Minne	Reif	Wieser
Dean	Jaros	Moe	Rice	Wigley
Dempsey	Jennings	Munger	Rose	Wynia
Den Ouden	Johnson, C.	Murphy	Rothenberg	Zubay
Drew	Johnson, D.	Nelsen, B.	Sarna	Speaker Searle

Anderson, I., 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.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" The roll was called and there were 65 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Aasness	Crandall	Evans	Haukoos	Knickerbocker
Ainley	Dean	Ewald	Heap	Kvam
Albrecht	Dempsey	Fjoslien	Heinitz	Laidig
Anderson, D.	Den Ouden	Forsythe	Hoberg	Ludeman
Biersdorf	Drew	Friedrich	Jennings	Luknic
Blatz	Erickson	Fritz	Johnson, D.	McDonald
Carlson, D.	Esau	Halberg	Kaley	Mehrkens



Nelsen, B.	Pavlak	Reif	Stadum	Weaver
Niehaus	Peterson	Rose	Stowell	Welker
Norman	Piepho	Rothenberg	Sviggum	Wieser
Nysether	Pleasant	Schreiber	Thiede	Wigley
Olsen	Redalen	Searles	Valan	Zubay
Onnen	Rees	Sherwood	Valento	Speaker Searle

Those who voted in the negative were:

Adams	Eken	Kelly	Nelsen, M.	Simoneau
Anderson, B.	Elioff	Kempe	Nelson	Stoa
Anderson, G.	Ellingson	Kostohryz	Norton	Swanson
Anderson, I.	Enebo	Kroening	Novak	Tomlinson
Battaglia	Faricy	Lehto	Osthoff	Vanasek
Begich	Fudro	Long	Otis	Voss
Berglin	Greenfield	Mann	Patton	Waldorf
Berkelman	Hokanson	McCarron	Pehler	Welch
Brinkman	Jacobs	McEachern	Prahl	Wenzel
Byrne	Jaros	Metzen	Reding	Wynia
Carlson, L.	Johnson, C.	Minne	Rice	
Clark	Jude	Moe	Sarna	
Clawson	Kahn	Munger	Sieben, H.	
Corbid	Kalis	Murphy	Sieben, M.	

So it was the judgment of the House that the decision of the Speaker should not stand and S. F. No. 370 was referred to the full Committee on Rules and Legislative Administration.

### 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. No. 3 upon which it recommended progress.

On the motion of Sieben, H., the report of the Committee of the Whole was adopted.

### MOTIONS AND RESOLUTIONS

Murphy moved that her name be stricken as an author on H. F. No. 69. The motion prevailed.

McEachern moved that the name of Jude be added as an author on H. F. No. 267. The motion prevailed.

Sviggum moved that his name be stricken as an author on H. F. No. 311. The motion prevailed.

Jacobs moved that the names of Pehler and Berkelman be added as authors on H. F. No. 379. The motion prevailed.

Olsen moved that the name of Piepho be added as an author on H. F. No. 433. The motion prevailed.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 15, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, February 15, 1979.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**



## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## SEVENTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 15, 1979

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:

Aasness	Eken	Kahn	Niehaus	Sieben, H.
Adams	Elioff	Kaley	Norman	Sieben, M.
Ainley	Ellingson	Kalis	Norton	Simoneau
Albrecht	Enebo	Kelly	Novak	Stadum
Anderson, B.	Erickson	Kempe	Nysether	Stoa
Anderson, D.	Esau	Knickerbocker	Clsen	Stowell
Anderson, G.	Evans	Kroening	Onnen	Sviggum
Anderson, I.	Ewald	Kvam	Osthoff	Swanson
Anderson, R.	Faricy	Laidig	Otis	Thiede
Battaglia	Fjoslien	Lehto	Patton	Tomlinson
Begich	Forsythe	Levi	Paviak	Valan
Berglin	Friedrich	Long	Pehler	Valento
Berkelman	Fritz	Ludeman	Peterson	Vanasek
Biersdorf	Fudro	Luknic	Piepho	Voss
Blatz	Greenfield	Mann	Pleasant	Waldorf
Brinkman	Halberg	McCarron	Prahl	Weaver
Byrne	Haukoos	McDonald	Redalen	Welch
Carlson, D.	Heap	McEachern	Reding	Welker
Carlson, L.	Heintz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	
Drew	Jude	Nelson	Sherwood	

A quorum was present.

Casserly and Kostohryz were excused.

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. 107 and 13 and S. F. No. 370 have been placed in the members' files.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Patton, Sarna, Rice, Moe and Biersdorf introduced:

H. F. No. 437, A bill for an act relating to retirement; teachers; increasing employer and employer additional contributions; age for selecting joint and survivor annuities; interest on certain refunds; amending Minnesota Statutes 1978, Sections 354.42, Subdivisions 3 and 5; 354.46, Subdivision 2; and 354.49, Subdivision 2.

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

Simoneau, Sarna, Heap, Pehler and Novak introduced:

H. F. No. 438, A bill for an act relating to unemployment compensation; clarifying grounds for discharge for misconduct; amending Minnesota Statutes 1978, Section 268.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Stoa and Stowell introduced:

H. F. No. 439, A bill for an act relating to the Minnesota Historical Society; appropriating money for a Mississippi river historical interpretation center.

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

Pehler, Dean, Novak, Voss and Knickerbocker introduced:

H. F. No. 440, A bill for an act relating to appropriations; providing that no federal funds or state matching funds shall be made available for law enforcement and criminal justice purposes unless specifically appropriated by an act of the legislature; amending Minnesota Statutes 1978, Section 299A.03, Subdivisions 8 and 10.

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

McCarron, Simoneau, Novak, Voss and Valento introduced:

H. F. No. 441, A bill for an act relating to the metropolitan airports commission; designating the level of operation of Anoka County airport.

The bill was read for the first time and referred to the Committee on Transportation. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Pehler and Patton introduced:

H. F. No. 442, A bill for an act relating to the city of St. Cloud; authorizing the imposition of a tax on the gross receipts from the furnishing of certain lodging.

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

McCarron, Voss, Jacobs, Simoneau and Valento introduced:

H. F. No. 443, A bill for an act relating to intoxicating liquor; authorizing the city of Spring Lake Park to issue an on-sale intoxicating liquor license to a club in existence for less than 15 years.

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

McCarron, Biersdorf, Voss, Jacobs and Simoneau introduced:

H. F. No. 444, A bill for an act relating to intoxicating liquor; allowing clubs affiliated with national organizations in existence for at least 15 years to obtain on-sale intoxicating liquor licenses; amending Minnesota Statutes 1978, Section 340.11, Subdivision 11.

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

Kelly, Tomlinson and Elioff introduced:

H. F. No. 445, A bill for an act relating to education; transferring certain teacher licensing functions from the state board of education, the department of education and the commissioner of education to the board of teaching; eliminating the requirement that certain rules of the board of teaching be approved by the board of education; requiring that the board of teaching adopt certain rules pursuant to chapter 15 and that the state provide the board of teaching with necessary materials and assistance; providing that the expense of administering certain sections be paid for solely from appropriations made to the board of teaching; amending Minnesota Statutes 1978, Sections 125.05, Subdivisions 1 and 2; 125.08; 125.182, Subdivision 2; 125.185, Subdivisions 4, 6 and 9; repealing Minnesota Statutes 1978, Sections 125.182, Subdivision 4; and 125.185, Subdivision 4a.

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

Greenfield, Moe, Pavlak and Zubay introduced:

H. F. No. 446, A bill for an act relating to crimes; dangerous weapons; broadening definitions and clarifying provisions; prohibiting certain persons from owning, possessing or operating a machine gun or short-barreled shotgun; authorizing the commissioner of public safety to promulgate rules to implement the short-barreled shotgun law; amending Minnesota Statutes 1978, Section 609.67, Subdivisions 1, 3, 6, and by adding subdivisions.

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

Piepho, Elioff, Sviggum, Luknic and Anderson, B., introduced:

H. F. No. 447, A bill for an act relating to taxation; income; excluding certain payments to members of the armed services from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20; repealing Minnesota Statutes 1978, Section 290.06; Subdivision 12.

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

Onnen, Reif, Berkelman, Carlson, L., and Heinitz introduced:

H. F. No. 448, A bill for an act relating to public health; authorizing the funding of a statewide poison information center; giving grant and program monitoring responsibilities to the commissioner of health; appropriating money.

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

Nysether introduced:

H. F. No. 449, A bill for an act relating to state lands; authorizing the conveyance of certain lands in Kittson County.

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

Norman, Rice, Pleasant, Elioff and Olsen introduced:

H. F. No. 450, A bill for an act relating to public employment labor relations; removing legislative authority to modify certain agreements; amending Minnesota Statutes 1978, Section 179.74, Subdivision 5.

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

Berkelman; Sarna; Nelsen, B.; Hokanson and Schreiber introduced:

H. F. No. 451, A bill for an act relating to parking privileges for handicapped persons; defining terms; extending the uses, in relation to parking privileges, of the special license plates issued to physically handicapped persons and clarifying the meaning of unauthorized use of those plates; extending parking privileges to operators of transportation services for physically handicapped persons; recognizing parking certificates, insignia or license plates issued to handicapped persons by other jurisdictions; modifying the criteria for posted signs designating handicapped parking spaces; imposing penalties; amending Minnesota Statutes 1978, Sections 168.021, Subdivisions 3 and 5, and by adding a subdivision; 169.345; and 169.346, Subdivisions 1 and 2.

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



Jude introduced :

H. F. No. 452, A bill for an act relating to statutes; providing a general reference for statutes that change dollar amounts to conform to price changes; amending Minnesota Statutes 1978, Chapter 645, by adding a section.

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

Anderson, B.; Nelsen, B.; Welch; Clawson and Anderson, D., introduced :

H. F. No. 453, A bill for an act relating to taxation; exempting certain homemade vehicles from the motor vehicle excise tax; amending Minnesota Statutes 1978, Sections 297B.01, Subdivision 8; and 297B.03.

The bill was read for the first time and referred to the Committee on Transportation. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Enebo introduced :

H. F. No. 454, A bill for an act relating to pollution; authorizing the pollution control agency to establish rules and issue permits for the control of ground vibration; appropriating money; amending Minnesota Statutes 1978, Section 116.07, Subdivision 4a.

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

Johnson, C.; Weaver; Olsen; Kalis and Eken introduced :

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

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

Johnson, C.; Nelsen, M.; Schreiber; Stoa and Blatz introduced:

H. F. No. 456, A bill for an act relating to taxation; income; increasing the exclusion of certain pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Olsen, Reif, Hokanson, Elihoff and Clark introduced:

H. F. No. 457, A bill for an act relating to health; requiring prescription drug containers to be labeled with an expiration date for the drug; amending Minnesota Statutes 1978, Section 151.212, Subdivision 1.

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

Sieben, M.; Peterson and Halberg introduced:

H. F. No. 458, A bill for an act relating to actions involving negligence; providing that contributory fault be measured against the total fault of persons from whom recovery is sought; amending Minnesota Statutes 1978, Section 604.01, Subdivision 1.

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

Sieben, M., and Crandall introduced:

H. F. No. 459, A bill for an act relating to intoxicating liquor; persons to whom furnishing prohibited; amending Minnesota Statutes 1978, Section 340.14, Subdivision 1a.

The bill was read for the first time and referred to the Committee on Criminal Justice. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Tomlinson introduced:

H. F. No. 460, A bill for an act relating to taxation; repealing obsolete references to a tax on money and credits; repealing Minnesota Statutes 1978, Chapter 285.

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

Carlson, L.; Swanson; McDonald and Osthoff introduced:

H. F. No. 461, A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Sections 3 and 4; providing for elections to fill vacancies in constitutional offices.

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

Thiede, McDonald, Wenzel, Waldorf and Valento introduced:

H. F. No. 462, A bill for an act relating to elections; requiring nominating petitions for certain special elections; amending Minnesota Statutes 1978, Section 202A.67, Subdivision 1.

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

Thiede introduced:

H. F. No. 463, A bill for an act relating to regional development; providing for approval of regional development commission budgets; amending Minnesota Statutes 1978, Section 462.396, Subdivision 2.

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

Tomlinson, Novak, Kvam and Berglin introduced:

H. F. No. 464, A bill for an act relating to taxation; providing a basic adjustment and annual adjustments to property tax refund according to rate of change in the cost of living index; change in maximum refund to renters; amending Minnesota Statutes 1978, Section 290A.04, Subdivisions 2, 2a, and 2b, and by adding a subdivision.

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

Albrecht, Eken, Niehaus, Wynia and Olsen introduced:

H. F. No. 465, A bill for an act relating to education; authorizing the experimental pairing of Independent School Districts No. 421 and No. 426; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.

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

Anderson, B.; Erickson; Esau; Hoberg and Mann introduced:

H. F. No. 466, A bill for an act relating to taxation; income tax; reducing tax rate for certain corporations moving to Minnesota; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.

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

Jennings; Albrecht; Anderson, B.; McEachern and Stowell introduced:

H. F. No. 467, A bill for an act relating to taxation; inheritance tax, establishing a presumption of contribution by a spouse in property held jointly with the decedent; amending Minnesota Statutes 1978, Section 291.01, Subdivision 4.

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

Rothenberg, Pehler, Nelson, Sherwood and Wieser introduced:

H. F. No. 468, A bill for an act relating to taxation; income tax; providing a ten percent credit for the cost of certain solar energy systems; appropriating money; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Energy and Utilities. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Crandall, Norman, Valento, Norton and Novak introduced:

H. F. No. 469, A bill for an act relating to taxation; income tax; increasing credits for certain low income taxpayers; providing an inflation adjustment; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3d.

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

Fritz, Byrne, Knickerbocker, Nelsen, B., and Osthoff introduced:

H. F. No. 470, A bill for an act relating to taxation; providing for a senior citizen property tax freeze refund; appropriating money; amending Minnesota Statutes 1978, Sections 290A.15; and 290A.16.

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

**Jude introduced:**

H. F. No. 471, A bill for an act relating to taxation; providing for a levy apportionment for certain jurisdictions upon an assessment level differential greater than five percent; amending Minnesota Statutes 1978, Section 270.12, Subdivision 3.

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

**Pehler, Fudro, Evans, Nelsen, B., and Hoberg introduced:**

H. F. No. 472, A resolution urging the President, Congress and the Secretary of Transportation to retain the Amtrak North Coast Hiawatha in the National Amtrak Transportation System.

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

**Berglin, Greenfield, Clark, Nelson and Norton introduced:**

H. F. No. 473, A bill for an act relating to insurance; prohibiting the practice known as redlining; prescribing penalties; amending Minnesota Statutes 1978, Chapter 65A, by adding a section.

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

**Patton, Biersdorf, Sieben, H., and Anderson, I., introduced:**

H. F. No. 474, A bill for an act relating to retirement; increasing annuities and benefits for certain annuitants, disabilitants and survivors of the highway patrolmen's retirement fund; appropriating funds.

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

**Berkelman, Heintz, Kaley, Clawson and Berglin introduced:**

H. F. No. 475, A bill for an act relating to hospitals; requiring adoption of federal medicare standards for hospital licensing; regulating hospital inspections; providing for licensing of hospitals accredited by the joint commission on hospital accreditation; amending Minnesota Statutes 1978, Section 144.55; repealing Minnesota Statutes 1978, Sections 144.50, Subdivision 1; 144.54; and 144.56.

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

Peterson; Hokanson; Nelsen, B.; Luknic and Weaver introduced:

H. F. No. 476, A bill for an act relating to taxation; income tax; providing for adjustments of tax brackets for individuals, estates, and trusts; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

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

Ellingson, Stoa, Rothenberg, Wynia and Vanasek introduced:

H. F. No. 477, A bill for an act relating to ethics in government; requiring lobbyists to disclose compensation paid them for lobbying purposes; amending Minnesota Statutes 1978, Section 10A.04, Subdivision 4.

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

Pehler, Minne, Long, Patton and Johnson, D., introduced:

H. F. No. 478, A bill for an act relating to public employment labor relations; removing legislative authority to modify certain agreements; amending Minnesota Statutes 1978, Section 179.74, Subdivision 5.

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

Wenzel; Sieben, H.; Nelsen, B.; Niehaus and Esau introduced:

H. F. No. 479, A bill for an act relating to health maintenance organizations; declaring legislative intent and public policy favoring childbirth over abortion; eliminating any requirements that health maintenance organizations provide elective, induced abortions; amending Minnesota Statutes 1978, Sections 62D.01, by adding a subdivision; 62D.02, Subdivision 7; and 62D.22, Subdivision 5.

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

Den Ouden introduced:

H. F. No. 480, A bill for an act relating to state government; facilitating communication with state agencies.

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

Esau, Aasness, Clawson, Byrne and Albrecht introduced:

H. F. No. 481, A bill for an act relating to historic sites; authorizing the Minnesota Historical Society to exchange certain state owned nonhistoric land for certain privately owned historic land.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Evans, Reding, Eken, Stoa and Dempsey introduced:

H. F. No. 482, A bill for an act relating to taxation; income tax; reducing rates applicable to corporations; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.

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

Jacobs introduced:

H. F. No. 483, A bill for an act relating to trunk highways; requiring reimbursement of local expenses for fighting fires originating in the trunk highway right-of-way; amending Minnesota Statutes 1978, Section 161.465.

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

Clawson, Enebo, Pleasant, Searle and Anderson, I., introduced:

H. F. No. 484, A bill for an act relating to fiscal notes; requiring fiscal notes to accompany certain bills and administrative rules; appropriating money; amending Minnesota Statutes 1978, Section 15.0412, Subdivision 7; and Chapter 3, by adding a section.

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

Otis, Tomlinson, Blatz, Pehler and Halberg introduced:

H. F. No. 485, A bill for an act relating to taxation; property; providing that improvements made to real property shall not be specially assessed; amending Minnesota Statutes 1978, Section 273.11, by adding a subdivision.

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

Adams, Patton, Ewald, Brinkman and Heinitz introduced:

H. F. No. 486, A bill for an act relating to usury; removing the expiration date from the law authorizing flexible interest rates on home loans; amending Minnesota Statutes 1978, Section 47.20, Subdivision 4.

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

McEachern; Tomlinson; Nelsen, B.; Levi and Metzen introduced:

H. F. No. 487, A bill for an act relating to education; authorizing school districts to discontinue certain grades and provide instruction by contract with other districts; providing for calculation of pupil units, tuition payments and the employment rights of teachers in participating districts; requiring reports; amending Minnesota Statutes 1978, Sections 122.41; 122.43, Subdivision 1; and 122.44, Subdivision 1; and Chapter 122, by adding sections.

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

McEachern, Levi, Metzen and Adams introduced:

H. F. No. 488, A bill for an act relating to education; increasing state aid to school districts for operating certain community school programs; providing a minimum payment to districts for the operation of those programs; increasing the amount a district may levy for certain purposes; amending Minnesota Statutes 1978, Sections 124.271, Subdivision 2, and by adding a subdivision; and 275.125, Subdivision 8.

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



## HOUSE ADVISORIES

The following House Advisory was introduced:

Anderson, B.; Otis; Kroening; Rose and Esau introduced:

H. A. No. 5, A proposal to study high school and post high school vocational education.

The advisory was referred to the Committee on Education.

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following House Files, which were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. No.</i>	<i>Date Referred To Committee</i>	<i>Committee Referral</i>
313	Feb. 8, 1979	Governmental Operations
317	Feb. 8, 1979	Criminal Justice
332	Feb. 8, 1979	Judiciary
343	Feb. 8, 1979	Commerce, Economic Development and Housing
345	Feb. 8, 1979	Governmental Operations
347	Feb. 8, 1979	General Legislation and Veterans Affairs
349	Feb. 8, 1979	Local and Urban Affairs
357	Feb. 8, 1979	Governmental Operations
367	Feb. 8, 1979	Commerce, Economic Development and Housing
372	Feb. 12, 1979	Taxes
378	Feb. 12, 1979	Energy and Utilities
389	Feb. 12, 1979	Local and Urban Affairs
404	Feb. 12, 1979	Taxes

<i>H.F. No.</i>	<i>Date Referred To Committee</i>	<i>Committee Referral</i>
409	Feb. 12, 1979	Local and Urban Affairs
421	Feb. 12, 1979	Taxes
427	Feb. 12, 1979	Education
433	Feb. 12, 1979	Rules and Legislative Administration

### 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 Files, herewith transmitted:

S. F. Nos. 92 and 204.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 92, A bill for an act relating to the city of Ashby; authorizing issuance of general obligation bonds for the purpose of building a fire hall-administrative building and purchasing a fire truck.

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

S. F. No. 204, A bill for an act relating to state lands; authorizing the conveyance of certain lands in Kittson County.

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

### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following Senate File, which was referred to the committee upon objection pursuant to the organizational agreement:

<i>S.F. No.</i>	<i>Date Referred To Committee</i>	<i>Committee Referral</i>
370	Feb. 12, 1979	Taxes

## CONSENT CALENDAR

H. F. No. 107, A bill for an act relating to constables; exempting certain constables from licensing requirements; amending Minnesota Statutes 1978, Section 367.41, 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:

Aasness	Eken	Jude	Nelson	Searles
Adams	Elioff	Kahn	Niehaus	Sherwood
Ainley	Ellingson	Kaley	Norman	Sieben, H.
Albrecht	Enebo	Kalis	Norton	Sieben, M.
Anderson, B.	Erickson	Kelly	Novak	Simoneau
Anderson, D.	Esau	Kempe	Nysether	Stadum
Anderson, G.	Evans	Knickerbocker	Olsen	Stoa
Anderson, I.	Ewald	Kroening	Onnen	Stowell
Anderson, R.	Faricy	Kvam	Osthoff	Sviggum
Battaglia	Fjoslien	Laidig	Otis	Swanson
Begich	Forsythe	Lehto	Patton	Thiede
Berglin	Friedrich	Levi	Pavlak	Tomlinson
Berkelman	Fritz	Long	Pehler	Valan
Biersdorf	Fudro	Ludeman	Peterson	Valento
Blatz	Greenfield	Luknic	Piepho	Vanasek
Brinkman	Halberg	Mann	Pleasant	Voss
Byrne	Haukoos	McCarron	Prahl	Waldorf
Carlson, L.	Heap	McEachern	Redalen	Weaver
Clark	Heinitz	Mehrkens	Reding	Welch
Clawson	Hoberg	Metzen	Rees	Wenzel
Corbid	Hokanson	Minne	Reif	Wigley
Crandall	Jacobs	Moe	Rice	Wynia
Dean	Jaros	Munger	Rose	Zubay
Dempsey	Jennings	Murphy	Rothenberg	Speaker Searle
Den Ouden	Johnson, C.	Nelsen, B.	Sarna	
Drew	Johnson, D.	Nelsen, M.	Schreiber	

The bill was passed and its title agreed to.

## GENERAL ORDERS

Sieben, H., moved that the bills on General Orders for today be continued until Monday, February 19, 1979. The motion prevailed.

## MOTIONS AND RESOLUTIONS

Rothenberg moved that the name of Drew be added as an author on H. F. No. 138. The motion prevailed.

Heinitz moved that the name of Kempe be added as an author on H. F. No. 176. The motion prevailed.

Olsen moved that the name of Rees be added as an author on H. F. No. 433. The motion prevailed.

Kelly moved that the name of Blatz be added as an author on H. F. No. 445. The motion prevailed.

Wynia moved that the name of Kaley be added as an author on H. F. No. 355. The motion prevailed.

Rothenberg moved that his name be stricken as an author on H. F. No. 477. The motion prevailed.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the indicated members of the House to the following commission:

*Legislative Commission on Pensions and Retirement*, pursuant to the provisions of Minnesota Statutes 1978, Section 3.85: Biersdorf and Kaley.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 12:00 noon, Monday, February 19, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Monday, February 19, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## EIGHTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 19, 1979

The House of Representatives convened at 12:00 noon and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Aasness	Drew	Johnson, D.	Nelsen, M.	Sherwood
Adams	Eken	Jude	Niehaus	Sieben, H.
Ainley	Elioff	Kahn	Norman	Sieben, M.
Albrecht	Ellingson	Kaley	Novak	Simoneau
Anderson, B.	Enebo	Kalis	Nysether	Stadum
Anderson, D.	Erickson	Kelly	Olsen	Stoa
Anderson, G.	Esau	Kempe	Onnen	Stowell
Anderson, I.	Evans	Knickerbocker	Osthoff	Sviggum
Anderson, R.	Ewald	Kroening	Otis	Swanson
Battaglia	Faricy	Kvam	Patton	Thiede
Begich	Fjoslien	Laidig	Pavlak	Tomlinson
Berglin	Forsythe	Lehto	Pehler	Valan
Berkelman	Friedrich	Levi	Peterson	Valento
Biersdorf	Fritz	Ludeman	Piepho	Vanasek
Blatz	Fudro	Luknic	Pleasant	Voss
Brinkman	Greenfield	Mann	Prahl	Waldorf
Carlson, D.	Halberg	McCarron	Redalen	Weaver
Carlson, L.	Haukoos	McDonald	Reding	Welch
Casserly	Heap	McEachern	Rees	Welker
Clark	Heinitz	Mehrkens	Reif	Wenzel
Clawson	Hoberg	Metzen	Rice	Wieser
Corbid	Hokanson	Minne	Rose	Wigley
Crandall	Jacobs	Moe	Rothenberg	Wynia
Dean	Jaros	Munger	Sarna	Zubay
Dempsey	Jennings	Murphy	Schreiber	Speaker Searle
Den Ouden	Johnson, C.	Nelsen, B.	Searles	

A quorum was present.

Byrne, Kostohryz, Long, Nelson and Norton were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson 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. Nos. 92 and 204 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

Sarna from the Committee on Transportation to which was referred:

H. F. No. 87, A bill for an act relating to highways; providing for bus shelters and benches on streets and highways; authorizing road authorities to grant franchises; amending Minnesota Statutes 1978, Section 160.27, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 2, after "by" insert "public"

Page 2, line 7, after the period insert:

*"This provision does not preclude the requirement for obtaining permits from the appropriate road authority having jurisdiction for construction within the limits of any trunk highway, county highway, or county state-aid highway."*

Page 2, line 9, after "by" insert "public"

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 102, A bill for an act relating to children; changing liability of parents for damage done by their minor children; amending Minnesota Statutes 1978, Section 540.18, Subdivision 1.

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. 116, A bill for an act relating to banks and banking; extending the period for activation of detached facilities after issuance of certificates of authorization; amending Minnesota Statutes 1978, Section 47.54, Subdivision 4.

Reported the same back with the following amendments:

Page 1, line 19, after the period insert *"If the commissioner's order is appealed, the commissioner may grant such reasonable*

*extensions of time as he deems necessary, but the extensions may not exceed a total of 18 months from the date on which all appeals or rights of appeal from the commissioner's order have concluded or expired. At the expiration of the extensions, the order and certificate shall automatically expire."*

Page 2, line 1, after "enactment" insert "and shall apply to any certificates pending on or after the effective date of this act"

With the recommendation that when so amended the bill pass.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

H. F. No. 125, A bill for an act relating to bonds; requiring claimant filing notice of action on a bond to pay postage costs; amending Minnesota Statutes 1978, Section 574.32.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

H. F. No. 142, A bill for an act relating to civil actions; providing for authority for attorney to bind his client and execute a satisfaction of judgment; amending Minnesota Statutes 1978, Sections 481.08 and 548.15.

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

The report was adopted.

Rice from the Committee on Labor-Management Relations to which was referred:

H. F. No. 157, A bill for an act relating to labor and employment; prohibiting mandatory retirement of public and private employees before the age of 70; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 1; 125.12, Subdivision 5; 181.81; 181.811; 354.44, Subdivision 1a; 354.49, Subdivision 3; 354A.05; 354A.21; 423.076; 473.419; and Chapter 181, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 43.051, Subdivision 1, is amended to read:



43.051 [AGE FOR RETIREMENT.] Subdivision 1. (EFFECTIVE JUNE 1, 1980,) An employee of the state of Minnesota in the classified service, and an employee in the unclassified service who is subject to the provisions of the Minnesota state retirement system must retire from (HIS) employment by the state upon reaching the age of 70 except as provided in (SECTION 354.44, SUBDIVISION 1A, OR) other law. Nothing in this subdivision shall apply to persons in the legislative branch or judicial branch.

Sec. 2. Minnesota Statutes 1978, Section 125.12, Subdivision 5, is amended to read:

Subd. 5. [RETIREMENT.] Notwithstanding the foregoing provisions, a board may provide by rule that its teachers shall be retired at age (65) 70.

Sec. 3. Minnesota Statutes 1978, Section 181.81, is amended to read:

181.81 [DISMISSAL FOR AGE; PROHIBITION; EXCEPTIONS; REMEDIES.] Subdivision 1. ((A) DESIGNATED RETIREMENT DATE, WHEN USED IN THIS SECTION, MEANS THE DATE, IF ANY, WHICH THE EMPLOYER, OR THE EMPLOYER AND EMPLOYEE OR HIS REPRESENTATIVE JOINTLY, DESIGNATE AS THE DATE ON WHICH ALL AFFECTED EMPLOYEES MUST CEASE SERVICE UNLESS THE EMPLOYEE EXERCISES THE OPTION GRANTED BY THIS SECTION TO CONTINUE SERVICE.)

((B)) (a) It is unlawful for any employer, public or private, excluding the United States government and any of its instrumentalities, to refuse to hire or employ, or to discharge, dismiss, reduce in grade or position, or demote any individual on the grounds that the individual has reached (A DESIGNATED RETIREMENT AGE) *an age of less than 70*, except in cases where federal statutes or rules or other state statutes, not including special laws compel or specifically authorize such action. Nothing in this section shall prohibit compulsory retirement of employees who have attained 70 years of age or more; provided further that nothing in this section shall prohibit compulsory retirement of (A PROFESSIONAL, EXECUTIVE, OR ADMINISTRATIVE EMPLOYEE, AS DEFINED IN RULES PROMULGATED PURSUANT TO CHAPTER 177,) *an employee who has attained at least 65 years of age and who for the two year period immediately before retirement is employed in an executive or a high policymaking position if that employee is entitled to an immediate non-forfeitable annual retirement benefit from a pension, profit sharing, savings or deferred compensation plan of an employer (PLUS ANY SOCIAL SECURITY BENEFIT), or any combination of these benefits which totals in the aggregate at least \$27,000. If the retirement benefit is in a form other*

than a straight life annuity, the equivalent annualized payment value of the benefit shall be actuarially determined according to rules promulgated by the commissioner of labor and industry. Pilots and flight crew members shall be not subject to the provisions of this section or section 363.02, subdivision 6, but shall be retired from this employment pursuant to standards contained in regulations promulgated by the federal aviation administration for airline pilots and flight officers and are subject to the bona fide occupational requirements for these employees as promulgated by the federal aviation administration.

((C)) (b) *Prior to June 1, 1982 every employer shall notify an employee in writing at least 90 days but no more than 120 days prior to the employee's (DESIGNATED RETIREMENT DATE, IF ANY,) 65th birthday of the option to continue employment beyond that date. The notice shall state in a conspicuous manner that the employee (MUST) shall respond to the notice within 30 days (OR THE RIGHT) of the employee's desire to continue employment beyond the (DESIGNATED RETIREMENT DATE MAY BE WAIVED) employee's 65th birthday. Every employer shall post in a conspicuous place a notice written or approved by the commissioner of labor and industry stating that the mandatory retirement age is age 70. (IF THE EMPLOYEE NOTIFIES THE EMPLOYER IN WRITING WITHIN 30 DAYS AFTER THE RECEIPT OF THE NOTICE BY THE EMPLOYEE OF THE EMPLOYEE'S DESIRE TO CONTINUE EMPLOYMENT BEYOND THE DESIGNATED RETIREMENT DATE THE EMPLOYER MUST ALLOW CONTINUED EMPLOYMENT CONSISTENT WITH THE REQUIREMENTS OF THIS SECTION.)* Employment shall continue for as long as the employee desires or until the employer demonstrates that the employee no longer can meet the bona fide requirements, consistently applied, for the job or position or until the employee reaches the compulsory retirement age established by the employer. *When an employer intends to terminate an employee earlier than age 70 on the ground that he no longer can meet the bona fide requirements for the job or position he shall give the employee 30 days notice of his intention.*

((D)) (c) (REGARDLESS OF WHETHER OR NOT A DESIGNATED RETIREMENT DATE AS DEFINED IN CLAUSE (A) EXISTS FOR AN EMPLOYEE,) If there exists a date on which the accrual of pension benefits or credits, or the contributions therefor by the employee or the employer, or the employee's employment related health and welfare benefits or insurance coverages are diminished or eliminated by virtue of the employee attaining a certain age, the employer shall notify the employee of the changes at least 90 but not more than 120 days prior to the effective date of the change. (IF A DESIGNATED RETIREMENT DATE EXISTS FOR AN EMPLOYEE AND THAT DATE IS THE SAME AS THE DATE ON WHICH PENSION CREDIT ACCRUAL OR HEALTH AND WELFARE BENEFITS OR CONTRIBU-

TIONS ARE MODIFIED THE NOTICE REQUIRED BY THIS CLAUSE SHALL BE GIVEN CONTEMPORANEOUSLY WITH THE NOTICE REQUIRED IN CLAUSE (C).) This section, in and of itself, shall not be construed to require any change in the employer contribution levels of any pension or retirement plan, or to require any employer to increase an employer's or employee's payments for the provision of insurance benefits contained in any employee benefit or insurance plan.

Subd. 2. (a) The commissioner of labor and industry shall advise any inquiring parties, employee or employer, of their rights and duties under this section *and to the extent practicable their rights and duties under any applicable provisions of law governing retirement or other benefits*. Further, the commissioner may attempt to conciliate any disputes between employees and employers over the application of or alleged violations of this section.

(b) Any party aggrieved by a violation of this section may bring suit for redress in the district court wherein the violation occurred or in the district court wherein the employer is located. If a violation is found the court in granting relief may enjoin further violations and may include in its award reinstatement or compensation for any period of unemployment resulting from the violation together with actual and reasonable attorneys fees, and other costs incurred by the plaintiff.

(c) When an action is commenced alleging a violation of this section the plaintiff may in the same action allege a violation of chapter 363, and seek relief under that chapter if all the procedural requirements of chapter 363 have been met. Alternatively, when a charge is filed or an action commenced alleging a violation of chapter 363, the plaintiff may in the same action allege a violation of this section and seek relief under this section. In either case, when determining whether or not a violation of chapter 363, has occurred the court shall incorporate the substantive requirements of this section into any duties and rights specified by chapter 363.

Sec. 4. Minnesota Statutes 1978, Section 181.811, is amended to read:

181.811 [MANDATORY RETIREMENT AGE.] Laws 1978, Chapter 649 is effective (AS OF JUNE 1, 1980) *the day following final enactment of this act*, subject to the following exceptions:

(1) (NO MANDATORY RETIREMENT PROGRAM OR POLICY ESTABLISHED BY A COLLECTIVE BARGAINING AGREEMENT BETWEEN A LABOR ORGANIZATION AND A PRIVATE EMPLOYER EXECUTED PRIOR TO THE EN-

ACTMENT DATE OF LAWS 1978, CHAPTER 649 WHICH MANDATES RETIREMENT PRIOR TO ATTAINING 70 YEARS OF AGE SHALL BE INVALIDATED) *In the case of employees covered by a collective bargaining agreement which was entered into between a labor organization and an employer and which was in effect on September 1, 1977, it shall take effect upon the termination of the agreement or on January 1, 1980, which ever comes first.*

(2) Nothing contained in Laws 1978, Chapter 649 or this act shall be construed as requiring the rehiring, reinstatement or payment of additional benefits to an employee who terminates service prior to (JUNE 1, 1980) the effective date of this act, with an employer who employs 20 or more employees, or the rehiring, reinstatement or payment of additional benefits to an employee who terminates service prior to June 1, 1980, with an employer who employs less than 20 employees, pursuant to a mandatory retirement law or policy which mandates retirement prior to attaining 70 years of age, or any other employee who terminates service prior to the termination of a collectively bargained contract containing a mandatory retirement provision.

(3) (NO COLLECTIVE BARGAINING AGREEMENT EXECUTED FOLLOWING THE ENACTMENT DATE OF LAWS 1978, CHAPTER 649 SHALL PROVIDE FOR MANDATORY RETIREMENT PRIOR TO ATTAINING 70 YEARS OF AGE FOR AN EMPLOYEE WHO TERMINATES SERVICE JUNE 1, 1980, OR SUBSEQUENT THERETO) *Laws 1978, Chapter 649, Section 3, is effective January 1, 1979. Any person who terminated service at age 65 or older for any reason whether or not the person was previously a member of and has received a refund of accumulated employee or member contributions from one or more of the covered retirement funds enumerated in section 256.32, subdivision 2 and who was required to terminate service pursuant to a mandatory retirement statute or a uniformly applied mandatory retirement policy established by the employer between January 1, 1979 and the effective date of this section shall be entitled to repay the refund of accumulated employee or member contributions to the respective retirement fund with compound interest at the rate of six percent from the date the refund was received to the date the refund is repaid. Upon repayment of a refund, the person shall be entitled if otherwise qualified to a proportionate annuity, with accrual to commence upon the first day of the month following the filing of a valid application for the annuity.*

(4) *Employers who employ fewer than 20 employees shall not be subject to the provisions of Laws 1978, Chapter 649, until June 1, 1980.*

(5) *In the case of an employee serving under a contract of unlimited tenure or a similar arrangement providing for unlimited tenure at a private institution which is an institution of*

*higher education, as defined in section 1201(a) of the federal higher education act of 1965, Laws 1978, Chapter 649 is effective July 1, 1982.*

Sec. 5. Minnesota Statutes 1978, Chapter 181, is amended by adding a section to read:

[181.812] [RULES.] *The commissioner may promulgate rules which are deemed necessary to carry out the provisions of section 181.81.*

Sec. 6. Minnesota Statutes 1978, Section 354.44, Subdivision 1a, is amended to read:

Subd. 1a. [MANDATORY RETIREMENT.] Notwithstanding the provisions of sections 43.30 or 197.45 to 197.48, a member shall terminate employment (ON AUGUST 31, 1976, OR) at the end of the academic year in which the member reaches the age of (65) 70 (, 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 an (EMPLOYER) *employing* unit covered by this chapter from employing a retired teacher as a substitute or part time teacher; provided, no teacher required to terminate employment by this subdivision shall resume membership in the retirement association by virtue of employment as a substitute or part time teacher; provided further that upon having earned \$3,000 in any academic year from employment as a substitute or part time teacher, any person over the age of (65) 70 years shall terminate employment for the remainder of that academic year.

Sec. 7. Minnesota Statutes 1978, Section 354.49, Subdivision 3, is amended to read:

Subd. 3. Any person who has attained the age of at least 65 with less than ten years of credited allowable service shall *be entitled to receive a refund in an amount equal to his accumulated deductions plus interest in lieu of a proportionate annuity pursuant to section 356.32* except those covered under the provisions of section 354.44, subdivisions 6 or 7 in which case the refund shall be an amount equal to his accumulated deductions credited to his account as of June 30, 1957 and after July 1, 1957 his accumulated deductions plus interest at the rate of three and one-half percent compounded annually.

Sec. 8. Minnesota Statutes 1978, Section 354A.05, is amended to read:

**354A.05 [CONTRIBUTION BY TEACHERS; TAXATION.]** The plan shall include a provision that only such teachers as make a contribution to the fund, as provided in the plan, shall be entitled to the benefits thereof, and may include a provision that a portion of the fund shall be raised by taxation upon the property of the city, it being understood that all teachers who are willing to comply with the terms and conditions of the articles of association and bylaws of the association shall be entitled to participate in the benefits of the fund.

(IN ANY CITY OF THE FIRST CLASS WHERE NO AUTOMATIC OR COMPULSORY RETIREMENT PLAN AFFECTING SUCH TEACHERS HAS BEEN ESTABLISHED, EVERY TEACHER COMING WITHIN THE PROVISIONS OF THIS ACT WHO SHALL HAVE ATTAINED THE AGE OF 68 AS OF JUNE 30 OF ANY YEAR, SHALL BE AUTOMATICALLY RETIRED AND SEVERED FROM THE SERVICE IN THE RESPECTIVE SCHOOL SYSTEM.)

In any city of the first class, the plan, subject to the approval of the city council of such city, may provide that any member applying for an annuity shall be entitled to an annuity on the single life plan, or its actuarial equivalent under any optional method of retirement provided in the articles of the association, from city deposits at least equal to \$2 per month for each year of teaching service in such city. Such annuity payments shall not commence until the member has reached the age of 55 years, and has completed 20 years of teaching service in such city, or until the member has reached the age of 62 years if he has not completed 20 years of teaching service in such city. Where the aggregate of the city deposit to the credit of such member will not provide the minimum annuity prescribed, the city deposit shall be increased in the year of retirement to the amount necessary to provide such minimum annuity. Except as herein provided, the provisions for city deposits in such plan in any city of the first class shall not be altered by the provisions of this paragraph. City deposits as used herein is hereby defined as that portion of the fund to be raised by taxation upon the property of the city.

Nothing contained in this section shall preclude a district from employing a retired teacher as a substitute teacher.

Sec. 9. Minnesota Statutes 1978, Section 354A.21, is amended to read:

**354A.21 [MANDATORY RETIREMENT; PROPORTIONATE ANNUITY.]** Notwithstanding the provisions of sections 197.45 to 197.48 or 354A.05, a teacher subject to the provisions of this chapter shall terminate employment (ON AU-

GUST 31, 1976, OR) at the end of the academic year in which (SUCH) *the* teacher reaches the age of (65) 70 (, WHICH-EVER IS LATER). For purposes of this section, an academic year shall be deemed to end August 31. A teacher who terminates employment at any time during the academic year at the end of which such person is required to terminate employment pursuant to this section and who has less than the minimum required number of years of service to otherwise qualify for a retirement annuity shall be entitled upon application to a proportionate retirement annuity based on service prior to termination. Nothing contained in this subdivision shall preclude a district from employing a retired teacher as a substitute teacher; provided, no teacher required to terminate employment by this section shall resume membership in the retirement association by virtue of employment as a substitute teacher; provided further that upon having earned \$3,000 in any academic year from employment as a substitute teacher, any person over the age of (65) 70 years shall terminate employment for the remainder of that academic year.

Sec. 10. Minnesota Statutes 1978, Section 356.32, Subdivision 1, is amended to read:

356.32 [PROPORTIONATE ANNUITY IN CERTAIN CASES.] Subdivision 1. [PROPORTIONATE RETIREMENT ANNUITY.] Notwithstanding any provision to the contrary of the laws governing any of the retirement funds referred to in subdivision 2, any person who is employed in a position covered by any such fund, who has credit for at least three years but less than ten years of allowable service in such fund or a combination of such funds, and who is required to terminate service pursuant to a mandatory retirement statute, or who terminates service at age 65 or older for any reason shall be entitled upon application to a proportionate retirement annuity from each such fund in which he has allowable service credit, based upon his allowable service credit at the time of (MANDATORY) retirement; provided, however, that nothing in this section shall prevent the actuarial reduction of an annuity for which application is made prior to normal retirement age.

Sec. 11. Minnesota Statutes 1978, Section 423.076, is amended to read:

423.076 [RETIREMENT; POLICE AND FIRE DEPARTMENTS.] A compulsory retirement age of not less than 65 years may be established for persons on the payroll of a police or fire department which does not come within the provisions of section 423.075 (OR 423.26) without being a violation of section 181.81 or section 363.02, subdivision 6.

Sec. 12. Minnesota Statutes 1978, Section 473.419, is amended to read:

473.419 [MANDATORY RETIREMENT AGE.] An employee of the transit operating division of the metropolitan transit commission and an employee on leave of absence from the transit operating division of the metropolitan transit commission who is employed by the labor organization which is the exclusive bargaining agent representing employees of the transit operating division shall terminate employment on the first day of the month next following the month in which the employee reaches the age of (65; PROVIDED, HOWEVER, THAT AN EMPLOYEE OF THE TRANSIT OPERATING DIVISION MAY BE EMPLOYED BEYOND THE AGE OF 65 AT THE OPTION OF THE METROPOLITAN TRANSIT COMMISSION, BUT SHALL NOT BE EMPLOYED BEYOND THE THE FIRST DAY OF THE MONTH NEXT FOLLOWING THE MONTH IN WHICH THE EMPLOYEE REACHES THE AGE OF) 70.

Sec. 13. [EFFECTIVE DATE.] *This act shall be effective the day following final enactment.*"

Delete the title and insert:

"A bill for an act relating to labor and employment; prohibiting mandatory retirement of public and private employees before the age of 70; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 1; 125.12, Subdivision 5; 181.81; 181.811; 354.44, Subdivision 1a; 354.49, Subdivision 3; 354A.05; 354A.21; 356.32, Subdivision 1; 423.076; 473.419; and Chapter 181, by adding a section."

With the recommendation that when so amended the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 259, A bill for an act relating to cooperative associations; providing for boards of directors; prescribing the minimum number of directors governing a cooperative apartment corporation; amending Minnesota Statutes 1978, Section 308.11.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 263, A bill for an act relating to juvenile court referees; authorizing referees to hear contested trials or motions



unless objection is made; amending Minnesota Statutes 1978, Section 484.70, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 10, after "A" insert "*full-time*"

Page 1, line 11, after "contested" delete "*delinquency*"

Page 1, line 11, after "trial" insert "*, hearing,*"

Page 1, line 14, delete "*delinquency*" and insert "*trial,*"

Page 1, line 15, after "*hearing*" insert a comma

Further amend the title as follows:

Page 1, line 3, after "trials" insert "*, hearings,*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 303, A bill for an act validating and legalizing certain state assignment certificates.

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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 67, A bill for an act relating to statutes; providing for the effect of grammar and punctuation; amending Minnesota Statutes 1978, Section 645.18.

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

The report was adopted.

#### POINT OF ORDER

Knickerbocker raised a point of order that bills reported out of Standing Committees should not be referred to the Committee

on Rules and Legislative Administration inasmuch as the 1979 temporary rules of the House include the report of the Committee on Rules and Legislative Administration dated Monday, January 23, 1978, and found on page 4108 of the 1978 permanent Journal of the House. Sieben, H., raised a point of order on the Knickerbocker point of order pursuant to the section entitled "Floor Management" of the negotiated agreement. The Speaker deferred his decision until Thursday, February 22, 1979 pursuant to Section 244 of "Mason's Manual of Legislative Procedure."

House File Nos. 87, 102, 116, 125, 142, 157, 259, 263 and 303 and Senate File No. 67 were referred to the Committee on Rules and Legislative Administration.

### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Ellingson, Jude, Heinitz, Rice and Knickerbocker introduced:

H. F. No. 489, A bill for an act relating to the Hennepin county park reserve district; regulating tax levies and bond issues for the purposes of the district; amending Laws 1967, Chapter 721, Section 2, as amended.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

McEachern, Evans, Friedrich, Metzen and Stowell introduced:

H. F. No. 490, A bill for an act relating to alcoholic beverages; classification of malt liquors; amending Minnesota Statutes 1978, 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 1978, Section 340.11, Subdivision 15.

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

Rose, Adams, Novak, Heap and Wigley introduced:

H. F. No. 491, A bill for an act relating to motor vehicles; exempting certain transfers of title from odometer disclosure requirement; amending Minnesota Statutes 1978, Section 168A.10, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Pehler, Patton, Biersdorf, Anderson, D., and Anderson, R., introduced:

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

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

Ainley introduced:

H. F. No. 493, A bill for an act relating to the city of Bemidji; authorizing the issuance of bonds authorized at a special election.

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

Jennings, Piepho and Dempsey introduced:

H. F. No. 494, A bill for an act relating to snowmobiles; exempting certain racing snowmobiles from registration; amending Minnesota Statutes 1978, Section 84.82, Subdivision 6.

The bill was read for the first time and referred to the Committee on Transportation. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Reding and Redalen introduced:

H. F. No. 495, A bill for an act relating to retirement; authorizing the purchase of prior service by certain county commissioners.

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

Reding, Friedrich, Evans, Anderson, R., and Minne introduced:

H. F. No. 496, A bill for an act relating to cities; authorizing cities engaged in gas distribution to secure gas by individual or joint action; authorizing the creation of municipal gas agencies; defining their powers and responsibilities; authorizing the issuance of bonds.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Jude, Schreiber, Fudro, Patton and Esau introduced:

H. F. No. 497, A bill for an act relating to traffic regulation; requiring local units of government to regulate and control traffic in parking areas; requiring uniform traffic control devices; amending Minnesota Statutes 1978, Section 169.06, Subdivision 3.

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

Kelly and Osthoff introduced:

H. F. No. 498, A bill for an act relating to education; requiring school board hearings on a schoolhouse closing to be held at the schoolhouse; amending Minnesota Statutes 1978, Section 123.36, Subdivision 11.

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

Anderson, G., and Welker introduced:

H. F. No. 499, 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, as amended.

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

Friedrich, Adams, Brinkman, Searles and Ainley introduced:

H. F. No. 500, A bill for an act relating to interest rates; increasing permissible finance charges for open end credit sales; amending Minnesota Statutes 1978, Section 334.16, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Minne, Pavlak, Lehto, Crandall and Sherwood introduced:

H. F. No. 501, A bill for an act relating to the operation of motor vehicles; prescribing penalties for causing the death of another person when driving while intoxicated; amending Minnesota Statutes 1978, Section 169.121, Subdivision 3.

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

Redalen; Johnson C.; Mann; Albrecht and Stadum introduced:

H. F. No. 502, A bill for an act relating to taxation; increasing the state paid agricultural credit; amending Minnesota Statutes 1978, Section 273.132.

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

Battaglia, Faricy, Berkelman, Begich and Elioff introduced:

H. F. No. 503, A bill for an act relating to courts; sixth judicial district; providing that terms of court no longer shall be held in Ely; authorizing terms of court to be held at places other than Duluth, Hibbing or Virginia; amending Minnesota Statutes 1978, Sections 484.48; 484.50; and Chapter 484, by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Nelsen, B.; Johnson, C.; Nelsen, M.; Albrecht and Pehler introduced:

H. F. No. 504, A bill for an act relating to land surveying; authorizing counties to contract for the preservation and remonumentation of the United States public land survey; appropriating money; amending Minnesota Statutes 1978, Sections 287.21, Subdivision 2; 287.25; 287.28; 287.29, Subdivision 1; 389.011, Subdivision 2; and Chapter 287, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Elioff, Begich, Battaglia, Rose and Novak introduced:

H. F. No. 505, A bill for an act relating to warehouses; excepting certain marine dealers from requirements applied to warehousemen; amending Minnesota Statutes 1978, Section 231.01, Subdivision 5.

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

Redalen, Kalis, Wieser, McEachern and Ludeman introduced:

H. F. No. 506, A bill for an act relating to elections; providing an exception to the party list appointment requirements for election judges; allowing town officers to serve as election judges without being named on party lists; amending Minnesota Statutes 1978, Section 204A.17, Subdivision 5.

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

Jaros, Tomlinson, Stowell, Biersdorf and Patton introduced:

H. F. No. 507, A bill for an act relating to local government; requiring cities, counties, and school boards to publish certain wage and salary information; amending Minnesota Statutes 1978, Sections 123.71, by adding a subdivision; and 375.17.

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

Stowell, Jaros, Reding, Sviggum and Jennings introduced:

H. F. No. 508, A bill for an act relating to unemployment compensation; exempting family corporation shareholder's income from contribution rate; amending Minnesota Statutes 1978, Section 268.04 Subdivision 12.

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

McDonald, Clawson, Rees, Reding and Wenzel introduced:

H. F. No. 509, A bill for an act relating to state government; providing an appropriation for state training of assessors.

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

Tomlinson, Faricy, Otis, Luknic and Blatz introduced:

H. F. No. 510, A bill for an act relating to taxation; providing for annual adjustments of individual income tax brackets, individual and homemaker credits, low income amounts, and maximum standard deductions according to rate of change in the cost of living index; amending Minnesota Statutes 1978, Sections 290.06, Subdivisions 2c, 3c, 3d and 3e, 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.

Sherwood, Nysether, Reding, Lehto and Ainley introduced:

H. F. No. 511, A bill for an act relating to game and fish; affording protection to the badger and opossum; authorizing a season thereon; amending Minnesota Statutes 1978, Sections 100.26, Subdivision 1; and 100.27, Subdivision 3.

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

Clawson, McDonald, Welch, Rees and Anderson, B., introduced:

H. F. No. 512, A bill for an act proposing an amendment to the Minnesota Constitution, adding a section to Article VIII; providing for the recall of elective officers.

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

Ellingson, Jude, Dean and Forsythe introduced:

H. F. No. 513, A bill for an act relating to courts; conforming civil fees collected by the Hennepin county municipal court with the district court; amending Minnesota Statutes 1978, Section 488A.03, Subdivision 11.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Nelson introduced:

H. F. No. 514, A bill for an act relating to juvenile courts; disposition of delinquent children; requiring the court to order certain delinquents and their parents to submit to counseling programs and certain other delinquents to make restitution; amending Minnesota Statutes 1978, Section 260.185, Subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Fjoslien, Fudro, Den Ouden, McEachern and Ludeman introduced:

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

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

Simoneau, Enebo, Rice, Sarna and Begich introduced:

H. F. No. 516, A bill for an act relating to workers' compensation; changing amount of certain attorney's fees; requiring employer to pay certain travel expenses, attorney's fees and payments to social security; requiring annual free chest x-rays; changing time for notice of certain injuries; increasing certain penalties; requiring notice to collective bargaining representatives of employee reassignment; amending Minnesota Statutes 1978, Sections 176.081, Subdivision 7; 176.101, by adding a subdivision; 176.141; 176.221, Subdivision 3; 176.225, Subdivision 1; 176.511, Subdivisions 3 and 5; 182.653, Subdivision 2; and Chapter 176, by adding sections.

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

Pehler, Patton, Brinkman, Welch and Niehaus introduced:

H. F. No. 517, A bill for an act relating to education; appropriating money for the Hallenbeck addition to St. Cloud State University.

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



Faricy, Searle, Levi and Thiede introduced:

H. F. No. 518, A bill for an act relating to education; providing for pilot programs of education for certain gifted or academically talented students; requiring the council on quality education and the state board of education to perform certain functions related to the development of a comprehensive state program for education of certain gifted or academically talented students; appropriating money.

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

Simoneau, Schreiber, Reding, Dempsey and Wenzel introduced:

H. F. No. 519, A bill for an act relating to motor vehicles; limiting the authority of the registrar of motor vehicles to refuse to issue certificates of title in certain circumstances; amending Minnesota Statutes 1978, Sections 168A.23, by adding a subdivision; and 297B.06.

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

Patton, Simoneau, Dempsey, Reding and Schreiber introduced:

H. F. No. 520, A bill for an act relating to motor vehicles; authorizing the identification of certain tax exempt vehicles by use of removable plates or placards; amending Minnesota Statutes 1978, Section 168.012, Subdivision 1.

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

Clark; Byrne; Sieben, M.; Laidig and Forsythe introduced:

H. F. No. 521, A bill for an act relating to domestic abuse; authorizing judicial intervention to provide protection from domestic abuse; prescribing penalties.

The bill was read for the first time and referred to the Committee on Criminal Justice. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

## HOUSE ADVISORIES

The following House Advisory was introduced:

Osthoff and Carlson, L., introduced:

H. A. No. 6, A proposal for the General Legislation Committee to review policies of the Minnesota historical society.

The advisory was referred to the Committee on General Legislation and Veterans Affairs.

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

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

House Concurrent Resolution No. 1, 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.

## HOUSE CONCURRENT RESOLUTION NO. 1

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:

(1) The House of Representatives and the Senate shall meet in joint convention on Monday, March 12, 1979, at 6:00 p.m. in the chamber of the House of Representatives to elect members to the Board of Regents of the University of Minnesota.

(2) The Education Committee of the Senate and the 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.

Sieben, H., moved that House Concurrent Resolution No. 1 be now adopted. The motion prevailed and House Concurrent Resolution No. 1 was adopted.

## 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. 39 and 236.

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. 130, 187 and 298.

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. 66, 68 and 138.

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. 88, 388 and 389.

PATRICK E. FLAHAVEN, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 39, A bill for an act relating to taxation; authorizing the commissioner of revenue to publish lists of persons having unclaimed income tax refunds or property tax refund; amending Minnesota Statutes 1978, Section 290.61.

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

S. F. No. 236, A bill for an act relating to the state auditor; providing for the examination of municipal records pursuant to petition; requiring signatures of 20 percent of the number of voters in the last presidential election for a petition to examine municipal records; establishing certain other requirements for petitions for examination of towns and school districts; requiring that the city, town and school district as well as county auditor be notified when the petition is certified; amending Minnesota Statutes 1978, Section 6.54.

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

S. F. No. 130, A bill for an act relating to courts; criminal procedure; conforming certain statutory provisions to the rules of criminal procedure, and eliminating certain other statutory provisions which have been superseded by the rules; amending Minnesota Statutes 1978, Sections 169.89, Subdivision 2; 357.32; 484.30; 487.25, Subdivisions 1 and 2; 487.28; 487.29; 487.40, Subdivisions 1 and 2; 488A.08; 488A.10, Subdivisions 1 and 2; 488A.-25; 488A.27, Subdivisions 1, 2, 3, 4, and 5; 542.16; 546.11; 546.-12; 609.115, Subdivisions 1 and 4; 611.06; 627.01; 628.01; 628.-02; 628.18; 628.54; 628.57; 628.63; 628.68; 629.47; 629.48; 629.-49; 629.58; 629.61; 629.64; 630.18; 631.05; and Chapter 388, by adding a section; repealing Minnesota Statutes 1978, Sections 388.05; 487.25, Subdivisions 3, 4, 5, and 8; 488A.10, Subdivisions 3, 4, 5, and 9; 488A.27, Subdivision 9; 611.04; 611.08; 627.03 to 627.10; 627.13; 627.14; 628.03 to 628.08; 628.11; 628.14; 628.19; 628.29 to 628.33; 628.55; 628.58; 628.59; 628.64; 629.42; 629.43; 629.46; 629.50 to 629.52; 629.57; 630.01 to 630.11; 630.13 to 630.-16; 630.19 to 630.30; 630.34; 631.01; 631.015; 631.03; 631.08; 631.10; 631.11; 631.16; 631.18; 631.19; 631.23 to 631.32; 631.34; 631.35; 631.37 to 631.39; 632.01 to 632.13.

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

S. F. No. 187, A bill for an act relating to employment agencies; providing an exemption for management consultant firms from employment agency regulation; amending Minnesota Statutes 1978, Section 184.22.

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

S. F. No. 298, A bill for an act relating to the city of South International Falls; authorizing the city to lease municipal buildings.

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

S. F. No. 66, A bill for an act relating to statutes; providing a general reference for statutes that change dollar amounts to conform to price changes; amending Minnesota Statutes 1978, Chapter 645, by adding a section.

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

S. F. No. 68, A bill for an act relating to statutes; defining terms; amending Minnesota Statutes 1978, Section 645.44.

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

S. F. No. 138, A bill for an act relating to civil actions; providing for authority for attorney to bind his client and execute a satisfaction of judgment; amending Minnesota Statutes 1978, Sections 481.08 and 548.15.

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

S. F. No. 88, A bill for an act relating to cities; allowing installment purchases by certain cities; amending Minnesota Statutes 1978, Section 465.71.

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 towns; changing certain limits on payments for attorney's fees; amending Minnesota Statutes 1978, Section 368.121.

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

S. F. No. 389, A bill for an act relating to taxation; requiring county to reimburse township for certain errors made by county auditor.

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

#### GENERAL ORDERS

Sieben, H., moved that the bills on General Orders for today be continued until Thursday, February 22, 1979. The motion prevailed.

## MOTIONS AND RESOLUTIONS

McEachern moved that the name of Kelly be added as an author on H. F. No. 488. The motion prevailed.

Jacobs moved that the name of Haukoos be added as an author on H. F. No. 483. The motion prevailed.

Wigley moved that the name of Redalen be added as an author on H. F. No. 81. The motion prevailed.

Faricy moved that the name of Pehler be added as an author on H. F. No. 518. The motion prevailed.

Zubay introduced:

House Concurrent Resolution No. 2, A house concurrent resolution urging the Food and Drug Administration and the National Cancer Institute to proceed with scientific testing of laetrile.

The resolution was referred to the Committee on Health and Welfare.

## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 22, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, February 22, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## NINETEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 22, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elihoff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Swiggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

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 S. F. Nos. 66, 130, 187, 68, 138, 388, 298, 236, 389, 39 and 88 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

## POINT OF ORDER

The pending point of order raised by Sieben, H., on Monday, February 19, 1979, on the Knickerbocker point of order and printed in the Journal of the House on pages 244 and 245 was reported to the House.

## CALL OF THE HOUSE

On the motion of Sieben, H., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Pral	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Cassery	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

Sieben, H., 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.

Sieben, H., withdrew his point of order on the Knickerbocker point of order as raised on Monday, February 19, 1979.

Sieben, H., moved that the House recess subject to the call of the Chair. The motion prevailed.

## RECESS

During the recess his Excellency Peter M. Towe, Canadian Ambassador to the United States, addressed the members of the House and Senate.

## RECONVENED

The House reconvened and was called to order by the Speaker

## POINT OF ORDER

The pending point of order raised by Knickerbocker on Monday, February 19, 1979, relating to "Reports of Standing Committees" and printed in the Journal of the House on pages 244 and 245 was reported to the House. The Speaker ruled the point of order well taken.

Sieben, H., appealed the decision of the Chair.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" The roll was called and there were 72 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Aasness	Evans	Knickerbocker	Olsen	Stowell
Ainley	Ewald	Kvam	Onnen	Sviggum
Albrecht	Fjoslien	Laidig	Pavlak	Thiede
Anderson, D.	Forsythe	Lehto	Peterson	Valan
Anderson, R.	Friedrich	Levi	Piepho	Valento
Biersdorf	Fritz	Ludeman	Pleasant	Voss
Blatz	Halberg	Luknic	Redalen	Weaver
Carlson, D.	Haukoos	McDonald	Rees	Welker
Crandall	Heap	Mehrkens	Reif	Wieser
Dean	Heinitz	Moe	Rose	Wigley
Dempsey	Hoberg	Nelsen, B.	Rothenberg	Zubay
Den Ouden	Jennings	Niehaus	Schreiber	Speaker Searle
Drew	Johnson, D.	Norman	Searles	
Erickson	Kahn	Norton	Sherwood	
Esau	Kaley	Nysether	Stadum	

Those who voted in the negative were:

Adams	Berkelman	Corbid	Greenfield	Kelly
Anderson, B.	Brinkman	Eken	Hokanson	Kempe
Anderson, G.	Byrne	Elioff	Jacobs	Kostohryz
Anderson, I.	Carlson, L.	Ellingson	Jaros	Kroening
Battaglia	Casserly	Enebo	Johnson, C.	Long
Begich	Clark	Faricy	Jude	Mann
Berglin	Clawson	Fudro	Kalis	McCarron

McEachern	Nelson	Prahl	Simoneau	Welch
Metzen	Novak	Reding	Stoa	Wenzel
Minne	Osthoff	Rice	Swanson	Wynia
Munger	Otis	Sarna	Tomlinson	
Murphy	Patton	Sieben, H.	Vanasek	
Nelsen, M.	Pehler	Sieben, M.	Waldorf	

So it was the judgment of the House that the decision of the Speaker should stand.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 48, A bill for an act relating to the city of Austin; authorizing an on-sale liquor license for Riverside Arena.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Notwithstanding any statute, ordinance or charter to the contrary, the governing body of the city of Austin may by ordinance authorize any holder of an on-sale intoxicating liquor license issued by the city to dispense intoxicating liquor at any convention, banquet, conference, meeting or social affair at the premises known and used as Riverside Arena. Such a licensee must be engaged to dispense intoxicating liquor at such an event held by a person or organization permitted to use space at the arena, and may dispense intoxicating liquor only to members and guests attending the event. Such dispensing of intoxicating liquor shall be subject to all laws and ordinances governing the dispensing of intoxicating liquor as are not inconsistent herewith. Nothing in this act shall authorize the dispensing of intoxicating liquor to any person attending or participating in any athletic event at the arena.

Sec. 2. This act is effective upon approval by the governing body of the city of Austin and 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.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 186, A bill for an act relating to metropolitan government; providing for the debt of the metropolitan transit commission; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; and Chapter 473, by adding a section.

Reported the same back with the following amendments:

Page 1, line 11, before "The" insert "Subdivision 1. [GENERAL AUTHORITY.]"

Page 1, line 19, delete "or" and insert a comma

Page 1, line 19, after "bonds," insert "or other obligations,"

Page 1, line 22, after "or" insert "received"

Page 2, line 19, delete everything after the period

Page 2, delete lines 20-22

Page 2 after line 22, insert subdivisions to read as follows:

*"Subd. 2. [LEGAL INVESTMENTS.] Promissory notes, certificates of indebtedness, bonds, or other obligations issued by the commission may be purchased by the state board of investment for any trust fund of the state or other fund administered by such board, and shall be proper for investment of any funds administered by such board, and shall be proper for investment of any funds by any savings bank, trust company, insurance company or public or municipal corporation, and may be pledged by any bank or trust company as security for the deposit of public moneys.*

*Subd. 3. [TAX EXEMPT.] Promissory notes, certificates of indebtedness, bonds, or other obligations of the commission shall be deemed and treated as instrumentalities of a public government agency and as such, together with interest thereon, exempt from taxation.*

*Subd. 4. [LIMITATIONS.] Promissory notes, certificates of indebtedness, bonds, or other obligations issued by the commission pursuant to this section or section 473.438, for purposes of acquisition and betterment of property and other improvements of a capital nature, shall not exceed an aggregate principal amount of \$9,000,000 and shall be issued only for the purposes of purchasing buses and related equipment, and constructing maintenance and other buildings, bus shelters and road related improvements."*

Page 3, line 9, delete "or" and insert a comma

Page 3, line 9, after "bonds" insert ", or other obligations"

Page 3, line 9, after "section 1" insert "for purposes of acquisition and betterment of property and other improvements of a capital nature"

Page 3, line 11, strike everything after "clause"

Page 3, strike lines 12 to 14.

Page 3, line 15, strike everything before the period

Page 3, after line 15 insert a new section to read:

"Sec. 3. *Minnesota Statutes 1978, Section 473.438, Subdivisions 5 and 6, are repealed.*"

Renumber the following section accordingly

Further amend the title as follows:

Page 1, line 6, after "section" insert "; repealing Minnesota Statutes 1978, Section 473.438, Subdivisions 5 and 6"

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. 325, A bill for an act relating to township mutual fire insurance companies; authorizing indemnification of certain expenses incurred by officers, employees, agents and other individuals; amending Minnesota Statutes 1978, Section 67A.06.

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:

H. F. No. 373, A bill for an act relating to agriculture; allowing food products grown, processed or manufactured in Minnesota to be so labeled; amending Minnesota Statutes 1978, Chapter 17, by adding a section.

Reported the same back with the following amendments:

Page 1, lines 11 and 13, delete "may" insert "shall"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 88, A bill for an act relating to cities; allowing installment purchases by certain cities; amending Minnesota Statutes 1978, Section 465.71.

Reported the same back with the following amendments:

Page 1, after line 16, insert a section to read:

*"Sec. 2. This act is effective on 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.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 92, A bill for an act relating to the city of Ashby; authorizing issuance of general obligation bonds for the purpose of building a fire hall-administrative building and purchasing a fire truck.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 48, 186, 325 and 373 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 88 and 92 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Sieben, M.; Laidig; Levi and Simoneau introduced:

H. F. No. 522, A bill for an act relating to courts; tenth judicial district; authorizing two additional judges; amending Minnesota Statutes 1978, Section 2.722, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Crandall, Byrne and Reif introduced:

H. F. No. 523, A bill for an act relating to public health; prescribing fees for diagnostic laboratory services provided by the department of health; providing exemptions for charging fees; authorizing the commissioner of health to promulgate rules; amending Minnesota Statutes 1978, Chapter 144, by adding a section.

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

Drew introduced:

H. F. No. 524, A bill for an act relating to taxation; income; adopting 1978 federal amendments increasing the exclusion from gross income of gain from a sale of a residence for certain persons; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Drew, Mehrkens, Valento and Novak introduced:

H. F. No. 525, A bill for an act relating to taxation; income tax; providing a deduction for a lessee's share of real property taxes paid on his rented residence; amending Minnesota Statutes 1978, Section 290.09, Subdivision 4.

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

Kelly and Clark introduced:

H. F. No. 526, A bill for an act relating to taxes; providing for a property tax exclusion for repairs made after destruction by natural disaster; amending Minnesota Statutes 1978, 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.

Halberg; Pavlak; Sieben, H.; Metzen and Kempe introduced:

H. F. No. 527, A bill for an act relating to taxation; property; decreasing the penalties for delinquent real estate taxes; amending Minnesota Statutes 1978, Section 279.01.

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

Halberg; Pavlak; Sieben, H.; Sviggum and Kempe introduced:

H. F. No. 528, A bill for an act relating to real property; providing for certification of taxes paid before recording instruments; amending Minnesota Statutes 1978, Sections 272.12; 272.14; 508.47, Subdivision 4; and Chapter 272, by adding a section.

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

Clawson, Berglin, Clark, Greenfield and McEachern introduced:

H. F. No. 529, A bill for an act relating to welfare; authorizing the commissioner of public welfare to make grants to counties for employability services programs under certain conditions; appropriating money; amending Minnesota Statutes 1978, Chapter 256, by adding a section.

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

Heinitz, Wigley, Munger and Biersdorf introduced:

H. F. No. 530, A bill for an act relating to game and fish; establishing separate licenses and seasons for deer and bear; amending Minnesota Statutes 1978, Sections 98.46, Subdivisions 2 and 14; and 100.27, Subdivisions 2 and 9.

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

Heinitz, Reif, Crandall, Swanson and Rice introduced:

H. F. No. 531, A bill for an act relating to medical assistance; clarifying availability of benefits for treatment of chemical dependency in certain residential treatment programs; amending Minnesota Statutes 1978, Section 256B.02, Subdivisions 7 and 8.

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

Thiede, Wenzel, Ellingson, Valento and Sviggum introduced:

H. F. No. 532, A bill for an act relating to taxation; real property; providing property tax exemptions for certain heat recovery devices; amending Minnesota Statutes 1978, Section 273.11, by adding a subdivision.

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



Nelsen, B.; Albrecht; Anderson, B.; Dean and Brinkman introduced:

H. F. No. 533, A bill for an act relating to taxation; providing that inheritance tax exemptions be based on the statewide average annual wage; amending Minnesota Statutes 1978, Section 291.05.

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

Anderson, B., introduced:

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

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

Rose, Simoneau and Osthoff introduced:

H. F. No. 535, A bill for an act relating to automobile insurance; regulating damage appraisals, adjustments and related repair practices; prohibiting certain acts by insurers, adjusters and appraisers; amending Minnesota Statutes 1978, Chapter 72B, by adding sections.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance. Rose objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Rose, Simoneau and Osthoff introduced:

H. F. No. 536, A bill for an act relating to insurance; removing certain licensing and regulatory controls from appraisers, adjusters, solicitors and other persons handling insurance claims; repealing Minnesota Statutes 1978, Chapter 72B.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance. Rose objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Begich, Battaglia, Minne and Elioff introduced:

H. F. No. 537, A bill for an act relating to taxation; municipal development districts tax increments; placing a moratorium on the inclusion of townships in determining tax increments.

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

Begich; Anderson, I.; Battaglia; Minne and Elioff introduced:

H. F. No. 538, A bill for an act relating to highway traffic regulations; authorizing school buses and other authorized emergency vehicles equipped with studded tires to use the public highways between certain dates; amending Minnesota Statutes 1978, Section 169.72, Subdivision 1.

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

Wenzel, Sarna, Adams, Sviggum and Evans introduced:

H. F. No. 539, A bill for an act relating to taxation; income tax; extending the credit for members of the National Guard to active members of the reserves; amending Minnesota Statutes 1978, Section 290.06, Subdivision 12.

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

Osthoff, Kroening, Swanson, McCarron and Biersdorf introduced:

H. F. No. 540, A bill for an act relating to elections; further prescribing conditions for automatic recounts in certain election contests; amending Minnesota Statutes 1978, Sections 204A.51, Subdivisions 2 and 3; and 204A.53, Subdivisions 2 and 3.

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

Jacobs, Dempsey, Reding, Schreiber and Simoneau introduced:

H. F. No. 541, A bill for an act relating to taxation; motor vehicle excise tax; providing a credit for taxes paid in certain lease transactions; amending Minnesota Statutes 1978, Section 297B.08.

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

Wenzel; Berkelman; Johnson, D.; Albrecht and Fjoslien introduced:

H. F. No. 542, A bill for an act relating to limitation of actions; exempting town roads from the marketable title act; amending Minnesota Statutes 1978, Section 541.023, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Drew, Heinitz, Jude and Ellingson introduced:

H. F. No. 543, A bill for an act relating to corporations; authorizing purchase of insurance to provide indemnification of certain persons for certain liabilities and expenses; amending Minnesota Statutes 1978, Section 300.082, Subdivision 7.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Ellingson introduced:

H. F. No. 544, A bill for an act relating to real estate; enacting the uniform condominium act; providing for taxation as a separate parcel; regulating eminent domain awards; regulating the creation of condominiums; protecting the purchasers of condominiums; regulating condominium declaration; regulating the management of condominiums.

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

Norton, Mehrkens, Byrne and Crandall introduced:

H. F. No. 545, A bill for an act relating to life insurance; providing for advance payment of certain benefits under policies insuring persons who are absent and presumed dead; amending Minnesota Statutes 1978, Chapter 576, by adding sections.

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

Wynia, Kelly, Heinitz, Blatz and Ellingson introduced:

H. F. No. 546, A bill for an act relating to insurance; prohibiting discrimination in the sale of automobile insurance solely on the basis of a disability; providing procedures for establishing discrimination in the sale of automobile insurance on the basis of race or disability; providing penalties; amending Minnesota Statutes 1978, Sections 65B.13 and 72A.20, Subdivision 1.

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

Pehler, Rice and Enebo introduced:

H. F. No. 547, A bill for an act relating to labor relations; changing negotiable terms of employment for certain public professional employees; amending Minnesota Statutes 1978, Section 179.63, Subdivision 18.

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

Elioff and Begich introduced:

H. F. No. 548, A bill for an act relating to state property; authorizing a conveyance to the city of Leonidas.

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

Zubay, Kaley and Friedrich introduced:

H. F. No. 549, A bill for an act relating to Independent School District No. 535, Rochester; providing that the funds previously authorized for certain purposes may be spent entirely for one of those purposes.

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

Nelson introduced:

H. F. No. 550, A bill for an act relating to taxation; providing that gross income for Minnesota income tax purposes be reduced by amount of federal energy tax credits received by taxpayer; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.14.

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

Olsen; Dempsey; Johnson, C.; Nelson and Tomlinson introduced:

H. F. No. 551, A bill for an act relating to taxation; providing an income tax credit to taxpayers with blind dependents; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3c.

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

Olsen, Dempsey, Nelson, Tomlinson and Valento introduced:

H. F. No. 552, A bill for an act relating to taxation; providing for a reduction to gross income for Minnesota income tax purposes; providing for a state credit for qualifying energy improvement expenditures; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.06, by adding a subdivision; and 290.14.

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

McEachern, Kalis, Esau, Murphy and Long introduced:

H. F. No. 553, A bill for an act relating to education; prohibiting teachers on certain extended leaves of absence from receiving retirement service credit for teaching part of a year; amending Minnesota Statutes 1978, Section 354.091.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kalis, Nelson, Esau, Long and Olsen introduced:

H. F. No. 554, A bill for an act relating to education; clarifying tuition charges at the Minnesota school for the deaf and the Minnesota braille and sight saving school; amending Minnesota Statutes 1978, Section 120.17, Subdivision 7a.

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

Crandall, Kelly, Novak, Pavlak and Laidig introduced:

H. F. No. 555, A bill for an act relating to crimes; limiting juvenile court jurisdiction with respect to certain juveniles; requiring the defendant in criminal actions to prove duress by a preponderance of the evidence; providing that expunged conviction records may be used for certain purposes; specifying the crime of offering substances purporting to be prohibited for sale; creating a new category of offense for assault; reclassifying assaults by degrees; specifying the crime of interference with privacy; reclassifying the pecuniary categories of the crime of theft; redefining certain felonies; authorizing arrest without warrant for gross misdemeanors although not committed in a

peace officer's presence; authorizing agents of the bureau of criminal apprehension to obtain search warrants; clarifying the locus of venue; providing penalties; amending Minnesota Statutes 1978, Sections 260.015, by adding a subdivision; 260.111, by adding a subdivision; 609.02, by adding subdivisions; 609.08; 609.11; 609.12, Subdivisions 1 and 3; 609.168; 609.25, Subdivision 2; 609.341, Subdivision 3, and by adding a subdivision; 609.343; 609.344; 609.345; 609.52, Subdivision 3; 609.53; 609.562; 609.563; 609.595, Subdivision 1; 626.05, Subdivision 2; 627.01; 629.34; 629.35; Chapters 152, by adding a section; and 609, by adding sections; repealing Minnesota Statutes 1978, Sections 246.43; 609.12, Subdivision 2; 609.22; 609.225; and 611.033.

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

Elioff, Begich, Battaglia, Olsen and Kalis introduced:

H. F. No. 556, A bill for an act relating to Independent School District No. 706, Virginia; permitting it to transfer certain surplus in its debt service fund to its capital expenditure fund for a certain purpose; providing that the amount transferred shall not be used to reduce a certain levy.

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

Kelly introduced:

H. F. No. 557, A bill for an act relating to motor vehicles; requiring dealers to notify buyers of option to register vehicles themselves; limiting dealer fee; amending Minnesota Statutes 1978, Section 168.27, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Faricy introduced:

H. F. No. 558, A bill for an act relating to retirement; granting increases in annuities to certain deferred annuitants; appropriating funds.

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

Kelly introduced :

H. F. No. 559, A bill for an act relating to automobile insurance; eliminating the right to offset under insured motorist benefits; requiring communication of coverages available; amending Minnesota Statutes 1978, Section 65B.49, Subdivision 6, and by adding a subdivision.

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

Osthoff, Dean, Norton, Searle and Anderson, I., introduced :

H. F. No. 560, A bill for an act relating to museums; appropriating funds for the science museum of Minnesota.

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

Patton, Schreiber and Dempsey introduced :

H. F. No. 561, A bill for an act relating to metropolitan government; providing for financing of metropolitan sports facilities; appropriating money; amending Minnesota Statutes 1978, Sections 473.581, Subdivision 3; and 473.591, Subdivision 2, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 473.568.

The bill was read for the first time and referred to the Committee on Taxes. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

## 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. No. 3 which it recommended to pass.

H. F. No. 13 which it recommended progress.

On the motion of Sieben, H., 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 call was taken in the Committee of the Whole:

The question was taken on the motion to recommend passage of H. F. No. 3 and the roll was called. There were 73 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Kahn	Nelsen, M.	Schreiber
Anderson, B.	Ellingson	Kelly	Nelson	Sieben, H.
Anderson, I.	Enebo	Knickerbocker	Norman	Sieben, M.
Battaglia	Erickson	Kostohryz	Norton	Simoneau
Berglin	Ewald	Kroening	Novak	Stoa
Berkelman	Faricy	Laidig	Olsen	Swanson
Byrne	Forsythe	Lehto	Otis	Tomlinson
Carlson, L.	Fudro	Long	Pavlak	Vanasek
Casserly	Greenfield	Mann	Pehler	Voss
Clark	Hoberg	McCarron	Peterson	Welch
Clawson	Hokanson	Metzen	Pleasant	Wenzel
Corbid	Jacobs	Minne	Prahl	Wynia
Crandall	Jaros	Moe	Reding	Speaker Searle
Dean	Johnson, C.	Munger	Rice	
Eken	Jude	Murphy	Sarna	

Those who voted in the negative were:

Aasness	Drew	Kaley	Nysether	Stadum
Ainley	Esau	Kalis	Onnen	Stowell
Albrecht	Evans	Kempe	Osthoff	Sviggum
Anderson, D.	Fjoslien	Kvam	Patton	Thiede
Anderson, G.	Friedrich	Levi	Piepho	Valan
Anderson, R.	Fritz	Ludeman	Redalen	Valento
Begich	Halberg	Luknic	Rees	Weaver
Blatz	Haukoos	McDonald	Reif	Welker
Brinkman	Heap	McEachern	Rose	Wieser
Carlson, D.	Heinitz	Mehrkens	Rothenberg	Wigley
Dempsey	Jennings	Nelsen, B.	Searles	Zubay
Den Ouden	Johnson, D.	Niehaus	Sherwood	

The motion prevailed.

#### MOTIONS AND RESOLUTIONS

Elioff moved that H. F. No. 166 be returned to its author. The motion prevailed.

Ellingson moved that the name of Rothenberg be added as an author on H. F. No. 477. The motion prevailed.

Tomlinson moved that the name of Long be added as an author on H. F. No. 464. The motion prevailed.



Kalis moved that his name be stricken as an author on H. F. No. 25. The motion prevailed.

Kalis moved that his name be stricken as an author on H. F. No. 170. The motion prevailed.

Patton moved that the name of Adams be added as an author on H. F. No. 561. The motion prevailed.

Fjoslien moved that the names of Albrecht, Olsen, and Wynia be added as authors on H. F. No. 9. The motion prevailed.

Drew moved that the name of Pleasant be added as an author on H. F. No. 524. The motion prevailed.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, February 26, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, February 26, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## TWENTIETH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 26, 1979

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:

Aasness	Drew	Jude	Niehaus	Sieben, M.
Adams	Eken	Kaley	Norman	Simoneau
Ainley	Elioff	Kalis	Norton	Stadum
Albrecht	Ellingson	Kelly	Novak	Stoa
Anderson, B.	Enebo	Kempe	Nysether	Stowell
Anderson, D.	Erickson	Knickerbocker	Olsen	Sviggum
Anderson, G.	Esau	Kroening	Onnen	Swanson
Anderson, I.	Evans	Kvam	Osthoff	Thiede
Anderson, R.	Ewald	Laidig	Otis	Tomlinson
Battaglia	Faricy	Lehto	Patton	Valan
Begich	Fjoslien	Levi	Pavlak	Valento
Berglin	Forsythe	Long	Pehler	Vanasek
Berkelman	Friedrich	Ludeman	Peterson	Voss
Biersdorf	Fritz	Luknic	Pjepho	Waldorf
Blatz	Fudro	Mann	Pleasant	Weaver
Brinkman	Greenfield	McCarron	Redalen	Welch
Byrne	Halberg	McDonald	Reding	Welker
Carlson, D.	Haukoos	McEachern	Rees	Wenzel
Carlson, L.	Heap	Mehrkens	Reif	Wieser
Casserly	Heinitz	Metzen	Rice	Wigley
Clark	Hoberg	Minne	Rose	Wynia
Clawson	Hokanson	Moe	Rothenberg	Zubay
Corbid	Jacobs	Munger	Sarna	Speaker Searle
Crandall	Jaros	Murphy	Schreiber	
Dean	Jennings	Nelsen, B.	Searles	
Dempsey	Johnson, C.	Nelsen, M.	Sherwood	
Den Ouden	Johnson, D.	Nelson	Sieben, H.	

A quorum was present.

Kahn, Kostohryz and Prahl were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly 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. 48, 186, 325 and 373 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 9, A bill for an act relating to education; authorizing the pairing of certain independent school districts; extending the time for pairing; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 22, after "516," insert "*No. 421 and No. 426,*"

Page 2, after line 3, insert:

*"Sec. 2. This act shall be effective with respect to each named pair of school districts upon its approval by the school boards of both of the paired districts."*

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 139, A bill for an act relating to public health; establishing a preventive dental health program for certain children; appropriating money; amending Minnesota Statutes 1978, Chapter 144, by adding a section.

Reported the same back with the following amendments:

Page 1, line 21, delete "*do not*" and insert "*cannot*"

Page 2, line 2, delete "*and subsidies*" and insert "*, supplies and materials*"

Page 2, line 15, delete "*No more than 15*"

Page 2, delete line 16

Page 2, line 17, delete "*administration.*"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 295, A bill for an act relating to nursing homes; requiring notice of rate increases to residents who are not recipients of medical assistance; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 144A.04, is amended by adding a subdivision to read:

*Subd. 7. No increase in nursing home rates for private paying residents shall be effective unless the nursing home notifies the resident or person responsible for payment of the increase in writing 30 days before the increase takes effect. A nursing home may adjust its rates without giving the notice required by this subdivision when the purpose of the rate adjustment is to: (a) reflect a necessary change in the level of care provided to a resident; or (b) retroactively or prospectively equalize private pay rates with rates charged to medical assistance recipients as required by section 256B.48, subdivision 1, clause (a) and applicable federal law.”*

Further amend the title as follows:

Line 5, delete “256B.47” and insert “144A.04”

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred the following appointment as reported in the Journal of the House for February 8, 1979:

#### ETHICAL PRACTICES BOARD

John B. Carey

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

Swanson moved that the report of the Committee on General Legislation and Veterans Affairs relating to the appointment of John B. Carey to the Ethical Practices Board be adopted. The motion prevailed and the report was adopted.

#### CONFIRMATION

Swanson moved that the House, having advised, do now consent to and confirm the appointment to the Ethical Practices Board of John B. Carey, Box 182, Fairfax, Renville County, effective June 29, 1978, for a term expiring the first Monday in January, 1981. The motion prevailed.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 9 and 295 were read for the second time.

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Simoneau, Sieben, H., and Brinkman introduced:

H. F. No. 562, A bill for an act relating to life insurance; imposing duties to locate beneficiaries; requiring certain provisions in life insurance applications; imposing penalties.

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

Vanasek, Pehler, Jacobs and Adams introduced:

H. F. No. 563, A bill for an act relating to taxation; property tax; extending class 3cc to homesteads of persons receiving private disability pensions; amending Minnesota Statutes 1978, Section 273.13, Subdivision 7.

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

Voss; Ewald; Anderson, D.; Adams and Peterson introduced:

H. F. No. 564, A bill for an act relating to financial institutions; providing a new interest index for conventional home loans; regulating mortgage insurance; regulating various interest rates; granting enforcement powers to the attorney general; permitting a usury exception to certain loans; extending the contract for deed redemption period; providing penalties; amending Minnesota Statutes 1978, Sections 47.20, Subdivisions 2, 4, 13, and by adding a subdivision; 82.19, by adding a subdivision; 334.01, Subdivision 2; 334.011, Subdivision 1; 559.21; and Chapter 334, by adding sections.

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

Voss, Jacobs and Sieben, H., introduced:

H. F. No. 565, A bill for an act relating to public utilities; placing certain cooperative electric associations under the jurisdiction of the public service commission for rate making purposes; amending Minnesota Statutes 1978, Section 216B.16, by adding a subdivision.

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

Nelson introduced:

H. F. No. 566, A bill for an act relating to children; amending the definitions of delinquent and dependent children; defining 24 hour detention; requiring certain dependent and delinquent children be placed in a shelter care facility; amending Minnesota Statutes 1978, Sections 260.015, Subdivisions 5 and 6; 260.173, Subdivisions 1 and 3.

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

Carlson, L.; Rice; Heap and Biersdorf introduced:

H. F. No. 567, A bill for an act relating to privacy of communications; permissible monitoring; amending Minnesota Statutes 1978, Section 626A.02, Subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

McCarron, Weaver, Simoneau, Fudro and Voss introduced:

H. F. No. 568, A bill for an act relating to the county of Anoka; authorizing the Anoka county board of commissioners to assume the powers and duties of a human services board.

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

Clawson, Eken, Mann, Kalis and Levi introduced:

H. F. No. 569, A bill for an act relating to agriculture; establishing a farmland preservation program; providing income tax credits; providing for liens; granting zoning powers to local government; creating a board; providing for certain agreements to preserve farmland; providing a penalty; appropriating money.

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

Pehler, Corbid, Vanasek, Rose and Norman introduced:

H. F. No. 570, A bill for an act relating to public employment labor relations; expanding the use of arbitration to new contracts in certain situations; setting time deadlines for certain bargaining procedures; providing for mediation in certain instances; amending Minnesota Statutes 1978, Sections 179.64, Subdivision 7; 179.65, Subdivision 7; 179.66, Subdivision 8; and 179.69.

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

Jennings, Kalis, Nelsen, B., and Ludeman introduced:

H. F. No. 571, A bill for an act relating to motor vehicles; defining "fertilizer applicator"; including fertilizer applicators in the definition of implement of husbandry; setting maximum weight for loaded fertilizer applicators; directing the commissioner of transportation to adopt temporary and permanent rules; providing a penalty; amending Minnesota Statutes 1978, Sections 168.012, Subdivision 2; 169.01, Subdivision 55, and by adding a subdivision; and Chapter 169, by adding a section.

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

Ludeman, Halberg, Pehler, Albrecht and Anderson, B., introduced:

H. F. No. 572, A bill for an act relating to taxation; inheritance tax; adjusting the homestead exemption by the annual increase in the statewide average market value of homestead property; amending Minnesota Statutes 1978, Section 291.05.

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

Blatz and Ewald introduced:

H. F. No. 573, A bill for an act relating to banks; authorizing certain additional facilities for banks; amending Minnesota Statutes 1978, Section 47.52.

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

Blatz and Clawson introduced:

H. F. No. 574, A bill for an act relating to health; establishing community mental health, retardation and chemical dependency services; directing the commissioner of public welfare to make grants to local mental health authorities; requiring comprehensive program evaluation; requiring mandatory diagnostic screening of certain applicants for voluntary admission to public hospitals; designating mental health services as eligible costs under the medical assistance program; appropriating money; amending Minnesota Statutes 1978, Sections 253A.03, Subdivision 2; and 256B.02, Subdivision 8; repealing Minnesota Statutes 1978, Sections 245.61; 245.62; 245.63; 245.64; 245.65; 245.651; 245.66; 245.67; 245.68; 245.69; and 245.691.

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

Anderson, R., introduced:

H. F. No. 575, A bill for an act relating to the city of Wadena; increasing payments for firefighters' relief association service pensions; amending Laws 1976, Chapter 208, Section 1.

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



Otis; Heap; Carlson, D.; Haukoos and Simoneau introduced:

H. F. No. 576, A bill for an act relating to education; eliminating tuition and tuition subsidies for a resident pupil at a post-secondary vocational-technical school; repealing Minnesota Statutes 1978, Sections 124.565, Subdivision 3 and 136A.236.

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

Otis, Swanson, Simoneau and Valento introduced:

H. F. No. 577, A bill for an act relating to education; exempting certain veterans from paying tuition at a post-secondary vocational-technical school; amending Minnesota Statutes 1978, Section 124.565, Subdivision 3.

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

Lehto, Rothenberg and Vanasek introduced:

H. F. No. 578, A bill for an act relating to taxation; property tax; changing certain income requirements for class 3cc property owners; amending Minnesota Statutes 1978, Section 273.13, Subdivision 7.

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

Piepho, Wigley, Jennings and Johnson, C., introduced:

H. F. No. 579, A bill for an act relating to Blue Earth County; authorizing the county to enter into various agreements for acquisition of property; amending Laws 1973, Chapter 38, Section 1.

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

Kempe introduced:

H. F. No. 580, A bill for an act relating to appropriations; reimbursing the city of Eagan for the cost of road improvements.

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

Rothenberg, Heap and Oisen introduced:

H. F. No. 581, A bill for an act relating to education; authorizing certain school districts to make a certain levy; correcting a section reference; amending Minnesota Statutes 1978, Section 122.531, Subdivision 2.

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

Prahl, Begich, Battaglia, Lehto and Sherwood introduced:

H. F. No. 582, A bill for an act relating to natural resources; requiring the commissioner of natural resources, by eminent domain proceedings, to acquire public access to certain bodies of water in Itasca County.

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

Prahl, Begich, Battaglia, Murphy and Rice introduced:

H. F. No. 583, A bill for an act relating to labor; occupational safety and health; making results of certain inspections, studies and tests available to affected workers; providing a penalty; amending Minnesota Statutes 1978, Chapter 182, by adding a section.

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

Sieben, M.; Jacobs; Enebo; Otis and Clawson introduced:

H. F. No. 584, A bill for an act relating to education; transferring certain functions of teacher licensing from the state board of education, the department of education and the commissioner of education to the board of teaching; eliminating the requirement that certain rules of the board of teaching be approved by the board of education; requiring that the board of teaching adopt certain rules pursuant to chapter 15; providing that the expense of administering certain sections be paid for solely from appropriations made to the board of teaching; amending Minnesota Statutes 1978, Sections 125.05, Subdivisions 1 and 2; 125.08; 125.182, Subdivision 2; 125.185, Subdivisions 4, 6 and 9; repealing Minnesota Statutes 1978, Sections 125.182, Subdivision 4 and 125.185, Subdivision 4a.

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

Redalen and Wieser introduced:

H. F. No. 585, A bill for an act relating to local government; permitting units in Fillmore County to spend money to assist blood collection.

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

Sarna, Fudro, Kroening, Enebo and Crandall introduced:

H. F. No. 586, A bill for an act relating to the city of Minneapolis; regulating motor vehicle parking after snow.

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

Drew, Heap and Fritz introduced:

H. F. No. 587, A bill for an act relating to courts; requiring conciliation court judgments to be in writing; amending Minnesota Statutes 1978, Section 488A.32, Subdivision 5.

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

Weaver, Clawson, McCarron, Simoneau and Fudro introduced:

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

The bill was read for the first time and referred to the Committee on Health and Welfare. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Berkelman, Patton and Johnson, D., introduced:

H. F. No. 589, A bill for an act relating to the organization of state government; creating a governor's council on fire prevention and control; superseding an executive order agency; appropriating money.

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

Eken, by request, introduced:

H. F. No. 590, A bill for an act relating to retirement; granting disability benefits to a certain member of the public employees retirement association.

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

Olsen, Tomlinson, Jennings, Hoberg and Elioff introduced:

H. F. No. 591, A bill for an act relating to education; providing a declining enrollment formula based on four year averaging; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

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

Reding, Redalen, Kalis, Fjoslien and Lehto introduced:

H. F. No. 592, A bill for an act relating to game and fish; prohibiting removal or tampering with legally set traps; providing a penalty; amending Minnesota Statutes 1978, Section 100.29, by adding a subdivision.

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

Reding, Redalen, Vanasek, Kalis and Wigley introduced:

H. F. No. 593, A bill for an act relating to wild animals; prohibiting possession of fire arms while shining wild animals; amending Minnesota Statutes 1978, Section 100.29, Subdivision 10.

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

Weaver; Johnson, C.; Olsen; Kalis and Hoberg introduced:

H. F. No. 594, A bill for an act relating to human rights; requiring the commissioner of human rights to follow certain procedures in an investigation of allegations of unfair discriminatory practices; amending Minnesota Statutes 1978, Section 363.06, Subdivision 4.

The bill was read for the first time and referred to the Committee on Labor-Management Relations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Johnson, C.; Dempsey; Norton; Faricy and Johnson, D., introduced:

H. F. No. 595, A bill for an act relating to the legislature; establishing a legislative compensation commission; directing the commission to fix rates of compensation; providing for legislative disapproval; appropriating money; amending Minnesota Statutes 1978, Sections 3.099; 3.101; and 3.102.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Olsen; Anderson, B.; Fritz; Kelly and Halberg introduced:

H. F. No. 596, A bill for an act relating to education; creating a legislative school finance study commission; appropriating money.

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

Patton; Anderson, D.; McEachern; Fudro and Friedrich introduced:

H. F. No. 597, A bill for an act relating to the state transportation system; authorizing the issuance and sale of Minnesota state transportation bonds; authorizing the expenditure of the proceeds for grants for construction and reconstruction of certain bridges; appropriating money.

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

Olsen, Vanasek, Jaros, Halberg and Evans introduced:

H. F. No. 598, A bill for an act relating to taxation; income tax; changing the political contribution credit; amending Minnesota Statutes 1978, Section 290.06, Subdivision 11.

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

Byrne, Nelson, Levi, Kostohryz and Esau introduced:

H. F. No. 599, A bill for an act relating to education; increasing the pupil unit weighting for certain handicapped pupils; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

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

Eken; Anderson, G.; Johnson, C.; Niehaus and Albrecht introduced:

H. F. No. 600, A bill for an act relating to taxation; altering procedure for obtaining refunds of tax on certain gasoline or special fuel used for exempt purposes; amending Minnesota Statutes 1978, Sections 290.06, by adding a subdivision; and 296.18, Subdivisions 1, 2, and 3.

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

Valento and Reif introduced:

H. F. No. 601, A bill for an act relating to Ramsey County; modifying procedures for the publication of a board journal; amending Laws 1974, Chapter 435, Section 2.05, as amended.

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

Nelson introduced:

H. F. No. 602, A bill for an act relating to education; establishing a scholarship program for financially disadvantaged students; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section.

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

Nelson introduced:

H. F. No. 603, A bill for an act relating to automobile insurance; providing for response to claims for injury to property within 15 days; amending Minnesota Statutes 1978, Chapter 65B, by adding a section.

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

Waldorf, Blatz, Jacobs, Tomlinson and Valento introduced:

H. F. No. 604, A bill for an act relating to taxation; changing the conditions necessary to qualify for the homemaker credit; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3e.

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

Fjoslien, Battaglia, Erickson, Begich and Brinkman introduced:

H. F. No. 605, A bill for an act relating to agriculture; exempting foliar fertilizers from certain labeling requirements; amending Minnesota Statutes 1978, Section 17.721, Subdivision 2.

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

Clawson, Onnen, Reif, Welch and Berkelman introduced:

H. F. No. 606, A bill for an act relating to controlled substances; amending certain schedules; adding the precursors of phencyclidine; amending Minnesota Statutes 1978, Section 152.02, Subdivisions 2, 3, 4, 5 and 6.

The bill was read for the first time and referred to the Committee on Health and Welfare. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Zubay, Kaley and Friedrich introduced:

H. F. No. 607, A bill for an act relating to public employment labor relations; permitting firefighters to use certain grievance procedures; amending Minnesota Statutes 1978, Section 179.70, Subdivision 1.

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

Corbid, Nysether and Eken introduced:

H. F. No. 608, A bill for an act relating to tax-forfeited land sales; changing procedure for classification of agricultural land by county boards; amending Minnesota Statutes 1978, Sections 282.14; and 282.221, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Evans, Brinkman, Mann, Metzen and Anderson, R., introduced:

H. F. No. 609, A bill for an act relating to taxation; sales; permitting a deduction for costs of collection and remittance; amending Minnesota Statutes 1978, Section 297A.26, by adding a subdivision.

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

Crandall, Sieben, M., and Dempsey introduced:

H. F. No. 610, A bill for an act relating to marriage; setting out requirements and effect of antenuptial contracts.

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

Carlson, D.; Blatz and Friedrich introduced:

H. F. No. 611, A bill for an act relating to metropolitan government; fixing the location of metropolitan sports facilities; amending Minnesota Statutes 1978, Sections 473.556, Subdivision 3; and 473.571, Subdivision 1; repealing Minnesota Statutes 1978, Section 473.571, Subdivisions 2, 3, 4, 5 and 6.

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

Otis, Swanson, Voss, Redalen and Nysether introduced:

H. F. No. 612, A bill for an act relating to elected state officers; the legislature; constitutional offices; and the supreme court; establishing a state compensation commission; directing the commission to fix rates of compensation; providing for legislative disapproval; appropriating money; amending Minnesota Statutes 1978, Sections 3.099, Subdivision 1; 3.101; and 3.102.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.



Battaglia, Begich, Elioff, Carlson, D., and Biersdorf introduced:

H. F. No. 613, A bill for an act relating to game and fish; authorizing the use of handguns in taking protected and unprotected wild animals; amending Minnesota Statutes 1978, Section 100.29, Subdivisions 2 and 9.

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

Cassery, Ewald, Adams, Forsythe and Heap introduced:

H. F. No. 614, A bill for an act relating to civil actions; statutes of limitations; providing for limits on time to commence certain real estate actions; amending Minnesota Statutes 1978, Section 541.051, Subdivision 1.

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

Patton, Biersdorf, Voss, Simoneau and Novak introduced:

H. F. No. 615, A bill for an act relating to commerce; providing for the licensing and regulation of mobile home dealers, brokers and salespersons; transferring certain responsibilities from the commissioner of administration to the commissioner of securities; prescribing certain additional duties for the commissioner of securities; providing penalties; amending Minnesota Statutes 1978, Sections 82.17, Subdivision 8; 168.27, Subdivision 20; 327.51, Subdivision 3; and 327.55, Subdivisions 1, 3 and 4; repealing Minnesota Statutes 1978, Section 327.55, Subdivisions 2, 5 and 6.

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

#### HOUSE ADVISORIES

The following House Advisory was introduced:

Biersdorf introduced:

H. A. No. 7, A proposal to study effects of increased gasoline prices on the economy of rural Minnesota.

The advisory was referred to the Committee on Energy and Utilities. Anderson, I., objected to the reference and the advisory was referred to the Committee on Rules and Legislative Administration.

## 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. 59 and 254.

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. 51, 81 and 198.

PATRICK E. FLAHAVEN, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 59, A bill for an act relating to no-fault automobile insurance; modifying indemnification rights on certain commercial vehicles; coordinating benefits with medicare; providing penalties for failure to provide security on motorcycles and motor vehicles; requiring evidence of insurance; authorizing the commissioner of insurance to limit coverage variations; increasing the interest rate on unpaid insurance benefits; amending Minnesota Statutes 1978, Sections 65B.53, Subdivision 1; 65B.54, Subdivision 2; 65B.61; 65B.67; 65B.68, by adding a subdivision; and Chapter 65B, 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. 254, A bill for an act relating to rates of interest; regulating interest on loans for business or agricultural purposes; amending Minnesota Statutes 1978, Section 334.011, Subdivision 1.

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

S. F. No. 51, A bill for an act relating to liens; enacting the revised uniform federal lien registration act; amending Minnesota Statutes 1978, Sections 272.481; 272.482; 272.483; 272.484; 272.486; and Chapter 272, by adding a section.

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

S. F. No. 81, A bill for an act relating to adoption; providing that an adopted child may inherit from its natural parent in certain cases; amending Minnesota Statutes 1978, Section 259.29, Subdivision 1.

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

S. F. No. 198, A bill for an act relating to professional corporations; clarifying the kinds of professional services which may be rendered; permitting pharmacists to organize professional corporations; allowing nonprofessionals to hold certain corporate offices and positions; providing for reconstitution of corporate powers and privileges; amending Minnesota Statutes 1978, Sections 319A.02, Subdivision 2; 319A.12, by adding a subdivision; 319A.15; and 319A.16.

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

### CONSENT CALENDAR

H. F. No. 48, A bill for an act relating to the city of Austin; authorizing an on-sale liquor license for Riverside Arena.

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 6 nays as follows:

Those who voted in the affirmative were:

Aasness	Clark	Heap	Long	Nysether
Adams	Clawson	Heimitz	Ludeman	Olsen
Ainley	Corbid	Hoberg	Luknic	Onnen
Albrecht	Crandall	Hokanson	Mann	Osthoff
Anderson, B.	Dean	Jacobs	McCarron	Otis
Anderson, D.	Dempsey	Jaros	McDonald	Patton
Anderson, G.	Drew	Jennings	McEachern	Pavlak
Anderson, I.	Eken	Johnson, C.	Mehrkens	Pehler
Anderson, R.	Elioff	Johnson, D.	Metzen	Peterson
Battaglia	Enebo	Jude	Minne	Piepho
Begich	Evans	Kaley	Moe	Pleasant
Berglin	Faricy	Kalis	Munger	Redalen
Berkelman	Fjoslien	Kelly	Murphy	Reding
Biersdorf	Forsythe	Kempe	Nelsen, B.	Rees
Blatz	Friedrich	Knickerbocker	Nelsen, M.	Reif
Brinkman	Fritz	Kroening	Nelson	Rice
Byrne	Fudro	Kvam	Niehaus	Rose
Carlson, D.	Greenfield	Laidig	Norman	Rothenberg
Carlson, L.	Halberg	Lehto	Norton	Sarna
Cassery	Haukoos	Levi	Novak	Schreiber

Searles	Stoa	Valan	Weaver	Wigley
Sieben, H.	Stowell	Valento	Welch	Wynia
Sieben, M.	Sviggum	Vanasek	Welker	Zubay
Simoneau	Swanson	Voss	Wenzel	Speaker Searle
Stadum	Tomlinson	Waldorf	Wieser	

Those who voted in the negative were:

Den Ouden	Esau	Ewald	Sherwood	Thiede
Erickson				

The bill was passed and its title agreed to.

H. F. No. 325, A bill for an act relating to township mutual fire insurance companies; authorizing indemnification of certain expenses incurred by officers, employees, agents and other individuals; amending Minnesota Statutes 1978, Section 67A.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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Niehaus	Sieben, M.
Adams	Eken	Kaley	Norman	Simoneau
Ainley	Elioff	Kalis	Norton	Stadum
Albrecht	Ellingson	Kelly	Novak	Stoa
Anderson, B.	Enebo	Kempe	Nysether	Stowell
Anderson, D.	Erickson	Knickerbocker	Olsen	Sviggum
Anderson, G.	Esau	Kroening	Onnen	Swanson
Anderson, I.	Evans	Kvam	Osthoff	Thiede
Anderson, R.	Ewald	Laidig	Otis	Tomlinson
Battaglia	Faricy	Lehto	Patton	Valan
Begich	Fjoslien	Levi	Pavlak	Valento
Berglin	Forsythe	Long	Pehler	Vanasek
Berkelman	Friedrich	Ludeman	Peterson	Voss
Biersdorf	Fritz	Luknic	Piepho	Waldorf
Blatz	Fudro	Mann	Pleasant	Weaver
Brinkman	Greenfield	McCarron	Redalen	Welch
Byrne	Halberg	McDonald	Reding	Welker
Carlson, D.	Haukoos	McEachern	Rees	Wenzel
Carlson, L.	Heap	Mehrkens	Reif	Wieser
Casserty	Heinitz	Metzen	Rice	Wigley
Clark	Hoberg	Minne	Rose	Wynia
Clawson	Hokanson	Moe	Rothenberg	Zubay
Corbid	Jacobs	Munger	Sarna	Speaker Searle
Crandall	Jaros	Murphy	Schreiber	
Dean	Jennings	Nelsen, B.	Searles	
Dempsey	Johnson, C.	Nelsen, M.	Sherwood	
Den Ouden	Johnson, D.	Nelson	Sieben, H.	

The bill was passed and its title agreed to.

S. F. No. 88, A bill for an act relating to cities; allowing installment purchases by certain cities; amending Minnesota Statutes 1978, Section 465.71.

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:

Aasness	Drew	Jude	Niehaus	Sieben, M.
Adams	Eken	Kaley	Norman	Simoneau
Ainley	Elioff	Kalis	Norton	Stadum
Albrecht	Ellingson	Kelly	Novak	Stoa
Anderson, B.	Enebo	Kempe	Nysether	Stowell
Anderson, D.	Erickson	Knickerbocker	Olsen	Sviggum
Anderson, G.	Esau	Kroening	Onnen	Swanson
Anderson, I.	Evans	Kvam	Osthoff	Thiede
Anderson, R.	Ewald	Laidig	Otis	Tomlinson
Battaglia	Faricy	Lehto	Patton	Valan
Begich	Fjoslien	Levi	Pavlak	Valento
Berglin	Forsythe	Long	Pehler	Vanasek
Berkelman	Friedrich	Ludeman	Peterson	Voss
Biersdorf	Fritz	Luknie	Piepho	Waldorf
Blatz	Fudro	Mann	Pleasant	Weaver
Brinkman	Greenfield	McCarron	Redalen	Welch
Byrne	Halberg	McDonald	Reding	Welker
Carlson, D.	Haukoos	McEachern	Rees	Wenzel
Carlson, L.	Heap	Mehrkens	Reif	Wieser
Cassarly	Heinitz	Metzen	Rice	Wigley
Clark	Hoberg	Minne	Rose	Wynia
Clawson	Hokanson	Moe	Rothenberg	Zubay
Corbid	Jacobs	Munger	Sarna	Speaker Searle
Crandall	Jaros	Murphy	Schreiber	
Dean	Jennings	Nelsen, B.	Searles	
Dempsey	Johnson, C.	Nelsen, M.	Sherwood	
Den Ouden	Johnson, D.	Nelson	Sieben, H.	

The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 3 was reported to the House and given its third reading.

Sieben, H., moved that H. F. No. 3 be continued on the Calendar until Monday, March 5, 1979. The motion prevailed.

## 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. 13, 186 and 373 which it recommended to pass.

S. F. No. 92 which it recommended to pass.

On the motion of Sieben, H., 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:

Sieben, M., moved to amend H. F. No. 13, as follows:

Page 4, line 6, after "a" insert "petty"

The question was taken on the adoption of the amendment and the roll was called. There were 15 yeas and 108 nays as follows:

Those who voted in the affirmative were:

Berglin	Dean	Lehto	Norton	Rice
Cassery	Enebo	Long	Olsen	Sieben, H.
Clark	Greenfield	Munger	Otis	Sieben, M.

Those who voted in the negative were:

Aasness	Den Ouden	Johnson, C.	Niehaus	Stadum
Adams	Drew	Johnson, D.	Norman	Stoa
Ainley	Eken	Jude	Novak	Stowell
Albrecht	Elioff	Kaley	Nysether	Svigum
Anderson, B.	Ellingson	Kalis	Onnen	Swanson
Anderson, D.	Erickson	Kelly	Osthoff	Thiede
Anderson, G.	Esau	Kempe	Patton	Tomlinson
Anderson, I.	Evans	Knickerbocker	Pavlak	Valan
Anderson, R.	Ewald	Kroening	Pehler	Valento
Battaglia	Farcy	Kvam	Peterson	Vanasek
Begich	Fjoslien	Laidig	Piepho	Voss
Berkelman	Forsythe	Levi	Redalen	Waldorf
Biersdorf	Friedrich	Ludeman	Reding	Weaver
Blatz	Fritz	Luknic	Rees	Welch
Brinkman	Fudro	McDonald	Reif	Welker
Byrne	Halberg	McEachern	Rose	Wenzel
Carlson, D.	Haukoos	Mehrkens	Rothenberg	Wieser
Carlson, L.	Heap	Metzen	Sarna	Wigley
Clawson	Hoberg	Minne	Schreiber	Wynia
Corbid	Hokanson	Murphy	Searles	Zubay
Crandall	Jacobs	Nelsen, B.	Sherwood	
Dempsey	Jennings	Nelsen, M.	Simoneau	

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. 13 and the roll was called. There were 119 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Johnson, D.	Niehaus	Sieben, H.
Adams	Eken	Jude	Norman	Simoneau
Albrecht	Elioff	Kaley	Novak	Stadum
Anderson, B.	Ellingson	Kalis	Nysether	Stoa
Anderson, D.	Enebo	Kelly	Olsen	Stowell
Anderson, G.	Erickson	Kempe	Onnen	Swiggum
Anderson, I.	Esau	Knickerbocker	Osthoff	Swanson
Anderson, R.	Evans	Kroening	Otis	Thiede
Battaglia	Ewald	Kvam	Patton	Tomlinson
Begich	Faricy	Laidig	Pavlak	Valan
Berglin	Fjoslien	Lehto	Pehler	Valento
Berkelman	Forsythe	Levi	Peterson	Vanasek
Biersdorf	Friedrich	Ludeman	Piepho	Voss
Blatz	Fritz	Luknic	Pleasant	Waldorf
Brinkman	Fudro	Mann	Redalen	Weaver
Byrne	Halberg	McDonald	Reding	Welch
Carlson, D.	Haukoos	McEachern	Rees	Welker
Carlson, L.	Heap	Mehrkens	Reif	Wenzel
Clark	Heinitz	Metzen	Rose	Wieser
Clawson	Hoberg	Minne	Rothenberg	Wigley
Crandall	Hokanson	Munger	Sarna	Wynia
Dean	Jacobs	Murphy	Schreiber	Zubay
Dempsey	Jennings	Nelsen, B.	Searles	Speaker Searle
Den Ouden	Johnson, C.	Nelson	Sherwood	

Those who voted in the negative were:

Ainley	Corbid	Jaros	McCarron	Sieben, M.
Casserly	Greenfield	Long	Norton	

The motion prevailed.

## MOTIONS AND RESOLUTIONS

Carlson, L., moved that the names of Kaley and Heinitz be added as authors on H. F. No. 260. The motion prevailed.

McDonald offered a motion relating to H. F. No. 80.

A roll call was requested and properly seconded.

## POINT OF ORDER

Faricy raised a point of order pursuant to the negotiated agreement that the McDonald motion was out of order. The Speaker ruled the point of order well taken.

Den Ouden, Welker, McDonald, Albrecht and Anderson, G., introduced:

House Concurrent Resolution No. 3, A house concurrent resolution relating to transportation; urging the appropriate federal agencies to provide assistance to the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (The Milwaukee Road); affirming the consideration of affirmative action by the Minnesota legislature to provide economic and viable rail transportation service for the people of Minnesota.

The resolution was referred to the Committee on Transportation.

Knickerbocker introduced:

House Resolution No. 3, A house resolution relating to the payment of interim per diem; providing for recommendations by a special subcommittee and the House of Representatives before the amount of interim per diem is set by the Committee on Rules and Legislative Administration.

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

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 1, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 1, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives





## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## TWENTY-FIRST DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 1, 1979

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:

Aasness	Den Ouden	Johnson, D.	Nelsen, B.	Sarna
Adams	Drew	Jude	Nelsen, M.	Schreiber
Ainley	Eken	Kahn	Nelson	Sherwood
Albrecht	Eloff	Kaley	Niehaus	Sieben, M.
Anderson, B.	Ellingson	Kalis	Norman	Simoneau
Anderson, D.	Enebo	Kelly	Norton	Stadum
Anderson, G.	Erickson	Kempe	Novak	Stoa
Anderson, I.	Esau	Knickerbocker	Nysether	Stowell
Anderson, R.	Evans	Kostohryz	Olsen	Sviggum
Battaglia	Ewald	Kvam	Onnen	Swanson
Begich	Faricy	Laidig	Osthoff	Thiede
Berglin	Fjoslien	Lehto	Otis	Tomlinson
Berkelman	Friedrich	Levi	Patton	Valan
Biersdorf	Fritz	Long	Pavlak	Valento
Blatz	Fudro	Ludeman	Pehler	Vanasek
Brinkman	Greenfield	Luknic	Peterson	Waldorf
Byrne	Halberg	Mann	Piepho	Weaver
Carlson, D.	Haukoos	McCarron	Pleasant	Welch
Carlson, L.	Heap	McDonald	Prahl	Welker
Casserly	Heinitz	McEachern	Redalen	Wenzel
Clark	Hoberg	Mehrken	Reding	Wieser
Clawson	Hokanson	Metzen	Rees	Wigley
Corbid	Jacobs	Minne	Reif	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rose	Speaker Searle
Dempsey	Johnson, C.	Murphy	Rothenberg	

A quorum was present.

Forsythe; Kroening; Searles; Sieben, H., and Voss were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson 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. 9 and 295 and S. F. Nos. 88, 51, 81, 198, 254 and 59 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 22, 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.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 59, A bill for an act relating to towns; providing an alternate method of vacating town roads; amending Minnesota Statutes 1978, Section 164.06.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. The town boards of the towns of Black Hammer, Brownsville, Caledonia, Crooked Creek, Hokah, Houston, Jefferson, LaCrescent, Mayville, Money Creek, Mound Prairie, Sheldon, Spring Grove, Union, Wilmington, Winnebago, and Yucatan in Houston county may by resolution determine whether to open or maintain town roads upon which no maintenance or construction has been conducted for 25 years or more when duly authorized by a vote of the electors of any annual meeting or a special meeting called for that purpose. The provisions of Minnesota Statutes, Section 163.16 shall not apply to town roads upon which no maintenance or construction has been conducted for 25 years or more.

Sec. 2. This act is effective for each town in section 1 upon the approval of the town board of supervisors and upon compliance with Minnesota Statutes, Section 645.021.”

Further amend the title as follows:

Delete lines 2 and 4 and insert:

“relating to towns in Houston county; providing a method for determining whether to open or maintain certain town roads.”

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 87, A bill for an act relating to highways; providing for bus shelters and benches on streets and highways; authorizing road authorities to grant franchises; amending Minnesota Statutes 1978, Section 160.27, Subdivision 2.

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

The report was adopted.

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

H. F. No. 102, A bill for an act relating to children; changing liability of parents for damage done by their minor children; amending Minnesota Statutes 1978, Section 540.18, Subdivision 1.

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

The report was adopted.

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

H. F. No. 116, A bill for an act relating to banks and banking; extending the period for activation of detached facilities after issuance of certificates of authorization; amending Minnesota Statutes 1978, Section 47.54, Subdivision 4.

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

The report was adopted.

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

H. F. No. 125, A bill for an act relating to bonds; requiring claimant filing notice of action on a bond to pay postage costs; amending Minnesota Statutes 1978, Section 574.32.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 127, A bill for an act relating to the Minnesota Historical Society; repealing Minnesota Statutes 1978, Section 138.02.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 145, A bill for an act relating to health; changing requirements for school employee tuberculosis examinations; amending Minnesota Statutes 1978, Section 123.69, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 10, delete "*has complied*" and insert "*is in compliance*"

Page 2, line 13, delete "*have*"

Page 2, line 14, delete "*complied*" and insert "*be in compliance*"

With the recommendation that when so amended 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. 157, A bill for an act relating to labor and employment; prohibiting mandatory retirement of public and private employees before the age of 70; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 1; 125.12, Subdivision 5;

181.81; 181.811; 354.44, Subdivision 1a; 354.49, Subdivision 3; 354A.05; 354A.21; 356.32, Subdivision 1; 423.076; 473.419; and Chapter 181, by adding a section.

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

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 201, A bill for an act relating to political subdivisions; regarding public officers; permitting contracts between hospital district boards and board members; amending Minnesota Statutes 1978, Section 471.88, Subdivision 1.

Reported the same back with the following amendments:

After line 16, add a section to read:

*"Sec. 2. This act is effective 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.

Wigley from the Committee on Energy and Utilities to which was referred:

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

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

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 232, A bill for an act relating to the secretary of state; providing for printing and distributing the student edition of the legislative manual; appropriating money; amending Minnesota Statutes 1978, Section 5.09.

Reported the same back with the following amendments:

Page 1, delete lines 16 to 22

Page 2, delete line 1 and insert:

*"Subd. 2 Up to 75,000 copies of the students' edition of the legislative manual shall be printed and distributed as follows:*

*(1) Up to 30 copies shall be distributed free to any public elementary or secondary school upon request; additional copies shall be furnished at cost.*

*(2) The remainder shall be distributed to the general public upon request."*

Page 2, line 5, delete "June 30, 1981" and insert "expended for the purpose for which it is intended"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 237, A bill for an act relating to the city of Richfield; authorizing the issuance of bonds for a certain recreational facility; authorizing the pledge of certain revenues as security therefor.

Reported the same back with the following amendments:

Page 3, after line 11, insert the following:

"Sec. 5. [VOTER APPROVAL.] The city council of the city of Richfield prior to the issuance of any bonds authorized by section 1 shall adopt an initial resolution stating the amount, purpose and, in general, the security to be provided for the bonds; and shall publish the resolution once each week for two consecutive weeks in the official newspaper of the city. The bonds may be issued without the submission of the question of their issuance to the voters of the city unless within 21 days after the second publication of the resolution a petition requesting an election signed by at least eight percent of the registered voters of the city voting in the last general election is filed with the city clerk-treasurer. If a petition is filed no bonds shall be issued unless approved by a majority of the voters of the city voting on the question of their issuance at a regular or special election.

Sec. 6. [REVENUE BONDS.] The city of Richfield may also issue and sell its revenue bonds for the purposes specified in section 1 pursuant to Minnesota Statutes, Section 471.91, Subdivision 2, or pursuant to chapter 475, and may pledge to the bondholders for the payment of such bonds any defined portion

of the net revenues of its municipal liquor dispensary. Bonds issued pursuant to this section shall be deemed to be payable wholly from the income of a revenue producing convenience within the meaning of Minnesota Statutes, Sections 475.51 and 475.58."

Renumber the section in sequence

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 Governmental Operations to which was referred:

H. F. No. 245, A bill for an act relating to the department of public safety; changing the name of the highway patrol to the state patrol; amending Minnesota Statutes 1978, Section 299D.01, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 20, delete "*patrolman*" and insert "*trooper*".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 259, A bill for an act relating to cooperative associations; providing for boards of directors; prescribing the minimum number of directors governing a cooperative apartment corporation; amending Minnesota Statutes 1978, Section 308.11.

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. 263, A bill for an act relating to juvenile court referees; authorizing referees to hear contested trials, hearings, or motions unless objection is made; amending Minnesota Statutes 1978, Section 484.70, Subdivision 3.



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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 291, A bill for an act relating to taxation; defining conveyances that must be presented to the auditor before recording; eliminating duty of county recorder to list judgments affecting real estate titles; eliminating payment to county recorder for making lists; amending Minnesota Statutes 1978, Sections 272.12; and 272.17; repealing Minnesota Statutes 1978, Section 272.18.

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. 303, A bill for an act validating and legalizing certain state assignment certificates.

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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 330, A bill for an act relating to courts; eliminating erroneous and ambiguous references relating to municipal courts outside Hennepin and Ramsey counties; amending Minnesota Statutes 1978, Sections 480.055, Subdivision 1; 487.01, Subdivision 8; 487.16; 487.38; 488A.113; 488A.282; 525.011, Subdivision 1; 525.013, Subdivisions 1 and 8; and 525.014.

Reported the same back with the following amendments:

Page 2, line 14, after "951" insert "*and Laws 1973, Chapter 679*"

Page 2, lines 15 and 16, after "*in*" delete "*cities of the first class*" and insert "*Hennepin and Ramsey Counties*"

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. 340, A bill for an act relating to the town of Leota in Nobles county; authorizing the establishment of a detached banking facility.

Reported the same back with the following amendments:

Page 1, line 9, delete "in this state" and insert "within 25 miles of the town of Leota in Nobles county"

Page 1, line 11, delete "in the town of Leota in Nobles county"

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. 360, A bill for an act relating to commerce; extending an exception for certain loans from the usury laws; amending Minnesota Statutes 1978, Section 334.01, Subdivision 2.

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

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 395, A bill for an act relating to state historic sites; authorizing management contracts with counties, municipalities, or county or local historical societies.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 416, A bill for an act relating to legal process; providing for replevin of personal property before and after a hearing; providing for bonds; providing a penalty; repealing Minnesota Statutes 1978, Sections 565.01; 565.02; 565.03; 565.04; 565.05; 565.06; 565.07; 565.08; 565.09; 565.10; and 565.11.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [565.011] [POSSESSION OF PERSONAL PROPERTY.] In an action to recover possession of personal property, the claimant may obtain possession of the property prior to final judgment in the manner prescribed in this act.

Sec. 2. [565.012] [DEFINITIONS.] Subdivision 1. For the purposes of this act the terms in this section have the meanings given them.

Subd. 2. “Claimant” means a party asserting, in a pleading before a court, a claim for the recovery of possession of personal property, whether the claim is asserted in a complaint, counterclaim or reply.

Subd. 3. “Respondent” means a person against whom a claimant asserts a claim and who has, or is alleged to have, possession of the personal property which the claimant seeks to recover.

Sec. 3. [565.021] [RECOVERY OF POSSESSION AFTER NOTICE AND HEARING.] Subdivision 1. A claimant seeking to recover possession of property after service of a summons and complaint but prior to final judgment shall proceed by motion. The motion shall be accompanied by an affidavit which states:

(a) The particular property sought to be recovered by the claimant;

(b) The facts giving rise to claimant's right to possession, referring to the documents, if any, evidencing the claimant's right to possession and the underlying obligation supporting the right;

(c) The facts showing that respondent is wrongfully detaining the property;

(d) If the property being claimed is security for an obligation, the date and the amount of the original obligation, the amount which has been paid by respondent and the amount now owing to claimant;

(e) If the claimant asserts that the respondent is wrongfully detaining the property by reason of a breach of contractual duty other than the failure to pay money, the claimant shall state the specific contractual provision and the facts relating thereto; and

(f) A good faith approximation of the current market value of each item of property being claimed.

Subd. 2. The claimant's motion to recover possession of property together with claimant's affidavit and a notice of hearing shall be served upon respondent in the manner prescribed for service of a summons in a civil action in district court. If the respondent has already appeared in the action, the motion shall be served in the manner prescribed for service of pleadings subsequent to the summons. The date of hearing shall be fixed in accordance with rule 6 of the Minnesota rules of civil procedure, unless a different date is fixed by order of the court.

The notice of hearing served upon the respondent shall be signed by the claimant or the attorney for the claimant and shall provide, at a minimum, the following information in substantially the following language:

#### "NOTICE OF HEARING

TO: [the Respondent]

A hearing will be held on the ..... day of ....., 19..., at ..... o'clock, ..M., [place] to determine whether the sheriff shall remove from your possession and deliver to [claimant] (hereinafter "claimant") the following property:

[list property]

You have a right to appear at this hearing on your own behalf or with an attorney. You will have the opportunity to present defenses to the claimant's claims and to state reasons why the property described above should not be taken.

If the court determines that the claimant has a right to have possession of the property while this lawsuit is pending, you may nevertheless keep the property until the lawsuit is decided if you file with the court a surety bond in the amount of \$..... [In amount computed pursuant to section 5].

If you do not appear at the hearing, the court has authority to issue an order directing that the above described property be immediately taken from your possession."

Subd. 3. After a hearing, the court shall order seizure of the property from respondent and delivery to claimant if claimant has demonstrated the probability of success on the merits entitling claimant to possession of the property and upon compliance with the bonding requirements set forth in section 5, subdivision 1, unless the court makes the following findings:

(a) Respondent has shown a defense to the merits of claimant's claim, the defense is a fair basis for litigation and the defense would, if established at hearing on the merits, entitle respondent to retain possession of the property;

(b) The interests of respondent cannot be adequately protected by the bond filed by claimant pursuant to section 5, subdivision 1 if the property is delivered to the claimant prior to final decision on the merits; and

(c) The harm suffered by the respondent would be substantially greater than the harm which would be suffered by the claimant if the property were not delivered to the claimant prior to final decision on the merits.

Subd. 4. If the court makes the findings prescribed by subdivision 3 and orders that respondent may retain possession pending final decision on the merits, the court shall enter a further order protecting the rights of the claimant to the extent possible. The order may require that respondent make partial payment of the debt which may be due and that the payment shall be made either directly to claimant or into an escrow, that respondent post a bond in an amount set by the court, that respondent make the property available for inspection from time to time, that respondent be restrained from certain activities, including, but not limited to, selling, disposing or otherwise encumbering the property, or any other provision the court may deem just and appropriate.

Subd. 5. An order requiring seizure of property may be stayed up to three days to allow the respondent time to post a bond pursuant to section 5, subdivision 2.

Sec. 4. [565.031] [RECOVERY OF POSSESSION PRIOR TO NOTICE AND HEARING.] Subdivision 1. A claimant seeking to recover possession of property prior to notice and hearing as provided in section 3 shall proceed by motion seeking such relief. The motion shall be accompanied by an affidavit setting forth:

(a) The information required by section 3, subdivision 1;

(b) The facts establishing grounds for a prehearing seizure, as specified in subdivision 2.

Subd. 2. The court may order seizure of the property from the respondent prior to a hearing only if it makes specific findings, based upon competent evidence in the form of affidavit or oral testimony, that:

(a) A good faith effort has been made to inform respondent of the motion for a prehearing seizure or that so informing respondent would endanger the ability of the claimant to recover the property;

(b) Claimant has demonstrated the probability of success on the merits entitling the claimant to possession of the property; and

(c) (1) respondent is about to remove the property in question from the state with the intent to hinder, delay or defraud the claimant;

(2) respondent is about to conceal, damage or dispose of the property with intent to hinder, delay or defraud the claimant; or

(3) due to other circumstances, which must be specified in the court's order, the claimant will suffer irreparable harm if possession of the property is not obtained prior to a hearing; and

(d) Claimant's interest in the property cannot be protected, pending a hearing pursuant to section 3 by an appropriate order of the court other than directing seizure.

Subd. 3. If the court makes the findings required by subdivision 2, clauses (a), (b) and (c) but does not direct seizure, it may issue an appropriate order protecting the claimant's interest in the property pending a hearing pursuant to section 3.

Subd. 4. If the court issues an order pursuant to subdivisions 2 or 3, the order shall establish a date for a hearing at which respondent may be heard and which shall be conducted at the earliest practicable time and shall take precedence over all matters except older matters of the same character.

Subd. 5. The hearing held pursuant to subdivision 4 shall be conducted in accordance with the criteria established in section 3, subdivisions 3, 4 and 5. In addition, if the court finds that the motion for a prehearing seizure was made in bad faith the court may, in its discretion, award respondent the actual damages incurred by reason of seizure of the property.

Subd. 6. The respondent shall be served with a copy of the order issued pursuant to this section together with a copy of all pleadings and supporting documents and a notice of hearing. Service shall be in the manner prescribed for personal service of a summons or the court in its discretion may prescribe alternative methods of service calculated to provide actual notice to respondent.

The notice of hearing served upon the respondent shall be signed by claimant or the attorney for claimant and shall provide, at a minimum, the following information in substantially the following language:

“NOTICE OF HEARING

Court action has been taken which affects the following property:

[list property]

[Claimant] (hereinafter “claimant”) has claimed that claimant is entitled to this property and that claimant’s interest in this property would have been harmed unless this court took immediate action.

You have a right to challenge claimant’s claims at a hearing before a judge. This hearing has been scheduled for the . . . . day of . . . . ., 19 . . . ., at . . . . . o’clock, . . .m., at [place] . . . . . After this hearing the judge will decide, what should be done with the property pending a final decision on claimant’s claim.

Sec. 5. [565.041] [BONDING REQUIREMENTS.] Subdivision 1. An order for seizure of property from the respondent shall provide that the seizure shall be contingent upon claimant’s filing of a bond approved by the court conditioned for the return of the property to the respondent, if a return be adjudged, and for the payment to him of the sums as may be adjudged in his favor in a sum which is 1-1/2 times the fair market value of the property seized.

Subd. 2. (a) Except as otherwise provided in clause (b), the respondent may retain or regain possession of the property by filing of a bond approved by the court conditioned that the property shall be delivered to the claimant, if delivery be adjudged, and for the payment to him of the sum as may be adjudged against the respondent: in a sum 1-1/4 times the fair market value of the property or 1-1/2 times the amount of the claimant’s claim, whichever is less. An order for seizure may specify a time limitation within which the bond must be filed. For the purpose of protecting or preserving the property pending final hearing on the merits, the court may in extraordinary circumstances, which shall be specified in its order, provide that the respondent may not retain or regain possession of the prop-

erty upon rebonding, or may limit or condition the right to retain or regain the property upon rebonding. The costs of regaining possession of the property from the sheriff or the claimant shall be borne by respondent except as set forth in clause (b).

(b) If at a hearing following seizure of property pursuant to section 4 claimant fails to establish a right to continued possession, the court shall order the property returned to respondent, the costs to be borne by claimant. The court may order claimant's bond to continue in an amount sufficient to offset damages claimed by respondent by reason of the seizure.

Subd. 3. The current fair market value of the property shall initially be presumed as stated in the affidavit submitted pursuant to section 3, subdivision 1. If the court determines the current fair market value of the property is different, it shall adjust the required amount of the bonds.

Subd. 4. In lieu of filing a bond, either claimant or respondent may satisfy bonding requirements by depositing with the court cash, cashier's check, or a certified check.

Sec. 6. [565.051] [ORDER FOR SEIZURE OF PROPERTY.] Subdivision 1. An order for seizure of property shall:

- (a) Identify the property to be seized;
- (b) Direct the sheriff to seize the property; and
- (c) Specify that the claimant is authorized, immediately or after a specified reasonable period of time, to sell or otherwise dispose of the property pending final hearing on the merits unless the court makes a specific finding that the interests of respondent cannot be adequately protected by the bond.

Subd. 2. An order for seizure of property may:

- (a) Describe the place or places which may be entered by force by the sheriff subject to the limitations of clause (c);
- (b) Require the respondent, his agents or employees, to deliver the property to claimant, or to disclose its location, and that if delivery is not made or the location is not disclosed that respondent must appear in court at a specified time and place to give testimony as to the location of the property and to show cause why an order should not be entered finding respondent in contempt of court for failure to deliver such property or to disclose its location; and
- (c) Provide that if the property, or any of it be concealed in a building or elsewhere, and a public demand made by the sheriff for its delivery is refused or there is no response, he shall



cause the building or enclosure to be broken open and take the property therefrom. The sheriff may not enter the residence of a person other than respondent unless the order so specifies, identifying with particularity the residence or residences which may be so entered, on the basis of a finding by the court that probable cause exists to believe that the property is at this residence.

Sec. 7. [565.061] [SUFFICIENCY OF SURETY.] A person asserting a claim to property seized by order of the court may by motion challenge the sufficiency of the surety for the bond filed with the court. If the court finds the surety insufficient, it may grant a reasonable time for the filing of another bond.

Sec. 8. [565.071] [FEES TO SHERIFF.] When the sheriff has taken property pursuant to an order of the court, he shall keep it in a secure place and shall deliver it to the party entitled thereto as soon as reasonably possible upon receiving his lawful fees and expenses for taking and keeping the property.

The sheriff shall promptly return, without cost, any property taken not specified in the court's order.

Sec. 9. [565.081] [ADVANCEMENT ON CALENDAR.] A motion for advancement on the calendar or for a date certain for final hearing on the merits may be presented at any time and may be combined with any other motion and the court may advance the case or set a date certain as the ends of justice require.

Sec. 10. [REPEALER.] Minnesota Statutes 1978, Sections 565.01; 565.02; 565.03; 565.04; 565.05; 565.06; 565.07; 565.08; 565.09; 565.10; and 565.11 are repealed."

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 484, A bill for an act relating to fiscal notes; requiring fiscal notes to accompany certain bills and administrative rules; appropriating money; amending Minnesota Statutes 1978, Section 15.0412, Subdivision 7; and Chapter 3, by adding a section.

Reported the same back with the following amendments:

Page 1, lines 12 and 13, delete "A fiscal note shall be prepared by the legislative auditor" and insert "The chairman of the

*senate or house committee to which a bill is originally referred shall, at least 10 days before the bill is heard in committee, request the legislative auditor to prepare a fiscal note"*

Page 1, line 16, after the period insert "*The legislative auditor shall prepare and return the fiscal note to the chairman within 10 days of receipt of the request.*"

Page 1, line 20, after "cite" insert ":(1)"

Page 1, line 21, after "estimated" insert "total" and delete "a county, town, school district" and insert "counties, towns, school districts"

Page 1, line 22, in both cases delete "city" and insert "cities"

Page 1, line 23, after "law" insert "for the two years immediately following the effective date;" and after "and" insert "(2)"

Page 2, line 1, after "any" insert "; and (3) whether the levy limits established pursuant to sections 275.50 to 275.59 apply to the required expenditure"

Page 2, delete subdivision 3

Page 2, line 30, after "cite" insert ":(1)" and after "estimated" insert "total" and delete "a county, town" and insert "counties, towns"

Page 2, line 31, delete "district" and insert "districts" and in both cases delete "city" and insert "cities"

Page 2, line 32, after "rule" insert "for the two years immediately following the effective date;" and after "and" insert "(2)"

Page 2, line 33, after "any" insert "; and (3) whether the levy limits established pursuant to Minnesota Statutes, Sections 275.50 to 275.59 apply to the required expenditure"

Page 3, line 7, delete "\$250,000" and insert a blank

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.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 498, A bill for an act relating to education; requiring school board hearings on a schoolhouse closing to be held at the

schoolhouse; amending Minnesota Statutes 1978, Section 123.36, Subdivision 11.

Reported the same back with the following amendments:

Page 1, line 14, before the period insert *"unless the board determines that there is a compelling reason for holding it elsewhere"*

Amend the title as follows:

Page 1, lines 2, 3, and 4 delete "school board hearings on a schoolhouse closing to be held at the schoolhouse" and insert "hearings on schoolhouse closings to be held at the school absent a compelling reason for another location"

With the recommendation that when so amended 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:

S. F. No. 67, A bill for an act relating to statutes; providing for the effect of grammar and punctuation; amending Minnesota Statutes 1978, Section 645.18.

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

The report was adopted.

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

S. F. No. 138, A bill for an act relating to civil actions; providing for authority for attorney to bind his client and execute a satisfaction of judgment; amending Minnesota Statutes 1978, Sections 481.08 and 548.15.

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

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

S. F. No. 187, A bill for an act relating to employment agencies; providing an exemption for management consultant

firms from employment agency regulation; amending Minnesota Statutes 1978, Section 184.22.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 388, A bill for an act relating to towns; changing certain limits on payments for attorney's fees; amending Minnesota Statutes 1978, Section 368.121.

Reported the same back with the following amendments:

After line 13, add a section to read:

*"Sec. 2. This act is effective 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.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 59, 87, 102, 116, 125, 127, 145, 157, 201, 218, 237, 245, 259, 263, 291, 303, 330, 340, 360, 395, 416 and 498 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 67, 138, 187 and 388 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Rothenberg, Dempsey, Casserly and Crandall introduced:

H. F. No. 616, A bill for an act relating to courts; board on judicial standards; providing for appointment of an executive secretary by the board; providing for appointment of board members by certain organizations; amending Minnesota Statutes 1978, Section 490.15, Subdivision 1.

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

Welch; Nelsen, B.; Clawson; Carlson, D., and McEachern introduced:

H. F. No. 617, A bill for an act relating to education; requiring notice to certain parties when a court or state agency places a child in a school district other than his district of residence; increasing participation in the placement decisions; amending Minnesota Statutes 1978, Section 124.212, Subdivision 20, and by adding a subdivision.

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

Welch, Clawson, Onnen, Elioff and Nelsen, B., introduced:

H. F. No. 618, A bill for an act relating to public health; creating a rural medical care initiative; providing for the development of regional emergency medical services systems; establishing a program of technical assistance to rural communities; appropriating money.

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

Prahl, Rice and Anderson, I., introduced:

H. F. No. 619, A bill for an act relating to local government; permitting self insurance for local governments; authorizing insurance pooling; amending Minnesota Statutes 1978, Sections 60A.02, Subdivisions 3 and 4; 79.01, Subdivisions 2 and 3; and Chapter 471, by adding sections.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Johnson, D.; Johnson, C.; Niehaus and Jennings introduced:

H. F. No. 620, A bill for an act relating to fences; providing for the compensation of fence viewers; amending Minnesota Statutes 1978, Section 344.18.

The bill was read for the first time and referred to the Committee on Agriculture. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Nelsen, M.; Begich; Elioff; Carlson, D., and Biersdorf introduced:

H. F. No. 621, A bill for an act proposing an amendment to the Minnesota Constitution, Article I, adding a section to provide that the right to possess and use arms shall not be abridged.

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

Patton introduced:

H. F. No. 622, A bill for an act relating to retirement; providing a surviving spouse annuity to certain surviving spouses of certain former members of the public employees retirement association.

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

Patton and Pehler introduced:

H. F. No. 623, A bill for an act relating to state lands; providing for the conveyance of state land to the city of St. Cloud for use as a fire station.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Friedrich, McCarron, Biersdorf and Osthoff introduced:

H. F. No. 624, A bill for an act relating to counties; fixing the amounts that may be spent for Memorial Day observances; amending Minnesota Statutes 1978, Sections 375.34; and 375.35.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Patton, Biersdorf and Sarna introduced:

H. F. No. 625, 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.

Wieser, Wynia, Piepho, Clark and Niehaus introduced:

H. F. No. 626, A bill for an act relating to welfare; establishing a program of subsidies to families caring in the home for certain mentally retarded, autistic and cerebral palsied minor dependents; appropriating money; amending Minnesota Statutes 1978, Chapter 245, by adding a section; repealing Minnesota Statutes 1978, Section 252.27, Subdivision 4.

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

Forsythe, Pleasant, Dean, Hokanson and Berkelman introduced:

H. F. No. 627, A bill for an act relating to natural resources; authorizing cities to acquire conservation easements; amending Minnesota Statutes 1978, Sections 84.64, Subdivision 1; and 84.65, Subdivision 1.

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

Clawson; Anderson, B.; Welch and Otis introduced:

H. F. No. 628, A bill for an act relating to taxation; property tax; reducing the assessment ratio of certain residential real estate; amending Minnesota Statutes 1978, Section 273.13, Subdivision 19.

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

Adams, Ewald, Corbid, Pleasant and Norton introduced:

H. F. No. 629, A bill for an act relating to savings banks; allowing the commissioner of banks to grant powers of federal mutual savings banks to mutual savings banks organized under state law; exceptions; amending Minnesota Statutes 1978, Chapter 50, by adding a section.

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

Casserly, Schreiber, Crandall, Ewald and Voss introduced:

H. F. No. 630, A bill for an act relating to metropolitan government; regulating solid waste; amending Minnesota Statutes 1978, Sections 473.121, by adding a subdivision; 473.149, Subdivision 1; 473.803, Subdivision 1; 473.811, Subdivision 5; and 473.823, Subdivision 3, and by adding a subdivision.

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

Reding; Nelsen, M.; Munger; Fjoslien and Sherwood introduced:

H. F. No. 631, A bill for an act relating to game and fish; contracts for removal of rough fish; repealing Minnesota Statutes 1978, Section 97.4861.

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

Clawson, Voss, Jude, Sieben, M., and Pleasant introduced:

H. F. No. 632, A bill for an act relating to courts; establishing the appellate division of the district court; providing for the election of judges; prescribing duties; providing for appellate division staff; appropriating money; repealing Minnesota Statutes 1978, Sections 484.63; and 487.39.

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

Tomlinson, Wynia, Berglin, Dean and Faricy introduced:

H. F. No. 633, A bill for an act relating to taxation; repealing the termination date for a law denying tax deductions relating to substandard housing; amending Laws 1975, Chapter 226, Section 4.

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

Greenfield, Clawson, Onnen and Berglin introduced:

H. F. No. 634, A bill for an act relating to public welfare; establishing pilot programs for registration of certain supplemental child day care providers; appropriating money.

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



Anderson, B.; Anderson, D.; Anderson, R., and Anderson, I., introduced:

H. F. No. 635, A bill for an act relating to taxation; sales tax; reducing the tax rate on certain farm machinery; amending Minnesota Statutes 1978, Sections 297A.01, by adding a subdivision; 297A.02; 297A.14; and 297A.24.

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

Ludeman, Rose and Norman introduced:

H. F. No. 636, A bill for an act relating to unemployment compensation; making certain employees of educational cooperative service units ineligible for benefits during certain periods; amending Minnesota Statutes 1978, Section 268.08, Subdivision 6.

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

Greenfield, Enebo, Rice, Clark and Casserly introduced:

H. F. No. 637, A bill for an act relating to labor; reducing the time at which overtime compensation must be paid; increasing overtime compensation; prohibiting mandatory overtime; providing penalties; amending Minnesota Statutes 1978, Section 177.25, Subdivisions 1 and 2; and Chapter 181, by adding a section.

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

Jude introduced:

H. F. No. 638, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating duplicate, redundant, conflicting and superseded provisions; amending Minnesota Statutes 1978, Sections 5.06; 15.0411, Subdivision 2; 16.723; 16A.71; 18.023, Subdivision 3a; 43.224; 52.04, Subdivision 1; 61A.245, Subdivisions 4, 7, and 12; 112.87; 122.531, Subdivision 4; 124.17, Subdivision 1; 150A.06, Subdivision 2a; 168.041, Subdivision 2; 168A.01, Subdivisions 18 and 19; 176.611, Subdivision 6a; 179.70, Subdivision 1; 192A.25, Subdivision 2; 192A.555; 221.011, Subdivision 22; 237.295, Subdivision 3; 270.01; 270.02, Subdivision 4; 270.10, Subdivision 1; 273.02, Subdivisions 2 and 3; 273.061, Subdivision 8; 274.18; 276.07; 279.03; 281.275; 282.15; 282.341, Subdivision 2; 290.01, Subdivision 20; 294.26; 326.48, Subdivision 2; 352B.-11, Subdivision 2; 352D.02, Subdivision 1; 352E.01, Subdivision 2; 353.16; 354.44, Subdivisions 4 and 6; 355.56; 356.20, Subdi-

vision 2; 356.60, Subdivision 1; 414.033, Subdivision 1; 414.035; 420.06; 422A.09, Subdivision 3; 423.076; 458A.03, Subdivision 2; 458A.06, Subdivisions 1 and 4; 462A.05, Subdivision 16; 462A.21, Subdivision 5; 507.09; 507.10; 507.13; 507.14; 518.005, Subdivisions 3 and 4; 524.3-303; 648.31, Subdivision 1; Laws 1975, Chapter 339, Section 10; repealing Minnesota Statutes 1978, Section 144.49, Subdivisions 2, 3 and 4; Laws 1977, Chapter 11, Section 8; 412, Section 2; Laws 1978, Chapters 538, Section 6; and 720, Section 5.

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

Pavlak, Heinritz, Ellingson, Brinkman and Wenzel introduced:

H. F. No. 639, A bill for an act relating to banks and banking; regulating interest rates charged by state banks; amending Minnesota Statutes 1978, Chapter 48, by adding a section.

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

Anderson, I., introduced:

H. F. No. 640, A bill for an act relating to the city of South International Falls; authorizing the city to lease municipal buildings.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Berkelman, Blatz, Dean, Ainley and Stoa introduced:

H. F. No. 641, A bill for an act relating to human rights; prohibiting discrimination against students in housing; amending Minnesota Statutes 1978, Sections 363.03, Subdivision 2; and 363.12, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Berkelman, Blatz, Welch, Metzen and Welker introduced:

H. F. No. 642, A bill for an act relating to commerce; providing attendant services at certain gasoline stations.

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

Faricy, for the Committee on Judiciary, introduced:

H. F. No. 643, A bill for an act relating to marriage; eliminating certain information from the marriage license application; providing that only two copies of the marriage certificate be prepared; defining terms; requiring personal service in a dissolution; providing for the court's findings in an uncontested dissolution; providing mutual restraining orders pending a dissolution determination and for awarding maintenance; providing retroactive modification of support and maintenance orders for inability to pay; amending Minnesota Statutes 1978, Sections 517.03; 517.08, Subdivision 1a; 517.10; 517.101; 518.07; 518.09; 518.10; 518.13; 518.135, Subdivision 2; 518.155; 518.156; 518.165; 518.17, Subdivision 1; 518.176; 518.54, Subdivision 5; 518.552, Subdivision 2; 518.58; 518.64, Subdivision 2; and Chapter 518, by adding a section.

The bill was read for the first time and laid over one day.

Berkelman, Heinitz, Byrne, Clawson and Reif introduced:

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

The bill was read for the first time and referred to the Committee on Health and Welfare. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Pavlak, Drew, Niehaus and Carlson, D., introduced:

H. F. No. 645, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; providing that the legislature meet in regular session only in odd numbered years.

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

Wenzel introduced:

H. F. No. 646, A bill for an act relating to state parks; deleting certain land from the boundaries of Father Hennepin state park.

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

Wenzel introduced:

H. F. No. 647, A bill for an act relating to state lands; directing the exchange of certain public lands bordering on public waters in Mille Lacs County.

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

Kahn, Greenfield, Vanasek, Fjoslien and Carlson, D., introduced:

H. F. No. 648, A bill for an act relating to public safety; regulating the transportation of certain radioactive materials; establishing civil penalties.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kahn, Greenfield, Vanasek, Fjoslien and Carlson, D., introduced:

H. F. No. 649, A bill for an act relating to nuclear energy; providing for the storage and disposal of certain radioactive wastes; requiring licensure of radioactive waste management facilities in Minnesota.

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

Kahn, Greenfield, Vanasek, Fjoslien and Rees introduced:

H. F. No. 650, A bill for an act relating to large energy facilities; establishing certain conditions for the issuance of certificates of need; amending Minnesota Statutes 1978, Section 116H.13, by adding a subdivision.

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

Berglin, Clark, Drew and Byrne introduced:

H. F. No. 651, A bill for an act relating to welfare; requiring certain facilities exempted from licensing under the public welfare licensing act to meet certain requirements for maintenance and operation; amending Minnesota Statutes 1978, Section 245.-791.

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

Evans, Dempsey, Albrecht, Ellingson and Corbid introduced:

H. F. No. 652, A bill for an act relating to taxation; repealing the mortgage registration tax; repealing Minnesota Statutes 1978, Sections 287.01 to 287.12.

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

Weaver; Sieben, H.; Redalen; Ludeman and Carlson, D., introduced:

H. F. No. 653, A bill for an act relating to game and fish; authorizing a season on mourning doves; setting maximum daily and possession limits; amending Minnesota Statutes 1978, 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.

Nysether, Corbid, Ainley, Eken and Ludeman introduced:

H. F. No. 654, A bill for an act relating to the state auditor; providing for state payment of county audits; appropriating money; amending Minnesota Statutes 1978, Sections 6.56; and 6.57.

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

Kroening, Swanson, Jacobs, Kvam and Casserly introduced:

H. F. No. 655, A bill for an act relating to taxation; property tax; clarifying certain limitations on property subject to the agricultural property tax; amending Minnesota Statutes 1978, Section 273.111, Subdivision 6.

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

Kroening, Faricy, Voss, Casserly and Rose introduced:

H. F. No. 656, A bill for an act relating to probate; clarifying certain witness requirements for inheritance by illegitimates; amending Minnesota Statutes 1978, Section 525.172.

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

Rothenberg introduced:

H. F. No. 657, A bill for an act relating to taxation; income; providing for annual adjustments of individual income tax brackets and individual credits; amending Minnesota Statutes 1978, Section 290.06, Subdivisions 2c, 3c, and by adding a subdivision.

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

Rothenberg introduced:

H. F. No. 658, A bill for an act relating to corrections; providing for rehabilitation services for battered women and the development of model treatment and therapy programs for their violent partners; amending Minnesota Statutes 1978, Sections 241.62, Subdivisions 1 and 4; and 241.64, Subdivision 1.

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

Thiede introduced:

H. F. No. 659, A bill for an act relating to local government; providing for facilities of the jointly owned airport of the city of Brainerd and Crow Wing County; authorizing the issuance of bonds to finance the acquisition and betterment of airport facilities.

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

#### REPORTS FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following bills, which bills were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
438	Feb. 15, 1979	Governmental Operations
441	Feb. 15, 1979	Local and Urban Affairs
453	Feb. 15, 1979	Taxes
459	Feb. 15, 1979	Judiciary
468	Feb. 15, 1979	Taxes
481	Feb. 15, 1979	Governmental Operations
489	Feb. 19, 1979	Local and Urban Affairs
491	Feb. 19, 1979	Commerce, Economic Development and Housing
494	Feb. 19, 1979	Environment and Natural Resources
496	Feb. 19, 1979	Energy and Utilities
500	Feb. 19, 1979	Commerce, Economic Development and Housing
503	Feb. 19, 1979	Local and Urban Affairs
504	Feb. 19, 1979	Local and Urban Affairs
513	Feb. 19, 1979	Local and Urban Affairs
514	Feb. 19, 1979	Criminal Justice
521	Feb. 19, 1979	Judiciary
522	Feb. 22, 1979	Local and Urban Affairs
535	Feb. 22, 1979	Commerce, Economic Development and Housing
536	Feb. 22, 1979	Commerce, Economic Development and Housing
542	Feb. 22, 1979	Judiciary
543	Feb. 22, 1979	Commerce, Economic Development and Housing

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
553	Feb. 22, 1979	Education
557	Feb. 22, 1979	Transportation
561	Feb. 22, 1979	Taxes
567	Feb. 26, 1979	Labor-Management Relations
588	Feb. 26, 1979	Local and Urban Affairs
594	Feb. 26, 1979	Judiciary
595	Feb. 26, 1979	Governmental Operations
606	Feb. 26, 1979	Criminal Justice
608	Feb. 26, 1979	Taxes
612	Feb. 26, 1979	Governmental Operations

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following House Advisory, which House Advisory was referred to the committee upon objection pursuant to the organizational agreement:

<i>H.A. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
7	Feb. 26, 1979	Commerce, Economic Development and Housing

#### 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 Files, herewith transmitted:

S. F. Nos. 219 and 231.

PATRICK E. FLAHAVEN, Secretary of the Senate



## FIRST READING OF SENATE BILLS

S. F. No. 219, A bill for an act relating to state government; abolishing achievement awards for commissioners and deputy constitutional officers; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 6; 43.062, Subdivision 3; and 43.067, Subdivision 4; repealing Minnesota Statutes 1978, Section 43.069.

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

S. F. No. 231, A bill for an act relating to bonds; requiring claimant filing notice of action on a bond to pay postage costs; amending Minnesota Statutes 1978, Section 574.32.

The bill was read for the first time.

Reding moved that S. F. No. 231 and H. F. No. 125, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

## CALENDAR

H. F. No. 13, 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.

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:

Aasness	Carlson, L.	Friedrich	Knickerbocker	Nelson, M.
Adams	Clark	Fritz	Kostohryz	Nelson
Ainley	Clawson	Fudro	Kvam	Niehaus
Albrecht	Crandall	Halberg	Laidig	Novak
Anderson, B.	Dean	Haukoos	Lehto	Nysether
Anderson, D.	Dempsey	Heap	Levi	Olsen
Anderson, G.	Den Ouden	Heinitz	Ludeman	Onnen
Anderson, I.	Drew	Hoberg	Luknic	Osthoff
Anderson, R.	Eken	Hokanson	Mann	Otis
Battaglia	Elioff	Jacobs	McCarron	Patton
Begich	Ellingson	Jennings	McDonald	Pavlak
Berglin	Enebo	Johnson, C.	McEachern	Pehler
Berkelman	Erickson	Johnson, D.	Mehrkens	Peterson
Biersdorf	Esau	Jude	Metzen	Piepho
Blatz	Evans	Kaley	Minne	Pleasant
Brinkman	Ewald	Kalis	Munger	Prahl
Byrne	Farcy	Kelly	Murphy	Redalen
Carlson, D.	Fjoslien	Kempe	Nelsen, B.	Reding

Rees	Simoneau	Tomlinson	Welch	Zubay
Reif	Stadum	Valan	Welker	Speaker Searle
Rothenberg	Stoa	Valento	Wenzel	
Sarna	Stowell	Vanasek	Wieser	
Schreiber	Sviggum	Waldorf	Wigley	
Sherwood	Swanson	Weaver	Wynia	

Those who voted in the negative were:

Cassery	Greenfield	Long	Norton	Sieben, M.
Corbid	Kahn			

The bill was passed and its title agreed to.

H. F. No. 186, A bill for an act relating to metropolitan government; providing for the debt of the metropolitan transit commission; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; and Chapter 473, by adding a section; repealing Minnesota Statutes 1978, Section 473.438, Subdivisions 5 and 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 3 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Norton	Simoneau
Adams	Eken	Kaley	Novak	Stadum
Ainley	Elioff	Kalis	Nysether	Stoa
Anderson, B.	Ellingson	Kelly	Olsen	Stowell
Anderson, D.	Enebo	Kempe	Onnen	Sviggum
Anderson, G.	Erickson	Knickerbocker	Osthoff	Swanson
Anderson, I.	Esau	Kostohryz	Otis	Thiede
Battaglia	Evans	Kvam	Patton	Tomlinson
Begich	Ewald	Laidig	Pavlak	Valan
Berglin	Faricy	Lehto	Pehler	Valento
Berkelman	Fjoslien	Levi	Peterson	Vanasek
Biersdorf	Fritz	Long	Piepho	Waldorf
Blatz	Fudro	Luknic	Pleasant	Weaver
Brinkman	Greenfield	Mann	Prahl	Welch
Byrne	Halberg	McCarron	Redalen	Welker
Carlson, D.	Haukoos	Mehrkens	Reding	Wenzel
Carlson, L.	Heap	Metzen	Rees	Wieser
Cassery	Heinitz	Minne	Reif	Wigley
Clark	Hoberg	Moe	Rice	Wynia
Clawson	Hokanson	Munger	Rose	Zubay
Corbid	Jacobs	Murphy	Rothenberg	Speaker Searle
Crandall	Jaros	Nelsen, B.	Sarna	
Dean	Johnson, C.	Nelsen, M.	Schreiber	
Dempsey	Johnson, D.	Nelson	Sherwood	
Den Ouden	Jude	Norman	Sieben, M.	

Those who voted in the negative were:

Friedrich	Jennings	Ludeman
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The bill was passed and its title agreed to.

H. F. No. 373 was reported to the House and given its third reading.

UNANIMOUS CONSENT

Anderson, G., requested unanimous consent to offer an amendment. The request was granted.

Anderson, G., moved to amend H. F. No. 373, as follows:

Page 1, line 12, after "*identifying*" insert "*food*"

The motion prevailed and the amendment was adopted.

H. F. No. 373, A bill for an act relating to agriculture; allowing food products grown, processed or manufactured in Minnesota to be so labeled; amending Minnesota Statutes 1978, Chapter 17, 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 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, D.	Nelsen, B.	Schreiber
Adams	Drew	Jude	Nelsen, M.	Sherwood
Ainley	Eken	Kahn	Nelson	Sieben, M.
Albrecht	Elioff	Kaley	Niehaus	Simoneau
Anderson, B.	Ellingson	Kalis	Norman	Stadum
Anderson, D.	Enebo	Kelly	Norton	Stoa
Anderson, G.	Erickson	Kempe	Novak	Stowell
Anderson, I.	Esau	Knickerbocker	Nysether	Sviggum
Anderson, R.	Evans	Kostohryz	Olsen	Swanson
Battaglia	Ewald	Kvam	Onnen	Thiede
Begich	Faricy	Laidig	Osthoff	Tomlinson
Berglin	Fjoslien	Lehto	Otis	Valan
Berkelman	Friedrich	Levi	Patton	Valento
Biersdorf	Fritz	Long	Pavlak	Vanasek
Blatz	Fudro	Ludeman	Pehler	Waldorf
Brinkman	Greenfield	Luknic	Peterson	Weaver
Byrne	Halberg	Mann	Piepho	Welch
Carlson, D.	Haukoos	McCarron	Prahl	Welker
Carlson, L.	Heap	McDonald	Redalen	Wenzel
Casserly	Heinitz	McEachern	Reding	Wieser
Clark	Hoberg	Mehrkens	Rees	Wigley
Clawson	Hokanson	Metzen	Reif	Wynia
Corbid	Jacobs	Minne	Rice	Zubay
Crandall	Jaros	Moe	Rose	Speaker Searle
Dean	Jennings	Munger	Rothenberg	
Dempsey	Johnson, C.	Murphy	Sarna	

Those who voted in the negative were:

Pleasant

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

S. F. No. 92, A bill for an act relating to the city of Ashby; authorizing issuance of general obligation bonds for the purpose of building a fire hall-administrative building and purchasing a fire truck.

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:

Aasness	Den Ouden	Johnson, D.	Nelsen, B.	Schreiber
Adams	Drew	Jude	Nelson, M.	Sherwood
Ainley	Eken	Kahn	Nelson	Sieben, M.
Albrecht	Elioff	Kaley	Niehaus	Simoneau
Anderson, B.	Ellingson	Kaljs	Norman	Stadum
Anderson, D.	Enebo	Kelly	Norton	Stoa
Anderson, G.	Erickson	Kempe	Novak	Stowell
Anderson, I.	Esau	Knickerbocker	Nysether	Sviggum
Anderson, R.	Evans	Kostohryz	Olsen	Swanson
Battaglia	Ewald	Kvam	Onnen	Thiede
Begich	Faricy	Laidig	Osthoff	Tomlinson
Berglin	Fjoslien	Lehto	Otis	Valan
Berkelman	Friedrich	Levi	Patton	Valento
Biersdorf	Fritz	Long	Pavlak	Vanasek
Blatz	Fudro	Ludeman	Pehler	Waldorf
Brinkman	Greenfield	Luknic	Peterson	Weaver
Byrne	Halberg	Mann	Piepho	Welch
Carlson, D.	Haukoos	McCarron	Pleasant	Welker
Carlson, L.	Heap	McDonald	Prahl	Wenzel
Cassery	Heinitz	McEachern	Redalen	Wieser
Clark	Hoberg	Mehrkens	Reding	Wigley
Clawson	Hokanson	Metzen	Rees	Wynia
Corbid	Jacobs	Minne	Reif	Zubay
Crandall	Jaros	Moe	Rice	Speaker Searle
Dean	Jennings	Munger	Rose	
Dempsey	Johnson, C.	Murphy	Rothenberg	

The bill was passed and its title agreed to.

Schreiber was excused at 2:20 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.

Former Governor Orville L. Freeman briefly addressed the members of the House.

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. 9 which it recommended to pass.

H. F. No. 295 which it recommended to pass with the following amendments:

Offered by Elioff and as amended by the Wenzel amendment:

Page 1, line 13, after "*writing*" delete "30" and insert "*at least 60*"

Offered by Berkelman:

Page 1, line 18, delete "*or prospectively*"

Page 1, line 20, delete "*section 256B.48, subdivision 1,*"

Page 1, line 21, delete "*clause (a) and*"

On the motion of Berglin 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:

Elioff moved to amend H. F. No. 295, as follows:

Page 1, line 13, after "*writing*" delete "30" and insert "*at least 45*"

Wenzel moved to amend the Elioff amendment to H. F. No. 295 as follows:

Delete "*45*" and insert "*60*"

The question was taken on the adoption of the Wenzel amendment to the Elioff amendment and the roll was called. There were 88 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Adams	Anderson, R.	Berglin	Brinkman	Casserly
Anderson, G.	Battaglia	Biersdorf	Byrne	Clark
Anderson, I.	Begich	Blatz	Carlson, L.	Clawson

Crandall	Hokanson	Luknic	Otis	Sieben, M.
Dempsey	Jacobs	Mann	Patton	Simoneau
Drew	Jaros	McCarron	Pavlak	Stadum
Eken	Johnson, C.	McEachern	Pehler	Stoa
Elioff	Jude	Metzen	Peterson	Swanson
Enebo	Kahn	Minne	Piepho	Tomlinson
Evans	Kalis	Moe	Pleasant	Valan
Fariy	Kelly	Nelsen, M.	Prahl	Vanasek
Fjoslien	Kempe	Nelson	Redalen	Waldorf
Fritz	Knickerbocker	Norman	Reding	Welch
Fudro	Kostohryz	Norton	Rees	Wenzel
Greenfield	Laidig	Novak	Rice	Wynia
Haukoos	Lehto	Nysether	Rothenberg	Zubay
Heap	Levi	Olsen	Sarna	
Hoberg	Long	Osthoff	Sherwood	

Those who voted in the negative were:

Aasness	Den Ouden	Johnson, D.	Niehaus	Weaver
Ainley	Erickson	Kaley	Onnen	Welker
Albrecht	Esau	Kvam	Reif	Wieser
Anderson, B.	Ewald	Ludeman	Rose	Wigley
Anderson, D.	Friedrich	McDonald	Stowell	Speaker Searle
Carlson, D.	Halberg	Mehrkens	Sviggum	
Corbid	Heinitz	Murphy	Thiede	
Dean	Jennings	Nelsen, B.	Valento	

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

The question recurred on the adoption of the Elioff amendment as amended and the roll was called. There were 82 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Kahn	Norman	Sarna
Anderson, G.	Ellingson	Kelly	Norton	Sieben, M.
Anderson, I.	Enebo	Kempe	Novak	Simoneau
Battaglia	Evans	Knickerbocker	Nysether	Stoa
Begich	Fariy	Kostohryz	Olsen	Swanson
Berglin	Fjoslien	Laidig	Osthoff	Tomlinson
Berkelman	Fritz	Lehto	Otis	Valan
Biersdorf	Fudro	Long	Pavlak	Vanasek
Blatz	Greenfield	Luknic	Pehler	Waldorf
Byrne	Halberg	Mann	Peterson	Weaver
Carlson, L.	Heap	McCarron	Piepho	Welch
Casserly	Hoberg	McEachern	Prahl	Wenzel
Clark	Hokanson	Mehrkens	Reding	Wynia
Clawson	Jacobs	Metzen	Rees	Zubay
Crandall	Jaros	Minne	Rice	
Drew	Johnson, C.	Moe	Rose	
Eken	Jude	Nelson	Rothenberg	

Those who voted in the negative were:

Aasness	Dempsey	Heinitz	McDonald	Stowell
Ainley	Den Ouden	Jennings	Nelsen, B.	Sviggum
Albrecht	Erickson	Johnson, D.	Niehaus	Thiede
Anderson, B.	Esau	Kaley	Onnen	Welker
Anderson, D.	Ewald	Kvam	Redalen	Wieser
Corbid	Friedrich	Levi	Reif	Wigley
Dean	Haukoos	Ludeman	Stadum	Speaker Searle

The motion prevailed and the amendment as amended was adopted.

The question was taken on the motion to recommend passage of H. F. No. 295, as amended, and the roll was called. There were 117 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Aasness	Elioff	Kaley	Nelson	Sarna
Adams	Ellingson	Kelly	Niehaus	Sherwood
Ainley	Enebo	Kempe	Norman	Sieben, M.
Anderson, B.	Erickson	Knickerbocker	Norton	Simoneau
Anderson, G.	Evans	Kostohryz	Novak	Stadum
Anderson, I.	Ewald	Kvam	Nysether	Stoa
Anderson, R.	Farcy	Laidig	Olsen	Stowell
Battaglia	Fjoslien	Lehto	Onnen	Swanson
Begich	Friedrich	Levi	Osthoff	Thiede
Berglin	Fritz	Long	Otis	Tomlinson
Berkelman	Fudro	Ludeman	Patton	Valan
Biersdorf	Greenfield	Luknic	Pavlak	Valento
Blatz	Halberg	Mann	Pehler	Vanasek
Byrne	Haukoos	McCarron	Peterson	Waldorf
Carlson, D.	Heap	McDonald	Piepho	Weaver
Carlson, L.	Heinitz	McEachern	Pleasant	Welch
Casserly	Hoberg	Mehrkens	Prahl	Welker
Clark	Hokanson	Metzen	Redalen	Wenzel
Clawson	Jacobs	Minne	Reding	Wynia
Crandall	Jaros	Moe	Rees	Zubay
Dean	Jennings	Munger	Reif	Speaker Searle
Den Ouden	Johnson, C.	Murphy	Rice	
Drew	Jude	Nelsen, B.	Rose	
Eken	Kahn	Nelsen, M.	Rothenberg	

Those who voted in the negative were:

Albrecht	Corbid	Esau	Kalis	Wieser
Anderson, D.	Dempsey	Johnson, D.	Sviggum	Wigley

The motion prevailed.

Speaker pro tem Heinitz was called to the chair.

## MOTIONS AND RESOLUTIONS

Simoneau moved that the name of Anderson, I., be added as an author on H. F. No. 34. The motion prevailed.

Begich moved that the name of Ludeman be added as an author on H. F. No. 371. The motion prevailed.

Heap moved that his name be stricken as an author on H. F. No. 438. The motion prevailed.

Jennings moved that his name be stricken as an author on H. F. No. 591. The motion prevailed.

McEachern moved that the names of Tomlinson and Metzen be stricken and the names of Den Ouden and Ludeman be added as authors on H. F. No. 487. The motion prevailed.

Friedrich moved that the name of Kostohryz be added as an author on H. F. No. 624. The motion prevailed.

Rothenberg moved that the name of Drew be added as an author on H. F. No. 658. The motion prevailed.

Blatz moved that the name of Searle be added as an author on H. F. No. 574. The motion prevailed.

Prahl moved that House File No. 154 be returned to its author. The motion prevailed.

Anderson, B.; Kalis; Anderson, G.; Nelsen, B.; and Biersdorf introduced:

House Concurrent Resolution No. 4, A house concurrent resolution relating to trade restrictions on the import of agricultural products; requesting the President and Congress of the United States not to threaten nor place trade restrictions on the export of agricultural products; or to threaten massive importations of foreign agricultural products.

The resolution was referred to the Committee on Agriculture.

#### ADJOURNMENT

Berglin moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 5, 1979. The motion prevailed.

Berglin moved that the House adjourn. The motion prevailed, and the Speaker pro tem declared the House stands adjourned until 2:00 p.m., Monday, March 5, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives





## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## TWENTY-SECOND DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 5, 1979

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:

Aasness	Den Ouden	Kahn	Niehaus	Sieben, H.
Adams	Drew	Kaley	Norman	Sieben, M.
Ainley	Eken	Kalis	Norton	Simoneau
Albrecht	Elioff	Kelly	Novak	Stadum
Anderson, B.	Ellingson	Kempe	Nysether	Stoa
Anderson, D.	Enebo	Knickerbocker	Olsen	Stowell
Anderson, G.	Evans	Kostohryz	Onnen	Sviggum
Anderson, I.	Ewald	Kroening	Osthoff	Swanson
Anderson, R.	Faricy	Kvam	Otis	Thiede
Battaglia	Fjoslien	Laidig	Patton	Tomlinson
Begich	Forsythe	Lehto	Pehler	Valan
Berglin	Friedrich	Levi	Peterson	Valento
Berkelman	Fritz	Long	Piepho	Vanasek
Biersdorf	Fudro	Luknic	Pleasant	Voss
Blatz	Greenfield	McCarron	Prahl	Waldorf
Brinkman	Halberg	McDonald	Redalen	Weaver
Byrne	Haukoos	McEachern	Reding	Welch
Carlson, D.	Heap	Mehrkens	Rees	Welker
Carlson, L.	Heinitz	Metzen	Reif	Wenzel
Casserly	Hoberg	Minne	Rice	Wieser
Clark	Hokanson	Moe	Rose	Wynia
Clawson	Jaros	Munger	Rothenberg	Zubay
Corbid	Jennings	Murphy	Sarna	Speaker Searle
Crandall	Johnson, C.	Nelsen, B.	Schreiber	
Dean	Johnson, D.	Nelsen, M.	Searles	
Dempsey	Jude	Nelson	Sherwood	

A quorum was present.

Erickson, Jacobs, Mann, Pavlak and Wigley were excused. Esau was excused until 2:15 p.m. Ludeman was excused until 3:45 p.m.

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. 87, 102, 116, 125, 127, 145, 157, 218, 259, 263, 291, 303, 340, 360, 395, 201, 237, 245, 59, 416, 295, 330, 498 and 373 and S. F. Nos. 219, 231 and 388 have been placed in the members' files.

S. F. No. 231 and H. F. No. 125, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Reding moved that the rules be so far suspended that S. F. No. 231 be substituted for H. F. No. 125 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Farcy from the Committee on Judiciary to which was referred:

H. F. No. 228, A bill for an act relating to real estate; providing a flexible procedure for registering land; amending Minnesota Statutes 1978, Section 508.52.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 508.52, is amended to read:

508.52 [CONVEYANCE; CANCELATION OF OLD AND ISSUANCE OF NEW CERTIFICATE.] An owner of registered land who desires to convey the (SAME) *land*, or (ANY) a portion thereof, in fee, shall execute a deed of conveyance, and file the (SAME) *deed*, together with his owner's duplicate certificate, with the registrar. The registrar shall require an affidavit by the grantee, or some person in his behalf, which affidavit shall set forth the name, age, and residence of the grantee, and whether the grantee is or is not under legal disability, whether or not married, and, if married, the name of the husband or wife. (THE OWNER'S DUPLICATE CERTIFICATE AND THE ORIGINAL CERTIFICATE OF TITLE SHALL BE MARKED "CANCELED" BY THE REGISTRAR, WHO SHALL THEREUPON ENTER IN THE REGISTER A NEW CERTIFICATE OF TITLE TO THE GRANTEE, AND PREPARE AND DELIVER TO SUCH GRANTEE A NEW OWNER'S DUPLICATE CERTIFICATE. ALL ENCUMBRANCES, CLAIMS, OR INTERESTS ADVERSE TO THE TITLE OF THE REGISTERED OWNER SHALL BE STATED UPON THE NEW CERTIFICATE, EXCEPT SO FAR AS THEY

MAY BE SIMULTANEOUSLY RELEASED OR DISCHARGED. THE DEED OF CONVEYANCE SHALL BE FILED AND ENDORSED WITH THE NUMBER AND PLACE OF REGISTRATION OF THE CERTIFICATE. IF A DEED IN FEE IS FOR A PART ONLY OF THE LAND DESCRIBED IN A CERTIFICATE OF TITLE, THE REGISTRAR SHALL ENTER A NEW CERTIFICATE OF TITLE AND ISSUE AN OWNER'S DUPLICATE CERTIFICATE TO THE GRANTOR FOR THAT PORTION OF THE LAND NOT CONVEYED. PRIOR TO CANCELING OF THE OUTSTANDING CERTIFICATE OF TITLE THE REGISTRAR SHALL SHOW BY MEMORIAL THEREON THE REGISTRATION OF THE DEED ON THE BASIS OF WHICH IT IS CANCELED. PROVIDED, HOWEVER, THAT) *The deed of conveyance shall be filed and endorsed with the number and place of registration of the owner's certificate. Before canceling the outstanding certificate of title the registrar shall show by memorial thereon the registration of the deed on the basis of which it is canceled. The encumbrances, claims, or interests adverse to the title of the registered owner shall be stated upon the new certificate, except so far as they may be simultaneously released or discharged. The owner's duplicate certificate and the original certificate of title shall be marked "Canceled" by the registrar, who shall enter in the register a new certificate of title to the grantee, and prepare and deliver to the grantee a new owner's duplicate certificate. If a deed in fee is for a portion of the land described in a certificate of title, the memorial of the deed entered by the registrar shall include the legal description contained in the deed and the registrar shall enter a new certificate of title to the grantee for the portion of the land conveyed and, except as otherwise provided in this section, issue a residue certificate of title to the grantor for the portion of the land not conveyed. The registrar shall prepare and deliver to each of the parties a new owner's duplicate certificate for their respective certificates. In lieu of canceling the grantor's certificate of title and issuing a residue certificate and owner's duplicate certificate to him for the portion of the land not conveyed, the registrar may, in his discretion if the grantor's deed does not divide a parcel of unplatted land, and in the absence of a request to the contrary by the registered owner, mark by the land description on both the owner's duplicate certificate of title and the original certificate of title "Part of land conveyed, see memorials". The fee for a residue certificate of title shall be paid to the registrar only when the grantor's certificate of title is cancelled after the conveyance by the grantor of a portion of the land described in his certificate of title. When two or more successive conveyances of the same property are filed for registration on the same day the registrar may, (IF IT SUITS HIS CONVENIENCE) in his discretion, enter a certificate in favor of the grantee or grantees in the last of (SAID) the successive conveyances, and the memorial of the previous deed or deeds entered on the prior certificate of title shall have the same force and effect as though the prior certificate of title had been entered in favor of the grantee or grantees in (SAID) the earlier deed or deeds in (SAID) the successive*

conveyances (, THE FEES, HOWEVER, FOR REGISTRATION TO BE THE SAME AS WOULD BE THE CASE IF A CERTIFICATE OF TITLE WERE ENTERED ON THE BASIS OF EACH OF SAID SUCCESSIVE CONVEYANCES). *The fees for the registration of the earlier deed or deeds shall be the same as the fees prescribed for the entry of memorials. (PROVIDED ALSO,) The registrar of titles (IN ANY COUNTY CONTAINING A CITY OF THE FIRST CLASS AND HAVING A POPULATION OF OVER 500,000 INHABITANTS, AT) in his discretion with the consent of the transferee, may mark "See memorials for new owner(s)" by the names of the registered owners on both the original certificate of title and the owner's duplicate certificate of title and also add to the memorial of the transferring conveyance a statement that the memorial shall serve in lieu of a new certificate of title in favor of the grantee or grantees therein noted and may refrain from canceling (SAID) the certificate of title until (SUCH) the time (AS) it (MAY BE) is canceled by a subsequent transfer, and (SAID) the memorial showing such transfer of title shall (IN THE MEANTIME) have the same (FORCE AND) effect as the entry of a new certificate of title for the land described in (SAID) the certificate of title; the fee for the registration of a conveyance without cancellation of the certificate of title shall be the same as the fee prescribed for the entry of a memorial.*

Sec. 2. *This act is effective 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.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 300, A bill for an act relating to highway traffic regulations; specifying the acts constituting the offense of hit and run; prescribing penalties; amending Minnesota Statutes 1978, Section 169.09, Subdivision 1; and Chapter 609, by adding a section.

Reported the same back with the following amendments:

Page 1, line 21, after "subdivision" delete "by failing to stop at the"

Page 1, delete lines 22 and 23.

Page 1, line 21, after "subdivision" insert "may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$1,000, or both."

Page 2, delete lines 1 to 13 and insert: "Sec. 2. Minnesota Statutes 1978, Section 169.09, Subdivision 14, is amended to read: Subd. 14. [PENALTY.] Except as provided in *subdivision 1 and* subdivision 3, clause (b), any person failing to comply with any of the requirements of this section, under the circumstances specified, shall be guilty of a misdemeanor."

With the recommendation that when so amended the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 643, 228 and 300 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. No. 231 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Schreiber; Johnson, C.; Evans; Vanasek and Dempsey introduced:

H. F. No. 660, A bill for an act relating to taxation; motor vehicle excise; reducing the purchase price of trucks and truck tractors by the amount of federal excise tax imposed; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

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

Anderson, B.; Erickson and Mann introduced:

H. F. No. 661, A bill for an act relating to transportation; authorizing expenditures from the rail service improvement account for the rehabilitation and improvement of a certain railroad line; and requiring a report.

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

Battaglia and Begich introduced:

H. F. No. 662, A bill for an act relating to state parks; deleting certain land from the boundaries of Judge C. R. Magney State Park.

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

Battaglia, Vanasek and Fritz introduced:

H. F. No. 663, A bill for an act relating to game and fish; specifications for commercial gill nets on Lake Superior; amending Minnesota Statutes 1978, Section 102.28, Subdivision 4.

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

Battaglia, Prael, Clawson, Begich and Carlson, D., introduced:

H. F. No. 664, A bill for an act relating to regional development; providing a board of directors with final authority over commissions; providing advisory referenda; amending Minnesota Statutes 1978, Section 462.388, Subdivision 5, and 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 Local and Urban Affairs.

Battaglia, Prael, Begich, Elioff and Carlson, D., introduced:

H. F. No. 665, A bill for an act relating to the environment; requiring the environmental quality board and other state agencies which hold hearings concerning environmental impact studies to hold them in certain places; amending Minnesota Statutes 1978, Sections 116C.06, by adding a subdivision; and 116D.04, by adding a subdivision.

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

Jacobs; Anderson, I.; Brinkman; Tomlinson and Novak introduced:

H. F. No. 666, A bill for an act relating to taxation; sales; exempting certain residential utilities; amending Minnesota Statutes 1978, 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.

Casserly, Jude, Ellingson, Blatz and Rothenberg introduced:

H. F. No. 667, A bill for an act relating to Hennepin County; providing that law library fees be set by the library trustees; amending Laws 1933, Chapter 291, Section 4, as amended.

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

Luknic, Pehler, Tomlinson, Pleasant and Mehrkens introduced:

H. F. No. 668, A bill for an act relating to taxation; income tax; providing a credit for certain costs of renewable energy sources; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Energy and Utilities. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Cassery; Sieben, H.; Ewald; Knickerbocker and Brinkman introduced:

H. F. No. 669, A bill for an act relating to insurance; establishing filing fees for rate and policy forms; providing for the establishment of an actuarial services unit in the insurance division; appropriating money; amending Minnesota Statutes 1978, Section 70A.06, Subdivisions 1, 2 and by adding a subdivision; and Chapter 70A, by adding a section.

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

Olsen; Swanson; Carlson, L.; Minne and Norman introduced:

H. F. No. 670, A bill for an act relating to elections; authorizing use of electronic voting systems for absentee voting; amending Minnesota Statutes 1978, Sections 206.07, by adding a subdivision; 207.08, by adding a subdivision; and 207.11, by adding a subdivision.

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

Dean, Fjoslien, Munger, Jude and Nelsen, B., introduced:

H. F. No. 671, A bill for an act relating to game and fish; providing for the licensing and regulation of commercial fishing in inland waters; amending Minnesota Statutes 1978, Section 98.46, by adding a subdivision; and Chapter 102, by adding a section.

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



Reding; Anderson, D.; Elioff; Dempsey and Lehto introduced:

H. F. No. 672, A bill for an act relating to public utilities; providing for advice and assistance to cities operating steam or hot water heating systems; appropriating funds; amending Minnesota Statutes 1978, Section 451.09.

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

Reding introduced:

H. F. No. 673, A bill for an act relating to elections; providing compensation for members of county canvassing boards; allowing the county board of commissioners to fix the amount of compensation; amending Minnesota Statutes 1978, Section 204A.23.

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

Olsen, Tomlinson, Levi, McEachern and Esau introduced:

H. F. No. 674, A bill for an act relating to education; providing for aids to education, tax levies and the distribution of tax revenues; increasing the foundation aid formula for the 1979-1980 and 1980-1981 school years; reducing the amount of the levy allowed for general and special school purposes; appropriating money; amending Minnesota Statutes 1978, Sections 124.212, Subdivisions 1, 6c and 7c; 124.32, Subdivision 1a; and 275.125, Subdivision 2a; repealing Minnesota Statutes 1978, Section 124.212, Subdivisions 6b and 7b.

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

Redalen, Wieser, Stoa, Casserly and Stowell introduced:

H. F. No. 675, A bill for an act relating to the Memorial Hardwood Forest; directing the sale or exchange of certain tillable parcels; responsibility for roads; retention of easements; authorizing exemptions.

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

**Prahl, Otis, Stowell and Battaglia introduced:**

H. F. No. 676, A bill for an act relating to retirement; granting certain military service credit for teachers; amending Minnesota Statutes 1978, Section 354.53, Subdivisions 1 and 3.

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

**Faricy; Anderson, I.; Jacobs; Minne and Prahl introduced:**

H. F. No. 677, A bill for an act relating to courts; providing for the interest rate on verdicts and judgments; amending Minnesota Statutes 1978, Sections 549.09 and 550.36.

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

**Aasness, Sherwood, Sviggum, Erickson and Redalen introduced:**

H. F. No. 678, A bill for an act relating to education; requiring a balanced presentation of theories of origins in public schools; giving the commissioner of education a certain power.

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

**Norman, Olsen and Drew introduced:**

H. F. No. 679, A bill for an act relating to taxation; exempting certain interest income from gross income for income tax purposes; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

**Sarna, McEachern, Battaglia, Rose and Biersdorf introduced:**

H. F. No. 680, A bill for an act relating to game and fish; authorizing the elderly to maintain or utilize fish houses or dark houses without a license; amending Minnesota Statutes 1978, Section 98.47, Subdivision 1.

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

McDonald, Waldorf, Niehaus, Osthoff and Jude introduced:

H. F. No. 681, A bill for an act relating to health; discontinuing the family planning grant program; repealing Minnesota Statutes 1978, Section 145.925.

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

Dean, Voss, McCarron, Kahn and Peterson introduced:

H. F. No. 682, A bill for an act relating to evidence; providing for audio-visual recording of evidence; enacting the Uniform Audio-Visual Deposition Act.

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

Dean; Munger; Sieben, M.; Anderson, G., and Laidig introduced:

H. F. No. 683, A bill for an act relating to public television; providing block grants and matching grants for public television stations for certain purposes; providing for certain funds to be included in the calculation of contributions to a station; redefining public station; appropriating money; amending Minnesota Statutes 1978, Sections 139.17, Subdivision 2; and 139.18, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Appropriations. Anderson, I., objected to the references and the bill was referred to the Committee on Rules and Legislative Administration.

Kahn, Searle, Welker, Dean and Berkelman introduced:

H. F. No. 684, 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 1978, Sections 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 136.81, Subdivision 1; 352.04, Subdivision 5; 352.73, Subdivision 3; 352B.25; 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 1978, 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 Appropriations.

Pehler, Tomlinson, Evans, Luknic and Sieben, M., introduced:

H. F. No. 685, A bill for an act relating to taxation; income tax; providing a credit for certain costs of insulation and other energy conserving materials; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Energy and Utilities. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Corbid; Nysether; Anderson, R.; Evans and Eken introduced:

H. F. No. 686, A bill for an act relating to public health; permitting statewide use of plastic water well casings; repealing Minnesota Statutes 1978, Section 156A.031, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Hoberg introduced:

H. F. No. 687, A bill for an act relating to the city of Moorhead; firefighters' relief association benefits and contributions; amending Laws 1955, Chapter 75, Sections 10, Subdivision 3; 14, Subdivision 2; 14, Subdivisions 1, 2, 4, 5, 6, and by adding a subdivision; 16; and 19; as added, amended or renumbered.

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

Hoberg introduced:

H. F. No. 688, A bill for an act relating to the city of Moorhead; contributions and benefits of the police relief association; amending Laws 1967, Chapter 775, Sections 2; 4; 5; 6; and 7; and by adding a section; repealing Laws 1967, Chapter 775, Section 3.

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

Halberg, Brinkman, Corbid, Rees and Johnson, D., introduced:

H. F. No. 689, A bill for an act relating to insurance; regulating policies of automobile insurance providing comprehensive coverage; requiring full coverage of certain glass damage; amending Minnesota Statutes 1978, Chapter 65B, by adding a section.

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

Halberg and Fritz introduced:

H. F. No. 690, A bill for an act proposing an amendment to the Minnesota Constitution to add an article to provide for initiative and referendum.

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

Pavlak, Lehto, Zubay, Begich and Sherwood introduced:

H. F. No. 691, A bill for an act relating to crimes; controlling telephone communications with certain offenders; allowing police to prevent unauthorized communications; providing penalties.

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

Simoneau, Byrne, Brinkman, Patton and Osthoff introduced:

H. F. No. 692, A bill for an act relating to public welfare; adjusting certain eligibility requirements for medical assistance and supplemental aid recipients; amending Minnesota Statutes 1978, Sections 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.

Carlson, L.; Zubay; Swanson; Elioff and Heap introduced:

H. F. No. 693, A bill for an act relating to education; extending the teacher mobility incentives to certain teachers in the vocational center schools, area vocational-technical schools, community colleges and state universities; amending Minnesota Statutes 1978, Sections 125.60, Subdivisions 1, 2, 2a, 3, 6 and 7, and by adding subdivisions; 125.61, Subdivisions 1, 2, 4 and 6 and by adding subdivisions; 354.094, Subdivisions 2 and 5; 354.66, Subdivisions 1, 2, 7 and 10, and by adding subdivisions; 354.69; and 354A.091, Subdivision 1.

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

Waldorf, Den Ouden, Battaglia and Drew introduced:

H. F. No. 694, A bill for an act relating to obscenity; prohibiting the promotion and dissemination of obscene materials; providing penalties; amending Minnesota Statutes 1978, Sections 617.26; 617.27; 617.291, Subdivision 2; 617.292, Subdivisions 4, 6, 7 and 8; and Chapter 609, by adding sections; repealing Minnesota Statutes 1978, Section 617.241.

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

Pavlak, Kelly, Crandall, Battaglia and Nysether introduced:

H. F. No. 695, A bill for an act relating to juveniles; providing for secure detention and transfer of legal custody of certain juveniles to a county home school or the commissioner of corrections; amending Minnesota Statutes 1978, Sections 260.173, Subdivision 3; and 260.185, Subdivision 1.

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

Heinitz, Fritz and Schreiber introduced:

H. F. No. 696, A bill for an act relating to taxation; property; decreasing penalties for certain delinquent real estate taxes; amending Minnesota Statutes 1978, Section 279.01.

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

Heinitz, Enebo, Wigley and Simoneau introduced:

H. F. No. 697, A bill for an act relating to the operation of state government; creating a real estate division in the department of commerce; transferring certain powers, duties and functions from the commissioner of securities; amending Minnesota Statutes 1978, Sections 15.06, Subdivision 1; 15A.081, Subdivision 1; 45.01; 45.03; 82.17, Subdivision 3; 82.30, Subdivision 1; 82.34, Subdivision 1; 83.20, Subdivision 4; and 83.21.

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

Reding; Stoa; Nelsen, B.; Luknic and Minne introduced:

H. F. No. 698, A bill for an act relating to public buildings; requiring building energy reports as a prerequisite to determining if more extensive energy audits shall be required; amending Minnesota Statutes 1978, Sections 116H.02, by adding subdivisions; 116H.122; 116H.123; 116H.124; 116H.126; and Chapter 116H, by adding a section; repealing Minnesota Statutes 1978, Section 116H.125.

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

Byrne, Rice and Prah1 introduced:

H. F. No. 699, A bill for an act relating to labor; increasing the minimum wage; reducing the time after which overtime pay is required; amending Minnesota Statutes 1978, Sections 177.24, Subdivision 1; and 177.25, Subdivision 1.

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

Friedrich, McDonald, Mann, Novak and Biersdorf introduced:

H. F. No. 700, A bill for an act relating to taxation; providing for the distribution of proceeds of taxation of electric transmission and distribution lines; eliminating certain annual payments by utilities; amending Minnesota Statutes 1978, Section 273.42; repealing Minnesota Statutes 1978, Section 116C.635.

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

Prahl introduced:

H. F. No. 701, A bill for an act relating to local government; limiting spending for certain cemeteries; amending Minnesota Statutes 1978, Section 471.24; repealing Minnesota Statutes 1978, Section 471.25.

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

Prahl and Anderson, I., introduced:

H. F. No. 702, A bill for an act relating to parks; requiring the state to reimburse counties for tax-forfeited land within park boundaries; amending Minnesota Statutes 1978, Section 85.012, Subdivision 1.

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

Rice, Ewald, Heinitz, Berkelman and Albrecht introduced:

H. F. No. 703, A bill for an act relating to accountancy; providing for licensing of public accountants; prohibiting certain practices; appropriating money; providing penalties; amending Minnesota Statutes 1978, Sections 326.17; 326.18; 326.20, Subdivisions 1 and 2; and Chapter 326, by adding sections.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Swanson, Blatz, Olsen, Carlson, L., and Minne introduced:

H. F. No. 704, A bill for an act relating to elections; providing for the tabulation and announcement of votes cast on electronic voting systems; amending Minnesota Statutes 1978, 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.

Pehler, Jacobs, Tomlinson, Berglin and Kalis introduced:

H. F. No. 705, A bill for an act relating to taxation; property tax; extending 3cc classification to mobile homes owned by disabled persons; allowing homestead owned by disabled person and joint tenant to qualify for 3cc classification; amending Minnesota Statutes 1978, Section 273.13, Subdivision 7.

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



McEachern, Simoneau and Kalis introduced:

H. F. No. 706, A bill for an act relating to education; extending the eligibility for secondary vocational education funding; amending Minnesota Statutes 1978, Section 124.573, Subdivision 3.

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

McCarron and Clark introduced:

H. F. No. 707, A bill for an act relating to health; providing for special grants to provide a range of services designed to maintain physically impaired adults in their homes and communities; appropriating money; amending Minnesota Statutes 1978, Section 145.912, Subdivision 7; and Chapter 145, by adding a section.

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

Rose and Osthoff introduced:

H. F. No. 708, A bill for an act relating to rates of interest; regulating interest on loans for business or agricultural purposes; amending Minnesota Statutes 1978, Section 334.011, Subdivision 1.

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

McDonald, Swanson, Rose, Jude and Laidig introduced:

H. F. No. 709, A bill for an act relating to the state civil service; including veterans in the protected group for the purpose of the statewide affirmative action program; amending Minnesota Statutes 1978, Section 43.15, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Sieben, M., introduced:

H. F. No. 710, A bill for an act relating to intoxicating liquor; authorizing Washington County to issue an off-sale license in Denmark township.

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

Sieben, M., introduced:

H. F. No. 711, A bill for an act relating to highway traffic regulations; authorizing physician's trained mobile intensive care paramedics to withdraw blood for the purpose of determining the presence of alcohol or controlled substances under the implied consent law; amending Minnesota Statutes 1978, Section 169.123, Subdivision 3.

The bill was read for the first time and referred to the Committee on Health and Welfare. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Biersdorf, Begich, Carlson, D., and Weaver introduced:

H. F. No. 712, A bill for an act relating to the environment; changing procedures for the appointment of the director of the environmental education board; requiring litter bags and receptacles in certain places; prohibiting littering; directing the commissioner of transportation to support certain public education programs related to pollution; requiring a litter collection analysis; establishing penalties; appropriating money; amending Minnesota Statutes 1978, Sections 116E.03, Subdivisions 7, 7a and 8; 174.02, Subdivision 2; and Chapter 174, by adding sections; repealing Minnesota Statutes 1978, Sections 85.20, Subdivision 6; 169.42; and 609.68.

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

Searle and Brinkman introduced:

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

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 Senate Files, herewith transmitted:

S. F. Nos. 52, 54 and 61.

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. 225, 384 and 411.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 52, 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 1978, 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 Judiciary.

S. F. No. 54, A bill for an act relating to profit and nonprofit corporations; simplifying certain requirements governing formation and management of nonprofit corporations; resolving certain inconsistencies between profit and nonprofit corporations; removing certain ambiguities and deficiencies; amending Minnesota Statutes 1978, Sections 301.30, Subdivision 1; 317.02, Subdivision 5; 317.07; 317.08, Subdivisions 1 and 3; 317.20, Subdivision 1; and 317.21, Subdivision 1.

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

S. F. No. 61, A bill for an act relating to elections; further prescribing conditions for automatic recounts in certain election contests; amending Minnesota Statutes 1978, Sections 204A.51, Subdivisions 2 and 3; and 204A.53, Subdivisions 2 and 3.

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

S. F. No. 225, A bill for an act relating to the city of Richfield; authorizing the issuance of bonds for a certain recreational facility; authorizing the pledge of certain revenues as security therefor.

The bill was read for the first time.

Swanson moved that S. F. No. 225 and H. F. No. 237, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 384, A bill for an act relating to elections; providing additional compensation for election judges who travel to pick up election supplies or deliver ballots; authorizing town boards to fix the compensation of town election judges; amending Minnesota Statutes 1978, Section 204A.23.

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

S. F. No. 411, A bill for an act relating to taxation; defining conveyances that must be presented to the auditor before recording; eliminating duty of county recorder to list judgments affecting real estate titles; eliminating payment to county recorder for making lists; amending Minnesota Statutes 1978, Sections 272.12; and 272.17; repealing Minnesota Statutes 1978, Section 272.18.

The bill was read for the first time.

Fjoslien moved that S. F. No. 411 and H. F. No. 291, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

### CONSENT CALENDAR

H. F. No. 127, A bill for an act relating to the Minnesota historical society; repealing Minnesota Statutes 1978, Section 138.02.

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:

Aasness	Casserly	Fudro	Kostohryz	Niehaus
Adams	Clark	Greenfield	Kroening	Norman
Ainley	Clawson	Halberg	Kvam	Norton
Albrecht	Corbid	Haukoos	Laidig	Novak
Anderson, B.	Crandall	Heap	Lehto	Nysether
Anderson, D.	Dean	Heinitz	Levi	Olsen
Anderson, G.	Dempsey	Hoberg	Long	Onnen
Anderson, I.	Den Ouden	Hokanson	McCarron	Osthoff
Anderson, R.	Drew	Jaros	McDonald	Otis
Battaglia	Eken	Jennings	McEachern	Patton
Begich	Elioff	Johnson, C.	Mehrrens	Pehler
Berglin	Enebo	Johnson, D.	Metzen	Peterson
Berkelman	Evans	Jude	Minne	Piepho
Biersdorf	Ewald	Kahn	Moe	Pleasant
Blatz	Faricy	Kaley	Munger	Prahl
Brinkman	Fjoslien	Kalis	Murphy	Redalen
Byrne	Forsythe	Kelly	Nelsen, B.	Reding
Carlson, D.	Friedrich	Kempe	Nelsen, M.	Roes
Carlson, L.	Fritz	Knickerbocker	Nelson	

Rice	Sherwood	Stowell	Valento	Welker
Rose	Sieben, H.	Sviggum	Vanasek	Wenzel
Rothenberg	Sieben, M.	Swanson	Voss	Wieser
Sarna	Simoneau	Thiede	Waldorf	Wynia
Schreiber	Stadum	Tomlinson	Weaver	Zubay
Searles	Stoa	Valan	Welch	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 145, A bill for an act relating to health; changing requirements for school employee tuberculosis examinations; amending Minnesota Statutes 1978, Section 123.69, 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:

Aasness	Eken	Kaley	Norman	Sieben, M.
Adams	Elioff	Kalis	Norton	Simoneau
Ainley	Ellingson	Kelly	Novak	Stadum
Albrecht	Enebo	Kempe	Nysether	Stoa
Anderson, B.	Esau	Knickerbocker	Olsen	Stowell
Anderson, D.	Evans	Kostohryz	Onnen	Sviggum
Anderson, G.	Ewald	Kroening	Osthoff	Swanson
Anderson, R.	Faricy	Kvam	Otis	Thiede
Battaglia	Fjoslien	Laidig	Patton	Tomlinson
Begich	Forsythe	Lehto	Pehler	Valan
Berglin	Friedrich	Levi	Peterson	Valento
Berkelman	Fritz	Long	Piepho	Vanasek
Biersdorf	Fudro	Luknic	Pleasant	Voss
Blatz	Greenfield	McCarron	Prahl	Waldorf
Brinkman	Halberg	McDonald	Redalen	Weaver
Byrne	Haukoos	McEachern	Reding	Welch
Carlson, D.	Heap	Mehrkens	Rees	Welker
Carlson, L.	Heinitz	Metzen	Reif	Wenzel
Casserly	Hoberg	Minne	Rice	Wieser
Clark	Hokanson	Moe	Rose	Wynia
Clawson	Jaros	Munger	Rothenberg	Zubay
Corbid	Jennings	Murphy	Sarna	Speaker Searle
Crandall	Johnson, C.	Nelsen, B.	Schreiber	
Dempsey	Johnson, D.	Nelsen, M.	Searles	
Den Ouden	Jude	Nelson	Sherwood	
Drew	Kahn	Niehaus	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 201, A bill for an act relating to political subdivisions; regarding public officers; permitting contracts between hospital district boards and board members; amending Minnesota Statutes 1978, Section 471.88, 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 1 nay as follows:

Those who voted in the affirmative were:

Adams	Eken	Kaley	Norman	Sieben, M.
Ainley	Elioff	Kalis	Norton	Simoneau
Albrecht	Ellingson	Kelly	Novak	Stadum
Anderson, B.	Enebo	Kempe	Nysether	Stoa
Anderson, D.	Esau	Knickerbocker	Olsen	Stowell
Anderson, G.	Evans	Kostohryz	Onnen	Sviggum
Anderson, I.	Ewald	Kroening	Osthoff	Swanson
Anderson, R.	Faricy	Kvam	Otis	Thiede
Battaglia	Fjoslien	Laidig	Patton	Tomlinson
Begich	Forsythe	Lehto	Pehler	Valan
Berglin	Friedrich	Levi	Peterson	Valento
Berkelman	Fritz	Long	Piepho	Vanasek
Biersdorf	Fudro	Luknic	Pleasant	Voss
Blatz	Greenfield	McCarron	Prahl	Waldorf
Brinkman	Halberg	McDonald	Redalen	Weaver
Byrne	Haukoos	McEachern	Reding	Welch
Carlson, D.	Heap	Mehrkens	Rees	Welker
Carlson, L.	Heinitz	Metzen	Reif	Wenzel
Casserly	Hoberg	Minne	Rice	Wieser
Clark	Hokanson	Moe	Rose	Wynia
Clawson	Jaros	Munger	Rothenberg	Zubay
Crandall	Jennings	Murphy	Sarna	Speaker Searle
Dean	Johnson, C.	Nelsen, B.	Schreiber	
Dempsey	Johnson, D.	Nelsen, M.	Searles	
Den Ouden	Jude	Nelson	Sherwood	
Drew	Kahn	Niehaus	Sieben, H.	

Those who voted in the negative were:

Corbid

The bill was passed and its title agreed to.

H. F. No. 259, A bill for an act relating to cooperative associations; providing for boards of directors; prescribing the minimum number of directors governing a cooperative apartment corporation; amending Minnesota Statutes 1978, Section 308.11.

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:

Aasness	Battaglia	Carlson, L.	Drew	Fjoslien
Adams	Begich	Casserly	Eken	Forsythe
Ainley	Berglin	Clark	Elioff	Friedrich
Albrecht	Berkelman	Clawson	Ellingson	Fritz
Anderson, B.	Biersdorf	Corbid	Enebo	Fudro
Anderson, D.	Blatz	Crandall	Esau	Greenfield
Anderson, G.	Brinkman	Dean	Evans	Halberg
Anderson, I.	Byrne	Dempsey	Ewald	Haukoos
Anderson, R.	Carlson, D.	Den Ouden	Faricy	Heap

Heinitz	Laidig	Norman	Reif	Tomlinson
Hoberg	Lehto	Norton	Rice	Valan
Hokanson	Levi	Novak	Rose	Valento
Jaros	Long	Nysether	Rothenberg	Vanasek
Jennings	Luknic	Olsen	Sarna	Voss
Johnson, C.	McCarron	Onnen	Schreiber	Waldorf
Johnson, D.	McDonald	Osthoff	Searles	Weaver
Jude	Mehrkens	Otis	Sherwood	Welch
Kahn	Metzen	Patton	Sieben, H.	Welker
Kaley	Minne	Pehler	Sieben, M.	Wenzel
Kalis	Moe	Peterson	Simoneau	Wieser
Kelly	Munger	Piepho	Stadum	Wynia
Kempe	Murphy	Pleasant	Stoa	Zubay
Knickerbocker	Nelsen, B.	Prahl	Stowell	Speaker Searle
Kostohryz	Nelsen, M.	Redalen	Sviggum	
Kroening	Nelson	Reding	Swanson	
Kvam	Niehaus	Rees	Thiede	

The bill was passed and its title agreed to.

H. F. No. 330, A bill for an act relating to courts; eliminating erroneous and ambiguous references relating to municipal courts outside Hennepin and Ramsey counties; amending Minnesota Statutes 1978, Sections 480.055, Subdivision 1; 487.01, Subdivision 8; 487.16; 487.38; 488A.113; 488A.282; 525.011, Subdivision 1; 525.013, Subdivisions 1 and 8; and 525.014.

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:

Aasness	Drew	Kahn	Norman	Sieben, M.
Adams	Eken	Kaley	Norton	Simoneau
Ainley	Elioff	Kalis	Novak	Stadum
Albrecht	Ellingson	Kelly	Nysether	Stoa
Anderson, B.	Enebo	Kempe	Olsen	Stowell
Anderson, D.	Esau	Knickerbocker	Onnen	Sviggum
Anderson, G.	Evans	Kostohryz	Osthoff	Swanson
Anderson, I.	Ewald	Kroening	Otis	Thiede
Anderson, R.	Faricy	Kvam	Patton	Tomlinson
Battaglia	Fjoslien	Laidig	Pehler	Valan
Begich	Forsythe	Lehto	Peterson	Valento
Berglin	Friedrich	Levi	Piepho	Vanasek
Berkelman	Fritz	Long	Pleasant	Voss
Biersdorf	Fudro	Luknic	Prahl	Waldorf
Blatz	Greenfield	McCarron	Redalen	Weaver
Brinkman	Halberg	McEachern	Reding	Welch
Byrne	Haukoos	Mehrkens	Rees	Welker
Carlson, L.	Heap	Metzen	Reif	Wenzel
Casserly	Heinitz	Minne	Rice	Wieser
Clark	Hoberg	Moe	Rose	Wynia
Clawson	Hokanson	Munger	Rothenberg	Zubay
Corbid	Jaros	Murphy	Sarna	Speaker Searle
Crandall	Jennings	Nelsen, B.	Schreiber	
Dean	Johnson, C.	Nelsen, M.	Searles	
Dempsey	Johnson, D.	Nelson	Sherwood	
Den Ouden	Jude	Niehaus	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 395, A bill for an act relating to state historic sites; authorizing management contracts with counties, municipalities, or county or local historical societies.

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:

Aasness	Drew	Kahn	Niehaus	Sieben, M.
Adams	Eken	Kaley	Norman	Simoneau
Ainley	Elioff	Kalis	Norton	Stadum
Albrecht	Ellingson	Kelly	Novak	Stoa
Anderson, B.	Enebo	Kempe	Nysether	Stowell
Anderson, D.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, G.	Evans	Kostohryz	Onnen	Swanson
Anderson, I.	Ewald	Kroening	Otis	Thiede
Anderson, R.	Faricy	Kvam	Patton	Tomlinson
Battaglia	Fjoslien	Laidig	Pehler	Valan
Begich	Forsythe	Lehto	Peterson	Valento
Berglin	Friedrich	Levi	Piepho	Vanasek
Berkelman	Fritz	Long	Pleasant	Voss
Biersdorf	Fudro	Luknic	Prahl	Waldorf
Brinkman	Greenfield	McCarron	Redalen	Weaver
Byrne	Halberg	McDonald	Reding	Welch
Carlson, D.	Haukoos	McEachern	Rees	Welker
Carlson, L.	Heap	Mehrkens	Reif	Wenzel
Casserly	Heinitz	Metzen	Rice	Wieser
Clark	Hoberg	Minne	Rose	Wynia
Clawson	Hokanson	Moe	Rothenberg	Zubay
Corbid	Jaros	Munger	Sarna	Speaker Searle
Crandall	Jennings	Murphy	Schreiber	
Dean	Johnson, C.	Nelsen, B.	Searles	
Dempsey	Johnson, D.	Nelsen, M.	Sherwood	
Den Ouden	Jude	Nelson	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 498, A bill for an act relating to education; requiring hearings on schoolhouse closings to be held at the school absent a compelling reason for another location; amending Minnesota Statutes 1978, Section 123.36, Subdivision 11.

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:

Aasness	Anderson, B.	Anderson, R.	Berkelman	Byrne
Adams	Anderson, D.	Battaglia	Biersdorf	Carlson, D.
Ainley	Anderson, G.	Begich	Blatz	Carlson, L.
Albrecht	Anderson, I.	Berglin	Brinkman	Casserly



Clark	Halberg	Levi	Osthoff	Stadum
Clawson	Haukoos	Long	Otis	Stoa
Corbid	Heap	Luknic	Patton	Stowell
Crandall	Heinitz	McCarron	Pehler	Swiggum
Dean	Hoberg	McDonald	Peterson	Swanson
Dempsey	Hokanson	McEachern	Piepho	Thiede
Den Ouden	Jaros	Mehrkens	Pleasant	Valan
Drew	Jennings	Metzen	Prahl	Valento
Eken	Johnson, C.	Minne	Redalen	Vanasek
Elioff	Johnson, D.	Moe	Reding	Voss
Ellingson	Jude	Munger	Rees	Waldorf
Enebo	Kahn	Murphy	Reif	Weaver
Esau	Kaley	Nelsen, B.	Rice	Welch
Evans	Kalis	Nelsen, M.	Rose	Welker
Ewald	Kelly	Nelson	Rothenberg	Wenzel
Faricy	Kempe	Niehaus	Sarna	Wieser
Fjoslien	Knickerbocker	Norman	Schreiber	Wynia
Forsythe	Kostohryz	Norton	Searles	Zubay
Friedrich	Kroening	Novak	Sherwood	Speaker Searle
Fritz	Kvam	Nysether	Sieben, H.	
Fudro	Laidig	Olsen	Sieben, M.	
Greenfield	Lehto	Onnen	Simoneau	

The bill was passed and its title agreed to.

S. F. No. 187, A bill for an act relating to employment agencies; providing an exemption for management consultant firms from employment agency regulation; amending Minnesota Statutes 1978, Section 184.22.

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 81 yeas and 41 nays as follows:

Those who voted in the affirmative were:

Aasness	Ewald	Levi	Peterson	Thiede
Adams	Fjoslien	Long	Piepho	Tomlinson
Ainley	Forsythe	Luknic	Pleasant	Valan
Albrecht	Friedrich	McCarron	Redalen	Valento
Anderson, D.	Fudro	McDonald	Reding	Vanasek
Anderson, R.	Halberg	Mehrkens	Rees	Waldorf
Berkelman	Hoberg	Metzen	Reif	Weaver
Biersdorf	Jaros	Murphy	Rose	Welker
Blatz	Jennings	Nelsen, B.	Schreiber	Wenzel
Casserly	Johnson, C.	Nelsen, M.	Searles	Wieser
Corbid	Johnson, D.	Niehaus	Sherwood	Wynia
Dean	Jude	Norman	Sieben, H.	Zubay
Dempsey	Kahn	Novak	Sieben, M.	Speaker Searle
Den Ouden	Kalis	Nysether	Simoneau	
Drew	Kempe	Olsen	Stadum	
Esau	Laidig	Onnen	Stoa	
Evans	Lehto	Patton	Stowell	

Those who voted in the negative were:

Anderson, B.	Battaglia	Byrne	Clark	Elioff
Anderson, G.	Begich	Carlson, D.	Clawson	Ellingson
Anderson, I.	Brinkman	Carlson, L.	Eken	Enebo

Faricy	Hokanson	McEachern	Pehler	Voss
Fritz	Kaley	Minne	Prahl	Welch
Greenfield	Kelly	Nelson	Rothenberg	
Haukoos	Knickerbocker	Norton	Sarna	
Heap	Kroening	Osthoff	Sviggum	
Heinitz	Kvam	Otis	Swanson	

The bill was passed and its title agreed to.

S. F. No. 388, A bill for an act relating to towns; changing certain limits on payments for attorney's fees; amending Minnesota Statutes 1978, Section 368.121.

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 18 nays as follows:

Those who voted in the affirmative were:

Aasness	Elioff	Kahn	Niehaus	Stoa
Adams	Enebo	Kaley	Norman	Sviggum
Ainley	Esau	Kalis	Norton	Swanson
Albrecht	Evans	Kelly	Novak	Thiede
Anderson, B.	Ewald	Kempe	Nysether	Tomlinson
Anderson, I.	Fjoslien	Knickerbocker	Olsen	Valan
Anderson, R.	Forsythe	Kvam	Onnen	Valento
Battaglia	Friedrich	Laidig	Otis	Vanasek
Begich	Fritz	Lehto	Peterson	Voss
Berkelman	Fudro	Levi	Piepho	Waldorf
Biersdorf	Greenfield	Long	Pleasant	Weaver
Blatz	Halberg	Luknic	Reding	Welch
Brinkman	Haukoos	McCarron	Reif	Welker
Carlson, D.	Heap	McEachern	Rose	Wenzel
Carlson, L.	Heinitz	Mehrkens	Sarna	Wieser
Casserly	Hoberg	Metzen	Schreiber	Wynia
Clark	Hokanson	Minne	Searles	Zubay
Dean	Jaros	Moe	Sieben, H.	Speaker Searle
Dempsey	Jennings	Murphy	Sieben, M.	
Den Ouden	Johnson, D.	Nelsen, B.	Simoneau	
Drew	Jude	Nelsen, M.	Stadum	

Those who voted in the negative were:

Anderson, D.	Corbid	Johnson, C.	Pehler	Rothenberg
Anderson, G.	Eken	Kroening	Redalen	Stowell
Berglin	Ellingson	McDonald	Rees	
Byrne	Faricy	Patton	Rice	

The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 3 was reported to the House and given its third reading.

There being no objection, H. F. No. 3 was continued on the Calendar until Thursday, March 8, 1979.

H. F. No. 9, A bill for an act relating to education; authorizing the pairing of certain independent school districts; extending the time for pairing; amending Minnesota Statutes 1978, Section 122.85, 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 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelson	Searles
Adams	Eken	Kahn	Niehaus	Sherwood
Ainley	Elioff	Kaley	Norman	Sieben, H.
Albrecht	Ellingson	Kalis	Norton	Sieben, M.
Anderson, B.	Enebo	Kelly	Novak	Simoneau
Anderson, G.	Esau	Kempe	Nysether	Stadum
Anderson, I.	Evans	Knickerbocker	Olsen	Stoa
Anderson, R.	Ewald	Kostohryz	Onnen	Stowell
Battaglia	Faricy	Kroening	Osthoff	Sviggunn
Begich	Fjoslien	Kvam	Otis	Swanson
Berglin	Forsythe	Laidig	Patton	Thiede
Berkelman	Friedrich	Lehto	Pehler	Tomlinson
Biersdorf	Fritz	Levi	Peterson	Valan
Blatz	Fudro	Long	Piepho	Valento
Brinkman	Greenfield	Luknic	Pleasant	Vanasek
Byrne	Halberg	McCarron	Prahl	Voss
Carlson, D.	Haukoos	McDonald	Redalen	Waldorf
Carlson, L.	Heap	McEachern	Reding	Weaver
Cassery	Heinitz	Mehrkens	Rees	Welch
Clark	Hoberg	Metzen	Reif	Welker
Clawson	Hokanson	Minne	Rice	Wenzel
Corbid	Jaros	Moe	Rose	Wieser
Dean	Jennings	Murphy	Rothenberg	Wynia
Dempsey	Johnson, C.	Nelsen, B.	Sarna	Zubay
Den Ouden	Johnson, D.	Nelsen, M.	Schreiber	Speaker Searle

Those who voted in the negative were:

Anderson, D.

The bill was passed and its title agreed to.

H. F. No. 295, A bill for an act relating to nursing homes; requiring notice of rate increases to residents who are not recipients of medical assistance; amending Minnesota Statutes 1978, Section 144A.04, 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 104 yeas and 20 nays as follows:

Those who voted in the affirmative were:

Adams	Dean	Jennings	Nelsen, B.	Schreiber
Ainley	Drew	Johnson, C.	Nelsen, M.	Searles
Albrecht	Eken	Jude	Nelson	Sieben, H.
Anderson, B.	Elioff	Kahn	Niehaus	Sieben, M.
Anderson, D.	Ellingson	Kelly	Norman	Simoneau
Anderson, G.	Enebo	Kempe	Norton	Stadum
Anderson, I.	Evans	Kostohryz	Novak	Stoa
Anderson, R.	Ewald	Kroening	Nysether	Stowell
Battaglia	Faricy	Kvam	Olsen	Swanson
Begich	Fjoslien	Lehto	Osthoff	Tomlinson
Berglin	Forsythe	Levi	Otis	Valan
Berkelman	Friedrich	Long	Patton	Vanasek
Biersdorf	Fritz	Luknic	Pehler	Voss
Blatz	Fudro	McCarron	Peterson	Waldorf
Brinkman	Greenfield	McEachern	Pleasant	Weaver
Byrne	Halberg	Mehrkens	Redalen	Welch
Carlson, D.	Haukoos	Metzen	Reding	Welker
Carlson, L.	Heap	Minne	Reif	Wenzel
Casserly	Hoberg	Moe	Rice	Wynia
Clark	Hokanson	Munger	Rothenberg	Zubay
Crandall	Jaros	Murphy	Sarna	

Those who voted in the negative were:

Clawson	Esau	Kalis	Piepho	Thiede
Corbid	Heintz	Laidig	Rees	Valento
Dempsey	Johnson, D.	McDonald	Sherwood	Wieser
Den Ouden	Kaley	Onnen	Sviggum	Speaker Searle

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 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. 59, 87, 102 and 116 which it recommended to pass.

H. F. No. 157 which it recommended to pass with the following amendments:

Offered by Enebo:

Page 6, delete line 31

Page 6, line 32, delete "*whether or not the person*"

Page 7, line 2, after "who" insert "terminated service at age 65 or older for any reason whether or not the person"

Offered by Pehler:

Page 4, line 6, after "employee" insert "who is 65 years of age or older"

Offered by Anderson, R.:

Page 8, line 19, strike "\$3,000" insert "\$3,600"

Offered by Enebo:

Page 11, line 2, strike "\$3,000" insert "\$3,600"

On the motion of Sieben, H., 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. 59 and the roll was called. There were 95 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Aasness	Elioff	Kahn	Niehaus	Sherwood
Ainley	Esau	Kaley	Norman	Sieben, H.
Albrecht	Evans	Kalis	Norton	Sieben, M.
Anderson, R.	Ewald	Kelly	Nysether	Stadum
Battaglia	Faricy	Kempe	Olsen	Stoa
Begich	Fjoslien	Knickerbocker	Onnen	Stowell
Berkelman	Forsythe	Kvam	Otis	Sviggum
Biersdorf	Friedrich	Laidig	Peterson	Thiede
Blatz	Fritz	Lehto	Piepho	Tomlinson
Carlson, D.	Fudro	Levi	Pleasant	Valan
Casserly	Greenfield	Luknic	Prahl	Valento
Clawson	Halberg	McCarron	Redalen	Voss
Corbid	Haukoos	McDonald	Reding	Waldorf
Crandall	Heap	Mehrkens	Rees	Weaver
Dean	Heinitz	Minne	Reif	Welker
Dempsey	Hoberg	Munger	Rose	Wenzel
Den Ouden	Jennings	Murphy	Rothenberg	Wieser
Drew	Johnson, D.	Nelsen, B.	Schreiber	Zubay
Eken	Jude	Nelson	Searles	Speaker Searle

Those who voted in the negative were:

Anderson, G.	Ellingson	McEachern	Patton	Simoneau
Brinkman	Enebo	Metzen	Pehler	Vanasek
Byrne	Kostohryz	Nelsen, M.	Rice	
Carlson, L.	Kroening	Osthoff	Sarna	

The motion prevailed.

The question was taken on the McDonald motion that H. F. No. 157, as amended, be re-referred to the Committee on Governmental Operations and the roll was called. There were 23 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Ludeman	Peterson	Sviggum
Albrecht	Fritz	McDonald	Piepho	Valento
Biersdorf	Halberg	Murphy	Redalen	Welker
Carlson, D.	Hoberg	Niehaus	Rose	
Dempsey	Kvam	Onnen	Searles	

Those who voted in the negative were:

Adams	Den Ouden	Kaley	Norman	Sieben, M.
Anderson, D.	Drew	Kalis	Novak	Stadum
Anderson, I.	Eken	Kelly	Nysether	Stoa
Anderson, R.	Enebo	Kempe	Olsen	Swanson
Battaglia	Evans	Kroening	Otis	Tomlinson
Begich	Ewald	Laidig	Patton	Valan
Berglin	Faricy	Levi	Pehler	Waldorf
Berkelman	Forsythe	Long	Pleasant	Weaver
Blatz	Fudro	Luknic	Prahl	Wenzel
Brinkman	Greenfield	McCarron	Reding	Wieser
Byrne	Haukoos	McEachern	Rees	Wynia
Carlson, L.	Heap	Mehrkens	Reif	Zubay
Casserly	Hokanson	Metzen	Rice	Speaker Searle
Clark	Jaros	Minne	Rothenberg	
Clawson	Johnson, C.	Moe	Sarna	
Corbid	Jude	Nelsen, M.	Schreiber	
Dean	Kahn	Nelson	Sieben, H.	

The motion did not prevail.

Anderson, R., moved to amend H. F. No. 157, as amended, as follows:

Page 8, line 19, strike "\$3,000" insert "\$3,600"

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

Those who voted in the affirmative were:

Aasness	Biersdorf	Den Ouden	Forsythe	Johnson, D.
Adams	Blatz	Drew	Fritz	Jude
Ainley	Brinkman	Eken	Fudro	Kahn
Albrecht	Carlson, D.	Elioff	Greenfield	Kaley
Anderson, B.	Carlson, L.	Ellingson	Haukoos	Kalis
Anderson, G.	Casserly	Enebo	Heap	Kelly
Anderson, I.	Clark	Esau	Heinitz	Kempe
Anderson, R.	Clawson	Evans	Hoberg	Knickerbocker
Battaglia	Corbid	Ewald	Hokanson	Kostohryz
Begich	Dean	Faricy	Jaros	Kroening
Berglin	Dempsey	Fjoslien	Jennings	Kvam

Laidig	Munger	Patton	Sarna	Valan
Lehto	Murphy	Pehler	Schreiber	Valento
Levi	Nelsen, B.	Peterson	Searles	Vanasek
Long	Nelsen, M.	Piepho	Sherwood	Voss
Ludeman	Nelson	Pleasant	Sieben, H.	Waldorf
Luknic	Niehaus	Prahl	Sieben, M.	Weaver
McCarron	Norman	Redalen	Simoneau	Welch
McDonald	Novak	Reding	Stadum	Welker
McEachern	Nysether	Rees	Stoa	Wenzel
Mehrkens	Olsen	Reif	Sviggum	Wieser
Metzen	Onnen	Rice	Swanson	Wynia
Minne	Osthoff	Rose	Thiede	Zubay
Moe	Otis	Rothenberg	Tomlinson	Speaker Searle

The motion prevailed and the amendment was adopted.

### MOTIONS AND RESOLUTIONS

Kaley moved that his name be stricken as an author on H. F. No. 295. The motion prevailed.

Swanson moved that his name be stricken as an author on H. F. No. 405. The motion prevailed.

Jennings moved that the name of Anderson, G., be added as an author on H. F. No. 571. The motion prevailed.

Thiede moved that the names of Nelsen, M.; Mehrkens; Sherwood and Hoberg be added as authors on H. F. No. 659. The motion prevailed.

Heinitz moved that the name of Luknic be added as an author on H. F. No. 697. The motion prevailed.

Halberg moved that the name of Wenzel be added as an author on H. F. No. 690. The motion prevailed.

Biersdorf moved that the name of Nelsen, M., be added as an author on H. F. No. 712. The motion prevailed.

Bryne moved that the name of Moe be added as an author on H. F. No. 699. The motion prevailed.

McCarron moved that the name of Byrne be added as an author on H. F. No. 707. The motion prevailed.

Kelly moved that the name of Jaros be added as an author on H. F. No. 229. The motion prevailed.

Zubay moved that H. F. No. 549 be recalled from the Committee on Education and be re-referred to the Committee on Appropriations. The motion prevailed.

Faricy moved that the name of Wynia be added as an author on H. F. No. 558. The motion prevailed.

Carlson, D., introduced:

House Resolution No. 4, A house resolution relating to reimbursement of expenses of members.

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

Knickerbocker and Anderson, I., introduced:

House Resolution No. 5, A house resolution relating to the payment of living expenses and mileage for members of the House of Representatives.

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

Fritz introduced:

House Resolution No. 6, A house resolution congratulating Hamline University on its 125th anniversary.

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

ANNOUNCEMENT BY THE SPEAKER AND THE CHAIRMAN OF THE  
COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House of Representatives to the following commissions:

*Great Lakes Commission*, pursuant to the provisions of Minnesota Statutes 1978, Section 1.22: Battaglia and Knickerbocker

*Legislative Advisory Committee to Assist The Minnesota-Wisconsin Boundary Area Commission*, pursuant to Minnesota Statutes 1978, Section 1.34: Mehrkens, Redalen, Reding, Stoa and Wieser

*Tax Study Commission*, pursuant to Minnesota Statutes 1978, Section 3.86: Evans, Kvam, Novak, Searles, Sieben, H., Tomlinson and Vanasek

*Council on The Economic Status of Women*, pursuant to Laws 1978, Chapter 793: Berglin, Levi, Olsen, Otis and Wynia



## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 8, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 8, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## TWENTY-THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 8, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elioff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Onnen	Sviggum
Anderson, R.	Ewald	Kroening	Osthoff	Swanson
Battaglia	Faricy	Kvam	Otis	Thiede
Begich	Fjoslien	Laidig	Patton	Tomlinson
Berglin	Forsythe	Lehto	Pavlak	Valan
Berkelman	Friedrich	Levi	Pehler	Valento
Biersdorf	Fritz	Long	Peterson	Vanasek
Blatz	Fudro	Ludeman	Piepho	Voss
Brinkman	Greenfield	Luknic	Pleasant	Waldorf
Byrne	Halberg	Mann	Prahl	Weaver
Carlson, D.	Haukoos	McCarron	Redalen	Welch
Carlson, L.	Heap	McDonald	Reding	Welker
Casserly	Heinitz	McEachern	Rees	Wenzel
Clark	Hoberg	Mehrkens	Reif	Wieser
Clawson	Hokanson	Metzen	Rice	Wigley
Corbid	Jacobs	Minne	Rose	Wynia
Crandall	Jaros	Moe	Rothenberg	Zubay
Dean	Jennings	Munger	Sarna	Speaker Searle
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Neisen, B.	Searles	

A quorum was present.

Olsen was excused until 2:35 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson 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. 643, 300, 228 and 157 and S. F. Nos. 225, 411, 54, 61, 52 and 384 have been placed in the members' files.

S. F. No. 411 and H. F. No. 291, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Fjoslien moved that S. F. No. 411 be substituted for H. F. No. 291 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 225 and H. F. No. 237, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Swanson moved that the rules be so far suspended that S. F. No. 225 be substituted for H. F. No. 237 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Fudro from the Committee on Transportation to which was referred:

H. F. No. 167, A bill for an act relating to the city of Virginia; extending an eligibility deadline for special funding for the improvement of a segment of a certain municipal state-aid street within the city.

Reported the same back with the following amendments:

Page 1, delete lines 16, 17, and 18

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 180, A bill for an act relating to education; requiring the board of education to establish and fill the position of

specialist for industrial arts education and to prescribe the duties of the specialist; appropriating money; amending Minnesota Statutes 1978, Section 121.11, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 15, after "*education*" insert "*, division of instruction,*"

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 Governmental Operations to which was referred:

H. F. No. 246, A bill for an act relating to the city of Saint Paul; authorizing the disposition of the Gillette state hospital property, building and grounds.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Notwithstanding Laws 1978, Chapter 791, Section 20, or any other provision of law, the commissioner of administration shall convey by quitclaim deed in such form as the attorney general approves all right, title and interest of the state in the Gillette hospital buildings and site to the city of Saint Paul. The commissioner of administration shall prepare and the attorney general shall approve the exact description of the property to be conveyed. In consideration of the conveyance, the city of Saint Paul agrees to pay all legal costs associated with the conveyance, all outstanding assessments against the property, and all expenses incurred in razing or removing the buildings on the property. The city of Saint Paul is authorized to accept such donation, and shall use the site and buildings thereon for public or governmental uses, or any other uses or purposes as may be permitted or authorized by law. The city of Saint Paul may raze or remove in whole or in part, or alter or modify, and take any other actions with respect to said buildings and site as may be necessary to carry out public, governmental or other lawful uses.

Sec. 2. [EFFECTIVE DATE] This act shall be effective the day following enactment provided that the conveyance shall occur on or before July 1, 1979, and only after its approval by the governing body of the city of Saint Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021. Failure of the governing body of the city council of Saint Paul to

act prior to July 1, 1979, shall allow the commissioner of administration to act pursuant to Laws 1978, Chapter 791, Section 20."

With the recommendation that when so amended the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 444, A bill for an act relating to intoxicating liquor; allowing clubs affiliated with national organizations in existence for at least 15 years to obtain on-sale intoxicating liquor licenses; amending Minnesota Statutes 1978, Section 340.11, Subdivision 11.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Notwithstanding any law to the contrary, the city of Spring Lake Park may issue one license for the on-sale of intoxicating liquor to a bona fide club, as defined in Minnesota Statutes, Section 340.07, Subdivision 15, which has been in existence for less than 15 years but which holds a charter from a national organization which has been in existence for 15 years or more. The license shall be subject to approval by the commissioner of public safety and shall be for the sale of intoxicating liquor to members and bona fide guests only. The fee for such license shall be \$100. The license so authorized shall be in addition to the number authorized by Minnesota Statutes, Section 340.11, Subdivision 5a.

Sec. 2. This act is effective upon approval by the governing body of the city of Spring Lake Park and compliance with the provisions of Minnesota Statutes, Section 645.021."

Delete the title and insert:

"A bill for an act relating to intoxicating liquor; authorizing the city of Spring Lake Park to issue an on-sale intoxicating liquor license to a club in existence for less than 15 years."

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. 472, A resolution urging the President, Congress and the Secretary of Transportation to retain the Amtrak North Coast Hiawatha in the National Amtrak Transportation System.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 167, 246, 444, and 472 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 411 and 225 were read for the second time.

## SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Swanson moved that the rule therein be suspended and an urgency be declared so that S.F. No. 225 be given its third reading and be placed upon its final passage. The motion prevailed.

Swanson moved that the rules of the House be so far suspended that S. F. No. 225 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 225, A bill for an act relating to the city of Richfield; authorizing the issuance of bonds for a certain recreational facility; authorizing the pledge of certain revenues as security therefor.

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:

Aasness	Battaglia	Byrne	Dean	Esau
Adams	Begich	Carlson, D.	Dempsey	Evans
Ainley	Berglin	Carlson, L.	Den Ouden	Ewald
Albrecht	Berkelman	Cassery	Drew	Faricy
Anderson, D.	Biersdorf	Clark	Elioff	Fjoslien
Anderson, I.	Blatz	Clawson	Enebo	Forsythe
Anderson, R.	Brinkman	Crandall	Erickson	Friedrich

Fritz	Kelly	Minne	Piepho	Stoa
Fudro	Kempe	Moe	Pleasant	Sviggum
Greenfield	Knickerbocker	Munger	Prahl	Swanson
Halberg	Kostohryz	Murphy	Redalen	Thiede
Haukoos	Kroening	Nelsen, B.	Reding	Tomlinson
Heap	Kvam	Nelsen, M.	Rees	Valan
Heinitz	Laidig	Nelson	Reif	Valento
Hoberg	Lehto	Niehaus	Rice	Vanasek
Hokanson	Levi	Norton	Rose	Voss
Jacobs	Long	Novak	Rothenberg	Waldorf
Jaros	Ludeman	Nysether	Sarna	Weaver
Jennings	Luknic	Onnen	Schreiber	Welker
Johnson, C.	Mann	Osthoff	Searles	Wenzel
Johnson, D.	McCarron	Otis	Sherwood	Wieser
Jude	McDonald	Patton	Sieben, H.	Wigley
Kahn	McEachern	Pavlak	Sieben, M.	Wynia
Kaley	Mehrkens	Pehler	Simoneau	Zubay
Kalis	Metzen	Peterson	Stadum	Speaker Searle

The bill was passed and its title agreed to.

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Wenzel, Heinitz and Brinkman introduced:

H. F. No. 714, A bill for an act relating to local government; authorizing self insurance by political subdivisions for health care services; providing for the regulation of the administration of self insurance plans; providing compliance with certain statutes relating to health and accident insurance; amending Minnesota Statutes 1978, Sections 471.61, Subdivisions 1 and 2a; and 471.616, Subdivision 1, and by adding subdivisions.

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

Kalis, Adams, Dempsey, Nelsen, B., and Novak introduced:

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

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

Carlson, D.; Brinkman; Ludeman and Mann introduced:

H. F. No. 716, A bill for an act relating to non-alcoholic beverages; requiring laboratory examination of certain beverages; deleting registration exemption for identified beverages; amending Minnesota Statutes 1978, Section 34.05, Subdivision 1; repealing Minnesota Statutes 1978, Section 34.05, Subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Osthoff, Metzen, Friedrich, Sieben, M., and Biersdorf introduced:

H. F. No. 717, A bill for an act proposing an amendment to the Minnesota Constitution, adding a section to Article X; permitting parimutuel betting on horse races if authorized by law.

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

Hokanson, Kroening, Swanson, Blatz and Halberg introduced:

H. F. No. 718, A bill for an act relating to taxation; income; providing an income tax credit for blind dependents; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3c.

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

Wenzel, Jude, Fritz, Osthoff and Valento introduced:

H. F. No. 719, A bill for an act relating to elections; providing for a presidential primary election; regulating the selection of convention delegates; appropriating money.

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

Norman; Sieben, M.; Drew and Faricy introduced:

H. F. No. 720, A bill for an act relating to public employment labor relations; providing for student participation in collective bargaining at certain educational institutions; amending Minnesota Statutes 1978, Section 179.61.

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



Norman, Haukoos, Stadum and Fritz introduced:

H. F. No. 721, A bill for an act relating to elections; regulating certain conduct in the polling place; allowing certain individuals to provide proof of residence for certain other individuals; requiring voters and other individuals to leave the polling place immediately after completing authorized activities; amending Minnesota Statutes 1978, Sections 201.061, Subdivision 3; and 204A.37, Subdivision 1.

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

Norman, Haukoos, Stadum and Fritz introduced:

H. F. No. 722, A bill for an act relating to elections; requiring date of birth on voter registration cards; requiring election judges to initial voter registration cards submitted on election day; amending Minnesota Statutes 1978, Sections 201.061, by adding a subdivision; and 201.071, Subdivisions 1 and 3.

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

Norman, Dean and Crandall introduced:

H. F. No. 723, A bill for an act relating to elections; removing party designation from certain offices in cities of the first class; amending Minnesota Statutes 1978, Sections 202A.28; and 205.17, Subdivisions 1 and 3; repealing Minnesota Statutes 1978, Section 205.17, Subdivisions 2 and 4.

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

Ewald, Kroening, Biersdorf, Sieben, H., and Anderson, I., introduced:

H. F. No. 724, A bill for an act relating to housing; providing for an increase in the authorization for bonds and notes for the housing finance agency; appropriating money; amending Minnesota Statutes 1978, Section 462A.22, Subdivision 1.

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

Zubay, Patton, Pleasant, Norton and Kempe introduced:

H. F. No. 725, A bill for an act relating to transcript fees; providing for court transcript fees; authorizing the supreme court to adopt by rule a uniform transcript fee schedule; authorizing the commissioner of labor and industry to maintain a court reporter system for the workers' compensation division; providing for department transcript fees; amending Minnesota Statutes 1978, Sections 175.101, by adding a subdivision; 176.421, Subdivisions 4, 5 and 7; 488A.05, Subdivision 2; 488A.22, Subdivision 2; 525.11; 525.111; and 525.112; repealing Minnesota Statutes 1978, Section 486.06.

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

Wenzel, Luknic, Novak, Fritz and Begich introduced:

H. F. No. 726, A bill for an act relating to public welfare; establishing an energy assistance program in the department of economic security; appropriating money.

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

Prahl, Anderson, I., and Sherwood introduced:

H. F. No. 727, A bill for an act relating to courts; authorizing the Itasca County court district to elect an additional judge; amending Minnesota Statutes 1978, Section 487.01, Subdivision 5.

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

Carlson, L.; Johnson, C.; Knickerbocker, Kostohryz and Thiede introduced:

H. F. No. 728, A bill for an act relating to education; allowing not more than ten days used by kindergarten teachers for parent-teacher conferences or teachers' workshops to count as part of the required minimum number of days school is in session; amending Minnesota Statutes 1978, Section 124.19, Subdivision 1.

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

Greenfield, Waldorf, Drew, Blatz and Berglin introduced:

H. F. No. 729, A bill for an act relating to public welfare; increasing personal needs allowance for residents of certain facilities; restricting the use of allowances by third parties; providing for a civil action and damages; providing a penalty; amending Minnesota Statutes 1978, Section 256B.35.

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

Tomlinson, Faricy, Novak, Luknic and Norman introduced:

H. F. No. 730, A bill for an act relating to taxation; income; removing the state tax on any federal tax credit for renewable energy systems; amending Minnesota Statutes 1978, Section 290.08, by adding a subdivision.

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

Cassery, Dempsey, Norton, Sieben, M., and Crandall introduced:

H. F. No. 731, A bill for an act relating to corporations; altering quorum requirements; permitting loans and other transactions with officers and employees; empowering corporations to engage in certain transactions; amending Minnesota Statutes 1978, Sections 301.25, Subdivision 7; 301.32; and 301.36.

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

Sherwood, Den Ouden, Thiede, Reding and Lehto introduced:

H. F. No. 732, A bill for an act relating to game and fish; modifying the definitions of rough fish and minnows; amending Minnesota Statutes 1978, Section 97.40, Subdivisions 11 and 12.

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

Swanson, Otis, Kostohryz, McDonald and Zubay introduced:

H. F. No. 733, A bill for an act relating to veterans; increasing the maximum amount of certain educational grants to certain persons; amending Minnesota Statutes 1978, Section 197.75, Subdivision 1.

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

Swanson, Otis, Kostohryz and McDonald introduced:

H. F. No. 734, A bill for an act relating to veterans; honoring Vietnam veterans by certain flag displays; amending Minnesota Statutes 1978, 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.

Greenfield, Berglin, Drew, Waldorf and Onnen introduced:

H. F. No. 735, A bill for an act relating to public welfare; disregarding certain income in determining eligibility for medical assistance; amending Minnesota Statutes 1978, Section 256B.06, Subdivision 1.

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

Olsen, Munger, Searle, Metzen and Forsythe introduced:

H. F. No. 736, A bill for an act relating to education; equalizing the summer school foundation aid formula; amending Minnesota Statutes 1978, Section 124.20.

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

Patton, Biersdorf, Kaley and Sarna introduced:

H. F. No. 737, A bill for an act relating to retirement; highway patrolmen; extending survivor benefit coverage to certain disabled employees; providing for increased employee and employer contributions and for an annual post retirement increase to certain retirees; amending Minnesota Statutes 1978, Sections 352B.02, Subdivision 1; 352B.11, Subdivision 2; and Chapter 352B, by adding a section.

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

Stoa introduced:

H. F. No. 738, 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 1978, Sections 15.1642, Subdivision 5; 15.165; Chapter 15, by adding sections; and Chapter 138, by adding a section; repealing Minnesota Statutes 1978, Sections 15.162; 15.163; 15.1641; 15.1642, Subdivision 4; 15.166; 15.167; 15.1671; 15.169; 15.17; 15.171; 15.172; 15.173; 15.174; 138.161; 138.163; 138.17; 138.18; 138.19; 138.20; 138.21; and 138.22.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Tomlinson, McCarron, Byrne and Valento introduced:

H. F. No. 739, A bill for an act relating to Ramsey County; providing the age for mandatory retirement of county employees; providing for civil service rules; removing a provision for health insurance; amending Laws 1974, Chapter 435, Sections 3.02, Subdivision 4, as amended; and 3.03; repealing Laws 1974, Chapter 435, Section 1.0214, Subdivision 2, as amended.

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

Kelly, Byrne and Valento introduced:

H. F. No. 740, A bill for an act relating to Ramsey County; changing the day of county board meetings; amending Laws 1974, Chapter 435, Section 2.05, Subdivision 1, as amended.

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

McEachern introduced:

H. F. No. 741, A bill for an act relating to education; allowing certain superintendents to take certain leaves of absence; amending Minnesota Statutes 1978, Section 125.60, Subdivision 1.

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

Dempsey, Rees and Piepho introduced:

H. F. No. 742, 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 1978, 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, Economic Development and Housing.

Dempsey and Piepho introduced:

H. F. No. 743, 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 1978, Sections 645.021 and 645.023, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Dempsey, Rees and Piepho introduced:

H. F. No. 744, A bill for an act relating to civil actions; providing for the issuance of process in proceedings supplementary to execution; amending Minnesota Statutes 1978, Section 575.02.

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

Otis introduced:

H. F. No. 745, A bill for an act relating to appropriations; appropriating funds to the Minnesota energy agency to match federal funds for certain energy related studies.

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

Patton, Moe, Biersdorf and Sarna introduced:

H. F. No. 746, A bill for an act relating to retirement; teachers retirement association; increase in employer contribution; amending Minnesota Statutes 1978, Sections 354.42, Subdivisions 3 and 5; and 354A.12.

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

Moe, Patton and Biersdorf and introduced:

H. F. No. 747, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1978, Sections 353.01, Subdivisions 2b, 10, 16, and 27; 353.017, Subdivision 2; 353.29, Subdivisions 2 and 8; 353.31, Subdivision 1; 353.32, Subdivisions 1, 3, and 9; 353.33, Subdivision 1 and by adding a subdivision; 353.34, Subdivision 3; 353.35; 353.46, Subdivision 1; 353.656, Subdivision 2; 353.657, Subdivision 1; 353.71, Subdivision 5; repealing Minnesota Statutes 1978, Sections 353.272; 353.33, Subdivisions 4 and 6.

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

Patton, Moe, Biersdorf and Kaley introduced:

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

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

Patton, Biersdorf, Moe and Kaley introduced:

H. F. No. 749, A bill for an act relating to retirement; teachers retirement fund associations in cities of the first class; codification of a coordinated program for the Minneapolis and St. Paul teachers retirement fund associations; recodification of the law governing first class city teachers retirement fund associations; amending Minnesota Statutes 1978, Sections 354A.05; 354A.08; 354A.09; 354A.091; 354A.11; 354A.12; 354A.21; and 356.32, Subdivision 2; and Chapter 354A by adding sections; repealing Minnesota Statutes 1978, Sections 354A.01; 354A.02; 354A.03; 354A.04; 354A.10; 354A.13; and 354A.22.

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

Patton, Biersdorf, Moe and Kaley introduced:

H. F. No. 750, A bill for an act relating to retirement; prohibiting volunteer firefighters relief association membership for fire chiefs.

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

Anderson, G.; Vanasek; Valan and Kalis introduced:

H. F. No. 751, A bill for an act relating to agriculture; prohibiting certain contracts for certain agricultural products.

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

Levi, Hoberg, Long and Pehler introduced:

H. F. No. 752, A bill for an act relating to education; modifying a subdivision providing for identification, assessment and educational placement of handicapped school children; setting tuition at certain schools for the handicapped and providing for certain tuition reimbursement; establishing which school districts shall claim certain aid; providing for certain participation in and notification of certain child placement decisions; abolishing certain expenditure limitations; amending Minnesota Statutes 1978, Sections 120.17, Subdivisions 3b and 7a; and 124.212, Subdivision 20; repealing Minnesota Statutes 1978, Section 120.171.

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

Voss, Ewald, Corbid, Ellingson and Blatz introduced:

H. F. No. 753, A bill for an act relating to banks and banking; removing certain restrictions on services that may be offered at detached facilities; amending Minnesota Statutes 1978, Section 47.53.

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

Clawson, Ellingson and Fjoslien introduced:

H. F. No. 754, A bill for an act relating to eminent domain; enacting the uniform eminent domain act; repealing Minnesota Statutes 1978, Sections 117.011; 117.025; 117.035; 117.041; 117.042; 117.045; 117.055; 117.065; 117.075; 117.085; 117.086; 117.105; 117.115; 117.125; 117.135; 117.145; 117.155; 117.165; 117.175; 117.185; 117.195; 117.205; 117.215; 117.225; 117.231; 117.232; 117.50; 117.51; 117.52; 117.521; 117.53; 117.54; 117.55 and 117.56.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.



Novak; Sieben, H.; Anderson, I.; Tomlinson and Faricy introduced:

H. F. No. 755, A bill for an act relating to taxation; property tax; providing for assessment of real property at full market value; limiting property tax on homesteads to one percent of market value; amending Minnesota Statutes 1978, Sections 273.11, Subdivisions 1 and 5; 273.13, by adding a subdivision; and 273.17, Subdivision 1; repealing Minnesota Statutes 1978, Section 273.11, Subdivision 2.

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 Senate Files, herewith transmitted:

S. F. Nos. 60, 203 and 432.

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. 57, 93 and 233.

PATRICK E. FLAHAVEN, Secretary of 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. 1, 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Sieben, H., moved that the House concur in the Senate amendments to House Concurrent Resolution No. 1 and that the resolution be adopted as amended by the Senate. The motion prevailed. House Concurrent Resolution No. 1 as amended by the Senate was readopted.

### FIRST READING OF SENATE BILLS

S. F. No. 60, A bill for an act relating to elections; prohibiting certain uses of campaign funds; providing a civil penalty; providing that compensation for personal services rendered to influence election of a candidate is not a prohibited expenditure; amending Minnesota Statutes 1978, Section 210A.19, Subdivision 1; and 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.

S. F. No. 203, A bill for an act relating to real estate; providing a flexible procedure for registering land; amending Minnesota Statutes 1978, Section 508.52.

The bill was read for the first time.

Casserly moved that S. F. No. 203 and H. F. No. 228, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 432, A bill for an act relating to general assistance; eliminating the notarizing requirement for general assistance applications; amending Minnesota Statutes 1978, Section 256D.07.

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

S. F. No. 57, A bill for an act relating to insurance; providing for the coordination of reparations benefits for automobile losses; amending Minnesota Statutes 1978, Section 65B.61, Subdivision 3; repealing Minnesota Statutes 1978, Section 65B.61, Subdivision 4.

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

S. F. No. 93, A bill for an act relating to taxation; income tax; changing definition of gross income; subtracting certain capital gains realized in divorce settlement; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.14.

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

S. F. No. 233, A bill for an act relating to the city of Faribault; authorizing subletting of certain property leased from the state; directing disposition of rentals therefrom; amending Laws 1977, Chapter 245, Section 1, Subdivision 1.

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

### CONSENT CALENDAR

S. F. No. 231, A bill for an act relating to bonds; requiring claimant filing notice of action on a bond to pay postage costs; amending Minnesota Statutes 1978, Section 574.32.

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:

Aasness	Drew	Kahn	Nelson	Sieben, M.
Adams	Eken	Kaley	Niehaus	Simoneau
Ainley	Elioff	Kalis	Norton	Stadum
Albrecht	Enebo	Kelly	Novak	Stoa
Anderson, B.	Erickson	Kempe	Nysether	Stowell
Anderson, D.	Esau	Knickerbocker	Onnen	Sviggum
Anderson, G.	Evans	Kostohryz	Osthoff	Swanson
Anderson, I.	Ewald	Kroening	Otis	Thiede
Anderson, R.	Faricy	Kvam	Patton	Tomlinson
Battaglia	Fjoslien	Laidig	Pavlak	Valan
Begich	Forsythe	Lehto	Pehler	Valento
Berglin	Friedrich	Levi	Peterson	Vanasek
Berkelman	Fritz	Long	Piepho	Voss
Biersdorf	Fudro	Ludeman	Pleasant	Waldorf
Blatz	Greenfield	Luknic	Prahl	Weaver
Brinkman	Halberg	Mann	Redalen	Welch
Byrne	Haukoos	McCarron	Reding	Welker
Carlson, D.	Heap	McDonald	Rees	Wenzel
Carlson, L.	Heinitz	McEachern	Reif	Wieser
Casserly	Hoberg	Mehrkens	Rice	Wigley
Clark	Hokanson	Metzen	Rose	Wynia
Clawson	Jacobs	Minne	Rothenberg	Zubay
Corbid	Jaros	Moe	Sarna	Speaker Searle
Crandall	Jennings	Munger	Schreiber	
Dean	Johnson, C.	Murphy	Searles	
Dempsey	Johnson, D.	Nelsen, B.	Sherwood	
Den Ouden	Jude	Nelsen, M.	Sieben, H.	

The bill was passed and its title agreed to.

### CALENDAR

H. F. No. 3, A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

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.

Carlson, D., moved that those not voting be excused from voting. The motion did not prevail.

There were 66 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Adams	Ellingson	Knickerbocker	Norton	Sieben, M.
Anderson, B.	Enebo	Kostohryz	Novak	Simoneau
Anderson, G.	Ewald	Kroening	Nysether	Stoa
Berglin	Fariy	Lehto	Oisen	Swanson
Berkelman	Forsythe	Long	Otis	Tomlinson
Byrne	Fudro	Mann	Pehler	Vanasek
Carlson, L.	Greenfield	McCarron	Peterson	Voss
Cassery	Hokanson	Metzen	Pleasant	Welch
Clark	Jacobs	Minne	Prahl	Wynia
Clawson	Jaros	Moe	Reding	Speaker Searle
Corbid	Johnson, C.	Munger	Rice	
Crandall	Jude	Murphy	Sarna	
Dean	Kahn	Nelsen, M.	Schreiber	
Eken	Kelly	Nelson	Sieben, H.	

Those who voted in the negative were:

Aasness	Drew	Johnson, D.	Norman	Stowell
Ainley	Elioff	Kaley	Onnen	Sviggum
Albrecht	Erickson	Kalis	Osthoff	Thiede
Anderson, D.	Esau	Kempe	Patton	Valan
Anderson, I.	Evans	Kvam	Pavlak	Valento
Anderson, R.	Fjoslien	Laidig	Piepho	Waldorf
Battaglia	Friedrich	Levi	Redalen	Weaver
Begich	Fritz	Ludeman	Rees	Welker
Biersdorf	Halberg	Luknic	Reif	Wenzel
Blatz	Haukoos	McDonald	Rose	Wieser
Brinkman	Heap	McEachern	Rothenberg	Wigley
Carlson, D.	Heinitz	Mehrkens	Searles	Zubay
Dempsey	Hoberg	Nelsen, B.	Sherwood	
Den Ouden	Jennings	Niehaus	Stadum	

The bill was not passed.

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

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 9 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, C.	Nelsen, B.	Sieben, H.
Adams	Drew	Johnson, D.	Niehaus	Simoneau
Ainley	Eken	Jude	Norman	Stadum
Albrecht	Elioff	Kaley	Norton	Stoa
Anderson, B.	Ellingson	Kalis	Novak	Stowell
Anderson, D.	Erickson	Kelly	Nysether	Sviggum
Anderson, G.	Esau	Kempe	Olsen	Swanson
Anderson, I.	Evans	Knickerbocker	Onnen	Thiede
Anderson, R.	Ewald	Kostohryz	Otis	Tomlinson
Battaglia	Fjoslien	Laidig	Patton	Valan
Begich	Forsythe	Lehto	Pavlak	Valento
Berglin	Friedrich	Levi	Peterson	Vanasek
Berkelman	Fritz	Long	Piepho	Voss
Biersdorf	Fudro	Ludeman	Prahl	Waldorf
Blatz	Greenfield	Luknic	Redalen	Weaver
Brinkman	Halberg	Mann	Reding	Welch
Byrne	Haukoos	McCarron	Rees	Welker
Carlson, D.	Heap	McDonald	Reif	Wenzel
Carlson, L.	Heinitz	Mehrkens	Rice	Wieser
Casserly	Hoberg	Metzen	Rose	Wigley
Corbid	Hokanson	Minne	Rothenberg	Wynia
Crandall	Jacobs	Moe	Schreiber	Zubay
Dean	Jaros	Munger	Searles	Speaker Searle
Dempsey	Jennings	Murphy	Sherwood	

Those who voted in the negative were:

Clark	Faricy	Nelsen, M.	Pehler	Sieben, M.
Enebo	Kroening	Osthoff	Sarna	

The bill was passed and its title agreed to.

H. F. No. 87, A bill for an act relating to highways; providing for bus shelters and benches on streets and highways; authorizing road authorities to grant franchises; amending Minnesota Statutes 1978, 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 124 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Aasness	Blatz	Eken	Fudro	Kaley
Adams	Brinkman	Elioff	Greenfield	Kalis
Ainley	Byrne	Ellingson	Halberg	Kelly
Albrecht	Carlson, D.	Enebo	Heap	Kempe
Anderson, B.	Carlson, L.	Erickson	Heinitz	Knickerbocker
Anderson, D.	Casserly	Esau	Hoberg	Kostohryz
Anderson, I.	Clark	Evans	Hokanson	Kroening
Anderson, R.	Corbid	Ewald	Jacobs	Lehto
Battaglia	Crandall	Faricy	Jaros	Levi
Begich	Dean	Fjoslien	Johnson, C.	Long
Berglin	Dempsey	Forsythe	Johnson, D.	Ludeman
Berkelman	Den Ouden	Friedrich	Jude	Luknic
Biersdorf	Drew	Fritz	Kahn	Mann

McCarron	Niehaus	Piepho	Sieben, H.	Vanasek
McDonald	Norman	Prahl	Sieben, M.	Voss
McEachern	Norton	Reding	Simoneau	Waldorf
Mehrkens	Novak	Rees	Stadum	Weaver
Metzen	Nysether	Reif	Stoa	Welch
Minne	Olsen	Rice	Stowell	Welker
Moe	Onnen	Rose	Sviggum	Wenzel
Munger	Osthoff	Rothenberg	Swanson	Wigley
Murphy	Otis	Sarna	Thiede	Wynia
Nelsen, B.	Patton	Schreiber	Tomlinson	Zubay
Nelsen, M.	Pavlak	Searles	Valan	Speaker Searle
Nelson	Pehler	Sherwood	Valento	

Those who voted in the negative were:

Anderson, G.	Jennings	Laidig	Redalen	Wieser
Haukoos	Kvam	Peterson		

The bill was passed and its title agreed to.

H. F. No. 102, A bill for an act relating to children; changing liability of parents for damage done by their minor children; amending Minnesota Statutes 1978, 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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Nelson	Sieben, H.
Adams	Elioff	Kaley	Niehaus	Sieben, M.
Ainley	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pavlak	Valento
Biersdorf	Fritz	Long	Pehler	Vanasek
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Waldorf
Byrne	Halberg	Mann	Prahl	Weaver
Carlson, D.	Haukoos	McCarron	Redalen	Welch
Carlson, L.	Heap	McDonald	Reding	Welker
Casserly	Heinitz	McEachern	Rees	Wenzel
Clark	Hoberg	Mehrkens	Reif	Wieser
Clawson	Hokanson	Metzen	Rice	Wigley
Corbid	Jacobs	Minne	Rose	Wynia
Crandall	Jaros	Moe	Rothenberg	Zubay
Dean	Jennings	Munger	Sarna	Speaker Searle
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	
Drew	Jude	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 116, A bill for an act relating to banks and banking; extending the period for activation of detached facilities after issuance of certificates of authorization; amending Minnesota Statutes 1978, Section 47.54, 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 120 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Aasness	Ellingson	Kahn	Nelsen, M.	Sieben, H.
Adams	Enebo	Kaley	Nelson	Sieben, M.
Ainley	Erickson	Kalis	Niehaus	Simoneau
Albrecht	Evans	Kelly	Norman	Stadum
Anderson, B.	Ewald	Kempe	Norton	Stoa
Anderson, D.	Faricy	Knickerbocker	Novak	Stowell
Anderson, I.	Fjoslien	Kvam	Nysether	Sviggum
Battaglia	Forsythe	Laidig	Olsen	Swanson
Begich	Friedrich	Lehto	Onnen	Thiede
Berkelman	Fritz	Levi	Osthoff	Tomlinson
Biersdorf	Fudro	Long	Otis	Valan
Blatz	Greenfield	Ludeman	Patton	Valento
Brinkman	Halberg	Luknic	Pavlak	Vanasek
Byrne	Haukoos	Mann	Pehler	Voss
Carlson, L.	Heap	McCarron	Peterson	Waldorf
Casserly	Heinitz	McDonald	Piepho	Weaver
Clark	Hoberg	McEachern	Reding	Welch
Corbid	Hokanson	Mehrkens	Rees	Welker
Crandall	Jacobs	Metzen	Rose	Wenzel
Dean	Jaros	Minne	Rothenberg	Wieser
Dempsey	Jennings	Moe	Sarna	Wigley
Den Ouden	Johnson, C.	Munger	Schreiber	Wynia
Drew	Johnson, D.	Murphy	Searles	Zubay
Elioff	Jude	Nelsen, B.	Sherwood	Speaker Searle

Those who voted in the negative were:

Anderson, G.	Eken	Kroening	Redalen	Rice
Berglin	Kostohryz	Prahl	Reif	

The bill was passed and its title agreed to.

H. F. No. 157, A bill for an act relating to labor and employment; prohibiting mandatory retirement of public and private employees before the age of 70; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 1; 125.12, Subdivision 5; 181.81; 181.811; 354.44, Subdivision 1a; 354.49, Subdivision 3; 354A.05; 354A.21; 356.32, Subdivision 1; 423.076; 473.419; and 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elioff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pavlak	Valento
Biersdorf	Fritz	Long	Pehler	Vanasek
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Waldorf
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wieser
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

The bill was passed and its title agreed to.

#### MOTION FOR RECONSIDERATION

Anderson, I., moved that the vote whereby H. F. No. 3 was not passed on the Calendar earlier today be now reconsidered.

A roll call was requested and properly seconded.

#### CALL OF THE HOUSE

On the motion of Sieben, H., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Aasness	Blatz	Drew	Friedrich	Jennings
Adams	Brinkman	Eken	Fritz	Johnson, C.
Ainley	Byrne	Elioff	Fudro	Johnson, D.
Albrecht	Carlson, D.	Ellingson	Greenfield	Jude
Anderson, D.	Carlson, L.	Enebo	Halberg	Kahn
Anderson, G.	Casserly	Erickson	Haukoos	Kaley
Anderson, I.	Clark	Esau	Heap	Kalis
Battaglia	Corbid	Evans	Heinitz	Kelly
Begich	Crandall	Ewald	Hoberg	Kempe
Berglin	Dean	Faricy	Hokanson	Knickerbocker
Berkelman	Dempsey	Fjoslien	Jacobs	Kostohryz
Biersdorf	Den Ouden	Forsythe	Jaros	Kroening



Kvam	Munger	Pavlak	Searles	Voss
Laidig	Murphy	Pehler	Sherwood	Waldorf
Lehto	Nelsen, B.	Peterson	Sieben, H.	Weaver
Levi	Nelsen, M.	Piepho	Sieben, M.	Welch
Long	Nelson	Pleasant	Simoneau	Welker
Ludeman	Niehaus	Prahl	Stadum	Wenzel
Luknic	Norman	Redalen	Stoa	Wieser
Mann	Norton	Reding	Stowell	Wigley
McCarron	Novak	Rees	Sviggum	Wynia
McDonald	Nysether	Reif	Swanson	Zubay
McEachern	Olsen	Rice	Thiede	Speaker Searle
Mehrkens	Onnen	Rose	Tomlinson	
Metzen	Osthoff	Rothenberg	Valan	
Minne	Otis	Sarna	Valento	
Moe	Patton	Schreiber	Vanasek	

Sieben, H., 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.

The question recurred on the motion to reconsider the vote whereby H. F. No. 3 was not passed on the Calendar earlier today and the roll was called. There were 69 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Adams	Eken	Kahn	Nelsen, M.	Sarna
Anderson, B.	Ellingson	Kalis	Nelson	Sieben, H.
Anderson, G.	Enebo	Kelly	Norton	Sieben, M.
Anderson, I.	Ewald	Kostohryz	Novak	Simoneau
Berglin	Faricy	Kroening	Olsen	Stoa
Berkelman	Forsythe	Lehto	Onnen	Swanson
Byrne	Fudro	Long	Otis	Tomlinson
Carlson, L.	Greenfield	Mann	Patton	Vanasek
Casserly	Halberg	McCarron	Pehler	Voss
Clark	Hokanson	Metzen	Peterson	Welch
Clawson	Jacobs	Minne	Pleasant	Wenzel
Corbid	Jaros	Moe	Prahl	Wynia
Crandall	Johnson, C.	Munger	Reding	Speaker Searle
Dean	Jude	Murphy	Rice	

Those who voted in the negative were:

Aasness	Drew	Johnson, D.	Nysether	Stowell
Ainley	Elioff	Kaley	Osthoff	Sviggum
Albrecht	Erickson	Kempe	Pavlak	Thiede
Anderson, D.	Esau	Knickerbocker	Piepho	Valan
Anderson, R.	Evans	Kvam	Redalen	Valento
Battaglia	Fjoslien	Laidig	Rees	Waldorf
Begich	Friedrich	Levi	Reif	Weaver
Biersdorf	Fritz	Ludeman	Rose	Welker
Blatz	Haukoos	Luknic	Rothenberg	Wieser
Brinkman	Heap	McDonald	Schreiber	Wigley
Carlson, D.	Heinitz	Mehrkens	Searles	Zubay
Dempsey	Hoberg	Nelsen, B.	Sherwood	
Den Ouden	Jennings	Norman	Stadum	

The motion prevailed.

H. F. No. 3 was reported to the House.

H. F. No. 3, A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

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 :

Adams	Eken	Kelly	Nelson	Sieben, H.
Anderson, B.	Ellingson	Knickerbocker	Norton	Sieben, M.
Anderson, G.	Enebo	Kostohryz	Novak	Simoneau
Anderson, I.	Ewald	Kroening	Olsen	Stoa
Berglin	Faricy	Lehto	Otis	Swanson
Berkelman	Forsythe	Long	Patton	Tomlinson
Byrne	Fudro	Mann	Pehler	Vanasek
Carlson, L.	Greenfield	McCarron	Peterson	Voss
Casserly	Hokanson	Metzen	Pleasant	Welch
Clark	Jacobs	Minne	Prahl	Wenzel
Clawson	Jaros	Moe	Reding	Wynia
Corbid	Johnson, C.	Munger	Rice	Speaker Searle
Crandall	Jude	Murphy	Sarna	
Dean	Kahn	Nelsen, M.	Schreiber	

Those who voted in the negative were :

Aasness	Elioff	Kaley	Nysether	Sviggum
Ainley	Erickson	Kalis	Onnen	Thiede
Albrecht	Esau	Kempe	Osthoff	Valan
Anderson, D.	Evans	Kvam	Pvalak	Valento
Anderson, R.	Fjoslien	Laidig	Piepho	Waldorf
Battaglia	Friedrich	Levi	Redalen	Weaver
Begich	Fritz	Ludeman	Rees	Welker
Biersdorf	Halberg	Luknic	Reif	Wieser
Blatz	Haukoos	McDonald	Rose	Wigley
Brinkman	Heap	McEachern	Rothenberg	Zubay
Carlson, D.	Heinitz	Mehrkens	Searles	
Dempsey	Hoberg	Nelsen, B.	Sherwood	
Den Ouden	Jennings	Niehaus	Stadum	
Drew	Johnson, D.	Norman	Stowell	

The bill was passed and its title agreed to.

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. 5, A house resolution relating to the payment of living expenses and mileage for members of the House of Representatives.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

Anderson, I., moved that House Resolution No. 5 be now adopted.

#### HOUSE RESOLUTION NO. 5

A house resolution relating to the payment of living expenses and mileage for members of the House of Representatives.

*Whereas*, Minnesota Statutes 1978, Section 3.099, authorizes the payment of mileage and living expenses of members of the House of Representatives in the amount and for the purposes approved by the House of Representatives; *Now, Therefore*,

*Be it Resolved*, by the House of Representatives of the State of Minnesota:

(1) The Chief Clerk of the House of Representatives is directed to 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 71st Legislature.

(2) The per diem living expenses for all members of the house who shall request reimbursement in writing shall be the amount requested by each member which is not more than the maximum daily amount allowed by statute.

(3) Those members of the house who move from their usual place of lodging during a substantial part of the 71st Legislature shall, upon written request, be additionally reimbursed for travel to the state capitol and from their homes at the rate of 16 cents per mile, or such greater amount as may be authorized by the commissioner of personnel for state employees. The reimbursement shall not exceed one round trip per session week of the 71st Legislature.

(4) Each member of the house shall certify in writing to the Chief Clerk, prior to the issuance of the first of such warrants for living expenses, whether or not he or she has moved from his or her usual place of lodging.

The question was taken on the adoption of House Resolution No. 5 and the roll was called. There were 111 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Aasness	Enebo	Knickerbocker	Norton	Stadum
Adams	Erickson	Kostohryz	Novak	Stoa
Ainley	Evans	Kroening	Nysether	Stowell
Anderson, B.	Ewald	Kvam	Onnen	Sviggum
Anderson, G.	Forsythe	Laidig	Otis	Swanson
Anderson, I.	Friedrich	Lehto	Patton	Thiede
Battaglia	Fritz	Levi	Pavlak	Valan
Begich	Fudro	Ludeman	Pehler	Valento
Berglin	Greenfield	Luknic	Peterson	Vanasek
Biersdorf	Halberg	Mann	Pleasant	Voss
Brinkman	Haukoos	McCarron	Prahl	Weaver
Carlson, D.	Heinitz	McDonald	Redalen	Welch
Carlson, L.	Hoberg	McEachern	Reding	Welker
Casserly	Hokanson	Mehrkens	Reif	Wenzel
Clark	Jacobs	Metzen	Rice	Wieser
Corbid	Jaros	Minne	Rose	Wigley
Grandall	Jennings	Moe	Sarna	Wynia
Dean	Johnson, C.	Munger	Schreiber	Zubay
Dempsey	Johnson, D.	Murphy	Searles	Speaker Searle
Den Ouden	Jude	Nelsen, B.	Sherwood	
Eken	Kahn	Nelson	Sieben, H.	
Elioff	Kaley	Niehaus	Sieben, M.	
Ellingson	Kalis	Norman	Simoneau	

Those who voted in the negative were:

Anderson, D.	Byrne	Heap	Olsen	Tomlinson
Anderson, R.	Drew	Kelly	Piepho	Waldorf
Berkelman	Faricy	Kempe	Rees	
Blatz	Fjoslien	Nelsen, M.	Rothenberg	

The motion prevailed and House Resolution No. 5 was adopted.

Biersdorf and Metzen were excused at 4:05 p.m.

### GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Anderson, I., 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. 218, 245, 263, 303 and 340 which it recommended to pass.

S. F. No. 67 which it recommended to pass.

H. F. No. 360 which it recommended progress until Thursday, March 15, 1979.

H. F. No. 416 which it recommended to pass with the following amendment offered by Ellingson:

Page 3, after line 31, add the following:

“This amount is [1-1/4 times the claimant’s estimate of the value of the property] [1-1/2 times the claimant’s claim against you]. If you believe the [value of the property] [amount of the claim] has been overstated, you may ask the court to lower it.”

On the motion of Sieben, H., 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:

Kelly moved to amend H. F. No. 218, as follows:

Page 1, delete lines 9 through 22, and insert:

“Section 1. Minnesota Statutes 1978, Section 237.01, is amended to read:

237.01 [TELEPHONE COMPANY DEFINED.] The term “telephone company,” as used in this chapter, means and applies to any person, firm, association or any corporation, private or municipal, owning or operating any telephone line or telephone exchange for hire, wholly or partly within this state, or furnishing any telephone service to the public. *Notwithstanding the foregoing, a cooperative telephone association shall not be included within the definition of “telephone company” and shall not be subject to regulation under this chapter except as authorized pursuant to section 2.*”

Page 1, line 23, delete “*Subd. 2.*” and insert “Sec. 2. [OPTION AS TO REGULATION.]”

Page 2, line 1, delete “*rate*”

Page 2, line 2, delete “*sections 237.06 to 237.075*” and insert “*this chapter*”

Page 2, line 19, delete “*rate*”

Renumber the remaining section

Further, amend the title in line 5 by deleting “*rate*” and in line 6 by deleting “*237.06*” and inserting “*237.01*”

The question was taken on the adoption of the amendment and the roll was called. There were 11 yeas and 103 nays as follows:

Those who voted in the affirmative were:

Berglin	Kelly	Minne	Rothenberg	Sieben, M.
Greenfield	Long	Olsen	Sieben, H.	Waldorf
Kahn				

Those who voted in the negative were:

Aasness	Dempsey	Jennings	Nelsen, M.	Simoneau
Adams	Den Ouden	Johnson, D.	Niehaus	Stadum
Ainley	Drew	Jude	Norman	Stoa
Albrecht	Eken	Kaley	Norton	Stowell
Anderson, B.	Elioff	Kalis	Novak	Swiggell
Anderson, D.	Enebo	Kempe	Nysether	Thiede
Anderson, G.	Erickson	Knickerbocker	Onnen	Tomlinson
Anderson, R.	Esau	Kroening	Osthoff	Valan
Battaglia	Evans	Laidig	Otis	Valento
Begich	Faricy	Lehto	Patton	Vanasek
Berkelman	Fjoslien	Levi	Pavlak	Voss
Biersdorf	Forsythe	Ludeman	Peterson	Weaver
Blatz	Friedrich	Mann	Piepho	Welch
Brinkman	Fritz	McDonald	Piedalen	Welker
Byrne	Fudro	McEachern	Reding	Wenzel
Carlson, D.	Halberg	Mehrkens	Rees	Wieser
Carlson, L.	Haukoos	Metzen	Reif	Wigley
Casserly	Heap	Moe	Rice	Wynia
Clark	Heinitz	Munger	Sarna	Zubay
Corbid	Hoberg	Murphy	Schreiber	
Dean	Hokanson	Nelsen, B.	Sherwood	

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

## MOTIONS AND RESOLUTIONS

Simoneau moved that the name of Laidig be added as an author on H. F. No. 562. The motion prevailed.

Biersdorf moved that his name be stricken as an author on H. F. No. 507. The motion prevailed.

McCarron moved that the name of Greenfield be added as an author on H. F. No. 707. The motion prevailed.

### ANNOUNCEMENT BY THE SPEAKER AND THE CHAIRMAN OF THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House of Representatives to the following commissions:

*Mississippi River Parkway Commission*, pursuant to Minnesota Statutes 1978, Section 161.1419: Jude, Norman and Stowell.

*Legislative Commission to Review Administrative Rules*, pursuant to Minnesota Statutes 1978, Section 3.965: Berkelman, Fjoslien, McCarron, Peterson and Simoneau.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 12, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, March 12, 1979.

**EDWARD A. BURDICK**, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## TWENTY-FOURTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 12, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elioff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pavlak	Valento
Biersdorf	Fritz	Long	Pehler	Voss
Blatz	Fudro	Ludeman	Peterson	Waldorf
Brinkman	Greenfield	Luknic	Piepho	Weaver
Byrne	Halberg	Mann	Pleasant	Welch
Carlson, D.	Haukoos	McCarron	Prahl	Weiker
Carlson, L.	Heap	McDonald	Redalen	Wenzel
Casserly	Heinitz	McEachern	Reding	Wieser
Clark	Hoberg	Mehrkens	Rees	Wigley
Clawson	Hokanson	Metzen	Reif	Wynia
Corbid	Jacobs	Minne	Rice	Zubay
Crandall	Jaros	Moe	Rose	Speaker Searle
Dean	Jennings	Munger	Rothenberg	
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

A quorum was present.

Sherwood and Vanasek were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kempe 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. 167, 246, 444, 472 and 416 and S. F. Nos. 60, 203, 57, 93, 233 and 432 have been placed in the members' files.

S. F. No. 203 and H. F. No. 228, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Casserly moved that S. F. No. 203 be substituted for H. F. No. 228 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Laidig from the Committee on Criminal Justice to which was referred:

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

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

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 206, A bill for an act relating to construction contracts; requiring distribution of partial payments to subcontractors; requiring interest on delayed payments; providing for recovery of damages.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert in lieu thereof the following:

“Section 1. [PARTIAL PAYMENTS OF CONSTRUCTION CONTRACTS.] Subdivision 1. [REQUIRED PAYMENT BY CONTRACTOR.] When a contractor receives partial payment for work completed pursuant to a contract improving real estate, he shall make payment in accordance with this section to each subcontractor or material supplier performing work or supplying materials or services. The payment shall be equal to that proportion of total work to be done by the subcontractor or material supplier that is properly completed, multiplied by the percentage which results when the partial payment is compared

to the total contract price. The payment shall be made within ten days of the receipt of the partial payment by the contractor, unless otherwise provided by agreement between the contractor and the subcontractor.

Subd. 2. [WITHHOLDING OF PAYMENT.] Notwithstanding subdivision 1, a contractor may in good faith withhold partial payment to a subcontractor or material supplier if such withholding is a result of costs or liabilities incurred by the contractor which are attributable to acts or omissions of the subcontractor or material supplier. Acts or omissions by the subcontractor which will justify withholding of partial payment include but are not limited to: late or defective workmanship, the supply of defective materials, violations of any applicable state or federal law or regulation, and breach of contract by the subcontractor or material supplier.

Subd. 3. [INTEREST.] If any portion of the payment due the subcontractor or material supplier is not paid in accordance with subdivision 1 or 2, it shall earn interest at four and one half percent in excess of the discount rate on 90 day commercial paper in effect at the Federal Reserve Bank in the Federal Reserve District encompassing Minnesota or unless otherwise provided by agreement between the contractor and the subcontractor or material supplier. The payment withheld under this subdivision would be released to the subcontractor or material supplier when the act or omission has been corrected.

Sec. 2. This act is effective upon final enactment."

Further amend the title as follows:

Page 1, line 4, after "subcontractors" insert "or material suppliers"

With the recommendation that when so amended the bill pass.

The report was adopted.

Laidig from the Committee on Criminal Justice to which was referred:

H. F. No. 229, A bill for an act relating to the administration of criminal justice; establishing a program for the undercover investigation of cross jurisdictional criminal activity through the purchase of narcotics, stolen property and information; providing for the restoration or disposal of stolen property; amending Minnesota Statutes 1978, Section 299C.07; and Chapter 299C, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 299C, is amended by adding a section to read:

**[299C.065] [UNDERCOVER BUY FUND.] Subdivision**

1. *There is established a program for the cooperative investigation of cross jurisdictional criminal activity relating to the possession and sale of controlled substances, receiving or selling stolen goods, violations of section 609.32, subdivision 2 or subdivision 3, clauses (3) or (6) or any other state or federal law prohibiting the recruitment, transportation, or use of juveniles for purposes of prostitution, or any other cross jurisdictional criminal activity which, in the opinion of the superintendent of the bureau, presents an opportunity for successful prosecution by means of cooperative investigation.*

Subd. 2. *Subject to the limitation of funds appropriated for this purpose, county attorneys, county sheriffs or the chief administrative officer of municipal police departments may make application for the use of funds for cooperative criminal investigatory activity, including the purchase of drugs, stolen property or information. Application for funds shall be made to the commissioner of public safety on forms and pursuant to procedures developed by the superintendent. The application shall describe the type of intended criminal investigation, an estimate of the amount of money required, and any other information the superintendent may deem necessary. Unused and recovered funds from any investigation shall be returned to the commissioner and are appropriated to the commissioner for the purposes of this section.*

Subd. 3. *A report shall be made to the commissioner at the conclusion of any investigation pursuant to this section stating: (1) the number of persons arrested, (2) the nature of charges filed against them, (3) the nature and value of controlled substances or contraband purchased or seized, (4) the amount of money paid to informants during the investigation, and (5) the amount of money expended, other than for the purchase of contraband, stolen property, controlled substances or information, by bureau and local law enforcement personnel during the investigation. The commissioner shall prepare and submit to appropriate committees of the legislature an annual report of investigations pursuant to this section.*

Subd. 4. *Applications to the commissioner for funds shall be maintained as confidential records. Information within investigative files which identifies or could reasonably be used to ascertain the identity of sources or undercover investigators shall be maintained as confidential records. Reports at the conclusion of an investigation are public records.*

Sec. 2. Minnesota Statutes 1978, Section 299C.07, is amended to read:

299C.07 [RESTORATION OR DISPOSAL OF STOLEN PROPERTY.] The bureau of criminal apprehension shall make every effort for a period of (ONE YEAR) 90 days after the seizure or recovery of abandoned or stolen property to return (SUCH) the property to the lawful owner or to the sheriff of the county from which it was stolen.

Any such property held by the bureau for more than (ONE YEAR) 90 days, in case the owner cannot be found or if it cannot be determined from what county the property was stolen, shall be sold at public auction by the superintendent of the bureau, or his agent, after two weeks' published notice thereof in a legal newspaper in Ramsey county, stating the time and place of (SUCH) the sale and a list of the property to be sold.

The proceeds of (SUCH) the sale shall be applied in payment of the necessary expenses of the sale and all necessary costs, storage, or charges incurred in relation to (SUCH) the property. The balance of the proceeds (OF SUCH SALES) shall be paid into the general fund.

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

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 268, A bill for an act relating to children; establishing a program in the department of public welfare to allow subsidized adoptions under certain circumstances; appropriating money; amending Minnesota Statutes 1978, Chapter 259, by adding a section; repealing Minnesota Statutes 1978, Section 393.07, Subdivision 1a.

Reported the same back with the following amendments:

Page 1, line 16, after "or" insert "a Minnesota resident"

Page 1, lines 19 and 20, delete "and shall be subject to modification based on changes in those needs"

Page 1, line 21, before "When" insert "The placing agency shall certify a child as eligible for a subsidy according to rules promulgated by the commissioner."

Page 2, line 1, delete "*family*" and insert "*parent or parents*"

Page 2, line 4, after the period, insert "*The agreement shall be subject to the commissioner's approval.*"

Page 2, line 5, before "*Adoption*" insert "*The commissioner shall provide*"

Page 2, line 5, delete "*will be provided*"

Page 2, line 6, before "*parents*" insert "*parent or*"

Page 2, line 7, delete everything after "*may*"

Page 2, delete lines 8 to 10, and insert "*include payment for medical, dental, and surgical expenses, psychiatric and psychological expenses, maintenance costs, and other costs necessary for the child's care and well-being. The anticipated duration of the subsidy shall be specified in the agreement.*"

Page 2, line 12, delete "*from time to time*"

Page 2, line 14, delete "CERTIFICATION" and insert "AF-FIDAVIT"

Page 2, line 16, after "*shall*" insert "*annually*"

Page 2, line 16, delete "*annual sworn certification*" and insert "*affidavit stating whether*"

Page 2, line 17, delete "*that*" in both cases

Page 2, line 18, before the first "*the*" insert "*whether*"

Page 2, line 18, delete "*conditions that caused the child to be certified*" and insert "*need for subsidy*"

Page 2, line 19, delete "*continue*" and insert "*continues*"

Page 2, lines 19 and 20, delete "*certification shall be subject to review by the commissioner of public welfare*" and insert "*commissioner may verify the affidavit*"

Page 2, lines 22 and 23, delete "*conditions that caused the child to be certified continue*" and insert "*need for subsidy continues*"

Page 2, line 24, after "*adoptive*" insert "*parent or*"

Page 2, line 28, delete "No"

Page 2, line 29, delete "*unless*" and insert "*only if*"

Page 2, line 30, delete "*shall be*" and insert "*are*"

Page 2, line 32, delete "*locate a home for the child*" and insert "*place the child for adoption*"

Page 2, line 33, delete "*for valid reasons,*" and insert a semicolon

Page 2, line 33, delete "*provided that this shall*" and insert "*or*"

Page 3, line 1, delete "*not be a condition if*" and insert "*(b)*"

Page 3, line 2, delete "*desired*" and insert "*desire*"

Page 3, line 2, delete "*has been*" and insert "*is*"

Page 3, line 8, after the semicolon, insert "*and*"

Page 3, line 9, delete "*adopted*"

Page 3, line 10, delete "*of public welfare*"

Page 3, line 11, delete "*; and*" and insert a period

Page 3, lines 12 to 14, delete clause (c)

Reletter the clauses in sequence

Page 3, line 24, delete "*Chapter 15*" and insert "*Section 256.-045*"

Page 3, lines 24 and 25, delete "*department of public welfare*" and insert "*commissioner*"

Page 3, line 27, delete "*uniform*"

Page 3, line 29, delete "*department of public welfare*" and insert "*commissioner*"

Page 4, line 3, after "*urban*" insert "*American*"

Page 4, line 4, after "*of*" insert "*American*"

Page 4, line 16, after "*promulgate*" insert "*temporary*"

Page 4, line 16, delete "*and regulations*"

Page 4, line 19, delete "*department*" 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.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 368, A bill for an act relating to community social services; establishing a formula for allocating state and federal funds to counties for the administration and provision of community social services; providing for community social service tax levies; prescribing the duties of county boards and the commissioner of public welfare; appropriating money.

Reported the same back with the following amendments:

Page 3, line 13, delete "the administration of"

Page 4, after line 19, insert "If a person continues in residential care or treatment after reaching the age of 18, the county which initiated the treatment shall remain the county of financial responsibility."

Page 4, line 22, delete "quarterly"

Page 4, line 23, delete "statement" and insert "accounting"

Page 4, line 24, delete "The" and before "statement" insert "A quarterly" and delete "January"

Page 4, line 24, after "15" insert "days after the end of the calendar quarter"

Page 4, line 25 delete "of each year"

Page 4, delete lines 26 and 27

Page 4, line 28, delete "(b)" and insert "(a)"

Page 4, line 29, delete "year" and insert "quarter"

Page 4, line 30, delete "(c)" and insert "(b)"

Page 4, line 32, delete "year" and insert "quarter"

Page 5, after line 1, insert:

"In addition each county shall submit to the commissioner of public welfare no later than February 15 of each year, a detailed

balance sheet of the community social service fund for the preceding calendar year."

Page 5, line 8, after "county" insert "board"

Page 6, line 5, delete "July" and insert "May"

Page 6, after line 8, insert a new subdivision to read:

"Subd. 2. [CITIZEN PARTICIPATION.] The county board shall provide opportunities for participation by citizens in the county, including representatives of users of services, in the development of the biennial plan and in the allocation of funds for community social services. At least 60 days prior to publication of the proposed plan the county board shall publish the methods proposed to achieve citizen participation in the planning process."

Renumber the remaining subdivisions

Page 6, line 9, delete "annual" and insert "biennial"

Page 6, line 22, after "used" insert "pursuant to subdivision 2"

Page 7, line 2, delete lines 2 and 3 and insert:

"(g) evidence that serious consideration was given to the purchase of services from private and public agencies; and"

Page 7, line 7, delete "annual" and insert "biennial"

Page 7, line 9, after "of" insert "publication and"

Page 8, line 12, delete "years" and insert "year"

Page 8, line 12, delete "and 1979"

Page 8, line 13, delete "1979" and insert "1978"

Page 9, line 1, delete "and 50 percent of"

Page 9, line 2, delete "equalization aid"

Page 9, line 18 after "which" delete "were" and insert "was"

Page 9, line 19, after "1979" delete "are" and insert "is"

Page 13, line 9, after the period insert "If the county fails to resubmit a plan amended as required by the commissioner, the commissioner shall notify the county of his intention to reduce state aids pursuant to section 7, subdivision 10 or 11. The county



board shall have the right to appeal the commissioner's decision pursuant to section 7, subdivision 12."

Page 14, after line 8, insert a new section to read:

"Sec. 11. Nothing in sections 1 to 10 shall prohibit the commissioner from making grants for pilot programs in certain counties or on a statewide basis when the legislature authorizes funds to encourage innovation and increase the efficiency of community social service programs or to respond to the needs of a specified group of citizens."

Renumber the remaining section

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 396, A bill for an act relating to welfare; altering the conditions under which a day care facility will be considered a single family residential use of property for zoning purposes; amending Minnesota Statutes 1978, Section 245.812, Subdivision 3.

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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 610, A bill for an act relating to marriage; setting out requirements and effect of antenuptial contracts.

Reported the same back with the following amendments:

Page 1, line 15, after "the" insert "marital and"

Page 1, line 16, after "Subdivision 5," insert "clauses (a) through (e),"

Page 3, delete section 2 and insert:

"Sec. 2. [REPEALER.] Minnesota Statutes 1978, Section 519.08 is repealed."

Further amend the title:

Page 1, line 3, before the period insert “; repealing Minnesota Statutes 1978, Section 519.08”

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 638, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating duplicate, redundant, conflicting and superseded provisions; amending Minnesota Statutes 1978, Sections 5.06; 15.0411, Subdivision 2; 16.723; 16A.71; 18.023, Subdivision 3a; 43.224; 52.04, Subdivision 1; 61A.245, Subdivisions 4, 7, and 12; 112.87; 122.531, Subdivision 4; 124.17, Subdivision 1; 150A.06, Subdivision 2a; 168.041, Subdivision 2; 168A.01, Subdivisions 18 and 19; 176.611, Subdivision 6a; 179.70, Subdivision 1; 192A.25, Subdivision 2; 192A.555; 221.011, Subdivision 22; 237.295, Subdivision 3; 270.01; 270.02, Subdivision 4; 270.10, Subdivision 1; 273.02, Subdivisions 2 and 3; 273.061, Subdivision 8; 274.18; 276.07; 279.03; 281.275; 282.15; 282.341, Subdivision 2; 290.01, Subdivision 20; 294.26; 326.48, Subdivision 2; 352B.11, Subdivision 2; 352D.02, Subdivision 1; 352E.-01, Subdivision 2; 353.16; 354.44, Subdivisions 4 and 6; 355.56; 356.20, Subdivision 2; 356.60, Subdivision 1; 414.033, Subdivision 1; 414.035; 420.06; 422A.09, Subdivision 3; 423.076; 458A.-03, Subdivision 2; 458A.06, Subdivisions 1 and 4; 462A.05, Subdivision 16; 462A.21, Subdivision 5; 507.09; 507.10; 507.13; 507.14; 518.005, Subdivisions 3 and 4; 524.3-303; 648.31, Subdivision 1; Laws 1975, Chapter 339, Section 10; repealing Minnesota Statutes 1978, Section 144.49, Subdivisions 2, 3 and 4; Laws 1977, Chapter 11, Section 8; 412, Section 2; Laws 1978, Chapters 538, Section 6; and 720, Section 5.

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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 81, A bill for an act relating to adoption; providing that an adopted child may inherit from its natural parent in certain cases; amending Minnesota Statutes 1978, Section 259.-29, Subdivision 1.

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:

S. F. No. 254, A bill for an act relating to rates of interest; regulating interest on loans for business or agricultural purposes; amending Minnesota Statutes 1978, Section 334.011, Subdivision 1.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 99, 206, 229, 396, 610 and 638 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 203, 81 and 254 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Pavlak; Sieben, H.; Sviggum; Levi and Kalis introduced:

H. F. No. 756, A bill for an act relating to collection and dissemination of data; providing that investigative agency information shall be public except under certain circumstances; amending Minnesota Statutes 1978, Section 15.162, Subdivisions 2a and 5a.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Simoneau, Novak, Zubay and Byrne introduced:

H. F. No. 757, A bill for an act relating to commerce; exempting the sale of motor vehicles from provisions regulating home solicitation sales; amending Minnesota Statutes 1978, Section 325.933, by adding a subdivision.

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

Simoneau introduced:

H. F. No. 758, A bill for an act relating to commerce; providing optional state licensing for towing companies; amending Minnesota Statutes 1978, Chapter 326, by adding a section.

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

Jacobs and Luknie introduced:

H. F. No. 759, A bill for an act relating to taxation; dedicating the revenues from the excise tax on new motor vehicles to the trunk highway fund, county state-aid highway fund and municipal state-aid street fund; amending Minnesota Statutes 1978, Section 297B.09.

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

Wynia, Norton, Mehrkens, Niehaus and Heinitz introduced:

H. F. No. 760, A bill for an act relating to health; establishing a grant program in the department of public welfare for assisting mental health boards in providing services for the chronically mentally ill; requiring the availability of five levels of treatment for the chronically mentally ill; establishing a community residential living program with services; appropriating money.

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

Berglin, Den Ouden, Berkelman, Blatz and Anderson, B., introduced:

H. F. No. 761, A bill for an act relating to public welfare; establishing a state coordinated and funded system of services to help maintain certain elderly, physically disabled, mentally ill and developmentally disabled adults in non-institutional settings; prescribing the powers and duties of the commissioner of public welfare and of the county boards in relation to in-home care services; authorizing certain planning grants for counties; appropriating money; repealing Minnesota Statutes 1978, Section 256B.51.

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

Osthoff introduced:

H. F. No. 762, A bill for an act relating to elections; regulating campaign financing; increasing certain expenditure limits; amending Minnesota Statutes 1978, Section 10A.25, Subdivision 2.

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

Fritz, Dempsey, Battaglia, Enebo and Sarna introduced:

H. F. No. 763, A bill for an act relating to highway traffic regulations; requiring the commissioner of transportation to adopt uniform specifications for senior citizen crossings; authorizing local authorities to designate senior citizen crossings in conformance with specifications; and providing a penalty.

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

Carlson, L.; Wigley; Berkelman; Anderson, B., and Blatz introduced:

H. F. No. 764, A bill for an act relating to health; prohibiting discrimination by health maintenance organizations against optometrists; amending Minnesota Statutes 1978, Section 62D.12, by adding a subdivision.

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

Patton, Wigley, Friedrich, Jacobs and Wenzel introduced:

H. F. No. 765, A bill for an act relating to eminent domain; eliminating mandatory purchases of land for high voltage transmission lines and plant sites; repealing Minnesota Statutes 1978, Section 116C.63, Subdivisions 4 and 5.

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

Haukoos, Stowell, Piepho, Sieben, M., and Fritz introduced:

H. F. No. 766, A bill for an act relating to education; changing the tuition at post-secondary vocational-technical schools; requiring the state board for vocational education to write rules for tuition refunds; amending Minnesota Statutes 1978, Section 124.565, Subdivisions 3 and 4, and by adding a subdivision.

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

Haukoos, Pavlak, Crandall, Sieben, M., and Kaley introduced:

H. F. No. 767, A bill for an act relating to taxation; inheritance; exempting certain payments to a surviving spouse or minor or dependent child; amending Minnesota Statutes 1978, Section 291.065.

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

Ludeman, Wigley, Welch, Sviggum and Wenzel introduced:

H. F. No. 768, A bill for an act relating to agriculture; changing certain fees and expenses; eliminating certain bonding requirements; adopting certain federal food regulations; amending Minnesota Statutes 1978, Sections 17B.13, Subdivision 1; 21.54, Subdivisions 2 and 3; 24.25, Subdivision 2; and 31.101, Subdivision 8; repealing Minnesota Statutes 1978, Sections 17B.08; 17B.09; and 21.114.

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

Minne, Rice, Enebo, Murphy and Fudro introduced:

H. F. No. 769, A bill for an act relating to labor; requiring prevailing wage payment on certain projects; amending Minnesota Statutes 1978, Section 471.345, Subdivision 7.

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

Luknic, Reding, Pehler and Evans introduced:

H. F. No. 770, A bill for an act relating to energy; appropriating funds to the Minnesota energy agency for a study of potential impacts of renewable energy systems.

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

Biersdorf, Munger and Reding introduced:

H. F. No. 771, A bill for an act relating to natural resources; providing for regulation of the harvest and sale of ginseng; amending Minnesota Statutes 1978, Sections 84.028, Subdivision 1; 98.46, Subdivision 3; and Chapter 84, by adding a section.

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

Kvam, Mehrkens, Ludeman, McEachern and Fudro introduced:

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

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

Kvam; Olsen; Johnson, C.; Ainley and Elioff introduced:

H. F. No. 773, A bill for an act relating to education; extending teacher mobility incentives to area vocational-technical school teachers; providing for approval of certain extended leaves of absence; amending Minnesota Statutes 1978, Sections 125.60, Subdivision 2, and by adding subdivisions; 125.61, Subdivision 1, and by adding subdivisions; 354.66, Subdivision 2, and by adding subdivisions; 354.69; and 354A.091, Subdivision 1.

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

Reding, Zubay and Lehto introduced:

H. F. No. 774, A bill for an act relating to state government; prohibiting certain expense accounts expenditures for alcoholic beverages; amending Minnesota Statutes 1978, Section 16A.16.

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

Reding introduced:

H. F. No. 775, A bill for an act relating to energy; prohibiting the operation of electrical appliances on display except under certain circumstances; providing a penalty.

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

Reding, Wigley, Kalis, Lehto and Sherwood introduced:

H. F. No. 776, A bill for an act relating to highways; manner of conducting work on trunk highways; providing that the state trunk highway system shall be maintained by the counties pursuant to contract with the commissioner of transportation; amending Minnesota Statutes 1978, Section 161.32, Subdivisions 1, 2, and 3, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 161.32, Subdivision 4.

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

Reding, Dempsey, McEachern, Nelsen, M., and Wigley introduced:

H. F. No. 777, A bill for an act relating to taxation; property tax; clarifying a tax exemption for certain types of public property; amending Minnesota Statutes 1978, Section 272.02, by adding a subdivision.

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

Hokanson, Osthoff, Reding, Searle and Luknic introduced:

H. F. No. 778, A bill for an act relating to the revisor of statutes; publication of the Minnesota Statutes, Supplement and Session Laws by the revisor; correcting certain obsolete provisions; clarifying certain provisions; amending Minnesota Statutes 1978, Sections 482.09; 482.11; 648.31, Subdivision 1; 648.32; 648.40; and 648.41, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.



Drew, Mehrkens, Onnen, Kempe and Berglin introduced:

H. F. No. 779, A bill for an act relating to public welfare; changing the definition of "near relative"; regarding notice for commissioner's orders and special review boards; concerning appearances before review boards; concerning petitions for adoption; concerning annual meetings and expense estimates of county welfare boards; amending Minnesota Statutes 1978, Sections 252A.02, Subdivision 6; 253A.15, Subdivision 2; 253A.16, Subdivision 2; 259.22, Subdivision 2; 259.24, Subdivision 5; 393.01, Subdivision 2; 393.04; 393.08; repealing Minnesota Statutes 1978, Sections 246.44; 246.45; 246.46; and 260.41 to 260.46.

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

McCarron, Simoneau, Weaver, Voss and Jacobs introduced:

H. F. No. 780, A bill for an act relating to Anoka County; permitting redistricting of commissioner districts to seven for the 1982 election.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Berkelman, Evans, Novak and Begich introduced:

H. F. No. 781, A bill for an act relating to taxation; providing that joint tenants may apportion property tax refund claims; amending Minnesota Statutes 1978, Section 290A.03, Subdivisions 8 and 13.

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

Waldorf, Heinitz, Berkelman, Onnen and Hokanson introduced:

H. F. No. 782, A bill for an act relating to health; requiring licensing of certain home health agencies; directing the department of health to regulate home health agencies; establishing penalties; appropriating money.

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

Dean, Casserly, Rice, Peterson and Forsythe introduced:

H. F. No. 783, A bill for an act relating to courts; providing an additional six judges for the Hennepin County District Court; amending Minnesota Statutes 1978, Section 2.722, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Anderson, B.; Eken; Johnson, C.; Jennings and Thiede introduced:

H. F. No. 784, A bill for an act relating to education; establishing a sparsity aid for certain school districts; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section.

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

Berglin, Heinitz, Forsythe, Welch and Norton introduced:

H. F. No. 785, A bill for an act relating to health; requiring counties to establish local nursing home pre-admission screening teams; prescribing duties of the teams and the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1978, Chapter 256B, by adding a section.

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

Prahl, Pavlak, Sherwood and Battaglia introduced:

H. F. No. 786, A bill for an act relating to crimes; specifying the crime of assault on a child; providing penalties; amending Minnesota Statutes 1978, Chapter 609, by adding a section.

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

Vanasek, Jaros, Lehto, Pehler and Minne introduced:

H. F. No. 787, A bill for an act relating to energy; Minnesota energy assistance act; providing assistance for certain homeowners and renters for costs of energy needed to sustain life; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256.879, Subdivision 3, and by adding subdivisions; and Chapter 290A, by adding sections.

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

Fjoslien; Anderson, D.; Aasness; Anderson, R., and Nelsen, B., introduced:

H. F. No. 788, A bill for an act relating to the state board of the arts; providing public television assistance; appropriating money.

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

Casserly; Sieben, M.; Halberg; Dempsey and Rothenberg introduced:

H. F. No. 789, A bill for an act relating to partnerships; enacting the 1976 uniform limited partnership act.

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

Berkelman; Sieben, H.; Searle; Anderson, I., and Biersdorf introduced:

H. F. No. 790, A bill for an act relating to government regulation; establishing a study commission to assess the economic impact of state regulations on business and industry; appropriating money.

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

Peterson, Faricy, Ellingson, Rothenberg and Weaver introduced:

H. F. No. 791, A bill for an act relating to courts; authorizing the district court to adopt by rule guidelines for the awarding of maintenance, child support and disposition of property in dissolution, legal separation and maintenance proceedings; appropriating money.

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

McCarron, Dempsey, Jude, Crandall and Casserly introduced:

H. F. No. 792, A bill for an act relating to claims against the state; providing for claims arising out of injury or death of persons conditionally released by the Minnesota corrections board to perform community service; amending Minnesota Statutes 1978, Section 3.738, Subdivision 1.

The bill was read for the first time and referred to the Committee on Criminal Justice. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kahn, Jaros, Clark, Moe and Long introduced:

H. F. No. 793, A bill for an act relating to health; prohibiting misrepresentation on restaurant menus; providing a penalty; appropriating money.

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

Adams, Brinkman, Clark, Metzen and Dempsey introduced:

H. F. No. 794, A bill for an act relating to intoxicating liquor; hours for Sunday sale; amending Minnesota Statutes 1978, Section 340.14, Subdivision 5.

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

Clawson, Clark, Welch, Onnen and Esau introduced:

H. F. No. 795, A bill for an act relating to welfare; providing a medical assistance small claims contested case hearing process; amending Minnesota Statutes 1978, Section 256B.27, by adding a subdivision.

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

Rose, Faricy, Kostohryz, Novak and Fritz introduced:

H. F. No. 796, A bill for an act relating to metropolitan government; providing for a speed skating rink; appropriating money; amending Minnesota Statutes 1978, Chapter 473, by adding a section.

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

Clawson; Sieben, M.; Nelson; Laidig and Crandall introduced:

H. F. No. 797, A bill for an act relating to juveniles; juvenile traffic offenders; requiring prosecution of juveniles who commit minor traffic offenses under laws controlling adult offenders; amending Minnesota Statutes 1978, Sections 260.111, Subdivision 1; 260.115, Subdivision 1; 260.121, Subdivision 3; and 260.193.

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

Kvam; Sieben, M.; Dean; Weaver and Clawson introduced:

H. F. No. 798, A bill for an act relating to education; providing for a Martin Luther King program for the recruitment and retention of minority students at certain educational institutions; appropriating money.

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

Corbid, Tomlinson, Vanasek and Knickerbocker introduced:

H. F. No. 799, A bill for an act relating to taxation; sales; permitting a deduction for the costs of collection and remittance; amending Minnesota Statutes 1978, Section 297A.26, by adding a subdivision.

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

Dean, Wenzel, Anderson, R., and Fjoslien introduced:

H. F. No. 800, A bill for an act relating to the military; excluding military pensions from gross income for income tax purposes; excluding certain military income from income tax; exempting certain military survivors from inheritance tax; making certain educational benefits available to national guard veterans; amending Minnesota Statutes 1978, Sections 197.75, Subdivision 5; 290.01, Subdivision 20; 290.65, by adding a subdivision; and 291.05.

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

Corbid, Vanasek and Nysether introduced :

H. F. No. 801, A bill for an act relating to public drainage systems; increasing repair authority; providing for abandonment of systems; increasing repair funds; amending Minnesota Statutes 1978, Sections 106.011, by adding a subdivision; 106.471, Subdivisions 1, 2, and 6; 106.651; 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.

Nelsen, M.; Fudro; Welch; McEachern and Sarna introduced :

H. F. No. 802, A bill for an act relating to taxation; income tax; restoring exclusion from taxation of portion of income of certain members of the armed forces; amending Minnesota Statutes 1978, Section 290.65, by adding a subdivision.

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

Voss and Jacobs introduced :

H. F. No. 803, A bill for an act relating to education; requiring a school board to grant certain extended leaves of absence; amending Minnesota Statutes 1978, Section 125.60, Subdivision 2.

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

Berglin; Sieben, M.; Stoa and Casserly introduced :

H. F. No. 804, A bill for an act relating to landlords and tenants; extending the time between service of the summons in unlawful detainer proceedings and the return day; providing for a stay of the writ of restitution in unlawful detainer proceedings; amending Minnesota Statutes 1978, Sections 566.05; 566.06; 566.09; and 566.11.

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

Evans introduced:

H. F. No. 805, A bill for an act relating to commerce; providing a floating usury rate for contracts for deed; amending Minnesota Statutes 1978, Section 47.20, Subdivision 4.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Onnen, Clawson, Searle and Kaley introduced:

H. F. No. 806, A bill for an act relating to health; altering certain accounting practices for nursing homes; providing for the recapture of depreciation costs under certain conditions; establishing efficiency, occupancy and incentive allowances; requiring an overall maximum rate for costs; permitting certain bad debts to be allowable costs; amending Minnesota Statutes 1978, Sections 256B.42, by adding subdivisions; 256B.43, Subdivision 3, and by adding a subdivision; 256B.44; 256B.45, Subdivision 1; 256B.46; 256B.47; 256B.48, Subdivision 2; and Chapter 256B, by adding sections.

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

Sarna, McEachern, Kvam, Anderson, I., and Osthoff introduced:

H. F. No. 807, A bill for an act relating to taxation; providing that certain improvements to real property used for a homestead not be added to increased valuation of property; amending Minnesota Statutes 1978, 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.

Clawson and McCarron introduced:

H. F. No. 808, A bill for an act relating to mental health services; providing county responsibility for mental health services; requiring county mental health plans; providing for funding for mental health services; prescribing duties of the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1978, Section 253A.03, Subdivision 1.

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

Sarna, Anderson, I., and Metzen introduced :

H. F. No. 809, A bill for an act relating to motor vehicles; providing for use of original plates on certain collector vehicles; amending Minnesota Statutes 1978, Section 168.10, Subdivision 1, and by adding a subdivision.

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

Fudro, Sarna, Osthoff, Luknic and Dempsey introduced :

H. F. No. 810, A bill for an act relating to motor vehicles; providing for taxing and registering modified vehicles manufactured prior to 1949; regulating storage of modified vehicles and requiring certain equipment; amending Minnesota Statutes 1978, Section 168.10.

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

Welch, Clawson, Swanson, Crandall and Forsythe introduced :

H. F. No. 811, A bill for an act relating to health; changing eligibility requirements for catastrophic health expense protection; amending Minnesota Statutes 1978, Sections 62E.52, Subdivision 2; and 62E.53, Subdivision 2.

The bill was read for the first time and 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, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 48, A bill for an act relating to the city of Austin; authorizing an on-sale liquor license for Riverside Arena.

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Reding moved that the House concur in the Senate amendments to H. F. No. 48 and that the bill be repassed as amended by the Senate. The motion prevailed.



H. F. No. 48, A bill for an act relating to the city of Austin; authorizing an on-sale liquor license for Riverside Arena.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Adams	Ellingson	Kalis	Nelson	Searles
Anderson, B.	Enebo	Kelly	Niehaus	Sieben, H.
Anderson, G.	Esau	Kempe	Norman	Sieben, M.
Anderson, I.	Evans	Knickerbocker	Norton	Simoneau
Anderson, R.	Faricy	Kostohryz	Novak	Stadum
Battaglia	Fjoslien	Kroening	Nysether	Stoa
Begich	Forsythe	Kvam	Olsen	Stowell
Berglin	Friedrich	Laidig	Onnen	Sviggum
Berkelman	Fudro	Lehto	Otis	Swanson
Biersdorf	Greenfield	Levi	Patton	Thiede
Blatz	Halberg	Long	Pavlak	Tomlinson
Brinkman	Haukoos	Luknic	Pehler	Valan
Byrne	Heap	Mann	Peterson	Valento
Carlson, L.	Heinitz	McCarron	Piepho	Voss
Casserly	Hoberg	McDonald	Pleasant	Weaver
Clark	Hokanson	McEachern	Redalen	Welch
Clawson	Jacobs	Mehrkens	Reding	Welker
Corbid	Jaros	Metzen	Rees	Wenzel
Crandall	Jennings	Minne	Reif	Wieser
Dean	Johnson, C.	Moe	Rice	Wigley
Dempsey	Johnson, D.	Munger	Rose	Wynia
Drew	Jude	Murphy	Rothenberg	Zubay
Eken	Kahn	Nelsen, B.	Sarna	Speaker Searle
Elioff	Kaley	Nelsen, M.	Schreiber	

Those who voted in the negative were:

Anderson, D.	Den Ouden	Erickson	Ewald	Fritz
Carlson, D.				

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. 327.

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. 228, 287 and 307.

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. 345, 427 and 521.

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 the engrossment and enrolling of bills.

PATRICK E. FLAHAVEN, Secretary of the Senate

Senate Concurrent Resolution No. 7 was referred to the Committee on Rules and Legislative Administration.

#### FIRST READING OF SENATE BILLS

S. F. No. 327, A bill for an act relating to the city of Saint Paul; authorizing the disposition of the Gillette state hospital property, building and grounds.

The bill was read for the first time.

Waldorf moved that S. F. No. 327 and H. F. No. 246, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 228, A bill for an act relating to intoxicating liquor; places where sales are forbidden; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3.

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

S. F. No. 287, A bill for an act relating to workers' compensation; changing certain requirements for exception to extra-territorial application; amending Minnesota Statutes 1978, Section 176.041, Subdivision 2.

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

S. F. No. 307, A bill for an act relating to health; permitting placement of pets in certain institutions; requiring placement efforts by the Minnesota humane society; amending Minnesota Statutes 1978, Chapters 144, by adding a section; 144A, by adding a section; and 343, by adding a section.

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

S. F. No. 345, A bill for an act relating to Hennepin County; providing that law library fees be set by the library trustees; amending Laws 1933, Chapter 291, Section 4, as amended.

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

S. F. No. 427, A bill for an act relating to warehouses; excepting persons storing certain items on a seasonal basis from requirements applied to warehousemen; amending Minnesota Statutes 1978, Section 231.01, Subdivision 5.

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

S. F. No. 521, A bill for an act relating to the city of St. Cloud; authorizing sale of liquor at the Municipal Sports Complex.

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

### CONSENT CALENDAR

S. F. No. 411, A bill for an act relating to taxation; defining conveyances that must be presented to the auditor before recording; eliminating duty of county recorder to list judgments affecting real estate titles; eliminating payment to county recorder for making lists; amending Minnesota Statutes 1978, Sections 272.12; and 272.17; repealing Minnesota Statutes 1978, Section 272.18.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, C.	Munger	Sarna
Adams	Drew	Johnson, D.	Murphy	Schreiber
Ainley	Eken	Jude	Nelsen, B.	Searles
Albrecht	Elioff	Kahn	Nelsen, M.	Sieben, H.
Anderson, B.	Ellingson	Kaley	Nelson	Sieben, M.
Anderson, D.	Enebo	Kalis	Niehaus	Simoneau
Anderson, G.	Erickson	Kelly	Norman	Stadum
Anderson, I.	Esau	Kempe	Norton	Stoa
Anderson, R.	Evans	Knickerbocker	Novak	Stowell
Battaglia	Ewald	Kostohryz	Nysether	Sviggum
Begich	Faricy	Kroening	Olsen	Swanson
Berglin	Fjoslien	Kvam	Onnen	Thiede
Berkelman	Forsythe	Laidig	Otis	Tomlinson
Biersdorf	Friedrich	Lehto	Patton	Valan
Blatz	Fritz	Levi	Pavlak	Valento
Brinkman	Fudro	Long	Pehler	Voss
Byrne	Greenfield	Ludeman	Peterson	Waldorf
Carlson, D.	Halberg	Luknic	Piepho	Weaver
Carlson, L.	Haukoos	Mann	Pleasant	Welch
Casserly	Heap	McCarron	Prahl	Welker
Clark	Heinitz	McDonald	Redalen	Wenzel
Clawson	Hoberg	McEachern	Reding	Wieser
Corbid	Hokanson	Mehrkens	Rees	Wigley
Crandall	Jacobs	Metzen	Reif	Wynia
Dean	Jaros	Minne	Rose	Zubay
Dempsey	Jennings	Moe	Rothenberg	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 167, A bill for an act relating to the city of Virginia; extending an eligibility deadline for special funding for the improvement of a segment of a certain municipal state-aid street within the city.

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:

Aasness	Carlson, D.	Evans	Jennings	Ludeman
Adams	Carlson, L.	Ewald	Johnson, C.	Luknic
Ainley	Casserly	Faricy	Johnson, D.	Mann
Albrecht	Clark	Fjoslien	Jude	McCarron
Anderson, B.	Clawson	Forsythe	Kahn	McDonald
Anderson, D.	Corbid	Friedrich	Kaley	McEachern
Anderson, G.	Crandall	Fritz	Kalis	Mehrkens
Anderson, I.	Dean	Fudro	Kelly	Metzen
Anderson, R.	Dempsey	Greenfield	Kempe	Minne
Battaglia	Den Ouden	Halberg	Knickerbocker	Moe
Begich	Drew	Haukoos	Kostohryz	Munger
Berglin	Eken	Heap	Kroening	Murphy
Berkelman	Elioff	Heinitz	Kvam	Nelsen, B.
Biersdorf	Ellingson	Hoberg	Laidig	Nelsen, M.
Blatz	Enebo	Hokanson	Lehto	Nelson
Brinkman	Erickson	Jacobs	Levi	Niehaus
Byrne	Esau	Jaros	Long	Norman

Norton	Peterson	Rothenberg	Sviggum	Welker
Novak	Piepho	Sarna	Swanson	Wenzel
Nysether	Pleasant	Schreiber	Thiede	Wieser
Olsen	Prahl	Searles	Tomlinson	Wigley
Onnen	Redalen	Sieben, H.	Valan	Wynia
Osthoff	Reding	Sieben, M.	Valento	Zubay
Otis	Rees	Simoneau	Voss	Speaker Searle
Patton	Reif	Stadum	Waldorf	
Pavlak	Rice	Stoa	Weaver	
Pehler	Rose	Stowell	Welch	

The bill was passed and its title agreed to.

### CALENDAR

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

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 16 nays as follows:

Those who voted in the affirmative were:

Aasness	Dempsey	Johnson, D.	Nelsen, M.	Schreiber
Ainley	Den Ouden	Jude	Niehaus	Searles
Albrecht	Drew	Kaley	Norman	Stadum
Anderson, B.	Eken	Kalis	Nysether	Stoa
Anderson, D.	Elihoff	Knickerbocker	Olsen	Stowell
Anderson, G.	Erickson	Kostohryz	Onnen	Sviggum
Anderson, I.	Esau	Kroening	Osthoff	Swanson
Anderson, R.	Evans	Kvam	Otis	Thiede
Battaglia	Ewald	Laidig	Patton	Valan
Begich	Fjoslien	Levi	Pavlak	Valento
Berkelman	Forsythe	Long	Pehler	Weaver
Biersdorf	Friedrich	Ludeman	Peterson	Welch
Blatz	Fritz	Luknic	Piepho	Welker
Brinkman	Fudro	Mann	Pleasant	Wenzel
Byrne	Halberg	McCarron	Prahl	Wieser
Carlson, D.	Haukoos	McDonald	Redalen	Wigley
Carlson, L.	Heap	McEachern	Reding	Wynia
Casserly	Heinitz	Mehrkens	Rees	Zubay
Clark	Hoberg	Metzen	Reif	Speaker Searle
Clawson	Hokanson	Minne	Rice	
Corbid	Jaros	Moe	Rose	
Crandall	Jennings	Munger	Rothenberg	
Dean	Johnson, C.	Nelsen, B.	Sarna	

Those who voted in the negative were:

Berglin	Jacobs	Kempe	Sieben, H.	Tomlinson
Enebo	Kahn	Lehto	Sieben, M.	Voss
Fariy	Kelly	Novak	Simoneau	Waldorf
Greenfield				

The bill was passed and its title agreed to.

H. F. No. 245, A bill for an act relating to the department of public safety; changing the name of the highway patrol to the state patrol; amending Minnesota Statutes 1978, Section 299D.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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elioff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pavlak	Valento
Biersdorf	Fritz	Long	Pehler	Voss
Blatz	Fudro	Ludeman	Peterson	Waldorf
Brinkman	Greenfield	Luknic	Piepho	Weaver
Byrne	Halberg	Mann	Pleasant	Welch
Carlson, D.	Haukoos	McCarron	Prahl	Welker
Carlson, L.	Heap	McDonald	Redalen	Wenzel
Casserly	Heinitz	McEachern	Reding	Wieser
Clark	Hoberg	Mehrkens	Rees	Wigley
Clawson	Hokanson	Metzen	Reif	Wynia
Corbid	Jacobs	Minne	Rice	Zubay
Crandall	Jaros	Moe	Rose	Speaker Searle
Dean	Jennings	Munger	Rothenberg	
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 263, A bill for an act relating to juvenile court referees; authorizing referees to hear contested trials, hearings, or motions unless objection is made; amending Minnesota Statutes 1978, Section 484.70, 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 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Ainley	Anderson, B.	Anderson, G.	Anderson, R.
Adams	Albrecht	Anderson, D.	Anderson, I.	Battaglia

Begich	Ewald	Kostohryz	Novak	Simoneau
Berglin	Faricy	Kroening	Nysether	Stadum
Berkelman	Fjoslien	Kvam	Olsen	Stoa
Biersdorf	Forsythe	Laidig	Onnen	Stowell
Blatz	Friedrich	Lehto	Osthoff	Sviggum
Brinkman	Fudro	Levi	Otis	Swanson
Byrne	Greenfield	Long	Patton	Thiede
Carlson, D.	Halberg	Ludeman	Pavlak	Tomlinson
Carlson, L.	Haukoos	Luknic	Pehler	Valan
Casserly	Heap	Mann	Peterson	Valento
Clark	Heinitz	McCarron	Piepho	Voss
Clawson	Hoberg	McDonald	Pleasant	Waldorf
Corbid	Hokanson	McEachern	Prahl	Weaver
Crandall	Jacobs	Mehrkens	Redalen	Welch
Dean	Jaros	Metzen	Reding	Welker
Dempsey	Jennings	Minne	Rees	Wenzel
Den Ouden	Johnson, C.	Moe	Reif	Wieser
Drew	Johnson, D.	Munger	Rice	Wigley
Eken	Jude	Murphy	Rose	Wynia
Elioff	Kahn	Nelsen, B.	Rothenberg	Zubay
Ellingson	Kaley	Nelsen, M.	Sarna	Speaker Searle
Enebo	Kalis	Nelson	Schreiber	
Erickson	Kelly	Niehaus	Searles	
Esau	Kempe	Norman	Sieben, H.	
Evans	Knickerbocker	Norton	Sieben, M.	

Those who voted in the negative were:

Fritz

The bill was passed and its title agreed to.

H. F. No. 303, A bill for an act validating and legalizing certain state assignment certificates.

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:

Aasness	Carlson, L.	Ewald	Johnson, C.	Luknic
Adams	Casserly	Faricy	Johnson, D.	Mann
Ainley	Clark	Fjoslien	Jude	McCarron
Albrecht	Clawson	Forsythe	Kahn	McDonald
Anderson, B.	Corbid	Friedrich	Kaley	McEachern
Anderson, D.	Crandall	Fritz	Kalis	Mehrkens
Anderson, G.	Dean	Fudro	Kelly	Metzen
Anderson, I.	Dempsey	Greenfield	Kempe	Minne
Anderson, R.	Den Ouden	Halberg	Knickerbocker	Moe
Battaglia	Drew	Haukoos	Kostohryz	Munger
Begich	Eken	Heap	Kroening	Murphy
Berglin	Elioff	Heinitz	Kvam	Nelsen, B.
Berkelman	Ellingson	Hoberg	Laidig	Nelsen, M.
Biersdorf	Enebo	Hokanson	Lehto	Nelson
Blatz	Erickson	Jacobs	Levi	Niehaus
Brinkman	Esau	Jaros	Long	Norman
Byrne	Evans	Jennings	Ludeman	Norton

Novak	Peterson	Rothenberg	Stowell	Weaver
Nysether	Piepho	Sarna	Sviggum	Welch
Olsen	Pleasant	Schreiber	Swanson	Welker
Onnen	Prahl	Searles	Thiede	Wenzel
Osthoff	Reding	Sieben, H.	Tomlinson	Wieser
Otis	Rees	Sieben, M.	Valan	Wigley
Patton	Reif	Simoneau	Valento	Wynia
Pavlak	Rice	Stadum	Voss	Zubay
Pehler	Rose	Stoa	Waldorf	Speaker Searle

The bill was passed and its title agreed to.

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

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 7 nays as follows:

Those who voted in the affirmative were:

Adams	Erickson	Kelly	Norton	Simoneau
Albrecht	Esau	Kempe	Novak	Stadum
Anderson, B.	Evans	Knickerbocker	Nysether	Stoa
Anderson, I.	Ewald	Kostohryz	Olsen	Stowell
Anderson, R.	Farcy	Kroening	Onnen	Sviggum
Battaglia	Fjoslien	Kvam	Otis	Swanson
Begich	Forsythe	Laidig	Patton	Thiede
Berglin	Friedrich	Lehto	Pavlak	Tomlinson
Berkelman	Fritz	Levi	Pehler	Valan
Biersdorf	Fudro	Long	Peterson	Valento
Blatz	Greenfield	Ludeman	Piepho	Voss
Brinkman	Halberg	Luknic	Pleasant	Waldorf
Byrne	Haukoos	Mann	Prahl	Weaver
Carlson, L.	Heap	McCarron	Redalen	Welch
Casserly	Heinitz	McDonald	Reding	Welker
Clark	Hoberg	McEachern	Rees	Wenzel
Corbid	Hokanson	Mehrrens	Reif	Wieser
Crandall	Jacobs	Minne	Rice	Wigley
Dean	Jennings	Moe	Rose	Wynia
Dempsey	Johnson, C.	Munger	Rothenberg	Zubay
Den Ouden	Johnson, D.	Murphy	Sarna	Speaker Searle
Drew	Jude	Nelsen, B.	Schreiber	
Elihoff	Kahn	Nelsen, M.	Searles	
Ellingson	Kaley	Niehaus	Sieben, H.	
Enebo	Kalis	Norman	Sieben, M.	

Those who voted in the negative were:

Aasness	Anderson, G.	Eken	Metzen	Osthoff
Anderson, D.	Clawson			

The bill was passed and its title agreed to.

H. F. No. 416, A bill for an act relating to legal process; providing for replevin of personal property before and after a hear-



ing; providing for bonds; providing a penalty; repealing Minnesota Statutes 1978, Sections 565.01; 565.02; 565.03; 565.04; 565.05; 565.06; 565.07; 565.08; 565.09; 565.10; and 565.11.

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 10 nays as follows:

Those who voted in the affirmative were:

Aasness	Enebo	Kaley	Nelsen, M.	Schreiber
Adams	Erickson	Kalis	Nelson	Searles
Ainley	Esau	Kelly	Norman	Sieben, H.
Anderson, B.	Evans	Kempe	Norton	Sieben, M.
Anderson, I.	Ewald	Knickerbocker	Novak	Simoneau
Anderson, R.	Faricy	Kostohryz	Nysether	Stadum
Battaglia	Fjoslien	Kroening	Olsen	Stoa
Begich	Forsythe	Kvam	Onnen	Stowell
Berglin	Friedrich	Laidig	Osthoff	Sviggum
Berkelman	Fritz	Lehto	Otis	Swanson
Blatz	Fudro	Levi	Patton	Tomlinson
Byrne	Greenfield	Long	Pavlak	Valan
Carlson, D.	Halberg	Ludeman	Pehler	Valento
Carlson, L.	Haukoos	Luknic	Peterson	Voss
Casserly	Heap	Mann	Piepho	Waldorf
Clark	Heinitz	McCarron	Pleasant	Weaver
Clawson	Hoberg	McDonald	Prahl	Welch
Corbid	Hokanson	McEachern	Redalen	Welker
Crandall	Jacobs	Mehrkens	Reding	Wenzel
Dean	Jaros	Metzen	Rees	Wigley
Dempsey	Jennings	Minne	Reif	Wynia
Den Ouden	Johnson, C.	Moe	Rice	Zubay
Drew	Johnson, D.	Munger	Rose	
Elioff	Jude	Murphy	Rothenberg	
Ellingson	Kahn	Nelsen, B.	Sarna	

Those who voted in the negative were:

Albrecht	Anderson, G.	Brinkman	Niehaus	Wieser
Anderson, D.	Biersdorf	Eken	Thiede	Speaker Searle

The bill was passed and its title agreed to.

S. F. No. 67, A bill for an act relating to statutes; providing for the effect of grammar and punctuation; amending Minnesota Statutes 1978, Section 645.18.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Jude	Nelsen, B.	Sarna
Adams	Elioff	Kahn	Nelsen, M.	Schreiber
Ainley	Ellingson	Kaley	Nelson	Searles
Anderson, B.	Enebo	Kalis	Niehaus	Sieben, H.
Anderson, D.	Erickson	Kelly	Norman	Sieben, M.
Anderson, G.	Esau	Kempe	Norton	Simoneau
Anderson, I.	Evans	Knickerbocker	Novak	Stadum
Anderson, R.	Ewald	Kostohryz	Nysether	Stoa
Battaglia	Faricy	Kroening	Olsen	Stowell
Begich	Fjoslien	Kvam	Onnen	Sviggum
Berglin	Forsythe	Laidig	Osthoff	Swanson
Berkelman	Friedrich	Lehto	Otis	Thiede
Biersdorf	Fritz	Levi	Patton	Tomlinson
Blatz	Fudro	Long	Pavlak	Valan
Brinkman	Greenfield	Ludeman	Pehler	Valento
Byrne	Halberg	Luknic	Peterson	Voss
Carlson, L.	Haukoos	Mann	Piepho	Waldorf
Casserly	Heap	McCarron	Pleasant	Weaver
Clark	Heintz	McDonald	Prahl	Welch
Clawson	Hoberg	McEachern	Redalen	Welker
Corbid	Hokanson	Mehrrens	Reding	Wenzel
Crandall	Jacobs	Metzen	Rees	Wieser
Dean	Jaros	Minne	Reif	Wigley
Dempsey	Jennings	Moe	Rice	Wynia
Den Ouden	Johnson, C.	Munger	Rose	Zubay
Drew	Johnson, D.	Murphy	Rothenberg	Speaker Searle

The bill was passed and its title agreed to.

Clawson 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 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. 300 and 444 which it recommended to pass.

S. F. No. 138 which it recommended to pass.

H. F. No. 643 which it recommended progress with the following amendments:

Offered by Erickson:

Page 3, delete all of Section 3, lines 16 thru 33

Renumber the remaining sections

Further amend the title, line 15, delete "517.10;"

Offered by Faricy:

Page 5, lines 11 and 12, delete "*an established residence*", strike "of one or both of the parties" and insert "*section 518.07, clause (2)*"

Page 5, line 13, after "county" insert "*in this state*"

Page 5, line 14, delete "*has established that residence*" and insert "*resided*"

Page 12, after line 9, insert:

"Sec. 15. Minnesota Statutes 1978, Section 518.175, Subdivision 1, is amended to read:

518.175 [VISITATION OF CHILDREN AND NONCUSTODIAL PARENT.] Subdivision 1. In all proceedings for dissolution or *legal separation*, subsequent to the commencement of the proceeding and continuing thereafter during the minority of the child, the court shall, upon the request of the noncustodial parent, grant such rights of visitation as will enable the child and the noncustodial parent to maintain a child to parent relationship that will be beneficial to the child unless the court finds, after a hearing, that visitation is likely to endanger the child's physical or emotional health or impair his emotional development. The court shall consider the age of the child and the child's relationship with the noncustodial parent prior to the commencement of the proceeding. A parent's failure to pay support because of the parent's inability to do so shall not be sufficient cause for denial of visitation."

Page 13, after line 29, insert:

"Sec. 18. Minnesota Statutes 1978, Section 518.55, is amended to read:

518.55 [MAINTENANCE OR SUPPORT MONEY.] Every award of maintenance or support money in a judgment of dissolution or *legal separation* shall clearly designate whether the same is maintenance or support money, or what part of the award is maintenance and what part is support money. An award of payments from future income or earnings of the custodial parent is presumed to be maintenance and an award of payments from the future income or earnings of the noncustodial parent is presumed to be support money, unless otherwise designated by the court. In a judgment of dissolution or *legal separation* the court may determine, as one of the issues of the case,

whether or not either spouse is entitled to an award of maintenance notwithstanding that no award is then made, or it may reserve jurisdiction of the issue of maintenance for determination at a later date.

Sec. 19. Minnesota Statutes 1978, Section 518.551, is amended to read:

**518.551 [MAINTENANCE AND SUPPORT PAYMENTS MADE TO WELFARE AGENCIES.]** A court having jurisdiction over proceedings for dissolution or *legal separation* shall direct that all payments ordered for maintenance and support shall be made to the agency responsible for the welfare payments, when it appears that the party who is to receive the maintenance and support payments will receive public assistance. Amounts received by the agency greater than the amount granted to the party receiving public assistance shall be remitted to that party.

The petitioner shall notify the agency responsible for the welfare payments of all proceedings for dissolution, legal separation or for the custody of a child if either party is receiving aid to families of dependent children or applies for such aid subsequent to the commencement of the proceeding. After receipt of the notice, the agency shall recommend to the court the support that is proper and adequate for the care and support of the child or children before the issuance of the order for judgment and decree in the proceeding.

If the court finds in a dissolution or *legal separation* proceeding before issuing the order for 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 in which no notification has been made pursuant to this section and in which 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."

Page 16, after line 32, insert:

"Sec. 23. Minnesota Statutes 1978, Section 518.66, is amended to read:

**518.66 [POWER OF COURT NOT LIMITED.]** Nothing contained in sections 518.54 to 518.67 shall be construed as limiting the power of the court in appropriate cases to make adequate provision for the support and education of any children of the parties to any dissolution, *legal separation* or annulment action where such dissolution, *legal separation* or annulment is denied."

Renumber the sections in order

Further, amend the title:

Page 1, line 17, after "Subdivision 1;" insert "518.175, Subdivision 1;"

Page 1, line 18, after "518.54, Subdivision 5;" insert "518.55; 518.551;"

Page 1, line 19, after "Subdivision 2;" insert "518.66;"

Offered by Dean:

Page 4, lines 1 thru 11, delete Section 4 from the bill

Renumber the sections in order

Further amend the title, page 1, line 15, delete "517.101"

Page 1, delete line 4

Page 1, delete "certificate be prepared;"

H. F. No. 472 which it recommended to pass with the following amendment offered by Pehler:

Page 1, line 10, delete "thousands and thousands of"

Page 1, line 17, before "alternative" delete "the" and insert "an"

Page 2, line 2, delete "in" and insert "and to improve and revitalize service on"

On the motion of Sieben, H., 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 moved to amend H. F. No. 643 as follows:

Page 15, line 1, strike "without" and insert "*with*"

The question was taken on the adoption of the amendment and the roll was called. There were 42 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Aasness	Carlson, D.	Evans	Jude	McEachern
Albrecht	Dempsey	Fjoslien	Kelly	Nelsen, B.
Anderson, R.	Den Ouden	Fritz	Kempe	Niehaus
Begich	Elioff	Jennings	Ludeman	Nysether
Blatz	Esau	Johnson, D.	McDonald	Olsen

Onnen	Prahl	Stadum	Waldorf	Wigley
Patton	Redalen	Sviggum	Welker	
Pehler	Rees	Thiede	Wenzel	
Piepho	Reif	Valento	Wieser	

Those who voted in the negative were:

Ainley	Ellingson	Knickerbocker	Murphy	Sieben, M.
Battaglia	Enebo	Kvam	Nelsen, M.	Simoneau
Berglin	Faricy	Laidig	Nelson	Stoa
Berkelman	Forsythe	Lehto	Norman	Stowell
Biersdorf	Greenfield	Levi	Norton	Swanson
Byrne	Haukoos	Long	Novak	Tomlinson
Carlson, L.	Heap	Luknic	Otis	Voss
Casserly	Heinitz	Mann	Pavlak	Weaver
Clark	Hoberg	McCarron	Peterson	Welch
Corbid	Hokanson	Mehrrens	Pleasant	Wynia
Crandall	Jaros	Metzen	Reding	Zubay
Dean	Johnson, C.	Minne	Rose	Speaker Searle
Drew	Kahn	Moe	Rothenberg	
Eken	Kaley	Munger	Sieben, H.	

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

## MOTIONS AND RESOLUTIONS

Prahl moved that the name of Otis be added as an author on H. F. No. 786. The motion prevailed.

Byrne moved that the name of Norman be added as an author on H. F. No. 699. The motion prevailed.

Swanson moved that the name of Osthoff be added as an author on H. F. No. 734. The motion prevailed.

Norman moved that the name of Byrne be added as an author on H. F. No. 723. The motion prevailed.

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 15, 1979. The motion prevailed.

Sieben, H., 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.

Blatz, Brinkman, Ellingson and Metzen were excused.

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 6:00 p.m. pursuant to House Concurrent Resolution No. 1, 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.

Senator Coleman moved that further proceedings of the roll call be dispensed with. The motion prevailed.

A quorum was declared present.

Sieben, H.; Zubay and Hughes moved that the following be the procedure of this Joint Convention:

The report from members of the Senate Committee on Education and the House Committee on Education, pursuant to House Concurrent Resolution No. 1, shall submit a slate of four Congressional District members on the Board of Regents of the University of Minnesota.

Nominations may be made from the floor of the Convention but the nominations shall be in the form of an amendment to the report as submitted by the members of the Senate Committee on Education and the House Committee on 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 four members on the Board of Regents of the University of Minnesota. The nominee for each Congressional District seat receiving the highest number of votes shall be declared elected, provided 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 FROM MEMBERS OF THE SENATE COMMITTEE ON EDUCATION AND HOUSE COMMITTEE ON EDUCATION

To the Honorable Rod Searle, 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 members of the Senate Committee on Education and the House Committee on Education make the following report:

We have selected the following named persons as a slate of 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, 1979:

Charles H. Casey, 1st Congressional District, six years

Lauris Krenik, 2nd Congressional District, six years

Mary Schertler, 4th Congressional District, six years

William B. Dosland, 7th 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

CARL M. JOHNSON, Chairman  
House Education Committee

Sieben, H.; Zubay and Hughes moved that the report from the members of the Senate Committee on Education and the House Committee on Education nominating four persons for membership on the Board of Regents of the University of Minnesota, be adopted. The motion prevailed and the report was adopted.

Sieben, H.; Zubay and Hughes moved that the nominations be closed and that the Joint Convention proceed to the election of four 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 H. Casey, 1st Congressional District, for a six year term:

#### SENATE ROLL CALL

Anderson	Coleman	Hughes	Knoll	Nelson
Ashbach	Dieterich	Humphrey	Knutson	Nichols
Bang	Dunn	Jensen	Laufenburger	Ogdahl
Benedict	Engler	Johnson	Lessard	Olhoft
Bernhagen	Frederick	Keefe, J.	Luther	Olson
Brataas	Gearty	Kirchner	McCutcheon	Penny
Chenoweth	Gunderson	Kleinbaum	Menning	Peterson
Chmielewski	Hanson	Knaak	Merriam	Pillsbury



Purfeerst	Setzepfandt	Spear	Tennessee	Willet
Renneke	Sieloff	Staples	Ueland, A.	
Rued	Sikorski	Stokowski	Ulland, J.	
Schaaaf	Sillers	Strand	Vega	
Schrom	Solon	Stumpf	Wegener	

## HOUSE OF REPRESENTATIVES ROLL CALL

Aasness	Eken	Kaley	Niehaus	Sieben, M.
Adams	Elioff	Kalis	Norman	Simoneau
Ainley	Enebo	Kelly	Norton	Stadum
Albrecht	Erickson	Kempe	Novak	Stoa
Anderson, B.	Esau	Knickerbocker	Nysether	Stowell
Anderson, D.	Evans	Kostohryz	Olsen	Sviggum
Anderson, G.	Ewald	Kroening	Onnen	Swanson
Anderson, I.	Faricy	Kvam	Otis	Thiede
Anderson, R.	Fjoslien	Laidig	Patton	Tomlinson
Battaglia	Forsythe	Lehto	Pavlak	Valan
Begich	Friedrich	Levi	Pehler	Valento
Berglin	Fudro	Long	Peterson	Voss
Berkelman	Greenfield	Ludeman	Piepho	Waldorf
Biersdorf	Halberg	Luknic	Pleasant	Weaver
Byrne	Haukoos	Mann	Prahl	Welch
Carlson, D.	Heap	McCarron	Redalen	Welker
Carlson, L.	Heinitz	McDonald	Reding	Wenzel
Cassery	Hoberg	McEachern	Rees	Wieser
Clark	Hokanson	Mehrkens	Reif	Wigley
Clawson	Jacobs	Minne	Rice	Wynia
Corbid	Jaros	Moe	Rose	Zubay
Crandall	Jennings	Munger	Rothenberg	Pres. Searle
Dean	Johnson, C.	Murphy	Sarna	
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	
Drew	Kahn	Nelson	Sieben, H.	

The following voted for Lauris Krenik, 2nd Congressional District, for a six year term:

## SENATE ROLL CALL

Anderson	Gearty	Laufenburger	Pillsbury	Strand
Ashbach	Gunderson	Lessard	Purfeerst	Stumpf
Bang	Hanson	Luther	Renneke	Tennessee
Benedict	Hughes	McCutcheon	Rued	Ueland, A.
Bernhagen	Humphrey	Menning	Schaaaf	Ulland, J.
Brataas	Jensen	Merriam	Schrom	Vega
Chenoweth	Johnson	Nelson	Setzepfandt	Wegener
Chmielewski	Keefe, J.	Nichols	Sieloff	Willet
Coleman	Kirchner	Ogdahl	Sikorski	
Dieterich	Kleinbaum	Olhoft	Sillers	
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Penny	Staples	
Frederick	Knutson	Peterson	Stokowski	

## HOUSE OF REPRESENTATIVES ROLL CALL

Aasness	Anderson, R.	Carlson, L.	Den Ouden	Ewald
Adams	Battaglia	Cassery	Drew	Faricy
Ainley	Begich	Clark	Eken	Fjoslien
Albrecht	Berglin	Clawson	Elioff	Forsythe
Anderson, B.	Berkelman	Corbid	Enebo	Friedrich
Anderson, D.	Biersdorf	Crandall	Erickson	Fudro
Anderson, G.	Byrne	Dean	Esau	Halberg
Anderson, I.	Carlson, D.	Dempsey	Evans	Haukoos

Heap	Kvam	Nelsen, M.	Redalen	Swanson
Heinitz	Laidig	Nelson	Reding	Thiede
Hoberg	Lehto	Niehaus	Rees	Tomlinson
Hokanson	Levi	Norman	Reif	Valan
Jacobs	Long	Norton	Rice	Valento
Jaros	Ludeman	Novak	Rose	Voss
Jennings	Luknic	Nysether	Rothenberg	Waldorf
Johnson, C.	Mann	Olsen	Sarna	Weaver
Johnson, D.	McCarron	Onnen	Schreiber	Welch
Jude	McDonald	Otis	Searles	Welker
Kaley	McEachern	Patton	Sieben, H.	Wenzel
Kalis	Mehrkens	Pavlak	Sieben, M.	Wieser
Kelly	Minne	Pehler	Simoneau	Wigley
Kempe	Moe	Peterson	Stadum	Wynia
Knickerbocker	Munger	Piepho	Stoa	Zubay
Kostohryz	Murphy	Pleasant	Stowell	Pres. Searle
Kroening	Nelsen, B.	Prahl	Sviggum	

The following voted for Mary Schertler, 4th Congressional District, for a six year term:

## SENATE ROLL CALL

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

## HOUSE OF REPRESENTATIVES ROLL CALL

Aasness	Eken	Kahn	Nelson	Schreiber
Adams	Elioff	Kaley	Niehaus	Searles
Ainley	Enebo	Kalis	Norman	Sieben, H.
Albrecht	Erickson	Kelly	Norton	Sieben, M.
Anderson, B.	Esau	Kempe	Novak	Simoneau
Anderson, D.	Evans	Knickerbocker	Nysether	Stadum
Anderson, G.	Ewald	Kostohryz	Olsen	Stoa
Anderson, I.	Faricy	Kroening	Onnen	Stowell
Anderson, R.	Fjoslien	Kvam	Osthoff	Sviggum
Battaglia	Forsythe	Laidig	Otis	Swanson
Begich	Friedrich	Lehto	Patton	Thiede
Berglin	Fudro	Levi	Pavlak	Tomlinson
Berkelman	Greenfield	Long	Pehler	Valan
Biersdorf	Halberg	Ludeman	Peterson	Valento
Byrne	Haukoos	Luknic	Piepho	Voss
Carlson, D.	Heap	Mann	Pleasant	Waldorf
Carlson, L.	Heinitz	McCarron	Prahl	Weaver
Casserly	Hoberg	McEachern	Redalen	Welch
Clark	Hokanson	Mehrkens	Reding	Welker
Clawson	Jacobs	Minne	Rees	Wenzel
Corbid	Jaros	Moe	Reif	Wieser
Crandall	Jennings	Munger	Rice	Wigley
Dean	Johnson, C.	Murphy	Rose	Wynia
Dempsey	Johnson, D.	Nelsen, B.	Rothenberg	Zubay
Drew	Jude	Nelsen, M.	Sarna	Pres. Searle

The following voted for William B. Dosland, 7th Congressional District, for a six year term:

## SENATE ROLL CALL

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Gunderson	Lessard	Purfeerst	Strand
Bang	Hanson	Luther	Renneke	Stumpf
Benedict	Hughes	McCutcheon	Rued	Tennessee
Bernhagen	Humphrey	Menning	Schaaf	Ueland, A.
Brataas	Jensen	Merriam	Schrom	Ulland, J.
Chenoweth	Johnson	Nelson	Setzpfandt	Vega
Chmielewski	Keefe, J.	Nichols	Sieloff	Wegener
Coleman	Kirchner	Ogdahl	Sikorski	Willet
Dieterich	Kleinbaum	Olhoft	Sillers	
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Penny	Spear	
Frederick	Knutson	Peterson	Staples	

## HOUSE OF REPRESENTATIVES ROLL CALL

Aasness	Elioff	Kaley	Nelson	Searles
Adams	Enebo	Kalis	Niehaus	Sieben, H.
Ainley	Erickson	Kelly	Norman	Sieben, M.
Albrecht	Esau	Kempe	Norton	Simoneau
Anderson, B.	Evans	Knickerbocker	Novak	Stadum
Anderson, D.	Ewald	Kostohryz	Nysether	Stoa
Anderson, G.	Faricy	Kroening	Olsen	Stowell
Anderson, R.	Fjoslien	Kvam	Onnen	Sviggum
Battaglia	Forsythe	Laidig	Otis	Swanson
Begich	Friedrich	Lehto	Patton	Thiede
Berglin	Fudro	Levi	Pavlak	Tomlinson
Berkelman	Greenfield	Long	Pehler	Valan
Biersdorf	Halberg	Ludeman	Peterson	Valento
Byrne	Haukoos	Luknic	Piepho	Voss
Carlson, D.	Heap	Mann	Pleasant	Waldorf
Carlson, L.	Heinitz	McCarron	Prahl	Weaver
Casserly	Hoberg	McDonald	Redalen	Welch
Clark	Hokanson	McEachern	Reding	Welker
Clawson	Jacobs	Mehrkens	Rees	Wenzel
Crandall	Jaros	Minne	Reif	Wieser
Dean	Jennings	Moe	Rice	Wigley
Dempsey	Johnson, C.	Munger	Rose	Wynia
Den Ouden	Johnson, D.	Murphy	Rothenberg	Zubay
Drew	Jude	Nelsen, B.	Sarna	Pres. Searle
Eken	Kahn	Nelsen, M.	Schreiber	

The following Representative voted for L. J. Lee, 7th Congressional District, for a six year term: Anderson, I.

## DECLARATION OF ELECTION

Charles H. Casey, 1st Congressional District, six years; Lauris Krenik, 2nd Congressional District, six years; Mary Schertler, 4th Congressional District, six years; William B. Dosland, 7th 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, 1979.

Senator Coleman 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

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 15, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## TWENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 15, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Sieben, H.
Adams	Eken	Kahn	Nelson	Sieben, M.
Ainley	Elioff	Kaley	Niehaus	Simoneau
Albrecht	Ellingson	Kalis	Norman	Stadum
Anderson, B.	Enebo	Kelly	Norton	Stoa
Anderson, D.	Erickson	Kempe	Novak	Stowell
Anderson, G.	Esau	Knickerbocker	Nysether	Sviggum
Anderson, I.	Evans	Kostohryz	Olsen	Swanson
Anderson, R.	Ewald	Kroening	Onnen	Thiede
Battaglia	Faricy	Kvam	Otis	Tomlinson
Begich	Fjoslien	Laidig	Patton	Valan
Berglin	Forsythe	Lehto	Pavlak	Valento
Berkelman	Friedrich	Levi	Pehler	Vanasek
Biersdorf	Fritz	Long	Peterson	Voss
Blatz	Fudro	Ludeman	Piepho	Waldorf
Brinkman	Greenfield	Luknic	Pleasant	Weaver
Byrne	Halberg	Mann	Prahl	Welch
Carlson, D.	Haukoos	McCarron	Reding	Welker
Carlson, L.	Heap	McDonald	Rees	Wenzel
Casserly	Heinitz	McEachern	Reif	Wieser
Clark	Hoberg	Mehrkens	Rice	Wigley
Clawson	Hokanson	Metzen	Rose	Wynia
Corbid	Jacobs	Minne	Rothenberg	Zubay
Crandall	Jaros	Moe	Sarna	Speaker Searle
Dean	Jennings	Munger	Schreiber	
Dempsey	Johnson, C.	Murphy	Searles	
Den Ouden	Johnson, D.	Nelsen, B.	Sherwood	

A quorum was present.

Osthoff and Redalen 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.

Sieben, H., moved that the House recess subject to the call of the Chair. The motion prevailed.

## RECESS

## RECONVENED

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

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 99, 396, 638, 229, 610, 472, 206 and 643 and S. F. Nos. 327, 427, 521, 228, 345, 287 and 307 have been placed in the members' files.

S. F. No. 327 and H. F. No. 246, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Waldorf moved that the rules be so far suspended that S. F. No. 327 be substituted for H. F. No. 246 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 13, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
225		1	March 12	March 12

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

## REPORTS OF STANDING COMMITTEES

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 297, A bill for an act relating to the city of Chisholm; exempting volunteer firefighters from civil service commission jurisdiction.

Reported the same back with the following amendments:

Page 1, line 14, after "council" insert "and"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 370, A bill for an act relating to hospitals; providing for payment of election judges; providing hospital board members with travel and other expenses incurred in the performance of their duties; authorizing hospital boards to set compensation for board members; amending Minnesota Statutes 1978, Section 447.32, Subdivision 4, and by adding a subdivision.

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. 486, A bill for an act relating to usury; removing the expiration date from the law authorizing flexible interest rates on home loans; amending Minnesota Statutes 1978, Section 47.20, Subdivision 4.

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

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 487, A bill for an act relating to education; authorizing school districts to discontinue certain grades and provide



instruction by contract with other districts; providing for calculation of pupil units, tuition payments and the employment rights of teachers in participating districts; requiring reports; amending Minnesota Statutes 1978, Sections 122.41; 122.43, Subdivision 1; and 122.44, Subdivision 1; and Chapter 122, by adding sections.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 122.41, is amended to read:

122.41 [POLICY.] It is hereby declared to be the policy of the state to encourage the organization of school districts into such local units of administration as will afford better educational opportunities for all pupils, make possible a more economical and efficient operation of the schools and insure a more equitable distribution of public school revenue. To this end all area of the state shall be included in an independent or special school district maintaining classified elementary and secondary schools, grades one through twelve, *unless a district has made an agreement with another district or districts as provided in section 4.*

Sec. 2. Minnesota Statutes 1978, Section 122.43, Subdivision 1, is amended to read:

122.43 [DISSOLUTION OF DISTRICTS NOT A PART OF INDEPENDENT DISTRICTS.] Subdivision 1. If there be any organized school district not a part of an independent school district maintaining classified elementary and secondary schools, grades one through twelve, *unless the district has made an agreement with another district or districts as provided in section 4,* such district shall hereby be dissolved.

Sec. 3. Minnesota Statutes 1978, Section 122.44, Subdivision 1, is amended to read:

122.44 [ATTACHMENT TO ORGANIZED DISTRICTS; PROCEDURE.] Subdivision 1. *Upon notice and hearing, as provided in section 122.22 for the attachment of dissolved districts,* all territory of school districts dissolved by sections 122.41 to 122.52 and all area of the state not in a district maintaining classified elementary and secondary schools shall be attached by order of the county board to organized districts maintaining classified elementary and secondary schools, grades one through twelve (UPON NOTICE AND HEARING, AS PROVIDED IN SECTION 122.22 FOR THE ATTACHMENT OF DISSOLVED DISTRICTS), *unless a district has made an agreement with another district or districts as provided in section 4.*

Sec. 4. Minnesota Statutes 1978, Chapter 122, is amended by adding a section to read:

[122.541] [INTERDISTRICT COOPERATION.] *Subdivision 1. The boards of two or more school districts may enter into an agreement providing for the discontinuance by a district of any of grades kindergarten through 12 or portions of those grades and the instruction in a cooperating district of the pupils in the discontinued grades or portions of grades; provided, the board of a district discontinuing a grade pursuant to the agreement shall continue to maintain a school enrolling pupils in at least three grades. Before entering into an agreement permitted by this subdivision, the boards shall provide a copy of this agreement to the commissioner of education.*

*Subd. 2. A district entering into an agreement permitted in subdivision 1 shall:*

*(1) Continue to count its resident pupils who are educated in a cooperating district as resident pupils in the calculation of pupil units for all purposes, including the calculation of state aids and levy limitations. Notwithstanding section 124.18, subdivision 2, an agreement permitted by subdivision 1 shall provide for the tuition payments the cooperating districts determine are necessary and equitable to compensate each district for the instruction of nonresident pupils; and*

*(2) Continue to provide transportation and collect transportation aid for its resident pupils pursuant to sections 123.39, 124.222 and 124.223. This clause shall not be construed to prohibit a district from providing some or all transportation to its resident pupils by contracting with a district which has entered the agreement. For purposes of aid calculations pursuant to section 124.222, the commissioner may adjust the base cost per eligible pupil transported to reflect changes in costs resulting from an agreement which provides for a district to discontinue at least one grade.*

*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 by subdivision 1 may negotiate a plan for the assignment or employment in a cooperating district or the placement on unrequested leave of absence of 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 non-resident pupils pursuant to an agreement permitted by subdivision 1 may negotiate a plan for the employment of teachers from a cooperating district whose positions are discon-*

*tinued as a result of the agreement. If such plans are negotiated in cooperating districts and if the boards determine the plans are compatible with one another, the boards of the 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 any year of the agreement permitted by subdivision 1, the cooperating 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 a cooperating district or assigned to teach in a cooperating district as exchange teachers pursuant to section 125.13. If necessary, teachers whose positions are discontinued as a result of the agreement and who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed in the inverse order in which they were employed by a cooperating district, according to a combined seniority list of teachers in the cooperating districts.*

*Subd. 6. Prior to making an agreement permitted by subdivision 1, the school board of a district participating in the agreement shall consult with the parents of pupils who would be affected by the plan, and with the community at an informational meeting. The board shall publish notice of the meeting in the official newspaper of the district and may send written notice of the meeting to parents of pupils who would be affected by the plan.*

*Sec. 5. This act shall be effective the day following its final enactment, but no grade or portion of a grade shall be discontinued pursuant to section 4 prior to the 1979-1980 school year."*

Further, amend the title by striking it in its entirety and insert the following:

*"A bill for an act relating to education; authorizing school districts to discontinue certain grades and provide instruction by contract with other districts; providing for calculation of aids, levies and tuition agreements; providing for the employment rights of teachers in participating districts; amending Minnesota Statutes 1978, Sections 122.41; 122.43, Subdivision 1; 122.44, Subdivision 1; and Chapter 122, by adding a section."*

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 493, A bill for an act relating to the city of Bemidji; authorizing the issuance of bonds authorized at a special election.

Reported the same back with the following amendments:

Page 1, line 9, delete "a special" and insert "the"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

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

Reported the same back with the following amendments:

Page 1 after line 11 add a new section to read:

"Sec. 2. All actions and proceedings which are authorized by section 1 taken before the effective date of this act are hereby legalized and validated."

Renumber remaining section

Line 12, delete "This act is effective July 1, 1978" and insert "This act is effective on the day following final enactment"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 568, A bill for an act relating to the county of Anoka; authorizing the Anoka county board of commissioners to assume the powers and duties of a human services board.

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

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 642, A bill for an act relating to commerce; providing attendant services at certain gasoline stations.

Reported the same back with the following amendments:

Page 1, line 6, after "stations" delete "with" and insert "which offer both"

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. 297, 370, 486, 487, 493, 534, 568 and 642 were read for the second time.

### SECOND READING OF SENATE BILLS

S. F. No. 327 was read for the second time.

### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Novak and Simoneau introduced:

H. F. No. 812, A bill for an act relating to motor vehicles; providing for transferee waiver of written mileage disclosure requirement imposed upon transferor; allowing transferor or title applicant to state actual mileage is unknown if the odometer reading is known or suspected by transferor to be different from the true mileage; amending Minnesota Statutes 1978, Sections 168A.04, Subdivision 1; 168A.05, Subdivision 3; 168A.10, Subdivision 1; 168A.11, Subdivision 1; and 325.823.

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

Novak, Simoneau and Sarna introduced:

H. F. No. 813, A bill for an act relating to crimes; regulating dance halls; removing the limitation on persons under the age of 16; amending Minnesota Statutes 1978, Section 624.49.

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

Novak and Moe introduced:

H. F. No. 814, A bill for an act relating to taxation; allowing married pension recipients to split income for purposes of computing pension exclusion amount; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Anderson, I., introduced:

H. F. No. 815, A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in Beltrami County.

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

Begich and Battaglia introduced:

H. F. No. 816, A bill for an act relating to St. Louis County; permitting collection by assessment of waste management service rates and charges.

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

Jennings, Haukoos and Fritz introduced:

H. F. No. 817, A bill for an act relating to taxation; deed tax; providing that counties retain a portion of the revenues; amending Minnesota Statutes 1978, Sections 287.21, Subdivision 2; and 287.29, Subdivision 1.

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

Jennings, Piepho and Searle introduced:

H. F. No. 818, A bill for an act relating to taxation; income; requiring that the return indicate school district number; amending Minnesota Statutes 1978, Section 290.37, Subdivision 3.

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

Ludeman introduced :

H. F. No. 819, A bill for an act relating to the city of Marshall; permitting additional per capita revenue base for financing airport facilities.

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

Reding; Sieben, H.; Redalen and Dempsey introduced :

H. F. No. 820, A bill for an act relating to courts; providing an executive director and staff for the Minnesota District Judges Association; appropriating money.

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

Drew introduced :

H. F. No. 821, A bill for an act relating to taxation; providing that trust or estate income from out-of-state property be taxable to beneficiary when distributed; amending Minnesota Statutes 1978, Section 290.23, by adding a subdivision.

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

Kvam, Valento, Osthoff, Fudro and Hoberg introduced :

H. F. No. 822, A bill for an act relating to motor vehicles; providing for special license plates for former prisoners of war; prescribing penalties; amending Minnesota Statutes 1978, Chapter 168, by adding a section.

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

Zubay, Kaley and Stowell introduced :

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

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

Hoberg and Valan introduced:

H. F. No. 824, A bill for an act relating to Independent School District No. 152, Moorhead; authorizing it to transfer certain funds from its general fund to its capital expenditure fund for the construction of an agricultural shop addition to the Moorhead AVTI; limiting the time for the transfer; limiting district expenditures for the addition; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Laidig; Norton; Anderson, D.; Voss and Johnson, C., introduced:

H. F. No. 825, A bill for an act relating to the humanities; providing support for the Minnesota humanities commission; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Sviggum, Mehrkens, Weaver, Redalen and Kelly introduced:

H. F. No. 826, A bill for an act relating to natural resources; regulating the harvest of ginseng; requiring the licensing of dealers; providing penalties.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stowell, Stoa, Haukoos, Fritz and Waldorf introduced:

H. F. No. 827, A bill for an act relating to welfare; limiting the family contribution to cost of care and treatment for mentally retarded, epileptic, or emotionally handicapped children; amending Minnesota Statutes 1978, Section 252.27, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Olsen, Otis, Minne, Haukoos and Laidig introduced:

H. F. No. 828, A bill for an act relating to ethics in government; defining candidate to include persons seeking nomination or election to certain court judgeships; amending Minnesota Statutes 1978, Section 10A.01, Subdivision 5.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.



Nelson introduced:

H. F. No. 829, A bill for an act relating to children; amending the definitions of delinquent and dependent children; defining 24 hour detention; requiring certain dependent and delinquent children to be placed in a shelter care facility; amending Minnesota Statutes 1978, Sections 260.015, Subdivisions 5 and 6; 260.173, Subdivisions 1 and 2; repealing Minnesota Statutes 1978, Section 260.173, Subdivision 3.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Begich and Battaglia introduced:

H. F. No. 830, A bill for an act relating to retirement; actuarial reporting and financial requirements of nonprofit firefighting corporations; amending Minnesota Statutes 1978, Section 69.774, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Halberg, Faricy and Casserly introduced:

H. F. No. 831, A bill for an act relating to taxation; gift; qualifying certain trusts for the gifts to minors exclusion; appropriating money; amending Minnesota Statutes 1978, Section 292.04.

The bill was read for the first time and referred to the Committee on Taxes.

Stoa introduced:

H. F. No. 832, A bill for an act relating to buildings; providing for the employment of building officials by certain towns; amending Minnesota Statutes 1978, Section 16.861, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Carlson, L.; Ellingson; Swanson; Heinitz and Wynia introduced:

H. F. No. 833, A bill for an act relating to insurance; providing certain health insurance benefits to employees otherwise ineligible; amending Minnesota Statutes 1978, Section 62E.03, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Clark; Carlson, D.; Corbid; Jude and Ainley introduced:

H. F. No. 834, A bill for an act relating to cemeteries; providing for the preservation of burial grounds; imposing penalties; appropriating money; amending Minnesota Statutes 1978, Section 307.08.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kostohryz; Nelsen, B.; McCarron; McEachern and Begich introduced:

H. F. No. 835, A bill for an act relating to education; granting preference to certain veterans on waiting lists at post-secondary vocational-technical schools; amending Minnesota Statutes 1978, Section 124.565, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Nelson introduced:

H. F. No. 836, A bill for an act relating to education; requiring the commissioner of education to study and report on academic competency in certain public schools; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Clawson, Voss, Kroening, Otis and Peterson introduced:

H. F. No. 837, A bill for an act proposing an amendment to the Minnesota Constitution, Article VI, Sections 7 and 8; providing for the appointment and election of judges.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Jaros, Moe, Reding, Minne and Crandall introduced:

H. F. No. 838, A bill for an act relating to corrections; providing re-employment preference for state correctional employees displaced by county participation in the community corrections subsidy program; amending Minnesota Statutes 1978, Section 401.16.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Jaros, Tomlinson, Reding, Berkelman and Kalis introduced:

H. F. No. 839, A bill for an act relating to health; changing provisions related to compensation of members of local boards of health; amending Minnesota Statutes 1978, Section 145.52, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Olsen, Osthoff, Fudro, Otis and Norman introduced:

H. F. No. 840, A bill for an act relating to elections; limiting information about contributors required in campaign reports; amending Minnesota Statutes 1978, Section 10A.20, Subdivision 3.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Voss, Byrne, Clawson, Zubay and Eken introduced:

H. F. No. 841, A bill for an act relating to courts; authorizing the judges of the courts within each judicial district to elect to reorganize to form one unified court.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Wynia, Waldorf, Tomlinson, Byrne and Pavlak introduced:

H. F. No. 842, A bill for an act relating to local government; providing for certain local improvements and special assessments; amending Minnesota Statutes 1978, Sections 429.011, by adding a subdivision; and 429.021, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Eken and Nysether introduced:

H. F. No. 843, A bill for an act relating to housing and redevelopment authorities; providing that by agreement a housing and redevelopment authority may exercise powers in a county or municipality which has no active housing and redevelopment authority; amending Minnesota Statutes 1978, Section 462.445, Subdivision 5.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Moe, Clark, Lehto, Drew and Laidig introduced:

H. F. No. 844, A bill for an act relating to crimes; authorizing counties to establish victim support funds and to provide services to victims of crime; providing for a penalty assessment on convicted persons; appropriating money.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Osthoff, Nelson, Biersdorf, Piepho and Metzen introduced:

H. F. No. 845, A bill for an act relating to the University of Minnesota; requiring establishment of a small business set aside program for certain university procurements.

The bill was read for the first time and referred to the Committee on Education.

Evans introduced:

H. F. No. 846, A bill for an act relating to taxation; income; allowing consolidated corporate tax returns; amending Minnesota Statutes 1978, Section 290.34, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Reding; Anderson, R.; Fjoslien and Brinkman introduced:

H. F. No. 847, A bill for an act relating to game and fish; authorizing exporting of leaches; time for possession of certain equipment usable in taking fish; amending Minnesota Statutes 1978, Sections 97.45, Subdivision 15; and 101.42, Subdivision 18.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Lehto, Moe, Pavlak, Minne and Laidig introduced:

H. F. No. 848, A bill for an act relating to peace officers; requiring uniform colors for law enforcement motor vehicles and uniforms of peace officers and private security officers; amending Minnesota Statutes 1978, Section 169.98.

The bill was read for the first time and referred to the Committee on Transportation. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kostohryz introduced:

H. F. No. 849, A bill for an act relating to the city of Maplewood; authorizing the payment of lump sum service pensions by the Maplewood firefighters relief association.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Rees introduced:

H. F. No. 850, A bill for an act relating to waters; providing state funds for improvement of Prior Lake in Scott County; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

Heinitz, Hokanson, Esau, Forsythe and Rice introduced:

H. F. No. 851, A bill for an act relating to hearing impaired persons; establishing regional service centers and advisory committees; establishing a statewide interpreter referral service; providing for a program of training and employment; prescribing duties for the commissioner of public welfare; establishing an office on hearing impairment; providing for an advisory committee for the state council for the handicapped; prescribing duties for the department of health; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Sieben, H.; Simoneau; Zubay; Long and Patton introduced:

H. F. No. 852, A bill for an act relating to schools; requiring school boards to allow official representatives of military forces reasonable access to certain school facilities for recruitment presentations; amending Minnesota Statutes 1978, Section 123.36, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Weaver, Schreiber and Clawson introduced:

H. F. No. 853, A bill for an act relating to local government; requiring additional local participation in consolidation procedures; amending Minnesota Statutes 1978, Section 414.041.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kostohryz, McEachern, Knickerbocker, Heap and Levi introduced:

H. F. No. 854, A bill for an act relating to education; providing for state payment of school district employer contributions to the public employees retirement fund; appropriating money; amending Minnesota Statutes 1978, Chapter 353, by adding a section.

The bill was read for the first time and referred to the Committee on Education. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Nelson introduced:

H. F. No. 855, A bill for an act relating to education; authorizing a program for high school dropouts and dropout prone high school students; establishing a dropout prevention unit in the department of education and listing its duties; requiring school boards and the boards of educational cooperative service units to consider certain information relating to dropouts and to evaluate the needs of certain dropouts and the dropout prone; appropriating money; amending Minnesota Statutes 1978, Sections 123.58, Subdivision 6; and 123.741, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Rose; Ellingson; Carlson, D.; Simoneau and Norman introduced:

H. F. No. 856, 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.

Otis introduced:

H. F. No. 857, A bill for an act relating to taxation; reducing the rate of corporate income tax; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Novak, Friedrich, Metzen, Forsythe and Simoneau introduced:

H. F. No. 858, A bill for an act relating to taxation; authorizing the establishment of individual housing accounts; providing that contributions to an account which are used exclusively in connection with the purchase of a first principal residence are deductible; providing tax penalties; amending Minnesota Statutes 1978, Section 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Heinitz, Ellingson, Corbid, Brinkman and Anderson, D., introduced:

H. F. No. 859, A bill for an act relating to banks and other financial institutions; regulating open end loan accounts; removing certain restrictions; providing for computation of finance charges; amending Minnesota Statutes 1978, Section 48.185, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Rothenberg, Clawson, Dean and Otis introduced:

H. F. No. 860, A bill for an act relating to natural resources; eliminating the requirement of county board approval on the acquisition of wildlife lands by the commissioner of natural resources; amending Minnesota Statutes 1978, Section 97.481.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Greenfield, Dean, Kroening, Long and Clark introduced:

H. F. No. 861, A bill for an act relating to civil service; extending certain optional insurance coverage for otherwise noneligible public employees; amending Minnesota Statutes 1978, Section 43.491, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pehler, Drew and Heinitz introduced:

H. F. No. 862, A bill for an act relating to public welfare; establishing and empowering a Minnesota commission for the blind; transferring all powers and duties of the commissioner and department of public welfare in regard to the blind to the commission; amending Minnesota Statutes 1978, Sections 248.07; and 248.08.

The bill was read for the first time and referred to the Committee on Health and Welfare.



Moe, Patton, Faricy, Tomlinson and Biersdorf introduced:

H. F. No. 863, A bill for an act relating to retirement; St. Paul teachers retirement fund association; post retirement adjustments for certain retirees and benefit recipients; retirement annuity computation for certain coordinated members; recomputation of disability benefits; early retirement reductions; augmentation of benefits; appropriating funds.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Anderson, G.; Forsythe; Sieben, H.; Friedrich and Eken introduced:

H. F. No. 864, A bill for an act relating to taxation; exempting interspousal transfers from gift and inheritance taxation; amending Minnesota Statutes 1978, Sections 291.01, Subdivision 4; 291.03; 291.05; 291.065; 291.14, Subdivision 2; 291.20, Subdivision 1; 292.04; 292.05, Subdivision 1; and 292.07, Subdivisions 3 and 5; repealing Minnesota Statutes 1978, Sections 291.051 and 292.01, Subdivision 7.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Elioff, Anderson, I., and Battaglia introduced:

H. F. No. 865, A bill for an act relating to counties; providing for the use of certain tax-forfeited lands; regulating the terms of small timber sales; amending Minnesota Statutes 1978, Section 282.04, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Lehto, Jennings, Pavlak, Moe and Nysether introduced:

H. F. No. 866, A bill for an act relating to peace officers; regulating part-time and reserve officers; providing an appropriation; amending Minnesota Statutes 1978, Section 626.84; and Chapter 626, by adding sections.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Simoneau introduced:

H. F. No. 867, A bill for an act relating to unemployment compensation; changing amount of wages used to determine employers' contribution; changing maximum employer contribution rates; increasing benefits; eliminating the waiting period for benefits; providing benefits for certain employees of educational institutions; changing certain disqualification times; changing certain requirements of finding other work; amending Minnesota Statutes 1978, Sections 268.04, Subdivision 25; 268.06, Subdivision 8; 268.07, Subdivision 2; 268.08, Subdivisions 1 and 6; and 268.09, Subdivisions 1, 2, 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Labor-Management Relations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Byrne, Munger, Dean, Norton and Heinitz introduced:

H. F. No. 868, A bill for an act relating to pollution; establishing in the pollution control agency a lake restoration and protection program; authorizing the agency to make grants to qualified applicants for lake restoration or protection projects; appropriating money; repealing Minnesota Statutes 1978, Sections 378.45; 378.53; and 378.54.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Pehler, Faricy, Jaros, Stoa and Halberg introduced:

H. F. No. 869, A bill for an act relating to education; providing matching grants for small business institutes at certain state colleges and universities; prescribing certain duties for the higher education coordinating board; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

McEachern, Otis, Sarna, Knickerbocker and Jude introduced:

H. F. No. 870, A bill for an act relating to education; requiring that certain schools provide a prospective student with a school catalog before accepting the student; providing in certain cases for tuition refunds from private business, trade, and correspondence schools that do not use written contracts; providing for certain exemptions under the private business, trade and correspondence school act; amending Minnesota Statutes 1978, Sections 141.25, Subdivision 9; 141.271, Subdivision 3 and 141.35.

The bill was read for the first time and referred to the Committee on Education.

## HOUSE ADVISORIES

The following House Advisories were introduced:

Reding introduced:

H. A. No. 8, A proposal to study use of mind control.

The advisory was referred to the Committee on Health and Welfare.

Lehto, Murphy, Evans, Rice and Heap introduced:

H. A. No. 9, A proposal to examine need for establishing a qualifications process for labor mediators and/or arbitrators.

The advisory was referred to the Committee on Labor-Management Relations.

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following bills, which bills were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
619	Mar. 1, 1979	Financial Institutions and Insurance
620	Mar. 1, 1979	Local and Urban Affairs
623	Mar. 1, 1979	Governmental Operations
624	Mar. 1, 1979	Local and Urban Affairs
640	Mar. 1, 1979	Governmental Operations
641	Mar. 1, 1979	Commerce, Economic Development and Housing
644	Mar. 1, 1979	Governmental Operations
648	Mar. 1, 1979	Transportation
668	Mar. 5, 1979	Taxes

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
683	Mar. 5, 1979	Appropriations
685	Mar. 5, 1979	Taxes
686	Mar. 5, 1979	Agriculture
703	Mar. 5, 1979	Governmental Operations
709	Mar. 5, 1979	General Legislation and Veterans Affairs
711	Mar. 5, 1979	Criminal Justice
716	Mar. 8, 1979	Agriculture
738	Mar. 8, 1979	Judiciary
743	Mar. 8, 1979	Local and Urban Affairs
754	Mar. 8, 1979	Governmental Operations
756	Mar. 12, 1979	Judiciary
778	Mar. 12, 1979	Governmental Operations
780	Mar. 12, 1979	Local and Urban Affairs
783	Mar. 12, 1979	Local and Urban Affairs
792	Mar. 12, 1979	Judiciary
805	Mar. 12, 1979	Financial Institutions and Insurance

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 the engrossment and enrollment of bills.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

#### SENATE CONCURRENT RESOLUTION NO. 7

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, 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 71st Legislature, commencing at the regular session thereof beginning January 3, 1979; 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. 7 be now adopted.

The motion prevailed and Senate Concurrent Resolution No. 7 was adopted.

### 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. 288.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 288, A bill for an act relating to unemployment compensation; making certain employees of educational cooperative service units ineligible for benefits during certain periods; amending Minnesota Statutes 1978, Section 268.08, Subdivision 6.

The bill was read for the first time and referred to the Committee on Governmental Operations.

### CONSENT CALENDAR

S. F. No. 203, A bill for an act relating to real estate; providing a flexible procedure for registering land; amending Minnesota Statutes 1978, Section 508.52.

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:

Aasness	Den Ouden	Johnson, C.	Munger	Schreiber
Adams	Drew	Johnson, D.	Murphy	Searles
Ainley	Eken	Jude	Nelsen, B.	Sherwood
Albrecht	Elioff	Kahn	Nelsen, M.	Sieben, H.
Anderson, B.	Ellingson	Kaley	Nelson	Sieben, M.
Anderson, D.	Enebo	Kalis	Niehaus	Simoneau
Anderson, G.	Erickson	Kelly	Norman	Stoa
Anderson, I.	Esau	Kempe	Norton	Stowell
Anderson, R.	Evans	Knickerbocker	Novak	Sviggum
Battaglia	Ewald	Kostohryz	Nysether	Swanson
Begich	Faricy	Kroening	Olson	Thiede
Berglin	Fjoslien	Kvam	Onnen	Tomlinson
Berkelman	Forsythe	Laidig	Otis	Valan
Biersdorf	Friedrich	Lehto	Patton	Valento
Blatz	Fritz	Levi	Pavlak	Vanasek
Brinkman	Fudro	Long	Pehler	Voss
Byrne	Greenfield	Ludeman	Peterson	Waldorf
Carlson, D.	Halberg	Luknic	Piepho	Welch
Carlson, L.	Haukoos	Mann	Prahl	Welker
Casserly	Heap	McCarron	Reding	Wenzel
Clark	Heinitz	McDonald	Rees	Wieser
Clawson	Hoberg	McEachern	Reif	Wigley
Corbid	Hokanson	Mehrkens	Rice	Wynia
Crandall	Jacobs	Metzen	Rose	Zubay
Dean	Jaros	Minne	Rothenberg	Speaker Searle
Dempsey	Jennings	Moe	Sarna	

The bill was passed and its title agreed to.

S. F. No. 81, A bill for an act relating to adoption; providing that an adopted child may inherit from its natural parent in certain cases; amending Minnesota Statutes 1978, Section 259.29, 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Biersdorf	Den Ouden	Friedrich	Johnson, C.
Adams	Blatz	Drew	Fritz	Johnson, D.
Ainley	Brinkman	Eken	Fudro	Jude
Albrecht	Byrne	Elioff	Greenfield	Kahn
Anderson, B.	Carlson, D.	Ellingson	Halberg	Kaley
Anderson, D.	Carlson, L.	Enebo	Haukoos	Kalis
Anderson, G.	Casserly	Erickson	Heap	Kelly
Anderson, I.	Clark	Esau	Heinitz	Kempe
Anderson, R.	Clawson	Evans	Hoberg	Knickerbocker
Battaglia	Corbid	Ewald	Hokanson	Kostohryz
Begich	Crandall	Faricy	Jacobs	Kroening
Berglin	Dean	Fjoslien	Jaros	Kvam
Berkelman	Dempsey	Forsythe	Jennings	Laidig

Lehto	Murphy	Pehler	Sieben, H.	Waldorf
Levi	Nelsen, B.	Peterson	Sieben, M.	Weaver
Long	Nelsen, M.	Piepho	Simoneau	Welch
Ludeman	Nelson	Prahl	Stadum	Welker
Luknic	Niehaus	Reding	Stoa	Wenzel
Mann	Norman	Rees	Stowell	Wieser
McCarron	Norton	Reif	Sviggum	Wigley
McDonald	Novak	Rice	Swanson	Wynia
McEachern	Nysether	Rose	Thiede	Zubay
Mehrkens	Olsen	Rothenberg	Tomlinson	Speaker Searle
Metzen	Onnen	Sarna	Valan	
Minne	Otis	Schreiber	Valento	
Moe	Patton	Searles	Vanasek	
Munger	Pavlak	Sherwood	Voss	

The bill was passed and its title agreed to.

### CALENDAR

S. F. No. 138, A bill for an act relating to civil actions; providing for authority for attorney to bind his client and execute a satisfaction of judgment; amending Minnesota Statutes 1978, Sections 481.08 and 548.15.

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:

Aasness	Den Ouden	Johnson, C.	Murphy	Searles
Adams	Drew	Johnson, D.	Nelsen, B.	Sherwood
Ainley	Eken	Jude	Nelsen, M.	Sieben, H.
Albrecht	Elihoff	Kahn	Nelson	Sieben, M.
Anderson, B.	Ellingson	Kaley	Niehaus	Simoneau
Anderson, D.	Enebo	Kalis	Norman	Stadum
Anderson, G.	Erickson	Kelly	Norton	Stoa
Anderson, I.	Esau	Kempe	Novak	Stowell
Anderson, R.	Evans	Knickerbocker	Nysether	Sviggum
Battaglia	Ewald	Kostohryz	Olsen	Swanson
Begich	Faricy	Kroening	Onnen	Thiede
Berglin	Fjoslien	Kvam	Otis	Tomlinson
Berkelman	Forsythe	Laidig	Patton	Valan
Biersdorf	Friedrich	Lehto	Pavlak	Valento
Blatz	Fritz	Levi	Pehler	Vanasek
Brinkman	Fudro	Long	Peterson	Voss
Byrne	Greenfield	Ludeman	Piepho	Waldorf
Carlson, D.	Halberg	Luknic	Prahl	Weaver
Carlson, L.	Haukoos	Mann	Reding	Welch
Casserly	Heap	McCarron	Rees	Welker
Clark	Heinitz	McDonald	Reif	Wenzel
Clawson	Hoberg	McEachern	Rice	Wieser
Corbid	Hokanson	Mehrkens	Rose	Wigley
Crandall	Jacobs	Metzen	Rothenberg	Wynia
Dean	Jaros	Minne	Sarna	Zubay
Dempsey	Jennings	Moe	Schreiber	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 300, A bill for an act relating to highway traffic regulations; specifying the acts constituting the offense of hit and run; prescribing penalties; amending Minnesota Statutes 1978, Section 169.09, Subdivision 1; and Chapter 609, 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:

Aasness	Den Ouden	Johnson, C.	Murphy	Searles
Adams	Drew	Johnson, D.	Nelsen, B.	Sherwood
Ainley	Eken	Jude	Nelsen, M.	Sieben, H.
Albrecht	Elioff	Kahn	Nelson	Sieben, M.
Anderson, B.	Ellingson	Kaley	Niehaus	Simoneau
Anderson, D.	Enebo	Kalis	Norman	Stadum
Anderson, G.	Erickson	Kelly	Norton	Stoa
Anderson, I.	Esau	Kempe	Novak	Stowell
Anderson, R.	Evans	Knickerbocker	Nysether	Sviggum
Battaglia	Ewald	Kostohryz	Olsen	Swanson
Begich	Faricy	Kroening	Onnen	Thiede
Berglin	Fjoslien	Kvam	Otis	Tomlinson
Berkelman	Forsythe	Laidig	Patton	Valan
Biersdorf	Friedrich	Lehto	Pavlak	Valento
Blatz	Fritz	Levi	Pehler	Voss
Brinkman	Fudro	Long	Peterson	Waldorf
Byrne	Greenfield	Ludeman	Piepho	Weaver
Carlson, D.	Halberg	Luknic	Prahl	Weich
Carlson, L.	Haukoos	Mann	Reding	Welker
Casserly	Heap	McCarron	Rees	Wenzel
Clark	Heinitz	McDonald	Reif	Wieser
Clawson	Hoberg	McEachern	Rice	Wigley
Corbid	Hokanson	Mehrkens	Rose	Wynia
Crandall	Jacobs	Metzen	Rothenberg	Zubay
Dean	Jaros	Minne	Sarna	Speaker Searle
Dempsey	Jennings	Moe	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 444, A bill for an act relating to intoxicating liquor; authorizing the city of Spring Lake Park to issue an on-sale intoxicating liquor license to a club in existence for less than 15 years.

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 11 nays as follows:

Those who voted in the affirmative were:

Adams	Albrecht	Anderson, G.	Anderson, R.	Begich
Ainley	Anderson, B.	Anderson, I.	Battaglia	Berglin



Berkelman	Fritz	Kroening	Nysether	Stoa
Biersdorf	Fudro	Laidig	Olsen	Stowell
Blatz	Greenfield	Lehto	Onnen	Sviggum
Brinkman	Halberg	Levi	Otis	Swanson
Byrne	Haukoos	Long	Patton	Tomlinson
Carlson, L.	Heap	Ludeman	Pavlak	Valan
Casserly	Heinitz	Luknic	Pehler	Valento
Clark	Hoberg	Mann	Peterson	Voss
Clawson	Hokanson	McCarron	Piepho	Waldorf
Corbid	Jacobs	McEachern	Prahl	Weaver
Crandall	Jaros	Mehrkens	Reding	Welch
Dean	Jennings	Metzen	Rees	Welker
Dempsey	Johnson, C.	Minne	Reif	Wenzel
Drew	Johnson, D.	Moe	Rice	Wieser
Eken	Jude	Munger	Rose	Wigley
Elioff	Kahn	Murphy	Rothenberg	Wynia
Ellingson	Kaley	Nelsen, M.	Sarna	Zubay
Enebo	Kalis	Nelson	Schreiber	Speaker Searle
Evans	Kelly	Niehaus	Sieben, H.	
Faricy	Kempe	Norman	Sieben, M.	
Forsythe	Knickerbocker	Norton	Simoneau	
Friedrich	Kostohryz	Novak	Stadum	

Those who voted in the negative were:

Aasness	Den Ouden	Fjoslien	Nelsen, B.	Thiede
Anderson, D.	Erickson	McDonald	Sherwood	
Carlson, D.	Ewald			

The bill was passed and its title agreed to.

H. F. No. 472, A resolution urging the President, Congress and the Secretary of Transportation to retain the Amtrak North Coast Hiawatha in the National Amtrak Transportation System.

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 5 nays as follows:

Those who voted in the affirmative were:

Aasness	Casserly	Fjoslien	Kempe	Moe
Adams	Clark	Forsythe	Knickerbocker	Munger
Ainley	Clawson	Friedrich	Kostohryz	Murphy
Anderson, B.	Corbid	Fritz	Kroening	Nelsen, B.
Anderson, D.	Crandall	Fudro	Kvam	Nelsen, M.
Anderson, G.	Dean	Greenfield	Laidig	Nelson
Anderson, I.	Dempsey	Halberg	Lehto	Niehaus
Anderson, R.	Den Ouden	Haukoos	Levi	Norman
Battaglia	Drew	Hoberg	Long	Norton
Begich	Eken	Hokanson	Ludeman	Novak
Berglin	Elioff	Jacobs	Luknic	Nysether
Berkelman	Ellingson	Jaros	Mann	Olsen
Biersdorf	Enebo	Johnson, C.	McCarron	Onnen
Blatz	Erickson	Johnson, D.	McDonald	Otis
Brinkman	Esau	Jude	McEachern	Patton
Byrne	Evans	Kahn	Mehrkens	Pavlak
Carlson, D.	Ewald	Kaley	Metzen	Pehler
Carlson, L.	Faricy	Kalis	Minne	Peterson

Piepho	Rothenberg	Stoa	Valento	Wenzel
Prahl	Sarna	Stowell	Vanasek	Wieser
Reding	Sherwood	Svigum	Voss	Wigley
Rees	Sieben, H.	Swanson	Waldorf	Wynia
Reif	Sieben, M.	Thiede	Weaver	Zubay
Rice	Simoneau	Tomlinson	Welch	
Rose	Stadum	Valan	Welker	

Those who voted in the negative were:

Albrecht	Heap	Heinitz	Jennings	Speaker Searle
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The bill was passed and its title agreed to.

Blatz was excused between the hours of 3:10 p.m. and 4:30 p.m. Anderson, I., and Sarna were excused at 3:10 p.m. Clawson was excused at 4:35 p.m. Nelsen, B., was excused at 5:00 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. No. 360 which it recommended to pass.

H. F. No. 643 which it recommended progress.

S. F. No. 327 which it recommended progress.

H. F. No. 99 which it recommended to pass with the following amendment offered by Rice:

Page 2, line 2, after "*from*" insert "*civil*"

Page 2, line 2, after "*liability*" delete "*, civil or*"

Page 2, line 3, delete "*criminal,*"

On the motion of Sieben, H., 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:

Kelly moved to amend H. F. No. 360, as follows:

Page 1, lines 16 to 22, reinstate the stricken language

Page 1, line 16, strike the reinstated "1979" and insert "1981"

Page 1, line 18, strike the reinstated "1979" and insert "1981"

The question was taken on the adoption of the amendment and the roll was called. There were 35 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Eken	Jacobs	Long	Rice
Anderson, I.	Ellingson	Jaros	Minne	Sieben, M.
Berglin	Enebo	Kahn	Novak	Stoa
Byrne	Faricy	Kelly	Otis	Swanson
Carlson, L.	Fritz	Kempe	Pehler	Tomlinson
Clawson	Greenfield	Kostohryz	Prahl	Welch
Corbid	Hokanson	Kroening	Reding	Wynia

Those who voted in the negative were:

Aasness	Drew	Jude	Norton	Stadum
Adams	Elioff	Kaley	Nysether	Stowell
Ainley	Erickson	Kalis	Olsen	Swiggum
Albrecht	Esau	Knickerbocker	Onnen	Thiede
Anderson, B.	Evans	Kvam	Patton	Valan
Anderson, D.	Ewald	Laidig	Pavlak	Valento
Anderson, R.	Fjoslien	Lehto	Peterson	Voss
Battaglia	Forsythe	Levi	Piepho	Waldorf
Begich	Friedrich	Ludeman	Pleasant	Weaver
Biersdorf	Fudro	Luknie	Rees	Welker
Blatz	Halberg	Mann	Reif	Wenzel
Brinkman	Haukoos	McDonald	Rothenberg	Wieser
Carlson, D.	Heap	Mehrkens	Sarna	Wigley
Clark	Heinitz	Metzen	Schreiber	Zubay
Crandall	Hoberg	Murphy	Searles	Speaker Searle
Dean	Jennings	Nelsen, B.	Sherwood	
Dempsey	Johnson, C.	Niehaus	Sieben, H.	
Den Ouden	Johnson, D.	Norman	Simoneau	

The motion did not prevail and the amendment was not adopted.

Swanson moved to amend H.F. No. 360 as follows:

Page 1, line 12, strike "\$100,000" and insert "\$145,000"

Page 1, line 16, after the period insert "For calendar years beginning after December 31, 1979 the threshold principal amount of loans qualifying for this subdivision's exemption from chapter

334 shall be annually adjusted for inflation. The commissioner of banks shall annually determine the percentage increase in the consumer price index (revised series) for the Minneapolis-St. Paul metropolitan area prepared by the United States department of labor. The commissioner shall determine the percentage change occurring over the prior one year period ending in August of the current year. The commissioner shall multiply the threshold amount for the current year by that percentage change and shall add the product, rounded to the nearest thousand dollars, to the current year's threshold amount to yield the inflation adjusted threshold amount. The commissioner shall cause the inflation adjusted threshold amount to be published in a legal newspaper in Ramsey County and in the state register on or before the last day of November of each year. After December 31, 1979 no loan shall qualify under this subdivision, unless it is in a principal amount equal to or exceeding the inflation adjusted threshold amount."

Further amend the title as follows:

Page 1, line 3, after the semicolon insert "providing an annual inflation adjustment of the large loan usury exemption;"

The question was taken on the adoption of the amendment and the roll was called. There were 32 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Elioff	Jaros	Minne	Rose
Anderson, I.	Ellingson	Kahn	Norton	Stoa
Battaglia	Enebo	Kelly	Novak	Swanson
Berglin	Faricy	Kostohryz	Otis	Wynia
Byrne	Fritz	Kroening	Prahl	
Casserly	Greenfield	Lehto	Reding	
Clawson	Hokanson	Long	Rice	

Those who voted in the negative were:

Aasness	Eken	Kaley	Niehaus	Stadum
Adams	Erickson	Kalis	Norman	Stowell
Ainley	Esau	Kempe	Nysether	Sviggum
Albrecht	Evans	Knickerbocker	Olsen	Thiede
Anderson, D.	Ewald	Kvam	Onnen	Tomlinson
Anderson, G.	Fjoslien	Laidig	Patton	Valan
Anderson, R.	Forsythe	Levi	Pavlak	Valento
Begich	Friedrich	Ludeman	Peterson	Vanasek
Berkelman	Fudro	Luknic	Piepho	Voss
Biersdorf	Halberg	Mann	Pleasant	Waldorf
Blatz	Haukoos	McCarron	Rees	Weaver
Brinkman	Heap	McDonald	Reif	Welch
Carlson, D.	Heintz	McEachern	Rothenberg	Welker
Carlson, L.	Hoberg	Mehrkens	Sarna	Wenzel
Corbid	Jacobs	Metzen	Schreiber	Wieser
Dean	Jennings	Munger	Searles	Wigley
Dempsey	Johnson, C.	Murphy	Sherwood	Zubay
Den Ouden	Johnson, D.	Nelsen, B.	Sieben, H.	Speaker Searle
Drew	Jude	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. 360 and the roll was called. There were 99 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Stadum
Adams	Eken	Kaley	Niehaus	Stowell
Ainley	Elioff	Kalis	Norton	Sviggum
Albrecht	Ellingson	Kelly	Novak	Swanson
Anderson, B.	Erickson	Kempe	Nysether	Thiede
Anderson, D.	Esau	Knickerbocker	Olsen	Tomlinson
Anderson, R.	Evans	Kvam	Onnen	Vaia
Battaglia	Ewald	Laidig	Otis	Valento
Begich	Fjoslien	Levi	Patton	Vanasek
Berkelman	Forsythe	Long	Pavlak	Voss
Biersdorf	Friedrich	Ludeman	Pehler	Waldorf
Blatz	Halberg	Luknic	Peterson	Weaver
Brinkman	Haukoos	Mann	Piepho	Welch
Carlson, D.	Heap	McDonald	Reding	Welker
Clark	Heinitz	McEachern	Rees	Wenzel
Clawson	Hoberg	Mehrkens	Reif	Wieser
Crandall	Hokanson	Metzen	Rose	Wigley
Dean	Jennings	Minne	Rothenberg	Zubay
Dempsey	Johnson, C.	Moe	Searles	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Sherwood	

Those who voted in the negative were:

Anderson, G.	Casserly	Greenfield	Kroening	Sieben, H.
Anderson, I.	Corbid	Jacobs	Lehto	Sieben, M.
Berglin	Enebo	Jaros	Murphy	Stoa
Byrne	Faricy	Kahn	Prahl	Wynia
Carlson, L.	Fritz	Kostohryz	Rice	

The motion prevailed.

Swanson moved to amend S.F. No. 327 as follows:

Page 1, line 19, after "property" insert "and including a fair market price for the land which shall be returned to the state general fund"

Page 1, line 20, after "accept" delete "such conveyance,"

The question was taken on the adoption of the amendment and the roll was called. There were 42 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Clark	Eken	Haukoos	Kalis
Anderson, D.	Corbid	Ellingson	Hoberg	Kempe
Anderson, G.	Dean	Evans	Hokanson	Knickerbocker
Anderson, R.	Dempsey	Ewald	Jennings	Ludeman
Carlson, L.	Den Ouden	Forsythe	Johnson, C.	Minne

Nelson	Piepho	Sviggum	Vanasek	Wigley
Olsen	Pleasant	Swanson	Welch	
Onnen	Stadum	Thiede	Welker	
Peterson	Stoa	Valan	Wieser	

Those who voted in the negative were:

Aasness	Fjoslien	Kvam	Norman	Sieben, H.
Albrecht	Fritz	Laidig	Norton	Sieben, M.
Battaglia	Fudro	Lehto	Novak	Simoneau
Begich	Greenfield	Levi	Nysether	Stowell
Berglin	Halberg	Long	Otis	Tomlinson
Biersdorf	Heap	Luknic	Pavlak	Valento
Byrne	Heinitz	McDonald	Reding	Voss
Casserly	Jacobs	McEachern	Rees	Waldorf
Crandall	Jaros	Mehrkens	Reif	Weaver
Drew	Jude	Metzen	Rice	Wenzel
Elioff	Kahn	Munger	Rose	Wynia
Erickson	Kelly	Murphy	Rothenberg	Speaker Searle
Esau	Kostohryz	Nelsen, B.	Searles	
Fariy	Kroening	Niehaus	Sherwood	

The motion did not prevail and the amendment was not adopted.

Corbid moved to amend S. F. No. 327, as follows:

Page 1, line 22, delete "uses," insert "use"

Page 1, line 22, delete "or any other uses or purposes as may be"

Page 2, line 1, delete "permitted or authorized by law"

Page 2, line 4, after "public" delete the comma and insert "or"

Page 2, line 4, after "governmental" insert "uses."

Page 2, delete line 5

The question was taken on the adoption of the amendment and the roll was called. There were 59 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Adams	Corbid	Jennings	Mann	Stowell
Ainley	Dean	Johnson, C.	Minne	Sviggum
Anderson, B.	Den Ouden	Johnson, D.	Munger	Swanson
Anderson, D.	Eken	Kahn	Nelson	Valan
Anderson, G.	Ellingson	Kaley	Olsen	Vanasek
Anderson, R.	Evans	Kalis	Onnen	Voss
Berkelman	Fjoslien	Knickerbocker	Otis	Welch
Biersdorf	Greenfield	Kroening	Patton	Welker
Carlson, L.	Halberg	Kvam	Pehler	Wieser
Casserly	Hoberg	Lehto	Pleasant	Zubay
Clark	Jacobs	Long	Stadum	Speaker Searle
Clawson	Jaros	Luknic	Stoa	

Those who voted in the negative were:

Aasness	Forsythe	Levi	Norton	Searles
Battaglia	Fritz	Ludeman	Novak	Sherwood
Begich	Fudro	McCarron	Nysether	Sieben, H.
Berglin	Haukoos	McDonald	Pavlak	Sieben, M.
Byrne	Heap	McEachern	Peterson	Simoneau
Crandall	Heintz	Mehrkens	Piepho	Thiede
Dempsey	Hokanson	Metzen	Reding	Tomlinson
Drew	Jude	Moe	Rees	Valento
Elioff	Kelly	Murphy	Reif	Waldorf
Esau	Kempe	Nelsen, B.	Rice	Wenzel
Ewald	Kostohryz	Niehaus	Rose	Wigley
Faricy	Laidig	Norman	Rothenberg	Wynia

The motion did not prevail and the amendment was not adopted.

Norton moved to amend H. F. No. 99, as follows:

Page 1, line 11, delete "*Subdivision 1.*"

Page 1, line 22, thru page 2, line 4, delete the language from the bill

The question was taken on the adoption of the amendment and the roll was called. There were 42 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Kelly	Norton	Tomlinson
Berglin	Ellingson	Kostohryz	Olsen	Vanasek
Berkelman	Enebo	Kroening	Otis	Voss
Brinkman	Faricy	Long	Pehler	Waldorf
Byrne	Greenfield	McCarron	Rice	Welch
Casserly	Halberg	McEachern	Rothenberg	Wynia
Clark	Jaros	Metzen	Sieben, H.	
Corbid	Jude	Moe	Sieben, M.	
Crandall	Kahn	Niehaus	Simoneau	

Those who voted in the negative were:

Aasness	Eken	Johnson, C.	Mehrkens	Sherwood
Adams	Erickson	Johnson, D.	Murphy	Stadum
Ainley	Esau	Kaley	Nelsen, B.	Stoa
Anderson, B.	Evans	Kalis	Nelson	Stowell
Anderson, G.	Ewald	Kempe	Novak	Sviggum
Anderson, R.	Fjoslien	Knickerbocker	Nysether	Thiede
Battaglia	Friedrich	Kvam	Onnen	Valento
Begich	Fritz	Laidig	Pavlak	Weaver
Biersdorf	Fudro	Lehto	Peterson	Welker
Blatz	Haukoos	Levi	Piepho	Wenzel
Carlson, L.	Heap	Ludeman	Reding	Wieser
Dempsey	Heintz	Luknic	Rees	Wigley
Den Ouden	Hokanson	Mann	Reif	Zubay
Drew	Jennings	McDonald	Rose	Speaker Searle

The motion did not prevail and the amendment was not adopted.

McCarron moved to amend H. F. No. 99, as amended, as follows:

Page 1, line 16, strike "or other"

Page 1, line 17, strike "person with whom he resides,"

The question was taken on the adoption of the amendment and the roll was called. There were 9 yeas and 110 nays as follows:

Those who voted in the affirmative were:

Albrecht	Jaros	McCarron	Patton	Voss
Dempsey	Kostohryz	Norton	Simoneau	

Those who voted in the negative were:

Aasness	Den Ouden	Jennings	Minne	Rothenberg
Adams	Drew	Johnson, C.	Moe	Searles
Ainley	Eken	Johnson, D.	Munger	Sherwood
Anderson, B.	Elioff	Jude	Murphy	Stadum
Anderson, D.	Ellingson	Kahn	Nelson	Stoa
Anderson, G.	Enebo	Kaley	Niehaus	Stowell
Anderson, R.	Erickson	Kalis	Norman	Sviggum
Battaglia	Esau	Kelly	Novak	Thiede
Begich	Evans	Kempe	Nysether	Tomlinson
Berglin	Ewald	Knickerbocker	Olsen	Valan
Berkelman	Faricy	Kroening	Onnen	Valento
Biersdorf	Forsythe	Kvam	Otis	Vanasek
Blatz	Friedrich	Laidig	Pavlak	Waldorf
Brinkman	Fritz	Lehto	Pehler	Weaver
Byrne	Fudro	Levi	Peterson	Welch
Carlson, D.	Greenfield	Long	Piepho	Welker
Carlson, L.	Halberg	Ludeman	Pleasant	Wenzel
Casserly	Haukoos	Luknic	Reding	Wieser
Clark	Heap	Mann	Rees	Wigley
Corbid	Hoberg	McDonald	Reif	Wynia
Crandall	Hokanson	Mehrkens	Rice	Zubay
Dean	Jacobs	Metzen	Rose	Speaker Searle

The motion did not prevail and the amendment was not adopted.

Laidig moved to amend H. F. No. 99, as amended by the Rice amendment, as follows:

Page 2, line 2, after "civil" insert "or criminal"

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:

Albrecht	Eken	Johnson, D.	Mehrkens	Peterson
Anderson, B.	Esau	Knickerbocker	Nelson	Piepho
Anderson, R.	Forsythe	Kvam	Olsen	Rothenberg
Den Ouden	Fritz	Laidig	Onnen	Stadum
Drew	Jennings	Ludeman	Pavlak	Wieser



Those who voted in the negative were:

Aasness	Dean	Johnson, C.	Murphy	Stoa
Adams	Dempsey	Jude	Nelsen, B.	Stowell
Ainley	Elioff	Kahn	Niehaus	Sviggum
Anderson, D.	Ellingson	Kaley	Norman	Thiede
Anderson, G.	Enebo	Kelly	Norton	Tomlinson
Battaglia	Erickson	Kempe	Novak	Valento
Begich	Evans	Kostohryz	Nysether	Vanasek
Berglin	Ewald	Kroening	Otis	Voss
Berkelman	Faricy	Lehto	Patton	Waldorf
Biersdorf	Fjoslien	Levi	Pehler	Weaver
Blatz	Friedrich	Long	Pleasant	Welch
Brinkman	Fudro	Luknic	Reding	Welker
Byrne	Greenfield	Mann	Rees	Wenzel
Carlson, D.	Halberg	McCarron	Reif	Wigley
Carlson, L.	Haukoos	McDonald	Rice	Wynia
Casserly	Heap	Metzen	Sherwood	Speaker Searle
Clark	Hoberg	Minne	Sieben, H.	
Corbid	Hokanson	Moe	Sieben, M.	
Crandall	Jacobs	Munger	Simoneau	

The motion did not prevail and the amendment was not adopted.

### MOTIONS AND RESOLUTIONS

Heinitz moved that his name be stricken as an author on H. F. No. 489. The motion prevailed.

Faricy moved that his name be stricken as an author on H. F. No. 796. The motion prevailed.

Searle moved that his name be stricken as an author on H. F. No. 367. The motion prevailed.

Dean moved that the name of Nelsen, B., be added as an author on H. F. No. 800. The motion prevailed.

Haukoos moved that his name be stricken as an author on H. F. No. 576. The motion prevailed.

Anderson, B., moved that the name of Eken be stricken and the name of Battaglia be added as an author on H. F. No. 784. The motion prevailed.

Pleasant moved that the name of Norton be added as an author on H. F. No. 423. The motion prevailed.

Pleasant moved that the name of Nelson be added as an author on H. F. No. 423. The motion prevailed.

Rothenberg moved that the name of Long be added as an author on H. F. No. 860. The motion prevailed.

Otis moved that the name of Kalis be added as an author on H. F. No. 857. The motion prevailed.

Nelson moved that the names of Levi, Heap, and Jennings be added as authors on H. F. No. 52. The motion prevailed.

Kelly moved that the name of Pehler be added as an author on H. F. No. 229. The motion prevailed.

Forsythe introduced:

House Resolution No. 7, A house resolution congratulating the Edina East High School Team on winning the 1978 State Girls Tennis Team Championship in Class AA.

The resolution was referred to the Committee on Rules and Legislative Administration.

Forsythe and Pleasant introduced:

House Resolution No. 8, A house resolution congratulating the Edina-West High School Cougars on winning the Minnesota State High School League's state football championship.

The resolution was referred to the Committee on Rules and Legislative Administration.

Forsythe and Pleasant introduced:

House Resolution No. 9, A house resolution congratulating Edina-West High School on winning the Minnesota State High School League's state debate championship.

The resolution was referred to the Committee on Rules and Legislative Administration.

Forsythe and Pleasant introduced:

House Resolution No. 10, A house resolution congratulating Edina-West High School on winning the Minnesota State High School League's boys' slalom skiing championship.

The resolution was referred to the Committee on Rules and Legislative Administration.

Mehrkens, Stowell and Sviggum introduced:

House Resolution No. 11, A house resolution congratulating the Lake City Senior High School basketball team on winning the Class A basketball championship.

The resolution was referred to the Committee on Rules and Legislative Administration.

Dempsey introduced:

House Resolution No. 12, A house resolution relating to congratulating Ida Renner upon the celebration of her one hundred and second birthday anniversary.

The resolution was referred to the Committee on Rules and Legislative Administration.

#### CERTIFICATION

March 12, 1979

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, March 12, 1979, 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, 1979:

Charles H. Casey, 1st Congressional District, six years

Lauris D. Krenik, 2nd Congressional District, six years

Mary T. Schertler, 4th Congressional District, six years

William B. Dosland, 7th Congressional District, six years

EDWARD J. GEARTY, President of the Senate

ROD SEARLE, Speaker of the House of Representatives

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 19, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, March 19, 1979.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**



## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## TWENTY-SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 19, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Eillingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kroening	Olsen	Stowell
Anderson, R.	Ewald	Kvam	Onnen	Sviggum
Battaglia	Farcy	Laidig	Osthoff	Swanson
Begich	Fjoslien	Lehto	Otis	Thiede
Berglin	Forsythe	Levi	Pavlak	Tomlinson
Berkelman	Friedrich	Long	Pehler	Valan
Blatz	Fritz	Ludeman	Peterson	Valento
Brinkman	Fudro	Luknic	Piepho	Vanasek
Byrne	Greenfield	Mann	Pleasant	Voss
Carlson, D.	Halberg	McCarron	Prahl	Waldorf
Carlson, L.	Haukoos	McDonald	Redalen	Weaver
Casserly	Heap	McEachern	Reding	Welch
Clark	Heinitz	Mehrkens	Rees	Welker
Clawson	Hoberg	Metzen	Reif	Wenzel
Corbid	Hokanson	Minne	Rice	Wieser
Crandall	Jacobs	Moe	Rose	Wigley
Dean	Jaros	Munger	Rothenberg	Wynia
Dempsey	Jennings	Murphy	Sarna	Zubay
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	Speaker Searle

A quorum was present.

Biersdorf; Johnson, C.; Kostohryz and Patton were excused.

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. 370, 486, 568, 297, 487, 493, 534, 642 and 99 and S. F. No. 288 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

Fudro from the Committee on Transportation to which was referred:

H. F. No. 52, A bill for an act relating to physically handicapped persons; providing parking privileges for the physically handicapped; authorizing parking privileges for operators of vehicles used in transporting the physically handicapped; amending Minnesota Statutes 1978, Sections 168.021, Subdivision 1; 169.345, Subdivisions 3 and 4; and 169.346, Subdivision 1.

Reported the same back with the following amendments:

Page 1, delete lines 12 to 24

Page 2, delete lines 1 to 3

Page 2, line 6, strike "motor"

Page 2, line 7, strike "vehicles"

Page 2, line 7, after "division" insert "*of driver and vehicle services*"

Page 2, line 8, strike "or"

Page 2, line 9, strike "insignia"

Page 2, line 17, delete "*or insignia*"

Page 2, line 19, delete "*or insignia*"

Page 2, line 30, strike "or insignia"

Page 3, line 4, strike "or insignia"

Page 3, line 5, strike "motor vehicles"

Page 3, line 5, after "division" insert "*of driver and vehicle services*"

Page 3, line 10, delete "or"

Page 3, line 11, delete "*insignia*"

Page 3, line 12, reinstate "(AND PUNISHABLE AS)"

Page 3, line 12, after "(PROVIDED)" insert "*a misdemeanor*"

Page 3, line 30, strike "or"

Page 3, line 31, strike "insignia"

Renumber the sections

Further amend the title as follows:

Line 7, delete "168.021, Subdivision 1;"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 155, A bill for an act relating to health; providing for several types of life support transportation service; providing for health systems agencies to be involved in the licensing process; providing factors to be used in making licensing recommendations; providing for standards for services; forbidding inquiry as to ability to pay before provision of emergency ambulance services; appropriating money; amending Minnesota Statutes 1978, Sections 144.801; 144.802; 144.803; 144.804; 144.805; 144.807, Subdivision 1; 144.808; 144.809 and 144.8091, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 22, strike "transportation of" and insert "*life support transportation service to*"

Page 2, after line 28, insert:

*"Subd. 6. "Licensee" means a natural person, partnership, association, corporation, or unit of government which possesses a life support transportation service license."*

Page 3, lines 3 and 4, strike "political subdivision in" and insert "*address at*"

Page 3, line 15, after "*P.L. 93-641*" insert "*, 42 U.S.C. Section 300 h et seq*"

Page 3, after line 15, insert:



“Subd. 9. “Municipality” means any city of any class, however organized, and any town.”

Subd. 10. “Primary service area” means the geographic area that can reasonably be served by a life support transportation service.”

Page 3, line 18, after “No” strike “operator shall” and insert “natural person, partnership, association, corporation or unit of government may”

Page 3, line 24, after “specify the” strike “location of the”

Page 3, line 25, after “operations” insert “, primary service area,”

Page 3, line 26, strike “operator” and insert “licensee”

Page 3, line 27, strike “operator” and insert “licensee”

Page 3, line 28, after “operation” insert “, or to expand its primary service area,”

Page 3, line 28, after “or” and before “provide” insert “to”

Page 3, line 29, after “service.” strike “Licenses shall not be”

Page 3, strike lines 30 to 33

Page 4, strike line 1

Page 4, line 2, strike “is a transfer of ownership.”

Page 4, line 2, before “The” insert “A license, or the ownership of a licensed life support transportation service, may be transferred only after the approval of the commissioner based upon a finding that the proposed licensee or proposed new owner of a licensed life support transportation service meets or will meet the requirements of section 144.804. If the proposed transfer would result in a change in or addition of a new base of operations, expansion of the service’s primary service area, or provision of a new type or types of life support transportation service, the commissioner shall require the prospective licensee or owner to comply with subdivision 3. The commissioner may approve the license or ownership transfer prior to completion of the application process described in subdivision 3 upon obtaining written assurances from the proposed licensee or proposed new owner that no change in the service’s base of operations, expansion of the service’s primary service area, or provision of a new type or types of life support transportation service will occur during the processing of the application.”

Page 4, line 7, strike "for" and insert "authorizing"

Page 4, line 7, after "of a" insert "new"

Page 4, line 8, after "service," insert "provision of"

Page 4, line 10, after "or" insert "by an existing service"

Page 4, line 10, after the new comma, insert "or establishment of"

Page 4, line 10, after "operation" insert "or an expanded primary service area"

Page 4, lines 11 and 12, after "service" delete "or a transfer of ownership of a service" and strike "in the state"

Page 4, line 12, after "unless the" strike "service meets the standards required by" and insert "requirements of"

Page 4, line 13, after "144.807" insert "are met"

Page 5, line 11, after "Each" delete "operator that wants" and insert "prospective licensee and each present licensee wishing"

Page 5, line 12, after "service," delete "or" and insert "to"

Page 5, line 13, after "operation" insert ", or to expand a primary service area,"

Page 5, line 16, after "notice of the" insert "completed"

Page 5, lines 17 and 18, delete "or services" and insert "agency or agencies"

Page 5, line 18, after the first comma delete "each city" and insert "and each municipality"

Page 5, lines 18 and 19, delete "and other licensed health service providers"

Page 5, line 19, after "area" delete "for" and insert "in"

Page 5, lines 23, 24, 25, and 28, delete "city" and insert "municipality"

Page 5, lines 28 and 29, after "service," delete "other licensed health service provider,"

Page 5, lines 29 and 30, delete "which wants" and insert "wishing"

Page 5, line 30, after "*concerning*" insert "*the disposition of*"

Page 5, line 32, delete "*receiving*" and insert "*the publication of*"

Page 6, line 8, after "*counsel,*" insert "*and*"

Page 6, lines 9 and 10, delete "*, and to confront and cross-examine opposing witnesses*"

Page 6, line 18, after "*recommendations*" insert "*as to its disposition*"

Page 6, line 19, after "*making*" insert "*the*"

Page 6, line 21, after "*comments*" delete "*on*" and insert "*as to whether the proposed service, change in base of operations, or expansion in primary service area is needed, based on consideration of*"

Page 6, line 23, delete "*or new*" and insert "*, change in*"

Page 6, line 24, delete "*operation*" and insert "*operations or expansion in primary service area*"

Page 6, line 27, delete "*cities*" and insert "*municipalities*"

Pages 6 and 7, delete clause 4

Page 7, lines 2 and 3, delete "*or new*" and insert "*, change in*"

Page 7, line 3, after "*operation*" insert "*or expansion in primary service area*"

Page 7, line 3, after "*health*" insert "*; and*"

(5) *whether any benefit accruing to the public health would outweigh the costs associated with the proposed service, change in base of operations, or expansion in primary service area.*"

Page 7, line 4, delete "*either*"

Page 7, line 5, delete "*issue or refuse to issue*" and insert "*either grant or deny*"

Page 7, lines 6 and 7, delete "*the proposed service be modified*" and insert "*a modified license be granted*"

Page 7, line 16, after "*application,*" insert "*any hearing record and*"

Page 7, line 17, delete "*the benefit*" and insert "*any benefit accruing*"

Page 7, line 17, after "*health*" delete "*of*" and insert "*would outweigh the costs associated with*"

Page 7, line 18, delete "*new*" and insert "*change in*"

Page 7, lines 18 and 19, delete "*operation, or transfer of ownership would exceed its cost*" and insert "*operations, or expansion in primary service area*"

Page 7, line 33, strike "*an operator*" and insert "*a licensee*"

Page 8, line 10, after "*unless*" strike "*the*" and insert "*its*"

Page 8, line 11, after "*course and*" insert "*each*"

Page 8, line 12, strike "*a current*" and insert "*an appropriate*"

Page 8, line 13, strike "*certificate*" and insert "*credential issued by the commissioner.*"

Page 8, line 16, strike the old period

Page 8, lines 17 and 18, delete "*possessing a current advanced American Red Cross first aid certificate*"

Page 8, line 19, delete "*certificate*" and insert "*credential*"

Page 8, line 20, after "*sections 1 to 9*" insert "*if he: possesses a current advanced American Red Cross first aid certificate; or has successfully completed a basic emergency care course, and has successfully completed a refresher course at intervals of two years from the date of completing the basic emergency care course*"

Page 8, line 20, after "9." insert "*After this period an individual functioning as a driver or an attendant in a basic life support transportation service has twelve months from the date of joining the service in which to receive an emergency medical technician credential issued by the commissioner. During this twelve month period such a driver or an attendant shall possess a current advanced American Red Cross first aid certificate or a current emergency medical technician certificate issued by the national registry of emergency medical technicians. The commissioner shall communicate regularly to each licensed service information describing the training available to its staff.*"

Page 8, after line 20 insert:

"*Subd. 2. Basic life support transportation services operated by municipalities with population under 2,000 shall be exempt*

*from the provisions of subdivision 1. Such services must maintain at least three-quarters of the percentage of their drivers and attendants already trained to the emergency medical technician level as of July 1, 1979. All other personnel must possess at least a current advanced American Red Cross first aid certificate. The commissioner in cooperation with the department of education shall make every effort to train and credential 100 percent of all drivers and attendants of all basic life support transportation services. The commissioner and the department of education shall establish alternatives to the current training system in order to encourage participation by services who find the existing training opportunities insufficient to their needs. They shall make a report to the legislature concerning this effort no later than February 1, 1980."*

Page 8, line 21, strike "2" and insert "3"

Page 9, line 1, after the first "and" and insert "each vehicle while in operation"

Page 9, line 16, strike "3" and insert "4"

Page 10, line 12, delete "January 1" and insert "April 1"

Page 10, line 15, delete "services" and insert "types of life support transportation service"

Page 10, line 16, after "have" insert "appropriate"

Page 10, line 17, after "personnel," insert "vehicles and"

Page 10, line 17, delete "sanitation" and insert "be maintained in a sanitary condition so as"

Page 10, line 19, delete "the patient" and insert "patients"

Page 10, line 21, delete "an"

Page 10, line 21, delete "situation" and insert "situations"

Page 10, line 22, delete "the patient" and insert "patients"

Page 10, line 22, after "transported to" delete "a" and insert "an appropriate"

Page 10, line 23, delete "appropriate"

Page 10, line 25, delete "equipment and personnel" and insert "appropriate personnel, vehicles and equipment, and be maintained in a sanitary condition so as"

Page 10, line 29, delete clause (c)

Page 10, line 31, delete "between health care facilities"

Page 11, line 9, strike "4" and insert "5"

Page 11, line 17, after "services." insert "Local units of government intending to impose additional requirements shall consider whether any benefit accruing to the public health would outweigh the costs associated with the additional requirements."

Page 12, after line 1, insert:

"Subd. 6. The commissioner shall promulgate as rules standards particularizing the definition of primary service area under section 1, subdivision 8, under which the commissioner shall designate each licensed life support transportation service as serving a primary service area or areas."

Page 13, line 25, after "\$210" insert "for successful completion of a basic course, and \$70 for successful completion of a continuing education course"

Page 13, lines 26 to 30, delete section 10 and insert:

"Sec. 10. [REDESIGNATION OF EMERGENCY AMBULANCE SERVICES; TEMPORARY CONTINUATION OF EXISTING STANDARDS.] Each entity licensed as an emergency ambulance service on the effective date of sections 1 to 10 is hereby redesignated as a life support transportation service. Until the commissioner promulgates standards pursuant to section 4, the standards promulgated under Laws 1977, Chapter 37, Section 4, for emergency ambulance services shall apply to all life support transportation services."

Page 13, after line 30, insert

"Sec. 11. Minnesota Statutes 1978, Section 256B.04, Subdivision 12, is amended to read:

Subd. 12. Place limits on the types of services covered by medical assistance, the frequency with which the same or similar services may be covered by medical assistance for an individual recipient, and the amount paid for each covered service. The state agency shall promulgate rules, including temporary rules, establishing maximum reimbursement rates for emergency and non-emergency (AMBULANCE) life support transportation services.

The rules shall provide:

(a) An opportunity for all life support transportation services, designated by the state agency, to be reimbursed for non-emergency transportation consistent with the maximum rates established by the agency;

(b) Reimbursement of providers owned and operated by a public agency or a nursing home at reasonable maximum rates

*that reflect the cost of providing the service regardless of the fare that might be charged by the provider for similar services to individuals other than those receiving medical assistance or medical care under this chapter; and*

*(c) Reimbursement for each additional passenger carried on a single trip at a substantially lower rate than the first passenger carried on that trip.*

*The commissioner shall encourage providers reimbursed under this chapter to coordinate their operation with similar services that are operating in the same community. To the extent practicable, the commissioner shall encourage eligible individuals to utilize less expensive providers capable of serving their needs."*

Renumber the sections, subdivisions and clauses in order

Further amend the title:

Page 1, lines 8 and 9, delete "emergency ambulance services" and insert "life support transportation services; requiring rules for maximum reimbursement rates under medical assistance for emergency and non-emergency life support transportation services;"

Line 12, delete "and" and insert ";"

Line 12, before the period insert "and 256B.04, Subdivision 12"

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. 189, 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 following amendments:

Page 1, line 9, after the period insert:

"Subd. 2. "Agency" means the Minnesota pollution control agency."

Renumber subsequent subdivisions

Page 2, line 2, after the period insert:

"Subd. 7. "Local redemption center" means a store or other location where any person may redeem the amount of the deposit for any empty beverage container labeled pursuant to section 3."

Page 2, line 4, delete "September 1, 1980" and insert "January 1, 1981"

Page 2, line 8, delete "September 1, 1980" and insert "January 1, 1981"

Page 2, line 9, after "dealer" insert "or local redemption center, except blind vendors licensed to operate vending machines and stands established pursuant to Minnesota Statutes, Section 248.07, Subdivision 8,"

Page 2, lines 14 and 16, after "dealer" insert "or local redemption center"

Page 2, line 17, after the period insert:

"(c) A dealer or a person operating a redemption center may refuse to redeem empty beverage containers which are not reasonably clean.

(d) A distributor, in addition to the payment of the refund value as provided in subdivision 1, shall reimburse the dealer or local redemption center for the cost of handling empty beverage containers in an amount which is equal to ten percent of the refund value per returned container."

Page 2, line 18, after "dealer" insert "or local redemption center"

Page 2, line 20, after "dealer" insert "or local redemption center"

Page 2, line 22, delete "September"

Page 2, line 23, delete "1, 1980" and insert "January 1, 1981"

Page 2, line 27, after the period insert:

"Sec. 4. (116.454) [LOCAL REDEMPTION CENTERS.] Subdivision 1. [APPLICATION FOR APPROVAL.] Any person may file with the pollution control agency an application for a license to operate a local redemption center. The application shall state the name and address of the person responsible for the establishment and operation of the center, the kinds, sizes



and brand names of beverage containers which the center intends to accept and the names and addresses of dealers proposed to be served and their distances from the local redemption center.

Subd. 2. [APPROVAL.] The agency may approve an application for a license to operate a local redemption center if it finds that the proposed center will provide a convenient service for the return of empty beverage containers.

If the agency approves a license to operate a local redemption center, it may exempt any dealer that is not a local redemption center from the requirement of accepting and paying the refund value of empty beverage containers of the kind, size and brand sold by the dealer.

The agency shall mail notice to any dealer it so exempts. The license to operate a local redemption center shall state the dealers to be served and the kinds, sizes and brand names of empty beverage containers which the center shall accept.

Subd. 3. [POSTED LISTS.] A local redemption center shall prominently display on its premises a list of dealers served, and the kinds, sizes and brand names of empty beverage containers accepted. A dealer exempted by the agency pursuant to subdivision 2 from accepting and paying a refund for empty beverage containers shall prominently display on its premises the name and location of all local redemption centers licensed to serve the area.

Subd. 4. [WITHDRAWAL OF APPROVAL.] The agency may review at any time any license to operate a local redemption center. After written notice to the person responsible for the establishment and operation of the local redemption center and to the dealers served by the center, the agency may, after hearing, revoke the license of a local redemption center if it finds there has not been compliance with the license or if the local redemption center no longer provides a convenient service to the public."

Renumber subsequent sections

Page 2, line 28, delete "[116.454]" and insert "[116.455]"

Further amend the title

Page 1, line 4, insert after the semicolon "establishing and regulating local redemption center;"

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. 451, A bill for an act relating to parking privileges for handicapped persons; defining terms; extending the uses,

in relation to parking privileges, of the special license plates issued to physically handicapped persons and clarifying the meaning of unauthorized use of those plates; extending parking privileges to operators of transportation services for physically handicapped persons; recognizing parking certificates, insignia or license plates issued to handicapped persons by other jurisdictions; modifying the criteria for posted signs designating handicapped parking spaces; imposing penalties; amending Minnesota Statutes 1978, Sections 168.021, Subdivisions 3 and 5, and by adding a subdivision; 169.345; and 169.346, Subdivisions 1 and 2.

Reported the same back with the following amendments:

Page 2, line 28, strike "For the purposes of this"

Page 2, line 29, strike "section, a "physically handicapped person" is"

Page 2, line 30, strike "defined as a person who"

Page 2, delete lines 32 and 33

Page 3, line 1, delete "*walk*" and insert "*Physically handicapped as employed herein shall include any person who has sustained an amputation or material disability of either or both arms or legs, or who has been otherwise disabled in any manner rendering it difficult and burdensome for him to walk*"

Page 3, lines 9 to 11, delete the new language

Page 3, lines 25 to 29, reinstate the stricken language

Page 3, lines 29 to 33, delete the new language

Page 4, delete lines 1 to 10

Page 5, line 4, delete "*gross*" and insert "*petty*"

Page 5, line 14, strike everything after "(a)"

Page 5, strike lines 15 to 18 and insert "*That person has sustained an amputation or material disability of either or both arms or legs, or has been otherwise disabled in any manner rendering it difficult and burdensome for him to walk; and*"

Page 5, line 30, reinstate the stricken language and delete the new language

Page 5, line 31, delete "*incorporate*"

Page 6, line 1, before the period insert "*Spaces which have been identified for handicapped parking by signs which are not in compliance with the standards as set forth in this subdivision shall also be deemed designated and reserved for the physically handicapped for the purposes of this section*"

Page 6, line 10, delete "July"

Page 6, line 11, delete "1, 1979" and insert "*the day following final enactment*"

Amend the title as follows:

Page 1, line 7, delete "extending parking privileges"

Page 1, delete line 8

Page 1, line 9, delete "physically handicapped persons;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 479, A bill for an act relating to health maintenance organizations; declaring legislative intent and public policy favoring childbirth over abortion; eliminating any requirements that health maintenance organizations provide elective, induced abortions; amending Minnesota Statutes 1978, Sections 62D.01, by adding a subdivision; 62D.02, Subdivision 7; and 62D.22, Subdivision 5.

Reported the same back with the following amendments:

Page 2, line 1, delete the comma

Page 2, delete lines 2 and 3.

Page 2, line 4, delete the new language

Page 2, delete lines 5 to 14 and insert: "*Elective, induced abortion, except as medically necessary to prevent the death of the mother, whether performed in a hospital, other abortion facility or the office of a physician shall be optional for any health maintenance organization.*"

Sec. 3. Minnesota Statutes 1978, Section 62D.07, Subdivision 4, is amended to read:

Subd. 4. Any subsequent approved change in an evidence of coverage shall be issued to each enrollee. *Written notice of a*

*change in evidence of coverage removing elective, induced abortions except as medically necessary to prevent the death of the mother, from the health care services to which the enrollee is entitled shall be mailed to each enrollee at the organization's expense.*

Sec. 4. Minnesota Statutes 1978, Section 62D.20 is amended to read:

**62D.20 [REGULATIONS.]** The commissioner of health may, pursuant to chapter 15, promulgate such reasonable rules and regulations as are necessary or proper to carry out the provisions of sections 62D.01 to 62D.29. Included among such regulations shall be those which provide minimum requirements for the provision of comprehensive health maintenance services, as defined in section 62D.02, subdivision 7, and reasonable exclusions therefrom. *Nothing in such regulations shall force or require a health maintenance organization to provide elective, induced abortions, except as medically necessary to prevent the death of the mother, whether performed in a hospital, other abortion facility, or the office of a physician; the regulations shall provide every health maintenance organization the option of excluding or including elective, induced abortions, except as medically necessary to prevent the death of the mother, as part of its comprehensive health maintenance services."*

Further, amend the title as follows:

After line 6, insert "requiring the organizations to notify enrollees if elective, induced abortions are eliminated from coverage;"

Line 8, after "Subdivision 7;" insert "62D.07, Subdivision 4;"

Line 9, delete "62D.22, Subdivision 5" and insert "62D.20"

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 521, A bill for an act relating to domestic abuse; authorizing judicial intervention to provide protection from domestic abuse; prescribing penalties.

Reported the same back with the following amendments:

Page 2, line 3, after the period, insert "Personal"

Page 3, line 12, delete "respondent" and insert "parties"

Page 3, line 28, after "other" insert "except by further order of the court"

Page 3, line 32, delete "14" and insert "seven"

Page 4, line 4, after "be" insert "personally"

Page 5, delete lines 4 to 8

Page 5, delete lines 15 to 18

Reletter the clauses in sequence

With the recommendation that when so amended the bill pass.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

H. F. No. 656, A bill for an act relating to probate; clarifying certain witness requirements for inheritance by illegitimates; amending Minnesota Statutes 1978, Section 525.172.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

H. F. No. 677, A bill for an act relating to courts; providing for the interest rate on verdicts and judgments; amending Minnesota Statutes 1978, Sections 549.09 and 550.36.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 549.09, is amended to read:

549.09 [INTEREST ON VERDICT.] When the judgment is for the recovery of money, including a judgment for the recovery of taxes, interest from the time of the verdict or report until judgment is finally entered shall be computed by the clerk and added (THERE TO) to the judgment. The interest shall be computed as simple interest per annum. The rate of interest shall be equal to the weighted average discount yield of competitive

*bids accepted at the most recent auction of one year United States treasury bills, rounded to the nearest one-half of one percent.*

*On or before the 20th day of each month the state court administrator shall determine the rate from the most recent release of the board of governors of the federal reserve system and communicate this rate to the clerks of court for their use in computing interest on verdicts. This rate shall be the interest rate on verdicts rendered during the succeeding month.*

Sec. 2. Minnesota Statutes 1978, Section 550.36, is amended to read:

550.36 [STAY OF EXECUTION ON MONEY JUDGMENT.] Execution of a judgment for the payment of money only shall be stayed for six months if, within ten days after the entry thereof, the judgment debtor shall file with the clerk a bond, running to the judgment creditor, his personal representatives and assigns, in double the amount of the judgment, to be approved by the court, and conditioned for the payment of the judgment, with interest (AT THE RATE OF EIGHT PERCENT PER ANNUM) during the time for which the stay is granted. *Interest shall be computed in the same manner and at the same rate provided for interest on verdicts in section 549.09 and shall apply to stays granted in the month succeeding the month in which the rate is computed.* Within two days thereafter notice that such bond has been filed, with a copy of the same, shall be served on the judgment creditor, if he be a resident of the county, or upon his agent or attorney, if he have one, and the judgment creditor may except to the sufficiency of the bond; and, upon his application upon notice or order to show cause, the court, if it find the bond insufficient, may order execution to issue notwithstanding the same, unless the judgment debtor give such further bond as it shall deem sufficient. If the condition of any such bond be not performed, the execution shall issue for the amount of the judgment, with interest and costs, against the judgment debtor and the sureties. When an execution issues against sureties the officer shall certify in his return what amount, if any, was collected from them and the date thereof. If a stay be granted after execution issued, any levy made thereon shall be released and the execution shall be returned and the reason noted by the officer."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

S. F. No. 20, A bill for an act relating to metropolitan government; fixing the revenues of the metropolitan sports facilities

commission; repealing the commission liquor tax authority; amending Minnesota Statutes 1978, Section 473.581; repealing Minnesota Statutes 1978, Section 473.591.

Reported the same back with the following amendments:

Page 9, after line 25, insert:

*"Sec. 2. This act is effective in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."*

Renumber the remaining section accordingly.

With the recommendation that when so amended the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

S. F. No. 198, A bill for an act relating to professional corporations; clarifying the kinds of professional services which may be rendered; permitting pharmacists to organize professional corporations; allowing nonprofessionals to hold certain corporate offices and positions; providing for reconstitution of corporate powers and privileges; amending Minnesota Statutes 1978, Sections 319A.02, Subdivision 2; 319A.12, by adding a subdivision; 319A.15; and 319A.16.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 52, 189, 451, 479, 521, 656 and 677 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 20 and 198 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Prahl, Wenzel, Blatz, Brinkman and Anderson, D., introduced:

H. F. No. 871, A bill for an act relating to insurance; regulating cancellation of insurance policies; amending Minnesota Statutes 1978, Sections 65B.15, by adding a subdivision; and 65B.16; repealing Minnesota Statutes 1978, Section 65B.15, Subdivision 2.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Enebo, Kroening, Greenfield and Swanson introduced:

H. F. No. 872, A bill for an act relating to the state building code; restricting statewide application of certain provisions; requiring builders to construct homes in compliance with the building code; permitting the use of ungraded Minnesota lumber in certain jurisdictions; providing for courses on lumber grading; providing tuition reimbursement and per diem for building officials; providing for notations in deeds; appropriating money; amending Minnesota Statutes 1978, Sections 16.851; 16.861, Subdivisions 1 and 4, and by adding a subdivision; 16.866, Subdivision 1; 327A.01, Subdivision 2; 327A.02, Subdivision 1; repealing Laws 1978, Chapter 786, Section 22.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kroening introduced:

H. F. No. 873, A bill for an act relating to correction and improvement of state laws; establishing a Minnesota law revision council; prescribing its duties and functions; appropriating money.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kroening; Sieben, H.; Patton and Friedrich introduced:

H. F. No. 874, A bill for an act relating to state government; changing certain administrative procedures; amending Minnesota Statutes 1978, Sections 15.0411, Subdivision 2; 15.0412, Subdivisions 2, 4, 5, and by adding subdivisions; 15.0413, Subdivisions 1 and 2; 15.0418; 15.0419, Subdivisions 1, 2, and 4; 15.0421; 15.0422; 15.0424, Subdivisions 1, 2, and 6; 15.0425; 15.0426; and 15.052, Subdivisions 1, 2, 3, 4, 5, 7, 8 and 9; repealing Minnesota Statutes 1978, Sections 5.21, and 15.0423.

The bill was read for the first time and referred to the Committee on Governmental Operations.



Sieben, M., introduced :

H. F. No. 875, A bill for an act relating to insurance; providing for coverage of certain medical benefits under automobile insurance policies; amending Minnesota Statutes 1978, Section 65B.44, Subdivision 2.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Prahl, Enebo, Simoneau, Faricy and Anderson, I., introduced :

H. F. No. 876, A bill for an act relating to peace officers benefits; making certain deaths by heart attack compensable; amending Minnesota Statutes 1978, Section 352E.04.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kelly introduced :

H. F. No. 877, A bill for an act relating to insurance premium finance companies; authorizing finance charges at rates permitted by the general usury provisions; amending Minnesota Statutes 1978, Section 59A.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Berkelman, Jaros, Munger and Lehto introduced :

H. F. No. 878, A bill for an act relating to the city of Duluth; fixing the expiration of a city sales tax; removing a report requirement; amending Laws 1977, Chapter 438, Section 2; repealing Laws 1977, Chapter 438, Section 1, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Dempsey; Anderson, B.; Welker; Wenzel and Ludeman introduced :

H. F. No. 879, A bill for an act relating to retirement; disposition of state police aid to municipalities and counties; amending Minnesota Statutes 1978, Section 69.031, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Greenfield, Jaros, Laidig, Jennings and Long introduced:

H. F. No. 880, A bill for an act relating to building codes; defining "earth sheltered" construction; requiring modification of zoning and building codes and ordinances so as to allow earth sheltered construction; appropriating funds; amending Minnesota Statutes 1978, Sections 394.22, by adding a subdivision; 394.25, Subdivision 3; 394.27, Subdivision 7; 462.352, by adding a subdivision; and 462.357, Subdivisions 1 and 6.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Greenfield, Jude, Laidig, Lehto and Kelly introduced:

H. F. No. 881, A bill for an act relating to landlords and tenants; requiring extended termination notices for long-term residential tenants; amending Minnesota Statutes 1978, Section 504.06; and Chapter 504, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Begich, Elioff and Battaglia introduced:

H. F. No. 882, A bill for an act relating to pollution control; establishing processing procedures for outstanding unpaid charges for solid waste management; providing for certification of certain charges to county auditors for collection of taxes upon the lands served; amending Minnesota Statutes 1978, Section 400.08.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Esau, Kalis, Drew, Erickson and Kaley introduced:

H. F. No. 883, A bill for an act relating to education; changing the method for determining the market value of agricultural lands for certain purposes; amending Minnesota Statutes 1978, Section 124.212, Subdivision 10.

The bill was read for the first time and referred to the Committee on Education.

McEachern introduced:

H. F. No. 884, A bill for an act relating to homestead exemptions; increasing the size of a homestead eligible for exemption; amending Minnesota Statutes 1978, Section 510.02.

The bill was read for the first time and referred to the Committee on Taxes.

Pehler, Novak, Dempsey, Vanasek and Peterson introduced:

H. F. No. 885, A bill for an act relating to taxation; limiting the property tax payable on class 3d property; amending Minnesota Statutes 1978, Section 273.13, Subdivision 19.

The bill was read for the first time and referred to the Committee on Taxes.

Luknic, Vanasek and Carlson, D., introduced:

H. F. No. 886, A bill for an act relating to game and fish; lowering the age for elderly taking fish without a license; amending Minnesota Statutes 1978, Section 98.47, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Pleasant, Ewald, Heinitz and Hokanson introduced:

H. F. No. 887, A bill for an act relating to commerce; registering and regulating continuing care facilities; providing a lien; providing for disclosure; providing a penalty; amending Minnesota Statutes 1978, Section 82.18.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kahn, Byrne, Kroening, Pleasant and Pehler introduced:

H. F. No. 888, A bill for an act relating to human rights; prohibiting discrimination in housing and real property on the basis of familial status or post-secondary student status; prohibiting any person from printing or causing to be printed a discriminatory advertisement; amending Minnesota Statutes 1978, Section 363.01, by adding subdivisions; 363.02, Subdivision 2; 363.03, Subdivision 2; 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 Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Hoberg and Stadum introduced:

H. F. No. 889. A bill for an act relating to taxation; income; increasing deductions allowable for losses from out-of-state property; amending Minnesota Statutes 1978, Section 290.17, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Munger, Welch, Norton, Anderson, D., and Erickson introduced:

H. F. No. 890, A bill for an act relating to transportation; appropriating money for the operation of Amtrak rail passenger service between the Twin Cities and Duluth.

The bill was read for the first time and referred to the Committee on Appropriations.

Luknic, Vanasek, Fudro, Mehrkens and Jacobs introduced:

H. F. No. 891, A bill for an act relating to motor vehicles; defining motorized bicycles; amending Minnesota Statutes 1978, Sections 168.011, Subdivision 27; 169.01, Subdivision 4a; and 171.01, Subdivision 20.

The bill was read for the first time and referred to the Committee on Transportation.

Dean; Faricy; Seiben, M.; Peterson and Carlson, D., introduced:

H. F. No. 892, A bill for an act relating to grand juries; allowing witnesses to have counsel present during grand jury proceedings; authorizing grand juries to investigate and report on the conduct of public servants.

The bill was read for the first time and referred to the Committee on Judiciary.

Reding introduced:

H. F. No. 893, A bill for an act relating to game and fish; requiring a trout stamp; providing for disposition of the proceeds; appropriating funds; amending Minnesota Statutes 1978, Section 98.46, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Reding, Anderson, B., and Nelsen, B., introduced:

H. F. No. 894, A bill for an act relating to adult vocational education; restricting tuition for adult small business management programs; appropriating money to provide adult small business management programs at additional locations; amending Minnesota Statutes 1978, Section 124.572, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Reding, Clark and Sherwood introduced:

H. F. No. 895, A bill for an act relating to highways; prohibiting the use of salt for the removal of snow and ice from highways and streets; amending Minnesota Statutes 1978, Chapter 160, by adding a section; repealing Minnesota Statutes 1978, Section 160.215.

The bill was read for the first time and referred to the Committee on Transportation.

Reding, Prah, Simoneau and Biersdorf introduced:

H. F. No. 896, A bill for an act relating to taxation; excluding sick pay from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

The bill was read for the first time and referred to the Committee on Taxes.

Luknic, Faricy, Halberg, Tomlinson and Berglin introduced:

H. F. No. 897, A bill for an act relating to taxation; income tax and property tax refund; clarifying political checkoff provisions; providing that farm loss modification is adjustment to gross income; clarifying elections and filing dates; allowing the commissioner to publish lists; providing penalties; clarifying audit procedures; amending Minnesota Statutes 1978, Sections 10A.31, Subdivision 1; 290.01, Subdivision 20; 290.032, Subdivision 4; 290.17, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.49, Subdivision 10; 290.56, Subdivision 2; 290.61; 290.92, Subdivision 23; 290A.03, Subdivisions 3, 8, and 13; 290A.06; and 290A.11, Subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Kaley, Heinitz, Berkelman, Zubay and Fudro introduced:

H. F. No. 898, A bill for an act relating to traffic regulation; allowing an authorized emergency vehicle to use an oscillating white light; amending Minnesota Statutes 1978, Section 169.55, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation.

Sherwood; Thiede; Nelsen, M.; Carlson, D., and Eken introduced:

H. F. No. 899, A bill for an act relating to natural resources; eliminating the requirement for a wild rice processor's license; amending Minnesota Statutes 1978, Section 98.46, Subdivision 18.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Heinitz, Schreiber, Valento and Pleasant introduced:

H. F. No. 900, 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 1978, Chapter 444, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Norman; Anderson, B.; Elioff; Olsen and Stowell introduced:

H. F. No. 901, A bill for an act relating to ethics in government; eliminating certain obsolete provisions relating to campaign financing; amending Minnesota Statutes 1978, Section 10A.32, Subdivision 3; repealing Minnesota Statutes 1978, Sections 10A.25, Subdivision 4; and 10A.27, Subdivision 7.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Sieben, M.; Kahn; Laidig and Searles introduced:

H. F. No. 902, A bill for an act relating to pollution; establishing noise limits for motorboats; amending Minnesota Statutes 1978, Section 361.17.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Anderson, B.; Elioff; Hoberg; Greenfield and Stowell introduced:

H. F. No. 903, A bill for an act relating to ethics in government; encouraging simplified forms for statements and reports to be filed with the ethical practices board; amending Minnesota Statutes 1978, 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.

Nelsen, M.; Munger; Minne; Carlson, D., and Murphy introduced:

H. F. No. 904, A bill for an act relating to natural resources; providing payments in lieu of taxes to counties and townships in which certain natural resources lands are located; appropriating money; amending Minnesota Statutes 1978, Section 275.51, Subdivision 3d.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Sarna introduced:

H. F. No. 905, A bill for an act relating to highways; requiring loads on dump trucks to be covered; providing a penalty; amending Minnesota Statutes 1978, Section 169.81, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

Pehler, Evans, Eken, Begich and Searle introduced:

H. F. No. 906, A bill for an act relating to taxation; increasing the maximum income tax credit for pollution control equipment; exempting pollution control equipment and materials used to operate pollution control equipment from the sales tax; providing an occupation tax credit; amending Minnesota Statutes 1978, Sections 290.06, Subdivisions 9 and 9a; 297A.25, Subdivision 1; and Chapter 298, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Reding, Patton, Moe, Biersdorf and Sarna introduced:

H. F. No. 907, A bill for an act relating to retirement; transferring the obligations and assets of the county and probate court judges survivors' account to the judges retirement fund; repealing Minnesota Statutes 1978, Section 490.12, Subdivisions 7 and 8.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Forsythe, Nysether, Tomlinson, Den Ouden, and Nelsen, M., introduced:

H. F. No. 908, A bill for an act relating to education; establishing a procedure for transferring certain territory from one school district to another; permitting a district from which territory was transferred to enroll certain students from the transferred territory under certain conditions.

The bill was read for the first time and referred to the Committee on Education.



Anderson, R.; Metzen; Welker; McDonald and Berkelman introduced:

H. F. No. 909, A bill for an act relating to commercial businesses; providing for the filing of certificates of assumed name; requiring filing with the clerk of district court instead of the secretary of state if the business is operated in only one county; amending Minnesota Statutes 1978, Sections 333.001, by adding a subdivision; 333.01; 333.02; 333.035; 333.04; and 333.055.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Nelsen, M.; Reding and Munger introduced:

H. F. No. 910, A bill for an act relating to game and fish; revocation of and ineligibility for game and fish licenses upon conviction for game and fish law violations; amending Minnesota Statutes 1978, Section 98.52, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Berkelman, Clark, Voss, Anderson, R., and Crandall introduced:

H. F. No. 911, A bill for an act relating to public welfare; establishing an allocation formula for certain social services funds distributed to counties; authorizing an additional county levy for social services under certain conditions; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Sherwood, Prah, Nysether, Rees and Nelson introduced:

H. F. No. 912, A bill for an act relating to juries; requiring the department of public safety to provide jury commissioners with drivers' license lists without fee; amending Minnesota Statutes 1978, Section 593.37, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

Biersdorf, Osthoff, Metzen, Ainley and Heap introduced:

H. F. No. 913, A bill for an act relating to small businesses; increasing state procurement from small businesses; amending Minnesota Statutes 1978, Section 16.083, Subdivisions 1 and 4.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Patton, Moe, Kaley, Biersdorf and Sarna introduced:

H. F. No. 914, A bill for an act relating to retirement; providing for continued membership in public safety employee pension funds for certain current public safety employees who may not have the power of arrest with a warrant; amending Minnesota Statutes 1978, Sections 352B.01, Subdivision 2; and 353.64, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Moe, Kaley, Biersdorf and Sarna introduced:

H. F. No. 915, A bill for an act relating to retirement; providing for a proportionate annuity at age 65 or older with one year of service; increasing the maximum earnings amount for a re-employed annuitant; amending Minnesota Statutes 1978, Sections 352.115, Subdivision 10; 353.37, Subdivision 1; 354.44, Subdivision 5; and 356.32, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jude, Wenzel, Nelsen, M., and Anderson, D., introduced:

H. F. No. 916, A bill for an act relating to education; establishing a program of tuition supplements and equivalency credits for the Minnesota national guard; appropriating money; amending Minnesota Statutes 1978, Chapter 136A, by adding sections.

The bill was read for the first time and referred to the Committee on Education. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Anderson, R.; McDonald; Evans; Valan and Friedrich introduced:

H. F. No. 917, A bill for an act relating to workers' compensation; defining "closely held corporation"; providing for coverage of certain business owners upon election; amending Minnesota Statutes 1978, Sections 176.011, by adding a subdivision; 176.012; and 176.041, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Nelsen, M.; Begich and Battaglia introduced:

H. F. No. 918, A bill for an act relating to the state building code; repealing statewide application of portions of the code; amending Minnesota Statutes 1978, Sections 16.84, Subdivision 3; 16.851, Subdivision 1; and 16.866, Subdivision 1; repealing Minnesota Statutes 1978, Sections 16.84, Subdivisions 2 and 6; 16.851, Subdivision 2; and Laws 1978, Chapter 786, Section 22.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jaros, Kahn, Casserly, McEachern and Stowell introduced:

H. F. No. 919, A bill for an act relating to education; requiring nutrition and health education as a prerequisite for certain teacher licenses; requiring the board of teaching to promulgate rules governing the prerequisite.

The bill was read for the first time and referred to the Committee on Education.

Weaver, Simoneau, McCarron and McEachern introduced:

H. F. No. 920, A bill for an act relating to highway traffic regulations; authorizing local authorities to establish speed zones upon petition; amending Minnesota Statutes 1978, Section 169.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

Weaver, Simoneau, McCarron and McEachern introduced:

H. F. No. 921, A bill for an act relating to local government; extending scope of subdivision regulations; amending Minnesota Statutes 1978, Section 462.358, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Anderson, B.; Kalis; Welch and Erickson introduced:

H. F. No. 922, A bill for an act relating to transportation; authorizing the commissioner of transportation to make grants and guarantee loans to rail users for rail facilities and equipment and certain shipping facilities, to acquire, repair and dispose of rolling stock, and to provide technical assistance to rail users; establishing a state rail bank for abandoned rail lines; establishing an advisory task force on rail service improvement; providing for interest adjustment on certain guaranteed loans; amending Minnesota Statutes 1978, Sections 222.48; 222.50, Subdivisions 3 and 6, and by adding a subdivision; 222.51; 222.53; 222.55; 222.56, Subdivision 5; 222.57; 222.58, Subdivision 2, and by adding a subdivision; and Chapter 222, by adding sections.

The bill was read for the first time and referred to the Committee on Transportation.

Moe, Novak, Crandall, Nelson and Drew introduced:

H. F. No. 923, A bill for an act relating to the operation of state government; establishing a council on the administration of criminal justice; providing for study and investigation of alternative proposals for the administration of criminal justice; appropriating money.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Sherwood, Reding, Kalis, Anderson, R., and Wieser introduced:

H. F. No. 924, A bill for an act relating to commerce; regulating conduct of business under assumed business names; amending Minnesota Statutes 1978, Sections 301.09; 333.01; 333.04; 333.06; and Chapter 333, by adding sections; repealing Minnesota Statutes 1978, Sections 333.001; 333.035; and 333.055.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Evans, Pehler, Dempsey, Friedrich and Sieben, H., introduced:

H. F. No. 925, A bill for an act relating to taxation; providing that certain income tax credits for contributions may be carried forward; amending Minnesota Statutes 1978, Section 290.21, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Nelsen, M.; Long and Lehto introduced:

H. F. No. 926, A bill for an act relating to taxation; providing an income tax credit for members of the reserve components of the armed forces of the United States; amending Minnesota Statutes 1978, Section 290.06, Subdivision 12.

The bill was read for the first time and referred to the Committee on Taxes.

Sieben, H., introduced:

H. F. No. 927, A bill for an act relating to the supreme court; permitting more than one retired supreme court justice or district court judge at a time to act as a justice of the supreme court; amending Minnesota Statutes 1978, Section 2.724, Subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Reding, Patton, Biersdorf, Kaley and Moe introduced:

H. F. No. 928, A bill for an act relating to retirement; volunteer firefighters' relief associations and independent nonprofit firefighting corporations; providing for a flexible statutory service pension maximum; revising the administration of the fire state aid program; transferring the financial examination, regulatory, supervisory and enforcement functions of the police and fire state aid program to the state auditor; providing a procedure for the recognition of a funding surplus in the calculation of the financial requirements of a relief association and the minimum obligation of a municipality; clarifying the calculation of the time period for the amortization of unfunded accrued liabilities of volunteer firefighters' relief associations; clarifying and updating various ambiguous and obsolete provisions regarding the fire state aid program, the authorization of retirement benefits for volunteer firefighters and the mandated guidelines for the financing of volunteer firefighters' relief associations; amending Minnesota Statutes 1978, Sections 69.011, Subdivisions 1, 2, 3 and 5; 69.021, Subdivisions 1, 2, 4, 5, 6, 7 and 9; 69.031, Subdivisions 1, 3, 4, 5 and 6; 69.051, Subdivisions 1, 2, 3 and 4; 69.77, Subdivision 1; 69.771; 69.772, Subdivisions 1, 2, 3, 4, 5, 6, and by adding a subdivision; 69.773; and 69.774; and Laws 1963, Chapter 429, Section 1; Laws 1967, Chapter 829, Section 1; Laws 1969, Chapter 664, Section 1; Laws 1971, Chapters 114, Section 10; 127, Section 1; and 214, Sections 1, as amended, and 2; Laws 1973, Chapters 304, Section 4; and 472, Section 1, as amended; Laws 1975, Chapter 237, Sections 1 and 2; Laws 1976, Chapter 209, Section 1; Laws 1978, Chapter 685, Sections 1 and 4; repealing Minnesota Statutes 1978, Sections 69.011, Subdivision 4; 69.04; 69.055; 69.06; 69.22; 69.23; 69.24; 69.66; 69.67; 69.68; 69.691; 424.30; and 424.31; Laws 1959, Chapter 324; Laws 1965, Chapters 592, Section 1; and 598, Section 1,

Subdivision 1; Laws 1967, Chapters 575, Section 1; 742, Section 1, Subdivision 1; 815, Sections 1 and 2, Subdivision 1; and 831; Laws 1969, Chapters 252, Section 1, Subdivisions 1 and 2; 526, Sections 1 and 2; 530; 644, Section 1; 714; 719, Section 1; 877; 1088, Section 2, Subdivision 1; and 1105, Sections 1, 2 and 3; Laws 1971, Chapters 2; 114, Section 3, Subdivision 2; 140, Section 1; 184, Section 1, Subdivisions 1 and 2; 200; and 233; Laws 1973, Chapters 30, Section 1, Subdivision 1; 33; 166; 170; 173; 175; 181; 182; 280; 283, Section 1; 288; 304, Section 1, Subdivision 2; 311; 464; and 472; Laws 1974, Chapters 112; and 208, Section 1; Laws 1975, Chapters 36; 43; 117; 118; 119; 124; 125; 178; 197; 229, Section 1; 306, Section 33, Subdivisions 1 and 2; and 367; Laws 1976, Chapters 71; 97; 100; 206; 208; 214; 267; 272, Section 2; and 288, Section 1; Laws 1977, Chapters 294; and 295; Laws 1978, Chapters 599, Section 1, Subdivisions 2 and 3; 606; 617, Section 1; 622; 631; 673; 683, Sections 1 and 2, Subdivision 1; 753; Section 2, Subdivisions 1 and 1a; and 754.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wieser; Anderson, R.; Olsen; Sieben, M., and Murphy introduced:

H. F. No. 929, A bill for an act relating to real estate brokers and salespersons; regulating the real estate education, research and recovery fund; setting fees; providing guidelines for the amount of the recovery portion of the fund and for paying claims; amending Minnesota Statutes 1978, Section 82.34.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Weaver, Rose, McEachern and Levi introduced:

H. F. No. 930, A bill for an act relating to education; establishing primary grade instructional improvement programs; appropriating money; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Prahl, by request, introduced:

H. F. No. 931, A bill for an act relating to the Eastern Itasca and Greenway Joint Recreation Boards; regulating their tax levies.

The bill was read for the first time and referred to the Committee on Taxes. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

## 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. 3, A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

H. F. No. 9, A bill for an act relating to education; authorizing the pairing of certain independent school districts; extending the time for pairing; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.

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. No. 72, 207, 218 and 484.

PATRICK E. FLAHAVEN, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 72, A bill for an act relating to elections; providing for the official identification of ballots; amending Minnesota Statutes 1978, Sections 123.11, Subdivision 4; 123.32, Subdivision 5; 203A.13; 203A.15; 204A.26, Subdivision 1; 204A.31; 204A.32, Subdivision 3; and 206.17.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 207, A bill for an act relating to transportation; authorizing the commissioner of transportation to enter into an agreement with the state of Iowa for the construction and improvement of a short segment of highway within the state of Iowa to connect a trunk highway with the highway system of that state; providing for the payment of the costs therefor.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 218, A bill for an act relating to game and fish; authorizing exporting of leeches; time for possession of certain equipment usable in taking fish; amending Minnesota Statutes 1978, Sections 97.45, Subdivision 15; and 101.42, Subdivision 18.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 484, A bill for an act relating to elections; requiring recounts in county, municipal and school district elections under certain circumstances; setting a time limit for appeal of a district court determination in a school district election contest; amending Minnesota Statutes 1978, Chapter 204A, by adding a section; Sections 123.32, Subdivision 25, and by adding a subdivision; 205.11, by adding a subdivision; and 205.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

### CONSENT CALENDAR

H. F. No. 297, A bill for an act relating to the city of Chisholm; exempting volunteer firefighters from civil service commission jurisdiction.

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:

Aasness	Drew	Kahn	Niehaus	Sieben, H.
Adams	Eken	Kaley	Norman	Sieben, M.
Ainley	Elioff	Kalis	Norton	Simoneau
Albrecht	Enebo	Kempe	Novak	Stoa
Anderson, B.	Erickson	Knickerbocker	Nysether	Stowell
Anderson, D.	Esau	Kroening	Olsen	Sviggum
Anderson, G.	Evans	Kvam	Onnen	Swanson
Anderson, I.	Ewald	Laidig	Osthoff	Thiede
Anderson, R.	Faricy	Lehto	Otis	Tomlinson
Battaglia	Fjoslien	Levi	Pavlak	Valento
Begich	Forsythe	Long	Pehler	Vanasek
Berglin	Friedrich	Ludeman	Peterson	Voss
Berkelman	Fritz	Luknic	Piepho	Waldorf
Blatz	Fudro	Mann	Pleasant	Weaver
Brinkman	Greenfield	McCarron	Prahl	Welch
Byrne	Halberg	McEachern	Redalen	Welker
Carlson, D.	Haukoos	Mehrkens	Reding	Wenzel
Carlson, L.	Heap	Metzen	Rees	Wieser
Clark	Heinitz	Minne	Reif	Wigley
Clawson	Hoberg	Moe	Rice	Wynia
Corbid	Hokanson	Munger	Rose	Speaker Searle
Crandall	Jacobs	Murphy	Rothenberg	
Dean	Jaros	Nelsen, B.	Sarna	
Dempsey	Johnson, D.	Nelsen, M.	Schreiber	
Den Ouden	Jude	Nelson	Sherwood	

The bill was passed and its title agreed to.



H. F. No. 370, A bill for an act relating to hospitals; providing for payment of election judges; providing hospital board members with travel and other expenses incurred in the performance of their duties; authorizing hospital boards to set compensation for board members; amending Minnesota Statutes 1978, Section 447.32, Subdivision 4, 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 111 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Nelson, M.	Searles
Ainley	Elioff	Kaley	Nelson	Sieben, H.
Anderson, B.	Enebo	Kalis	Niehaus	Sieben, M.
Anderson, D.	Erickson	Kelly	Norman	Stadum
Anderson, G.	Esau	Kempe	Norton	Stoa
Anderson, I.	Evans	Knickerbocker	Novak	Swanson
Anderson, R.	Faricy	Kroening	Nysether	Tomlinson
Battaglia	Fjoslien	Laidig	Onnen	Valento
Begich	Forsythe	Lehto	Osthoff	Vanasek
Berglin	Friedrich	Levi	Otis	Voss
Berkelman	Fritz	Long	Pavlak	Waldorf
Blatz	Fudro	Ludeman	Pehler	Weaver
Brinkman	Greenfield	Luknic	Peterson	Welch
Byrne	Halberg	Mann	Piepho	Welker
Carlson, D.	Haukoos	McCarron	Pleasant	Wenzel
Carlson, L.	Heap	McEachern	Prahl	Wigley
Casserly	Hoberg	Mehrkens	Redalen	Wynia
Clark	Hokanson	Metzen	Reding	Zubay
Clawson	Jacobs	Minne	Reif	Speaker Searle
Corbid	Jaros	Moe	Rice	
Crandall	Jennings	Munger	Rose	
Dean	Johnson, D.	Murphy	Sarna	
Dempsey	Jude	Nelsen, B.	Schreiber	

Those who voted in the negative were:

Albrecht	Ewald	McDonald	Sherwood	Thiede
Den Ouden	Heinitz	Rees	Stowell	Wieser
Drew	Kvam	Rothenberg	Sviggum	

The bill was passed and its title agreed to.

H. F. No. 493, A bill for an act relating to the city of Bemidji; authorizing the issuance of bonds authorized at a special election.

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kroening	Olsen	Sviggum
Anderson, R.	Ewald	Kvam	Onnen	Swanson
Battaglia	Faricy	Laidig	Osthoff	Thiede
Begich	Fjoslien	Lehto	Otis	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Blatz	Fritz	Ludeman	Peterson	Vanasek
Brinkman	Fudro	Luknic	Piepho	Waldorf
Byrne	Greenfield	Mann	Pleasant	Weaver
Carlson, D.	Halberg	McCarron	Prahl	Welch
Carlson, L.	Haukoos	McDonald	Redalen	Welker
Casserly	Heap	McEachern	Reding	Wenzel
Clark	Heinitz	Mehrkens	Rees	Wieser
Clawson	Hoberg	Metzen	Reif	Wigley
Corbid	Hokanson	Minne	Rice	Wynia
Crandall	Jacobs	Moe	Rose	Zubay
Dean	Jaros	Munger	Rothenberg	Speaker Searle
Dempsey	Jennings	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 642, A bill for an act relating to commerce; providing attendant services at certain gasoline stations.

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 6 nays as follows:

Those who voted in the affirmative were:

Aasness	Corbid	Heap	Mann	Otis
Adams	Crandall	Heinitz	McCarron	Pavlak
Ainley	Dempsey	Hoberg	McDonald	Pehler
Anderson, B.	Drew	Hokanson	McEachern	Peterson
Anderson, D.	Eken	Jacobs	Mehrkens	Piepho
Anderson, G.	Elioff	Jaros	Minne	Pleasant
Anderson, I.	Ellingson	Jennings	Minne	Prahl
Anderson, R.	Enebo	Johnson, D.	Moe	Redalen
Battaglia	Erickson	Jude	Munger	Reding
Begich	Esau	Kahn	Murphy	Rees
Berglin	Evans	Kaley	Nelsen, M.	Reif
Berkelman	Ewald	Kalis	Nelson	Rice
Blatz	Faricy	Kelly	Niehaus	Rothenberg
Brinkman	Fjoslien	Kempe	Norman	Sarna
Byrne	Forsythe	Kroening	Norton	Searles
Carlson, D.	Fritz	Laidig	Novak	Sherwood
Carlson, L.	Fudro	Lehto	Nysether	Sieben, H.
Casserly	Greenfield	Levi	Olsen	Sieben, M.
Clark	Halberg	Long	Onnen	Simoneau
Clawson	Haukoos	Luknic	Osthoff	Stadum

Stoa	Thiede	Waldorf	Wenzel	Zubay
Stowell	Valan	Weaver	Wieser	Speaker Searle
Sviggum	Valento	Welch	Wigley	
Swanson	Voss	Welker	Wynia	

Those who voted in the negative were:

Dean	Nelsen, B.	Rose	Tomlinson	Vanasek
Den Ouden				

The bill was passed and its title agreed to.

### CALENDAR

H. F. No. 360, A bill for an act relating to commerce; extending an exception for certain loans from the usury laws; amending Minnesota Statutes 1978, Section 334.01, 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 101 yeas and 26 nays as follows:

Those who voted in the affirmative were:

Aasness	Ellingson	Knickerbocker	Olsen	Stowell
Adams	Erickson	Kvam	Onnen	Sviggum
Ainley	Esau	Laidig	Otis	Thiede
Albrecht	Evans	Lehto	Pavlak	Tomlinson
Anderson, B.	Ewald	Levi	Pehler	Valan
Anderson, D.	Fjoslien	Ludeman	Peterson	Valento
Anderson, R.	Forsythe	Luknic	Piepho	Vanasek
Battaglia	Friedrich	Mann	Pleasant	Voss
Begich	Fudro	McCarron	Redalen	Waldorf
Berkelman	Halberg	McDonald	Reding	Weaver
Blatz	Haukoos	McEachern	Rees	Welch
Brinkman	Heap	Mehrkens	Reif	Welker
Carison, D.	Heinitz	Metzen	Rose	Wenzel
Clark	Hoberg	Moe	Rothenberg	Wieser
Clawson	Jennings	Murphy	Sarna	Wigley
Crandall	Johnson, D.	Nelsen, B.	Schreiber	Zubay
Dean	Jude	Nelsen, M.	Searles	Speaker Searle
Dempsey	Kaley	Niehau	Sherwood	
Den Ouden	Kalis	Norman	Sieben, M.	
Drew	Kelly	Norton	Simoneau	
Elioff	Kempe	Nysether	Stadum	

Those who voted in the negative were:

Anderson, G.	Corbid	Jacobs	Novak	Swanson
Anderson, I.	Eken	Jaros	Osthoff	Wynia
Berglin	Enebo	Kahn	Frahl	
Byrne	Faricy	Kroening	Rice	
Carlson, L.	Fritz	Long	Sieben, H.	
Casserly	Greenfield	Minne	Stoa	

The bill was passed and its title agreed to.

H. F. No. 99, A bill for an act relating to criminal procedure; providing immunity from liability for peace officers who make good faith domestic assault arrests; amending Minnesota Statutes 1978, Section 629.341.

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 114 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kaley	Nelson	Searles
Adams	Eken	Kalis	Niehaus	Sherwood
Ainley	Elioff	Kelly	Norman	Simoneau
Anderson, B.	Ellingson	Kempe	Novak	Stoa
Anderson, D.	Enebo	Knickerbocker	Nysether	Stowell
Anderson, G.	Erickson	Kroening	Olsen	Sviggum
Anderson, I.	Esau	Kvam	Onnen	Swanson
Anderson, R.	Evans	Laidig	Osthoff	Thiede
Battaglia	Ewald	Lehto	Otis	Tomlinson
Begich	Fjoslien	Levi	Pavlak	Valan
Berglin	Forsythe	Long	Pehler	Valento
Berkelman	Friedrich	Ludeman	Peterson	Vanasek
Blatz	Fritz	Luknic	Piepho	Waldorf
Brinkman	Fudro	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McDonald	Prahl	Welch
Carlson, L.	Heap	McEachern	Redalen	Welker
Cassery	Heinitz	Mehrkens	Reding	Wenzel
Clark	Hoberg	Metzen	Rees	Wieser
Clawson	Hokanson	Minne	Reif	Wigley
Corbid	Jacobs	Munger	Rose	Wynia
Crandall	Jennings	Murphy	Rothenberg	Zubay
Dean	Johnson, D.	Nelsen, B.	Sarna	Speaker Searle
Den Ouden	Jude	Nelsen, M.	Schreiber	

Those who voted in the negative were:

Albrecht	Faricy	Jaros	Norton	Sieben, M.
Byrne	Greenfield	Kahn	Rice	Voss
Dempsey	Halberg	Moe	Sieben, H.	

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 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. No. 643 which it recommended to pass as amended by the Committee of the Whole on Monday, March 12, 1979.

H. F. Nos. 396, 638, 487 and 534 which it recommended to pass.

S. F. Nos. 327 and 254 which it recommended progress.

H. F. Nos. 206 and 486 which it recommended progress.

H. F. No. 229 which it recommended to pass with the following amendment offered by Kvam:

Page 3, line 9, delete "90 days" insert "six months"

Page 3, line 14, delete "90 days" insert "six months"

H. F. No. 610 which it recommended to pass with the following amendment offered by Halberg and as amended by Lehto:

Page 1, lines 12 and 13 after "(b)" delete "each party has" insert "the parties have"

Page 2, line 5, delete "at least 30 days"

Page 2, line 5, after "prior to" insert "the day of"

H. F. No. 568 which it recommended to pass with the following amendment offered by Hokanson:

Page 2, line 1, after "resolution" insert "and with written notice to each state agency that will be affected"

On the motion of Sieben, H., 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 McDonald motion to re-refer H. F. No. 643 to the Committee on Judiciary and the roll was called. There were 28 yeas and 99 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Fritz	Kroening	Onnen
Ainley	Drew	Halberg	Ludeman	Piepho
Albrecht	Esau	Johnson, D.	McDonald	Rees
Dempsey	Fjoslien	Kempe	Niehaus	Reif

Searles	Svigum	Valan	Welker	Wieser
Sherwood	Thiede	Valento		

Those who voted in the negative were:

Adams	Dean	Jennings	Murphy	Schreiber
Anderson, B.	Eken	Jude	Nelsen, B.	Sieben, H.
Anderson, D.	Elioff	Kahn	Nelsen, M.	Sieben, M.
Anderson, G.	Ellingson	Kaley	Nelson	Simoneau
Anderson, I.	Enebo	Kalis	Norman	Stadum
Anderson, R.	Erickson	Knickerbocker	Norton	Stoa
Battaglia	Evans	Kvam	Novak	Stowell
Begich	Ewald	Laidig	Nysether	Swanson
Berglin	Faricy	Lehto	Olsen	Tomlinson
Berkelman	Forsythe	Levi	Osthoff	Vanasek
Blatz	Friedrich	Long	Otis	Voss
Brinkman	Fudro	Luknic	Pehler	Waldorf
Byrne	Greenfield	Mann	Peterson	Weaver
Carlson, D.	Haukoos	McCarron	Pleasant	Welch
Carlson, L.	Heap	McEachern	Prahl	Wenzel
Casserly	Heinitz	Mehrkens	Reding	Wigley
Clark	Hoberg	Metzen	Rice	Wynia
Clawson	Hokanson	Minne	Rose	Zubay
Corbid	Jacobs	Moe	Rothenberg	Speaker Searle
Crandall	Jaros	Munger	Sarna	

The motion did not prevail.

Sherwood moved to amend H. F. No. 643 as follows:

Strike everything after the enacting clause and insert

"Section 1. Laws 1978, Chapter 772, is repealed. The sections of Minnesota Statutes amended or repealed by that act are reenacted in the form in which they appeared in Minnesota Statutes 1976 and Minnesota Statutes, 1977 Supplement.

Sec. 2. This act is effective the day after final enactment."

Further, strike the title and insert

"A bill for an act relating to marriage and divorce; restoring various provisions altered by prior law; repealing Laws 1978, Chapter 772."

The question was taken on the adoption of the amendment and the roll was called. There were 48 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Aasness	Blatz	Esau	Jude	McEachern
Ainley	Carlson, D.	Fjoslien	Kalis	Niehaus
Albrecht	Dempsey	Fritz	Kempe	Nysether
Anderson, D.	Den Ouden	Halberg	Kroening	Olsen
Anderson, R.	Drew	Hoberg	Kvam	Onnen
Battaglia	Elioff	Jennings	Ludeman	Pavlak
Begich	Erickson	Johnson, D.	McDonald	Piepho

Redalen	Sherwood	Valan	Welker	Wigley
Reif	Sviggum	Valento	Wenzel	
Rose	Thiede	Weaver	Wieser	

Those who voted in the negative were:

Adams	Ellingson	Kaley	Nelson	Sieben, M.
Anderson, B.	Enebo	Knickerbocker	Norman	Simoneau
Anderson, G.	Evans	Laidig	Norton	Stadum
Anderson, I.	Ewald	Lehto	Novak	Stoa
Berglin	Farcy	Levi	Osthoff	Stowell
Berkelman	Forsythe	Long	Otis	Swanson
Brinkman	Friedrich	Luknic	Pehler	Tomlinson
Byrne	Fudro	Mann	Peterson	Vanasek
Carlson, L.	Greenfield	McCarron	Pleasant	Voss
Casserly	Haukoos	Mehrkens	Prahl	Waldorf
Clark	Heap	Metzen	Rees	Welch
Clawson	Heinritz	Minne	Rice	Wynia
Corbid	Hokanson	Moe	Rothenberg	Zubay
Crandall	Jacobs	Munger	Sarna	Speaker Searle
Dean	Jaros	Murphy	Schreiber	
Eken	Kahn	Nelsen, B.	Sieben, H.	

The motion did not prevail and the amendment was not adopted.

### MOTIONS AND RESOLUTIONS

Corbid moved that the name of Otis be added as an author on H. F. No. 799. The motion prevailed.

Pleasant moved that the name of Swanson be added as an author on H. F. No. 423. The motion prevailed.

Rothenberg moved that the names of Jaros and Nelson be added as authors on H. F. No. 658. The motion prevailed.

Kroening moved that the name of Hokanson be added as an author on H. F. No. 874. The motion prevailed.

Nelsen, M., moved that the name of Prahl be added as an author on H. F. No. 918. The motion prevailed.

Luknic moved that the name of Long be added as an author on H. F. No. 886. The motion prevailed.

Nelsen, M., moved that the name of Long be added as an author on H. F. No. 910. The motion prevailed.

McEachern moved that the name of Jude be added as an author on H. F. No. 884. The motion prevailed.

Vanasek moved that his name be stricken as an author on H. F. No. 886. The motion prevailed.

Berkelman, Jaros, Murphy and Munger introduced:

House Resolution No. 13, A house resolution congratulating the Duluth Central High School Trojans on winning the State AA basketball championship.

The resolution was referred to the Committee on Rules and Legislative Administration.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 22, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 22, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives





## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## TWENTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 22, 1979

The House of Representatives convened at 2:00 p.m. and was called to order by Speaker pro tem Heinitz.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Aasness	Elioff	Kaley	Niehaus	Sherwood
Adams	Ellingson	Kalis	Norman	Sieben, H.
Ainley	Enebo	Kelly	Norton	Sieben, M.
Albrecht	Erickson	Kempe	Novak	Simoneau
Anderson, D.	Esau	Knickerbocker	Nysether	Stadum
Anderson, R.	Evans	Kostohryz	Olsen	Stoa
Battaglia	Ewald	Kroening	Onnen	Stowell
Begich	Faricy	Kvam	Osthoff	Sviggum
Berglin	Fjoslien	Laidig	Otis	Swanson
Berkelman	Forsythe	Lehto	Patton	Thiede
Biersdorf	Friedrich	Levi	Pavlak	Tomlinson
Blatz	Fritz	Long	Pehler	Valan
Brinkman	Fudro	Ludeman	Peterson	Valento
Byrne	Greenfield	McCarron	Piepho	Vanasek
Carlson, D.	Halberg	McDonald	Pleasant	Voss
Carlson, L.	Haukoos	McEachern	Prahl	Waldorf
Casserly	Heap	Mehrkens	Redalen	Weaver
Clark	Heinitz	Metzen	Reding	Welch
Clawson	Hoberg	Minne	Rees	Welker
Corbid	Hokanson	Moe	Reif	Wenzel
Crandall	Jacobs	Munger	Rice	Wieser
Dean	Jennings	Murphy	Rothenberg	Wigley
Dempsey	Johnson, D.	Nelsen, B.	Sarna	Wynia
Den Ouden	Jude	Nelsen, M.	Schreiber	Zubay
Drew	Kahn	Nelson	Searles	Speaker Searle

A quorum was present.

Anderson, B.; Anderson, G.; Anderson, I.; Eken; Jaros; Johnson, C.; Luknic; Mann and Rose were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson 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. 656, 229, 451, 479, 521, 677, 52, 568, 610 and 189 and S. F. Nos. 72, 218, 207, 484 and 20 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

March 16, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
231		2	March 16	March 16
88		3	March 16	March 16
92		4	March 16	March 16
187		5	March 16	March 16
388		6	March 16	March 16

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

## REPORTS OF STANDING COMMITTEES

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 60, A bill for an act relating to natural resources; modifying certain trespass laws; amending Minnesota Statutes 1978, Section 100.273, Subdivisions 1 and 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 100.273, Subdivision 1, is amended to read:

100.273 [TRESPASS.] Subdivision 1. For purposes of this section, “agricultural lands” mean lands (BEING USED TO RAISE AGRICULTURAL PRODUCTS) *containing plowed or tilled fields, standing crops or their residues, or lands containing a maintained fence for the purpose of enclosing domestic livestock, except lands used while on foot within (66) 33 feet of the water's edge of streams or lakes.*”

Amend the title as follows:

Page 1, line 4, delete “Subdivisions” and insert “Subdivision”

Page 1, line 4, delete “and 2”

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. 67, A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch No. 27; setting limits for the expenditure of money for the improvement thereof; providing for the financing thereof; amending Laws 1975, Chapter 249, Section 1, Subdivision 1, as amended; and Section 2, as amended.

Reported the same back with the following amendments:

Page 1, line 20, delete “\$235,000” and insert “\$250,000”

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. 152, A bill for an act relating to transportation; authorizing the commissioner of transportation to enter into an agreement with the state of Iowa for the construction and improvement of a short segment of highway within the state of Iowa to connect a truck highway with the highway system of that state; providing for the payment of the costs therefor.

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. 191, A bill for an act relating to state lands; providing for the lease of certain lands to the city of Hastings.

Reported the same back with the following amendments:

Page 1, line 7, delete "lease" and insert "convey"

Page 1, line 9, delete "for 99 years"

Page 1, line 10, delete "lease" and insert "conveyance"

Page 1, line 12, delete "leased" and insert "conveyed"

Page 2, after line 5, insert:

"Sec. 2. If the department of veterans affairs determines that any property in the city of Hastings, presently used for the Minnesota veterans home, is no longer needed for that purpose the commissioner of veterans affairs shall inform the commissioner of administration and the city of Hastings. If the city decides that it has use for all or part of the land it shall inform the commissioner of administration. The commissioner of administration shall then convey, in the form approved by the attorney general, the land requested by the city of Hastings."

Amend the title as follows:

Page 1, line 2, delete "lease" and insert "conveyance"

With the recommendation that when so amended the bill pass.

The report was adopted.

Tomlinson from the Committee on Taxes to which was referred:

H. F. No. 214, A bill for an act relating to taxation; excise tax on intoxicating liquor and malt beverages; providing for a refund of taxes paid if product is destroyed upon an agency order; appropriating money; amending Minnesota Statutes 1978, Chapter 340, by adding a section.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Nelson from the Committee on Education to which was referred:

H. F. No. 270, A bill for an act relating to education; changing definition of textbook to include certain text substitutes; amending Minnesota Statutes 1978, Section 123.932, Subdivision 1b.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 279, A bill for an act relating to the county of St. Louis; providing rights to suspended classified service employees; amending Laws 1941, Chapter 423, Section 22.

Reported the same back with the following amendments:

Page 3, after line 9, insert a section.

*"Sec. 2. This act is effective 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.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 356, A bill for an act relating to the city of Bloomington; authorizing additional on-sale liquor licenses.

Reported the same back with the following amendments:

Page 1, delete lines 13 to 15 and insert the following:

"Sec. 2. This act is effective only upon its approval by a majority of the voters of the city of Bloomington voting on the question at any regular city election or special election, 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.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 389, A bill for an act relating to towns; removing certain levy limitations; amending Minnesota Statutes 1978, Section 164.041; repealing Minnesota Statutes 1978, Section 275.10.

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. 515, A bill for an act relating to motor vehicles; defining the gross weight of a wrecker for the purposes of registration and taxation; amending Minnesota Statutes 1978, Sections 168.011, Subdivision 16; and 168.013, Subdivision 3.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 589, A bill for an act relating to the organization of state government; creating a governor's council on fire prevention and control; superseding an executive order agency; appropriating money.

Reported the same back with the following amendments:

Page 1, line 12, before "Members" insert "Ten"

Page 1, line 16, after the period insert "Five members shall be public members, as defined in Minnesota Statutes, Section 214.02. Members shall be representative of all geographic areas of the state."

Page 3, line 7, after "order" insert "79-6" and delete "December 15, 1978" and insert "February 23, 1979"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Tomlinson from the Committee on Taxes to which was referred:

H. F. No. 633, A bill for an act relating to taxation; repealing the termination date for a law denying tax deductions relating to substandard housing; amending Laws 1975, Chapter 226, Section 4.

Reported the same back with the following amendments:

Page 1, lines 11 and 12, after "1975" reinstate "(AND SHALL, UNLESS REENACTED, EXPIRE AFTER THE TAXABLE YEAR ENDING DECEMBER)"

Page 1, line 13, reinstate "(31,)" and after "(1979)" insert "1981"

Amend the title as follows:

Page 1, line 2, delete "repealing" and insert "extending"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 658, A bill for an act relating to corrections; providing for rehabilitation services for battered women and the development of model treatment and therapy programs for their violent partners; amending Minnesota Statutes 1978, Sections 241.62, Subdivisions 1 and 4; and 241.64, 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.



Mann from the Committee on Agriculture to which was referred:

H. F. No. 768, A bill for an act relating to agriculture; changing certain fees and expenses; eliminating certain bonding requirements; adopting certain federal food regulations; amending Minnesota Statutes 1978, Sections 17B.13, Subdivision 1; 21.54, Subdivisions 2 and 3; 24.25, Subdivision 2; and 31.101, Subdivision 8; repealing Minnesota Statutes 1978, Sections 17B.08; 17B.09; and 21.114.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Tomlinson from the Committee on Taxes to which was referred:

S. F. No. 39, A bill for an act relating to taxation; authorizing the commissioner of revenue to publish lists of persons having unclaimed income tax refunds or property tax refund; amending Minnesota Statutes 1978, Section 290.61.

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:

S. F. No. 57, A bill for an act relating to insurance; providing for the coordination of reparations benefits for automobile losses; amending Minnesota Statutes 1978, Section 65B.49, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rice from the Committee on Labor-Management Relations to which was referred:

S. F. No. 287, A bill for an act relating to workers' compensation; changing certain requirements for exception to extra-territorial application; amending Minnesota Statutes 1978, Section 176.041, Subdivision 2.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 389, A bill for an act relating to taxation; requiring county to reimburse township for certain errors made by county auditor.

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:

House Concurrent Resolution No. 3, A house concurrent resolution relating to transportation; urging the appropriate federal agencies to provide assistance to the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (The Milwaukee Road); affirming the consideration of affirmative action by the Minnesota legislature to provide economic and viable rail transportation service for the people of Minnesota.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 60, 67, 152, 191, 214, 270, 279, 356, 389, 515, 633 and 768 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 39, 57, 287 and 389 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kroening, Casserly, Schreiber, Ewald and Sieben, H., introduced:

H. F. No. 932, A bill for an act relating to publicly assisted property development; setting a property tax classification; fixing the terms and other conditions of certain industrial development bonds; amending Minnesota Statutes 1978, Sections 273.13, by adding a subdivision; and 474.06.

The bill was read for the first time and referred to the Committee on Taxes.

Kempe introduced:

H. F. No. 933, A bill for an act relating to marriage dissolution; providing that certain misconduct be considered in determining child custody and property distribution; providing for mandatory marriage counseling in certain cases; establishing licensing procedure for marriage counselors; appropriating money; amending Minnesota Statutes 1978, Sections 518.13; 518.17, Subdivisions 1 and 3; and 518.58.

The bill was read for the first time and referred to the Committee on Judiciary.

Valan, Stadum, Hoberg, Ludeman and Anderson, B., introduced:

H. F. No. 934, bill for an act relating to taxation; income; exempting from the income of Minnesota residents a certain amount of income derived from sources outside the state; amending Minnesota Statutes 1978, Sections 290.08, by adding a subdivision; and 290.17, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Piepho, Wigley, Johnson, C., and Kalis introduced:

H. F. No. 935, A bill for an act relating to local government; authorizing a housing finance program and the issuance of bonds to finance the program in Mankato and North Mankato.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Berglin introduced:

H. F. No. 936, A bill for an act relating to education; expanding a definition of "American Indian child"; extending the deadline for a report required by the American Indian language and culture education act; providing for an advisory task force on American Indian language and culture education programs; amending Minnesota Statutes 1978, Sections 126.47, Subdivision 2; 126.52, Subdivision 10; and Chapter 126, by adding a section; repealing Minnesota Statutes 1978, Section 126.53.

The bill was read for the first time and referred to the Committee on Education.

Welker, Piepho, Nysether, Ainley and Ludeman introduced:

H. F. No. 937, A bill for an act relating to cable communications; abolishing the cable communications board; providing procedures for existing employees, cases, funds, and materials; repealing Minnesota Statutes 1978, Sections 238.01 to 238.17.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Lehto, Clark, Moe and Rothenberg introduced:

H. F. No. 938, A bill for an act relating to security guards; providing for the certification and training of security guards; setting forth criteria for the use of deadly force by security guards; prescribing penalties; amending Minnesota Statutes 1978, Section 326.336, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Drew and Heap introduced:

H. F. No. 939, A bill for an act relating to education; requiring that certain schools provide a prospective student with a school catalog or brochure and give the student ample time to read it before accepting the student; providing in certain cases for tuition refunds from certain schools that do not use written contracts; providing for certain exemptions under the private business, trade and correspondence school act; amending Minnesota Statutes 1978, Sections 141.25, Subdivision 9; 141.271, Subdivision 3 and 141.35.

The bill was read for the first time and referred to the Committee on Education.

Nelsen, B.; Fudro; Anderson, D.; Friedrich and McEachern introduced:

H. F. No. 940, A bill for an act relating to transportation; authorizing an increase in the approved complement of the department for certain services; providing for reimbursement for the services; appropriating money.

The bill was read for the first time and referred to the Committee on Transportation.

Moe, Laidig and Nelson introduced:

H. F. No. 941, A bill for an act relating to corrections; creating a code of corrections; reorganizing various laws relating to corrections, including laws relating to the commissioner, personnel, the ombudsman, compacts, acts, and agreements, institutions, industries, offenders, community-based services, and releases; providing penalties; amending Minnesota Statutes 1978, Sections 244.01, Subdivisions 1 and 2; 244.08; 609.165, Subdivision 1; Chapters 144, by adding a section; 244, by adding a section; and 631, by adding sections; repealing Minnesota Statutes 1978, Sections 260.51; 260.52; 260.53; 260.54; 260.55; 260.56; 260.57; 325.45; 325.46; 325.47; 609.105, Subdivision 2; 609.12; 629.292; 629.294; and Chapters 241; 242; 243; and 401.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Stowell, Nysether, Munger, Sviggum and Lehto introduced:

H. F. No. 942, A bill for an act relating to pollution control; authorizing state use of up to two percent of federal construction grant funds to administer the federal water pollution control act; amending Minnesota Statutes 1978, Section 116.16, Subdivision 10.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Wynia, Brinkman, Heinitz, Sviggum and Novak introduced:

H. F. No. 943, A bill for an act relating to insurance; providing for cancellation of life insurance contracts providing benefits on a variable basis; amending Minnesota Statutes 1978, Sections 72A.51, Subdivision 3; and 72A.52.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Heinitz, Adams, Kaley, Pavlak and Enebo introduced:

H. F. No. 944, A bill for an act relating to the state civil service; clarifying language and statutory references; providing for modern methods of personnel data record keeping; clarifying the salary setting authority of the attorney general and the higher education systems; adding and deleting certain job categories in the unclassified civil service; clarifying the rights of classified employees appointed to newly created unclassified positions; providing managerial benefits to department heads and deputies; modifying the expanded certification procedures; modifying promotional procedures; clarifying the appointment process following reallocation of positions; modifying the emergency and temporary appointment provisions; simplifying the time off in emergencies procedure; coordinating human resource planning with biennial budget preparation; authorizing the commissioner to promulgate rules on special expenses and permitting the commissioner of finance to delegate enforcement of expenses to appointing authorities; clarifying continuance of eligibility for health and life insurance benefits for state employees; removing eligibility for health and life insurance benefits from student workers and interns; removing the governor from approving modifications in social security agreements with the secretary of health, education and welfare; amending Minnesota Statutes 1978, Sections 15A.13; 43.01, Subdivisions 10 and 11, and by adding a subdivision; 43.05, Subdivision 2; 43.051, Subdivision 1; 43.055; 43.062, Subdivision 4; 43.064; 43.09, Subdivisions 2 and 2a; 43.12, Subdivision 15; 43.127, Subdivision 6; 43.15, Subdivision 5; 43.17, Subdivisions 3 and 4a; 43.19; 43.20, Subdivisions 3 and 5; 43.227; 43.32, Subdivision 4; 43.327, Subdivisions 2 and 3; 43.44, Subdivision 2; 43.47, Subdivision 2; 355.12; 355.17; 355.207; 355.23, Subdivision 3; 355.286; 355.295; 355.308; 355.45; 355.60; and 355.76.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Olsen, Kroening, Rothenberg, Sarna and Metzen introduced:

H. F. No. 945, A bill for an act relating to the city of St. Louis Park; authorizing housing finance programs; providing for the issuance of limited general obligation bonds.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Olsen objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Simoneau, Adams, Kaley and Niehaus introduced:

H. F. No. 946, A bill for an act relating to workers' compensation; changing certain insurance rate making procedures; directing certain studies; providing for certain schedules and lists; increasing certain staff; relocating workers' compensation court of appeals; changing availability amounts and procedures for obtaining benefits; changing certain presumptions; changing basis for attorneys' fees; changing notice provisions; establishing a reopened case fund and a state compensation reinsurance fund; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Sections 79.01, by adding a subdivision; 79.07; 79.095; 79.10; 79.22, by adding a subdivision; 175.006, Subdivision 1; 175.08; 176.011, Subdivisions 9 and 15; 176.021, Subdivision 3; 176.061, Subdivision 5; 176.081, Subdivision 5; 176.101, Subdivisions 1, 2, 3 and 4; 176.111, Subdivision 1; 176.131, Subdivisions 3, 10 and by adding a subdivision; 176.135, by adding a subdivision; 176.141; 176.155, Subdivision 2; 176.179; 176.191, and by adding subdivisions; 176.231, Subdivisions 1 and 2; 176.235, Subdivision 1, and by adding a subdivision; 176.271; 176.391, Subdivision 2; 176.645; repealing Minnesota Statutes 1978, Sections 79.05; 79.06; and 176.101, Subdivision 7.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Kelly and Wynia introduced:

H. F. No. 947, A bill for an act relating to insurance; authorizing special compensation of actuaries; amending Minnesota Statutes 1978, Section 60A.03, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

McCarron introduced:

H. F. No. 948, A bill for an act relating to elections; requiring recounts in municipal elections under certain circumstances; amending Minnesota Statutes 1978, Chapter 205, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

McDonald, Kempe, Valento and Waldorf introduced:

H. F. No. 949, A bill for an act relating to crimes; providing mandatory minimum sentences for persons engaging in prostitution or hiring a prostitute; requiring diagnostic assessment reports for juveniles adjudicated delinquent for engaging in prostitution and for persons convicted of engaging in prostitution; requiring the commissioner of public welfare to establish residential treatment programs for prostitutes and outpatient treatment programs for persons hiring prostitutes; affording immunity from prosecution to prostitutes who testify against another person being prosecuted for violating the law relating to prostitution; amending Minnesota Statutes 1978, Sections 260.185, Subdivision 1; 609.32, Subdivision 4, and by adding a subdivision; Chapter 260, by adding a section; and Chapter 609, by adding sections.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Svigum, Heinitz, McDonald, Stoa and Ludeman introduced:

H. F. No. 950, A bill for an act relating to the secretary of state; reducing the number of copies of the legislative manual available to legislators; amending Minnesota Statutes 1978, Section 5.08, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kahn; Anderson, D.; Voss; Norton and Dean introduced:

H. F. No. 951, 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 1978, Sections 16.94 and 16.95; repealing Minnesota Statutes 1978, 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 Governmental Operations.



Rees, Fritz, Levi, Waldorf and Jacobs introduced:

H. F. No. 952, A bill for an act relating to metropolitan government; metropolitan land planning; changing the procedures for the adoption and amendment of metropolitan system plans; altering the metropolitan council's authority to require modification of local plans; changing procedures for contesting decisions by the council to require modification of local plans; amending Minnesota Statutes 1978, Section 473.866; and Chapter 473, by adding a section; repealing Minnesota Statutes 1978, Sections 473.146, Subdivision 2; and 473.147, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Haukoos, Weaver, Knickerbocker, Sieben, M., and Carlson, L., introduced:

H. F. No. 953, A bill for an act relating to taxation; school aids; increasing the amount of school aid per pupil unit; amending Minnesota Statutes 1978, Section 124.212, Subdivisions 6c and 7c.

The bill was read for the first time and referred to the Committee on Education.

Nysether, McCarron, Pehler, Stadum and Sherwood introduced:

H. F. No. 954, A bill for an act relating to counties; providing for the time for certain welfare board activities; amending Minnesota Statutes 1978, Sections 393.04; and 393.08.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Jacobs, Osthoff and Sarna introduced:

H. F. No. 955, A bill for an act relating to taxation; income; increasing the exemption for certain pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

The bill was read for the first time and referred to the Committee on Taxes.

Jacobs, Osthoff and Sarna introduced:

H. F. No. 956, A bill for an act relating to taxation; income; excluding certain payments to members of the armed services from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20; repealing Minnesota Statutes 1978, Section 290.06.

The bill was read for the first time and referred to the Committee on Taxes.

McDonald and Anderson, B., introduced:

H. F. No. 957, A bill for an act relating to elections; regulating the use of absentee ballots; amending Minnesota Statutes 1978, Section 207.03, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Reding introduced:

H. F. No. 958, A bill for an act relating to public employment labor relations; changing provisions for legislative approval of certain wage and benefit agreements; permitting strikes in certain instances; amending Minnesota Statutes 1978, Section 179.74, Subdivision 5.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Nelsen, M.; Kelly; Levi and McEachern introduced:

H. F. No. 959, A bill for an act relating to education; providing for the removal of a secondary pupil from a class on certain grounds and for the pupil's return to class; adding one definition and modifying another; amending Minnesota Statutes 1978, Section 127.27, Subdivision 2, and by adding a subdivision; and Chapter 127, by adding a section.

The bill was read for the first time and referred to the Committee on Education.

Carlson, D., introduced:

H. F. No. 960, A bill for an act relating to legal notice; authorizing supplementary publication of legal notices by radio or television broadcast; amending Minnesota Statutes 1978, Chapter 331, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Carlson, D., introduced:

H. F. No. 961, A bill for an act relating to retirement; membership of soil and water conservation district employees in the public employees retirement association; amending Minnesota Statutes 1978, Section 353.01, Subdivisions 2a and 6; repealing Minnesota Statutes 1978, Section 353.022.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Carlson, D., introduced:

H. F. No. 962, A bill for an act relating to insurance; prohibiting certain automobile insurance premium increases; amending Minnesota Statutes 1978, Chapter 65B, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Carlson, D., introduced:

H. F. No. 963, A bill for an act relating to waters; requiring legislative designation of wild and scenic rivers; amending Minnesota Statutes 1978, Sections 104.34, Subdivision 1; and 104.35, Subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Esau, Sherwood, Mann, Den Ouden and Wenzel introduced:

H. A. No. 964, 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 Education.

McDonald, Laidig and Stadum introduced :

H. F. No. 965, A bill for an act relating to ethics in government; restricting the sources of money for political funds; prohibiting deposit of money derived from dues or membership fees; amending Minnesota Statutes 1978, Section 10A.12, Subdivision 5.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Adams; Sieben, H.; Kaley; Rose and Faricy introduced :

H. F. No. 966, A bill for an act relating to workers' compensation; providing employer's action for recovery of insurance premiums against certain third parties; amending Minnesota Statutes 1978, Section 176.061, Subdivisions 5 and 6.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Jaros, Adams, Lehto, Blatz and Pleasant introduced :

H. F. No. 967, A bill for an act relating to building contractors; establishing a system for licensing and regulating building contractors.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Lehto, Knickerbocker, Minne, Searle and Swanson introduced :

H. F. No. 968, A bill for an act relating to elections; revising, reorganizing and recodifying major portions of the Minnesota election law; modernizing and improving language, organization and style; clarifying certain ambiguities; removing certain obsolete terms and provisions; restating guidelines for determining voter eligibility; providing for voter registration, absentee voting, the conduct of elections and the counting and canvassing of election returns; defining terms; providing penalties; making necessary technical amendments, corrections and other revisions; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 12; 40.05, Subdivision 3; 123.32, Subdivision 7; 200.01; 200.02; 201.01; 201.021; 201.061; 201.071; 201.081; 201.091; 201.11; 201.12; 201.121; 201.13; 201.14; 201.15; 201.161; 201.171; 201.18; 201.211; 201.221; 201.27; 201.275; 202A.11; 202A.16, Subdivision 1; 205.01; 205.03; 205.13, Subdivision 1; 205.15; 205.17, Subdivision 2; 205.20, Subdivisions 2 and 5; 206.07, Subdivision 1; 206.185, Subdivision 1; 206.20, Subdivision 2; 206.21, Subdivisions 1 and 2; 208.04; 210A.07; 210A.26, Subdivision 4; 210A.28; 210A.34, Subdivision 4; 290.21, Subdivision 3; 365.51;

365.52; 375.20; 382.28; and 487.03, Subdivision 2; and Chapters 200, 201, 205, and 210A, by adding sections; repealing Minnesota Statutes 1978, Sections 201.231; 201.26; 201.33; 202A.21; 202A.-22; 202A.23; 202A.24; 202A.25; 202A.26; 202A.27; 202A.28; 202A.29; 202A.30; 202A.31; 202A.32; 202A.41; 202A.42; 202A.-51; 202A.52; 202A.53; 202A.54; 202A.61; 202A.62; 202A.63; 202A.64; 202A.65; 202A.66; 202A.67; 202A.68; 202A.69; 202A.-70; 202A.71; 202A.721; and 210.22; and Chapters 203A, 204A, and 207.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Minne, Laidig, Moe and Lehto introduced:

H. F. No. 969, A bill for an act relating to corrections; institutions under the control of the commissioner of corrections; designating them as correctional facilities according to geographical location; prescribing the title for the chief executive officer of each institution; authorizing the temporary detention of persons who trespass upon institution grounds; prescribing penalties; amending Minnesota Statutes 1978, Sections 242.41; 242.51; 243.21; 243.40; 243.48; 243.55; 243.56; 243.59; 243.75; and 243.90; repealing Minnesota Statutes 1978, Sections 243.54 and 243.92.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Haukoos, Osthoff, Piepho and Heinitz introduced:

H. F. No. 970, A bill for an act relating to unemployment compensation; limiting benefits paid to certain owners of seasonal businesses; amending Minnesota Statutes 1978, Section 268.08, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Labor-Management Relations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Munger, Lehto, Berkelman and Jaros introduced:

H. F. No. 971, A bill for an act relating to the city of Duluth; authorizing the issuance of bonds in connection with the municipal steam utility plant; authorizing the governing body to transfer money from the steam division account of the public utility fund to the general fund; authorizing the governing body to delegate the power to make certain purchases for the municipal steam utility to a private management organization.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Munger, Jaros, Lehto, Berkelman and Murphy introduced:

H. F. No. 972, A bill for an act relating to retirement; reinstating disability benefits to a certain member of the public employees retirement association.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Casserly and Pehler introduced:

H. F. No. 973, A bill for an act relating to taxation; providing for the use of tax increment financing of redevelopment, housing and economic development projects; establishing standards and procedures for its use; amending Minnesota Statutes 1978, Sections 458.192, Subdivision 11; 462.545, Subdivision 5; 462.585, Subdivisions 1 and 4; 472A.06; 472A.07, by adding a subdivision; 473F.02, Subdivision 3; 474.10, Subdivision 2; and Chapters 273, by adding sections; and 472A, by adding a section; repealing Minnesota Statutes 1978, Sections 458.192, Subdivision 12; and 472A.08, Subdivisions 4 and 5.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Jude introduced:

H. F. No. 974, A bill for an act relating to highway traffic regulations; restricting driving to or from roadways; providing penalties.

The bill was read for the first time and referred to the Committee on Transportation.

Pehler, Stowell, Minne, Rice and Biersdorf introduced:

H. F. No. 975, A bill for an act relating to public employees labor relations; providing for compulsory binding arbitration of disciplinary actions; amending Minnesota Statutes 1978, Section 179.70, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Jacobs introduced:

H. F. No. 976, A bill for an act relating to gambling; raising the compensation allowed persons conducting a bingo occasion; amending Minnesota Statutes 1978, Section 349.17, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Voss, Kelly, Fudro, Dempsey and Luknic introduced:

H. F. No. 977, A bill for an act relating to no-fault automobile insurance; prohibiting certain short term insurance policies; modifying indemnification rights on certain commercial vehicles; coordinating benefits with medicare and medical assistance; extending eligibility for the assigned claims plan; providing penalties for failure to provide security on motorcycles; authorizing the commissioner of insurance to limit coverage variations; amending Minnesota Statutes 1978, Sections 65B.49, by adding a subdivision; 65B.53, Subdivision 1; 65B.61; 65B.64, Subdivision 1; 65B.67; and 65B.68, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Onnen, Rothenberg, Pehler, Blatz and Vanasek introduced:

H. F. No. 978, A bill for an act relating to taxation; clarifying the method of computing the agricultural credit; clarifying distribution of tax on transmission lines; changing penalties for late payment of property taxes; changing filing requirements for royalty tax; eliminating certain deductions for inheritance tax; clarifying penalties; providing procedures for payment of tax on special fuel; clarifying refund procedures; providing procedure for refunding excise taxes; providing deed tax meters for certain counties; appropriating money; defining certain powers of the commissioner of revenue; amending Minnesota Statutes 1978, Sections 10A.31, Subdivision 5; 272.70; 273.13, Subdivision 6; 273.42; 279.01; 287.27, by adding a subdivision; 291.07, Subdivisions 1, 2 and 3; 292.111, Subdivision 2; 296.12, by adding a subdivision; 296.18, Subdivision 5; 297.01, Subdivision 14; 297.03, Subdivision 8; 299.05; 299.08; 340.485, Subdivision 1; 340.492; 357.021, Subdivision 1a; 477A.04, Subdivision 2; Chapter 270, by adding sections; Chapter 299, by adding a section; Chapter 340, by adding a section; repealing Minnesota Statutes 1978, Sections 299.03 and 299.06.

The bill was read for the first time and referred to the Committee on Taxes.

Wenzel, Adams, Rice and Lehto introduced:

H. F. No. 979, A bill for an act relating to public welfare; establishing an energy assistance program; providing for installment payments for energy bills; setting penalties; appropriating money.

The bill was read for the first time and referred to the Committee on Energy and Utilities.

Osthoff introduced;

H. F. No. 980, A bill for an act relating to barbers; providing penalties for barbers who violate certain statutes and rules; authorizing issuance of citations; amending Minnesota Statutes 1978, Chapter 154, by adding a section.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Simoneau introduced:

H. F. No. 981, A bill for an act relating to the city of Fridley; authorizing a housing finance program and providing for the issuance of 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.

Kostohryz, Fudro, Metzen, Zubay and Searles introduced:

H. F. No. 982, A bill for an act relating to transportation; authorizing an increase in the mileage of the municipal state-aid street system; amending Minnesota Statutes 1978, Section 162.09, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation.

Jacobs introduced:

H. F. No. 983, A bill for an act relating to taxation; excluding from gross income certain amounts earned prior to becoming Minnesota resident; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

The bill was read for the first time and referred to the Committee on Taxes.

Jacobs introduced:

H. F. No. 984, A bill for an act relating to taxation; providing income tax credit for contributions to candidates for local public offices; amending Minnesota Statutes 1978, Section 290.06, Subdivision 11.

The bill was read for the first time and referred to the Committee on Taxes. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.



Onnen, Laidig, Faricy, Ludeman and Berkelman introduced:

H. F. No. 985, A bill for an act relating to elections; providing for elections to vacancies in the United States senate; amending Minnesota Statutes 1978, Sections 202A.61; 202A.62, Subdivision 2; and 202A.65, Subdivision 3; repealing Minnesota Statutes 1978, Section 202A.721.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Anderson, D., introduced:

H. F. No. 986, A bill for an act relating to aeronautics; appropriating and transferring money for construction of hangars.

The bill was read for the first time and referred to the Committee on Appropriations.

Swanson; Nelsen, B.; Tomlinson; Reding and Olsen introduced:

H. F. No. 987, A bill for an act relating to retirement; teachers; exempting certain part-time area vocational-technical institute instructors from teacher's retirement membership; amending Minnesota Statutes 1978, Section 354.05, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Swanson, Blatz, Ellingson, Ewald and Brinkman introduced:

H. F. No. 988, A bill for an act relating to banks; including safe deposit box rental as a function of a detached banking facility; altering certain definitions and time limits; amending Minnesota Statutes 1978, Sections 47.51; 47.53; and 47.54.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Brinkman, Onnen, Dempsey, Jaros and Novak introduced:

H. F. No. 989, A bill for an act relating to taxation; abolishing the inheritance tax; imposing an estate tax; repealing the gift tax; amending Minnesota Statutes 1978, Sections 3A.08; 291.005; 291.01; 291.03; 291.05; 291.051; 291.06; 291.065; 291.07, Subdivisions 1 and 2a; 291.08; 291.09, Subdivisions 1, 2, 3, 4, 5 and 7; 291.11, Subdivision 1; 291.111, Subdivision 1; 291.132; 291.14; 291.19, Subdivision 3; 291.20, Subdivision 1; 291.21, Subdivision 2; 291.27; 291.33, Subdivision 1; 352.15, Subdivision 1; 353.15; 354.10; 354A.11; 524.3-916; 524.3-1001; 525.091, Subdivisions 1 and 2; 525.71; 525.74; 525.841; and Chapter 291, by adding sections; repealing Minnesota Statutes 1978, Sections 291.01, Subdivision 2; 291.02; 291.07, Subdivisions 2 and 3; 291.10; 291.11, Subdivisions 5, 6, 7, 8 and 9; 291.12, Subdivision 3; 291.22; 291.24; 291.25; 291.26; 291.29; Subdivisions 1, 2, 3 and 4; 291.30; 291.34; 291.35; 291.36; 291.37; 291.38; 291.39; 291.40; 292.01; 292.02; 292.03; 292.031; 292.04; 292.05; 292.06; 292.07; 292.08; 292.09; 292.105; 292.111; 292.112; 292.12; 292.125; 292.14; and 292.15.

The bill was read for the first time and referred to the Committee on Taxes.

Dean, Munger, Vanasek, Friedrich and Wigley introduced:

H. F. No. 990, A bill for an act relating to energy; clarifying the procedures for declaring an energy emergency; prescribing the powers of the governor and executive council in an emergency; providing for the issuance of emergency rules by the director of the energy agency; prescribing additional elements of the energy emergency conservation and allocation plan; providing for earth sheltered construction zoning variances; prohibiting local governments from banning earth sheltered construction; requiring certain building energy reports and audits; providing for an adult and post-secondary energy education plan; limiting the time for application for certain variances; providing a method for determining certain efficiencies for air conditioners; prescribing a penalty; appropriating money; amending Minnesota Statutes 1978, Sections 12.02, Subdivision 1; 12.03, Subdivision 4, and by adding a subdivision; 12.21, Subdivisions 1 and 3; 12.28; 12.32; 116H.02, Subdivisions 3 and 5, and by adding subdivisions; 116H.08; 116H.09, Subdivisions 1, 4, and 5; 116H.11; 116H.12, Subdivisions 1a, 1b, 3a, 3b, and 10; 116H.122; 116H.123; 116H.124; 116H.126; 116H.13; 116H.15; 120.78, Subdivision 1; 325.989, by adding a subdivision; 394.25, Subdivision 3; 394.27, Subdivision 7; 462.357, Subdivisions 1 and 6; and Chapter 116H, by adding a section; repealing Minnesota Statutes 1978, Section 116H.125.

The bill was read for the first time and referred to the Committee on Energy and Utilities.

Knickerbocker, Hoberg, Erickson, Kostohryz and Kelly introduced:

H. F. No. 991, A bill for an act relating to economic development; providing for training of certain employees; appropriating money.

The bill was read for the first time and referred to the Committee on Education. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Dempsey, Den Ouden, Piepho and Wigley introduced:

H. F. No. 992, A bill for an act relating to natural resources; prohibiting designation of a certain segment of the Minnesota River as scenic or recreational for a specified period.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Dempsey, Biersdorf, Fritz and Jennings introduced:

H. F. No. 993, A bill for an act relating to education; permitting a school district to sell certain buildings at auction; setting conditions for the sale.

The bill was read for the first time and referred to the Committee on Education.

Dempsey, Mehrkens and Piepho introduced:

H. F. No. 994, A bill for an act relating to courts; providing court commissioners with the judicial powers of a judge of the county court or the county municipal court; amending Minnesota Statutes 1978, Section 489.02.

The bill was read for the first time and referred to the Committee on Judiciary.

Munger, Berkelman, Jaros and Lehto introduced:

H. F. No. 995, 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; amending Laws 1977, Chapter 142, Sections 1; 2, Subdivision 1; and 3, Subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Pehler, Kalis, Pleasant and Vanasek introduced:

H. F. No. 996, A bill for an act relating to commerce; creating a business assistance center within the department of economic development; appropriating money; amending Minnesota Statutes 1978, Sections 161.321, Subdivision 1; 362.42; and Chapter 362, by adding sections; repealing Minnesota Statutes 1978, Section 16.082.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Pehler, Osthoff, Searle, McEachern and Zubay introduced:

H. F. No. 997, A bill for an act relating to education; establishing a program in which mobile units are used to provide certain programs and services to elementary and secondary school pupils; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Laidig, Moe, Jennings, Minne and Pavlak introduced:

H. F. No. 998, A bill for an act relating to corrections; providing for vocational training of the inmates of state correctional facilities; reorganizing and harmonizing the various laws relating to the industrial activities conducted at such facilities; amending Minnesota Statutes 1978, Sections 241.26, Subdivision 7; and 241.27; repealing Minnesota Statutes 1978, Sections 243.19; 243.41; 243.42; 243.43; 243.44; 243.45; 243.46; 243.47; 243.63; 243.66; 243.67; 243.68; 243.80; 243.84; 243.85; 325.45; 325.46; and 325.47.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Mann, Esau and Jennings introduced:

H. F. No. 999, A bill for an act relating to game and fish; regulating placement of boats, blinds and decoys; amending Minnesota Statutes 1978, Section 100.29, Subdivision 18.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Battaglia, Begich, and Anderson, I., introduced:

H. F. No. 1000, A bill for an act relating to natural resources; providing payments in lieu of taxes to counties and townships in which certain natural resources lands are located; appropriating money; amending Minnesota Statutes 1978, Section 275.51, Subdivision 3d.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Patton, Biersdorf and Sarna introduced:

H. F. No. 1001, 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 1978, Sections 353.01, Subdivision 6; and 353.022.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Biersdorf, Pehler, Kaley and Laidig introduced:

H. F. No. 1002, A bill for an act relating to retirement; reductions in Minnesota state retirement system annuities for early retirement; refund applications; disability benefits for covered correctional employees; amending Minnesota Statutes 1978, Sections 352.116, Subdivision 1; 352.22, Subdivisions 1 and 10; and 352.95; repealing Minnesota Statutes 1978, Section 352.22, Subdivision 11.

The bill was read for the first time and referred to the Committee on Governmental Operations.

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following bills, which bills were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
825	Mar. 15, 1979	Appropriations
834	Mar. 15, 1979	General Legislation and Veterans Affairs

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
839	Mar. 15, 1979	Local and Urban Affairs
841	Mar. 15, 1979	Governmental Operations
848	Mar. 15, 1979	Criminal Justice
851	Mar. 15, 1979	Governmental Operations
854	Mar. 15, 1979	Education
864	Mar. 15, 1979	Taxes
865	Mar. 15, 1979	Environment and Natural Resources
867	Mar. 15, 1979	Governmental Operations
873	Mar. 19, 1979	Governmental Operations
882	Mar. 19, 1979	Local and Urban Affairs
887	Mar. 19, 1979	Health and Welfare
888	Mar. 19, 1979	Judiciary
904	Mar. 19, 1979	Taxes
913	Mar. 19, 1979	Governmental Operations
916	Mar. 19, 1979	General Legislation and Veterans Affairs
931	Mar. 19, 1979	Local and Urban Affairs

### CONSENT CALENDAR

Sieben, H., moved that the bills on the Consent Calendar for today be continued on the Consent Calendar until Monday, March 26, 1979. The motion prevailed.

### CALENDAR

Sieben, H., moved that the bills on the Calendar for today be continued on the Calendar until Monday, March 26, 1979. The motion prevailed.

## GENERAL ORDERS

Sieben, H., moved that the bills on General Orders for today be continued on General Orders until Monday, March 26, 1979. The motion prevailed.

## MOTIONS AND RESOLUTIONS

Jude moved that the name of Rees be added as an author on H. F. No. 916. The motion prevailed.

Fudro moved that S. F. No. 207 be recalled from the Committee on Transportation and together with H. F. No. 152, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

Kaley moved that the name of Reding be added as an author on H. F. No. 214. The motion prevailed.

McDonald moved that the name of Ludeman be added as an author on H. F. No. 80. The motion prevailed.

Kempe moved that the name of Crandall be added as an author on H. F. No. 933. The motion prevailed.

Forsythe introduced:

House Resolution No. 14, A house resolution congratulating Edina-West High School on winning the 1979 State High School Girls' Gymnastics Championship.

The resolution was referred to the Committee on Rules and Legislative Administration.

Forsythe introduced:

House Resolution No. 15, A house resolution congratulating Edina-East High School on winning the 1979 State High School Ice Hockey Championship.

The resolution was referred to the Committee on Rules and Legislative Administration.

Kaley, Zubay and Friedrich introduced:

House Resolution No. 16, A house resolution congratulating Rochester John Marshall High School on winning the 1979 State High School Ice Hockey Runner-up Championship.

The resolution was referred to the Committee on Rules and Legislative Administration.

Carlson, D., introduced:

House Concurrent Resolution No. 5, A house concurrent resolution relating to violence and vandalism in Stearns and Pope Counties along the route of a new powerline.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 26, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker pro tem declared the House stands adjourned until 2:00 p.m., Monday, March 26, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives





## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## TWENTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 26, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrrens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Kempe 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. 152, 214, 270, 389, 515, 768, 67, 633, 279, 356, 60 and 191 have been placed in the members' files.

S. F. No. 207 and H. F. No. 152, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Erickson moved that S. F. No. 207 be substituted for H. F. No. 152 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  
ST. PAUL 55155

March 22, 1979

The Honorable Rod Searle  
Speaker of the House  
State of Minnesota

Dear Speaker Searle:

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. 48, relating to the City of Austin; authorizing an on-sale liquor license for Riverside Arena.

Sincerely,

ALBERT H. QUIE  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

March 22, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
	48	7	March 22	March 22
67		8	March 22	March 22
411		9	March 22	March 22

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

#### REPORTS OF STANDING COMMITTEES

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 713, A bill for an act relating to banks and banking; providing for publication of certain bank reports; amending Minnesota Statutes 1978, Section 48.48, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 21, after "*municipality*" insert "*or town*"

Page 2, line 7, after the stricken period insert "*For the purposes of this subdivision a newspaper serves a municipality or town if it meets the qualifications of section 331.02, subdivision 1, clause (4).*"

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. No. 713 was read for the second time.

#### SECOND READING OF SENATE BILLS

S. F. No. 207 was read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced :

Kahn; Laidig; Anderson, D.; McCarron and Pavlak introduced :

H. F. No. 1003, A bill for an act relating to crimes; specifying offenses relating to computers; providing penalties.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Welch; Anderson, G.; Anderson, D.; Munger and Dean introduced :

H. F. No. 1004, A bill for an act relating to the Minnesota Zoological garden; providing for a zoo study center; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

Searle introduced :

H. F. No. 1005, A bill for an act relating to the city of Waseca; authorizing a housing finance program; providing for the issuance of revenue bonds to finance the program.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Anderson, B.; Berglin; Patton and Luknic introduced :

H. F. No. 1006, A bill for an act relating to private and public pensions; requiring notice be given by employer to an employee's spouse of certain pension options; amending Minnesota Statutes 1978, Chapters 181B, by adding a section; and 356, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Anderson, B., and Wenzel introduced:

H. F. No. 1007, A bill for an act relating to eminent domain; requiring acquiring authorities to take certain actions prior to initiating eminent domain proceedings; requiring the petitioner in an eminent domain proceeding to prove the taking is for a public purpose and that the particular properties described in the petition are necessary and suitable for that purpose; providing for an appeal to the supreme court from the district court order granting or denying the petition; amending Minnesota Statutes 1978, Sections 117.055; 117.075; and Chapter 117, by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kroening; Carlson, D.; Osthoff; Carlson, L., and Rice introduced:

H. F. No. 1008, A bill for an act relating to housing; creating a demonstration program in congregate housing; appropriating money; amending Minnesota Statutes 1978, Sections 462A.02, by adding a subdivision; 462A.03, by adding a subdivision; 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Anderson, G.; Norton; Niehaus and Fjoslien introduced:

H. F. No. 1009, A bill for an act relating to commerce; permitting irrevocable trusts and permitting persons receiving public assistance to deposit funds for a prearranged funeral plan; amending Minnesota Statutes 1978, Section 149.12.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

McEachern, Esau, Thiede and Anderson, B., introduced:

H. F. No. 1010, A bill for an act relating to education; authorizing cooperation between certain public libraries and school media centers; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Heap; Carlson, L.; Fritz and Otis introduced:

H. F. No. 1011, A bill for an act relating to labor; master and apprentice; identifying the ex officio member of the advisory council; authorizing equal opportunity in employment standards; providing for reciprocity recognition of certain programs; changing the terms of apprenticeships; changing the range in apprenticeship committee membership; amending Minnesota Statutes 1978, Sections 178.02, Subdivision 1; 178.03, Subdivision 3, and by adding a subdivision; 178.05, Subdivision 2; and 178.06.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Clark; Wenzel; Sieben, M.; Heinitz and Valan introduced:

H. F. No. 1012, A bill for an act relating to human rights; prohibiting discrimination in housing and real property on the basis of occupancy or prospective occupancy by one or more minors with certain exceptions; prohibiting any person from printing or causing to be printed a discriminatory advertisement; authorizing a charging party to seek temporary injunctive relief from the district court; requiring the commissioner of human rights in certain circumstances to post a notice on the dwelling unit which is the subject of a charge; establishing penalties; amending Minnesota Statutes 1978, Sections 363.01, by adding a subdivision; 363.02, Subdivision 2; 363.03, Subdivision 2; 363.05, Subdivision 1; 363.06, Subdivision 4; 363.11; 363.115; and 363.12, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Jennings, Levi, McEachern, Eken and Knickerbocker introduced:

H. F. No. 1013, A bill for an act relating to education; creating a school finance study commission; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Norman, Luknic and Mehrkens introduced:

H. F. No. 1014, A bill for an act relating to elections; providing for disposition of excess campaign funds; amending Minnesota Statutes 1978, Section 10A.24.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Peterson, Vanasek, Lehto, Rees and Jacobs introduced:

H. F. No. 1015, A bill for an act relating to natural resources; authorizing the commissioner of natural resources, with the approval of the state executive council, to convey the interests of the state in lands for the purpose of correcting boundary description errors.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Sherwood introduced:

H. F. No. 1016, A bill for an act relating to the county of Cass; providing for the acquisition of land; appropriating money.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Thiede, Kostohryz, Jennings, McEachern and Nelsen, B., introduced:

H. F. No. 1017, A bill for an act relating to education; providing a new state aid for certain school districts; amending Minnesota Statutes 1978, Chapter 124, by adding a section.

The bill was read for the first time and referred to the Committee on Education.

Kelly, Greenfield, Pavlak, Wenzel and Faricy introduced:

H. F. No. 1018, A bill for an act relating to no-fault automobile insurance; providing disability and income loss benefits for certain persons who lose unemployment compensation benefits as a result of accidental injury; amending Minnesota Statutes 1978, Section 65B.44, Subdivision 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.



Prahl, Blatz, Vanasek, Brinkman and Minne introduced:

H. F. No. 1019, A bill for an act relating to taxation; providing that the proceeds of the motor vehicle excise tax shall be deposited in the highway user tax distribution fund for highway purposes; amending Minnesota Statutes 1978, 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.

Peterson, Ellingson, Jude, Erickson and Pavlak introduced:

H. F. No. 1020, A bill for an act relating to crimes; providing for admission into evidence of certain certificates of analysis.

The bill was read for the first time and referred to the Committee on Criminal Justice. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Tomlinson, Rees, Casserly, Sieben, M., and Sviggum introduced:

H. F. No. 1021, A bill for an act relating to taxation; income tax; providing a renewable energy credit; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Energy and Utilities. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Byrne introduced:

H. F. No. 1022, A bill for an act relating to crimes; limiting a convicted person's right to commercially exploit the crime for which he was convicted; amending Minnesota Statutes 1978, Chapter 299B, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Clawson and Welch introduced:

H. F. No. 1023, A bill for an act relating to Independent School District No. 911; providing for the sale of certain land.

The bill was read for the first time and referred to the Committee on Education. Clawson objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Sherwood introduced :

H. F. No. 1024, A bill for an act relating to public lands; authorizing the transfer of titles to lands of the state and local units of government; specifying powers and duties of the land exchange board, the commissioner of natural resources, and local units of government in relation to title transfers.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Patton, Moe, Biersdorf and Kaley introduced :

H. F. No. 1025, A bill for an act relating to the state board of investment; providing for officers, meetings, indemnification and appointment of members of the investment advisory council; requiring certain information in annual reports; amending Minnesota Statutes 1978, Section 11.117, Subdivisions 4 and 6; 11.118; and 11.145.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Minne, Elioff, McEachern and Vanasek introduced :

H. F. No. 1026, A bill for an act relating to transportation; establishing a public transit capital grant assistance program to aid certain political subdivisions to meet federal matching fund requirements for certain federal grants; appropriating money; amending Minnesota Statutes 1978, Chapter 174, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

Erickson; Carlson, D.; Esau; Wenzel and Niehaus introduced :

H. F. No. 1027, A bill for an act relating to agriculture; prohibiting certain garbage feeding of animals; providing a penalty; amending Minnesota Statutes 1978, Chapter 35, by adding a section.

The bill was read for the first time and referred to the Committee on Agriculture.

Peterson introduced:

H. F. No. 1028, A bill for an act relating to courts; criminal procedure; conforming certain statutory provisions to the rules of criminal procedure, and eliminating certain other statutory provisions which have been superseded by the rules; amending Minnesota Statutes 1978, Sections 169.89, Subdivision 2; 357.32; 484.30; 487.25, Subdivisions 1 and 2; 487.28; 487.29; 487.40, Subdivisions 1 and 2; 488A.08; 488A.10, Subdivisions 1 and 2; 488A.25; 488A.27, Subdivisions 1, 2, 3, 4, and 5; 542.16; 546.11; 546.12; 609.115, Subdivisions 1 and 4; 611.06; 627.01; 628.01; 628.02; 628.18; 628.54; 628.57; 628.63; 628.68; 629.47; 629.48; 629.49; 629.58; 629.61; 629.64; 630.18; 631.05; 631.07; and Chapter 388, by adding a section; repealing Minnesota Statutes 1978, Sections 388.05; 487.25, Subdivisions 3, 4, 5, and 8; 488A.10, Subdivisions 3, 4, 5, and 9; 488A.27, Subdivision 9; 611.04; 611.08; 627.03 to 627.10; 627.13; 627.14; 628.03 to 628.08; 628.11; 628.14; 628.19; 628.29 to 628.33; 628.55; 628.58; 628.59; 628.64; 629.42; 629.43; 629.46; 629.50 to 629.52; 629.57; 630.01 to 630.03; 630.05 to 630.11; 630.13 to 630.16; 630.19 to 630.30; 630.34; 631.01; 631.015; 631.03; 631.08; 631.10; 631.11; 631.16; 631.18; 631.19; 631.23 to 631.32; 631.34; 631.35; 631.37 to 631.39; 632.01 to 632.13.

The bill was read for the first time and referred to the Committee on Criminal Justice. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Laidig and Corbid introduced:

H. F. No. 1029, A bill for an act relating to employments licensed by the state; prescribing certain duties of the board of architecture, engineering, land surveying and landscape architecture; limiting certain rule making powers of the board, and extending the time limit for the making of the rules; amending Minnesota Statutes 1978, Section 326.06.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Laidig, Lehto, Levi and Rees introduced:

H. F. No. 1030, A bill for an act relating to retirement; prescribing retirement benefits for correctional employees; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 3; 352.90; and 352.91, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wenzel introduced:

H. F. No. 1031, A bill for an act relating to Morrison County; allowing free, nonsubscription publications to qualify as legal newspapers in Morrison County.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Voss, Patton, Ewald, Ludeman and Dean introduced:

H. F. No. 1032, A bill for an act relating to banks; authorizing certain branch banks; permitting consolidation of banks in regions; amending Minnesota Statutes 1978, Sections 48.34 and 49.34.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Rice and Kroening introduced:

H. F. No. 1033, A bill for an act relating to wrongful death; a clarification of the time limitations for maintaining an action for death by intentional wrongful act where the act responsible for the death constitutes the crime of murder; amending Minnesota Statutes 1978, Section 573.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Kelly, Valento, Clawson, Norman and Enebo introduced:

H. F. No. 1034, A bill for an act relating to education; teachers; providing hearing procedures for termination of a continuing contract and discharge and demotion of a teacher; amending Minnesota Statutes 1978, Section 125.12, Subdivisions 3, 4, 6b, 8 and 11; 125.17, Subdivision 5; and Chapter 125, by adding a section; repealing Minnesota Statutes 1978, Sections 125.12, Subdivisions 9 and 10; and 125.17, Subdivisions 6, 7, 8, 9 and 10.

The bill was read for the first time and referred to the Committee on Education.

Casserly, Jude, Ewald, Dean and Dempsey introduced :

H. F. No. 1035, A bill for an act relating to trade regulation; prohibiting certain unfair and deceptive practices and unreasonable restraints of trade in the business of motion picture distribution; prescribing penalties.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Ainley; Anderson, R.; Kroening; Evans and Sherwood introduced :

H. F. No. 1036, A bill for an act relating to transportation; providing for advertising along certain highways.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

McCarron, Metzen, Den Ouden and Valan introduced :

H. F. No. 1037, A bill for an act relating to interim claims against the state; appropriating money for the payment thereof.

The bill was read for the first time and referred to the Committee on Appropriations.

Kahn; Anderson, D.; Erickson; Voss and Dean introduced :

H. F. No. 1038, 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 1978, Section 16.93.

The bill was read for the first time and referred to the Committee on Education. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Anderson, G.; Munger; Voss; Peterson and Norton introduced :

H. F. No. 1039, 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.

Ainley, Blatz, Zubay and Evans introduced:

H. F. No. 1040, A bill for an act relating to Indian affairs; expanding the term of office for at large intertribal board members from two years to four years; amending Minnesota Statutes 1978, Section 3.922, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kaley, Patton, Biersdorf, Moe and Heinitz introduced:

H. F. No. 1041, A bill for an act relating to retirement; annuities and benefits under certain public retirement plans; appropriating funds.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Vanasek, Blatz and Casserly introduced:

H. F. No. 1042, A bill for an act relating to taxation; providing for continuation of homestead classification of property owned by Peace Corps or VISTA volunteer; amending Minnesota Statutes 1978, Section 273.13, Subdivision 10.

The bill was read for the first time and referred to the Committee on Taxes.

Vanasek, Blatz, Luknic, Casserly and Pleasant introduced:

H. F. No. 1043, A bill for an act relating to taxation; requiring the payment of interest on certain inheritance tax payments; amending Minnesota Statutes 1978, Section 291.14, Subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

## CONSENT CALENDAR

H. F. No. 52, A bill for an act relating to physically handicapped persons; providing parking privileges for the physically handicapped; authorizing parking privileges for operators of vehicles used in transporting the physically handicapped; amending Minnesota Statutes 1978, Sections 169.345, Subdivisions 3 and 4; and 169.346, 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:

Aasness	Eken	Jude	Nelson	Sieben, H.
Adams	Elioff	Kahn	Niehaus	Sieben, M.
Ainley	Ellingson	Kaley	Norman	Simoneau
Albrecht	Enebo	Kalis	Novak	Stadum
Anderson, B.	Erickson	Kelly	Nysether	Stoa
Anderson, D.	Esau	Kempe	Olsen	Stowell
Anderson, G.	Evans	Knickerbocker	Onnen	Sviggum
Anderson, I.	Ewald	Kroening	Osthoff	Swanson
Anderson, R.	Faricy	Laidig	Otis	Thiede
Battaglia	Fjoslien	Lehto	Patton	Tomlinson
Begich	Forsythe	Levi	Pavlak	Valan
Berglin	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Waldorf
Brinkman	Greenfield	Mann	Pleasant	Weaver
Byrne	Halberg	McCarron	Prahl	Welch
Carlson, D.	Haukoos	McDonald	Redalen	Welker
Carlson, L.	Heap	McEachern	Reding	Wenzel
Clark	Heinitz	Mehrkens	Rees	Wieser
Clawson	Hoberg	Metzen	Reif	Wigley
Corbid	Hokanson	Minne	Rice	Wynia
Crandall	Jacobs	Moe	Rothenberg	Zubay
Dean	Jaros	Munger	Sarna	Speaker Searle
Dempsey	Jennings	Murphy	Schreiber	
Den Ouden	Johnson, C.	Nelsen, B.	Searles	
Drew	Johnson, D.	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 67, A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch No. 27; setting limits for the expenditure of money for the improvement thereof; providing for the financing thereof; amending Laws 1975, Chapter 249, Section 1, Subdivision 1, as amended; and 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 132 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Battaglia	Casserly	Eken	Fjoslien
Adams	Begich	Clark	Elioff	Forsythe
Ainley	Berglin	Clawson	Ellingson	Friedrich
Albrecht	Biersdorf	Corbid	Enebo	Fritz
Anderson, B.	Blatz	Crandall	Erickson	Fudro
Anderson, D.	Brinkman	Dean	Esau	Greenfield
Anderson, G.	Byrne	Dempsey	Evans	Halberg
Anderson, I.	Carlson, D.	Den Ouden	Ewald	Haukoos
Anderson, R.	Carlson, L.	Drew	Faricy	Heap

Heinitz	Laidig	Nelson	Rees	Tomlinson
Hoberg	Lehto	Niehaus	Reif	Valan
Hokanson	Levi	Norman	Rice	Valento
Jacobs	Long	Norton	Rose	Vanasek
Jaros	Ludeman	Novak	Rothenberg	Voss
Jennings	Luknic	Nysether	Sarna	Waldorf
Johnson, C.	Mann	Olsen	Schreiber	Weaver
Johnson, D.	McCarron	Onnen	Searles	Welch
Jude	McDonald	Osthoff	Sherwood	Welker
Kahn	McEachern	Otis	Sieben, H.	Wenzel
Kaley	Mehrkens	Patton	Sieben, M.	Wieser
Kalis	Metzen	Pavlak	Simoneau	Wigley
Kelly	Minne	Peterson	Stadum	Wynia
Kempe	Moe	Piepho	Stoa	Zubay
Knickerbocker	Munger	Pleasant	Stowell	Speaker Searle
Kostohryz	Murphy	Prahl	Sviggum	
Kroening	Nelsen, B.	Redalen	Swanson	
Kvam	Nelsen, M.	Reding	Thiede	

Those who voted in the negative were:

Pehler

The bill was passed and its title agreed to.

H. F. No. 270, A bill for an act relating to education; changing definition of textbook to include certain text substitutes; amending Minnesota Statutes 1978, Section 123.932, Subdivision 1b.

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 5 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Niehaus	Sherwood
Adams	Eken	Kaley	Norman	Sieben, H.
Ainley	Elioff	Kalis	Norton	Sieben, M.
Albrecht	Ellingson	Kelly	Novak	Simoneau
Anderson, B.	Enebo	Kempe	Nysether	Stadum
Anderson, D.	Erickson	Knickerbocker	Olsen	Stoa
Anderson, G.	Esau	Kostohryz	Onnen	Stowell
Anderson, I.	Evans	Kroening	Osthoff	Sviggum
Anderson, R.	Ewald	Kvam	Otis	Swanson
Battaglia	Faricy	Laidig	Patton	Thiede
Begich	Fjoslien	Lehto	Pavlak	Tomlinson
Berglin	Forsythe	Levi	Pehler	Valan
Berkelman	Friedrich	Ludeman	Peterson	Valento
Biersdorf	Fritz	Luknic	Piepho	Vanasek
Blatz	Fudro	Mann	Pleasant	Voss
Brinkman	Halberg	McCarron	Prahl	Waldorf
Byrne	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Casserly	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wynia
Corbid	Jacobs	Moe	Rose	Zubay
Crandall	Jaros	Munger	Rothenberg	Speaker Searle
Dean	Johnson, C.	Murphy	Sarna	
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	



Those who voted in the negative were:

Carlson, D.      Greenfield      Jennings      Long      Wigley

The bill was passed and its title agreed to.

H. F. No. 279, A bill for an act relating to the county of St. Louis; providing rights to suspended classified service employees; amending Laws 1941, Chapter 423, Section 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Svigum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknie	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prah	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wieser
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 356 was reported to the House.

There being no objection H. F. No. 356 was continued on the Consent Calendar for one day.

H. F. No. 515, A bill for an act relating to motor vehicles; defining the gross weight of a wrecker for the purposes of registration and taxation; amending Minnesota Statutes 1978, Sections 168.011, Subdivision 16; and 168.013, Subdivision 3.

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 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Niehaus	Sieben, H.
Adams	Elioff	Kaley	Norman	Sieben, M.
Ainley	Ellingson	Kalis	Norton	Simoneau
Albrecht	Enebo	Kelly	Novak	Stadum
Anderson, B.	Erickson	Kempe	Nysether	Stoa
Anderson, D.	Esau	Knickerbocker	Olsen	Stowell
Anderson, G.	Evans	Kostohryz	Onnen	Sviggum
Anderson, I.	Ewald	Kroening	Osthoff	Swanson
Anderson, R.	Farcy	Kvam	Otis	Thiede
Battaglia	Fjoslien	Laidig	Patton	Tomlinson
Begich	Forsythe	Lehto	Pavlak	Valan
Berkelman	Friedrich	Levi	Pehler	Valento
Biersdorf	Fritz	Long	Peterson	Vanasek
Blatz	Fudro	Ludeman	Piepho	Voss
Brinkman	Greenfield	Luknic	Pleasant	Waldorf
Byrne	Halberg	Mann	Prahl	Weaver
Carlson, D.	Haukoos	McCarron	Redalen	Welch
Carlson, L.	Heap	McDonald	Reding	Welker
Casserly	Heinitz	McEachern	Rees	Wenzel
Clark	Hoberg	Mehrkens	Reif	Wieser
Clawson	Hokanson	Metzen	Rice	Wigley
Corbid	Jacobs	Minne	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	
Drew	Jude	Nelson	Sherwood	

Those who voted in the negative were:

Berglin

The bill was passed and its title agreed to.

H. F. No. 633, A bill for an act relating to taxation; extending the termination date for a law denying tax deductions relating to standard housing; amending Laws 1975, Chapter 226, Section 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 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Albrecht	Anderson, G.	Battaglia	Berkelman
Adams	Anderson, B.	Anderson, I.	Begich	Biersdorf
Ainley	Anderson, D.	Anderson, R.	Berglin	Blatz

Brinkman	Friedrich	Kvam	Nysether	Sieben, M.
Byrne	Fritz	Laidig	Olsen	Simoneau
Carlson, D.	Fudro	Lehto	Onnen	Stadum
Carlson, L.	Greenfield	Levi	Osthoff	Stoa
Casserly	Halberg	Long	Otis	Stowell
Clark	Haukoos	Ludeman	Patton	Sviggum
Clawson	Heap	Luknic	Pavlak	Swanson
Corbid	Heinitz	Mann	Pehler	Thiede
Crandall	Hoberg	McCarron	Peterson	Tomlinson
Dean	Hokanson	McDonald	Piepho	Valan
Dempsey	Jacobs	McEachern	Pleasant	Valento
Den Ouden	Jaros	Mehrkens	Prahl	Vanasek
Drew	Jennings	Metzen	Redalen	Voss
Eken	Johnson, C.	Minne	Reding	Waldorf
Elioff	Johnson, D.	Moe	Rees	Weaver
Ellingson	Jude	Munger	Reif	Welch
Enebo	Kahn	Murphy	Rice	Welker
Erickson	Kaley	Nelsen, B.	Rose	Wenzel
Esau	Kalis	Nelsen, M.	Rothenberg	Wieser
Evans	Kelly	Nelson	Sarna	Wigley
Ewald	Kempe	Niehaus	Schreiber	Wynia
Faricy	Knickerbocker	Norman	Searles	Zubay
Fjoslien	Kostohryz	Norton	Sherwood	Speaker Searle
Forsythe	Kroening	Novak	Sieben, H.	

The bill was passed and its title agreed to.

S. F. No. 39, A bill for an act relating to taxation; authorizing the commissioner of revenue to publish lists of persons having unclaimed income tax refunds or property tax refund; amending Minnesota Statutes 1978, Section 290.61.

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:

Aasness	Corbid	Haukoos	Levi	Olsen
Adams	Crandall	Heap	Long	Onnen
Ainley	Dean	Heinitz	Ludeman	Osthoff
Albrecht	Dempsey	Hoberg	Luknic	Otis
Anderson, B.	Den Ouden	Hokanson	Mann	Patton
Anderson, D.	Drew	Jacobs	McCarron	Pavlak
Anderson, G.	Eken	Jaros	McDonald	Pehler
Anderson, I.	Elioff	Jennings	McEachern	Peterson
Anderson, R.	Ellingson	Johnson, C.	Mehrkens	Piepho
Battaglia	Enebo	Johnson, D.	Metzen	Pleasant
Begich	Erickson	Jude	Minne	Prahl
Berglin	Esau	Kahn	Moe	Redalen
Berkelman	Evans	Kaley	Munger	Reding
Biersdorf	Ewald	Kalis	Murphy	Rees
Blatz	Faricy	Kelly	Nelsen, B.	Reif
Brinkman	Fjoslien	Kempe	Nelsen, M.	Rice
Byrne	Forsythe	Knickerbocker	Nelson	Rose
Carlson, D.	Friedrich	Kostohryz	Niehaus	Rothenberg
Carlson, L.	Fritz	Kroening	Norman	Sarna
Casserly	Fudro	Kvam	Norton	Schreiber
Clark	Greenfield	Laidig	Novak	Searles
Clawson	Halberg	Lehto	Nysether	Sherwood

Sieben, H.	Stowell	Valan	Weaver	Wigley
Sieben, M.	Swiggum	Valento	Welch	Wynia
Simoneau	Swanson	Vanasek	Welker	Zubay
Stadum	Thiede	Voss	Wenzel	Speaker Searle
Stoa	Tomlinson	Waldorf	Wieser	

The bill was passed and its title agreed to.

S. F. No. 287, A bill for an act relating to workers' compensation; changing certain requirements for exception to extra-territorial application; amending Minnesota Statutes 1978, Section 176.041, 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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Siebeneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Swiggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pavlak	Valento
Biersdorf	Fritz	Long	Pehler	Vanasek
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Waldorf
Byrne	Halberg	Mann	Pleasant	Prahl
Carlson, D.	Haukoos	McCarron	Redalen	Weaver
Carlson, L.	Heap	McDonald	Reding	Welch
Casserly	Heinitz	McEachern	Rees	Welker
Clark	Hoberg	Mehrkens	Reif	Wenzel
Clawson	Hokanson	Metzen	Rice	Wieser
Corbid	Jacobs	Minne	Rose	Wigley
Crandall	Jaros	Moe	Rothenberg	Wynia
Dean	Jennings	Munger	Sarna	Zubay
Dempsey	Johnson, C.	Murphy	Schreiber	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.		

The bill was passed and its title agreed to.

S. F. No. 389, A bill for an act relating to taxation; requiring county to reimburse township for certain errors made by county auditor.

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:

Aasness	Eken	Kahn	Nelson	Sherwood
Adams	Elioff	Kaley	Niehaus	Sieben, H.
Ainley	Ellingson	Kalis	Norman	Sieben, M.
Albrecht	Enebo	Kelly	Norton	Simoneau
Anderson, B.	Erickson	Kempe	Novak	Stadum
Anderson, D.	Esau	Knickerbocker	Nysether	Stoa
Anderson, G.	Evans	Kostohryz	Olsen	Stowell
Anderson, I.	Ewald	Kroening	Onnen	Sviggum
Anderson, R.	Faricy	Kvam	Osthoff	Swanson
Battaglia	Fjoslien	Laidig	Otis	Thiede
Begich	Forsythe	Lehto	Patton	Tomlinson
Berglin	Friedrich	Levi	Pavlak	Valan
Berkelman	Fritz	Long	Pehler	Valento
Biersdorf	Fudro	Ludeman	Peterson	Vanasek
Blatz	Greenfield	Luknic	Piepho	Voss
Brinkman	Halberg	Mann	Pleasant	Waldorf
Byrne	Haukoos	McCarron	Prahl	Weaver
Carlson, D.	Heap	McDonald	Redalen	Welch
Carlson, L.	Heinitz	McEachern	Reding	Welker
Cassery	Hoberg	Mehrkens	Rees	Wenzel
Clark	Hokanson	Metzen	Reif	Wieser
Clawson	Jacobs	Minne	Rice	Wigley
Corbid	Jaros	Moe	Rose	Wymia
Crandall	Jennings	Munger	Rothenberg	Zubay
Dean	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	
Drew	Jude	Nelsen, M.	Searles	

The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 643, A bill for an act relating to marriage; eliminating certain information from the marriage license application; defining terms; requiring personal service in a dissolution; providing for the court's findings in an uncontested dissolution; providing mutual restraining orders pending a dissolution; providing additional relevant factors for making custody determinations and for awarding maintenance; permitting retroactive modification of support and maintenance orders for inability to pay; amending Minnesota Statutes 1978, Sections 517.03; 517.08, Subdivision 1a; 518.07; 518.09; 518.10; 518.13; 518.135, Subdivision 2; 518.155; 518.156; 518.165; 518.17, Subdivision 1; 518.175, Subdivision 1; 518.176; 518.54, Subdivision 5; 518.55; 518.551; 518.552, Subdivision 2; 518.58; 518.64, Subdivision 2; 518.66; 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 106 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Adams	Dempsey	Johnson, C.	Munger	Sarna
Ainley	Drew	Johnson, D.	Murphy	Schreiber
Anderson, B.	Eken	Jude	Nelsen, B.	Searles
Anderson, D.	Elioff	Kahn	Nelsen, M.	Sieben, H.
Anderson, G.	Enebo	Kaley	Norman	Sieben, M.
Anderson, I.	Erickson	Kalis	Norton	Simoneau
Battaglia	Esau	Kelly	Novak	Stadum
Begich	Evans	Knickerbocker	Onnen	Stoa
Berglin	Ewald	Kostohryz	Osthoff	Stowell
Berkelman	Faricy	Kvam	Otis	Swanson
Biersdorf	Forsythe	Laidig	Pavlak	Tomlinson
Blatz	Friedrich	Lehto	Pehler	Vanasek
Brinkman	Fudro	Levi	Peterson	Voss
Byrne	Greenfield	Long	Piepho	Waldorf
Carlson, D.	Halberg	Luknic	Pleasant	Welch
Carlson, L.	Haukoos	Mann	Reading	Wynia
Casserly	Heap	McCarron	Rees	Zubay
Clark	Heinitz	McEachern	Reif	Speaker Searle
Clawson	Hoberg	Mehrkens	Rice	
Corbid	Hokanson	Metzen	Rose	
Crandall	Jacobs	Minne	Rothenberg	
Dean	Jaros	Moe		

Those who voted in the negative were:

Aasness	Fritz	McDonald	Redalen	Valento
Albrecht	Jennings	Niehaus	Sherwood	Welker
Anderson, R.	Kempe	Nysether	Sviggum	Wenzel
Den Ouden	Kroening	Olsen	Thiede	Wieser
Fjoslien	Ludeman	Prahl	Valan	

The bill was passed and its title agreed to.

H. F. No. 229, A bill for an act relating to the administration of criminal justice; establishing a program for the undercover investigation of cross jurisdictional criminal activity through the purchase of narcotics, stolen property and information; providing for the restoration or disposal of stolen property; amending Minnesota Statutes 1978, Section 299C.07; and Chapter 299C, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, R.	Byrne	Dean	Erickson
Adams	Battaglia	Carlson, D.	Dempsey	Esau
Ainley	Begich	Carlson, L.	Den Ouden	Evans
Albrecht	Berglin	Casserly	Drew	Ewald
Anderson, B.	Berkelman	Clark	Eken	Faricy
Anderson, D.	Biersdorf	Clawson	Elioff	Fjoslien
Anderson, G.	Blatz	Corbid	Ellingson	Forsythe
Anderson, I.	Brinkman	Crandall	Enebo	Friedrich

Fritz	Kempe	Munger	Prahl	Swanson
Fudro	Knickerbocker	Murphy	Redalen	Thiede
Greenfield	Kostohryz	Nelsen, B.	Reding	Tomlinson
Halberg	Kroening	Nelsen, M.	Rees	Valan
Haukoos	Kvam	Nelson	Reif	Valento
Heap	Laidig	Niehaus	Rice	Vanasek
Heinitz	Lehto	Norman	Rose	Voss
Hoberg	Levi	Norton	Rothenberg	Waldorf
Hokanson	Long	Novak	Sarna	Weaver
Jacobs	Ludeman	Nysether	Schreiber	Welch
Jaros	Luknic	Olsen	Searles	Welker
Jennings	Mann	Onnen	Sherwood	Wenzel
Johnson, C.	McCarron	Osthoff	Sieben, H.	Wieser
Johnson, D.	McDonald	Otis	Sieben, M.	Wigley
Jude	McEachern	Patton	Simoneau	Wynia
Kahn	Mehrzens	Pavlak	Stadum	Zubay
Kaley	Metzen	Pehler	Stoa	Speaker Searle
Kalis	Minne	Peterson	Stowell	
Kelly	Moe	Piepho	Svigum	

The bill was passed and its title agreed to.

**H. F. No. 396, A bill for an act relating to welfare; altering the conditions under which a day care facility will be considered a single family residential use of property for zoning purposes; amending Minnesota Statutes 1978, Section 245.812, 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 120 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Adams	Drew	Jude	Murphy	Rothenberg
Ainley	Eken	Kahn	Nelsen, B.	Sarna
Albrecht	Elioff	Kaley	Nelsen, M.	Schreiber
Anderson, B.	Ellingson	Kalis	Nelson	Sherwood
Anderson, D.	Enebo	Kelly	Niehaus	Sieben, H.
Anderson, G.	Erickson	Kempe	Norman	Sieben, M.
Anderson, I.	Esau	Knickerbocker	Norton	Simoneau
Anderson, R.	Evans	Kostohryz	Novak	Stadum
Battaglia	Ewald	Kroening	Nysether	Stoa
Begich	Faricy	Kvam	Olsen	Stowell
Berglin	Fjoslien	Laidig	Onnen	Swanson
Berkelman	Forsythe	Lehto	Otis	Tomlinson
Biersdorf	Fritz	Levi	Patton	Valan
Blatz	Fudro	Long	Pavlak	Valento
Brinkman	Greenfield	Luknic	Pehler	Vanasek
Byrne	Halberg	Mann	Peterson	Voss
Carlson, L.	Heap	McCarron	Piepho	Waldorf
Casserly	Heinitz	McDonald	Prahl	Weaver
Clark	Hoberg	McEachern	Redalen	Welch
Clawson	Hokanson	Mehrzens	Reding	Wenzel
Corbid	Jacobs	Metzen	Rees	Wieser
Crandall	Jaros	Minne	Reif	Wigley
Dean	Johnson, C.	Moe	Rice	Wynia
Dempsey	Johnson, D.	Munger	Rose	Zubay

Those who voted in the negative were:

Aasness	Haukoos	Ludeman	Thiede	Speaker Searle
Den Ouden	Jennings	Sviggum	Welker	

The bill was passed and its title agreed to.

H. F. No. 610 was reported to the House and given its third reading.

#### UNANIMOUS CONSENT

Kelly requested unanimous consent to offer an amendment. The request was granted.

Kelly moved to amend H. F. No. 610, as follows:

Page 1, line 14, after "counsel" insert "of their own choice".

The motion prevailed and the amendment was adopted.

H. F. No. 610, A bill for an act relating to marriage; setting out requirements and effect of antenuptial contracts; repealing Minnesota Statutes 1978, Section 519.08.

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 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Dean	Jennings	Metzen	Redalen
Adams	Drew	Johnson, C.	Minne	Reding
Ainley	Eken	Johnson, D.	Moe	Rees
Albrecht	Elioff	Jude	Munger	Reif
Anderson, B.	Ellingson	Kahn	Murphy	Rice
Anderson, D.	Enebo	Kaley	Nelsen, B.	Rose
Anderson, G.	Erickson	Kalis	Nelsen, M.	Rothenberg
Anderson, I.	Esau	Kelly	Nelson	Sarna
Anderson, R.	Evans	Kempe	Niehaus	Schreiber
Battaglia	Ewald	Knickerbocker	Norman	Searles
Begich	Faricy	Kostohryz	Norton	Sherwood
Berglin	Fjoslien	Kroening	Novak	Sieben, H.
Berkelman	Forsythe	Kvam	Nysether	Sieben, M.
Biersdorf	Fritz	Laidig	Olsen	Simoneau
Blatz	Fudro	Lehto	Onnen	Stadum
Brinkman	Greenfield	Levi	Osthoff	Stoa
Byrne	Halberg	Long	Otis	Stowell
Carlson, D.	Haukoos	Ludeman	Patton	Sviggum
Carlson, L.	Heap	Luknic	Pavlak	Swanson
Casserly	Heinitz	Mann	Pehler	Thiede
Clark	Hoberg	McCarron	Peterson	Tomlinson
Clawson	Hokanson	McDonald	Piepho	Valan
Corbid	Jacobs	McEachern	Pleasant	Valento
Crandall	Jaros	Mehrkens	Prahl	Vanasek



Voss  
Waldorf  
Weaver

Welch  
Welker

Wenzel  
Wieser

Wigley  
Wynia

Zubay  
Speaker Searle

Those who voted in the negative were:

Den Ouden

The bill was passed, as amended, and its title agreed to.

H. F. No. 638, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating duplicate, redundant, conflicting and superseded provisions; amending Minnesota Statutes 1978, Sections 5.06; 15.0411, Subdivision 2; 16.723; 16A.71; 18.023, Subdivision 3a; 43.224; 52.04, Subdivision 1; 61A.245, Subdivisions 4, 7, and 12; 112.87; 122.531, Subdivision 4; 124.17, Subdivision 1; 150A.06, Subdivision 2a; 168.041, Subdivision 2; 168A.01, Subdivisions 18 and 19; 176.611, Subdivision 6a; 179.70, Subdivision 1; 192A.25, Subdivision 2; 192A.555; 221.011, Subdivision 22; 237.295, Subdivision 3; 270.01; 270.02, Subdivision 4; 270.10, Subdivision 1; 273.02, Subdivisions 2 and 3; 273.061, Subdivision 8; 274.18; 276.07; 279.03; 281.275; 282.15; 282.341, Subdivision 2; 290.01, Subdivision 20; 294.26; 326.48, Subdivision 2; 352B.11, Subdivision 2; 352D.02, Subdivision 1; 352E.01, Subdivision 2; 353.16; 354.44, Subdivisions 4 and 6; 355.56; 356.20, Subdivision 2; 356.60, Subdivision 1; 414.033, Subdivision 1; 414.035; 420.06; 422A.09, Subdivision 3; 423.076; 458A.03, Subdivision 2; 458A.06, Subdivisions 1 and 4; 462A.05, Subdivision 16; 462A.21, Subdivision 5; 507.09; 507.10; 507.13; 507.14; 518.005, Subdivisions 3 and 4; 524.3-303; 648.31, Subdivision 1; Laws 1975, Chapter 339, Section 10; repealing Minnesota Statutes 1978, Section 144.49, Subdivisions 2, 3 and 4; Laws 1977, Chapter 11, Section 8; 412, Section 2; Laws 1978, Chapters 538, Section 6; and 720, Section 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Berkelman	Dean	Fjoslien	Jaros
Adams	Biersdorf	Den Ouden	Forsythe	Jennings
Ainley	Blatz	Drew	Fritz	Johnson, C.
Albrecht	Brinkman	Eken	Fudro	Johnson, D.
Anderson, B.	Byrne	Elioff	Greenfield	Jude
Anderson, D.	Carlson, D.	Ellingson	Halberg	Kahn
Anderson, G.	Carlson, L.	Enebo	Haukoos	Kaley
Anderson, I.	Casserly	Erickson	Heap	Kalis
Anderson, R.	Clark	Esau	Heinitz	Kelly
Battaglia	Clawson	Evans	Hoberg	Kempe
Begich	Corbid	Ewald	Hokanson	Knickerbocker
Berglin	Crandall	Faricy	Jacobs	Kostohryz

Kroening	Moe	Patton	Searles	Voss
Kvam	Munger	Pavlak	Sherwood	Waldorf
Laidig	Murphy	Pehler	Sieben, H.	Weaver
Lehto	Nelsen, B.	Peterson	Sieben, M.	Welch
Levi	Nelsen, M.	Piepho	Simoneau	Welker
Long	Nelson	Prahl	Stadum	Wenzel
Ludeman	Niehaus	Redalen	Stoa	Wieser
Luknic	Norman	Reding	Stowell	Wigley
Mann	Norton	Rees	Sviggum	Wynia
McCarron	Novak	Reif	Swanson	Zubay
McDonald	Nysether	Rice	Thiede	Speaker Searle
McEachern	Olsen	Rose	Tomlinson	
Mehrkens	Onnen	Rothenberg	Valan	
Metzen	Osthoff	Sarna	Valento	
Minne	Otis	Schreiber	Vanasek	

The bill was passed and its title agreed to.

H. F. No. 487, A bill for an act relating to education; authorizing school districts to discontinue certain grades and provide instruction by contract with other districts; providing for calculation of aids, levies and tuition agreements; providing for the employment rights of teachers in participating districts; amending Minnesota Statutes 1978, Sections 122.41; 122.43, Subdivision 1; 122.44, Subdivision 1; and Chapter 122, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelson	Sherwood
Adams	Eken	Kaley	Niehaus	Sieben, H.
Ainley	Elioff	Kalis	Norman	Sieben, M.
Albrecht	Ellingson	Kelly	Norton	Simoneau
Anderson, B.	Enebo	Kempe	Novak	Stadum
Anderson, D.	Erickson	Knickerbocker	Nysether	Stoa
Anderson, G.	Esau	Kostohryz	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Fritz	Long	Pehler	Valento
Biersdorf	Fudro	Ludeman	Peterson	Vanasek
Blatz	Greenfield	Luknic	Piepho	Voss
Brinkman	Halberg	Mann	Pleasant	Waldorf
Byrne	Haukoos	McCarron	Prahl	Weaver
Carlson, D.	Heap	McDonald	Redalen	Welch
Carlson, L.	Heinitz	McEachern	Reding	Welker
Cassery	Hoberg	Mehrkens	Rees	Wenzel
Clark	Hokanson	Metzen	Reif	Wieser
Clawson	Jacobs	Minne	Rice	Wigley
Corbid	Jaros	Moe	Rose	Wynia
Crandall	Jennings	Munger	Rothenberg	Zubay
Dean	Johnson, C.	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	

The bill was passed and its title agreed to.

H. F. No. 534, A bill for an act relating to Murray County; allowing the county and local government units to participate in a federal railroad assistance program.

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:

Aasness	Eken	Kaley	Niehaus	Sieben, H.
Adams	Elioff	Kalis	Norman	Sieben, M.
Ainley	Ellingson	Kelly	Norton	Simoneau
Albrecht	Enebo	Kempe	Novak	Stadum
Anderson, B.	Erickson	Knickerbocker	Nysether	Stoa
Anderson, D.	Esau	Kostohryz	Olsen	Stowell
Anderson, G.	Evans	Kroening	Onnen	Sviggum
Anderson, I.	Ewald	Kvam	Osthoff	Swanson
Anderson, R.	Fariy	Laidig	Otis	Thiede
Battaglia	Fjoslien	Lehto	Patton	Tomlinson
Begich	Forsythe	Levi	Pavlak	Valan
Berglin	Fritz	Long	Pehler	Valento
Berkelman	Fudro	Ludeman	Peterson	Vanasek
Biersdorf	Greenfield	Luknic	Piepho	Voss
Blatz	Halberg	Mann	Pleasant	Waldorf
Brinkman	Haukoos	McCarron	Prahl	Weaver
Byrne	Heap	McDonald	Redalen	Welch
Carlson, D.	Heinitz	McEachern	Reding	Welker
Carlson, L.	Hoberg	Mehrkens	Rees	Wenzel
Casserly	Hokanson	Metzen	Reif	Wieser
Clark	Jacobs	Minne	Rice	Wigley
Clawson	Jaros	Moe	Rose	Wynia
Corbid	Jennings	Munger	Rothenberg	Zubay
Dean	Johnson, C.	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	
Drew	Kahn	Nelson	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 568, A bill for an act relating to the county of Anoka; authorizing the Anoka county board of commissioners to assume the powers and duties of a human services board.

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:

Aasness	Ainley	Anderson, B.	Anderson, G.	Anderson, R.
Adams	Albrecht	Anderson, D.	Anderson, I.	Battaglia

Begich	Ewald	Knickerbocker	Novak	Sieben, M.
Berglin	Faricy	Kostohryz	Nysether	Simoneau
Berkelman	Fjosien	Kroening	Olsen	Stadum
Biersdorf	Forsythe	Kvam	Onnen	Stoa
Blatz	Friedrich	Laidig	Osthoff	Stowell
Brinkman	Fritz	Lehto	Otis	Sviggum
Byrne	Fudro	Levi	Patton	Swanson
Carlson, D.	Greenfield	Long	Pavlak	Thiede
Carlson, L.	Halberg	Ludeman	Pehler	Tomlinson
Casserly	Haukoos	Luknic	Peterson	Valan
Clark	Heap	Mann	Piepho	Valento
Clawson	Heinitz	McCarron	Pleasant	Vanasek
Corbid	Hoberg	McDonald	Prahl	Voss
Crandall	Hokanson	McEachern	Redalen	Waldorf
Dean	Jacobs	Mehrkens	Reding	Weaver
Dempsey	Jaros	Metzen	Rees	Welch
Den Ouden	Jennings	Minne	Reif	Welker
Drew	Johnson, C.	Munger	Rice	Wenzel
Eken	Johnson, D.	Murphy	Rose	Wieser
Elioff	Jude	Nelsen, B.	Rothenberg	Wigley
Ellingson	Kahn	Nelsen, M.	Sarna	Wynia
Enebo	Kaley	Nelson	Schreiber	Zubay
Erickson	Kalis	Niehaus	Searles	Speaker Searle
Esau	Kelly	Norman	Sherwood	
Evans	Kempe	Norton	Sieben, H.	

The bill was passed and its title agreed to.

Berkelman was excused at 3:30 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. No. 486 which it recommended progress.

S. F. No. 254 which it recommended progress.

S. F. No. 327 which it recommended to pass with the following amendment offered by Waldorf:

Page 2, line 5, after the period, insert: "If the city of St. Paul sells any portion of this site, the city shall return to the state general fund the amount by which the sales price exceeds the legal and administrative costs, outstanding assessments and expenses incurred in razing or removing buildings on the property."

H. F. No. 206 which it recommended to pass with the following amendment offered by Biersdorf:

Page 2, line 19, delete "or"

Page 2, line 21, delete "subdivision would" and insert "section shall"

H. F. No. 189 which it recommended re-referral to the Committee on Labor-Management Relations with the following amendment offered by Fjoslien:

Page 2, line 12, after "for" insert "wholesale or"

Page 2, after line 28, insert:

"(c) A bottler or designee of a bottler shall accept from a distributor an empty beverage container of the kind, size and brand sold by the bottler and shall pay the distributor a refund value as provided in subdivision 1. The bottler or designee of the bottler shall also reimburse the distributor for the costs of handling empty beverage containers in an amount which is equal to ten percent of the refund value per returned container."

Page 3, after line 4, insert:

"(f) A dealer, upon sale and delivery to him of the filled beverage container, shall pay to the selling distributor or bottler the refund value of each container."

Reletter clauses in sequence

On the motion of Sieben, H., 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:

Swanson moved to amend S. F. No. 327, as follows:

Page 1, line 19, after "property" insert "and including a fair market price for the land which shall be returned to the state general fund"

Page 1, line 20, after "accept" delete "such conveyance,"

The question was taken on the adoption of the amendment and the roll was called. There were 21 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Anderson, D. Anderson, G. Carlson, L. Corbid Eken

Forsythe	Kaley	Nysether	Vanasek	Welch
Hoberg	Kalis	Stadum	Weaver	Zubay
Hokanson	Long	Svigum		
Kahn	Minne	Swanson		

Those who voted in the negative were:

Aasness	Elioff	Jude	Niehaus	Sarna
Ainley	Enebo	Kelly	Norman	Searles
Anderson, I.	Erickson	Knickerbocker	Norton	Sieben, H.
Anderson, R.	Esau	Kostohryz	Novak	Sieben, M.
Battaglia	Evans	Kroening	Olsen	Simoneau
Begich	Ewald	Kvam	Onnen	Stoa
Berglin	Faricy	Laidig	Osthoff	Thiede
Berkelman	Friedrich	Lehto	Otis	Tomlinson
Biersdorf	Fritz	Levi	Patton	Valan
Blatz	Fudro	Ludeman	Pavlak	Valento
Brinkman	Greenfield	Luknic	Pehler	Voss
Byrne	Haukoos	Mann	Peterson	Waldorf
Carlson, D.	Heap	McEachern	Piepho	Welker
Clawson	Jacobs	Mehrkens	Rees	Wenzel
Crandall	Jaros	Metzen	Reif	Wieser
Dempsey	Jennings	Moe	Rice	Wigley
Den Ouden	Johnson, C.	Murphy	Rose	Wynia
Drew	Johnson, D.	Nelsen, B.	Rothenberg	Speaker Searle

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. 327, as amended, and the roll was called. There were 93 yeas and 31 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Kelly	Niehaus	Searles
Adams	Drew	Kempe	Norman	Sherwood
Ainley	Elioff	Knickerbocker	Norton	Sieben, M.
Anderson, B.	Enebo	Kostohryz	Novak	Simoneau
Anderson, I.	Esau	Kroening	Osthoff	Stoa
Anderson, R.	Evans	Kvam	Otis	Stowell
Battaglia	Ewald	Laidig	Patton	Tomlinson
Begich	Faricy	Lehto	Pavlak	Valan
Berglin	Friedrich	Levi	Peterson	Valento
Berkelman	Fritz	Long	Piepho	Voss
Biersdorf	Fudro	Luknic	Prahl	Waldorf
Blatz	Greenfield	Mann	Redalen	Welch
Brinkman	Heap	McDonald	Reding	Wenzel
Byrne	Heinitz	McEachern	Rees	Wigley
Carlson, D.	Hoberg	Mehrkens	Reif	Wynia
Clark	Jacobs	Metzen	Rice	Zubay
Clawson	Jaros	Moe	Rose	Speaker Searle
Crandall	Johnson, D.	Murphy	Rothenberg	
Dempsey	Jude	Nelsen, B.	Sarna	

Those who voted in the negative were:

Anderson, D.	Dean	Hokanson	Kaley	Nelsen, M.
Anderson, G.	Eken	Jennings	Kalis	Nelson
Carlson, L.	Forsythe	Johnson, C.	Ludeman	Nysether
Corbid	Haukoos	Kahn	Minne	Olsen

Onnen	Stadum	Thiede	Welker	Wieser
Pehler	Sviggunn	Vanasek		
Pleasant	Swanson	Weaver		

The motion prevailed.

Fjoslien moved to amend H. F. No. 189, as follows:

Page 2, line 12, after "for" insert "wholesale or"

Page 2, after line 28, insert:

"(c) A bottler or designee of a bottler shall accept from a distributor an empty beverage container of the kind, size and brand sold by the bottler and shall pay the distributor a refund value as provided in subdivision 1. The bottler or designee of the bottler shall also reimburse the distributor for the costs of handling empty beverage containers in an amount which is equal to ten percent of the refund value per returned container."

Page 3, after line 4, insert:

"(f) A dealer, upon sale and delivery to him of the filled beverage container, shall pay to the selling distributor or bottler the refund value of each container."

Reletter clauses in sequence

The question was taken on the adoption of the amendment and the roll was called. There were 66 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Aasness	Evans	Kempe	Norton	Sherwood
Adams	Ewald	Knickerbocker	Novak	Sieben, M.
Anderson, B.	Faricy	Kostohryz	Nysether	Stoa
Anderson, D.	Fjoslien	Laidig	Olsen	Stowell
Anderson, G.	Fudro	Lehto	Onnen	Valan
Berglin	Greenfield	Levi	Osthoff	Vanasek
Carlson, L.	Heinitz	Long	Otis	Voss
Casserly	Hokanson	Mann	Pehler	Welch
Clark	Jacobs	McEachern	Peterson	Wieser
Clawson	Jaros	Moe	Redalen	Wynia
Corbid	Jude	Nelsen, B.	Reif	
Dean	Kahn	Nelson	Rose	
Enebo	Kalis	Niehaus	Rothenberg	
Erickson	Kelly	Norman	Sarna	

Those who voted in the negative were:

Ainley	Biersdorf	Dempsey	Forsythe	Hoberg
Albrecht	Blatz	Den Ouden	Friedrich	Jennings
Anderson, I.	Brinkman	Drew	Fritz	Johnson, C.
Battaglia	Byrne	Eken	Halberg	Johnson, D.
Begich	Carlson, D.	Elioff	Haukoos	Kaley
Berkelman	Crandall	Esau	Heap	Kroening

Kvam	Murphy	Rice	Thiede	Wigley
Ludeman	Patton	Schreiber	Tomlinson	Zubay
Luknic	Pavlak	Sieben, H.	Valento	Speaker Searle
McCarron	Piepho	Simoneau	Waldorf	
McDonald	Prahl	Stadum	Weaver	
Metzen	Reding	Sviggum	Welker	
Munger	Rees	Swanson	Wenzel	

The motion prevailed and the amendment was adopted.

The question was taken on the motion to re-refer H. F. No. 189, as amended, to the Committee on Labor-Management Relations and the roll was called. There were 79 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Kaley	Nelsen, M.	Stadum
Ainley	Enebo	Kelly	Osthoff	Stowell
Albrecht	Esau	Kroening	Patton	Sviggum
Anderson, I.	Evans	Kvam	Pavlak	Swanson
Anderson, R.	Forsythe	Levi	Piepho	Thiede
Battaglia	Friedrich	Ludeman	Prahl	Valan
Begich	Fritz	Luknic	Redalen	Valento
Biersdorf	Fudro	Mann	Reding	Waldorf
Blatz	Halberg	McCarron	Rees	Weaver
Brinkman	Haukoos	McDonald	Reif	Welker
Byrne	Heap	McEachern	Rice	Wenzel
Carlson, D.	Hoberg	Mehrkens	Rose	Wieser
Crandall	Hokanson	Metzen	Sarna	Wigley
Dempsey	Jennings	Minne	Schreiber	Zubay
Drew	Johnson, C.	Murphy	Searles	Speaker Searle
Eken	Jude	Nelsen, B.	Simoneau	

Those who voted in the negative were:

Aasness	Den Ouden	Kahn	Norman	Sherwood
Anderson, B.	Ellingson	Kalis	Norton	Sieben, H.
Anderson, D.	Erickson	Kempe	Novak	Sieben, M.
Anderson, G.	Ewald	Kostohryz	Nysether	Stoa
Berglin	Faricy	Laidig	Olsen	Tomlinson
Carlson, L.	Fjoslien	Lehto	Onnen	Vanasek
Casserly	Greenfield	Long	Otis	Voss
Clark	Heinitz	Moe	Pehler	Welch
Clawson	Jacobs	Munger	Peterson	Wynia
Corbid	Jaros	Nelson	Pleasant	
Dean	Johnson, D.	Niehaus	Rothenberg	

The motion prevailed.

## MOTIONS AND RESOLUTIONS

Nelsen, M., moved that the name of Johnson, C., be added as an author on H. F. No. 959. The motion prevailed.

Jacobs moved that the name of Valan be added as an author on H. F. No. 182. The motion prevailed.



Vanasek moved that the name of Vanasek be stricken and the name of Nelson be added as chief author on H. F. No. 787. The motion prevailed.

Wenzel moved that the name of Nelsen, B., be added as an author on H. F. No. 1031. The motion prevailed.

Blatz moved that the name of Niehaus be added as an author on H. F. No. 574. The motion prevailed.

Minne moved that the name of Luknic be added as an author on H. F. No. 1026. The motion prevailed.

Valento moved that his name be stricken as an author on H. F. No. 739. The motion prevailed.

Ludeman moved that the name of Kalis be added as an author on H. F. No. 320. The motion prevailed.

Jacobs moved that H. F. No. 956 be returned to its author. The motion prevailed.

House Concurrent Resolution No. 3 was reported to the House.

### HOUSE CONCURRENT RESOLUTION NO. 3

A house concurrent resolution relating to transportation; urging the appropriate federal agencies to provide assistance to the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (The Milwaukee Road); affirming the consideration of affirmative action by the Minnesota legislature to provide economic and viable rail transportation service for the people of Minnesota.

*Whereas*, The Milwaukee Road provides an essential transportation service enabling Minnesota farm and manufactured products to reach major marketing areas of the nation; and,

*Whereas*, The Milwaukee Road employs more than 11,000 persons on its system of which approximately 1,300 are employed in Minnesota with an annual payroll in the state of more than \$22 million; and,

*Whereas*, The Milwaukee Road operates approximately 450 miles of main line track and 1,500 miles of branch line and other track in Minnesota serving the Twin Cities, southern and western areas of the state; and,

*Whereas*, The Milwaukee Road is in bankruptcy and essential transportation services to important areas of our farm and marketing economy, including Minnesota's most modern beet

sugar processing plant, are in jeopardy because of the financial problems confronting this railroad; and,

*Whereas*, prior to going into bankruptcy in 1977, The Milwaukee Road paid substantial taxes in Minnesota totalling \$3,471,571; and,

*Whereas*, The Chicago, Rock Island and Pacific Railroad Company is also in bankruptcy and other railroads in the state are operating at marginal profits; and,

*Whereas*, the existing and projected long range energy shortage in the nation requires that energy efficient means of hauling bulk goods for long distances be preserved and protected; and,

*Whereas*, The Milwaukee Road performs vital coal transportation service to existing electric generating facilities located in western Minnesota which is part of the long range energy plans and the continuation of this service is vital; and,

*Whereas*, federal agencies and the Congress of the United States are considering appropriate responses to the financial needs and problems of The Milwaukee Road and the problems of the railroad industry as a whole; *now, therefore*,

*Be it Resolved*, by the House of Representatives, the Senate concurring:

(1) The Legislature of the State of Minnesota urges the Congress, the U.S. Department of Transportation, the Federal Railroad Administration, the U.S. Department of Agriculture and other federal agencies to exert every effort to provide the necessary assistance to maintain the vital Milwaukee Road.

(2) The Legislature of the State of Minnesota affirms an affirmative action program to join with other states, state and local governments, shippers and the railroad industry in an endeavor to develop sound tax; regulatory and assistance programs which will aid in retention of a viable railroad system in the state, including the vital Milwaukee Road system in southern and western Minnesota.

(3) A copy of this resolution shall be transmitted by the Secretary of State to the President of the United States, members of the Minnesota congressional delegation, the U.S. Department of Transportation, the Federal Railroad Administration, the Interstate Commerce Commission and the U.S. Department of Agriculture.

Den Ouden moved that House Concurrent Resolution No. 3 be now adopted. The motion prevailed and House Concurrent Resolution No. 3 was adopted.

## ADJOURNMENT

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, March 27, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## TWENTY-NINTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 27, 1979

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:

Aasness	Drew	Jude	Nelson	Sherwood
Adams	Eken	Kahn	Niehaus	Sieben, H.
Ainley	Elioff	Kaley	Norman	Sieben, M.
Albrecht	Ellingson	Kalis	Norton	Simoneau
Anderson, B.	Enebo	Kelly	Novak	Stadum
Anderson, D.	Erickson	Kempe	Nysether	Stoa
Anderson, G.	Esau	Knickerbocker	Olsen	Stowell
Anderson, I.	Evans	Kostohryz	Onnen	Sviggum
Anderson, R.	Ewald	Kroening	Osthoff	Swanson
Battaglia	Faricy	Kvam	Otis	Thiede
Begich	Fjoslien	Laidig	Patton	Tomlinson
Berglin	Forsythe	Lehto	Pavlak	Valan
Berkelman	Friedrich	Levi	Pehler	Valento
Biersdorf	Fritz	Long	Peterson	Vanasek
Blatz	Fudro	Ludeman	Piepho	Voss
Brinkman	Greenfield	Luknic	Pleasant	Waldorf
Byrne	Halberg	Mann	Prahl	Weaver
Carlson, D.	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Cassery	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
DenOuden	Johnson, D.	Nelsen, M.	Searles	

A quorum was present.

McCarron was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly 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. 713, 206, 189 and 610 and S. F. No. 327 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

March 26, 1979

The Honorable Rod Searle  
Speaker of the House  
State of Minnesota

Dear Speaker Searle:

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. 9, relating to education; authorizing the pairing of certain independent school districts; extending the time for pairing; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.

Sincerely,

ALBERT H. QUIE  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

March 26, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
	9	10	March 26	March 26
81		11	March 26	March 26
138		12	March 26	March 26
203		13	March 26	March 26

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

### REPORTS OF STANDING COMMITTEES

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 345, A bill for an act relating to state property; authorizing the conveyance of certain state property in Kandiyohi County to the city of Willmar; appropriating money.

Reported the same back with the following amendments:

Page 1, delete section 3 and insert:

"Sec. 3. \$———— is appropriated from the general fund to the commissioner of administration to be used for land survey costs and to make payment to the city of Willmar for general improvements of the station including a meter to determine the flow from the Willmar State Hospital. The amount to be paid to the city of Willmar shall be as agreed upon through negotiations between the commissioner of administration, the commissioner of public welfare, and the city of Willmar. The appropriation shall expire June 30, 1980."

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. 715, A bill for an act relating to interstate motor vehicle carriers; eliminating certain registration requirements for certain interstate carriers; amending Minnesota Statutes 1978, Section 221.62.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 746, A bill for an act relating to retirement; teachers retirement association; increase in employer contribution; amending Minnesota Statutes 1978, Sections 354.42, Subdivisions 3 and 5; and 354A.12.

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 Governmental Operations to which was referred:

H. F. No. 851, A bill for an act relating to hearing impaired persons; establishing regional service centers and advisory committees; establishing a statewide interpreter referral service; providing for a program of training and employment; prescribing duties for the commissioner of public welfare; establishing an office on hearing impairment; providing for an advisory committee for the state council for the handicapped; prescribing duties for the department of health; appropriating money.

Reported the same back with the following amendments:

Page 6, line 20, delete "section" and insert "sections" and after "and" insert "10"

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 Governmental Operations to which was referred:

S. F. No. 204, A bill for an act relating to state lands; authorizing the conveyance of certain lands in Kittson 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. No. 715 was read for the second time.

### SECOND READING OF SENATE BILLS

S. F. No. 204 was read for the second time.

### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Novak introduced:

H. F. No. 1044, A bill for an act relating to retirement; providing for the membership of certain persons in the public employees police and fire fund.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Simoneau, Pehler, Rice and Adams introduced:

H. F. No. 1045, A bill for an act relating to labor; public employment labor relations; clarifying definition of essential employee; amending Minnesota Statutes 1978, Section 179.63, Subdivision 11.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Hokanson, Fudro, Novak, Wieser and Luknic introduced:

H. F. No. 1046, A bill for an act relating to alcoholic beverages; prohibiting consumption or possession in certain highway facilities; providing a penalty; amending Minnesota Statutes 1978, Section 160.27, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.



Anderson, G.; Patton and Nelsen, B., introduced:

H. F. No. 1047, A bill for an act relating to county and county regional jails; providing for establishment and use of county jails and county regional jails and the financing thereof by county contributions and bonds and municipal revenue bonds and leases; amending Minnesota Statutes 1978, Sections 474.01, Subdivisions 7a and 8, and by adding a subdivision; 474.02, by adding a subdivision; 641.23; 641.24; 641.262, Subdivision 1; 641.263, Subdivision 2; 641.264, Subdivision 1; 641.265; and 642.04.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kelly and Long introduced:

H. F. No. 1048, A bill for an act relating to education; requiring the higher education coordinating board to develop comprehensive regional and state plans for higher education and post-secondary vocational education; appropriating money; amending Minnesota Statutes 1978, Chapter 136A, by adding a section.

The bill was read for the first time and referred to the Committee on Education.

Pavlak, Novak, Crandall and Kelly introduced:

H. F. No. 1049, A bill for an act relating to crimes; limiting juvenile court jurisdiction with respect to certain juveniles; amending Minnesota Statutes 1978, Sections 260.015, by adding a subdivision; 260.111, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Swanson; Sieben, H.; McCarron; McDonald and Forsythe introduced:

H. F. No. 1050, A bill for an act relating to the department of veterans affairs; increasing the bed capacity at the Hastings veterans home; eliminating the requirement of certain informational reports relating to the interment of deceased veterans; amending Minnesota Statutes 1978, Section 198.31; repealing Minnesota Statutes 1978, Section 149.07.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Schreiber and Weaver introduced:

H. F. No. 1051, A bill for an act relating to taxation; property; increasing the homestead credit for classes 3b, 3c and 3cc property; amending Minnesota Statutes 1978, Section 273.13, Subdivisions 6 and 7.

The bill was read for the first time and referred to the Committee on Taxes.

Begich introduced:

H. F. No. 1052, A bill for an act relating to retirement; Eveleth joint retired police and firefighters retirement trust fund; providing for a post retirement adjustment.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Begich introduced:

H. F. No. 1053, A bill for an act relating to predators; establishing an incentive program for the control thereof; providing a penalty; appropriating funds.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Begich introduced:

H. F. No. 1054, 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 1978, Section 116D.04, Subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Adams; Carlson, L.; Heinitz and Forsythe introduced:

H. F. No. 1055, A bill for an act relating to education; changing the use of the net proceeds from the lease of a schoolhouse; amending Minnesota Statutes 1978, Section 123.36, Subdivision 10.

The bill was read for the first time and referred to the Committee on Education.

Vanasek, Casserly, Luknic, Sieben, H., and Anderson, I., introduced:

H. F. No. 1056, A bill for an act relating to taxation; property tax refund; providing a credit for certain taxpayers for the cost of energy utilities and heating fuel; appropriating money; amending Minnesota Statutes 1978, Sections 290A.03, by adding a subdivision; 290A.04, by adding a subdivision; 290A.09; 290A.16; 290A.19; 290A.22; and Chapter 290A, by adding sections.

The bill was read for the first time and referred to the Committee on Taxes.

Crandall introduced:

H. F. No. 1057, A bill for an act relating to the financing of a metropolitan convention and sports facility; providing for the appointment of a new commission; providing for the construction of a covered multipurpose convention and sports facility; imposing a one percent tax upon the gross receipts from certain retail sales; providing a tax credit for certain low-income taxpayers; providing for the disbursement of revenues to the school districts; providing penalties; appropriating money; amending Minnesota Statutes 1978, Sections 473.551, Subdivisions 4, 7 and 8; 473.553, Subdivision 5; 473.556, Subdivision 6, and by adding a subdivision; 473.595, Subdivisions 2, 6, and by adding a subdivision; and Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Sections 473.581; and 473.591.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fritz introduced:

H. F. No. 1058, A bill for an act relating to accountancy; prescribing qualifications for licensing as certified public accountants; providing for examination and licensing of certain individuals who qualified for examination under prior law.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Norman, Drew, Valan and Clawson introduced:

H. F. No. 1059, A bill for an act relating to state government; making changes in the powers and duties of the state personnel board; amending Minnesota Statutes 1978, Sections 43.06; 43.062, Subdivision 3; 43.069, Subdivision 1; 43.09, Subdivision 2a; 43.24, Subdivision 1; and 43.323, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Norman, Clawson, Valan, Hoberg and Kroening introduced:

H. F. No. 1060, A bill for an act relating to occupational and professional licensing; allowing executive secretaries of licensing boards to expend certain sums; providing temporary exemptions from licensure for certain qualified practitioners; granting the board of podiatry rule making powers; authorizing licensing boards to temporarily suspend licenses under certain circumstances; amending Minnesota Statutes 1978, Sections 16A.16; 148.271; 148.295; 214.10, by adding a subdivision; and Chapter 153, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Moe, Patton, Kaley, Biersdorf and Sarna introduced:

H. F. No. 1061, A bill for an act relating to Minnesota retirement funds; concerning the fixed return account; clarifying early redemption valuations for organizational participants; amending Minnesota Statutes 1978, Section 11.18, Subdivision 3a.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Mann introduced:

H. F. No. 1062, A bill for an act relating to the city of Windom; authorizing the purchase of annuity contracts for retiring firefighters.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Lehto, Berkelman, Munger and Jaros introduced:

H. F. No. 1063, A bill for an act relating to the city of Duluth; increasing the number of directors on the Duluth Transit Authority and permitting representation of the city of Superior, Wisconsin; amending Laws 1969, Chapter 720, Sections 1, as amended, and 11, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Lehto, Clark, Crandall, Rothenberg and Zubay introduced:

H. F. No. 1064, A bill for an act relating to crimes; requiring reporting of firearm discharges by private security officers.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Enebo, Greenfield, Minne, Kaley and Pavlak introduced:

H. F. No. 1065, A bill for an act relating to state government; regulating meetings, indemnification and appointment of the investment advisory council and annual reports of the state board of investment; amending Minnesota Statutes 1978, Sections 11.117. Subdivisions 4 and 6; 11.118 and 11.145.

The bill was read for the first time and referred to the Committee on Governmental Operations.

McDonald; Aasness; Carlson, D.; Kalis and Jennings introduced:

H. F. No. 1066, A bill for an act relating to agriculture; providing for corn industry promotion; appropriating money.

The bill was read for the first time and referred to the Committee on Agriculture.

Luknic, Kaley, Zubay, Vanasek and Hokanson introduced:

H. F. No. 1067, A bill for an act relating to welfare; providing state aid through matching grants from the department of public welfare to counties for certain semi-independent living services programs; requiring counties to monitor the services; requiring bonds for private providers of the services; directing the commissioner of public welfare to promulgate rules to implement administration of the grant program; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Kempe introduced:

H. F. No. 1068, A bill for an act relating to the city of Apple Valley; authorizing a housing finance program; providing for the issuance of bonds to finance the program.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kempe introduced:

H. F. No. 1069, A bill for an act relating to the city of Eagan; authorizing a housing finance program; providing for the issuance of bonds to finance the program.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Kempe introduced:

H. F. No. 1070, A bill for an act relating to the city of West St. Paul; authorizing a housing finance program; providing for the issuance of bonds to finance the program.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Halberg, Crandall, Dempsey, Jude and Kempe introduced:

H. F. No. 1071, A bill for an act relating to insurance; providing for payment of certain attorney fees in automobile insurance claims; setting limits on fees recoverable by subrogation; amending Minnesota Statutes 1978, Chapter 65B, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Levi, Kalis and McEachern introduced:

H. F. No. 1072, A bill for an act relating to education; appropriating money to the department of education for the purpose of certain assistance to educational cooperative service units.

The bill was read for the first time and referred to the Committee on Education.

Levi introduced:

H. F. No. 1073, A bill for an act relating to education; appropriating money for grants to enable certain schools to experiment with a mastery learning methodology to achieve minimum student competency in mathematics and reading.

The bill was read for the first time and referred to the Committee on Education.

Levi, Laidig and Sieben, M., introduced:

H. F. No. 1074, A bill for an act relating to courts; tenth judicial district; authorizing the position of civil commitment referee in Washington County; amending Minnesota Statutes 1978, Section 253A.21, by adding a subdivision; and Chapter 484, by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Levi, Simoneau, Jennings and Thiede introduced:

H. F. No. 1075, A bill for an act relating to education; changing the foundation aid formula for certain school years; amending Minnesota Statutes 1978, Section 124.212, Subdivisions 6c and 7c.

The bill was read for the first time and referred to the Committee on Education.

Sarna, Patton and Biersdorf introduced:

H. F. No. 1076, A bill for an act relating to retirement; public employees retirement association; purchase of prior service by certain elected officials.

The bill was read for the first time and referred to the Committee on Governmental Operations.

#### HOUSE ADVISORIES

The following House Advisory was introduced:

Heinitz, Enebo, Kaley, Adams and Pavlak introduced:

H. A. No. 10, A proposal to study the state personnel system and department of personnel.

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 House File, herewith returned, as amended by the Senate, in

which amendment the concurrence of the House is respectfully requested:

H. F. No. 303, A bill for an act validating and legalizing certain state assignment certificates.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Jaros moved that the House concur in the Senate amendments to H. F. No. 303 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 303, A bill for an act validating and legalizing certain state assignment certificates.

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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Elioff	Jude	Nelson	Sherwood
Adams	Ellingson	Kaley	Niehaus	Sieben, H.
Ainley	Enebo	Kalis	Norman	Sieben, M.
Albrecht	Erickson	Kelly	Novak	Simoneau
Anderson, B.	Esau	Kempe	Nysether	Stadum
Anderson, D.	Evans	Knickerbocker	Olsen	Stoa
Anderson, I.	Ewald	Kostohryz	Onnen	Stowell
Anderson, R.	Faricy	Kroening	Osthoff	Sviggum
Battaglia	Fjoslien	Kvam	Otis	Swanson
Begich	Forsythe	Laidig	Patton	Tomlinson
Berglin	Friedrich	Lehto	Pavlak	Valan
Berkelman	Fritz	Levi	Pepler	Valento
Blatz	Fudro	Long	Peterson	Vanasek
Brinkman	Greenfield	Ludeman	Piepho	Voss
Byrne	Halberg	Luknic	Pleasant	Waldorf
Carlson, D.	Haukoos	Mann	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Clark	Heinitz	McEachern	Reding	Welker
Clawson	Hoberg	Mehrkens	Rees	Wenzel
Corbid	Hokanson	Metzen	Reif	Wieser
Crandall	Jacobs	Minne	Rice	Wigley
Dean	Jaros	Munger	Rose	Wynia
Dempsey	Jennings	Murphy	Rothenberg	Zubay
Den Ouden	Johnson, C.	Nelsen, B.	Sarna	Speaker Searle
Drew	Johnson, D.	Nelsen, M.	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. 416, A bill for an act relating to legal process; providing for replevin of personal property before and after a hearing; providing for bonds; providing a penalty; repealing Minnesota Statutes 1978, Sections 565.01; 565.02; 565.03; 565.04; 565.05; 565.06; 565.07; 565.08; 565.09; 565.10; and 565.11.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Ellingson moved that the House concur in the Senate amendments to H. F. No. 416 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 416, A bill for an act relating to legal process; providing for replevin of personal property before and after a hearing; providing for bonds; providing a penalty; amending Minnesota Statutes 1978, Sections 542.06; and 546.23; repealing Minnesota Statutes 1978, Sections 565.01; 565.02; 565.03; 565.04; 565.05; 565.06; 565.07; 565.08; 565.09; 565.10; and 565.11.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Crandall	Heinitz	Ludeman	Otis
Adams	Dean	Hoberg	Luknic	Patton
Ainley	Dempsey	Hokanson	Mann	Pavlak
Albrecht	Den Ouden	Jacobs	McDonald	Pehler
Anderson, B.	Drew	Jaros	McEachern	Peterson
Anderson, D.	Elioff	Jennings	Mehrrens	Piepho
Anderson, G.	Ellingson	Johnson, C.	Metzen	Prahl
Anderson, I.	Enebo	Johnson, D.	Minne	Redalen
Anderson, R.	Erickson	Jude	Moe	Reding
Battaglia	Esau	Kahn	Munger	Rees
Beghin	Evans	Kaley	Murphy	Reif
Berglin	Ewald	Kalis	Nelsen, B.	Rice
Berkelman	Faricy	Kelly	Nelsen, M.	Rose
Biersdorf	Fjoslien	Kempe	Nelson	Rothenberg
Blatz	Forsythe	Knickerbocker	Niehaus	Sarna
Byrne	Friedrich	Kostohryz	Norman	Searles
Carlson, D.	Fritz	Kroening	Norton	Sieben, H.
Carlson, L.	Fudro	Kvam	Novak	Sieben, M.
Casserly	Greenfield	Laidig	Nysether	Simoneau
Clark	Halberg	Lehto	Olsen	Stadum
Clawson	Haukoos	Levi	Onnen	Stoa
Corbid	Heap	Long	Osthoff	Stowell

Sviggum	Valan	Waldorf	Wenzel	Zubay
Swanson	Valento	Weaver	Wieser	Speaker Searle
Thiede	Vanasek	Welch	Wigley	
Tomlinson	Voss	Welker	Wynia	

The bill was repassed, as amended by the Senate, and its title agreed to.

### CONSENT CALENDAR

S. F. No. 207, A bill for an act relating to transportation; authorizing the commissioner of transportation to enter into an agreement with the state of Iowa for the construction and improvement of a short segment of highway within the state of Iowa to connect a trunk highway with the highway system of that state; providing for the payment of the costs therefor.

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:

Aasness	Den Ouden	Jude	Nelsen, M.	Searles
Adams	Drew	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadium
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Heap	McDonald	Prahl	Welch
Carlson, L.	Heinitz	McEachern	Redalen	Welker
Casserly	Hoberg	Mehrkens	Reding	Wenzel
Clark	Hokanson	Metzen	Rees	Wieser
Clawson	Jacobs	Minne	Reif	Wigley
Corbid	Jaros	Moe	Rice	Wynia
Crandall	Jennings	Munger	Rose	Zubay
Dean	Johnson, C.	Murphy	Rothenberg	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Sarna	

The bill was passed and its title agreed to.

H. F. No. 356 was reported to the House.

There being no objection H. F. No. 356 was returned to the bottom of General Orders for today.

## CALENDAR

S. F. No. 327, A bill for an act relating to the city of Saint Paul; authorizing the disposition of the Gillette state hospital property, building and grounds.

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 26 nays as follows:

Those who voted in the affirmative were:

Aasness	Dempsey	Jaros	Munger	Rose
Adams	Den Ouden	Johnson, D.	Murphy	Rothenberg
Ainley	Drew	Jude	Nelsen, B.	Sarna
Albrecht	Elioff	Kahn	Nelsen, M.	Searles
Anderson, B.	Enebo	Kelly	Niehaus	Sherwood
Anderson, D.	Erickson	Kempe	Norman	Sieben, H.
Anderson, I.	Esau	Knickerbocker	Norton	Sieben, M.
Anderson, R.	Evans	Kostohryz	Novak	Simoneau
Battaglia	Ewald	Kroening	Osthoff	Stoa
Begich	Faricy	Kvam	Otis	Stowell
Berglin	Fjoslien	Laidig	Patton	Tomlinson
Berkelman	Friedrich	Lehto	Pavlak	Valan
Blatz	Fritz	Levi	Pehler	Valento
Brinkman	Fudro	Long	Peterson	Voss
Byrne	Greenfield	Luknie	Piepho	Waldorf
Carlson, D.	Halberg	Mann	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wigley
Clawson	Hokanson	Metzen	Reif	Wynia
Crandall	Jacobs	Moe	Rice	Speaker Searle

Those who voted in the negative were:

Anderson, G.	Jennings	Nelson	Stadum	Wieser
Corbid	Johnson, C.	Nysether	Sviggum	Zubay
Dean	Kaley	Olsen	Swanson	
Eken	Kalis	Onnen	Thiede	
Forsythe	Ludeman	Pleasant	Vanasek	
Haukoos	Minne	Schreiber	Welker	

The bill was passed and its title agreed to.

H. F. No. 206 was reported to the House.

There being no objection H. F. No. 206 was continued on the Calendar for one day.

Ewald and Murphy were excused between 4:00 p.m. and 4:45 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. 677, 60 and 214 which it recommended to pass.

S. F. Nos. 254 and 198 which it recommended to pass.

H. F. Nos. 656 and 479 which it recommended progress.

S. F. No. 20 which it recommended progress until Monday, April 2, 1979.

H. F. No. 486 which it recommended progress retaining its place on General Orders.

H. F. No. 451 which it recommended to pass with the following amendment offered by Kaley:

Page 6, after line 1, add a new section as follows:

"Sec. 7. Minnesota Statutes 1978, Section 169.346, Subdivision 3, is amended to read:

Subd. 3. Any person who violates the provisions of subdivision 1 shall be (FINED \$10) *guilty of a petty misdemeanor*. This subdivision shall be enforced in the same manner as parking ordinances or regulations are enforced in the governmental subdivision in which the violation occurs. A handicapped person charged with violating subdivision 1 because he parked in a handicapped parking space without the required certificate or insignia shall not be convicted if he produces in court or prior to the court appearance the required certificate or insignia and demonstrates that he was entitled to the certificate or insignia at the time of arrest or tagging."

Renumber the sections accordingly.

Amend the title on page 1 in line 15 as follows:

After "Subdivisions 1", delete "and 2." and insert ", 2 and 3."

H. F. No. 521 which it recommended to pass with the following amendment offered by Clark:

Page 2, line 3, after "court." delete "Personal"

Page 2, line 31, after "order." insert "Personal"

H. F. No. 191 which it recommended to pass with the following amendments:

Offered by Sieben, H.:

Page 2, delete section 2 and insert:

"Sec. 2. Whenever the department of veterans affairs determines that any land under its supervision in the city of Hastings is not needed for the Minnesota veterans home the commissioner of veterans affairs shall promptly inform the commissioner of administration and the city of Hastings. If the city decides that it has use for all or part of the land it shall inform the commissioner of administration. The commissioner of administration shall then convey to the city of Hastings, in the form approved by the attorney general, the land requested by the city of Hastings. Land conveyed pursuant to sections 1 and 2 may be used by the city only for public purposes."

Offered by Dean:

In the second sentence of the Sieben, H., amendment after "If the" insert "governing board of the"

On the motion of Sieben, H., 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:

Anderson, R., moved to amend H. F. No. 60, as follows:

Page 1, line 14, after "livestock" strike ", except lands" delete "*used while on foot*" strike "within"

Page 1, line 15, delete "33" strike "feet of the water's edge of streams or lakes"

The question was taken on the adoption of the amendment and the roll was called. There were 37 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Aasness	Brinkman	Fjoslien	Nelsen, B.	Valan
Ainley	Carlson, D.	Heap	Niehaus	Valento
Albrecht	Corbid	Hoberg	Onnen	Welker
Anderson, B.	Den Ouden	Johnson, C.	Rees	Wenzel
Anderson, D.	Eken	Kalis	Rothenberg	Wieser
Anderson, G.	Erickson	Ludeman	Stadum	
Anderson, I.	Esau	Mann	Sviggum	
Anderson, R.	Evans	Mehrkens	Thiede	

Those who voted in the negative were:

Adams	Ewald	Knickerbocker	Norton	Sherwood
Battaglia	Faricy	Kostohryz	Novak	Sieben, H.
Begich	Forsythe	Kroening	Nysether	Sieben, M.
Berglin	Friedrich	Kvam	Olsen	Simoneau
Berkelman	Fritz	Laidig	Osthoff	Stoa
Biersdorf	Fudro	Lehto	Otis	Stowell
Blatz	Greenfield	Levi	Pavlak	Swanson
Byrne	Halberg	Long	Pehler	Tomlinson
Carlson, L.	Haukoos	Luknic	Peterson	Vanasek
Casserly	Hokanson	McDonald	Piepho	Voss
Clark	Jacobs	McEachern	Prahl	Waldorf
Crandall	Jennings	Metzen	Redalen	Weaver
Dean	Johnson, D.	Minne	Reding	Welch
Dempsey	Jude	Munger	Reif	Wigley
Drew	Kahn	Murphy	Rice	Wynia
Elioff	Kaley	Nelsen, M.	Rose	Zubay
Ellingson	Kelly	Nelson	Sarna	Speaker Searle
Enebo	Kempe	Norman	Searles	

The motion did not prevail and the amendment was not adopted.

Fjoslien moved to amend H. F. No. 60, as follows:

Page 1, line 15, after "streams" delete "or lakes"

The question was taken on the adoption of the amendment and the roll was called. There were 20 yeas and 97 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, R.	Fjoslien	Nelsen, B.	Valan
Ainley	Corbid	Hoberg	Niehaus	Valento
Albrecht	Den Ouden	Johnson, C.	Stadum	Welker
Anderson, D.	Evans	Kalis	Sviggum	Wigley

Those who voted in the negative were:

Adams	Byrne	Eken	Greenfield	Johnson, D.
Anderson, B.	Carlson, L.	Elioff	Halberg	Jude
Anderson, G.	Casserly	Ellingson	Haukoos	Kahn
Battaglia	Clark	Ewald	Heap	Kaley
Begich	Crandall	Faricy	Hokanson	Kelly
Berglin	Dean	Forsythe	Jacobs	Kempe
Berkelman	Dempsey	Fritz	Jaros	Knickerbocker
Biersdorf	Drew	Fudro	Jennings	Kostohryz

Kroening	Minne	Pavlak	Sarna	Voss
Kvam	Munger	Pehler	Schreiber	Waldorf
Laidig	Nelsen, M.	Peterson	Sherwood	Weaver
Lehto	Nelson	Piepho	Sieben, H.	Welch
Levi	Norman	Prahl	Sieben, M.	Wenzel
Long	Norton	Redalen	Simoneau	Wieser
Ludeman	Novak	Reding	Stoa	Wynia
Luknic	Nysether	Rees	Stowell	Zubay
McDonald	Olsen	Reif	Swanson	Speaker Searle
McEachern	Osthoff	Rice	Thiede	
Mehrkens	Otis	Rose	Tomlinson	
Metzen	Patton	Rothenberg	Vanasek	

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. 60 and the roll was called. There were 95 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Aasness	Erickson	Kaley	Nelsen, M.	Simoneau
Ainley	Esau	Kalis	Niehaus	Stadum
Albrecht	Evans	Kelly	Norton	Stowell
Anderson, B.	Faricy	Knickerbocker	Nysether	Sviggum
Anderson, D.	Forsythe	Kostohryz	Olsen	Thiede
Anderson, G.	Friedrich	Kvam	Onnen	Tomlinson
Anderson, I.	Fritz	Laidig	Otis	Valan
Battaglia	Greenfield	Lehto	Patton	Valento
Begich	Haukoos	Levi	Pavlak	Vanasek
Berkelman	Heap	Long	Peterson	Voss
Biersdorf	Heinitz	Ludeman	Pleasant	Waldorf
Blatz	Hoberg	Luknic	Prahl	Weaver
Erinkman	Hokanson	Mann	Redalen	Welch
Corbid	Jacobs	McDonald	Rees	Welker
Dean	Jennings	McEachern	Reif	Wenzel
Den Ouden	Johnson, C.	Mehrkens	Rothenberg	Wieser
Drew	Johnson, D.	Minne	Schreiber	Wigley
Eken	Jude	Munger	Searle	Wynia
Ellingson	Kahn	Nelsen, B.	Sherwood	Speaker Searle

Those who voted in the negative were:

Adams	Clark	Halberg	Osthoff	Sieben, H.
Anderson, R.	Crandall	Kempe	Pehler	Sieben, M.
Berglin	Dempsey	Kroening	Piepho	Stoa
Byrne	Elioff	Metzen	Reding	Swanson
Carlson, D.	Enebo	Nelson	Rice	Zubay
Carlson, L.	Fjosien	Norman	Rose	
Casserly	Fudro	Novak	Sarna	

The motion prevailed.

## MOTIONS AND RESOLUTIONS

Carlson, D., moved that the name of Sviggum be added as an author on H. F. No. 963. The motion prevailed.

Reding moved that the name of Reding be stricken and the name of Redalen be shown as chief author on H. F. No. 593. The motion prevailed.

Luknic moved that her name be stricken as an author on H. F. No. 1006. The motion prevailed.

Novak moved that the name of Sarna be added as an author on H. F. No. 1044. The motion prevailed.

Anderson, I., moved that S. F. No. 298 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on Governmental Operations. The motion prevailed.

Battaglia moved that the names of Carlson, D., and Biersdorf be added as authors on H. F. No. 1000. The motion prevailed.

Wenzel moved that the name of Jude be added as an author on H. F. No. 979. The motion prevailed.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 12:00 noon, Thursday, March 29, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Thursday, March 29, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives





## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## THIRTIETH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 29, 1979

The House of Representatives convened at 12:00 noon and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Aasness	Drew	Kahn	Nelson	Sherwood
Adams	Eken	Kaley	Niehaus	Sieben, H.
Ainley	Elioff	Kalis	Norman	Sieben, M.
Albrecht	Ellingson	Kelly	Norton	Simoneau
Anderson, B.	Enebo	Kempe	Novak	Stadum
Anderson, D.	Erickson	Knickerbocker	Nysether	Stoa
Anderson, G.	Esau	Kostohryz	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	Mann	Pleasant	Waldorf
Byrne	Halberg	McCarron	Prahl	Weaver
Carlson, D.	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Casserly	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hokanson	Metzen	Reif	Wieser
Clawson	Jacobs	Minne	Rice	Wigley
Corbid	Jaros	Moe	Rose	Wynia
Crandall	Jennings	Munger	Rothenberg	Zubay
Dean	Johnson, C.	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	

A quorum was present.

Hoberg was excused until 1:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Stowell 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. 715, 451, 521 and 191 and S. F. No. 327 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 28, 1979

The Honorable Rod Searle  
Speaker of the House  
State of Minnesota

Dear Speaker Searle:

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. 3, ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

Sincerely,

ALBERT H. QUIE  
Governor

## REPORTS OF STANDING COMMITTEES

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 31, A bill for an act relating to taconite and semi-taconite companies; withdrawing the right to exercise eminent domain; authorizing the grant of licenses, permits and leases of state owned land; amending Minnesota Statutes 1978, Section 117.47; repealing Minnesota Statutes 1978, Sections 117.46; and 117.461.

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. 103, A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; limiting the width and prescribing conditions for the movement of loads of round baled hay; amending Minnesota Statutes 1978, Section 169.80, Subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 169, is amended by adding a section to read:

[169.862] [PERMITS FOR CERTAIN LOADS.] *The commissioner of transportation, with respect to highways under his jurisdiction, and local authorities, with respect to highways under their jurisdiction, may issue an annual permit to enable a vehicle carrying round baled hay, with a total outside width of the vehicle or the load thereon not exceeding 11-1/2 feet, to be operated on public streets and highways. Permits issued pursuant to this section shall be governed by the applicable provisions of section 169.86 except as otherwise provided herein, and in addition shall carry the following restrictions:*

(a) *The vehicles shall not be operated between sunset and sunrise, when visibility is impaired by weather, fog or other conditions rendering persons and vehicles not clearly visible at a distance of 500 feet, or on Saturdays, Sundays and holidays.*

(b) *The vehicles shall not be operated on interstate highways.*

(c) *The vehicles shall not be operated on a trunk highway with a pavement less than 24 feet wide.*

(d) *A vehicle operated under the permit shall be equipped with a retractable or removable mirror on the left side so located that it will reflect to the driver a clear view of the highway for a distance of at least 200 feet to the rear of the vehicle. Simultaneous flashing amber lights, as provided in section 169.59, subdivision 4, shall be displayed to the front and rear of the vehicle. The flashing amber lights shall be lighted only when the width of the load exceeds eight feet. The flashing amber light system shall be in addition to and separate from the turn signal system and the hazard warning light system.*

(e) *A vehicle operated under the permit shall display red, orange or yellow flags, 12 inches square, as markers at the front*

*and rear, and on both sides of the load. The load shall be securely bound to the transporting vehicle.*

*The fee for the permit shall be \$25.*

*Sec. 2. This act is effective the day following final enactment."*

Amend the title as follows:

Delete lines 3 to 6 and insert:

*"allowing loads of round baled hay with a width of 11-1/2 feet to be transported pursuant to permit; amending Minnesota Statutes 1978, Chapter 169, by adding a section."*

With the recommendation that when so amended the bill pass.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 122, A bill for an act relating to 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 1978, Section 260.315; and Chapter 260, by adding a section.

Reported the same back with the following amendments:

Page 2, line 3, after "*notification*" delete "*that the*"

Page 2, delete lines 4 and 5

Page 2, line 6, delete "*against persons named therein*" and insert "*of his rights against self-incrimination as provided under the Fifth Amendment of the United States Constitution and of his rights to counsel as provided under the Sixth Amendment of the United States Constitution*"

Page 2, line 7, delete "*may*" and insert "*shall*"

Page 3, after line 14, insert

*"Sec. 3. [EXPIRATION.] This act expires on July 31, 1981.*

*Sec. 4. [EFFECTIVE DATE.] This act is effective the day following final enactment."*

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on Labor-Management Relations to which was referred:

H. F. No. 219, A bill for an act relating to electricians; establishing an additional class of installers license; amending Minnesota Statutes 1978, Sections 326.01, Subdivision 6b; and 326.242, Subdivision 3.

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. 235, A bill for an act relating to state parks; removing certain lands from within the boundaries of Split Rock Lighthouse State Park.

Reported the same back with the following amendments:

Page 1, after line 11 insert:

"Sec. 2. Subdivision 1. The following described land in Lake County is added to Split Rock Lighthouse State Park:

The Northwest Quarter of Section 6, Township 54 North, Range 8 West. All of Section 1, and the North Half of the Northwest Quarter, Southeast Quarter of the Northwest Quarter, West Half of the Northeast Quarter, and the Northeast Quarter of the Northeast Quarter of Section 12, Township 54 North, Range 9 West.

Subd. 2. Within three years after the effective date of this act, the commissioner shall offer for sale in the manner provided by law or declare surplus for sale in the manner provided by law lands in no case to exceed 1,200 acres in total area, all located in Lake County, to offset the removal from the tax rolls of those private lands acquired for state parks. The commissioner shall consult with the Lake County board before offering lands for sale or declaring lands surplus.

Sec. 3. Subdivision 1. The following area is deleted from Judge C. R. Magney State Park:

That portion of land known as Naniboujou Lodge defined as being bounded on the North by Trunk Highway No. 61 as it is now located and constructed, on the West by the Brule (Arrow-

head) River, on the South and Southeast by Lake Superior, on the East by a line formed by producing the West boundary line of Lot 1, Subdivision B, southerly to Lake Superior and northerly to the aforesaid Trunk Highway in Government Lot 1, Section 34, and Government Lots 1 and 2, Section 27, Township 62 North, Range 3 East of the Fourth Principal Meridian in Cook County, Minnesota.

Subd. 2. If the land described in subdivision 1 or any part thereof is offered to the state, the commissioner of natural resources may purchase said lands and when acquired the park boundary shall be extended to include said lands.

Subd. 3. The department of natural resources may accept by gift or purchase a conservation easement along the Brule River stream bank and the Lake Superior shoreline. Funds allocated for park and recreation purposes may be used for this purpose.

Sec. 4. [AFTON STATE PARK.] The following described land in Washington County is added to Afton State Park:

That part of the South Half of the Northwest Quarter of Section 10, Township 27 North, Range 20 West, lying easterly of the following described line: Commencing at the Northwest Corner of said South Half of the Northwest Quarter; thence on an assumed bearing of North 88 degrees 32 feet 11 inches East, 1855.-97 feet along the North line of said South Half of the Northwest Quarter to the point of beginning; thence South three degrees 21 feet 55 inches East, 1315 feet, more or less, to the South line of said South Half of the Northwest Quarter and there terminating.

Sec. 5. This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 4, after "Park" insert "and Judge C. R. Magney State Park; adding lands to the boundaries of Split Rock Lighthouse State Park and Afton State Park"

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. 248, A bill for an act relating to banks and banking; authorizing state banks to lease personal property under certain conditions; amending Minnesota Statutes 1978, Section 48.152.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 272, A bill for an act relating to public welfare; child care services; defining a sliding fee schedule payment plan for child care; appropriating money; amending Minnesota Statutes 1978, Section 245.84, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 11, after "available" insert "and subject to the allocation requirements of section 245.87"

Page 1, line 12, strike the comma

Page 1, strike line 13

Page 1, line 14, strike "care facilities"

Page 3, after line 2, add the following:

*"Sec. 3. The sliding fee schedule payment plan specified in section 1 shall be an experimental program. The commissioner shall promulgate rules establishing eligibility requirements to be complied with by counties applying for grants pursuant to section 1. The rules shall require collection of data and periodic reports as the commissioner deems necessary to demonstrate the short and long-range effectiveness of the experimental program in preventing and reducing dependence of participants on public assistance and in providing other benefits. The commissioner shall make a report to the legislature no later than January 15, 1981 on the effectiveness of the experimental program and his recommendations regarding making this program an integral part of the child care services administered by counties. The experimental program shall expire no later than June 30, 1981."*

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 Governmental Operations to which was referred:

H. F. No. 361, A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means



of securing full performance; amending Minnesota Statutes 1978, Sections 162.04; and 162.10.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

**“Section 1. [15.71] [PUBLIC CONTRACTS; SECURITY FOR COMPLETION OF PERFORMANCE; DEFINITIONS.]**  
*Subdivision 1. For the purposes of sections 1 to 3, unless the context clearly indicates otherwise, the terms defined in this section have the meanings given them.*

*Subd. 2. “Public contract” means any purchase, lease or sale by a public agency of personal property, public improvements or services, other than agreements which are exclusively for personal services.*

*Subd. 3. “Public agency” or “public contracting agency” means any agency of the state of Minnesota or any of its political subdivisions authorized by law to enter into public contracts.*

*Subd. 4. “Public improvement” means any construction of improvements on real property or highways by or for a public agency.*

*Subd. 5. “Retainage” means the difference between the amount earned by the contractor on a public contract and the amount paid on the contract by the public contracting agency.*

**Sec. 2. [15.72] [PROGRESS PAYMENTS ON PUBLIC CONTRACTS; RETAINAGE; INTEREST.]**  
*Subdivision 1. Unless the terms of the contract provide otherwise, a public contracting agency shall make progress payments on a public contract for a public improvement monthly as the work progresses. Payments shall be based upon estimates of work completed as approved by the public contracting agency. A progress payment shall not be considered acceptance or approval of any work or waiver of any defects therein.*

*Subd. 2. A public contracting agency may reserve as retainage from any progress payment on a public contract for a public improvement an amount not to exceed five percent of the payment. A public agency may reduce the amount of the retainage and may eliminate retainage on any monthly contract payment if, in the agency’s opinion, the work is progressing satisfactorily.*

**Sec. 3. [15.73] [ALTERNATIVE FORMS OF RETAINAGE.]**  
*Subdivision 1. At the option of the contractor, re-*

*tainage shall be paid to the contractor in accordance with this section.*

*Subd. 2. If the contractor elects, the retainage as accumulated shall be deposited by the appropriate local or state financial officer in an interest-bearing account in a bank, savings bank, trust company or savings association for the benefit of the public contracting agency. Interest earned on the account shall be payable to the contractor as it accrues.*

*Subd. 3. The contractor may deposit bonds or securities with the public contracting agency or in any bank or trust company to be held in lieu of cash retainage for the benefit of the public contracting agency. In such event the public agency shall reduce the retainage in an amount equal to the value of the bonds and securities and pay the amount of the reduction to the contractor. Interest on the bonds or securities shall be payable to the contractor as it accrues.*

*Subd. 4. Bonds and securities deposited or acquired in lieu of retainage, as permitted by subdivision 3, shall be of a character approved by the state treasurer, including but not limited to:*

- (a) Bills, certificates, notes or bonds of the United States;*
- (b) Other obligations of the United States or its agencies;*
- (c) Obligations of any corporation wholly owned by the federal government; or*
- (d) Indebtedness of the Federal National Mortgage Association.*

*Subd. 5. If the public agency incurs additional costs as a result of the exercise of the options described in this section, the agency may recover the costs from the contractor by reducing the final payment due under the contract. As work on the contract progresses, the agency shall, upon demand, inform the contractor of all accrued costs.*

Sec. 4. Minnesota Statutes 1978, Section 161.322, is amended to read:

161.322 [PAYMENT OF INTEREST TO CONTRACTORS.] When any contract for the construction, improvement, or repair of any trunk highway has been entered into by the commissioner of transportation of the state of Minnesota, and the work provided for in the contract has been in all things completed to the satisfaction of the commissioner or his agent except for the release of sureties, in accordance with the contract, by

the person with whom the commissioner has contracted, herein termed the contractor, unless final estimate for the work is made within 90 days after the contractor has so completed the work, he shall be entitled to receive interest at the rate (OF FOUR PERCENT PER ANNUM) *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* from the date of the expiration of that 90 day period upon all amounts finally determined to be due him which were not paid prior to the expiration of that period, to be paid in the same manner as, and at the time of, the final payment under the contract. The 90 day requirement, and the interest provisions provided for herein, shall not apply if delay is caused by the contractor; nor shall the 90 day requirement apply to contracts over (ONE) *two* million dollars if the contract provides specifically for a different period of time in which to make such final estimate.

Sec. 5. Minnesota Statutes 1978, Section 162.04, is amended to read:

162.04 [LIMITATION ON PAYMENT OF CONTRACT PRICE.] Whenever the construction or improvement of any county state-aid highway is to be done by contract, and the construction or improvement is not financed in whole or in part by federal aid highway money, the county board shall agree in the contract to pay the contractor on account an amount not to exceed (90) *95* percent of the value of the work from time to time actually completed as shown by monthly estimates thereof, made by the county engineer on the basis of the contract prices, and shall further agree that when the work is (90) *95* percent or more completed upon the recommendation of the county engineer such portions of the retained price shall be released as the county board determines are not required to be retained to protect the county's interest in completion of the contract. In such case it shall be lawful for the county auditor to issue a warrant on the county treasurer to the contractor for an amount consistent with the above prescribed limitations of the value of the work so completed and specified in the engineer's monthly estimate without allowance of a claim therefor by the county board. 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 value of the work completed shall obligate the county to pay to the contractor simple interest on the past due amount at an annual 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 county may legally withhold as a result of breach of contract or other contractual claim, *or if the delay is caused by the contractor.*

Sec. 6. Minnesota Statutes 1978, Section 162.10, is amended to read:

162.10 [LIMITATION ON PAYMENT OF CONTRACT PRICES.] Whenever the construction or improvement of any municipal state-aid street is to be done by contract, and the construction or improvement is not financed in whole or in part by federal aid highway money, the governing body of the city shall agree in the contract to pay the contractor an amount not exceeding (90) 95 percent of the value of the work from time to time actually completed, as shown by monthly estimates thereof made by the engineer of the city on the basis of the contract prices, and shall further agree that when the work is (90) 95 percent or more completed upon the recommendation of the city engineer such portions of the retained price shall be released as the governing body of the city determines are not required to be retained to protect the city's interest in completion of the contract. In such case it shall be lawful for the appropriate disbursing officers of the city to pay the contractor an amount consistent with the above prescribed limitations of the value of the work so completed and specified in the engineer's monthly estimate without allowance of a claim therefor by the governing body of the city. 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 value of the work completed shall obligate the city to pay to the contractor simple interest on the past due amount at an annual 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 city may legally withhold as a result of breach of contract or other contractual claim, *or if the delay is caused by the contractor.*

Sec. 7. Minnesota Statutes 1978, Section 429.041, Subdivision 6, is amended to read:

Subd. 6. [PERCENTAGE PAYMENT ON ENGINEER'S ESTIMATE.] In case the contractor properly performs the work, the council shall, from month to month before completion of the work, pay him not to exceed (90) 95 percent of the amount already earned under the contract, upon the estimate of the engineer or other competent person selected by the council, and the contract shall so provide, and shall further agree that when the work is (90) 95 percent or more completed upon the recommendation of the engineer such portions of the retained price shall be released as the governing body of the municipality determines are not required to be retained to protect the municipality's interest in satisfactory completion of the contract. 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 annual 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 or if the delay is caused by the contractor.

Sec. 8. [15.74] Sections 1 to 3 shall apply to all public contracts except those contracts in which receipt of federal financing is conditioned on adherence to terms and conditions prescribed by a federal agency which are inconsistent with this act.

Sec. 9. [EFFECTIVE DATE.] This act is effective July 1, 1979 and applies to all public contracts entered into on or after that date."

Amend the title by deleting it in its entirety and inserting the following:

"A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means of securing full performance; amending Minnesota Statutes 1978, Sections 161.322; 162.04; 162.10; and 429.041, Subdivision 6."

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 399, A bill for an act relating to health; providing for nonseverability of the provisions of the family planning services grant program; amending Minnesota Statutes 1978, Section 145.925, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, delete lines 9 to 11 and insert:

"Subdivision 2, is amended to read:

Subd. 2. (THE COMMISSIONER SHALL NOT MAKE SPECIAL GRANTS PURSUANT TO THIS SECTION TO ANY NONPROFIT CORPORATION WHICH PERFORMS ABORTIONS. NO STATE FUNDS SHALL BE USED UNDER CONTRACT FROM A GRANTEE TO ANY NONPROFIT CORPORATION WHICH PERFORMS ABORTIONS. THIS PROVISION SHALL NOT APPLY TO HOSPITALS LICENSED PURSUANT TO SECTIONS 144.50 TO 144.56, OR HEALTH MAINTENANCE ORGANIZATIONS CERTIFIED PURSUANT TO CHAPTER 62D.) *No state family planning funds provided under this section shall be granted by the commissioner, or used under contract from a grantee, to any corporation,*

*agency, individual, or entity which performs abortions other than abortions certified in writing by the attending physician as medically necessary to prevent the death of the mother."*

Further delete the title in its entirety and insert:

"A bill for an act relating to health; prohibiting family planning funds to any corporation, agency, individual, or entity which performs abortions; amending Minnesota Statutes 1978, Section 145.925, Subdivision 2."

With the recommendation that when so amended the bill pass.

The report was adopted.

Nelson from the Committee on Education to which was referred:

H. F. No. 455, A bill for an act relating to education; providing equal opportunity for members of both sexes to participate in certain athletics; modifying the coverage and terms of the current law providing for equal opportunity in certain athletics; requiring the state board of education to promulgate certain rules and giving it exclusive jurisdiction over certain sex discrimination charges; amending Minnesota Statutes 1978, Sections 126.21 and 363.02, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 17, after the period, insert:

*"The legislature recognizes certain past inequities in access to athletic programs and in the various degrees of athletic opportunity previously afforded members of each sex. The purpose of this section is to provide an equal opportunity for members of both sexes to participate in athletic programs."*

Page 1, line 19, reinstate "OR PUBLIC SERVICES"

Page 2, line 6, after "institution" insert "or a public service"

Page 3, lines 4 to 15, reinstate the stricken language

Page 3, after line 15, insert:

*"In determining whether equal opportunity to participate in athletic programs is available for the purposes of this section, at least the following factors shall be considered to the extent that they are applicable to a given situation: selection of sports available; levels of competition available; provision of equipment and supplies; scheduling of games and practice time; as-*

*signment of coaches; provision of locker rooms, practice and competitive facilities; and the provision of necessary funds for teams of one sex."*

Page 4, line 4, after "institution" insert "or a public service"

Page 4, line 10, after "exclusive" insert "state agency"

Page 4, after line 12, insert:

*"The state board of education shall have the same powers, duties, authority and responsibilities over these charges as would otherwise be provided to the commissioner of human rights pursuant to this chapter. All charging parties and respondents shall have the same rights as would otherwise be available pursuant to any other provision of this chapter."*

Amend the title as follows:

Page 1, line 9, after "charges;" insert "providing for the rights of certain parties in the case of certain sex discrimination charges;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 481, A bill for an act relating to historic sites; authorizing the Minnesota Historical Society to exchange certain state owned nonhistoric land for certain privately owned historic land.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 555, A bill for an act relating to crimes; limiting juvenile court jurisdiction with respect to certain juveniles; requiring the defendant in criminal actions to prove duress by a preponderance of the evidence; providing that expunged conviction records may be used for certain purposes; specifying the crime of offering substances purporting to be prohibited for sale; creating a new category of offense for assault; reclassifying assaults by degrees; specifying the crime of interference

with privacy; reclassifying the pecuniary categories of the crime of theft; redefining certain felonies; authorizing arrest without warrant for gross misdemeanors although not committed in a peace officer's presence; authorizing agents of the bureau of criminal apprehension to obtain search warrants; clarifying the locus of venue; providing penalties; amending Minnesota Statutes 1978, Sections 260.015, by adding a subdivision; 260.111, by adding a subdivision; 609.02, by adding subdivisions; 609.08; 609.11; 609.12, Subdivisions 1 and 3; 609.168; 609.25, Subdivision 2; 609.341, Subdivision 3, and by adding a subdivision; 609.343; 609.344; 609.345; 609.52, Subdivision 3; 609.53; 609.562; 609.563; 609.595, Subdivision 1; 626.05, Subdivision 2; 627.01; 629.34; 629.35; Chapters 152, by adding a section; and 609, by adding sections; repealing Minnesota Statutes 1978, Sections 246.43; 609.12, Subdivision 2; 609.22; 609.225; and 611.033.

Reported the same back with the following amendments:

Pages 2, 3 and 4, delete Sections 3, 4 and 5

Pages 5 and 6, delete Sections 7, 8 and 9

Page 6, lines 32 and 33, delete "*of such gravity as would normally require hospitalization, or*"

Page 8, line 17, after "*suffers*" insert "*great*"

Page 12, line 17, delete "\$300" and insert "\$150"

Page 12, line 21, delete "\$300" and insert "\$150"

Page 13, line 10, delete "\$300" and insert "\$150"

Pages 13 and 14, delete Section 23

Page 16, after line 19, insert:

"Sec. 21. Minnesota Statutes 1978, Section 611.033, is amended to read:

611.033 [COPY OF CONFESSION OR ADMISSION.] No statement, confession, or admission in writing shall be received in evidence in any criminal proceeding against any defendant unless (AT THE) *within a reasonable length of time of the taking thereof such defendant shall have been furnished with a copy thereof and which statement, confession, or admission shall have endorsed thereon or attached thereto the receipt of the accused or certification of a peace officer which shall state that a copy thereof has been received by (HIM) or made available to the accused.*"



Page 16, after line 25, insert:

"Sec. 23. Minnesota Statutes 1978, Section 626.11, is amended to read:

626.11 [ISSUANCE OF WARRANT.] If the court or justice of the peace is thereupon satisfied of the existence of the grounds of the application, or that there is probable cause to believe their existence, he must issue a search warrant, signed by him with his name of office, to a peace officer in his county or to an agent of the bureau of criminal apprehension, commanding him forthwith to search the person or place named, for the property or things specified, and to retain such property or things in his custody subject to order of the court or justice of the peace issuing the warrant.

Sec. 24. Minnesota Statutes 1978, Section 626.13, is amended to read:

626.13 [SERVICE, PERSONS MAKING.] A search warrant may in all cases be served by any of the officers mentioned in its directions, but by no other person, except in aid of the officer on his requiring it, he being present and acting in its execution. *If the warrant is to be served by an agent of the bureau of criminal apprehension he shall notify the sheriff or a deputy sheriff of the county in which service is to be made prior to execution.*"

Page 17, line 9, delete "*portion of an*"

Pages 17 and 18, delete Sections 30 and 31

Page 18, line 12, after "609.22" delete the semicolon and insert "*and*"

Page 18, line 12, after "609.225" delete "*; and 611.033*"

Page 18, delete lines 16 and 17

Page 18, delete lines 27 to 30

Renumber the sections

Further, amend the title by striking it in its entirety and inserting:

"A bill for an act relating to crimes; specifying the crime of offering substances purporting to be prohibited for sale; creating a new category of offense for assault; reclassifying assaults by degrees; specifying the crime of interference with privacy; reclassifying the pecuniary categories of the crime of theft; redefining certain felonies; authorizing agents of the bureau of

criminal apprehension to obtain search warrants; clarifying the locus of venue; providing penalties; amending Minnesota Statutes 1978, Sections 609.02, by adding subdivisions; 609.11; 609.25, Subdivision 2; 609.341, Subdivision 3, and by adding a subdivision; 609.343; 609.344; 609.345; 609.52, Subdivision 3; 609.562; 609.563; 609.595, Subdivision 1; 611.033; 626.05, Subdivision 2; 626.11; 626.13; 627.01; Chapters 152, by adding a section; and 609, by adding sections; repealing Minnesota Statutes 1978, Sections 246.43; 609.22; and 609.225."

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 623, A bill for an act relating to state lands; providing for the conveyance of state land to the city of St. Cloud for use as a fire station.

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. 810, A bill for an act relating to motor vehicles; providing for taxing and registering modified vehicles manufactured prior to 1949; regulating storage of modified vehicles and requiring certain equipment; amending Minnesota Statutes 1978, Section 168.10.

Reported the same back with the following amendments:

Page 1, line 13, delete the new language and insert "1d and 1g,"

Page 10, line 14, delete "\$2" and insert "\$5"

Page 11, after line 7, insert:

*"Subd. 1g [ORIGINAL PLATES.] A vehicle registered pursuant to subdivision 1a, 1b, 1c or 1d may in lieu of being issued number plates by the registrar display original Minnesota number plates issued in the same year as the model year of the car on which they are displayed. The number of the original plates must be provided to the registrar. The original plates must be in good condition and shall be used in pairs one to be dis-*

*played in the front of the car and one in the rear. Any person currently using plates issued pursuant to subdivision 1a, 1b, 1c or 1d shall return those plates to the registrar before substituting original plates. The registrar may charge a fee for registering the number on original plates."*

Further amend the title as follows:

Line 5, after the semicolon insert "providing for use of original plates on certain vehicles;"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 866, A bill for an act relating to peace officers; regulating part-time and reserve officers; providing an appropriation; amending Minnesota Statutes 1978, Section 626.84; and Chapter 626, by adding sections.

Reported the same back with the following amendments:

Page 4, line 3, delete "*resignation*" insert "*termination*"

Page 4, line 22, after the word "*of*" delete "*the chief*"

Page 4, line 23, delete "*administrative officer of the employing agency, or*"

Page 4, line 25, after the word "*officer*" delete comma and insert "*of the employing agency, either directly or*"

Page 5, line 8, after the word "*county*" insert the words "*or the chief law enforcement official of the municipality*".

Page 5, after line 26 insert "Sec. 5. [EXPIRATION DATE.] *This act expires July 1, 1983.*"

Page 5, line 27, delete "Sec. 5" and insert "Sec. 6"

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 Governmental Operations to which was referred:

H. F. No. 876, A bill for an act relating to peace officers benefits; making certain deaths by heart attack compensable; amending Minnesota Statutes 1978, Section 352E.04.

Reported the same back with the following amendments:

Page 2, line 10, after "attack" insert "*suffered within 48 hours after an active tour of duty*"

Page 2, line 14, after "report" insert "*, or any later examination and report,*"

Page 2, line 18, after "enactment" insert "*, except that it shall apply to any peace officer who died after January 1, 1975*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

S. F. No. 288, A bill for an act relating to unemployment compensation; making certain employees of educational cooperative service units ineligible for benefits during certain periods; amending Minnesota Statutes 1978, Section 268.08, Subdivision 6.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

S. F. No. 298, A bill for an act relating to the city of South International Falls; authorizing the city to lease municipal buildings.

Reported the same back with the following amendments:

Page 1, line 21, after "private" insert "*, non-profit*"

Page 2, line 1, after "organization or" insert "*non-profit*"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

S. F. No. 307, A bill for an act relating to health; permitting placement of pets in certain institutions; requiring placement efforts by the Minnesota humane society; amending Minnesota Statutes 1978, Chapters 144, by adding a section; 144A, by adding a section; and 343, 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.

#### POINT OF ORDER

Kahn raised a point of order pursuant to rule 5.7 that H. F. No. 455 be re-referred to the Committee on Appropriations.

The Speaker submitted the following question to the House:

"Is it the judgement of the House that the point of order is well taken?"

It was the judgement of the House that the point of order was not well taken.

#### POINT OF ORDER

Osthoff raised a point of order pursuant to rule 5.8 that H. F. No. 455 be re-referred to the Committee on Governmental Operations. The Speaker ruled the point of order not well taken.

### SECOND READING OF HOUSE BILLS

H. F. Nos. 31, 103, 122, 219, 235, 248, 361, 399, 455, 481, 555, 623, 810 and 876 were read for the second time.

### SECOND READING OF SENATE BILLS

S. F. Nos. 288, 298 and 307 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Patton, Biersdorf, Kaley, Sarna and Moe introduced:

H. F. No. 1077, A bill for an act relating to retirement; Minneapolis municipal employees retirement fund; increasing the employee contribution rate; amending Minnesota Statutes 1978, Section 422A.10, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Greenfield, Laidig, Dean, Hokanson and Pehler introduced:

H. F. No. 1078, A bill for an act relating to education; providing for grants for noncommercial radio stations and for an audit of certain grant recipients; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Luknic, Kempe, Kalis, Ainley and Valento introduced:

H. F. No. 1079, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, by adding a section; requiring a three-fifths majority of each house of the legislature to increase taxes or impose new taxes.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Redalen; Nelsen, M.; Den Ouden; Mann and Carlson, D., introduced:

H. F. No. 1080, A bill for an act relating to agriculture; allowing certain containers for dairy products; repealing Minnesota Statutes 1978, Sections 116F.21 and 116F.22.

The bill was read for the first time and referred to the Committee on Agriculture. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Redalen, Stowell and Friedrich introduced:

H. F. No. 1081, A bill for an act relating to appropriations; appropriating funds for establishment of a music library and interpretive center.

The bill was read for the first time and referred to the Committee on Appropriations.

Jaros, Munger, Kahn, Begich and Casserly introduced:

H. F. No. 1082, A bill for an act relating to insurance; regulating cancellation, renewal, and issuance of automobile insurance policies; amending Minnesota Statutes 1978, Sections 65B.13; and 65B.15, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Nelsen, M.; Anderson, I., and Nysether introduced:

H. F. No. 1083, A bill for an act relating to education; providing a public lands allowance to certain school districts; adjusting a levy to take into account the allowance; regulating the allowance and the computation of the payments; authorizing a county auditor to bill a school district for certain expenses; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section.

The bill was read for the first time and referred to the Committee on Education.

Moe introduced:

H. F. No. 1084, A bill for an act relating to financial reports; requiring the preparation of annual reports on state finances; appropriating money; amending Minnesota Statutes 1978, Sections 16A.055, 16A.50, 16A.55, Subdivision 1; repealing Minnesota Statutes 1978, Section 16A.55, Subdivisions 2 to 9.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berkelman introduced:

H. F. No. 1085, A bill for an act relating to health; providing for rule making authority to the board of medical examiners in relation to the licensure and regulation of midwives; amending Minnesota Statutes 1978, Chapter 148, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Sieben, M., introduced:

H. F. No. 1086, A bill for an act relating to health; placing certain restrictions on the sale of hearing aids; establishing a penalty; amending Minnesota Statutes 1978, Chapter 145, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berglin, Faricy, Metzen, Fritz and Casserly introduced:

H. F. No. 1087, A bill for an act relating to taxation; property tax; providing a computation method for adjusted assessed valuation for school aid purposes; providing for a state reimbursement for certain types of residential housing; changing the assessment ratio on certain types of property; increasing the levy limit base of certain cities; appropriating money; amending Minnesota Statutes 1978, Sections 124.212, Subdivisions 1 and 2; 273.13, Subdivision 17b; 275.51, by adding a subdivision; and Chapter 273, by adding a section; repealing Minnesota Statutes 1978, Section 275.51, Subdivision 3d.

The bill was read for the first time and referred to the Committee on Taxes.

Kvam, Jacobs, Valento, Novak and Peterson introduced:

H. F. No. 1088, A bill for an act relating to taxation; income; providing job expansion and investment credits for new businesses.

The bill was read for the first time and referred to the Committee on Taxes.



Carlson, L.; Swanson; Wynia; Heinitz and Pavlak introduced:

H. F. No. 1089, A bill for an act relating to insurance; prohibiting certain discrimination on account of disability in the sale of automobile insurance; providing procedures for establishing discrimination in the sale of automobile insurance on the basis of race or disability; providing penalties; amending Minnesota Statutes 1978, Sections 65B.13 and 72A.20, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Wynia; Carlson, L.; Jude and Norman introduced:

H. F. No. 1090, A bill for an act relating to education; authorizing the state board for community colleges to contract for certain insurance coverage for students; amending Minnesota Statutes 1978, Section 136.62, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Kalis, Clawson, Redalen, Valan and Lehto introduced:

H. F. No. 1091, A bill for an act relating to natural resources; providing a public policy directed to preservation of these lands; establishing a temporary joint legislative committee on agricultural and forest land preservation; requiring studies and reports by the state planning agency; providing for staffing of the joint legislative committee.

The bill was read for the first time and referred to the Committee on Agriculture. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Reding introduced:

H. F. No. 1092, A bill for an act relating to small businesses; establishing a uniform definition of small business; amending Minnesota Statutes 1978, Section 161.321, Subdivisions 1 and 3; and Chapter 645, by adding a section; repealing Minnesota Statutes 1978, Section 16.082, Subdivisions 2, 3, 4 and 5.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Reding introduced:

H. F. No. 1093, A bill for an act relating to bingo; changing the filing requirements for organizations conducting bingo; amending Minnesota Statutes 1978, Section 349.21, Subdivision 3.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Halberg, Casserly, McCarron, Berglin and Weaver introduced:

H. F. No. 1094, A bill for an act relating to county human services facilities; providing authority to issue and sell revenue bonds, lease facilities, pledge revenues, and pledge full faith and credit; amending Minnesota Statutes 1978, Chapter 402, by adding a section.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Corbid, Nysether, Faricy and Casserly introduced:

H. F. No. 1095, A bill for an act relating to courts; venue; authorizing actions against public officers to be retained in a county other than where the public officer resides; amending Minnesota Statutes 1978, Section 542.03.

The bill was read for the first time and referred to the Committee on Judiciary.

Clawson, Minne, Otis, Onnen and Laidig introduced:

H. F. No. 1096, A bill for an act relating to elections; increasing compensation for presidential electors; amending Minnesota Statutes 1978, Section 204A.23.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Anderson, B.; Mehrkens; Welch; Erickson and Anderson, G., introduced:

H. F. No. 1097, A bill for an act relating to agriculture; regulating alien ownership of land; providing for permanent resident alien and loss of status; amending Minnesota Statutes 1978, Section 500.221, Subdivisions 1, 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Agriculture.

**Knickerbocker introduced:**

H. F. No. 1098, A bill for an act relating to evidence; declaring certain kinds of records of legislative proceedings to be not relevant evidence of legislative intent.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

**McDonald, Jude, Welch and Rees introduced:**

H. F. No. 1099, A bill for an act proposing an amendment to the Minnesota Constitution; adding an article to limit state expenditures.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

**Faricy introduced:**

H. F. No. 1100, A bill for an act relating to courts; second judicial district; providing for an increase in transcript fees; amending Minnesota Statutes 1978, Section 486.06.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

**Kelly introduced:**

H. F. No. 1101, A bill for an act relating to motor vehicles; providing for the issuance of handicapped license plates; amending Minnesota Statutes 1978, Section 168.021, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation.

**Murphy introduced:**

H. F. No. 1102, A bill for an act relating to labor; clarifying the definition of supervisor in the public employees labor relations act; amending Minnesota Statutes 1978, Section 179.63, Subdivision 9.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Sieben, M., introduced:

H. F. No. 1103, A bill for an act relating to real estate; limiting published notice of mortgage foreclosure where there is personal service; amending Minnesota Statutes 1978, Section 580.04.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kalis; Johnson, C.; Wigley; Erickson and Mann introduced:

H. F. No. 1104, A bill for an act relating to education; establishing a minimum aid payment to certain school districts; expanding the definition of special state aid; appropriating money; amending Minnesota Statutes 1978, Section 124.65; and Chapter 124, by adding a section.

The bill was read for the first time and referred to the Committee on Education.

McEachern introduced:

H. F. No. 1105, A bill for an act relating to notaries public; appointing notaries on a statewide rather than a county basis; altering the commission recording requirement; clarifying enforcement powers of a notary; amending Minnesota Statutes 1978, Sections 359.01; 359.03, Subdivision 1; 359.061; and 359.11.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Enebo, Clawson, Tomlinson, Heap and Ewald introduced:

H. F. No. 1106, A bill for an act relating to economic security; providing for the establishment of placement services for public school employees; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Stoa introduced:

H. F. No. 1107, A bill for an act relating to railroads; extending to home rule charter and statutory cities the powers granted to town and county boards to require safe railroad crossings; increasing the penalty for noncompliance by a railroad; amending Minnesota Statutes 1978, Sections 219.10; 219.11; and 219.12.

The bill was read for the first time and referred to the Committee on Transportation.

Jude and McEachern introduced:

H. F. No. 1108, A bill for an act relating to statute of limitations; providing a limitation on actions against land surveyors; amending Minnesota Statutes 1978, Chapter 541 by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary.

Reif, Blatz, Drew, Otis and Elioff introduced:

H. F. No. 1109, A bill for an act relating to education; providing for four year averaging in the declining pupil unit formula; appropriating money; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Berkelman, Schreiber, Clawson, Kroening and Casserly introduced:

H. F. No. 1110, A bill for an act relating to commerce; limiting projects for municipal industrial development; repealing Minnesota Statutes 1978, Section 474.02, Subdivisions 1a and 1b.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Stadum, Stoa, Ainley, Metzen and Blatz introduced:

H. F. No. 1111, A bill for an act relating to pollution; authorizing water pollution control fund grants for certain wastewater treatment projects; providing for use of state and federal funds in certain proportions; authorizing issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1978, Section 116.18, Subdivisions 1 and 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Haukoos, Jennings, Elioff, Weaver and Jacobs introduced:

H. F. No. 1112, A bill for an act relating to the state fire marshal; providing rule making requirements of the uniform fire code; deleting references to a dedicated fund and to archaic misdemeanor fines; repealing obsolete statutory requirements pertaining to flammable liquids, fire extinguishers, doors of buildings, and theaters; correcting an erroneous designation of responsibility concerning fire insurance premium returns; providing a penalty; amending Minnesota Statutes 1978, Sections 299F.011, Subdivision 1; 299F.19; 299F.20; 299F.21; 299F.22; 299F.23; 299F.24; 299F.26, Subdivision 1; 299F.29; 299F.31; and 299F.36, Subdivision 2; repealing Minnesota Statutes 1978, Sections 299F.011, Subdivision 2; 299F.27; 299G.10; 299H.01; and 299H.02.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Jaros introduced:

H. F. No. 1113, A bill for an act relating to intoxicating liquor; permitting the sale of certain intoxicating malt liquors by certain wine licensees; amending Minnesota Statutes 1978, Section 340.11, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Jaros introduced:

H. F. No. 1114, A bill for an act relating to juveniles; providing for certain parents and guardians to pay damages and costs of delinquent acts of juveniles.

The bill was read for the first time and referred to the Committee on Judiciary.

Jaros introduced:

H. F. No. 1115, A bill for an act relating to public welfare; adding an exclusion to the public welfare licensing act in order to allow certain persons 16 years of age or older to receive residential care in unlicensed facilities; amending Minnesota Statutes 1978, Section 245.791.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Johnson, C.; Kalis; Esau; Anderson, G., and Den Ouden introduced:

H. F. No. 1116, A bill for an act relating to education; reducing the percentage of aid recapture; changing a levy limitation provision which applies to certain school districts; changing the effective date of a repeal; amending Minnesota Statutes 1978, Section 275.125, Subdivision 2b; and Chapter 124, by adding a section; repealing Minnesota Statutes 1978, Section 124.213.

The bill was read for the first time and referred to the Committee on Education.

Berglin introduced:

H. F. No. 1117, A bill for an act relating to taxation; income; increasing the maximum dependent care credit and removing income limitations; amending Minnesota Statutes 1978, Section 290.067.

The bill was read for the first time and referred to the Committee on Taxes.

Kahn and Voss introduced:

H. F. No. 1118, A bill for an act relating to liquor; giving local governing authorities exclusive control over process of issuing on-sale and off-sale licenses and enforcement of liquor regulations without review by the commissioner of public safety; removing requirements for filing wholesale liquor prices with commissioner of public safety; amending Minnesota Statutes 1978, Sections 299A.02, Subdivision 2; 340.07, Subdivision 5; 340.11, Subdivisions 5, 8, 10, 10a, 11, 13, and 20; 340.119, Subdivisions 2 and 3; 340.12; 340.355; 340.356; 340.485, Subdivisions 2 and 3; 340.492; 340.55; and 340.85, Subdivision 2; repealing Minnesota Statutes 1978, Sections 340.11, Subdivision 4; and 340.983.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Kaley and Zubay introduced:

H. F. No. 1119, A bill for an act relating to children; requiring that adoptive parents and the adoptive child shall be made parties to certain proceedings related to terminating adoptions; prohibiting a presumption that biological parents should be favored in such proceedings; amending Minnesota Statutes 1978, Sections 259.24, Subdivision 6; and 259.25, Subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Esau, Mann, Erickson, McEachern and Heinitz introduced:

H. F. No. 1120, A bill for an act relating to local government; providing emergency snow removal aid; permitting an emergency levy; appropriating money.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Sieben, H.; Schreiber; Pehler; Casserly and Halberg introduced:

H. F. No. 1121, A bill for an act relating to taxation; property; eliminating the requirement for providing certificates of rent paid for purposes of the property tax refund; amending Minnesota Statutes 1978, Section 290A.19.

The bill was read for the first time and referred to the Committee on Taxes.

Weaver, Luknic, Welch and Carlson, D., introduced:

H. F. No. 1122, A bill for an act relating to health; establishing hospital planning committees for state hospitals; prescribing their duties; amending Minnesota Statutes 1978, Chapter 246, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.



Pehler, Jaros, Evans, Peterson and Brinkman, introduced:

H. F. No. 1123, A bill for an act relating to taxation; sales and use tax; clarifying the definition of a sale; specifying tax on food, meals, drinks, and lodging; providing methods of collecting unpaid taxes; providing requirements for refunds; imposing penalties; amending Minnesota Statutes 1978, Sections 297A.01, Subdivision 3; 297A.14; 297A.33, Subdivision 1, and by adding a subdivision; 297A.35, Subdivision 1, and by adding a subdivision; and 297A.39, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Berkelman, Voss, Novak, Evans and Blatz introduced:

H. F. No. 1124, A bill for an act relating to taxation; income tax; providing an additional credit against tax for paraplegics and quadriplegics; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3c.

The bill was read for the first time and referred to the Committee on Taxes.

Anderson, G.; Biersdorf; Johnson, C.; Ludeman and Reding introduced:

H. F. No. 1125, A bill for an act relating to agriculture; transferring certain duties and personnel involved in the sale, storage and transportation of certain agricultural products from the department of public service to the department of agriculture; amending Minnesota Statutes 1978, Sections 223.02; 229.01, Subdivision 2; 229.06; 229.07; 232.01, Subdivision 1; 233.01, Subdivision 1; 233.03; 233.24; 234.02; 234.10; 235.01; 236.01, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Sieben, M., introduced:

H. F. No. 1126, A bill for an act relating to state parks; authorizing the acquisition of certain lands for Afton State Park by eminent domain.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Osthoff introduced:

H. F. No. 1127, A bill for an act relating to elections; providing for the election days of certain cities and school districts; amending Minnesota Statutes 1978, Sections 123.32, Subdivision 1; and 205.20, Subdivision 3.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Wenzel introduced:

H. F. No. 1128, A bill for an act relating to state land; authorizing the conveyance by the state of certain lands in Mille Lacs County.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sieben, H., introduced:

H. F. No. 1129, A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; providing a one year extension of a reduced gross earnings tax equivalent to ad valorem tax during transition; eliminating the use of limited market valuation in the assessment of property; reducing the classification ratios applied to homesteads and agricultural and seasonal recreational property; increasing the percentage and maximum amount of the homestead credit; providing state aid to local taxing authorities containing reduced assessment property and natural resources land; increasing the percentage of rent to be used to compute property tax refunds; increasing maximum amounts of property tax refunds; increasing the amount of local government aid paid by the state; appropriating money; amending Minnesota Statutes 1978, Sections 273.061, Subdivision 8; 273.11, Subdivision 2; 273.13, Subdivisions 4, 6, 7, and 14a; 273.17, Subdivision 1; 275.51, Subdivision 3d; 276.04; 290A.03, Subdivision 11; 290A.04, Subdivisions 2, 2a and 2b; 295.02; 477A.01, Subdivisions 1 and 4; and Chapters 270 and 273, by adding sections; repealing Minnesota Statutes 1978, 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.

Brinkman and Heinitz introduced:

H. F. No. 1130, A bill for an act relating to financial institutions; authorizing securities for investment of deposits of savings banks and other financial institutions and for deposit to secure deposits of public funds; amending Minnesota Statutes 1978, Sections 50.14, Subdivision 4; and 118.01.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Berglin; Carlson, L.; Reding; Rose and Wieser introduced:

H. F. No. 1131, A bill for an act relating to human services; providing state recognition and financial grants to volunteer programs for retired senior citizens; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Berglin, Berkelman, Moe, Schreiber and McDonald introduced:

H. F. No. 1132, A bill for an act relating to retirement; providing for the merging of the Minneapolis municipal employees retirement fund into the public employees retirement association; providing an appropriation; amending Minnesota Statutes 1978, Chapters 353, by adding sections; and 355, by adding a section; repealing Minnesota Statutes 1978, Chapter 422A.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berglin, Moe, Patton and Norman introduced:

H. F. No. 1133, A bill for an act relating to retirement; Minneapolis municipal employees; providing for increased contributions; appropriating money; amending Minnesota Statutes 1978, Sections 422A.08, Subdivision 2, and by adding a subdivision; and 422A.10, Subdivision 1; and Chapter 355, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

## HOUSE ADVISORIES

The following House Advisories were introduced:

Prahl, Begich, Biersdorf, Anderson, I., and Minne introduced:

H. A. No. 11, A proposal to study the feasibility of converting wood scrap to alcohol.

The advisory was referred to the Committee on Energy and Utilities.

Clawson; Welch; Sieben, M.; Esau and Blatz introduced:

H. A. No. 12, A proposal to determine need for long-range plan relative to developmental achievement centers (DACs).

The advisory was referred to the Committee on Health and Welfare.

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following bills, which bills were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
945	Mar. 22, 1979	Local and Urban Affairs
960	Mar. 22, 1979	Judiciary
970	Mar. 22, 1979	Governmental Operations
984	Mar. 22, 1979	General Legislation and Veterans Affairs
991	Mar. 22, 1979	Education
1000	Mar. 22, 1979	Taxes
1007	Mar. 26, 1979	Governmental Operations
1009	Mar. 26, 1979	Health and Welfare
1012	Mar. 26, 1979	Judiciary

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
1015	Mar. 26, 1979	Governmental Operations
1016	Mar. 26, 1979	Appropriations
1020	Mar. 26, 1979	Judiciary
1021	Mar. 26, 1979	Taxes
1023	Mar. 26, 1979	Education
1024	Mar. 26, 1979	Governmental Operations
1028	Mar. 26, 1979	Judiciary
1031	Mar. 26, 1979	General Legislation and Veterans Affairs
1035	Mar. 26, 1979	Commerce, Economic Development and Housing
1036	Mar. 26, 1979	Commerce, Economic Development and Housing
1038	Mar. 26, 1979	Governmental Operations
1046	Mar. 27, 1979	Transportation
1047	Mar. 27, 1979	Governmental Operations
1074	Mar. 27, 1979	Local and Urban Affairs

Speaker pro tem Heinitz was called to the Chair.

#### 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. 201, A bill for an act relating to political subdivisions; regarding public officers; permitting contracts between hospital district boards and board members; amending Minnesota Statutes 1978, Section 471.88, 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 :

H. F. No. 472, A resolution urging the President, Congress and the Secretary of Transportation to retain the Amtrak North Coast Hiawatha in the National Amtrak Transportation System.

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. 124.

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. 114, 276 and 340.

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. 9, A Senate concurrent resolution relating to adjournment.

PATRICK E. FLAHAVEN, Secretary of the Senate

Senate Concurrent Resolution No. 9 was referred to the Committee on Rules and Legislative Administration.

#### FIRST READING OF SENATE BILLS

S. F. No. 124, 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 1978, Section 290.21, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 114, A bill for an act relating to taxation; altering procedure for obtaining refunds of tax on certain gasoline or special fuel used for exempt purposes; appropriating funds; amending Minnesota Statutes 1978, Sections 290.06, by adding a subdivision; and 296.18, Subdivisions 1, 2, 3 and 8.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 276, A bill for an act relating to workers' compensation; prohibiting the refusal to cover under accident or health policy because of certain workers' compensation option; defining "closely held corporation"; providing for coverage of certain business owners upon election; amending Minnesota Statutes 1978, Chapter 62A, by adding a section; Sections 176.011, by adding a subdivision; 176.012; and 176.041, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

S. F. No. 340, A bill for an act relating to ethics in government; defining administrative action; clarifying campaign report filing dates; providing for the registration of political committees and political funds; defining candidate to include candidates for certain judicial offices and excluding those candidates from reporting under the Fair Campaign Practices Act; amending Minnesota Statutes 1978, Sections 10A.01, Subdivisions 2 and 5; 10A.14, Subdivision 1; 10A.20, Subdivision 2; 210A.01, Subdivision 3; and 290.06, Subdivision 11.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Carlson, D., was excused for the remainder of today's session.

#### CONSENT CALENDAR

H. F. No. 713, A bill for an act relating to banks and banking; providing for publication of certain bank reports; amending Minnesota Statutes 1978, Section 48.48, Subdivision 1.

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:

Aasness	Ainley	Anderson, B.	Anderson, G.	Anderson, R.
Adams	Albrecht	Anderson, D.	Anderson, I.	Battaglia

Begich	Ewald	Kvam	Osthoff	Stoa
Berglin	Faricy	Laidig	Otis	Stowell
Berkelman	Fjoslien	Lehto	Patton	Sviggum
Biersdorf	Forsythe	Levi	Pavlak	Swanson
Blatz	Friedrich	Long	Pehler	Thiede
Brinkman	Fritz	Ludeman	Peterson	Tomlinson
Byrne	Fudro	Mann	Piepho	Valento
Carlson, L.	Greenfield	McCarron	Pleasant	Vanasek
Casserly	Halberg	McDonald	Prahl	Voss
Clark	Heinitz	McEachern	Redalen	Waldorf
Clawson	Hokanson	Mehrkens	Reding	Weaver
Corbid	Jacobs	Metzen	Rees	Welch
Crandall	Jaros	Minne	Reif	Welker
Dean	Jennings	Moe	Rice	Wenzel
Dempsey	Johnson, D.	Murphy	Rose	Wieser
Den Ouden	Jude	Nelsen, M.	Rothenberg	Wigley
Drew	Kahn	Nelson	Sarna	Wynia
Eken	Kaley	Niehaus	Schreiber	Zubay
Elioff	Kalis	Norman	Searles	Speaker Searle
Enebo	Kempe	Norton	Sherwood	
Erickson	Knickerbocker	Novak	Sieben, H.	
Esau	Kostohryz	Nysether	Sieben, M.	
Evans	Kroening	Olsen	Simoneau	

The bill was passed and its title agreed to.

H. F. No. 715, A bill for an act relating to interstate motor vehicle carriers; eliminating certain registration requirements for certain interstate carriers; amending Minnesota Statutes 1978, Section 221.62.

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:

Aasness	Crandall	Heap	Mann	Pavlak
Adams	Dean	Heinitz	McCarron	Pehler
Ainley	Dempsey	Hokanson	McDonald	Peterson
Albrecht	Den Ouden	Jacobs	McEachern	Pleasant
Anderson, B.	Drew	Jaros	Mehrkens	Prahl
Anderson, D.	Eken	Johnson, C.	Metzen	Redalen
Anderson, G.	Elioff	Johnson, D.	Minne	Reding
Anderson, I.	Ellingson	Jude	Moe	Rees
Anderson, R.	Enebo	Kahn	Munger	Reif
Battaglia	Erickson	Kaley	Murphy	Rice
Begich	Esau	Kalis	Nelsen, M.	Rose
Berglin	Evans	Kelly	Nelson	Rothenberg
Berkelman	Ewald	Kempe	Niehaus	Sarna
Biersdorf	Faricy	Knickerbocker	Norman	Schreiber
Blatz	Fjoslien	Kostohryz	Norton	Searles
Brinkman	Forsythe	Kroening	Novak	Sherwood
Byrne	Friedrich	Kvam	Nysether	Sieben, H.
Carlson, L.	Fritz	Laidig	Olsen	Sieben, M.
Casserly	Fudro	Lehto	Onnen	Simoneau
Clark	Greenfield	Levi	Osthoff	Stadum
Clawson	Halberg	Long	Otis	Stoa
Corbid	Haukoos	Ludeman	Patton	Stowell



Sviggum	Valento	Welch	Wigley	Zubay
Swanson	Vanasek	Welker	Wynia	Speaker Searle
Thiede	Voss	Wenzel		
Tomlinson	Waldorf	Wieser		

The bill was passed and its title agreed to.

S. F. No. 204 was reported to the House.

There being no objection, S. F. No. 204 was continued on the Consent Calendar for one day.

### CALENDAR

H. F. No. 206 was reported to the House and given its third reading.

#### UNANIMOUS CONSENT

Biersdorf requested unanimous consent to offer an amendment. The request was granted.

Biersdorf moved to amend H. F. No. 206 as follows:

Page 1, line 5, delete “; providing for recovery of”

Page 1, line 6, delete “damages”

The motion prevailed and the amendment was adopted.

Speaker Searle resumed the chair.

H. F. No. 206, A bill for an act relating to construction contracts; requiring distribution of partial payments to subcontractors or material suppliers; requiring interest on delayed payments.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, R.	Byrne	Dempsey	Esau
Adams	Battaglia	Carlson, L.	Den Ouden	Evans
Ainley	Begich	Casserly	Drew	Ewald
Albrecht	Berglin	Clark	Eken	Faricy
Anderson, B.	Berkelman	Clawson	Elioff	Fjoslien
Anderson, D.	Biersdorf	Corbid	Ellingson	Forsythe
Anderson, G.	Blatz	Crandall	Enebo	Friedrich
Anderson, I.	Brinkman	Dean	Erickson	Fritz

Fudro	Knickerbocker	Murphy	Prahl	Sviggum
Greenfield	Kostohryz	Nelsen, M.	Redalen	Swanson
Halberg	Kroening	Nelson	Reding	Thiede
Haukoos	Kvam	Niehaus	Rees	Tomlinson
Heap	Laidig	Norman	Reif	Valan
Heinitz	Lehto	Norton	Rice	Valento
Hokanson	Levi	Novak	Rose	Vanasek
Jacobs	Long	Nysether	Rothenberg	Voss
Jaros	Ludeman	Olsen	Sarna	Waldorf
Jennings	Luknic	Onnen	Schreiber	Weaver
Johnson, C.	Mann	Osthoff	Searles	Welch
Johnson, D.	McCarron	Otis	Sherwood	Welker
Jude	McEachern	Patton	Sieben, H.	Wenzel
Kahn	Mehrkens	Pavlak	Sieben, M.	Wieser
Kaley	Metzen	Pehler	Simoneau	Wigley
Kalis	Minne	Peterson	Stadum	Wynia
Kelly	Moe	Piepho	Stoa	Zubay
Kempe	Munger	Pleasant	Stowell	Speaker Searle

The bill was passed, as amended, and its title agreed to.

S. F. No. 254, A bill for an act relating to rates of interest; regulating interest on loans for business or agricultural purposes; amending Minnesota Statutes 1978, Section 334.011, Sub-division 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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Eattaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Off	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Pleasant	Voss
Byrne	Halberg	Mann	Prahl	Waldorf
Carlson, L.	Haukoos	McCarron	Redalen	Weaver
Casserly	Heap	McDonald	Reding	Welch
Clark	Heinitz	McEachern	Rees	Welker
Clawson	Hokanson	Mehrkens	Reif	Wenzel
Corbid	Jacobs	Metzen	Rice	Wieser
Crandall	Jaros	Minne	Rose	Wigley
Dean	Jennings	Moe	Rothenberg	Wynia
Dempsey	Johnson, C.	Munger	Sarna	Zubay
Den Ouden	Johnson, D.	Murphy	Schreiber	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 451, A bill for an act relating to parking privileges for handicapped persons; defining terms; extending the uses, in relation to parking privileges, of the special license plates issued to physically handicapped persons and clarifying the meaning of unauthorized use of those plates; recognizing parking certificates, insignia or license plates issued to handicapped persons by other jurisdictions; modifying the criteria for posted signs designating handicapped parking spaces; imposing penalties; amending Minnesota Statutes 1978, Sections 168.021, Subdivisions 3 and 5, and by adding a subdivision; 169.345; and 169.346, Subdivisions 1, 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:

Aasness	Eken	Kaley	Norman	Sieben, M.
Adams	Elihoff	Kalis	Norton	Simoneau
Ainley	Ellingson	Kelly	Novak	Stadum
Albrecht	Enebo	Kempe	Novseth	Stoa
Anderson, B.	Erickson	Knickerbocker	Olsen	Stowell
Anderson, D.	Esau	Kostohryz	Onnen	Sviggum
Anderson, G.	Evans	Kroening	Osthoff	Swanson
Anderson, I.	Ewald	Kvam	Otis	Thiede
Anderson, R.	Faricy	Laidig	Patton	Tomlinson
Battaglia	Fjoslien	Lehto	Pavlak	Valan
Begich	Forsythe	Levi	Pehler	Valento
Berglin	Friedrich	Long	Peterson	Vanasek
Berkelman	Fritz	Ludeman	Piepho	Voss
Biersdorf	Fudro	Luknie	Pleasant	Waldorf
Blatz	Greenfield	Mann	Prahl	Weaver
Brinkman	Halberg	McCarron	Redalen	Welch
Byrne	Haukoos	McDonald	Reding	Welker
Carlson, L.	Heap	McEachern	Rees	Wenzel
Cassery	Heinitz	Mehrrens	Reif	Wieser
Clark	Hokanson	Metzen	Rice	Wigley
Clawson	Jacobs	Minne	Rose	Wynia
Corbid	Jaros	Moe	Rothenberg	Zubay
Crandall	Jennings	Munger	Sarna	Speaker Searle
Dean	Johnson, C.	Murphy	Schreiber	
Dempsey	Johnson, D.	Nelsen, M.	Searles	
Den Ouden	Jude	Nelson	Sherwood	
Drew	Kahn	Niehaus	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 521, A bill for an act relating to domestic abuse; authorizing judicial intervention to provide protection from domestic abuse; 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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kaley	Niehaus	Sieben, H.
Adams	Elioff	Kalis	Norman	Sieben, M.
Ainley	Ellingson	Kelly	Norton	Simoneau
Anderson, B.	Enebo	Kempe	Novak	Stadum
Anderson, D.	Erickson	Knickerbocker	Nysether	Stoa
Anderson, G.	Esau	Kostohryz	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	Mann	Pleasant	Waldorf
Byrne	Halberg	McCarron	Prahl	Weaver
Carlson, L.	Haukoos	McDonald	Redalen	Welch
Casserly	Heap	McEachern	Reding	Welker
Clark	Hokanson	Mehrkens	Rees	Wenzel
Clawson	Jacobs	Metzen	Reif	Wieser
Corbid	Jaros	Minne	Rice	Wigley
Crandall	Jennings	Moe	Rose	Wynia
Dean	Johnson, C.	Munger	Rothenberg	Zubay
Dempsey	Johnson, D.	Murphy	Sarna	Speaker Searle
Den Ouden	Jude	Nelsen, M.	Searles	
Drew	Kahn	Nelson	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 677, A bill for an act relating to courts; providing for the interest rate on verdicts and judgments; amending Minnesota Statutes 1978, Sections 549.09 and 550.36.

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:

Aasness	Clawson	Fudro	Kroening	Norton
Adams	Corbid	Greenfield	Kvam	Novak
Ainley	Crandall	Halberg	Laidig	Nysether
Albrecht	Dean	Haukoos	Lehto	Olsen
Anderson, B.	Dempsey	Heap	Levi	Onnen
Anderson, D.	Den Ouden	Heinritz	Long	Osthoff
Anderson, G.	Drew	Hokanson	Ludeman	Otis
Anderson, I.	Eken	Jacobs	Luknic	Patton
Anderson, R.	Elioff	Jaros	Mann	Pavlak
Battaglia	Ellingson	Jennings	McCarron	Pehler
Begich	Enebo	Johnson, C.	McDonald	Peterson
Berglin	Erickson	Johnson, D.	McEachern	Piepho
Berkelman	Esau	Jude	Mehrkens	Pleasant
Biersdorf	Evans	Kahn	Metzen	Prahl
Blatz	Ewald	Kaley	Minne	Redalen
Brinkman	Faricy	Kalis	Moe	Reding
Byrne	Fjoslien	Kelly	Murphy	Rees
Carlson, L.	Forsythe	Kempe	Nelson	Reif
Casserly	Friedrich	Knickerbocker	Niehaus	Rice
Clark	Fritz	Kostohryz	Norman	Rose

Rothenberg	Sieben, M.	Swanson	Voss	Wieser
Sarna	Simoneau	Thiede	Waldorf	Wigley
Schreiber	Stadum	Tomlinson	Weaver	Wynia
Searles	Stoa	Valan	Welch	Zubay
Sherwood	Stowell	Valento	Welker	Speaker Searle
Sieben, H.	Sviggum	Vanasek	Wenzel	

The bill was passed and its title agreed to.

S. F. No. 198, A bill for an act relating to professional corporations; clarifying the kinds of professional services which may be rendered; permitting pharmacists to organize professional corporations; allowing nonprofessionals to hold certain corporate offices and positions; providing for reconstitution of corporate powers and privileges; amending Minnesota Statutes 1978, Sections 319A.02, Subdivision 2; 319A.12, by adding a subdivision; 319A.15; and 319A.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 122 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Jude	Niehaus	Sieben, H.
Adams	Elioff	Kahn	Norman	Sieben, M.
Ainley	Enebo	Kaley	Norton	Simoneau
Albrecht	Erickson	Kalis	Novak	Stadum
Anderson, B.	Esau	Kelly	Nysether	Stoa
Anderson, I.	Evans	Kempe	Onnen	Stowell
Anderson, R.	Ewald	Knickerbocker	Otis	Sviggum
Battaglia	Faricy	Kostohryz	Patton	Swanson
Begich	Fjoslien	Kvam	Pavlak	Thiede
Berglin	Forsythe	Laidig	Pehler	Tomlinson
Berkelman	Friedrich	Lehto	Peterson	Valan
Biersdorf	Fritz	Levi	Piepho	Valento
Blatz	Fudro	Long	Pleasant	Voss
Brinkman	Greenfield	Ludeman	Prahl	Waldorf
Byrne	Halberg	Luknic	Redalen	Weaver
Carlson, L.	Haukoos	Mann	Reding	Welch
Casserly	Heap	McCarron	Rees	Welker
Clark	Heinitz	McDonald	Reif	Wenzel
Clawson	Hoberg	McEachern	Rice	Wieser
Corbid	Hokanson	Mehrkens	Rose	Wynia
Crandall	Jacobs	Metzen	Rothenberg	Zubay
Dean	Jaros	Minne	Sarna	Speaker Searle
Dempsey	Jennings	Moe	Schreiber	
Den Ouden	Johnson, C.	Murphy	Searles	
Drew	Johnson, D.	Nelson	Sherwood	

Those who voted in the negative were:

Anderson, D.	Anderson, G.	Kroening	Osthoff	Vanasek
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The bill was passed and its title agreed to.

H. F. No. 60, A bill for an act relating to natural resources; modifying certain trespass laws; amending Minnesota Statutes 1978, Section 100.273, 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 92 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Aasness	Ellingson	Kahn	Nelsen, M.	Stowell
Ainley	Erickson	Kalis	Niehaus	Sviggum
Albrecht	Esau	Kelly	Norton	Thiede
Anderson, B.	Evans	Knickerbocker	Nysether	Tomlinson
Anderson, D.	Forsythe	Kostohryz	Onnen	Valan
Anderson, G.	Friedrich	Kvam	Otis	Valento
Anderson, I.	Fritz	Laidig	Patton	Vanasek
Battaglia	Greenfield	Lehto	Pavlak	Voss
Begich	Haukoos	Levi	Peterson	Waldorf
Berkelman	Heap	Long	Pleasant	Weaver
Blatz	Heinitz	Ludeman	Prahl	Welch
Brinkman	Hoberg	Luknic	Redalen	Welker
Clawson	Hokanson	Mann	Reif	Wenzel
Corbid	Jacobs	McDonald	Rothenberg	Wieser
Dean	Jaros	McEachern	Schreiber	Wigley
Dempsey	Jennings	Mehrkens	Searles	Speaker Searle
Den Ouden	Johnson, C.	Minne	Sherwood	
Eken	Johnson, D.	Munger	Simoneau	
Elioff	Jude	Murphy	Stadum	

Those who voted in the negative were:

Adams	Drew	Kempe	Osthoff	Sieben, M.
Anderson, R.	Enebo	Kroening	Pehler	Stoa
Berglin	Ewald	Metzen	Piepho	Swanson
Byrne	Faricy	Moe	Reding	Wynia
Carlson, L.	Fjoslien	Nelson	Rice	Zubay
Casserly	Fudro	Norman	Rose	
Clark	Halberg	Novak	Sarna	
Crandall	Kaley	Olsen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 191, A bill for an act relating to state lands; providing for the conveyance of certain lands to the city of Hastings.

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 106 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Aasness	Begich	Casserly	Ellingson	Fudro
Adams	Berglin	Clark	Enebo	Greenfield
Ainley	Berkelman	Corbid	Esau	Halberg
Albrecht	Biersdorf	Crandall	Evans	Heap
Anderson, B.	Blatz	Dean	Ewald	Heinitz
Anderson, I.	Brinkman	Dempsey	Faricy	Hoberg
Anderson, R.	Byrne	Drew	Friedrich	Hokanson
Battaglia	Carlson, L.	Elioff	Fritz	Jacobs

Jaros	Mann	Nysether	Rice	Vanasek
Johnson, D.	McCarron	Osthoff	Rose	Voss
Jude	McDonald	Otis	Rothenberg	Waldorf
Kahn	McEachern	Patton	Sarna	Weaver
Kaley	Mehrkens	Pavlak	Searles	Welch
Kelly	Metzen	Pehler	Sherwood	Wenzel
Kempe	Moe	Peterson	Sieben, H.	Wigley
Kostohryz	Munger	Piepho	Sieben, M.	Wynia
Kroening	Murphy	Pleasant	Simoneau	Zubay
Laidig	Nelsen, M.	Prahl	Stoa	Speaker Searle
Lehto	Nelson	Redalen	Stowell	
Levi	Norman	Reding	Tomlinson	
Long	Norton	Rees	Valan	
Luknic	Novak	Reif	Valento	

Those who voted in the negative were:

Anderson, D.	Fjoslien	Kalis	Olsen	Welker
Anderson, G.	Forsythe	Kvam	Onnen	Wieser
Den Ouden	Haukoos	Ludeman	Stadum	
Eken	Jennings	Minne	Sviggum	
Erickson	Johnson, C.	Niehaus	Thiede	

The bill was passed and its title agreed to.

H. F. No. 214, A bill for an act relating to taxation; excise tax on intoxicating liquor and malt beverages; providing for a refund of taxes paid if product is destroyed upon an agency order; appropriating money; amending Minnesota Statutes 1978, Chapter 340, 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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Crandall	Heap	Long	Osthoff
Adams	Dean	Heinitz	Ludeman	Otis
Ainley	Dempsey	Hoberg	Luknic	Patton
Albrecht	Den Ouden	Hokanson	Mann	Pavlak
Anderson, B.	Drew	Jacobs	McCarron	Pehler
Anderson, D.	Eken	Jaros	McDonald	Peterson
Anderson, G.	Elioff	Jennings	McEachern	Piepho
Anderson, I.	Ellingson	Johnson, C.	Mehrkens	Pleasant
Anderson, R.	Enebo	Johnson, D.	Metzen	Prahl
Battaglia	Erickson	Jude	Minne	Redalen
Begich	Esau	Kahn	Moe	Reding
Berglin	Evans	Kaley	Munger	Rees
Berkelman	Ewald	Kalis	Murphy	Reif
Biersdorf	Faricy	Kelly	Nelsen, M.	Rice
Blatz	Fjoslien	Kempe	Nelson	Rose
Brinkman	Forsythe	Knickerbocker	Niehaus	Rothenberg
Byrne	Friedrich	Kostohryz	Norman	Sarna
Carlson, L.	Fritz	Kroening	Norton	Schreiber
Casserly	Fudro	Kvam	Novak	Searles
Clark	Greenfield	Laidig	Nysether	Sherwood
Clawson	Halberg	Lehto	Olsen	Sieben, H.
Corbid	Haukoos	Levi	Onnen	Sieben, M.

Simoneau	Swanson	Vanasek	Welker	Zubay
Stadum	Thiede	Voss	Wenzel	Speaker Searle
Stoa	Tomlinson	Waldorf	Wieser	
Stowell	Valan	Weaver	Wigley	
Sviggum	Valento	Welch	Wynia	

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 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

Speaker pro tem Heinitz assumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 486 which it recommended to pass with the following amendments:

Offered by Faricy:

Page 3, after line 24, insert a new section to read as follows:

"Sec. 2. Minnesota Statutes 1978, Section 47.20, Subdivision 6, is amended to read:

Subd. 6. *No conventional loan or loan authorized in subdivision 1 or a mortgage securing such a loan shall contain a provision prohibiting assumption of the loan or requiring the consent of the lender for assumption of the loan or obligation by another person. No conventional loan or loan authorized in subdivision 1 made on or after (THE EFFECTIVE DATE OF LAWS 1977, CHAPTER 350) May 28, 1977 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.*"

Further, amend the title:

Line 5, delete "Subdivision 4" and insert "Subdivisions 4 and 6"

Offered by Sieben, M.:

As previously amended, page 3, after line 24, add a section to read:



“Sec. 2. Minnesota Statutes 1978, Section 47.20, Subdivision 9, is amended to read:

Subd. 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 the 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, 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 (FOUR) *five* percent per annum. Such interest shall be computed on the average monthly balance in such account 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) A mortgagee offering the following option (c) to a mortgagor but not requiring maintenance of 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 pass-book 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) the mortgagor may elect to maintain a non-interest 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 offering option (b) above notify its mortgagors (1) that they may open such accounts at a depository institution and (2) of the current maximum legal interest rate on such accounts.

A mortgagee offering option (c) above to a mortgagor but not requiring the maintenance of escrow accounts shall notify its mortgagor of the options under (a), (b) and (c). The notice shall state the option 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 subdivision 9.

Notice shall be given within 30 days after the effective date of the provisions of Laws 1977, Chapter 350 amending the subdivision, as to mortgagees offering option (c) above to mortgagors but not requiring escrow accounts as of the effective date, or within 30 days after a mortgagee's decision to discontinue requiring escrow accounts if the mortgagee continues to offer option (c) above to mortgagors. If no reply is received within 30 days, option (c) shall be selected for the mortgagor but the mortgagor may, at any time, select another option.

A mortgagee making a new mortgage and offering option (c) above to a prospective mortgagor shall, at the time of loan application, notify the 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).

(3) A mortgagee shall be prohibited from charging a direct fee for the administration of the escrow account.

(4) A mortgagee shall make timely payments of tax and insurance bills provided that funds paid into the account by the mortgagor are sufficient for the payment. If there is a shortage of funds the mortgagee shall promptly notify the mortgagor of the shortage. Failure to make the payment required by this clause shall subject the mortgagee to liability for all damages caused by the 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."

Delete the title amendment in the Faricy amendment and further amend the title as follows:

Line 5, delete "Subdivision 4" and insert "Subdivisions 4, 6 and 9"

On the motion of Sieben, H., 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:

Greenfield moved to amend H. F. No. 486, as follows:

Page 3, lines 16 to 23, reinstate the stricken language

Page 3, lines 18 and 19, strike the reinstated "July 31, 1979" and insert "November 30, 1982"

Page 3, reinstate line 24

Page 3, line 24, strike the reinstated "July 31, 1979" and insert "November 30, 1982"

The question was taken on the adoption of the amendment and the roll was called. There were 61 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Eken	Kelly	Nelsen, M.	Simoneau
Anderson, G.	Elioff	Kempe	Nelson	Swanson
Anderson, I.	Ellingson	Kostohryz	Norton	Tomlinson
Battaglia	Enebo	Kroening	Novak	Vanasek
Begich	Faricy	Lehto	Osthoff	Voss
Berglin	Fritz	Long	Otis	Waldorf
Berkelman	Fudro	Luknic	Pehler	Welch
Byrne	Greenfield	Mann	Prahl	Wenzel
Carlson, L.	Hokanson	McCarron	Reding	Wynia
Casserly	Jacobs	Minne	Rice	
Clark	Jaros	Moe	Sarna	
Clawson	Johnson, C.	Munger	Sieben, H.	
Corbid	Kahn	Murphy	Sieben, M.	

Those who voted in the negative were:

Aasness	Ainley	Anderson, D.	Biersdorf	Brinkman
Adams	Albrecht	Anderson, R.	Blatz	Crandall

Dean	Heap	McDonald	Piepho	Swiggum
Dempsey	Heinitz	McEachern	Pleasant	Thiede
Den Ouden	Hoberg	Mehrkens	Redalen	Valan
Drew	Jennings	Metzen	Rees	Valento
Erickson	Johnson, D.	Nelsen, B.	Reif	Weaver
Esau	Jude	Niehaus	Rose	Welker
Evans	Kaley	Norman	Rothenberg	Wieser
Ewald	Kalis	Nysether	Schreiber	Wigley
Fjoslien	Knickerbocker	Olsen	Searles	Zubay
Forsythe	Kvam	Onnen	Sherwood	Speaker Searle
Friedrich	Laidig	Patton	Stadum	
Halberg	Levi	Pavliak	Stoa	
Haukoos	Ludeman	Peterson	Stowell	

The motion did not prevail and the amendment was not adopted.

Faricy moved to amend H. F. No. 486 as follows:

Page 3, after line 24, insert a new section to read as follows:

"Sec. 2. Minnesota Statutes 1978, Section 47.20, Subdivision 6, is amended to read:

Subd. 6. *No conventional loan or loan authorized in subdivision 1 or a mortgage securing such a loan shall contain a provision prohibiting assumption of the loan or requiring the consent of the lender for assumption of the loan or obligation by another person. No conventional loan or loan authorized in subdivision 1 made on or after (THE EFFECTIVE DATE OF LAWS 1977; CHAPTER 350) May 28, 1977 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."*

Further, amend the title:

Line 5, delete "Subdivision 4" and insert "Subdivisions 4 and 6"

The question was taken on the adoption of the amendment and the roll was called. There were 78 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Carlson, L.	Elioff	Haukoos	Kempe
Anderson, G.	Casserly	Ellingson	Hoberg	Kostohryz
Anderson, I.	Clark	Enebo	Hokanson	Kroening
Battaglia	Clawson	Erickson	Jacobs	Laidig
Begich	Corbid	Faricy	Jennings	Lehto
Berglin	Crandall	Fritz	Johnson, C.	Long
Berkelman	Dean	Fudro	Jude	McCarron
Blatz	Drew	Greenfield	Kahn	McEachern
Byrne	Eken	Halberg	Kelly	Minne

Moe	Onnen	Reding	Sieben, M.	Voss
Murphy	Osthoff	Rees	Simoneau	Waldorf
Nelsen, M.	Otis	Reif	Stoa	Weaver
Nelson	Pehler	Rice	Stowell	Welch
Norton	Peterson	Rothenberg	Swanson	Wynia
Novak	Pleasant	Sarna	Tomlinson	
Olsen	Prahl	Sieben, H.	Vanasek	

Those who voted in the negative were:

Aasness	Evans	Kvam	Nysether	Thiede
Adams	Ewald	Levi	Patton	Valan
Ainley	Fjoslien	Ludeman	Pavlak	Valento
Albrecht	Forsythe	Luknic	Piepho	Welker
Anderson, D.	Friedrich	Mann	Redalen	Wenzel
Anderson, R.	Heap	McDonald	Rose	Wieser
Biersdorf	Heinitz	Mehrkens	Schreiber	Wigley
Brinkman	Johnson, D.	Metzen	Searles	Zubay
Dempsey	Kaley	Nelsen, B.	Sherwood	Speaker Searle
Den Ouden	Kalis	Niehaus	Stadium	
Esau	Knickerbocker	Norman	Sviggum	

The motion prevailed and the amendment was adopted.

Sieben, M., moved to amend H. F. No. 486, as amended, as follows:

Page 3, after line 24, add a section to read:

"Sec. 2. Minnesota Statutes 1978, Section 47.20, Subdivision 9, is amended to read:

Subd. 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 the 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, 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 (FOUR) *five* percent per annum. Such interest shall be computed on the average monthly balance in such account 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) A mortgagee offering the following option (c) to a mortgagor but not requiring maintenance of 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 pass-book 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) the mortgagor may elect to maintain a non-interest 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 offering option (b) above notify its mortgagors (1) that they may open such accounts at a depository institution and (2) of the current maximum legal interest rate on such accounts.

A mortgagee offering option (c) above to a mortgagor but not requiring the maintenance of escrow accounts shall notify its mortgagor of the options under (a), (b) and (c). The notice shall state the option 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 subdivision 9.

Notice shall be given within 30 days after the effective date of the provisions of Laws 1977, Chapter 350 amending the subdivision, as to mortgagees offering option (c) above to mortgagors but not requiring escrow accounts as of the effective date, or within 30 days after a mortgagee's decision to discontinue requiring escrow accounts if the mortgagee continues to offer option (c) above to mortgagors. If no reply is received within 30 days, option (c) shall be selected for the mortgagor but the mortgagor may, at any time, select another option.

A mortgagee making a new mortgage and offering option (c) above to a prospective mortgagor shall, at the time of loan

application, notify the 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).

(3) A mortgagee shall be prohibited from charging a direct fee for the administration of the escrow account.

(4) A mortgagee shall make timely payments of tax and insurance bills provided that funds paid into the account by the mortgagor are sufficient for the payment. If there is a shortage of funds the mortgagee shall promptly notify the mortgagor of the shortage. Failure to make the payment required by this clause shall subject the mortgagee to liability for all damages caused by the 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."

Delete the title amendment in the Faricy amendment and further amend the title as follows:

Line 5, delete "Subdivision 4" and insert "Subdivisions 4, 6 and 9"

The question was taken on the adoption of the amendment and the roll was called. There were 76 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Crandall	Haukoos	Kroening	Nelson
Anderson, G.	Drew	Hokanson	Laidig	Niehaus
Anderson, I.	Eken	Jacobs	Lehto	Norton
Battaglia	Elioff	Jaros	Long	Novak
Berglin	Ellingson	Jennings	Mann	Nysether
Berkelman	Enebo	Johnson, C.	McCarron	Onnen
Byrne	Erickson	Jude	McEachern	Osthoff
Carlson, L.	Faricy	Kahn	Minne	Otis
Cassery	Fritz	Kelly	Moc	Pehler
Clark	Fudro	Kempe	Munger	Prahl
Clawson	Greenfield	Knickerbocker	Murphy	Reding
Corbid	Halberg	Kostohryz	Nelsen, M.	Reif

Rice	Sieben, H.	Swanson	Weaver	Wenzel
Rothenberg	Sieben, M.	Tomlinson	Welch	Wynia
Sarna	Simoneau	Vanasek		
Sherwood	Stoa	Voss		

Those who voted in the negative were:

Aasness	Den Ouden	Kalis	Pavlak	Thiede
Adams	Esau	Kvam	Peterson	Valan
Ainley	Evans	Levi	Pjepho	Valento
Albrecht	Ewald	Ludeman	Pleasant	Waldorf
Anderson, D.	Fjoslien	Luknic	Redalen	Welker
Anderson, R.	Forsythe	McDonald	Rees	Wieser
Eegich	Friedrich	Mehrkens	Rose	Wigley
Biersdorf	Heap	Metzen	Schreiber	Zubay
Blatz	Heinitz	Nelsen, B.	Searles	
Brinkman	Hoberg	Norman	Stadum	
Dean	Johnson, D.	Olsen	Stowell	
Dempsey	Kaley	Patton	Sviggunn	

The motion prevailed and the amendment was adopted.

The question was taken on the motion to recommend passage of H. F. No. 486, as amended, and the roll was called. There were 120 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Jude	Niehaus	Sieben, H.
Adams	Eken	Kahn	Norman	Sieben, M.
Ainley	Elioff	Kaley	Norton	Simoneau
Albrecht	Ellingson	Kalis	Novak	Stadum
Anderson, B.	Erickson	Kelly	Nysether	Stoa
Anderson, D.	Esau	Kempe	Olsen	Stowell
Anderson, G.	Evans	Knickerbocker	Onnen	Sviggunn
Anderson, I.	Ewald	Kostohryz	Otis	Swanson
Anderson, R.	Faricy	Kvam	Patton	Thiede
Battaglia	Fjoslien	Laidig	Pavlak	Tomlinson
Begich	Forsythe	Lehto	Pehler	Valan
Berkelman	Friedrich	Levi	Peterson	Valento
Biersdorf	Fudro	Ludeman	Pjepho	Vanasek
Blatz	Greenfield	Luknic	Pleasant	Voss
Brinkman	Halberg	Mann	Redalen	Waldorf
Byrne	Haukoos	McDonald	Reding	Weaver
Carlson, L.	Heap	McEachern	Rees	Welch
Casserly	Heinitz	Mehrkens	Reif	Welker
Clark	Hoberg	Metzen	Rose	Wenzel
Clawson	Hokanson	Moe	Rothenberg	Wieser
Corbid	Jacobs	Munger	Sarna	Wigley
Crandall	Jennings	Murphy	Schreiber	Wynia
Dean	Johnson, C.	Nelsen, B.	Searles	Zubay
Dempsey	Johnson, D.	Nelson	Sherwood	Speaker Searle

Those who voted in the negative were:

Enebo	Kroening	Minne	Osthoff	Rice
Fritz	Long	Nelsen, M.	Prahl	

The motion prevailed.



## MOTIONS AND RESOLUTIONS

Enebo moved that H. F. No. 876, now on Technical General Orders, be re-referred to the Committee on Appropriations.

The motion prevailed.

Pleasant moved that H. F. No. 503 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on Judiciary. The motion prevailed.

Pleasant moved that H. F. No. 513 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on Judiciary. The motion prevailed.

Norman moved that the name of Piepho be added as an author on H. F. No. 720. The motion prevailed.

Biersdorf moved that the name of Biersdorf be stricken and the name of Sviggum be added as chief author on H. F. No. 771. The motion prevailed.

Sieben, H., moved that the names of Tomlinson, Novak, Pehler, and Vanasek be added as authors on H. F. No. 1129. The motion prevailed.

Anderson, B., moved that the name of Sviggum be added as an author on H. F. No. 922. The motion prevailed.

Fritz, Begich and Biersdorf introduced:

House Resolution No. 17, A house resolution relating to the Job Corps; urging that a new site be found for the proposed Job Corps Center in Minnesota.

The resolution was referred to the Committee on Rules and Legislative Administration. Anderson, I., objected to the reference and the resolution was referred to the Committee on Rules and Legislative Administration.

## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 2, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker pro tem declared the House stands adjourned until 2:00 p.m., Monday, April 2, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## THIRTY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 2, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

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. 31, 219, 248, 481, 623, 122, 361, 103, 206, 235, 399, 810, 455, 555 and 486 and S. F. Nos. 114, 276, 340, 124 and 298 have been placed in the members' files.

## PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

March 29, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
	3	Resolution No. 1	March 28	March 28

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

March 26, 1979

The Honorable Rod Searle  
Speaker of the House of Representatives

Dear Sir:

The following appointment to the State Ethical Practices Board is hereby respectfully submitted to the House for confirmation as required by law:

Karen J. Jensen, 1016 W. Burnsville Parkway, Burnsville, Dakota County, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

Sincerely,

ALBERT H. QUIE  
Governor

The communication from the Governor relating to an appointment to the State Ethical Practices Board was referred to the Committee on General Legislation and Veterans Affairs.

### REPORTS OF STANDING COMMITTEES

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 16, A bill for an act relating to public welfare; adjusting eligibility requirements for medical assistance benefits; amending Minnesota Statutes 1978, Sections 256B.06, Subdivision 1; and 256B.07.

Reported the same back with the following amendments:

Page 2, line 22, after "assets" insert "*, including the cash surrender value of life insurance policies,*"

Page 2, line 23, after "assets" insert "*, including the cash surrender value of life insurance policies,*"

Page 3, line 2, after "agency." insert "*In computing income to determine eligibility for medical assistance, who are not residents of long term care facilities, the commissioner shall, beginning in July 1979, disregard increases in income of social security or supplementary security income recipients due solely to increases required by sections 215(i) and 1617 of the social security act.*"

Page 4, line 10, strike "insurance policies with cash"

Page 4, line 11, delete the new language and strike the old

Page 4, line 12, strike "person,"

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. 181, A bill for an act relating to Hennepin county; authorizing the county board to self insure against claims and losses; allowing conditions of commercial insurance.

Reported the same back with the following amendments:

Page 1, line 11, delete "fortuitous" and insert "insurable"

Page 1, line 22, delete "fortuitous" and insert "insurable"

Page 2, line 9, delete section 3 and insert:

"Sec. 3. [REPEALER.] Laws 1971, Chapter 330 is repealed.

Sec. 4. [EFFECTIVE DATE.] This act shall take effect upon its approval by the board of commissioners of Hennepin county and compliance with Minnesota Statutes, Section 645.021."

Amend the title:

Page 1, line 5, after "insurance" insert "; repealing Laws 1971, Chapter 330"

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. 183, A bill for an act relating to pollution control; authorizing the pollution control agency to assist small businesses; amending Minnesota Statutes 1978, Section 115.03, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 115.03, is amended by adding subdivisions to read:

*Subd. 6. [CERTIFICATION OF SMALL BUSINESS ADMINISTRATION LOANS.] (a) In addition to its other powers and duties, the agency shall prepare the certification statement required to be submitted by an applicant for a pollution control equipment loan under the provisions of section 7(g) of the Small*

*Business Act and section 8 of the Federal Water Pollution Control Act, as amended.*

(b) *The agency certification shall state whether the loan applicant's proposed additions to, or alterations in, equipment facilities or methods of operation are necessary and adequate to comply with the requirements established under the Federal Water Pollution Control Act, as amended. The agency's certification statement shall comply with the requirements of 40 C.F.R., part 21.*

(c) *The agency may identify small businesses eligible for loans under section 7(g) of the Small Business Act and section 8 of the Federal Water Pollution Control Act, as amended and assist in the preparation of loan application.*

(d) *No fee shall be required of an applicant for any assistance provided under this subdivision.*

*Subd. 7. [ASSISTANCE, SMALL BUSINESS ADMINISTRATION GUARANTEED POLLUTION CONTROL FACILITY BONDS.] In addition to its other powers and duties, the agency shall disseminate information and provide assistance regarding the small business administration program to guarantee payments or rentals on pollution control facility revenue bonds pursuant to Public Law 94-305 (June 4, 1976). The agency shall also encourage and assist governmental units to coordinate the joint or cooperative issuance of bonds guaranteed under this program to the end that the total amount of the bonds is sufficient in size to allow convenient sale.*

Sec. 2. Minnesota Statutes 1978, Section 474.03, is amended to read:

474.03 [POWERS.] Any municipality or redevelopment agency, in addition to the powers prescribed elsewhere by the laws of this state, shall have the power to:

(1) Acquire, construct, and hold any lands, buildings, easements, water and air rights, improvements to lands and buildings, and capital equipment to be located permanently or used exclusively on a designated site and solid waste disposal and pollution control equipment, regardless of where located, which are deemed necessary in connection with a project to be situated within the state, whether wholly or partially within or without the municipality or redevelopment agency, and construct, reconstruct, improve, better, and extend such project;

(2) Issue revenue bonds, in anticipation of the collection of revenues of such project, to finance, in whole or in part, the cost of the acquisition, construction, reconstruction, improvement, betterment, or extension thereof;

(3) Issue revenue bonds to pay all or any part of the outstanding indebtedness of a contracting party engaged primarily in the operation of one or more nonprofit hospitals or nursing homes, theretofore incurred in the acquisition or betterment of its existing hospital or nursing home facilities, including, to the extent deemed necessary by the governing body of the municipality or redevelopment agency, any unpaid interest on such indebtedness accrued or to accrue to the date on which such indebtedness is finally paid; if revenue bonds are issued for this purpose, the refinancing and the existing properties of the contracting party shall be deemed to constitute a project under section 474.02, subdivision 1c. Industrial revenue bonds shall only be available under this provision if the commissioner of securities has been shown that a reduction in debt service charges to patients and third party payors will occur. All reductions in debt service charges pursuant to this program shall be passed on to patients and third party payors. These industrial revenue bonds may not be used for any purpose not consistent with the provisions of sections 145.71 to 145.83 or chapter 256B;

Nothing in this subdivision is intended to prohibit the use of revenue bond proceeds to pay outstanding indebtedness of a contracting party to the extent now permitted by law;

(4) Enter into a revenue agreement with any person, firm, or public or private corporation or federal or state governmental subdivision or agency in such manner that payments required thereby to be made by the contracting party shall be fixed, and revised from time to time as necessary, so as to produce income and revenue sufficient to provide for the prompt payment of principal of and interest on all bonds issued hereunder when due, and the revenue agreement shall also provide that the contracting party shall be required to pay all expenses of the operation and maintenance of the project including, but without limitation, adequate insurance thereon and insurance against all liability for injury to persons or property arising from the operation thereof, and all taxes and special assessments levied upon or with respect to the project and payable during the term of the revenue agreement, during which term a tax shall be imposed and collected pursuant to the provisions of section 272.01, subdivision 2, for the privilege of using and possessing the project, in the same amount and to the same extent as though the contracting party were the owner of all real and personal property comprising the project;

(5) Pledge and assign to the holders of such bonds or a trustee therefor all or any part of the revenues of one or more projects and define and segregate such revenues or provide for the payment thereof to a trustee, whether or not such trustee is in possession of the project under a mortgage or otherwise;

(6) Mortgage or otherwise encumber such projects in favor of the municipality or redevelopment agency, the holders of such bonds, or a trustee therefor, provided that in creating any such mortgages or encumbrances a municipality or redevelopment

agency shall not have the power to obligate itself except with respect to the project;

(7) Make all contracts, execute all instruments, and do all things necessary or convenient in the exercise of the powers herein granted, or in the performance of its covenants or duties, or in order to secure the payment of its bonds; including, but without limitation, a contract entered into prior to the construction of the project authorizing the contracting party, subject to such terms and conditions as the municipality or redevelopment agency shall find necessary or desirable and proper, to provide for the construction, acquisition, and installation of the buildings, improvements, and equipment to be included in the project by any means available to the contracting party and in the manner determined by the contracting party and without advertisement for bids as may be required for the construction or acquisition of other municipal facilities;

(8) Enter into and perform such contracts and agreements with other municipalities, political subdivisions, and state agencies, authorities, and institutions as the respective governing bodies of the same may deem proper and feasible for or concerning the planning, construction, lease, purchase, mortgaging or other acquisition, and the financing of a project, and the maintenance thereof, including an agreement whereby one municipality issues its revenue bonds in behalf of one or more other municipalities *pursuant to revenue agreements with the same or different contracting parties*, which contracts and agreements may establish a board, commission, or such other body as may be deemed proper for the supervision and general management of the facilities of the project; provided, no municipality or redevelopment agency shall enter into or perform any contract or agreement with any school district under which the municipality or redevelopment agency issues its revenue bonds or otherwise provides for the construction of school facilities and the school leases or otherwise acquires these facilities;

(9) Accept from any authorized agency of the federal government loans or grants for the planning, construction, acquisition, leasing, purchase, or other provision of any project, and enter into agreements with such agency respecting such loans or grants;

(10) Sell and convey all properties acquired in connection with such projects, including without limitation the sale and conveyance thereof subject to such mortgage as herein provided, and the sale and conveyance thereof under an option granted to the lessee of the project, for such price, and at such time as the governing body of the municipality or redevelopment agency may determine, provided, however, that no sale or conveyance of such properties shall ever be made in such manner as to impair the rights or interests of the holder, or holders, of any bonds issued under the authority of this chapter;



(11) Issue revenue bonds to refund, in whole or in part, bonds previously issued by such municipality or redevelopment agency under authority of this chapter;

(12) If so provided in the revenue agreement, terminate the agreement and re-enter or repossess the project upon the default of the contracting party, and operate, lease, or sell the project in such manner as may be authorized or required by the provisions of the revenue agreement or of the resolution or indenture securing the bonds issued for the project; any revenue agreement which includes provision for a conveyance of real estate to the contracting party may be terminated in accordance with the revenue agreement, notwithstanding that such revenue agreement may constitute an equitable mortgage provided that no municipality or redevelopment agency shall have power otherwise to operate any project referred to in this chapter as a business or in any manner whatsoever, and nothing herein authorizes any municipality or redevelopment agency to expend any funds on any project herein described, other than the revenues of such projects, or the proceeds of revenue bonds and notes issued hereunder, or other funds granted to the municipality or redevelopment agency for the purposes herein contemplated, except as may be otherwise permitted by law and except to enforce any right or remedy under any revenue agreement or related agreement for the benefit of the bondholders or for the protection of any security given in connection with a revenue agreement, provided that the public cost of redevelopment of land paid by a city or its redevelopment agency shall not be deemed part of the cost of any project situated on such land;

(13) Invest or deposit, or authorize a trustee to invest or deposit, any money on hand in funds or accounts established in connection with a project or payment of bonds issued therefor, to the extent they are not presently needed for the purposes for which such funds or accounts were created, in accordance with section 471.56, as amended; and

(14) Waive or require the furnishing of a contractors payment and performance bond of the kind described in section 574.26 and if such bond shall be required, then the provisions of chapter 514 relating to liens for labor and materials, shall not be applicable in respect of any work done or labor or materials supplied for the project, and if such bond be waived then the said provisions of chapter 514 shall apply in respect of work done or labor or materials supplied for the project."

Delete the title in its entirety and insert:

"A bill for an act relating to pollution control; authorizing the pollution control agency to assist small businesses; amending Minnesota Statutes 1978, Section 115.03, by adding subdivisions; and 474.03."

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 222, A bill for an act relating to the public service commission; regulating commissioners' conflicts of interests; amending Minnesota Statutes 1978, Section 216A.035.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 216A.035, is amended to read:

216A.035 [CONFLICT OF INTEREST.] No person during his term of membership on the public service commission shall receive any significant portion of his income directly or indirectly from any public utility. No person shall be eligible to be appointed as a member of the public service commission unless and until he divests himself of any significant interest or abandons any employment with a utility.

No person who is an employee of the public service commission or *public service department* shall participate in any manner in any decision or action of the commission where he has a direct or indirect financial interest. *Each commissioner or employee of the public service department shall report to the ethical practices board annually before July 1 any interest he has in an industry or business regulated by the commission.*

*No person who is appointed after August 1, 1979 as a member of the commission or as an employee of the public service department shall act as a consultant, agent or work on a case pending before the commission or department of public service in behalf of a regulated business or industry until one year after the end of his term of membership on the commission or employment by the public service department."*

Delete the title in its entirety and insert:

"A bill for an act relating to the public service commission and public service department; regulating commissioners' and employees' conflicts of interest; amending Minnesota Statutes 1978, Section 216A.035."

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 260, A bill for an act relating to health; providing for health planning; requiring certificates of need for construction or modification of certain health care facilities and services and health maintenance organizations; repealing Minnesota Statutes 1978, Sections 145.71 to 145.831.

Reported the same back with the following amendments:

Page 1, line 15, delete "14" and insert "12"

Page 1, lines 22 and 23, delete "and health maintenance organizations"

Page 2, line 1, delete "14" and insert "12"

Page 2, line 3, delete "and health maintenance organizations"

Page 2, line 7, delete "14" and insert "12"

Page 2, line 10, delete "14" and insert "12"

Page 2, delete lines 26 to 28 and renumber the subdivisions in order

Page 2, line 29, after "all" insert "clinically related services, diagnostic or rehabilitative, that are"

Page 2, lines 30 and 31, delete "or a health maintenance organization"

Page 3, lines 6 and 7, delete ", health maintenance organization"

Page 3, line 10, delete "\$100,000" and insert "\$150,000"

Page 3, lines 19 and 20, delete "or health maintenance organization"

Page 3, line 22, delete "\$100,000" and insert "\$150,000"

Page 3, line 33, delete "or a health maintenance organization"

Page 4, line 6, delete "or health maintenance organization"

Page 4, line 8, delete "14" and insert "12"

Page 4, line 11, delete "or a health maintenance organization"

Page 4, lines 12 and 13, delete "or a health maintenance organization"

Page 4, line 14, delete ", or organization"

Page 4, line 23, delete "100,000" and insert "150,000"

Page 4, line 26, delete "14" and insert "12"

Page 4, line 28, delete "14" and insert "12"

Page 5, line 2, delete "4" and insert "12"

Page 5, line 8, delete "24" and insert "12"

Page 5, line 10, delete "24" and insert "12"

Page 5, line 13, delete "24" and insert "12"

Page 5, after line 23, insert:

"Subd. 13. "Develop" means to undertake those activities which on their completion will result in the offering of a new institutional health service or the incurring of a financial obligation in relation to offering the service.

Subd. 14. "Offer" means that the health care facility holds itself out as capable of providing or as having the means for the provision of a specified health service.

Subd. 15. "Person" means an individual; a trust or estate; a partnership; a corporation, including associations, joint stock companies, and insurance companies; a state; or political subdivision or instrumentality including a municipal corporation of the state."

Page 5, line 25, after "modification of or" insert "predevelopment activities"

Page 5, line 26, delete "or health maintenance organization"

Page 5, line 27, after "commenced" insert "or offered"

Page 5, line 29, after "sections 1 to" delete "14" and insert "12" and after the period insert "The state planning agency, as the administrative authority for the National Health Planning and Development Act of 1974, 42 U.S.C., Section 300k, shall enter into an agreement with the commissioner of health under which the commissioner shall promulgate rules governing the administration of sections 1 to 12."

Page 5, line 31, after "modification" insert "or predevelopment activities and other rules necessary to implement, enforce and administer sections 1 to 12"

Page 6, line 4, delete "health maintenance organization,"

Page 6, line 7, delete "or health maintenance organization"

Page 6, line 26, delete "14" and insert "12"

Page 7, delete line 15

Page 7, line 16, delete "items" and insert "\$150,000"

Page 7, line 23, delete "14" and insert "12"

Page 7, line 29, delete "14" and insert "12"

Page 7, line 33, delete "14" and insert "12"

Page 8, line 8, delete "or health maintenance organization"

Page 8, line 20, delete "14" and insert "12"

Page 9, line 3, delete "or health maintenance organization"

Page 10, line 12, delete "or health maintenance organization"

Page 11, line 2, delete "health maintenance organization,"

Page 11, lines 7 and 8, delete ", the home health service or health maintenance organization"

Page 11, delete lines 10 to 26, renumber the subdivisions in order

Page 11, line 33, delete "14" and insert "12"

Page 12, line 1, delete "factors" and insert "criteria"

Page 12, line 7, delete "health maintenance organization or the"

Page 12, lines 10 and 11, delete "and health maintenance organizations"

Page 12, line 25, after "needs" insert "for the provision of the services proposed to be provided and the availability of alternative uses of such resources for the provision of other health services"

Page 12, line 29, delete "or health maintenance organization"

Page 12, delete lines 30 to 33

Page 13, delete line 1

Page 13, line 2, delete "(i)" and insert "(h)"

Page 13, line 5, delete "j" and insert "i"

Page 13, after line 9, insert "(j) The special needs and circumstances of biomedical and behavioral research projects which are designed to meet a national need and for which local conditions offer special advantages;

Page 13, delete lines 10 to 15

Page 13, after line 15, insert "(k) In the case of a construction project: the costs and methods of the proposed construction, including the costs and methods of energy provision and the probable impact of the construction project reviewed on the costs of providing health services by the person proposing the project."

Page 13, line 22, after "hearing" insert "and notify affected persons which shall include at least the applicant and other persons subject to review, contiguous health systems agencies, the health care facilities located in the health service area and which provide institutional health services, and the rate review agency."

Page 14, line 1, delete "2" and insert "1"

Page 14, line 6, delete "14" and insert "12"

Page 14, line 17, delete "14" and insert "7"

Page 14, lines 20 and 21, delete ", or health maintenance organization"

Page 15, line 5, after "subdivision" delete "3," and insert "1, and the provisions of the National Health Planning and Resources Development Act, 42 U.S.C., Section 300k, et. seq."

Page 15, line 6 delete "The health"

Page 15, delete lines 7 to 14 and insert:

"Within 30 days of receipt of this decision, any person may make a written request to the commissioner of health to reconsider his decision. If the commissioner determines that good

cause has been shown, a new public hearing shall be held. The commissioner shall determine whether the request:

(a) presents significant, relevant information not previously considered by the commissioner; or

(b) demonstrates that there have been significant changes in the factors, criteria or circumstances relied upon by the commissioner in reaching his decision; or

(c) demonstrates that the commissioner has materially failed to follow his rules in reaching his decision; or

(d) any such other bases for a public hearing as the commissioner determines constitutes good cause. The commissioner may by rule establish procedures for the reconsideration process.

Following disposition of the reconsideration request, the health systems agency or the group, organization, association or persons submitting the application may submit to the commissioner of health a request for review of his decision within 30 days of receipt of the reconsideration decision.

The request for review shall state in detail why the commissioner's decision was not supported by the record as a whole and should be changed to be consistent with the recommendation of the health systems agency. The commissioner of health within 10 days of receipt of the request for review shall serve a notice of an order of hearing upon the party requesting the review and the health systems agency and shall file the entire record with the hearing examiner assigned by the chief hearing examiner. The review shall be confined to the record, oral argument, and, if requested by the hearing examiner, written briefs. The hearing for oral argument shall be scheduled within 30 days of receipt by the commissioner of health of the request for review; provided, however, that if the hearing examiner requests the submission of written briefs, the hearing shall be continued until such briefs are submitted but the continuance shall be for no more than 30 days. The burden shall be on the party requesting the review to demonstrate that the commissioner's decision was not supported by the record as a whole. The decision of the hearing examiner shall be in writing and shall be rendered within 45 days after the conclusion of the hearing. The decision of the hearing examiner shall be the final administrative decision and subject to court appeal as provided for in this section.

Subd. 3. Any persons aggrieved by the decision of the commissioner of health pursuant to subdivision 1 of this section or of the hearing examiner pursuant to subdivision 2 of this sec-

tion denying a certificate of need or by the commissioner of health denying a waiver pursuant to section 4, subdivision 4 shall be entitled to judicial review in the manner provided for in sections 15.0414 to 15.0426; provided, however, that the commissioner of health may appeal the decision of the hearing examiner whenever the decision changes, modifies, or reverses the decision of the commissioner of health.

Subd. 4. In order to effectively carry out the public policy of the certificate of need law as expressed in section 1, the commissioner of health shall not be prohibited from securing a review of any final order or judgment of the district court rendered pursuant to subdivision 3 of this section but may appeal to the supreme court pursuant to section 15.0426."

Page 15, line 22, delete ", health maintenance organization"

Page 15, line 24, delete "14" and insert "12"

Page 15, delete lines 26 to 33

Page 16, delete lines 1 to 9

Page 16, line 11, delete "or health maintenance organization"

Page 16, line 14, delete "6" and insert "5"

Page 16, line 17, delete "14" and insert "12"

Page 16, line 19, after "violation" insert a period

Page 16, lines 24 and 25, delete "or health maintenance organization"

Page 16, lines 26 and 27, delete "or health maintenance organization"

Page 17, delete lines 7 to 11

Page 17, delete lines 24 to 26 and renumber the following clauses

Page 18, line 2, delete "14" and insert "12"

Page 18, line 5, delete "14" and insert "12"

Page 18, line 7, after "area." insert "In this specific instance, the state planning agency shall be exempt from utilizing the services of the hearing examiner."

Renumber sections in sequence



Further, amend the title as follows:

Line 5, delete "and health maintenance organizations"

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. 282, A bill for an act relating to game and fish; establishing a procedure for selection of applicants for licenses to take wild turkeys; providing a penalty; amending Minnesota Statutes 1978, Section 100.271.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 354, A bill for an act relating to housing; creating a grant program for accessible housing; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, Subdivision 15, and by adding a subdivision; and 462A.21, Subdivision 6, and by adding a subdivision.

Reported the same back with the following amendments:

Page 3, line 7, after "loan" insert "or grant"

Page 3, line 7, delete "," and insert ";

Page 3, line 17, delete "shall" and insert "may"

Page 3, line 18, after "housing" insert "financed under this program"

Page 3, line 33, delete "For the biennium ending June"

Page 4, line 1, delete "30, 1981,"

Page 4, line 1, delete the first "the" and insert "The"

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. 384, A bill for an act relating to game and fish; authorizing resident deer or bear licenses for certain non-resident minors; amending Minnesota Statutes 1978, Section 98.45, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 98.45, Subdivision 6, is amended to read:

Subd. 6. (AN ALIEN WIFE OR HUSBAND) *A spouse or nonresident child* of a resident of this state may take, buy, sell, transport, or possess wild animals as a resident. Any other alien who has made a declaration of intention to become a citizen of the United States in accordance with the statutes of the United States relating to the naturalization of aliens, and who is qualified as a resident of the state except for citizenship, may take, buy, sell, transport, or possess wild animals as a resident."

Delete the title in its entirety and insert:

"A bill for an act relating to game and fish; authorizing certain non-resident minors and spouses to be treated as Minnesota residents for the purpose of taking wild game; amending Minnesota Statutes 1978, Section 98.45, Subdivision 6."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 475, A bill for an act relating to hospitals; requiring adoption of federal medicare standards for hospital licensing; regulating hospital inspections; providing for licensing of hospitals accredited by the joint commission on hospital accreditation; amending Minnesota Statutes 1978, Section 144.55; repealing Minnesota Statutes 1978, Sections 144.50, Subdivision 1; 144.54; and 144.56.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 144.55, is amended to read:

144.55 [LICENSES; ISSUANCE, SUSPENSION AND REVOCATION BY COMMISSIONER.] *Subdivision 1. [ISSUANCE.]* The state commissioner of health is hereby authorized to issue licenses to operate hospitals, sanatoriums or other institutions for the hospitalization or care of human beings, which (AFTER INSPECTION) are found to comply with the provisions of sections 144.50 to 144.56 and any reasonable (REGULATIONS ADOPTED) *rules promulgated* by the state commissioner of health. All decisions of the state commissioner of health thereunder may be reviewed in the district court in the county in which the institution is located or contemplated. *Upon receipt of a completed application and fee, the commissioner shall investigate the qualification of the applicant and shall inspect the premises as provided in subdivision 3. The commissioner shall issue a license to any applicant found to comply with the provisions of this section.*

*Subd. 2. [DEFINITION.] For the purposes of this section "JCAH" means the joint commission on accreditation of hospitals.*

*Subd. 3. [STANDARDS FOR LICENSURE.] Notwithstanding the provisions of Minnesota Statutes, Section 144.56, for the purpose of hospital licensure, the commissioner of health shall use as the minimum standards the certification standards set forth in 42 Code of Federal Regulations, Sections 405.1020 to 405.1034, in effect September, 1978 and he shall promulgate in rule minimum standards for new construction. The commissioner may use as minimum standards changes in the Federal Regulations after September 1978 if he finds that such changes are reasonably necessary for public health and safety.*

*Subd. 4. [ROUTINE INSPECTIONS; PRESUMPTION.] Any hospital surveyed and accredited under the standards of the hospital accreditation program of the JCAH that submits to the commissioner within a reasonable time copies of (a) its currently valid accreditation certificate and accreditation letter, together with accompanying recommendations and comments and (b) any further recommendations, progress reports and correspondence directly related to the accreditation is presumed to comply with application requirements of subdivision 1 and the standards requirements of subdivision 3 and no further routine inspections or information shall be required by the commissioner to determine compliance. Notwithstanding the provisions of sections 144.54 and 144.653, subdivisions 2 and 4, hospitals shall be inspected only as provided in this section. The provisions of section 144.653 relating to the assessment and collection of fines shall not apply to any hospital. The commissioner of health shall annually conduct, with notice, validation inspections of a selected sample of the number of hospitals*

accredited by JCAH, not to exceed ten percent of such hospitals for the purpose of determining compliance with the provisions of subdivision 3. If a validation survey discloses a failure to comply with subdivision 3, the provisions of section 144.653 relating to correction orders, reinspections, and notices of non-compliance shall apply. The commissioner shall inspect annually any hospital that does not have a currently valid hospital accreditation certificate from JCAH. Nothing in this subdivision shall be construed to limit the investigative powers of the office of health facility complaints as established in sections 144A.51 to 144A.54.

*Subd. 5. [COORDINATION OF INSPECTIONS.]* Prior to conducting a routine inspection of a hospital, a state agency shall notify the commissioner of its intention to inspect. The commissioner shall then determine whether such inspection is necessary in light of any previous inspections conducted by the commissioner, any other state agency, or the JCAH. The commissioner shall notify the agency of his determination and may authorize the agency to conduct the inspection. No state agency shall routinely inspect any hospital without the authorization of the commissioner. The commissioner shall coordinate, insofar as is possible, routine inspections conducted by state agencies, so as to minimize the number of inspections to which hospitals are subject.

*Subd. 6. [SUSPENSION, REVOCATION, AND REFUSAL TO RENEW.]* The (STATE) commissioner (OF HEALTH) may refuse to grant (, REFUSE TO) or renew, or may suspend or revoke, a license on any of the following grounds:

(1) Violation of any of the provisions of sections 144.50 to 144.56 or the rules, regulations, or standards issued pursuant thereto;

(2) Permitting, aiding, or abetting the commission of any illegal act in the institution;

(3) Conduct or practices detrimental to the welfare of the patient; or

(4) Obtaining (,) or attempting to obtain a license by (FRAUDULENT MEANS) *fraud* or misrepresentation.

(BEFORE ANY LICENSE ISSUED THEREUNDER IS SUSPENDED, OR REVOKED, OR ITS RENEWAL REFUSED, 30 DAYS WRITTEN NOTICE SHALL BE GIVEN THE HOLDER THEREOF OF THE DATE SET FOR HEARING OF THE COMPLAINT. THE HOLDER OF THE LICENSE SHALL BE FURNISHED WITH A COPY OF THE COMPLAINT AND BE ENTITLED TO BE REPRESENTED BY LEGAL COUNSEL AT THE HEARING. THE NOTICE

MAY BE GIVEN BY THE STATE COMMISSIONER OF HEALTH BY CERTIFIED MAIL. THE COMMISSIONER MAY APPOINT, IN WRITING, ANY COMPETENT PERSON TO PRESIDE AT THE HEARING WHO SHALL TAKE TESTIMONY, ADMINISTER OATHS, ISSUE SUBPOENAS, AND COMPEL THE ATTENDANCE OF WITNESSES AND TRANSMIT THE RECORD OF THE HEARING TO THE COMMISSIONER. THE DECISION OF THE COMMISSIONER SHALL BE BASED ON THE TESTIMONY AND RECORDS.)

*Subd. 7. [HEARING.] Prior to any suspension, revocation or refusal to renew a license, the licensee shall be entitled to notice and a hearing as provided by sections 15.0418 to 15.0426. For all licenses, the commissioner shall have the burden of establishing that a violation of applicable standards has occurred, that any corrective action has been inadequate or incomplete, and that the public health and safety will be impaired substantially unless the license is revoked, suspended or not renewed.*

If a license is revoked (AS HEREIN PROVIDED) , suspended, or not renewed, a new application for license may be considered by the (STATE) commissioner (OF HEALTH) if (, WHEN, AND AFTER) the conditions upon which revocation was based have been corrected and evidence of this fact has been satisfactorily furnished. A new license may then be granted after proper inspection has been made and all provisions of sections 144.50 to 144.56 and any rules promulgated thereunder have been complied with and recommendation has been made (THEREFOR) by the (HOSPITAL) inspector as an agent of the (STATE) commissioner (OF HEALTH).

*Subd. 8. [RULES.] The commissioner may promulgate such rules as are necessary to implement the provisions of this section, except that the standards stated in subdivision 2 shall constitute the sole rules for licensure of hospitals.*

*Subd. 9. [EXPIRATION OF PRESENTLY VALID LICENSES.] All licenses presently in effect shall remain valid following the effective date of this section and shall expire on the dates specified on the licenses unless suspended or revoked.*

*Subd. 10. [PROGRAM EVALUATION REPORT.] On November 15, 1982, the commissioner shall provide the legislature and the governor with a written report evaluating the utilization of JCAH hospital accreditation program for licensure purposes, paying particular attention to its effect upon the public health and safety.*

Sec. 2. Minnesota Statutes 1978, Section 144.50, Subdivision 1, is amended to read:

144.50 [HOSPITALS, LICENSES; DEFINITIONS.] Subdivision 1. No person, partnership, association, or corporation, nor any state, county, or local governmental units, nor any division, department, board, or agency thereof, shall establish, operate, conduct, or maintain in the state any hospital, sanatorium or other institution for the hospitalization or care of human beings without first obtaining a license therefor in the manner provided (BY LAW) in sections 144.50 to 144.56.

Sec. 3. [EFFECTIVE DATE.] *This act shall take effect the day following its enactment.*"

Further, amend the title as follows:

Line 7, delete "Section" and insert "Sections"

Line 7, delete "; repealing"

Delete lines 8 and 9 and insert "and 144.50, Subdivision 1."

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions to which was referred:

H. F. No. 545, A bill for an act relating to life insurance; providing for advance payment of certain benefits under policies insuring persons who are absent and presumed dead; amending Minnesota Statutes 1978, Chapter 576, by adding sections.

Reported the same back with the following amendments:

Page 2, line 7, after "*policy*" insert "*of the date, time and place of the hearing. The insurer may appear at the hearing as a party in interest*"

Page 2, line 19, after "*policy*" insert "*, the possibility of the beneficiary providing the insurer with security for any reimbursement that may be required under section 3, subdivision 2,*"

Page 2, line 20, after the period insert "*Payment made by the insurer under a court order shall discharge it from any liability to any party for the amounts paid.*"

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. 592, A bill for an act relating to game and fish; prohibiting removal or tampering with legally set traps; providing a penalty; amending Minnesota Statutes 1978, Section 100.29, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 98.46, Subdivision 14, is amended to read:

Subd. 14. Fees for the following licenses, to be issued to non-residents, shall be:

(1) To take small game and unprotected quadrupeds with firearms and bow and arrows, \$25;

(2) To take deer and bear during the period in which the licensee may take deer, and unprotected quadrupeds with firearms and bow and arrows, \$60;

(3) To take deer and bear during the period in which the licensee may take deer, and unprotected quadrupeds with a bow and arrows only, \$25;

(4) To take bear, \$25.25;

(5) To take turkeys, \$30, in addition to a small game license;

(6) To hunt raccoon, (\$50) \$100, in addition to nonresident small game license.

Sec. 2. Minnesota Statutes 1978, Section 100.29, is amended by adding a subdivision to read:

*Subd. 33. It shall be unlawful for any person, other than the trapper or his agent or landowner or lessee of the land or an agent of the commissioner, to remove or tamper with any trap legally set for the purpose of taking fur bearing animals or unprotected wild animals. A violation of this subdivision shall be a misdemeanor.*

Sec. 3. [EFFECTIVE DATE.] *This act is effective March 1, 1980.*"

Delete the title in its entirety and insert:

"A bill for an act relating to game and fish; fees for non-resident licenses to hunt raccoon; prohibiting removal or tampering with legally set traps; providing a penalty; amending Minnesota Statutes 1978, Sections 98.46, Subdivision 14; and 100.29, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 616, A bill for an act relating to courts; board on judicial standards; providing for appointment of an executive secretary by the board; providing for appointment of board members by certain organizations; amending Minnesota Statutes 1978, Section 490.15, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 15, strike "court, one judge of" and insert "or"

Page 1, line 16, strike "four" and insert "five"

Page 1, line 21, delete ", municipal,"

Page 1, line 22, delete "their" and insert "the"

Page 1, line 22, after "respective" insert "district and county"

Page 2, line 3, reinstate "(WITH THE ADVICE AND CONSENT OF THE SENATE)"

Page 2, after line 6, insert "*The additional citizen member shall be appointed to fill the term of the first vacancy of a municipal or county court representative.*"

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. 627, A bill for an act relating to natural resources; authorizing cities to acquire conservation easements; amending Minnesota Statutes 1978, Sections 84.64, Subdivision 1; and 84.65, Subdivision 1.



Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 644, A bill for an act relating to health; prohibiting applicants for certain dental licenses who fail a clinical examination twice from further taking the examination without additional education and training; requiring the board of dentistry to promulgate rules establishing requirements for this education and training; requiring licensed dentists, dental hygienists and registered dental assistants to inform the board of dentistry when changing addresses; setting standards for the names under which dentists may practice; authorizing the board of dentistry to promulgate rules governing advertising by dentists; establishing penalties; amending Minnesota Statutes 1978, Sections 150A.06, Subdivisions 1, 2 and 2a; 150A.09, Subdivision 3; and 150A.11, Subdivisions 1 and 2.

Reported the same back with the following amendments:

Page 5, line 13, delete "*name or*"

Page 5, line 14, delete "*one or more*" and insert "*all*"

Page 5, line 15, delete "*is*" and insert "*be*"

Page 5, line 15, delete "*, cards*"

Page 5, line 17, after "*name.*" insert "*Any communication between dentist and patient shall clearly indicate the name of the dentist treating the patient.*"

Page 6, lines 21 and 22, delete "*the day after final enactment*" and insert "*January 1, 1980*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 724, A bill for an act relating to housing; providing for an increase in the authorization for bonds and notes for the housing finance agency; appropriating money; amending Minnesota Statutes 1978, Section 462A.22, Subdivision 1.

Reported the same back with the following amendments:

Page 1, before line 9, insert:

"Section 1. Minnesota Statutes 1978, Section 462A.07, Subdivision 15, is amended to read:

Subd. 15. It may engage in housing programs for low and moderate income native Americans as that term is defined in section 254A.02, subdivision 11, residing in the metropolitan area defined in section 473.121, subdivision 2, and cities with a population greater than 50,000 persons. The programs *shall demonstrate innovative methods of providing housing for urban Indians*, may involve the construction, purchase and rehabilitation of residential housing and may be administered through any other provision of this chapter. *To the extent possible, the programs shall combine appropriated funds with other funds from both public and private sources.* The agency shall consult with the advisory council on urban Indians created pursuant to section 3.922, subdivision 8, in the development of programs pursuant to this subdivision. Rules to implement this section may be promulgated as emergency rules pursuant to chapter 15."

Page 1, after line 20, insert:

"Sec. 3. Minnesota Statutes 1978, Section 462A.22, Subdivision 1a, is amended to read:

Subd. 1a. (NOT LESS THAN TEN PERCENT OF THE PROCEEDS OF THE ADDITIONAL BONDS AUTHORIZED BY LAWS 1977, CHAPTER 401 FOR SUBDIVISION 1, PARAGRAPH (B) WHICH ARE USED FOR THE PURPOSE OF PROVIDING FOR MULTIFAMILY RESIDENTIAL HOUSING SHALL BE ALLOCATED BY THE AGENCY FOR ELIGIBLE LOANS INVOLVING THE REHABILITATION OF EXISTING BUILDINGS.) *From the proceeds of bonds hereafter issued from time to time, the agency shall use its best efforts to make mortgage loans in an aggregate principal amount of at least \$10,000,000 for the rehabilitation of existing buildings for multifamily residential housing."*

Renumber the sections in sequence

Page 1, lines 22 and 23, delete "for the biennium ending June 30, 1981,"

Page 2, line 10, delete "\$6,000,000" and insert "\$10,000,000"

Page 2, line 15, delete "\$10,000,000" and insert "\$15,000,000"

Page 2, line 18, delete "\$5,000,000" and insert "\$3,500,000"

Page 2, line 19, delete "*funds*" and insert "*fund*"

Page 2, line 20, delete "*Subdivisions 4c and 4d*" and insert "*Subdivision 4c*"

Page 2, after line 20, insert:

*"Subd. 6. There is appropriated the sum of \$1,500,000 for the urban native Americans revolving fund created in Minnesota Statutes, Section 462A.21, Subdivision 4d.*

Sec. 5. *Sections 2 and 3 of this act are effective on the day following final enactment."*

Further, amend the title as follows:

Line 4, after "agency;" insert "making certain changes in the laws relating to the operation of the agency;"

Line 5, delete "Section" and insert "Sections 462A.07, Subdivision 15, and"

Line 6, delete "Subdivision 1" and insert "Subdivisions 1 and 1a".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 742, 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 1978, Sections 336.6-107; 336.6-108; and 336.6-109; and Chapter 336 by adding a section.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 815, A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in Beltrami County.

Reported the same back with the following amendments:

Page 1, line 7, after the period delete the balance of the line and lines 8 and 9 and insert "Beltrami County may sell at its regular tax-forfeited land sale the following described land:"

Page 1, line 10, delete "660" and insert "990"

Page 1, line 11, delete "5" and insert "7-1/2"

Page 1, delete lines 14, 15 and 16

Amend the title as follows:

Page 1, delete line 3 and insert "sale of certain lands within"

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. 988, A bill for an act relating to banks; including safe deposit box rental as a function of a detached banking facility; altering certain definitions and time limits; amending Minnesota Statutes 1978, Sections 47.51; 47.53; and 47.54.

Reported the same back with the following amendments:

Page 2, line 15, delete "other"

Page 2, delete lines 16 to 19 and insert "*detached area, pursuant to section 473.625, operated as a major airport by the metropolitan airports commission pursuant to sections 473.601 to 473.679*"

Page 2, delete section 2

Renumber the remaining sections

Further amend the title:

Page 1, line 6, delete "47.53;"

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 Governmental Operations to which was referred:

H. F. No. 1029, A bill for an act relating to employments licensed by the state; prescribing certain duties of the board of architecture, engineering, land surveying and landscape architecture; limiting certain rule making powers of the board, and extending the time limit for the making of the rules; amending Minnesota Statutes 1978, Section 326.06.

Reported the same back with the following amendments:

Page 2, line 3, delete "*clauses (e) and (f),*"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 51, A bill for an act relating to liens; enacting the revised uniform federal lien registration act; amending Minnesota Statutes 1978, Sections 272.481; 272.482; 272.483; 272.484; 272.486; and Chapter 272, 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.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 63, A bill for an act relating to civil actions; providing for the issuance of process in proceedings supplementary to execution; amending Minnesota Statutes 1978, Section 575.02.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred:

S. F. No. 384, A bill for an act relating to elections; providing additional compensation for election judges who travel to pick up election supplies or deliver ballots; authorizing town

boards to fix the compensation of town election judges; amending Minnesota Statutes 1978, Section 204A.23.

Reported the same back with the following amendments:

Page 2, line 1, strike "\$2" and insert "*a sum not less than the prevailing Minnesota minimum wage*"

Page 2, line 20, delete everything after the period

Page 2, delete lines 21 through 24

Page 2, line 25, delete "*county auditor*" and insert "*An election judge who travels to pick up election supplies or to deliver election returns to the county auditor shall receive, in addition to other compensation authorized by this section, a sum not less than the prevailing Minnesota minimum wage for each hour spent performing these duties*"

With the recommendation that when so amended the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 181, 183, 222, 260, 282, 384, 475, 545, 592, 616, 627, 644, 742, 815, 988 and 1029 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 51, 63 and 384 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Novak, Moe, Laidig, Nysether and Lehto introduced:

H. F. No. 1134, A bill for an act relating to motor vehicles; limiting the issuance of vehicle registration plates or tabs under certain circumstances; prohibiting the issuance of arrest warrants for violations of parking laws by certain courts; defining parking violations and participating jurisdictions; requiring notice to violators; appropriating money; amending Minnesota Statutes 1978, Section 169.99, Subdivision 1, and by adding a subdivision; and 171.16, Subdivision 3, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Transportation. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Ellingson, Rothenberg, Greenfield, Crandall and Casserly introduced:

H. F. No. 1135, A bill for an act relating to the county of Hennepin; creating the office of county administrator; providing financial procedures; providing for the operation of county government; providing bonding limits; creating a corrections facility; providing for central purchasing; establishing set aside contracts; providing a penalty; amending Laws 1965, Chapter 533, Section 1, as amended; Extra Session Laws 1967, Chapter 24, Section 1, Subdivision 1; Extra Session Laws 1967, Chapter 24, Section 1, Subdivision 2, as amended; Extra Session Laws 1967, Chapter 47, Section 1, as amended; Extra Session Laws 1967, Chapter 47, Section 3, as amended; Laws 1969, Chapter 476, Section 1, as amended; repealing Laws 1951, Chapter 556; Laws 1951, Chapter 598; Laws 1951, Chapter 636, Section 4; Laws 1951, Chapter 702; Laws 1953, Chapter 270; Laws 1953, Chapter 703, Section 1; Laws 1953, Chapter 753; Laws 1955, Chapter 875; Laws 1957, Chapter 671, Section 7; Laws 1957, Chapter 950; Laws 1959, Chapter 200; Laws 1959, Chapter 297; Extra Session Laws 1959, Chapter 17; Extra Session Laws 1961, Chapter 45; Extra Session Laws 1961, Chapter 47; Laws 1963, Chapter 857; Laws 1965, Chapter 294; Laws 1965, Chapter 633; Laws 1965, Chapter 850; Laws 1967, Chapter 441; Laws 1967, Chapter 588; Laws 1967, Chapter 599, Section 4; Laws 1967, Chapter 796; Laws 1969, Chapter 473; Laws 1969, Chapter 692; Laws 1969, Chapter 918; Laws 1969, Chapter 1053; Laws 1971, Chapter 495; Laws 1971, Chapter 744, Section 2; Laws 1973, Chapter 261.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Patton, Biersdorf, Moe, Kaley and Sarna introduced:

H. F. No. 1136, A bill for an act relating to retirement; judges' retirement age and benefits; amending Minnesota Statutes 1978, Sections 490.121, Subdivision 10; and 490.124, Subdivisions 1, 2, 3, and 5, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Anderson, G., and Vanasek introduced:

H. F. No. 1137, A bill for an act relating to taxation; property; changing the definition of class 3b homestead property; increasing the maximum homestead reduction; altering the amount of the state paid agricultural credit for certain property; amending Minnesota Statutes 1978, Sections 273.13, Subdivisions 6, 6a, and 7; and 273.132.

The bill was read for the first time and referred to the Committee on Taxes.

Schreiber; Johnson, C.; Pleasant and Clawson introduced:

H. F. No. 1138, A bill for an act relating to local government; authorizing the establishment of a local government training board; prescribing the board's powers and duties; appropriating money.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Brinkman, Halberg, Berkelman, Mehrkens and Clawson introduced:

H. F. No. 1139, A bill for an act relating to public safety; establishing a ski safety board; providing for the licensing of ski area operators; establishing minimum standards of conduct by ski area operators, skiers and other users of ski area facilities.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Searle, Mann, Mehrkens, Kalis and Den Ouden introduced:

H. F. No. 1140, A bill for an act relating to agriculture; providing financial assistance for an agricultural interpretive center; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

Pavlak, Voss, Ewald and Ellingson introduced:

H. F. No. 1141, A bill for an act relating to savings associations; authorizing savings associations to establish negotiable order of withdrawal accounts; imposing reserve requirements; amending Minnesota Statutes 1978, Chapter 51A, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Pavlak; Johnson, D.; Blatz; Greenfield and Brinkman introduced:

H. F. No. 1142, A bill for an act relating to insurance; providing for continuation of waiver of premium benefits for the disabled, regardless of continuation of the master policy; amending Minnesota Statutes 1978, Section 61A.091.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.



Pavlak; Johnson, D.; Blatz; Greenfield and Brinkman introduced:

H. F. No. 1143, A bill for an act relating to insurance; providing that an employer group disability income policy provide coverage for pre-termination claims.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Heap and Heinitz introduced:

H. F. No. 1144, A bill for an act relating to state lands; authorizing conveyance of certain land to Independent School District No. 281.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Johnson, D.; Ellingson; Blatz; Voss and Swanson introduced:

H. F. No. 1145, A bill for an act relating to banks and banking; providing for implementation of certain statutes relating to electronic fund transfers; authorizing the commissioner of banks to adopt temporary rules; amending Minnesota Statutes 1978, Section 47.71.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Valento and Reif introduced:

H. F. No. 1146, A bill for an act relating to the town of White Bear in Ramsey County; permitting exercise of powers relating to sewers, drains and waterworks.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Reding introduced:

H. F. No. 1147, A bill for an act relating to state government; altering the encumbrance requirements on contractual obligations incurred for the construction, improvement and maintenance of the trunk highway system; amending Minnesota Statutes 1978, Section 16A.15, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Elioff, Battaglia, Begich, Minne and Crandall introduced:

H. F. No. 1148, A bill for an act relating to the issuance of bonds by Independent School District No. 703, St. Louis County; for the acquisition and betterment of school facilities; and the levying of taxes for their payment.

The bill was read for the first time and referred to the Committee on Education.

Rees, Voss, Vanasek, Wynia and Biersdorf introduced:

H. F. No. 1149, A bill for an act relating to insurance; requiring life insurance agents to have errors and omissions coverage; amending Minnesota Statutes 1978, 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.

Jude, Patton, Erickson, Byrne and Crandall introduced:

H. F. No. 1150, A bill for an act relating to conciliation court; providing for a uniform filing fee of \$5; amending Minnesota Statutes 1978, Sections 487.31, Subdivision 1; 488A.14, Subdivisions 1 and 5; and 488A.31, Subdivisions 1 and 5.

The bill was read for the first time and referred to the Committee on Judiciary.

Thiede, Aasness, Sviggum, Crandall and Welker introduced:

H. F. No. 1151, A bill for an act relating to initiative and referendum; proposing an amendment to the Minnesota Constitution, Article IV, by adding sections; authorizing direct initiative and referendum on laws; providing a comprehensive statute implementing the amendment; providing for the manner of petitioning and voting on initiative and referendum measures; providing for disclosure of campaign costs on ballot issues; providing for judicial review; providing certain restrictions on the consideration of measures; providing penalties; amending Minnesota Statutes 1978, Sections 3.21; 10A.01, Subdivision 15; 10A.20, by adding a subdivision; 203A.31, Subdivision 2; and 210A.26, Subdivision 3.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Sherwood; Nelsen, M.; Reding; Fjoslien and Carlson, D., introduced:

H. F. No. 1152, A bill for an act relating to game and fish; providing that a portion of big game license fees shall be used for deer habitat improvement; appropriating money; amending Minnesota Statutes 1978, Section 97.49, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Ludeman and Anderson, B., introduced:

H. F. No. 1153, A bill for an act relating to Independent School Districts No. 408, No. 409, No. 411, No. 415, No. 418 and No. 584; providing for certain agreements between or among those districts.

The bill was read for the first time and referred to the Committee on Education.

Corbid introduced:

H. F. No. 1154, A bill for an act relating to public drainage systems; increasing repair authority; providing for abandonment of systems; increasing repair funds; amending Minnesota Statutes 1978, Sections 106.011, by adding a subdivision; 106.471, Subdivisions 1, 2, and 6; 106.651; 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.

Nysether, Corbid, Fjoslien, Eken and Sherwood introduced:

H. F. No. 1155, A bill for an act relating to game and fish; granting preference to landowners in obtaining moose licenses; amending Minnesota Statutes 1978, Section 100.271, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Nysether, Wenzel, Sherwood, Battaglia and Jennings introduced:

H. F. No. 1156, A bill for an act relating to crimes; creating new crimes relating to assaults on children; providing penalties; amending Minnesota Statutes 1978, Section 609.225, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kalis; Stadum; Anderson, G.; Biersdorf and Lehto introduced:

H. F. No. 1157, A bill for an act relating to workers' compensation; allowing certain owners and partners of farms or businesses, and their close relatives, to elect workers' compensation coverage; amending Minnesota Statutes 1978, Section 176.012.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Olsen, Adams, Heap, Carlson, L., and Knickerbocker introduced:

H. F. No. 1158, A bill for an act relating to Independent School District No. 275; providing for the consolidation of Independent School District No. 275.

The bill was read for the first time and referred to the Committee on Education.

Patton, Brinkman, Welch, Pehler and Niehaus introduced:

H. F. No. 1159, A bill for an act relating to retirement; Minnesota state retirement system correctional employees retirement plan; eliminating the social security offset for certain retired and active correctional officers.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Prahl, Begich, and Anderson, I., introduced:

H. F. No. 1160, A bill for an act relating to tax-forfeited land sales; increasing the interest rate on the unpaid balance of the purchase price; amending Minnesota Statutes 1978, Sections 282.01, Subdivision 4; 282.15; 282.222, Subdivision 4; 282.261; and 282.35, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Taxes. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Patton and Osthoff introduced:

H. F. No. 1161, A bill for an act relating to retirement; public employees retirement association; exclusion from pension coverage for certain tradesmen of the city of St. Paul and Independent School District No. 625 (St. Paul); amending Minnesota Statutes 1978, Section 353.01, Subdivision 2b.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wigley; Swanson; Carlson, L.; Friedrich and Kvam introduced:

H. F. No. 1162, A bill for an act relating to taxation; income tax; requiring indication on tax return of school district in which taxpayer resides; amending Minnesota Statutes 1978, Section 290.39, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Redalen; Johnson, C.; Friedrich and Kalis introduced:

H. F. No. 1163, A bill for an act relating to taxation; property; altering the assessment dispersion penalty on assessment districts; amending Minnesota Statutes 1978, Section 477A.04, Subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Kempe introduced:

H. F. No. 1164, A bill for an act relating to taxes; providing an income tax deduction for trees destroyed by certain diseases; amending Minnesota Statutes 1978, Section 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Brinkman introduced:

H. F. No. 1165, A bill for an act relating to insurance; authorizing use of facsimile signatures on certain insurance policies; amending Minnesota Statutes 1978, Sections 60A.08, Subdivision 5; and 65A.01, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Patton, Den Ouden, Halberg, Sarna and Metzen introduced:

H. F. No. 1166, A bill for an act relating to weights and measures; providing for inspection of portable pitless scales used for highway and road construction materials; amending Minnesota Statutes 1978, Chapter 239, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

Biersdorf, Brinkman, Evans, Jaros and Anderson, I., introduced:

H. F. No. 1167, A bill for an act relating to taxation; lowering the excise tax on natural and artificial sparkling wines on a temporary basis.

The bill was read for the first time and referred to the Committee on Taxes.

Pavlak introduced:

H. F. No. 1168, A bill for an act relating to retirement; providing an exception to the 40 year maximum in computation of public pensions; amending Minnesota Statutes 1978, Section 356.60, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Weaver, Enebo, Schreiber, Kroening and Nelsen, B., introduced:

H. F. No. 1169, A bill for an act relating to census taking; providing for the taking of special censuses by the United States bureau of the census rather than the secretary of state; providing for the approval of school district population estimates by the state demographer; providing for annual population estimates of governmental subdivisions by the state demographer and their use in the computation of tax levy limits and local government aid; abolishing the authority of the municipal board to determine the population of municipalities and towns; amending Minnesota Statutes 1976, Sections 4.12, Subdivision 7; 275.14; 275.45; 275.53; 414.01, Subdivision 14; 477A.01, Subdivision 4; and Chapter 477A, by adding a section; repealing Minnesota Statutes 1978, Sections 365.61; and 414.033, Subdivision 8.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pavlak, Waldorf, Drew, Tomlinson and Osthoff introduced:

H. F. No. 1170, A bill for an act relating to the city of Saint Paul; authorizing the port authority to make certain investments.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Rees, Brinkman, Swanson, Heinitz and Kelly introduced:

H. F. No. 1171, A bill for an act relating to insurance; clarifying certain ambiguous provisions regarding what kinds of business an insurance company may transact; requiring a majority of outside directors for domestic mutual insurance companies; requiring the commissioner to approve amendments to articles of incorporation and bylaws; limiting the amount domestic insurance companies may invest in a single mortgage loan; clarifying provisions requiring foreign insurance companies to file amended articles of incorporation and bylaws; correcting a provision relating to surplus line insurers; limiting amount domestic life companies may invest or deposit in savings and loan associations; changing the time period under which foreign insurance companies must file amendments to bylaws and articles of incorporation; amending Minnesota Statutes 1978, Sections 60A.07, Subdivisions 5c, 8, and by adding a subdivision; 60A.11, Subdivision 2; 60A.19, by adding a subdivision; 60A.20, Subdivision 2; 61A.28, Subdivisions 3 and 5; and 72A.061, Subdivision 2.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Rothenberg introduced:

H. F. No. 1172, A bill for an act relating to taxation; income; providing a one time exclusion of gain from the sale of a residence by an older taxpayer; providing for nonrecognition of gain from certain multiple sales of residences; eliminating gain from the sale of a principal residence as a tax preference item; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20, and 290.091.

The bill was read for the first time and referred to the Committee on Taxes.

Niehaus, Berkelman, Esau, Clawson and Forsythe introduced:

H. F. No. 1173, A bill for an act relating to public welfare; authorizing grants for community residential facilities; amending Minnesota Statutes 1978, Section 252.30.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Ellingson, Brinkman, Stadum, Drew and Sviggum introduced:

H. F. No. 1174, A bill for an act relating to insurance; no-fault automobile insurance; clarifying eligibility to participate in the assigned claims plan; amending Minnesota Statutes 1978, Section 65B.64, Subdivision 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Fritz, Rice and Enebo introduced:

H. F. No. 1175, A bill for an act relating to public employees labor relations; providing for inclusion of registered nurses in appropriate units; amending Minnesota Statutes 1978, Sections 179.63, Subdivision 11; and 179.71, Subdivision 3.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Norman, Drew, Mehrkens, Haukoos and Pleasant introduced:

H. F. No. 1176, A bill for an act relating to elections; regulating certain conduct in the polling place; allowing certain individuals to provide proof of residence for certain other individuals; requiring voters and other individuals to leave the polling place immediately after completing authorized activities; amending Minnesota Statutes 1978, Sections 201.061, Subdivision 3; and 204A.37, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Novak, Pehler, McCarron and Drew introduced:

H. F. No. 1177, 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 1978, Sections 299C.10; and 299C.11.

The bill was read for the first time and referred to the Committee on Criminal Justice.



Anderson, G.; Peterson; Eken and Searle introduced:

H. F. No. 1178, A bill for an act relating to waters; redefining public waters; defining wetlands; providing new procedures for the determination of public waters and wetlands; reappropriating money; amending Minnesota Statutes 1978, Sections 105.37, by adding subdivisions; 105.38; 105.39, Subdivision 3; 105.391, Subdivisions 1 and 3, and by adding subdivisions; 105.392, Subdivisions 2 and 5; repealing Minnesota Statutes 1978, Section 105.391, Subdivisions 2, and 4 to 8.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Munger, Peterson, Kostohryz and Anderson, G., introduced:

H. F. No. 1179, A bill for an act relating to taxation; limiting property tax increases on certain riverfront property; amending Minnesota Statutes 1978, Section 273.11, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Clawson, Munger, Kostohryz and Carlson, D., introduced:

H. F. No. 1180, A bill for an act relating to waters; requiring executive council designation of wild and scenic rivers; authorizing legislative review of the designation of wild and scenic rivers; permitting county administration of certain areas within the wild and scenic rivers system; providing for informational meetings prior to adoption of management plans; assisting local governments in preparation and administration of required ordinances; restricting acquisition of lands by the state; protecting landowners rights; amending Minnesota Statutes 1978, Sections 104.34; 104.35, Subdivisions 1, 2 and 3; 104.36, by adding a subdivision; and 104.37, Subdivision 1; repealing Minnesota Statutes 1978, Sections 104.35, Subdivision 4; and 104.39.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Clawson, Swanson and Carlson, L., introduced:

H. F. No. 1181, A bill for an act relating to nursing homes; providing a revised method for determination of nursing home rates under medical assistance; amending Minnesota Statutes 1978, Sections 256B.44; 256B.45; 256B.47, Subdivision 1, and by adding a subdivision; and 256B.48.

The bill was read for the first time and referred to the Committee on Health and Welfare.

McCarron, Osthoff, Biersdorf, Anderson, R., and Swanson introduced:

H. F. No. 1182, A bill for an act relating to the Minnesota housing finance agency; establishing a veterans' homeownership assistance program; providing for an increase in the authorization for agency bonds and notes; appropriating money; amending Minnesota Statutes 1978, Sections 462A.03, by adding subdivisions; 462A.05, by adding a subdivision; and 462A.22, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

#### HOUSE ADVISORIES

The following House Advisories were introduced:

Sieben, H., introduced:

H. A. No. 13, A proposal to study the appeals process for judicial commitment.

The advisory was referred to the Committee on Judiciary.

Murphy; Carlson, L.; Evans; Heap and Rice introduced:

H. A. No. 14, A proposal to study the administration of Minnesota Statutes known as "Little Davis-Bacon Act".

The advisory was referred to the Committee on Labor-Management Relations.

McDonald, Rees, Ludeman, Welker and Reif introduced:

H. A. No. 15, A proposal for the Governmental Operations Committee to review the organization of the Labor 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. 117, 322 and 324.

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. 362 and 606.

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. 466, 483 and 601.

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. 470, 530, 538 and 572.

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. 549.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 117, 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 1978, 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.

S. F. No. 322, A bill for an act relating to guardianship; providing that a petition for guardianship may be treated as

a petition for conservatorship; providing for the transfer of guardianship to conservatorship; amending Minnesota Statutes 1978, Sections 201.15; 525.551; and 525.61.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 324, A bill for an act relating to crimes; escape from custody; authorizing prosecution of persons who escape jail while serving time as a condition of probation and persons who fail to report to or return from employment while under work release programs; providing penalties; amending Minnesota Statutes 1978, Section 609.485, Subdivisions 3 and 4, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 362, A bill for an act relating to Hennepin County; providing for the appointment, compensation, and duties of the medical examiner; amending Laws 1963, Chapter 848, Section 1, Subdivision 2; Section 5; repealing Laws 1963, Chapter 848, Section 1, Subdivision 4.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 606, A bill for an act relating to the revisor of statutes; publication of the Minnesota Statutes, Supplement and Session Laws by the revisor; correcting certain obsolete provisions; clarifying certain provisions; amending Minnesota Statutes 1978, Sections 482.09; 482.11; 648.31, Subdivision 1; 648.32; 648.40; and 648.41, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 466, A bill for an act relating to counties; providing for the use of certain tax-forfeited lands; regulating the terms of small timber sales; amending Minnesota Statutes 1978, Section 282.04, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 483, A bill for an act relating to state parks; deleting certain land from the boundaries of Judge C. R. Magney State Park; authorizing the state to buy certain lands for the purpose of adding lands to the Judge C. R. Magney State Park; authorizing the commissioner of natural resources to acquire a conservation easement along the Brule River and Lake Superior shoreline.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 601, A bill for an act relating to trunk highways; requiring reimbursement of local expenses for fighting fires originating in the trunk highway right-of-way; amending Minnesota Statutes 1978, Section 161.465.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 470, A bill for an act relating to highway traffic regulations; requiring the commissioner of transportation to adopt uniform specifications for senior citizen and handicapped crossings; authorizing local authorities to designate senior citizen and handicapped crossings in conformance with specifications; providing a penalty; amending Minnesota Statutes 1978, Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 530, A bill for an act relating to historic sites; authorizing the Minnesota Historical Society to exchange certain state owned nonhistoric land for certain privately owned historic land.

The bill was read for the first time.

Esau moved that S. F. No. 530 and H. F. No. 481, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 538, A bill for an act relating to state lands; authorizing the lease of certain state lands in Itasca County for use by the Itasca Ski and Outing Club, Inc.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 572, A bill for an act relating to the city of Bloomington; authorizing additional on-sale liquor licenses.

The bill was read for the first time.

Peterson moved that S. F. No. 572 and H. F. No. 356, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 549, A bill for an act relating to local government; requiring additional local participation in consolidation procedures; amending Minnesota Statutes 1978, Section 414.041.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

### CONSENT CALENDAR

S. F. No. 204, A bill for an act relating to statelands; authorizing the conveyance of certain lands in Kittson 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:

Aasness	Drew	Johnson, D.	Murphy	Schreiber
Adams	Eken	Jude	Nelsen, B.	Searles
Ainley	Elioff	Kahn	Nelsen, M.	Sherwood
Albrecht	Ellingson	Kaley	Nelson	Sieben, H.
Anderson, B.	Enebo	Kalis	Niehaus	Sieben, M.
Anderson, D.	Erickson	Kelly	Norman	Simoneau
Anderson, G.	Esau	Kempe	Norton	Stoa
Anderson, I.	Evans	Knickerbocker	Novak	Stowell
Anderson, R.	Ewald	Kostohryz	Nysether	Stiggum
Battaglia	Farcy	Kroening	Olsen	Swanson
Begich	Fjoslien	Kvam	Onnen	Thiede
Berglin	Forsythe	Laidig	Osthoff	Tomlinson
Berkelman	Friedrich	Lehto	Otis	Valan
Biersdorf	Fritz	Levi	Patton	Valento
Blatz	Fudro	Long	Pavlak	Vanasek
Brinkman	Greenfield	Ludeman	Pehler	Voss
Byrne	Halberg	Luknic	Peterson	Waldorf
Carlson, L.	Haukoos	Mann	Piepho	Weaver
Cassery	Heap	McCarron	Pleasant	Welch
Clark	Heinitz	McDonald	Prahl	Welker
Clawson	Hoberg	McEachern	Redalen	Wenzel
Corbid	Hokanson	Mehrkens	Reding	Wieser
Crandall	Jacobs	Metzen	Rees	Wigley
Dean	Jaros	Minne	Rose	Wynia
Dempsey	Jennings	Moe	Rothenberg	Zubay
Den Ouden	Johnson, C.	Munger	Sarna	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 219, A bill for an act relating to electricians; establishing an additional class of installers license; amending Minnesota Statutes 1978, Sections 326.01, Subdivision 6b; and 326.242, Subdivision 3.

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:

Aasness	Drew	Kahn	Nelson	Sieben, H.
Adams	Eken	Kaley	Niehaus	Sieben, M.
Ainley	Elioff	Kalis	Norman	Simoneau
Albrecht	Ellingson	Kelly	Norton	Stadum
Anderson, B.	Erickson	Kempe	Novak	Stoa
Anderson, D.	Esau	Knickerbocker	Nysether	Stowell
Anderson, G.	Evans	Kostohryz	Olsen	Sviggum
Anderson, I.	Ewald	Kroening	Onnen	Swanson
Anderson, R.	Faricy	Kvam	Otis	Thiede
Battaglia	Fjoslien	Laidig	Patton	Tomlinson
Begich	Forsythe	Lehto	Pavlak	Valan
Berglin	Friedrich	Levi	Pehler	Valento
Berkelman	Fritz	Long	Peterson	Vanasek
Biersdorf	Fudro	Ludeman	Piepho	Voss
Blatz	Greenfield	Luknic	Pleasant	Waldorf
Brinkman	Halberg	Mann	Prahl	Weaver
Byrne	Haukoos	McCarron	Redalen	Welch
Carlson, D.	Heap	McDonald	Reding	Welker
Carlson, L.	Heinitz	McEachern	Rees	Wenzel
Casserly	Hoberg	Mehrkens	Reif	Wieser
Clark	Hokanson	Metzen	Rice	Wigley
Clawson	Jacobs	Minne	Rose	Wynia
Corbid	Jaros	Moe	Rothenberg	Zubay
Crandall	Jennings	Munger	Sarna	Speaker Searle
Dean	Johnson, C.	Murphy	Schreiber	
Dempsey	Johnson, D.	Nelsen, B.	Searles	
Den Ouden	Jude	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 810, A bill for an act relating to motor vehicles; providing for taxing and registering modified vehicles manufactured prior to 1949; regulating storage of modified vehicles and requiring certain equipment; providing for use of original plates on certain vehicles; amending Minnesota Statutes 1978, Section 168.10.

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 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Berglin	Corbid	Esau	Haukoos
Adams	Berkelman	Crandall	Evans	Heap
Ainley	Biersdorf	Dean	Ewald	Heinitz
Albrecht	Blatz	Dempsey	Faricy	Hoberg
Anderson, B.	Brinkman	Den Ouden	Fjoslien	Hokanson
Anderson, D.	Byrne	Drew	Forsythe	Jacobs
Anderson, G.	Carlson, D.	Eken	Friedrich	Jaros
Anderson, I.	Carlson, L.	Elioff	Fritz	Jennings
Anderson, R.	Casserly	Ellingson	Fudro	Johnson, C.
Battaglia	Clark	Enebo	Greenfield	Johnson, D.
Begich	Clawson	Erickson	Halberg	Jude

Kahn	McCarron	Nysether	Rice	Tomlinson
Kaley	McDonald	Olsen	Rose	Valan
Kalis	McEachern	Onnen	Rothenberg	Valento
Kelly	Mehrkens	Osthoff	Sarna	Vanasek
Kempe	Metzen	Otis	Schreiber	Voss
Knickerbocker	Minne	Patton	Searles	Waldorf
Kostohryz	Moe	Pavlak	Sherwood	Weaver
Kroening	Munger	Pehler	Sieben, H.	Welch
Kvam	Murphy	Peterson	Sieben, M.	Welker
Laidig	Nelsen, B.	Piepho	Simoneau	Wenzel
Lehto	Nelsen, M.	Pleasant	Stadum	Wieser
Levi	Nelson	Prahl	Stoa	Wigley
Long	Niehaus	Redalen	Stowell	Wynia
Ludeman	Norman	Reding	Sviggum	Zubay
Luknic	Norton	Rees	Swanson	Speaker Searle
Mann	Novak	Reif	Thiede	

The bill was passed and its title agreed to.

S. F. No. 288, A bill for an act relating to unemployment compensation; making certain employees of educational cooperative service units ineligible for benefits during certain periods; amending Minnesota Statutes 1978, Section 268.08, 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 132 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Niehaus	Sieben, H.
Adams	Elioff	Kaley	Norman	Seiben, M.
Ainley	Ellingson	Kalis	Norton	Simoneau
Albrecht	Enebo	Kelly	Novak	Stadum
Anderson, B.	Erickson	Kempe	Nysether	Stoa
Anderson, D.	Esau	Knickerbocker	Olsen	Stowell
Anderson, G.	Evans	Kostohryz	Onnen	Sviggum
Anderson, I.	Ewald	Kroening	Osthoff	Swanson
Anderson, R.	Farcy	Kvam	Otis	Thiede
Battaglia	Fjoslien	Laidig	Patton	Tomlinson
Begich	Forsythe	Lehto	Pavlak	Valan
Berglin	Friedrich	Levi	Pehler	Valento
Berkelman	Fritz	Long	Peterson	Vanasek
Biersdorf	Fudro	Ludeman	Piepho	Voss
Blatz	Greenfield	Luknic	Pleasant	Waldorf
Brinkman	Halberg	Mann	Prahl	Weaver
Byrne	Haukoos	McDonald	Redalen	Welch
Carlson, D.	Heap	McEachern	Reding	Welker
Carlson, L.	Heinitz	Mehrkens	Rees	Wenzel
Casserly	Hoberg	Metzen	Reif	Wieser
Clark	Hokanson	Minne	Rice	Wigley
Clawson	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	
Drew	Jude	Nelson	Sherwood	



Those who voted in the negative were:

Corbid            McCarron

The bill was passed and its title agreed to.

S. F. No. 298, A bill for an act relating to the city of South International Falls; authorizing the city to lease municipal buildings.

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 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Nelson	Sieben, M.
Adams	Elioff	Kaley	Niehaus	Simoneau
Ainley	Ellingson	Kalis	Norton	Stadum
Albrecht	Enebo	Kelly	Novak	Stoa
Anderson, B.	Erickson	Kempe	Nysether	Stowell
Anderson, D.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, G.	Evans	Kostohryz	Onnen	Swanson
Anderson, I.	Ewald	Kroening	Osthoff	Thiede
Anderson, R.	Faricy	Kvam	Otis	Tomlinson
Battaglia	Fjoslien	Laidig	Patton	Valan
Begich	Forsythe	Lehto	Paviak	Valento
Berglin	Friedrich	Levi	Pehler	Vanasek
Berkelman	Fritz	Long	Peterson	Voss
Biersdorf	Fudro	Ludeman	Piepho	Waldorf
Blatz	Greenfield	Luknic	Pleasant	Weaver
Brinkman	Halberg	Mann	Prahl	Welch
Byrne	Haukoos	McCarron	Redalen	Welker
Carlson, D.	Heap	McDonald	Reding	Wenzel
Carlson, L.	Heinitz	McEachern	Rees	Wieser
Casserly	Hoberg	Mehrkens	Reif	Wigley
Clark	Hokanson	Metzen	Rice	Wynia
Clawson	Jacobs	Minne	Rose	Zubay
Crandall	Jaros	Moe	Rothenberg	Speaker Searle
Dean	Jennings	Munger	Schreiber	
Dempsey	Johnson, C.	Murphy	Searles	
Den Ouden	Johnson, D.	Nelsen, B.	Sherwood	
Drew	Jude	Nelsen, M.	Sieben, H.	

Those who voted in the negative were:

Sarna

The bill was passed and its title agreed to.

S. F. No. 307 was reported to the House. Upon objection of ten members S. F. No. 307 was stricken from the Consent Calendar and returned to General Orders.

## CALENDAR

H. F. No. 486, A bill for an act relating to usury; removing the expiration date from the law authorizing flexible interest rates on home loans; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 4, 6 and 9.

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 110 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Jude	Novak	Sieben, M.
Adams	Drew	Kaley	Nysether	Simoneau
Ainley	Eken	Kalis	Olsen	Stadum
Albrecht	Ellingson	Kelly	Onnen	Stoa
Anderson, B.	Erickson	Kempe	Otis	Stowell
Anderson, D.	Esau	Knickerbocker	Patton	Svigum
Anderson, I.	Evans	Laidig	Pavlak	Swanson
Anderson, R.	Ewald	Lehto	Pehler	Thiede
Berglin	Faricy	Levi	Peterson	Tomlinson
Biersdorf	Fjoslien	Ludeman	Piepho	Valan
Blatz	Forsythe	Luknic	Pleasant	Valento
Brinkman	Friedrich	Mann	Redalen	Vanasek
Byrne	Fudro	McDonald	Reding	Voss
Carlson, D.	Halberg	McEachern	Rees	Waldorf
Carlson, L.	Haukoos	Mehrkens	Reif	Weaver
Casserly	Heap	Metzen	Rose	Welker
Clark	Heinitz	Murphy	Rothenberg	Wenzel
Clawson	Hokanson	Nelsen, B.	Sarna	Wieser
Corbid	Jacobs	Nelson	Schreiber	Wigley
Crandall	Jennings	Niehaus	Searles	Wynia
Dean	Johnson, C.	Norman	Sherwood	Zubay
Dempsey	Johnson, D.	Norton	Sieben, H.	Speaker Searle

Those who voted in the negative were:

Anderson, G.	Elioff	Jaros	McCarron	Osthoff
Battaglia	Enebo	Kahn	Minne	Prahl
Begich	Fritz	Kroening	Munger	Rice
Berkelman	Greenfield	Long	Nelsen, M.	

The bill was passed and its title agreed to.

## CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Sieben, H., requested immediate consideration of S. F. No. 20.

S. F. No. 20 was reported to the House.

Schreiber, Patton, Pehler, Evans and Adams moved to amend S. F. No. 20 as follows:

Page 1, after line 9, insert a section to read:

"Section 1. Minnesota Statutes 1978, Section 473.571, Subdivision 6, is amended to read:

Subd. 6. [COMMISSION PROPOSAL.] On December 1, 1978, following the acceptance of the environmental impact statements by the environmental quality board, the commission shall make a (FINAL) determination on design and location and shall submit to the metropolitan council a proposal to bond for and construct or remodel the sports facility or facilities. The commission's proposal shall contain all information deemed appropriate or necessary by the council to its determinations pursuant to section 473.581. The commission, in preparing the proposal for the council, may require of the potential lessee professional teams any and all relevant corporate financial data, including, but not limited to, profit and loss statements, annual audit statements, and balance sheets. The commission may keep the corporate financial data confidential except for members of the commission, the council, and designated staff. In evaluating the alternatives, the commission shall consider, among other factors, (a) access to the locations from the rest of the metropolitan area and the state, (b) access to parking and public transit, (c) environmental impact, (d) total capital and operating costs to the commission and total commission revenues over the expected life of the facility, including the sale of land by the commission and any contributions by local units of government or other organizations, (e) the report of the council, (f) the availability of land and utilities, (g) the total governmental costs associated with the construction and operation of the commission's facilities, including the cost to all units and agencies of government as well as the cost to the commission, (h) the net gain or loss of property taxes to all local governmental units, (i) the feasibility of funding a portion of the total cost through a grant or grants from the economic development administration of the federal government, (j) the feasibility of constructing a waste facility or a solar energy system to provide energy for heating and ventilating the sports facility, and (k) the needs of the university of Minnesota for athletic facilities for a prospective 20 year period. Before submitting its proposal to the metropolitan council the commission shall hold hearings at locations both within and without the metropolitan area after appropriate notice to receive public testimony on location and design. *On or after April 25, 1979, unless the council has determined that the commission has executed the agreements required by paragraphs (a) and (b) of section 473.581 as preconditions to the issuance of bonds, the commission may amend or alter its determination on design and location and its proposal to the council at any time prior to the issuance of bonds under section 473.581, subdivision 1, clause (1)."*

Renumber the remaining sections accordingly

Page 4, lines 8 and 9, restore the stricken language

Page 6, lines 10 and 11, restore the stricken language

Page 6, line 11, before "will" insert "*subdivision 2,*"

Page 6, line 13, strike everything after "expenses"

Page 6, strike lines 14 to 17 and insert a period

Page 6, lines 32 and 33, delete "*section*" and restore the stricken language

Page 7, lines 29 and 30, restore the stricken language

Page 8, lines 26 and 27, restore the stricken language

Page 9, after line 23, insert sections to read:

"Sec. 3. Minnesota Statutes 1978, Section 473.591, Subdivision 2, is amended to read:

Subd. 2. [TAX.] The council shall impose a tax, effective August 1, 1977, supplemental to the general sales tax imposed in chapter 297A, in the amount of two percent on all retail on-sales of intoxicating liquor and fermented malt beverages when sold at licensed on-sale liquor establishments and municipal liquor stores located within the metropolitan area. The tax shall remain in effect until (AUGUST 1, 1980) *July 1, 1979. The tax shall not be levied or collected after July 1, 1979. (THEREAFTER, THE COUNCIL MAY LEVY SUCH A TAX UP TO AN AMOUNT SUFFICIENT TO PRODUCE REVENUES TO THE COUNCIL EQUAL TO THE PRINCIPAL AND INTEREST ON BONDS OUTSTANDING UNDER SECTION 473.581, SUBDIVISION 1, BUT NOT TO EXCEED \$4,500,000 IN ANY YEAR.)* The tax shall be reported and paid to the commissioner of revenue with and as part of the state sales and use taxes, and shall be subject to the same penalties, interest, and enforcement provisions.

Sec. 4. Minnesota Statutes 1978, Section 473.591, Subdivision 3, is amended to read:

Subd. 3. [PROCEEDS; USE.] The collections of the tax imposed by *subdivision 2*, less refunds and a proportionate share of the cost of collection, shall be remitted at least quarterly to the council. The commissioner of revenue shall deduct from the proceeds remitted to the council an amount that equals the indirect statewide costs as well as the direct and indirect department costs necessary to administer, audit, and collect (THIS) *the tax imposed by subdivisions 2 and 4.* The amount deducted shall be deposited in the general fund of the state. The proceeds

remitted *under the tax imposed by subdivision 2* shall be placed, together with the net revenues of the commission under section 473.595, into the debt service fund or special funds established under section 473.581, subdivisions 4 and 5, provided however that during the first year the tax *imposed by subdivision 2* is imposed pursuant to this section the council may reappropriate to the commission a total amount not to exceed one-half of the proceeds from the first year of the tax *imposed by subdivision 2*, to be used by the commission to pay its expenses related to planning, designing, and locating sports facilities pursuant to sections 473.551 to 473.595. Collection of the tax imposed by (THIS SECTION) *subdivision 4* shall be suspended at the end of any calendar year upon a determination by the metropolitan council that the balance in the debt service fund, including any reserve fund has reached an amount sufficient to pay the principal and interest on bonds which will become due within the next succeeding three year period. Collection shall be resumed by the commissioner of revenue at the end of any calendar year upon notice from the metropolitan council that the balance in the debt service fund, including any reserve fund has fallen below an amount sufficient to pay the principal and interest on bonds which will become due within the next succeeding (TWO) year (PERIOD).

Sec. 5. Minnesota Statutes 1978, Section 473.591 is amended by adding a subdivision to read:

*Subd. 4. [SUPPLEMENTAL TAX.] Effective July 1, 1979, a tax shall be imposed supplemental to the general sales tax imposed in chapter 297A in the amount of two percent on all retail on-sales of intoxicating liquor and fermented malt beverages when sold at licensed on-sale liquor establishments located only within the city or cities within which the sports facility or facilities is located and upon all gross receipts received from the furnishing of hotel, motel or room services within the city or cities within which the sports facility or facilities are located. In the event that the anticipated revenue from the operation of the sports facility or facilities plus any additional revenues of the commission is not sufficient to pay when due all debt service plus all operating and maintenance expense the tax shall be imposed at a level sufficient, in the metropolitan council's judgment, to produce revenues which, together with the anticipated revenue from the operation of the sports facility or facilities plus any additional available revenue of the commission will be sufficient to pay when due all debt service plus all operating and maintenance expenses. The tax shall be reported and paid to the commissioner of revenue with and as part of the state sales and use taxes, and shall be subject to the same penalties, interest, and enforcement provisions. The proceeds of the tax, less refunds and a proportionate share of the cost of collection, shall be remitted at least quarterly to the commission for use in operation, maintenance or improvement of, or payment of principal or interest on any bonds issued in connection with, a sports facility located only in the city or cities within which the sports facility or facilities is*

*located and for payment of principal and interest on any bonds upon which the council is obligated under section 473.564, subject to such covenants as are applicable and made pursuant to a bond resolution or trust indenture under section 473.581, subdivision 4.*

*The tax imposed by this subdivision shall not be levied after the final payment for bonds issued pursuant to section 473.581, subdivision 1, clause (a) or (b) has been made.*

*Sec. 6. Pursuant to article VI, section 2 of the Minnesota constitution the supreme court shall have original jurisdiction of any action brought or maintained in which an issue is presented as to the validity of a provision of sections 1 to 4 of this act, and may hear and determine the issue as provided in title V of the rules of civil appellate procedure, after notice given as provided in rule 144."*

Renumber remaining sections accordingly

Page 9, lines 27 and 28, delete Section 3 of the bill

Page 9, after line 28 insert a section to read:

*"Sec. 7. This act is effective the day following final enactment."*

Amend the title:

Line 6, after "473.581;" delete the remainder of the line

Delete line 7 and insert "amending Minnesota Statutes 1978, Sections 473.571, Subdivision 6; 473.591, Subdivisions 2, 3, and by adding a subdivision."

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 70 nays as follows:

Those who voted in the affirmative were:

Adams	Dean	Johnson, C.	Novak	Searles
Ainley	Dempsey	Johnson, D.	Onnen	Sieben, H.
Anderson, G.	Eken	Kahn	Otis	Sieben, M.
Battaglia	Ellingson	Laidig	Patton	Stadum
Berglin	Enebo	Lehto	Pehler	Stoa
Berkelman	Erickson	Levi	Prahl	Valan
Biersdorf	Evans	McDonald	Redalen	Vanasek
Carlson, L.	Forsythe	McEachern	Rees	Weaver
Cassery	Fudro	Mehrkens	Rose	Welch
Clark	Halberg	Nelsen, B.	Rothenberg	Wenzel
Corbid	Hoberg	Nelson	Sarna	Wieser
Crandall	Jaros	Norman	Schreiber	

Those who voted in the negative were:

Aasness	Esau	Kaley	Murphy	Sherwood
Albrecht	Ewald	Kalis	Nelsen, M.	Stowell
Anderson, B.	Faricy	Kelly	Niehaus	Sviggum
Anderson, I.	Fjoslien	Kempe	Norton	Swanson
Anderson, R.	Friedrich	Knickerbocker	Nysether	Thiede
Begich	Fritz	Kroening	Olsen	Tomlinson
Blatz	Greenfield	Kvam	Osthoff	Valento
Brinkman	Haukoos	Long	Pavlak	Voss
Byrne	Heap	Ludeman	Peterson	Waldorf
Carlson, D.	Heinitz	Luknie	Piepho	Welker
Clawson	Hokanson	Mann	Pleasant	Wigley
Den Ouden	Jacobs	Metzen	Reding	Wynia
Drew	Jennings	Minne	Reif	Zubay
Elioff	Jude	Moe	Rice	Speaker Searle

The motion did not prevail and the amendment was not adopted.

Kahn moved to amend S.F. No. 20, as follows:

Page 9, after line 23 insert:

“Sec. 3. Within 60 days of the repeal of Minnesota Statutes, 1978, Section 473.591, all licensed on-sale liquor establishments and municipal liquor stores located within the metropolitan area shall reduce the price in the amount of at least two percent on all retail on-sales of intoxicating liquor and fermented malt beverages. This action shall be reported to the commissioner of revenue with and as part of the establishment’s report of state sales and use taxes. Violation of this section is a misdemeanor.”

Renumber remaining sections accordingly

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 65 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Erickson	Knickerbocker	Nelsen, M.	Rice
Anderson, R.	Evans	Kostohryz	Nelson	Rose
Battaglia	Ewald	Kroening	Norman	Rothenberg
Begich	Halberg	Laidig	Norton	Schreiber
Berglin	Heap	Lehto	Novak	Stoa
Berkelman	Hoberg	Levi	Olsen	Stowell
Byrne	Hokanson	Long	Onnen	Vanasek
Carlson, L.	Jaros	McCarron	Osthoff	Voss
Clark	Johnson, C.	McDonald	Otis	Welch
Clawson	Kahn	Minne	Patton	Wenzel
Corbid	Kalis	Munger	Pehler	Wieser
Ellingson	Kelly	Murphy	Prahl	Wynia
Enebo	Kempe	Nelsen, B.	Redalen	Speaker Searle

Those who voted in the negative were:

Adams	Drew	Jennings	Nysether	Simoneau
Ainley	Elioff	Johnson, D.	Pavlak	Stadum
Albrecht	Esau	Jude	Peterson	Sviggum
Anderson, D.	Faricy	Kaley	Piepho	Swanson
Anderson, I.	Fjoslien	Kvam	Pleasant	Thiede
Biersdorf	Forsythe	Ludeman	Reding	Tomlinson
Blatz	Friedrich	Luknic	Rees	Valan
Brinkman	Fritz	Mann	Reif	Valento
Carlson, D.	Fudro	McEachern	Sarna	Waldorf
Crandall	Greenfield	Mehrkens	Searles	Weaver
Dean	Haukoos	Metzen	Sherwood	Welker
Dempsey	Heinitz	Moe	Sieben, H.	Wigley
Den Ouden	Jacobs	Niehaus	Sieben, M.	Zubay

The motion did not prevail and the amendment was not adopted.

Berglin moved to amend S. F. No. 20, as follows:

Page 9, after line 23 insert:

*"Sec. 2. The Metropolitan Sports Facilities Commission shall reimburse each city which submitted an application for the location of a sports facility to the commission, for all costs incurred by the city, and any co-sponsorers with the city, in preparing the application for the commission, and also all costs incurred by a city, and any co-sponsorers of the application, in providing additional information to the commission or other state agency in order to assist the commission or other state agency in making an informed decision on matters relating to the location of a sports facility. To the extent funds are available, the Sports Facilities Commission shall reimburse the City of Minneapolis for all costs incurred or for which the city has become obligated to incur after December 1, 1978, in reliance upon the selection of the Industry Square Site for a new covered multipurpose sports facility by the commission. The costs for which the city shall be reimbursed shall include a) all contractual obligations entered into by the city in order to obtain the Industry Square Site for transfer to the commission in order for the commission to comply with Minnesota Statutes 1978, Section 473.581, subdivision 3, b) all amounts expended in order to relocate publicly owned utilities and public streets necessary for the commission to comply with the provisions of Minnesota Statutes 1978, Section 473.581, subdivision 3, c) all legal costs incurred by the City of Minneapolis in complying with requests of the commission, d) all costs for which the city is obligated as a result of the inability of the commission to construct a sports facility on the Industry Square Site, and e) the value of all land transferred to or for which the city is obligated to transfer to Hennepin County as part of an agreement to secure the Industry Square Site in order for the commission to comply with Minnesota Statutes 1978, Section 473.581, subdivision 3. To the extent funds are*



*available, the commission shall reimburse all private utility companies for all costs incurred in the relocation of utilities in order for the commission to comply with the provisions of Minnesota Statutes 473.581, subdivision 3. To the extent funds are available, the Sports Facilities Commission shall reimburse the Industry Square Development Corporation for all costs incurred in assisting the City of Minneapolis in providing the Industry Square Site to the commission in order for the commission to comply with Minnesota Statutes 1978, Section 473.581, subdivision 3. To the extent funds are available, the commission shall reimburse the Housing and Redevelopment Authority in and for the City of Minneapolis for all costs incurred in assisting the City of Minneapolis in providing the Industry Square Site to the commission in order for the commission to comply with Minnesota Statutes, 1978, Section 473.581, subdivision 3. To the extent funds are available, the commission shall also reimburse the City of Minneapolis for the amount to be paid by the city in 1980 for outstanding bonds which were issued to acquire land which the commission included in the Industry Square Site. To the extent funds are available, the commission shall also reimburse all public and private utilities for costs which will be incurred in order to relocate utilities which were relocated in order to accommodate a sports facility on the Industry Square Site. All reimbursements required by this section shall be for all costs including labor, materials and contracts for services. The commission, in determining the amount of reimbursement to a city, public or private utility, or the Industry Square Development Corporation, shall rely primarily upon the figures provided by such entity, and shall accept such figures as accurate, unless there is clear and convincing evidence to the contrary. All reimbursements required by this section shall be paid from the proceeds of the tax authorized by Minnesota Statutes 1978, Section 473.591, and the commission shall be authorized to expend the proceeds of such tax for such purposes. In the event that funds are not sufficient, the Commission shall be empowered to determine the nature, extent and validity of claims submitted and said determination shall be conclusive."*

Renumber the remaining section of the bill.

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 29 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Adams	Clark	Fudro	Long	Reding
Anderson, D.	Corbid	Halberg	Nelsen, M.	Rice
Anderson, I.	Crandall	Jaros	Nelson	Sarna
Battaglia	Dean	Johnson, C.	Norman	Tomlinson
Berglin	Enebo	Kahn	Otis	Vanasek
Casserly	Fjoslien	Kroening	Prahl	

Those who voted in the negative were:

Aasness	Esau	Kempe	Novak	Sviggum
Albrecht	Evans	Knickerbocker	Nysether	Swanson
Anderson, B.	Faricy	Kostohryz	Olsen	Thiede
Anderson, G.	Forsythe	Kvam	Onnen	Valan
Anderson, R.	Friedrich	Laidig	Osthoff	Valento
Berkelman	Fritz	Levi	Pavlak	Voss
Biersdorf	Greenfield	Luknic	Peterson	Weaver
Blatz	Haukoos	Mann	Piepho	Welch
Brinkman	Heap	McCarron	Pleasant	Welker
Byrne	Heinitz	McDonald	Redalen	Wenzel
Carlson, D.	Hoberg	McEachern	Rees	Wieser
Carlson, L.	Hokanson	Mehrkens	Reif	Wigley
Clawson	Jacobs	Metzen	Rose	Wynia
Dempsey	Jennings	Minne	Sherwood	Zubay
Den Ouden	Johnson, D.	Moe	Sieben, H.	Speaker Searle
Drew	Jude	Murphy	Sieben, M.	
Eken	Kaley	Nelsen, B.	Stadum	
Elioff	Kalis	Niehaus	Stoa	
Ellingson	Kelly	Norton	Stowell	

The motion did not prevail and the amendment was not adopted.

Berglin offered an amendment to S. F. No. 20.

#### POINT OF ORDER

Faricy raised a point of order pursuant to rule 3.9 that the Berglin amendment was out of order. The Speaker ruled the point of order well taken.

Kahn moved to amend S. F. No. 20, as follows:

Page 9, after line 23 insert:

"Sec. 3. Upon the effective date of the repeal of Minnesota Statutes, 1978, Section 473.591, all licensed on-sale liquor establishments and municipal liquor stores located within the metropolitan area shall reduce the price in the amount of at least two percent on all retail on-sales of intoxicating liquor and fermented malt beverages until August 1, 1980. This action shall be reported to the commissioner of revenue with and as part of the establishment's report of state sales and use taxes. Violation of this section is a misdemeanor."

Renumber remaining sections accordingly

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 65 yeas and 69 nays as follows:

## Those who voted in the affirmative were:

Anderson, B.	Corbid	Johnson, C.	Munger	Rice
Anderson, D.	Crandall	Kahn	Murphy	Rose
Anderson, G.	Dean	Kalis	Nelsen, B.	Rothenberg
Anderson, R.	Eken	Kelly	Nelsen, M.	Sieben, H.
Battaglia	Elioff	Knickerbocker	Nelson	Sieben, M.
Begich	Ellingson	Kroening	Norman	Stoa
Berglin	Enebo	Laidig	Norton	Stowell
Berkelman	Erickson	Lehto	Novak	Vanasek
Byrne	Esau	Levi	Otis	Voss
Carlson, L.	Evans	Long	Patton	Welch
Casserly	Ewald	McCarron	Pehler	Wenzel
Clark	Hokanson	Minne	Prahl	Wieser
Clawson	Jaros	Moe	Redalen	Wynia

## Those who voted in the negative were:

Aasness	Forsythe	Kaley	Onnen	Stadum
Adams	Friedrich	Kempe	Osthoff	Sviggum
Ainley	Fritz	Kostohryz	Pavlak	Swanson
Albrecht	Fudro	Kvam	Peterson	Thiede
Anderson, I.	Greenfield	Ludeman	Piepho	Tomlinson
Biersdorf	Halberg	Luknic	Pleasant	Valan
Blatz	Haukoos	Mann	Reding	Valento
Brinkman	Heap	McDonald	Rees	Waldorf
Carlson, D.	Heinitz	McEachern	Reif	Weaver
Dempsey	Hoberg	Mehrkens	Sarna	Welker
Den Ouden	Jacobs	Metzen	Schreiber	Wigley
Drew	Jennings	Niehaus	Searles	Zubay
Faricy	Johnson, D.	Nysether	Sherwood	Speaker Searle
Fjoslien	Jude	Olsen	Simoneau	

The motion did not prevail and the amendment was not adopted.

Wenzel; Anderson, G.; Nelsen, B., and McCarron moved to amend S. F. No. 20, as follows:

Page 9, after line 23, insert:

"Sec. 2. Minnesota Statutes 1978, Chapter 473, is amended by adding a section to read:

[473.592] [DESIGNATION OF ADDITIONAL INCOME TAX PAYMENT.] *Subdivision 1. Every individual who files an income tax return with the commissioner of revenue may designate that an additional \$1 be added to his tax liability for purposes of financing the construction and operation of a multipurpose sports facility. If a husband and wife file a joint return, each spouse may designate that \$1 shall be paid.*

*Subd. 2. The commissioner of revenue shall on the first page of the income tax form notify the filing individual of the option provided in subdivision 1.*

*Subd. 3. All amounts so designated and paid by individuals shall be appropriated from the general fund to the metropolitan*

*stadium commission for deposit in the debt service fund or other special funds established under section 473.581, subdivisions 4 and 5."*

Renumber the remaining sections accordingly

Further, amend the title

Page 1, line 6, before "repealing" insert "Chapter 473, by adding a section;"

A roll call was requested and properly seconded.

#### POINT OF ORDER

Kostohryz raised a point of order pursuant to rule 3.9 that the Wenzel amendment was out of order. The Speaker ruled the point of order not well taken.

The question recurred 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:

Anderson, B.	Elioff	Kalis	Niehaus	Sieben, H.
Anderson, G.	Enebo	Kroening	Norman	Sieben, M.
Battaglia	Erickson	Lehto	Novak	Simoneau
Begich	Evans	Long	Prahl	Stadum
Berglin	Fjoslien	McCarron	Reding	Stoa
Biersdorf	Fudro	McDonald	Rees	Sviggum
Clark	Halberg	Minne	Rice	Thiede
Clawson	Hokanson	Murphy	Rose	Waldorf
Dean	Johnson, C.	Nelsen, B.	Rothenberg	Welch
Eken	Jude	Nelson	Sherwood	Wenzel

Those who voted in the negative were:

Aasness	Den Ouden	Kahn	Munger	Stowell
Adams	Drew	Kaley	Nelsen, M.	Swanson
Ainley	Ellingson	Kelly	Nysether	Tomlinson
Albrecht	Esau	Kempe	Olsen	Valan
Anderson, D.	Faricy	Knickerbocker	Onnen	Valento
Anderson, I.	Forsythe	Kostohryz	Osthoff	Vanasek
Anderson, R.	Friedrich	Kvam	Otis	Voss
Berkelman	Fritz	Laidig	Pavlak	Weaver
Blatz	Greenfield	Levi	Pehler	Weiker
Brinkman	Haukoos	Ludeman	Peterson	Wieser
Byrne	Heap	Luknic	Piepho	Wigley
Carlson, D.	Heinitz	Mann	Pleasant	Wynia
Carlson, L.	Hoberg	McEachern	Reif	Zubay
Casserly	Jacobs	Mehrkens	Sarna	Speaker Searle
Corbid	Jennings	Metzen	Schreiber	
Dempsey	Johnson, D.	Moe	Searles	

The motion did not prevail and the amendment was not adopted.

Olsen and Rice moved to amend S. F. No. 20, as follows:

Pages 1 to 8, reinstate the stricken language

Page 6, line 32, delete "section"

Page 9, delete Sections 2 and 3 and insert:

"Sec. 2. Minnesota Statutes 1978, Section 473.591, Subdivision 2., to read:

Subd. 2. [TAX.] The council shall impose a tax, effective August 1, 1977, supplemental to the general sales tax imposed in chapter 297A, in the amount of (TWO) one percent on all retail on-sales of intoxicating liquor and fermented malt beverages when sold at licensed on-sale liquor establishments and municipal liquor stores (LOCATED WITHIN THE METROPOLITAN AREA). The tax shall remain in effect until August 1, (1980) 1984. Thereafter, the council may levy such a tax up to an amount sufficient to produce revenues to the council equal to the principal and interest on bonds outstanding under section 473.581, subdivision 1, but not to exceed \$4,500,000 in any year. The tax shall be reported and paid to the commissioner of revenue with and as part of the state sales and use taxes, and shall be subject to the same penalties, interest, and enforcement provisions."

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 101 nays as follows:

Those who voted in the affirmative were:

Adams	Enebo	Knickerbocker	Metzen	Rice
Berglin	Forsythe	Kostohryz	Nelson	Rothenberg
Carlson, L.	Fudro	Kroening	Norman	Sarna
Casserly	Heap	Long	Norton	Schreiber
Clark	Heinitz	McCarron	Olsen	Simoneau
Dean	Kahn	McDonald	Otis	Voss

Those who voted in the negative were:

Aasness	Brinkman	Esau	Jennings	Luknic
Ainley	Byrne	Evans	Johnson, C.	Mann
Albrecht	Carlson, D.	Ewald	Johnson, D.	McEachern
Anderson, B.	Clawson	Faricy	Jude	Mehrkens
Anderson, D.	Corbid	Fjoslien	Kaley	Minne
Anderson, G.	Crandall	Friedrich	Kalis	Moe
Anderson, I.	Dempsey	Fritz	Kelly	Murphy
Anderson, R.	Den Ouden	Greenfield	Kempe	Nelsen, B.
Battaglia	Drew	Halberg	Kvam	Nelsen, M.
Begich	Eken	Haukoos	Laidig	Niehaus
Berkelman	Elioff	Hoberg	Lehto	Novak
Biersdorf	Ellingson	Hokanson	Levi	Nysether
Blatz	Erickson	Jacobs	Ludeman	Onnen

Osthoff	Reding	Stadum	Valento	Wigley
Pavlak	Rees	Stoa	Vanasek	Wynia
Pehler	Reif	Stowell	Waldorf	Zubay
Peterson	Rose	Sviggum	Weaver	Speaker Searle
Piepho	Searles	Swanson	Welch	
Pleasant	Sherwood	Thiede	Welker	
Prahl	Sieben, H.	Tomlinson	Wenzel	
Redalen	Sieben, M.	Valan	Wieser	

The motion did not prevail and the amendment was not adopted.

#### MOTION FOR RECONSIDERATION

Anderson, R., moved that the vote whereby the Schreiber, Patton, Pehler, Evans, and Adams amendment to S. F. No. 20 was not adopted earlier today 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 72 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Aasness	Crandall	Johnson, D.	Norman	Sieben, M.
Adams	Dean	Kahn	Novak	Simoneau
Ainley	Dempsey	Knickerbocker	Olsen	Stadum
Anderson, G.	Den Ouden	Laidig	Onnen	Stoa
Anderson, I.	Eken	Lehto	Otis	Thiede
Battaglia	Elioff	Levi	Patton	Valan
Begich	Ellingson	Long	Pehler	Vanasek
Berglin	Enebo	McCarron	Redalen	Weaver
Berkelman	Evans	McDonald	Rees	Welch
Brinkman	Forsythe	Mehrkens	Rose	Welker
Carlson, L.	Fudro	Minne	Rothenberg	Wenzel
Casserly	Halberg	Munger	Sarna	Wieser
Clark	Heap	Murphy	Schreiber	
Clawson	Hoberg	Nelsen, B.	Searles	
Corbid	Johnson, C.	Nelson	Sieben, H.	

Those who voted in the negative were:

Albrecht	Friedrich	Kempe	Nysether	Swanson
Anderson, B.	Fritz	Kostohryz	Osthoff	Tomlinson
Anderson, D.	Greenfield	Kroening	Pavlak	Valento
Anderson, R.	Haukoos	Kvam	Peterson	Voss
Biersdorf	Heinitz	Ludeman	Piepho	Waldorf
Blatz	Hokanson	Luknic	Pleasant	Wigley
Byrne	Jacobs	Mann	Prahl	Wynia
Carlson, D.	Jaros	McEachern	Reding	Zubay
Drew	Jennings	Metzen	Reif	Speaker Searle
Erickson	Jude	Moe	Rice	
Ewald	Kaley	Nelsen, M.	Sherwood	
Faricy	Kalis	Niehaus	Stowell	
Fjoslien	Kelly	Norton	Sviggum	

The motion prevailed.

Schreiber, Patton, Pehler, Evans and Adams renewed their amendment to S. F. No. 20 as follows:

Page 1, after line 9, insert a section to read:

“Section 1. Minnesota Statutes 1978, Section 473.571, Subdivision 6, is amended to read:

Subd. 6. [COMMISSION PROPOSAL.] On December 1, 1978, following the acceptance of the environmental impact statements by the environmental quality board, the commission shall make a (FINAL) determination on design and location and shall submit to the metropolitan council a proposal to bond for and construct or remodel the sports facility or facilities. The commission's proposal shall contain all information deemed appropriate or necessary by the council to its determinations pursuant to section 473.581. The commission, in preparing the proposal for the council, may require of the potential lessee professional teams any and all relevant corporate financial data, including, but not limited to, profit and loss statements, annual audit statements, and balance sheets. The commission may keep the corporate financial data confidential except for members of the commission, the council, and designated staff. In evaluating the alternatives, the commission shall consider, among other factors, (a) access to the locations from the rest of the metropolitan area and the state, (b) access to parking and public transit, (c) environmental impact, (d) total capital and operating costs to the commission and total commission revenues over the expected life of the facility, including the sale of land by the commission and any contributions by local units of government or other organizations, (e) the report of the council, (f) the availability of land and utilities, (g) the total governmental costs associated with the construction and operation of the commission's facilities, including the cost to all units and agencies of government as well as the cost to the commission, (h) the net gain or loss of property taxes to all local governmental units, (i) the feasibility of funding a portion of the total cost through a grant or grants from the economic development administration of the federal government, (j) the feasibility of constructing a waste facility or a solar energy system to provide energy for heating and ventilating the sports facility, and (k) the needs of the university of Minnesota for athletic facilities for a prospective 20 year period. Before submitting its proposal to the metropolitan council the commission shall hold hearings at locations both within and without the metropolitan area after appropriate notice to receive public testimony on location and design. *On or after April 25, 1979, unless the council has determined that the commission has executed the agreements required by paragraphs (a) and (b) of section 473.581 as preconditions to the issuance of bonds, the commission may amend or alter its determination on design and location and its proposal to the council at any time prior to the issuance of bonds under section 473.581, subdivision 1, clause (1).”*

Renumber the remaining sections accordingly

Page 4, lines 8 and 9, restore the stricken language

Page 6, lines 10 and 11, restore the stricken language

Page 6, line 11, before "will" insert "*subdivision 2,*"

Page 6, line 13, strike everything after "expenses"

Page 6, strike lines 14 to 17 and insert a period

Page 6, lines 32 and 33, delete "*section*" and restore the stricken language

Page 7, lines 29 and 30, restore the stricken language

Page 8, lines 26 and 27, restore the stricken language

Page 9, after line 23, insert sections to read:

"Sec. 3. Minnesota Statutes 1978, Section 473.591, Subdivision 2, is amended to read:

Subd. 2. [TAX.] The council shall impose a tax, effective August 1, 1977, supplemental to the general sales tax imposed in chapter 297A, in the amount of two percent on all retail on-sales of intoxicating liquor and fermented malt beverages when sold at licensed on-sale liquor establishments and municipal liquor stores located within the metropolitan area. The tax shall remain in effect until (AUGUST 1, 1980) *July 1, 1979. The tax shall not be levied or collected after July 1, 1979.* (THEREAFTER, THE COUNCIL MAY LEVY SUCH A TAX UP TO AN AMOUNT SUFFICIENT TO PRODUCE REVENUES TO THE COUNCIL EQUAL TO THE PRINCIPAL AND INTEREST ON BONDS OUTSTANDING UNDER SECTION 473.581, SUBDIVISION 1, BUT NOT TO EXCEED \$4,500,000 IN ANY YEAR.) The tax shall be reported and paid to the commissioner of revenue with and as part of the state sales and use taxes, and shall be subject to the same penalties, interest, and enforcement provisions.

Sec. 4. Minnesota Statutes 1978, Section 473.591, Subdivision 3, is amended to read:

Subd. 3. [PROCEEDS; USE.] The collections of the tax *imposed by subdivision 2*, less refunds and a proportionate share of the cost of collection, shall be remitted at least quarterly to the council. The commissioner of revenue shall deduct from the proceeds remitted to the council an amount that equals the indirect statewide costs as well as the direct and indirect department costs necessary to administer, audit, and collect (THIS) *the tax*



*imposed by subdivisions 2 and 4. The amount deducted shall be deposited in the general fund of the state. The proceeds remitted under the tax imposed by subdivision 2 shall be placed, together with the net revenues of the commission under section 473.595, into the debt service fund or special funds established under section 473.581, subdivisions 4 and 5, provided however that during the first year the tax imposed by subdivision 2 is imposed pursuant to this section the council may reappropriate to the commission a total amount not to exceed one-half of the proceeds from the first year of the tax imposed by subdivision 2, to be used by the commission to pay its expenses related to planning, designing, and locating sports facilities pursuant to sections 473.551 to 473.595. Collection of the tax imposed by (THIS SECTION) subdivision 4 shall be suspended at the end of any calendar year upon a determination by the metropolitan council that the balance in the debt service fund, including any reserve fund has reached an amount sufficient to pay the principal and interest on bonds which will become due within the next succeeding three year period. Collection shall be resumed by the commissioner of revenue at the end of any calendar year upon notice from the metropolitan council that the balance in the debt service fund, including any reserve fund has fallen below an amount sufficient to pay the principal and interest on bonds which will become due within the next succeeding (TWO) year (PERIOD).*

Sec. 5. Minnesota Statutes 1978, Section 473.591 is amended by adding a subdivision to read:

*Subd. 4. [SUPPLEMENTAL TAX.] Effective July 1, 1979, a tax shall be imposed supplemental to the general sales tax imposed in chapter 297A in the amount of two percent on all retail on-sales of intoxicating liquor and fermented malt beverages when sold at licensed on-sale liquor establishments located only within the city or cities within which the sports facility or facilities is located and upon all gross receipts received from the furnishing of hotel, motel or room services within the city or cities within which the sports facility or facilities are located. In the event that the anticipated revenue from the operation of the sports facility or facilities plus any additional revenues of the commission is not sufficient to pay when due all debt service plus all operating and maintenance expense the tax shall be imposed at a level sufficient, in the metropolitan council's judgement, to produce revenues which, together with the anticipated revenue from the operation of the sports facility or facilities plus any additional available revenue of the commission will be sufficient to pay when due all debt service plus all operating and maintenance expenses. The tax shall be reported and paid to the commissioner of revenue with and as part of the state sales and use taxes, and shall be subject to the same penalties, interest, and enforcement provisions. The proceeds of the tax, less refunds and a proportionate share of the cost of collection, shall be remitted at least quarterly to the commission for use in operation, maintenance or improvement of, or payment of principal or interest on any bonds issued in connection with, a sports facility located only in*

*the city or cities within which the sports facility or facilities is located and for payment of principal and interest on any bonds upon which the council is obligated under section 473.564, subject to such covenants as are applicable and made pursuant to a bond resolution or trust indenture under section 473.581, subdivision 4.*

*The tax imposed by this subdivision shall not be levied after the final payment for bonds issued pursuant to section 473.581, subdivision 1, clause (a) or (b) has been made.*

*Sec. 6. Pursuant to article VI, section 2 of the Minnesota constitution the supreme court shall have original jurisdiction of any action brought or maintained in which an issue is presented as to the validity of a provision of sections 1 to 4 of this act, and may hear and determine the issue as provided in title V of the rules of civil appellate procedure, after notice given as provided in rule 144."*

Renumber remaining sections accordingly

Page 9, lines 27 and 28, delete Section 3 of the bill

Page 9, after line 28 insert a section to read:

*"Sec. 7. This act is effective the day following final enactment."*

Amend the title:

Line 6, after "473.581;" delete the remainder of the line

Delete line 7 and insert "amending Minnesota Statutes 1978, Sections 473.571, Subdivision 6; 473.591, Subdivisions 2, 3, and by adding a subdivision."

A roll call was requested and properly seconded.

Pleasant moved to amend the Schreiber amendment to S. F. No. 20, as follows:

Page 2, line 32, after "location" insert "*which shall be within the metropolitan sports area*"

A roll call was requested and properly seconded.

The question was taken on the adoption of the Pleasant amendment to the Schreiber amendment and the roll was called. There were 63 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Aasness      Albrecht      Anderson, B.      Anderson, R.      Biersdorf

Blatz	Friedrich	Knickerbocker	Olsen	Sherwood
Carlson, D.	Fritz	Kvam	Osthoff	Svigum
Carlson, L.	Greenfield	Laidig	Peterson	Swanson
Clawson	Haukoos	Levi	Piepho	Valento
Dempsey	Heap	Ludeman	Pleasant	Vanasek
Den Ouden	Hokanson	Luknic	Prahl	Wenzel
Drew	Jennings	Mann	Reding	Wieser
Erickson	Johnson, C.	McEachern	Rees	Wigley
Esau	Johnson, D.	Mehrkens	Reif	Zubay
Ewald	Jude	Metzen	Rose	Speaker Searle
Fjoslien	Kaley	Nelsen, B.	Schreiber	
Forsythe	Kalis	Niehaus	Searles	

**Those who voted in the negative were :**

Adams	Crandall	Kelly	Norman	Sieben, M.
Ainley	Dean	Kempe	Norton	Simoneau
Anderson, D.	Eken	Kostohryz	Novak	Stadum
Anderson, G.	Elioff	Kroening	Nysether	Stoa
Anderson, I.	Ellingson	Lehto	Onnen	Stowell
Battaglia	Enebo	Long	Otis	Thiede
Begich	Evans	McCarron	Patton	Tomlinson
Berglin	Fudro	McDonald	Pavlak	Valan
Berkelman	Halberg	Minne	Pehler	Voss
Brinkman	Heinitz	Moe	Redalen	Waldorf
Byrne	Hoberg	Munger	Rice	Weaver
Casserly	Jacobs	Murphy	Rothenberg	Welch
Clark	Jaros	Nelsen, M.	Sarna	Welker
Corbid	Kahn	Nelson	Sieben, H.	

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the adoption of the Schreiber, Patton, Pehler, Evans and Adams amendment and the roll was called. There were 64 yeas and 70 nays as follows:

**Those voted in the affirmative were:**

Adams	Eken	Knickerbocker	Olsen	Sieben, H.
Ainley	Ellingson	Laidig	Onnen	Sieben, M.
Anderson, G.	Enebo	Lehto	Otis	Simoneau
Battaglia	Evans	Levi	Patton	Stadum
Berglin	Forsythe	Long	Pehler	Stoa
Berkelman	Fudro	McCarron	Piepho	Valan
Carlson, L.	Halberg	McDonald	Redalen	Vanasek
Casserly	Heap	Mehrkens	Rees	Weaver
Clark	Hoberg	Munger	Rose	Welch
Corbid	Jaros	Nelsen, B.	Rothenberg	Welker
Crandall	Johnson, C.	Nelson	Sarna	Wenzel
Dean	Johnson, D.	Norman	Schreiber	Wieser
Dempsey	Kahn	Novak	Searles	

**Those who voted in the negative were :**

Aasness	Biersdorf	Drew	Friedrich	Jennings
Albrecht	Blatz	Elioff	Fritz	Jude
Anderson, B.	Brinkman	Erickson	Greenfield	Kaley
Anderson, D.	Byrne	Esau	Haukoos	Kalis
Anderson, I.	Carlson, D.	Ewald	Heinitz	Kelly
Anderson, R.	Clawson	Faricy	Hokanson	Kempe
Begich	Den Ouden	Fjoslien	Jacobs	Kostohryz

Kroening	Minne	Osthoff	Rice	Valento
Kvam	Moe	Pavlak	Sherwood	Voss
Ludeman	Murphy	Peterson	Stowell	Waldorf
Luknic	Nelsen, M.	Pleasant	Sviggum	Wigley
Mann	Njehaus	Prahl	Swanson	Wynia
McEachern	Norton	Reding	Thiede	Zubay
Metzen	Nysether	Reif	Tomlinson	Speaker Searle

The motion did not prevail and the amendment was not adopted.

S. F. No. 20, A bill for an act relating to metropolitan government; fixing the revenues of the metropolitan sports facilities commission; repealing the commission liquor tax authority; amending Minnesota Statutes 1978, Section 473.581; repealing Minnesota Statutes 1978, Section 473.591.

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 71 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Aasness	Friedrich	Kostohryz	Norton	Stowell
Albrecht	Fritz	Laidig	Novak	Sviggum
Anderson, R.	Greenfield	Lehto	Osthoff	Swanson
Biersdorf	Halberg	Levi	Pavlak	Tomlinson
Blatz	Haukoos	Long	Peterson	Valento
Brinkman	Heap	Ludeman	Piepho	Waldorf
Eyrne	Heinitz	Luknic	Pleasant	Wenzel
Carlson, D.	Hokanson	Mann	Prahl	Wigley
Den Ouden	Jennings	McDonald	Reding	Wynia
Drew	Jude	McEachern	Rees	Zubay
Esau	Kaley	Metzen	Reif	Speaker Searle
Ewald	Kalis	Moe	Rose	
Fariy	Kelly	Nelsen, B.	Sherwood	
Fjoslien	Kempe	Nelsen, M.	Sieben, H.	
Forsythe	Knickerbocker	Niehaus	Sieben, M.	

Those who voted in the negative were:

Adams	Clawson	Jacobs	Norman	Simoneau
Ainley	Corbid	Jaros	Nysether	Stadum
Anderson, B.	Crandall	Johnson, C.	Olsen	Stoa
Anderson, D.	Dean	Johnson, D.	Onnen	Thiede
Anderson, G.	Dempsey	Kahn	Otis	Valan
Anderson, I.	Eken	Kroening	Patton	Vanasek
Battaglia	Elioff	Kvam	Pehler	Voss
Begich	Ellingson	McCarron	Redalen	Weaver
Berglin	Enebo	Mehrkens	Rice	Welch
Berkelman	Erickson	Minne	Rothenberg	Welker
Carlson, L.	Evans	Munger	Sarna	Wieser
Cassery	Fudro	Murphy	Schreiber	
Clark	Hoberg	Nelson	Searles	

The bill was passed and its title agreed to.

## GENERAL ORDERS

Sieben, H., moved that the bills on General Orders for today be continued for one day. The motion prevailed.

## MOTIONS AND RESOLUTIONS

Berglin moved that the names of Greenfield and Adams be added as authors on H. F. No. 16. The motion prevailed.

Sviggum moved that the name of Biersdorf be added as an author on H. F. No. 771. The motion prevailed.

Rothenberg moved that the name of Olsen be added as an author on H. F. No. 1172. The motion prevailed.

Anderson, G., moved that the name of Anderson, B. be added as an author on H. F. No. 1009. The motion prevailed.

Reding moved that the name of Lehto be added as an author on H. F. No. 1092. The motion prevailed.

Anderson, G., moved that the name of Munger be added as an author on H. F. No. 1178. The motion prevailed.

Elioff moved that the name of Elioff be shown as second author and the name of Minne be shown as chief author on H. F. No. 386. The motion prevailed.

Corbid moved that the name of Kalis be added as an author on H. F. No. 1154. The motion prevailed.

Norman moved that H. F. No. 721 be returned to its author. The motion prevailed.

## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, April 5, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, April 5, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## THIRTY-SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 5, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Cassery	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

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. 282, 627, 742, 545, 815, 988, 1029, 616, 644, 181, 222, 260, 384, 592, 475 and 183 and S. F. Nos. 470, 530, 538, 572, 466, 483, 601, 362, 606, 117, 322, 324, 549 and 384 have been placed in the members' files.

S. F. No. 530 and H. F. No. 481, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Esau moved that the rules be so far suspended that S. F. No. 530 be substituted for H. F. No. 481 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 572 and H. F. No. 356, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Peterson moved that the rules be so far suspended that S. F. No. 572 be substituted for H. F. No. 356 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  
ST. PAUL 55155

April 5, 1979

The Honorable Rod Searle  
Speaker of the House  
State of Minnesota

Dear Speaker Searle:

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. 416, relating to legal process; providing for replevin of personal property before and after a hearing; providing for bonds; providing a penalty; amending Minnesota Statutes 1978,

Sections 542.06; and 546.23; repealing Minnesota Statutes 1978, Sections 565.01; 565.02; 565.03; 565.04; 565.05; 565.06; 565.07; 565.08; 565.09; 565.10; and 565.11.

Sincerely,

ALBERT H. QUIE  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

April 3, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
39		14	April 3	April 3
287		15	April 3	April 3
389		16	April 3	April 3

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

April 4, 1979

The Honorable Rod Searle  
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 1979 Session of the State Legislature have been re-



ceived 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> No.	<i>H.F.</i> No.	<i>Session Laws</i> <i>Chapter No.</i>	<i>Date Approved</i> 1979	<i>Date Filed</i> 1979
207		17	April 4	April 4
	416	18	April 4	April 4

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

### REPORTS OF STANDING COMMITTEES

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 38, A bill for an act relating to reapportionment of the legislature and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3 to provide for congressional and legislative apportionments by a commission; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; appropriating money; imposing a penalty; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.

Reported the same back with the recommendation that the bill be re-referred to the Committee on General Legislation and Veterans Affairs.

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 highway traffic regulations; regulating speed limits within school zones; prescribing penalties; amending Minnesota Statutes 1978, Section 169.14, Subdivision 5a.

Reported the same back with the following amendments:

Page 1, line 10, delete "(a)"

Page 1, line 12, delete "*attended by*"

Page 1, line 13, delete the new language

Page 1, lines 17 to 20, reinstate the stricken language

Page 1, line 21, strike "20" and insert "15"

Page 1, line 22, strike "15" and insert "20"

Page 2, delete lines 3 to 7

Page 2, line 8, delete the new language

Page 2, line 9, delete the new language and reinstate the stricken language

Page 2, line 12, delete "a" and reinstate "(SUCH)"

Page 2, line 13, reinstate "(SUCH)"

Page 2, line 24, after "place." insert "*All signs erected by local authorities to designate speed limits in school zones shall conform to the manual on uniform control devices.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 198, A bill for an act relating to tort liability; requiring political subdivisions to indemnify officers and employees for certain judgments and settlements; amending Minnesota Statutes 1978, Chapter 471, by adding a section.

Reported the same back with the following amendments:

Page 1, line 9, delete "471" and insert "Section 466.07"

Page 1, line 10, delete "section" and insert "subdivision"

Page 1, line 11, delete "471.98" and insert "Subd. 1a."

Page 1, line 12, delete "*political subdivision*" and insert "*municipality or any instrumentality thereof*" after "indemnify" insert "*and provide defense for*"

Page 1, line 16, after "occurring" delete "*in the performance*" and insert "*within the scope*"

Further amend the title:

Page 1, line 5, delete "Chapter 471" and insert "Section 466.07"

Page 1, line 6, delete "section" and insert "subdivision"

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. 253, A bill for an act relating to Washington County; authorizing the commissioner of public safety under certain circumstances to appoint an agent to assist the clerk of the district court in Washington County in accepting applications for drivers licenses and permits; repealing Minnesota Statutes 1978, Section 171.06, Subdivision 5.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 261, A bill for an act relating to municipal industrial development; excepting certain projects; amending Minnesota Statutes 1978, Section 474.02, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 474.01, Subdivision 7a, is amended to read:

*Subd. 7a. No municipality or redevelopment agency shall undertake any project authorized by this chapter unless its governing body finds that the project furthers one or more of the purposes stated in subdivisions 2, 3, 4, 5 and 9, nor until the commissioner of securities has approved the project, on the basis of preliminary information which the commissioner may require, as tending to further the purposes and policies of this chapter. 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 therefore, and the commissioner shall state this in communicating approval.*

Sec. 2. Minnesota Statutes 1978, Section 474.01, is amended by adding a subdivision to read:

*Subd. 7b. Prior to submitting an application to the commissioner of securities requesting approval of a project pursuant to subdivision 7a, the governing body of the municipality or redevelopment agency shall conduct a public hearing on the proposal to undertake and finance the project. Notice of the time and place of hearing, and stating the general nature of the project and an estimate of the principal amount of bonds or other obligations to be issued to finance the project, shall be published at least once not less than 15 days nor more than 30 days prior to the date fixed for the hearing, in the official newspaper and a newspaper of general circulation of the municipality or redevelopment agency. The notice shall state that a draft copy of the proposed application to the commissioner of securities, together with all attachments and exhibits thereto, shall be available for public inspection following the publication of such notice and shall specify the place and times where and when it will be so available. At the time and place fixed for the public hearing, the governing body of the municipality or the redevelopment agency shall give all parties who appear at the hearing an opportunity to express their views with respect to the proposal to undertake and finance the project. Following the completion of the public hearing, the governing body of the municipality or redevelopment agency shall adopt a resolution determining whether or not to proceed with the project and its financing and may thereafter apply to the commissioner of securities for approval of the project.*

Sec. 3. Minnesota Statutes 1978, Section 474.02, Subdivision 1c, is amended to read:

*Subd. 1c. The term "project" shall also include any properties, real or personal, whether or not now in existence, used or useful in connection with a revenue producing enterprise, whether or not operated for profit, engaged in providing health care services, including, without limitation, hospitals, nursing homes, and housing for the elderly or handicapped which provide to the residents health care services on or off the premises, and related medical facilities.*

Sec. 4. Minnesota Statutes 1978, Section 474.02, is amended by adding a subdivision to read:

*Subd. 1d. The term "project" shall not include any multi-unit or single unit residential housing development, unless it is described in this subdivision. The term "project" shall include properties comprising a multi-unit housing development, consisting of five or more dwelling units, which is located within a redevelopment project area established pursuant to chapter 462 or within a development district established pursuant to chapter 472A, or within an industrial development district established pursuant to section 458.191, or as to which at least 20 percent of the dwelling units will, upon completion of the project, re-*

*ceive housing assistance payments under Section 8 of the United States Housing Act of 1937, as amended.*

Sec. 5. *This act is effective the day following final enactment. This act does not apply to any project given preliminary approval under chapter 474 by the governing body of a municipality or a redevelopment agency prior to the effective date of this act, except for any project prohibited under section 4 of this act unless the project was approved by the commissioner of securities in accordance with Section 474.01, subdivision 7a, on or before the day following final enactment.*"

Further amending the title to read:

Page 1, delete lines 3, 4 and 5 and insert the following: "amending the definition of project; requiring a notice and hearing; amending Minnesota Statutes 1978, Sections 474.01, Subdivision 7a, and by adding a subdivision; and 474.02, Subdivision 1c, and by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 299, A bill for an act relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarifying the term "civil defense"; amending Minnesota Statutes 1978, Sections 12.03, Subdivision 4; and 12.31; repealing Minnesota Statutes 1978, Section 12.25, Subdivision 4.

Reported the same back with the following amendments:

Page 2, line 14, after "Columbia" strike the comma and insert "and" and after "Puerto Rico" strike ", and"

Page 2, line 15, strike "the Panama Canal Zone"

Page 3, line 14, after "of" insert "*a peacetime*"

Page 3, line 15, after "plan" insert "*developed pursuant to chapter 12.21, subdivision 3*"

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. 519, A bill for an act relating to motor vehicles; limiting the authority of the registrar of motor vehicles to refuse to issue certificates of title in certain circumstances; amending Minnesota Statutes 1978, Sections 168A.23, by adding a sub-division; and 297B.06.

Reported the same back with the following amendments:

Page 1, line 12, after "*revocation*" insert "*for failure to pay the motor vehicle excise tax as required by chapter 297B*"

Page 2, line 18, after "*vehicle*" insert "*and the previous applicant held a certificate of title indicating he was the owner of the vehicle*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 588, A bill for an act relating to the county of Anoka; authorizing the county to enter into shared service agreements with the Anoka State Hospital for community mental health services.

Reported the same back with the following amendments:

Page 1, line 8, delete "SHARED"

Page 1, line 10, delete "for participation in shared service agreements"

Page 1, line 19, delete "shared service agreements in"

Further amend the title as follows:

Page 1, line 3, delete "shared service"

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. 597, A bill for an act relating to the state transportation system; authorizing the issuance and sale of Minnesota

state transportation bonds; authorizing the expenditure of the proceeds for grants for construction and reconstruction of certain bridges; appropriating money.

Reported the same back with the following amendments:

Page 2, line 12, delete "shall be allocated" and insert "*is available*"

Page 2, line 13, delete the period and insert "*for*"

Page 2, line 13, delete "in aggregate"

Page 2, line 14, delete "shall be made available"

Page 2, line 16, delete "this" and insert "*their*"

Page 2, line 16, delete ", but not to" and insert ". *The grants shall not*"

Page 2, line 17, after "following" insert "*aggregate*"

Page 2, line 18, after "(1)" insert "*To*"

Page 2, line 19, after "(2)" insert "*To*"

Page 2, line 21, after "(3)" insert "*To*"

Page 2, line 22, delete "(4)" and insert "*Additional grants may be made in an aggregate amount not to exceed*"

Page 2, line 22, delete everything after "\$19,500,000"

Page 2, line 23, delete everything before "to"

Page 2, line 24, after "subdivisions" insert "*to match federal-aid grants*"

Page 2, line 25, before the period, insert "*under their jurisdiction*"

Page 2, line 26, after "3." insert "*An additional amount not to exceed*"

Page 2, line 26, delete everything after "\$4,000,000"

Page 2, delete lines 27 to 32 and insert "*is available for grants for preliminary engineering and environmental studies pursuant to section 3.*"

Page 2, after line 32, insert:

"Sec. 3. Minnesota Statutes 1978, Section 174.50, is amended by adding a subdivision to read:

*Subd. 6a. The commissioner may make a grant to any political subdivision for preliminary engineering and environmental studies necessary to determine the environmental impact, location and design features of a bridge proposed to be constructed or reconstructed by the subdivision. A grant shall not exceed \$300,000 for a single bridge project and shall not be used for the preparation of construction plans or specifications.*

*Application for a grant shall be made by resolution of the governing body of the subdivision proposing to construct or reconstruct the bridge. A grant under this subdivision is subject to the procedures and criteria provided in subdivisions 4 to 6. A grant shall also be subject to the priority ranking established under the existing rules of the department if the proposed bridge has been ranked under those rules. No new rules are required for the administration of the grant program established by this subdivision."*

Renumber the sections in sequence

Underline all new language

Amend the title as follows:

Line 7, after "bridges" insert "and for certain preliminary studies"

Line 7, before the period, insert "; amending Minnesota Statutes 1978, Section 174.50, 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.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 624, A bill for an act relating to counties; fixing the amounts that may be spent for Memorial Day observances; amending Minnesota Statutes 1978, Sections 375.34; and 375.35.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred.



H. F. No. 659, A bill for an act relating to local government; providing for facilities of the jointly owned airport of the city of Brainerd and Crow Wing County; authorizing the issuance of bonds to finance the acquisition and betterment of airport facilities.

Reported the same back with the following amendments:

Page 3, after line 8, add a new section to read:

"Sec. 3. [REPEALER.] Laws 1965, Chapter 152, is repealed."

Renumber remaining section

Further, amend the title as follows:

Page 1, line 6, before the period insert "; repealing Laws 1965, Chapter 152"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 711, A bill for an act relating to highway traffic regulations; authorizing physician's trained mobile intensive care paramedics to withdraw blood for the purpose of determining the presence of alcohol or controlled substances under the implied consent law; amending Minnesota Statutes 1978, Section 169.123, Subdivision 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 740, A bill for an act relating to Ramsey County; changing the day of county board meetings; amending Laws 1974, Chapter 435, Section 2.05, Subdivision 1, as amended.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 757, A bill for an act relating to commerce; exempting the sale of motor vehicles from provisions regulating home solicitation sales; amending Minnesota Statutes 1978, Section 325.933, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, delete section 1 in its entirety and insert

"Section 1. Minnesota Statutes 1978, Section 325.933, Subdivision 2, is amended to read:

Subd. 2. "Home solicitation sale" means a sale of goods or services, by a seller who regularly engages in transactions of the same kind, purchased primarily for personal, family or household purposes, and not for agricultural purposes, with a purchase price of more than \$25, in which the seller or a person acting for him personally solicits the sale, and when the buyer's agreement or offer to purchase is made at a place other than the place of business of the seller, except as otherwise provided in this subdivision. It does not include:

(a) a sale made pursuant to prior negotiations in the course of a visit by the buyer to a retail business establishment having a fixed permanent location where the goods are exhibited or the services are offered for sale on a continuing basis; or

(b) a sale in which the buyer has initiated the contact and the goods or services are needed to meet a bona fide immediate personal emergency of the buyer and the buyer furnishes the seller with a separate dated and signed statement not furnished by the seller describing the situation requiring immediate remedy and expressly acknowledging and waiving the right to cancel the sale. This exclusion shall only apply where (i) the seller in good faith makes a substantial beginning of performance of the contract before the buyer gives notice of cancellation, and, (ii) in the case of goods, the goods cannot be returned to the seller in substantially as good condition as when received by the buyer; or

(c) a sale in which the buyer has initiated the contact and specifically requested the seller to visit his home for the purpose of repairing or performing maintenance upon the buyer's property. If in the course of such a visit, the seller sells the buyer the right to receive additional services or goods other than replacement parts necessarily used in performing the maintenance or in making the repairs, the sale of those additional goods or services would not fall within this exclusion; or

(d) a sale in which the buyer has initiated the contact either by oral, telephone, or written request (other than on a form provided by the seller), and requested the seller to visit his home for the purpose of negotiating the purchase of the specific good or service requested. This exclusion shall only apply where the buyer furnishes the seller with a separate dated and signed statement in the buyer's handwriting expressly acknowledging and waiving his right to cancel the sale; or

(e) a sale of insurance, securities, or real property; or a sale by public auction; or

(f) a sale of a motor vehicle, as defined in section 168.011, subdivision 4, when the buyer's agreement or offer to purchase is made at a place other than the buyer's place of residence."

Amend the title as follows:

Page 1, line 2, delete "the sale" and insert "certain sales"

Page 1, line 5, delete "by adding a"

Page 1, line 5, after "subdivision" insert "2"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred.

**H. F. No. 819, A bill for an act relating to the city of Marshall; permitting additional per capita revenue base for financing airport facilities.**

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 360.71, is amended to read:

**360.71 [REVENUE CERTIFICATES.]** Such revenue certificates shall bear such date, mature at such times, bear such rates of interest not exceeding five percent per annum and be sold at such times and under such terms as the governing body or governing bodies as the case may be may deem to be for the best interests of the municipality. Such certificates shall not be sold for less than face value. The total face amount unpaid and outstanding shall not exceed at any time (\$3) \$10

for each person residing in the municipality or (§3) \$10 for each person residing in the county in the case of joint ownership by a city and county all according to the last official census."

Delete the title in its entirety and insert:

"A bill for an act relating to local government; fixing a maximum amount for airport revenue certificates; amending Minnesota Statutes 1978, Section 360.71."

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. 822, A bill for an act relating to motor vehicles; providing for special license plates for former prisoners of war; prescribing penalties; amending Minnesota Statutes 1978, Chapter 168, by adding a section.

Reported the same back with the following amendments:

Page 1, line 16, after "EX-POW" insert "or EX-PRISONER OF WAR"

Page 1, line 21, delete "separated"

Page 2, line 6, after "EX-POW" insert "or EX-PRISONER OF WAR"

Page 2, line 13, after "EX-POW" insert "or EX-PRISONER OF WAR"

Page 2, line 15, delete "shall" and insert "may"

Page 2, line 16, delete "in accordance with the provisions of"

Page 2, line 17, delete "chapter 15"

Page 2, line 19, delete "shall" and insert "may"

Page 2, line 20, delete "in accordance with the provisions of"

Page 2, line 21, delete "chapter 15"

Page 2, delete lines 23 to 26

Renumber the remaining subdivision

Further amend the title as follows:

Line 4, delete "prescribing penalties;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 823, A bill for an act relating to Olmsted County; permitting the intermittent inundation by flood water and temporary closing of county and town roads.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 843, A bill for an act relating to housing and redevelopment authorities; providing that by agreement a housing and redevelopment authority may exercise powers in a county or municipality which has no active housing and redevelopment authority; amending Minnesota Statutes 1978, Section 462.445, Subdivision 5.

Reported the same back with the following amendments:

Page 2, line 6, delete "agree" and insert "join or cooperate"

Page 2, line 6, delete "an" and insert "any"

Page 2, line 7, delete "in the county or a neighboring county"

Page 2, line 13, delete "not make an agreement if" and insert "so join or cooperate with an authority unless"

Page 2, line 16, delete "not make an agreement if" and insert "so join or cooperate with an authority unless"

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 Governmental Operations to which was referred:

H. F. No. 928, A bill for an act relating to retirement; volunteer firefighters' relief associations and independent non-profit firefighting corporations; providing for a flexible statutory service pension maximum; revising the administration of the fire state aid program; transferring the financial examination, regulatory, supervisory and enforcement functions of the police and fire state aid program to the state auditor; providing a procedure for the recognition of a funding surplus in the calculation of the financial requirements of a relief association and the minimum obligation of a municipality; clarifying the calculation of the time period for the amortization of unfunded accrued liabilities of volunteer firefighters' relief associations; clarifying and updating various ambiguous and obsolete provisions regarding the fire state aid program, the authorization of retirement benefits for volunteer firefighters and the mandated guidelines for the financing of volunteer firefighters' relief associations; amending Minnesota Statutes 1978, Sections 69.011, Subdivisions 1, 2, 3 and 5; 69.021, Subdivisions 1, 2, 4, 5, 6, 7 and 9; 69.031, Subdivisions 1, 3, 4, 5 and 6; 69.051, Subdivisions 1, 2, 3 and 4; 69.77, Subdivision 1; 69.771; 69.772, Subdivisions 1, 2, 3, 4, 5, 6, and by adding a subdivision; 69.773; and 69.774; and Laws 1963, Chapter 429, Section 1; Laws 1967, Chapter 829, Section 1; Laws 1969, Chapter 664, Section 1; Laws 1971, Chapters 114, Section 10; 127, Section 1; and 214, Sections 1, as amended, and 2; Laws 1973, Chapters 304, Section 4; and 472, Section 1, as amended; Laws 1975, Chapter 237, Sections 1 and 2; Laws 1976, Chapter 209, Section 1; Laws 1978, Chapter 685, Sections 1 and 4; repealing Minnesota Statutes 1978, Sections 69.011, Subdivision 4; 69.04; 69.055; 69.06; 69.22; 69.23; 69.24; 69.66; 69.67; 69.68; 69.691; 424.30; and 424.31; Laws 1959, Chapter 324; Laws 1965, Chapters 592, Section 1; and 598, Section 1, Subdivision 1; Laws 1967, Chapters 575, Section 1; 742, Section 1, Subdivision 1; 815, Sections 1 and 2, Subdivision 1; and 831; Laws 1969, Chapters 252, Section 1, Subdivisions 1 and 2; 526, Sections 1 and 2; 530; 644, Section 1; 714; 719, Section 1; 877; 1088, Section 2, Subdivision 1; and 1105, Sections 1, 2 and 3; Laws 1971, Chapters 2; 114, Section 3, Subdivision 2; 140, Section 1; 184, Section 1, Subdivisions 1 and 2; 200; and 233; Laws 1973, Chapters 30, Section 1, Subdivision 1; 33; 166; 170; 173; 175; 181; 182; 280; 283, Section 1; 288; 304, Section 1, Subdivision 2; 311; 464; and 472; Laws 1974, Chapters 112; and 208, Section 1; Laws 1975, Chapters 36; 43; 117; 118; 119; 124; 125; 178; 197; 229, Section 1; 306, Section 33, Subdivisions 1 and 2; and 367; Laws 1976, Chapters 71; 97; 100; 206; 208; 214; 267; 272, Section 2; and 288, Section 1; Laws 1977, Chapters 294; and 295; Laws 1978, Chapters 599, Section 1, Subdivisions 2 and 3; 606; 617, Section 1; 622; 631; 673; 683, Sections 1 and 2, Subdivision 1; 753, Section 2, Subdivisions 1 and 1a; and 754.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

“Section 1. Minnesota Statutes 1978, Section 69.011, Subdivision 1, is amended to read:

69.011 [QUALIFYING FOR STATE AID.] Subdivision 1. [DEFINITIONS.] Unless the language or context clearly indicates that a different meaning is intended, the following words and terms shall for the purposes of this chapter (AND CHAPTER), *chapters 423 and 424 and sections 32 to 40* have the meanings ascribed to them:

(a) “Commissioner” means the commissioner or director of insurance.

(b) “Municipality” means any *home rule charter or statutory city (OF ANY CLASS, AND) or organized town.*

(c) “Minnesota Firetown Premium Report” means a (BLANK) form *prescribed by the commission* containing space for reporting by insurers of fire, lightning, sprinkler leakage and extended coverage premiums (LESS RETURN PREMIUMS AND DIVIDENDS) received upon risks located or to be performed in this state *less return premiums and dividends.*

(d) “Firetown” means *the area serviced by any fire department established by or contracting with a qualified municipality (HAVING A QUALIFIED FIRE DEPARTMENT OR A QUALIFIED INCORPORATED FIRE DEPARTMENT HAVING A RETIREMENT PLAN).*

(e) (“AVERAGE STATE AID” MEANS THE SUM OF THE AMOUNT OF AID APPORTIONED FOR FIREFIGHTER’S PENSIONS OR SERVICES THE PREVIOUS TWO YEARS PLUS THE AMOUNT OF AID COMPUTED FOR APPORTIONMENT BY THE ASSESSED PROPERTY VALUATION AND POPULATION BASIS FOR THE CURRENT YEAR DIVIDED BY THREE.)

((F)) “Assessed Property Valuation” means latest available assessed value of all property in a taxing jurisdiction, whether (SUCH) *the* property is subject to taxation, or exempt from ad valorem taxation for any reason, (APPEARING) *which appears* on abstracts filed with the commissioner of revenue or equalized by the state board of equalization.

((G)) (f) “Minnesota Aid to Police Premium Report” means a (BLANK) form (CONTAINING SPACE) *prescribed by the commissioner* for reporting by each fire and casualty insurer

of all premiums (LESS RETURN PREMIUMS AND DIVIDENDS) received upon direct business received by it in this state, or by its agents for it, in cash or otherwise, during the preceding calendar year, with reference to insurance written for insuring against the perils contained in auto liability-bodily injury, auto liability-property damage, and auto physical damage as reported (ON LINES 19, 20, AND 21 OF PAGE 14) in the Minnesota business schedule of the fire and casualty insurance companies annual financial statement which each insurer is required to file with the commissioner in accordance with the governing laws or regulations, *less return premiums and dividends.*

((H)) (g) "Police officer" means any person:

(1) Whose primary source of income derived from wages is from direct employment by a municipality or county as a law enforcement officer on a full time basis of not less than 30 hours per week;

(2) Who has been employed for a minimum of six consecutive months prior to December 31 preceding the date of the current year's certification pursuant to subdivision 2, clause (b);

(3) Who is sworn to enforce the general criminal laws of the state and local ordinances;

(4) Who is *licensed by the police officer standards and training board and is authorized to arrest with a warrant; and*

(5) Who is a member of a local police relief association to which section 69.77 applies or the public employees police and fire fund(;)

((6) WHO, IF EMPLOYED IN A MUNICIPALITY WITH A POPULATION OF MORE THAN 1,000 INHABITANTS ACCORDING TO THE MOST RECENT FEDERAL CENSUS, IS CERTIFIED OR MEETS THE REQUIREMENTS FOR CERTIFICATION BY THE MINNESOTA POLICE OFFICERS TRAINING BOARD; AND)

((7) WHO MEETS THE SELECTION STANDARDS OF THE MINNESOTA POLICE OFFICERS TRAINING BOARD).

((I)) (h) "Full time equivalent number of police officers providing contract service" means the integral or fractional number of police officers which would be necessary to provide the contract service if all *police officers providing service* were employed on a full time basis as defined by the employing unit in the municipality receiving the contract service.



(i) "Qualified municipality" means for purposes of the fire state aid program any municipality in this state which has established by ordinance or by comparable action of the governing body of the municipality and maintains a fire department which has been in existence for a period of more than one year in duration and which meets the minimum personnel, organization and equipment requirements set forth in subdivision 2, or which contracts with an independent nonprofit firefighting corporation which is incorporated under chapter 317, which operates exclusively for firefighting purposes, which maintains a separate subsidiary incorporated firefighters' relief association to provide service pension and retirement benefit coverage to members of the independent nonprofit firefighting corporation and which meets the minimum personnel, organization and equipment requirements set forth in subdivision 2.

(j) "Firefighter" means any natural person who has attained the age of at least 18 years, who is employed as a salaried employee of or who serves without becoming eligible for substantial compensation as a volunteer member of a municipal fire department or an independent nonprofit firefighting corporation, and who is actively engaged in rescue work and in the suppression and prevention of fire.

(k) "Retirement benefits" means any disbursement authorized pursuant to section 36, subdivision 3, clauses (1), (2), (3) and (4).

Sec. 2. Minnesota Statutes 1978, Section 69.011, Subdivision 2, is amended to read:

Subd. 2. [QUALIFICATION FOR FIRE STATE AID; FIRE DEPARTMENT, PERSONNEL AND EQUIPMENT CERTIFICATION.] ((A)) On or before March 1 annually, in conjunction with the report required pursuant to section 69.051, subdivision 1, the clerk of each qualified municipality (HAVING A DULY ORGANIZED FIRE DEPARTMENT AS PROVIDED IN SUBDIVISION 4, CLAUSE (1) OR), together with the secretary, (OF NONPROFIT FIRE FIGHTING CORPORATIONS HAVING A RELIEF AND RETIREMENT PLAN OR INCORPORATED FIREFIGHTER'S) the treasurer of the firefighters' relief association or of the independent nonprofit firefighting corporation subsidiary firefighters' relief association, if there exists either type of relief association, shall jointly certify (THAT FACT) the existence of a municipal fire department or of an independent nonprofit firefighting corporation, whichever is applicable, which meets the minimum qualification requirements set forth in this subdivision, and the fire personnel and equipment of the municipal fire department or independent nonprofit firefighting corporation as of the preceding December 31. Certification shall be made in duplicate to the (COMMISSIONER) state auditor on a form prescribed by him

(TOGETHER WITH THE), and shall include any other relevant facts which the (COMMISSIONER MAY REQUIRE) state auditor requires. (THE CERTIFICATION SHALL BE MADE TO THE COMMISSIONER IN DUPLICATE.) Each copy of the certificate shall be duly executed and shall be deemed to be an original. The (COMMISSIONER) state auditor shall forward one copy to the appropriate county auditor (OF THE COUNTY WHEREIN THE FIRE DEPARTMENT IS LOCATED) and shall retain one copy.

*In order for a municipality to qualify for fire state aid, the municipal fire department or the contracting independent non-profit firefighting corporation shall meet the following minimum personnel, organizational and equipment requirements or equivalent standards determined by the state fire marshal:*

(a) *an active force of at least ten firefighters, who may be salaried, volunteer or a combination of each, which active force includes a fire chief and an assistant fire chief or persons who hold comparable administrative positions and perform the functions of a fire chief or assistant fire chief;*

(b) *a schedule of regular meetings and frequent drills which include instructions in firefighting tactics and in the operation, deployment and care of all firefighting apparatus and equipment in the possession of the fire department or independent nonprofit firefighting corporation;*

(c) *adequate available firefighting apparatus and equipment which includes a motorized fire truck which is equipped with a motorized pump, a water tank with a capacity of at least 250 gallons, two fire hose lines totaling at least 300 feet in length of a diameter size of at least one inch with combination spray and straight stream nozzles, a five gallon hand pump tank style fire extinguisher or its equivalent, a dry chemical style fire extinguisher or its equivalent, regular firefighting ladders, extension firefighting ladders, firefighting pike poles, crow bars, firefighting axes, lanterns, firefighting coats, firefighting helmets, and firefighting boots;*

(d) *a building of sound construction suitable for the housing of firefighting apparatus with facilities for the care of fire hose and firefighting equipment;*

(e) *a reliable adequate method for the firefighters of the department or corporation to receive fire alarms which may utilize the telephone system, an electric siren or any other suitable method of sounding an alarm;*

(f) *an additional piece of motorized firefighting apparatus capable of responding to fire calls outside of the corporate limits of the municipality in which the fire department or the con-*

*tracting independent nonporift firefighting corporation is located if department or corporation duties include the provision of firefighting service outside of the corporate limits of the municipality which established the department or of the municipality with the most substantial contract for service with the corporation; and*

*(g) any other requirements which the state auditor upon consultation with the state fire marshall establishes by rule pursuant to sections 15.0411 to 15.052.*

**((B)) Subd. 2a. [POLICE DEPARTMENT AND QUALIFIED POLICE OFFICER CERTIFICATION.]** On or before March 1 annually the clerk of each municipality (HAVING) which has a duly organized police department and (HAVING) which either has a duly incorporated relief association or is a governmental subdivision within the meaning of section 353.01, subdivision 6, with respect to any police officers which it employs shall certify that fact to the state auditor and to the appropriate county auditor (OF THE COUNTY WHERE THE POLICE DEPARTMENT IS LOCATED AND TO THE COMMISSIONER) on a form prescribed by (HIM TOGETHER WITH) the state auditor, and shall include any other facts which the (COMMISSIONER) state auditor or the appropriate county auditor (MAY) require.

On or before March 1 annually, the clerk of each municipality and the auditor of each county employing one or more police officers as defined in subdivision 1, clause (H) (g), shall certify the number of such police officers to the (COMMISSIONER) state auditor on (FORMS) a form prescribed by him. For purposes of sections 69.011 to 69.051, employment of a police officer shall commence when the police officer is entered on the payroll of the respective municipal police department or county sheriff's department. No police officer shall be included in the certification of the number of police officers by more than one municipality or county.

Sec. 3. Minnesota Statutes 1978, Section 69.011, Subdivision 3, is amended to read:

Subd. 3. **[FAILURE TO FILE CERTIFICATE DEEMED WAIVER.]** If (THE) a certificate required by this section is not filed with the (COMMISSIONER) state auditor within the time prescribed by this section, the municipality with respect to its fire or police state aid, whichever is applicable or (NON-PROFIT FIRE FIGHTING CORPORATION) the county with respect to its police state aid shall be deemed to have relinquished (ITS RIGHTS FOR THE YEAR) any entitlement to the (BENEFITS) aid under this chapter for that year. Failure to receive the certificate form (CANNOT) shall not be (USED AS) a defense for (NOT FILING) the failure to file.

Sec. 4. Minnesota Statutes 1978, Section 69.011, Subdivision 5, is amended to read:

Subd. 5. [FIRE DEPARTMENTS TO BE INSPECTED BY STATE FIRE MARSHAL.] It shall be the duty of the state fire marshal or his appointed deputy or designated assistants to inspect, or cause to be inspected, at the time other public buildings are inspected, (THE) *each municipal* fire department (OF ANY MUNICIPALITY) or nonprofit fire fighting (CORPORATIONS) *corporation* in this state; and, for that purpose, he or any of his deputies or designated assistants shall have the right to enter or have access (THERE TO) *to any building utilized by the fire department or the nonprofit fire-fighting corporation* at any reasonable hour. When upon inspection, it is found that the fire department *or nonprofit fire-fighting corporation* inspected does not conform to the requirements of subdivision (4 HE) 2, *or if the fire department or nonprofit fire-fighting corporation does not permit the inspection, the state fire marshal shall make a report of the fact and the (COMMISSIONER) state auditor shall disqualify the municipality (OR NONPROFIT FIRE FIGHTING CORPORATION) from further participation in the fire state aid apportionment provided for in (CHAPTERS 69 AND 424) this chapter until the year following the correction of any specified deficiencies.*

Sec. 5. Minnesota Statutes 1978, Section 69.021, Subdivision 1, is amended to read:

69.021 [REPORTING PREMIUMS; CALCULATION OF AID.] Subdivision 1. [MINNESOTA FIRETOWN PREMIUM REPORT AND MINNESOTA AID TO POLICE PREMIUM REPORT.] The commissioner of insurance shall, at the time he mails annual statement and tax forms, send blank copies of the Minnesota Firetown Premium Report and when applicable the Minnesota Aid to Police Premium Report to each insurer, including township and farmers mutual insurance companies licensed to write insurance as described in section 69.011, subdivision 1, clause (c) and clause ((G)) (f) in this state. These reports shall contain space for the insurers name, address, gross premiums less return premiums, dividends, net premiums, certification and other facts the commissioner may require.

Sec. 6. Minnesota Statutes 1978, Section 69.021, Subdivision 2, is amended to read:

Subd. 2. [REPORT OF PREMIUMS.] Each insurer, including township and farmers mutual insurers where applicable, shall return to the commissioner with its annual financial statement the reports described in subdivision 1 certified by its secretary and president or chief financial officer. The Minnesota Firetown Premium Report shall contain a true and accurate statement of the total premium for all gross direct fire, light-

ning, and sprinkler leakage insurance of all domestic mutual insurers and the total premiums for all gross direct fire, lightning, sprinkler leakage and extended coverage insurance of all other insurers, less return premiums and dividends received by them on that business written or done during the preceding calendar year upon property located within the state or brought into the state for temporary use. The fire and extended coverage portion of multi-peril and multiple peril package premiums and all other combination premiums shall be determined by applying percentages determined by the commissioner or by rating bureaus recognized by the commissioner. The Minnesota Aid to Police Premium Report shall contain a true and accurate statement of the total premiums, less return premiums and dividends received, on all direct business received by such insurer in this state, or by its agents for it, in cash or otherwise, during the preceding calendar year, with reference to insurance written for perils described in section 69.011, subdivision 1, clause (G) (f).

Sec. 7. Minnesota Statutes 1978, Section 69.021, Subdivision 4, is amended to read:

Subd. 4. [DETERMINATION OF QUALIFIED STATE AID RECIPIENTS BY STATE AUDITOR; CERTIFICATION TO COMMISSIONERS OF INSURANCE AND FINANCE AND TO COUNTY AUDITORS.] (WITHIN SIX MONTHS AFTER JANUARY 1) *Prior to June 1 annually, the (COMMISSIONER) state auditor shall determine which municipalities are qualified to receive fire state aid and which municipalities and counties are qualified to receive police state aid. The determination shall be based on information contained in the fire department, personnel and equipment certificate required pursuant to section 69.011, subdivision 2 or the municipal financial report required pursuant to section 69.051, subdivision 3, whichever is applicable, and any other relevant information which comes to his attention by virtue of audits conducted or by any other means. Upon completing the determination, the state auditor shall certify to the commissioner, the commissioner of finance and each appropriate county auditor the name of each municipality qualified to receive fire state aid and the name of each municipality and county qualified to receive police state aid (AND). Following the certification of qualified state aid recipients, the commissioner shall calculate pursuant to subdivision 6 the amount of fire state aid and police state aid which each county auditor is to receive (. AT THE SAME TIME THE COMMISSIONER) for subsequent apportionment pursuant to subdivision 7 and shall certify the calculation results to the commissioner of finance and to each county auditor (THE MUNICIPALITIES OR INDEPENDENT FIRE DEPARTMENTS IN SUCH COUNTY WHO HAVE QUALIFIED TO RECEIVE STATE AID AND). In their certifications to county auditors, the state auditor and the commissioner shall also include whatever other information (HE DEEMS) which they respectively*

*deem* is necessary for the county auditors to carry out the requirements of this section.

Sec. 8. Minnesota Statutes 1978, Section 69.021, Subdivision 5, is amended to read:

Subd. 5. [CALCULATION OF STATE AID.] The amount of *fire and police* state aid available for apportionment, *respectively*, shall be two percent of the fire, lightning, sprinkler leakage and extended coverage premiums reported to the commissioner by insurers on the Minnesota Firetown Premium Report and two percent of the premiums reported to the commissioner by insurers on the Minnesota Aid to Police Premium Report. The amount for apportionment in respect to (FIREFIGHTER'S) *fire* state aid shall (NOT BE GREATER OR LESSER THAN) *equal* the amount of premium taxes paid to the state upon the premiums reported to the commissioner by insurers on the Minnesota Firetown Premium Report. The total amount for apportionment in respect to police state aid shall (NOT BE GREATER OR LESSER THAN) *equal* the amount of premium taxes paid to the state upon the premiums reported to the commissioner by insurers on the Minnesota Aid to Police Premium Report. (THE TOTAL AMOUNT FOR APPORTIONMENT IN RESPECT TO POLICE STATE AID SHALL BE DISTRIBUTED TO THE COUNTIES FOR APPORTIONMENT TO MUNICIPALITIES MAINTAINING POLICE DEPARTMENTS AND TO THE COUNTY ON THE BASIS OF THE NUMBER OF ACTIVE POLICE OFFICERS, AS CERTIFIED PURSUANT TO SECTION 69.011, SUBDIVISION 2, CLAUSE (B).) The commissioner shall calculate the percentage of increase or decrease reflected in the apportionment over or under the previous year's available state aid using the same premiums as a basis for comparison.

Sec. 9. Minnesota Statutes 1978, Section 69.021, Subdivision 6, is amended to read:

Subd. 6. [CALCULATION OF APPORTIONMENT OF AID TO COUNTIES.] (WITH RESPECT TO FIREFIGHTERS) *Of the total amount of fire state aid available*, one-half (OF THE STATE AID AVAILABLE) shall be distributed to the (COUNTIES) *various county auditors* in proportion to (THEIR) *the population of the counties* as (SHOWN BY) *of the last official statewide federal census* (. THE REMAINING) *and* one-half (OF THE STATE AID AVAILABLE) shall be distributed to the (COUNTIES) *county auditors* in proportion to (THEIR) *the assessed property valuation of the counties*, excluding mineral values.

In the case of (INCORPORATED OR) municipal fire departments or independent nonprofit firefighting corporations furnishing fire protection to cities, towns or townships in other

counties as evidenced by valid fire service contracts filed with the commissioner of insurance and county auditor, the distribution of *fire state aid* to the respective (COUNTIES) *county auditors* shall be adjusted proportionately to take into consideration the crossover fire protection service. The amount of (FIREFIGHTER'S STATE AID APPORTIONED TO EACH COUNTY SHALL NOT BE LESS THAN 100 PERCENT NOR MORE THAN 150 PERCENT OF THE AVERAGE) *fire state aid* (CALCULATED FOR APPORTIONMENT TO THE COUNTY. PROVIDED THAT IF THE AMOUNT OF AID SO) calculated (IS EITHER GREATER OR LESS THAN) *shall be equal to* the amount of aid available as calculated in subdivision 5 and if necessary each (COUNTY'S) *county auditor's* proportionate share of the *fire state aid* shall be (REDUCED OR INCREASED) *adjusted* on a percentage basis so that the amount of *fire state aid* apportioned shall not exceed the amount of tax collected. Other necessary adjustments shall be made to subsequent apportionments. No *county auditor* shall receive less *fire state aid for apportionment* than the amount provided for under this subdivision.

The *total amount of police state aid* available (IN RESPECT TO POLICE OFFICERS) *for distribution to the county auditors* shall not exceed the amount of tax collected and shall be distributed to the (COUNTIES) *various county auditors* in proportion to the total number of active police officers, as defined in section 69.011, subdivision 1, clause (H) (g), in each county *who are certified pursuant to section 69.011, subdivision 2a and who are employed either by municipalities maintaining police departments or by the county.* Any necessary adjustments shall be made to subsequent apportionments.

Sec. 10. Minnesota Statutes 1978, Section 69.021, Subdivision 7, is amended to read:

Subd. 7. [APPORTIONMENT OF AID TO MUNICIPALITIES AND FIREFIGHTER'S RELIEF ASSOCIATIONS BY COUNTY AUDITOR.] (1) The county auditor shall apportion the *fire state aid* received by him (RELATIVE TO THE PREMIUMS REPORTED ON THE MINNESOTA FIRE-TOWN PREMIUM REPORTS FILED PURSUANT TO THIS CHAPTER) to each *qualified* municipality (AND/OR FIREFIGHTER'S RELIEF ASSOCIATION) certified to him by the (COMMISSIONER) *state auditor* in the same manner that the *fire state aid* is apportioned to the (COUNTIES) *various county auditors, with apportionment of one-half of the total in proportion to the population and one-half of the total in proportion to the assessed property valuation of the fire towns in the county (FOR WHICH AID IS PROPORTIONED).* (THE COUNTY AUDITOR SHALL APPORTION THE AMOUNT OF AID TO EACH MUNICIPALITY AND/OR FIREFIGHTER'S RELIEF ASSOCIATION IN AN AMOUNT NOT LESS THAN 100

PERCENT NOR MORE THAN 150 PERCENT OF THE AVERAGE STATE AID CALCULATED FOR APPORTIONMENT TO THE MUNICIPALITY AND/OR FIREFIGHTER'S RELIEF ASSOCIATION. PROVIDED THAT) If the amount of *fire state aid* so calculated is either greater or less than the amount of *fire state aid* available as calculated in subdivision 5 (EACH MUNICIPALITY'S AND/OR FIREFIGHTER'S RELIEF ASSOCIATION'S), *then the proportionate share of the fire state aid for each qualified municipality shall be (REDUCED OR INCREASED) adjusted on a percentage basis so that the amount of fire state aid apportioned shall not exceed the amount of (TAX COLLECTED) fire state aid distributed to the county auditor. No municipality (OR FIREFIGHTER'S RELIEF ASSOCIATION) shall receive less fire state aid than the amount provided for under this subdivision.*

(IN THE CASE OF MUNICIPALITIES OR INDEPENDENT FIRE DEPARTMENTS QUALIFYING FOR THE AID) The county auditor shall calculate the *fire state aid* for (THE) *a qualifying municipality (OR RELIEF ASSOCIATION)* on the basis of the population and the property valuation of the area furnished fire protection service by the *municipal fire department or contracting independent nonprofit firefighting corporation* as evidenced by duly executed and valid fire service agreements filed with him. If (ONE OR) *more than one municipal fire (DEPARTMENTS ARE) department or contracting independent nonprofit firefighting corporation is* furnishing contracted fire service to a (CITY, TOWN OR TOWNSHIP) *municipality, then only the population and assessed property valuation of the area served by each fire department or firefighting corporation shall be considered in calculating the fire state aid and the fire departments or firefighting corporations furnishing service shall enter into an agreement apportioning among themselves the percent of the population and the assessed property valuation of each service area. The agreement shall be in writing and filed with the (COMMISSIONER) state auditor in duplicate. The (COMMISSIONER) state auditor shall forward one copy of the agreement to the county auditor of the county wherein the fire department or firefighting corporation is located and retain one copy.*

(IN THE CASE OF CITIES OF THE FIRST AND SECOND CLASS THE STATE AID CALCULATED SHALL BE PAID DIRECTLY TO THE TREASURER OF THE RELIEF ASSOCIATION.) In the case of all (OTHER) *qualifying municipalities (AND INDEPENDENT FIRE DEPARTMENT RELIEF ASSOCIATIONS OR RETIREMENT PLANS)* the *fire state aid shall be paid to the treasurer of the qualified municipality (WHERE THE FIRE DEPARTMENT IS LOCATED AND THE TREASURER OF THE MUNICIPALITY), who, if there is a relief association for members of the municipal fire department or the contracting independent nonprofit firefighting corporation, shall within 30 days transmit the fire state aid*



to the *treasurer of the relief association* if the relief association has (FILED A FINANCIAL REPORT WITH THE TREASURER OF THE MUNICIPALITY AND HAS) met all (OTHER) statutory provisions pertaining to the *fire state aid apportionment*.

The county auditor, *state auditor* and commissioner (ARE HEREBY EMPOWERED TO) *may* make rules (AND REGULATIONS TO PERMIT) *for* the administration of the provisions of this section *applicable to the fire state aid program*.

(2) The county auditor shall apportion the state police aid received by him to each municipality and to the county in the following manner:

(a) For all municipalities maintaining police departments and the county, the state aid shall be distributed by the county auditor in proportion to the total number of police officers, as defined in section 69.011, subdivision 1, clause ((H)) (g), employed by each municipality and by the county;

(b) For each municipality which contracts with the county for police service, a proportionate amount of the state aid distributed to the county based on the full time equivalent number of police officers providing contract service shall be credited against the municipality's contract obligation;

(c) For each municipality which contracts with another municipality for police service, a proportionate amount of the state aid distributed to the municipality providing contract service based on the full time equivalent number of police officers providing contract service on a full time equivalent basis shall be credited against the contract obligation of the municipality receiving contract service;

(d) No municipality entitled to receive police state aid shall be apportioned less police state aid for any year under Laws 1976, Chapter 315, than the amount which was apportioned to it for calendar year 1975 based on premiums reported to the commissioner for calendar year 1974; provided, the amount of police state aid to other municipalities within the county and to the county shall be adjusted in proportion to the total number of police officers in the municipalities and the county, so that the amount of police state aid apportioned shall not exceed the amount of police state aid available for apportionment.

The county auditor, *state auditor* and commissioner (ARE HEREBY EMPOWERED TO) *may* make rules (AND REGULATIONS TO PERMIT) *for* the administration of the provisions of this section *applicable to the police state aid program*.

Sec. 11. Minnesota Statutes 1978, Section 69.021, Subdivision 9, is amended to read:

Subd. 9. [APPEAL.] In the event that any (FIRE OR) police (DEPARTMENT) or fire state aid recipient feels itself to be aggrieved, with respect to the distribution or apportionment of the applicable state aid, it may request that the state auditor reconsider his decision on entitlement to the applicable state aid, that the commissioner review and adjust the apportionment of the applicable state aid to the county auditors, or that the appropriate county board (OF THE COUNTY WHEREIN THE FIRE OR POLICE DEPARTMENT IS LOCATED TO) review and adjust the apportionment of (FUNDS) the applicable state aid within the county (AND). The decision of the state auditor or the commissioner under this subdivision shall be reviewable under section 15.0424, and the decision of the county board shall be subject to appeal, review, and adjustment by the district court in the county.

Sec. 12. Minnesota Statutes 1978, Section 69.031, Subdivision 1, is amended to read:

69.031 [COMMISSIONER OF FINANCE'S WARRANT, APPROPRIATION, PAYMENT AND ADMINISTRATION.] Subdivision 1. [COMMISSIONER OF FINANCE'S WARRANT.] The commissioner of finance shall issue to the auditor of each county certified to him by the (COMMISSIONER) state auditor pursuant to section 69.021, subdivision 4, his warrant for an amount equal to the amount of the applicable state aid certified to by the commissioner pursuant to section 69.021, subdivisions 4 and 6.

Sec. 13. Minnesota Statutes 1978, Section 69.031, Subdivision 3, is amended to read:

Subd. 3. [APPROPRIATIONS.] There is hereby appropriated annually from the state general fund to the counties who are entitled to payments under (SECTIONS) section 69.021 and (69.031) this section an amount sufficient to make the payments specified in these sections but not (EXCEEDING) to exceed the amount of the tax collected.

Sec. 14. Minnesota Statutes 1978, Section 69.031, Subdivision 4, is amended to read:

Subd. 4. [COUNTY AUDITOR DUTIES.] When the county auditor receives the amount of applicable state aid provided for in subdivision 1, he shall immediately deposit (THAT PORTION RECEIVED ON ACCOUNT OF INSURANCE PREMIUMS REPORTED ON THE MINNESOTA FIRE TOWN PREMIUM REPORT) the amount of fire state aid in a special fire

*state aid fund (FOR FIRE DEPARTMENTS AND FIRE-FIGHTER'S RELIEF ASSOCIATIONS) and within 30 days calculate and disburse the (FUNDS) amounts to the qualified municipalities (HAVING FIRE DEPARTMENTS AND FIRE-FIGHTER'S RELIEF ASSOCIATIONS WHO HAVE QUALIFIED FOR AID WITHIN) in the county. He shall immediately deposit the (PORTION) amount of (SUCH) police state aid (RECEIVED ON ACCOUNT OR INSURANCE PREMIUMS REPORTED ON THE MINNESOTA AID TO POLICE PREMIUM REPORT) in a special police state aid fund for (POLICE DEPARTMENTS AND) qualified police (RETIREMENT FUNDS) state aid recipients and as soon as possible, (ANNUALLY) calculate and disburse the (FUNDS) amounts to qualifying (MUNICIPALITIES) police state aid recipients.*

Sec. 15. Minnesota Statutes 1978, Section 69.031, Subdivision 5, is amended to read:

Subd. 5. [DEPOSIT OF STATE AID.] (1) The municipal treasurer of every qualified municipality, when the fire state aid (AND TAX) is received by him, shall within 30 days after receipt (PAY OVER THE PORTION OF) transmit it (ATTRIBUTED TO PREMIUMS REPORTED ON THE MINNESOTA FIRETOWN PREMIUM REPORT) to the treasurer of the applicable duly incorporated firefighter's relief association if there is one organized and the association has (FILED A FINANCIAL REPORT WITH THE MUNICIPALITY) met all statutory provisions pertaining to the fire state aid program; but if there is no relief association organized, or (IF ANY) the relief association (DISSOLVE, BE REMOVED, OR) has (HERETOFORE) been dissolved, or has been removed as (TRUSTEES) the trustee of fire state aid, then the treasurer of the municipality shall (KEEP) retain the money in the municipal treasury (AS PROVIDED FOR IN SECTIONS 424.30 AND 424.31 AND SHALL) to be disbursed only for the purposes and in the manner set forth in (THOSE SECTIONS) section 39.

(2) The (MUNICIPAL) treasurer of every qualified police state aid recipient, upon receipt of the police state aid (AND TAX ATTRIBUTED TO INSURANCE PREMIUMS REPORTED ON THE MINNESOTA AID TO POLICE PREMIUM REPORT) apportionment, shall disburse the police state aid in the following manner(.):

(a) For a municipality in which a local police relief association exists and all police officers are members of the association, the total state aid shall be transmitted to the treasurer of the relief association within 30 days of the date of receipt, and the treasurer of the relief association shall immediately deposit the total state aid in the special fund of the relief association;

(b) For a municipality in which police retirement coverage is provided by the public employees police and fire fund and all police officers are members of the fund, the total state aid shall be applied toward the municipality's employer contribution to the public employees police and fire fund pursuant to section 353.65, subdivision 3, and any state aid in excess of the amount required to meet the employer's contribution pursuant to section 353.65, subdivision 3, shall also be contributed to the public employees police and fire fund and credited in the manner to be specified by the board of trustees of the public employees retirement association; or

(c) For a municipality in which both a police relief association exists and police retirement coverage is provided in part by the public employees police and fire fund, the municipality may elect at its option to transmit the total state aid to the treasurer of the relief association as provided in (THIS SUBDIVISION) *clause (a)*, to use the total state aid to apply toward the municipality's employer contribution to the public employees police and fire fund subject to all the provisions set forth in *clause (b)*, or to allot the total state aid proportionately to be transmitted to the police relief association as provided in this subdivision and to apply toward the municipality's employer contribution to the public employees police and fire fund subject to the provisions of *clause (b)* on the basis of the respective number of active full time police officers, as defined in section 69.011, subdivision 1, *clause ((H)) (g)*.

(3) The county treasurer, upon receipt of the police state aid for the county, shall apply the total state aid toward the county's employer contribution to the public employees police and fire fund pursuant to section 353.65, subdivision 3, and any state aid in excess of the amount required to meet the employer's contribution pursuant to section 353.65, subdivision 3, shall also be contributed to the public employees police and fire fund and credited in the manner to be specified by the board of trustees of the public employees retirement association.

Sec. 16. Minnesota Statutes 1978, Section 69.031, Subdivision 6, is amended to read:

Subd. 6. [ADMINISTRATION.] The staff of the statistical-tax audit section (,) of the insurance division of the department of commerce, (SHALL BE) under the direction of the incumbent senior auditor, (WHO SHALL BE DIRECTOR OF STATE AID FOR FIRE DEPARTMENTS, FIREFIGHTER'S RELIEF AND PENSION. UNDER THE SUPERVISION OF THE DIRECTOR OF STATE AID SHALL BE AN AUDITOR, A SENIOR ACCOUNT CLERK, A CLERK TYPIST AND OTHER PERSONNEL AND EQUIPMENT THE DIRECTOR MAY FROM TIME TO TIME REQUIRE TO CARRY OUT THE PROVISIONS OF THE LAW RELATING TO THE COLLECTION, APPORTIONMENT AND REGULATION OF

STATE AID FOR FIRE DEPARTMENTS, FIREFIGHTER'S RELIEF AND PENSION) shall administer the collection and apportionment of fire and police state aid. The commissioner shall allocate from the approved complement of the division to the statistical-tax audit section whatever personnel which he deems are required to carry out the provisions of this chapter applicable to the collection and apportionment of fire and police state aid.

Sec. 17. Minnesota Statutes 1978, Section 69.051, Subdivision 1, is amended to read:

69.051 [FINANCIAL REPORT; RELIEF ASSOCIATION SECRETARY AND TREASURER BOND; EXAMINATION.] Subdivision 1. [RELIEF ASSOCIATION FINANCIAL REPORT.] The secretary and the treasurer of each duly incorporated (FIRE DEPARTMENT) firefighters' relief association or police relief association (LOCATED IN ANY MUNICIPALITY OF ANY CLASS) and, with respect to a firefighters' relief association financial report, the clerk or clerk-treasurer of the municipality in which the fire department is located or of the municipality with which the parent independent nonprofit firefighting corporation has contracted shall annually prepare and sign jointly a detailed financial report of the (ASSOCIATION'S) receipts of, disbursements from and balances in (ITS) the special and general funds of the relief association as of December 31 for the preceding calendar year (ENDING DECEMBER 31, SHOWING), on a form prescribed by the state auditor. The financial report shall disclose for what purpose (THE) money in the special and general funds of the relief association has been (PAID AND) expended and shall contain any other information which the (COMMISSIONER) state auditor may require (, AND,). With respect to a firefighters' relief association financial report, two copies of the report shall be filed with the state auditor on or before (JUNE 30) March 1 of the year next following (, FILE A COPY WITH THE MUNICIPALITY WHEREIN THE RELIEF ASSOCIATION IS LOCATED AND TWO COPIES WITH THE COMMISSIONER) the year for which the report is being made, and with respect to a police relief association financial report, two copies of the report shall be filed with the state auditor and one copy of the report shall be filed with the municipality in which the relief association is located on or before June 30 of the year next following the year for which the report is being made. The (COMMISSIONER) state auditor shall forward one copy of the report to the county auditor of the county wherein the municipality is located. No state aid (OR TAX MONEYS) shall be (PAID OVER) transmitted by the treasurer of a municipality to (AN) a relief association until the financial report required pursuant to this section is properly filed (WITH THE MUNICIPALITY). The financial report shall be certified by the municipal auditor, or if there is no municipal auditor, by an independent public accountant (WHO). In addition to

*certifying the financial report, the auditor or accountant shall give his opinion as to the condition of the special and general funds of the relief association and shall comment upon any exception to the report (, OR IN LIEU THEREOF FILE WITH THE COMMISSIONER). If the municipality has an audit report prepared by the state auditor for the year in question which includes an audit of the relief association, then the financial report may be filed with the state auditor without certification by the municipal auditor or independent public accountant. The (FIRE DEPARTMENT) firefighters' or police relief association shall not (QUALIFY) be entitled to receive future state aid pursuant to this chapter transmitted by the treasurer of the municipality until the report is filed with the (COMMISSIONER) state auditor and there has been compliance with the requirements of this chapter (HAVE BEEN COMPLIED WITH).*

Sec. 18. Minnesota Statutes 1978, Section 69.051, Subdivision 2, is amended to read:

Subd. 2. [BOND REQUIREMENT FOR RELIEF ASSOCIATION TREASURER AND SECRETARY.] (NO) *Every treasurer and every secretary of a relief association (SHALL ENTER), prior to entering upon (HIS) the duties (UNTIL HE HAS GIVEN) of that position, shall give the relief association a good and sufficient bond (IN AN AMOUNT SET BY THE ASSOCIATION) for the faithful discharge of (HIS DUTY) the duties of the position according to law. The bond shall be in an amount set by the board of trustees of the relief association, but shall be, as a minimum, an amount equal to the lesser of ten percent of the average amount of assets of the special fund of the relief association for the previous five calendar years or \$20,000.*

Sec. 19. Minnesota Statutes 1978, Section 69.051, Subdivision 3, is amended to read:

Subd. 3. [REPORT BY MUNICIPALITY.] Each municipality (HAVING) *which has an organized fire department (AND) but which does not (HAVING) have a duly incorporated firefighter's relief association shall annually prepare (A), have certified by the municipal auditor, or if there is no municipal auditor, by an independent public accountant, and file a detailed financial report (AS PRESCRIBED BY THE COMMISSIONER) of the receipts and disbursements by the municipality for fire protection (SERVICE DURING) the preceding calendar year, (SHOWING) on a form prescribed by the state auditor. The financial report shall disclose for what purposes the fire state aid money has been (PAID AND) expended and shall contain any other information the (COMMISSIONER) state auditor may require (, AND, ON OR BEFORE JUNE 30 FOLLOWING, FILE). Two duly certified copies shall be filed with the (COMMISSIONER) state auditor on or before June 30 of the year next following the year for which the report is being made. The*

(COMMISSIONER) *state auditor* shall forward one copy to the county auditor of the county wherein the municipality is located. The municipality shall not qualify to receive future *fire state aid* until the report is filed with the (COMMISSIONER) *state auditor*.

Sec. 20. Minnesota Statutes 1978, Section 69.051, Subdivision 4, is amended to read:

Subd. 4. [EXAMINATION BY STATE AUDITOR.] The detailed financial report of relief associations and municipal financial reports for fire protection (MAY) *required pursuant to this section shall be examined by the (COMMISSIONER) state auditor*, and when he finds that (IT APPEARS) the money (, OR ANY PART THEREOF,) paid under the provisions of this chapter (OR CHAPTER), *chapters 423 or 424, sections 32 to 40, or any applicable special law* has been or is being expended for an unauthorized purpose, (HE SHALL NOTIFY THE STATE AUDITOR OF THE FACT. THE STATE AUDITOR MAY EXAMINE THE FINANCIAL REPORTS AND RECORDS OF THE FIREFIGHTER'S RELIEF ASSOCIATION AND MUNICIPALITY AND WHEN HE FINDS THAT THE MONEY, OR ANY PART THEREOF, PAID UNDER THE PROVISIONS OF THIS CHAPTER OR CHAPTER 424, HAS BEEN OR IS BEING EXPENDED FOR AN UNAUTHORIZED PURPOSE) he shall order the funds restored and take whatever steps he deems necessary to assure restoration. No further *state aid* shall be paid to the municipality until the funds are restored. The relief association *or the municipality, whichever is determined by the state auditor to be at fault*, shall be liable to the state for the total cost and expenses of (SUCH) *any detailed special examination*.

Sec. 21. Minnesota Statutes 1978, Section 69.77, Subdivision 1, is amended to read:

69.77 [POLICE AND FIREFIGHTERS' RELIEF ASSOCIATION GUIDELINES ACT.] Subdivision 1. It shall be unlawful for any governmental subdivision to contribute any public funds for the operation and maintenance of a police or firefighters' relief association, enumerated in subdivision 1a, however organized, which pays retirement benefits to a police officer or a fire fighter or a dependent thereof, or to levy taxes for the support thereof except in accordance with the provisions of this section. *The state auditor shall not certify a municipality as qualified for the receipt of fire state aid to the commissioner of insurance, the commissioner of finance and the appropriate county auditor pursuant to section 69.021, subdivision 4 and the commissioner of insurance shall not include any municipality in the apportionment of police or fire state aid to the county auditor pursuant to section 69.021, subdivision 6, nor shall any county auditor include any municipality in the apportionment of police or fire aid pursuant to section 69.021, subdivi-*

sion 7, in which there exists a local police or paid firefighters relief association as enumerated in subdivision 1a which does not comply with the provisions of this section or the provisions of any applicable special law relating to the funding or financing of the association. The (COMMISSIONER OF INSURANCE) *state auditor* shall determine if a municipality with a local police or paid firefighters relief association fails to comply with the provisions of this section or the funding or financing provisions of any applicable special law.

Sec. 22. Minnesota Statutes 1978, Section 69.771, is amended to read:

69.771 [VOLUNTEER FIREFIGHTER'S RELIEF ASSOCIATION FINANCING GUIDELINES ACT; APPLICATIONS.] Subdivision 1. [COVERED RELIEF ASSOCIATIONS.] (EXCEPTING THOSE) *The applicable provisions of sections 69.771 to 69.776 shall apply to any firefighter's relief (ASSOCIATIONS GOVERNED BY THE POLICEMEN AND FIREFIGHTER'S GUIDELINES ACT OF 1969, ALL FIREFIGHTER'S RELIEF ASSOCIATIONS) association other than a relief association enumerated in section 69.77, subdivision 1a, which is organized under any laws of this state, which is composed of (VOLUNTARY) volunteer firefighters or composed partially of volunteer firefighters and partially of (PAID PERSONNEL, THAT ARE OPERATING UNDER AND PAYING PENSIONS ACCORDING TO) salaried firefighters with retirement coverage provided by the public employees police and fire fund and which operates subject to the service pension minimum requirements for entitlement and maximums contained in section (69.06) 33, or (OTHER GENERAL OR) a special (LAWS, THE FOLLOWING APPLICABLE PROVISIONS SHALL GOVERN) law modifying those requirements or maximums.*

Subd. 2. [AUTHORIZED EMPLOYER SUPPORT FOR A RELIEF ASSOCIATION.] (EFFECTIVE JANUARY 1, 1972, IT SHALL BE UNLAWFUL FOR ANY GOVERNMENTAL SUBDIVISION TO) *Notwithstanding any law to the contrary, a municipality may lawfully contribute (ANY) public funds, including any applicable fire state aid, or (TO) levy property taxes for the support of (THE OPERATION AND MAINTENANCE OF) a firefighter's relief association (THAT FALLS WITHIN THE DEFINITION OF) specified in subdivision 1, (EXCEPT IN ACCORDANCE) however organized, which provides retirement coverage or pays a service pension to retired firefighter or a retirement benefit to a disabled firefighter or a surviving dependent of either an active or retired firefighter for the operation and maintenance of the relief association only if the municipality and the relief association comply with the provisions of sections 69.771 to 69.776.*

Subd. 3. [REMEDY FOR NONCOMPLIANCE; DETERMINATION.] *The state auditor shall not certify a municipal-*



ity as qualified to the commissioner of insurance, the commissioner of finance and the appropriate county auditor; and the commissioner of insurance shall not (CERTIFY) include any municipality in the apportionment of fire state aid to a county auditor, (AS PROVIDED IN) pursuant to section 69.021, subdivision 6, nor shall any county auditor include any municipality in the apportionment of fire state aid pursuant to section 69.021, subdivision 7, in which there exists a firefighters' relief association (HEREIN BEFORE DEFINED,) as enumerated in subdivision 1 which does not comply with the provisions of sections 69.771 to 69.776 or the provisions of any applicable special law relating to the funding or financing of the association. (SUCH COMPLIANCE SHALL BE DETERMINED BY) The (COMMISSIONER OF INSURANCE) state auditor shall determine if a municipality to which a firefighters' relief association is directly associated or a firefighters' relief association fails to comply with the provisions of sections 69.771 to 69.776 or the funding or financing provisions of any applicable special law based upon the information (NEWLY REQUIRED AFTER JANUARY 1, 1972, WITHIN) contained in the annual financial report of the firefighters' relief association (AS DESCRIBED IN) required pursuant to section 69.051.

Sec. 23. Minnesota Statutes 1978, Section 69.772, Subdivision 1, is amended to read:

69.772 [RELIEF ASSOCIATIONS PAYING LUMP SUM SERVICE PENSIONS.] Subdivision 1. [APPLICATION.] (THE FOLLOWING SUBDIVISIONS OF) This section shall apply to (THOSE) any firefighter's relief (ASSOCIATIONS PAYING) association specified in section 69.771, subdivision 1, which pays a lump sum service pension (BENEFITS ONLY), but which does not pay a monthly service pension, to a retiring firefighter when at least the minimum requirements for entitlement to a service pension specified in (ACCORDANCE WITH) section (69.06) 33, or (OTHER GENERAL OR) any applicable special (LAWS,) legislation and (DO NOT PROVIDE MONTHLY PENSION BENEFITS) the articles of incorporation or by-laws of the relief association have been met. Each (SUCH) firefighter's relief association to which this section applies shall determine (ITS FINANCIAL REQUIREMENTS) the accrued liability of the special fund of the relief association in accordance with the (TABLES INCLUDED HEREIN AND BY) applicable accrued liability table set forth in subdivision 2 and the financial requirements of the relief association and the minimum obligation of the municipality in accordance with the procedure set forth (HEREIN, AND SAID DETERMINED FINANCIAL REQUIREMENTS SHALL BE PROVIDED FOR) in (THE MANNER DESCRIBED HEREIN) subdivision 3.

Sec. 24. Minnesota Statutes 1978, Section 69.772, Subdivision 2, is amended to read:

Subd. 2. [DETERMINATION OF ACCRUED LIABILITY.] (FOR EVERY) *Each* firefighters' relief association which (ALLOWS) *pays* a service pension when a retiring (MEMBER) *firefighter* meets the minimum requirements (OF) *for entitlement to a service pension specified in section (69.06) 33* and which *in its articles of incorporation or bylaws* requires service credit for a period of service less than 20 years of active service(, THE FOLLOWING TABLE) *for a totally nonforfeitable service pension as provided in section 40* shall (BE USED TO) determine the accrued liability of the special (PENSION) fund of the firefighters' relief association relative to each active or deferred member of the (FUND) *relief association*, calculated individually using the following table:

Cumulative Year	Accrued Liability
1	\$35
2	71
3	110
4	150
5	192
6	236
7	283
8	332
9	383
10	437
11	494
12	553
13	616
14	681
15	750
16 and thereafter	50 additional per year

(FOR EVERY) *Each* firefighters' relief association which (ALLOWS) *pays* a service pension when a retiring (MEMBER) *firefighter* meets the minimum requirements (OF) *for entitlement to a service pension specified in section (69.06) 33* and which *in its articles of incorporation or bylaws* requires service credit for a period of service of at least 20 years of active service(, THE FOLLOWING TABLE) shall (BE USED TO) determine the *accrued* liability of the special (PENSION) fund of the firefighters' relief association relative to each active or deferred member of the (FUND) *relief association*, calculated individually *using the following table*:

Cumulative Year	Accrued Liability
1	\$30
2	62
3	95
4	130
5	167
6	205
7	246
8	288
9	333
10	380
11	429
12	481
13	535
14	592
15	652
16	714
17	780
18	849

19	922
20	1000
21 and thereafter	50 additional per year

The accrued liability (REFLECTED IN DOLLAR AMOUNTS AFTER EACH CUMULATIVE YEAR OF SERVICE, IS THE TOTAL LIABILITY EARNED TO DATE FOR EACH \$50 OF LUMP SUM RETIREMENT BENEFIT PER YEAR OF SERVICE WHICH WILL BE PAYABLE TO A MEMBER AFTER AGE 50 AND AFTER OBTAINING THE MINIMUM YEARS OF SERVICE IN ACCORDANCE WITH THE STATE STATUTES AND BYLAWS OF THE ASSOCIATION.) of the special fund (ACCRUED LIABILITY) for each (INDIVIDUAL) active or deferred member of the relief association shall be (THAT) determined as the multiple or portion of the accrued liability amounts (LISTED) corresponding to the cumulative years of active service with the fire department to which the relief association is affiliated to the credit of the member as set forth in the applicable table(,) that the (ACTUAL BENEFITS) lump sum service pension amount currently provided (BY STATUTE AND BYLAW BEAR TO \$50 OF) for in the articles of incorporation or the bylaws of the relief association bears to a lump sum (RETIREMENT BENEFIT) service pension of \$50 per year of service. If a member has fractional service as of December 31, the figure for service credit to be used for the determination of accrued liability pursuant to this section shall be rounded up to the nearest full year of service credit. The total accrued liability of the special fund (TO THE DATE OF CALCULATION) of the relief association as of December 31 shall be the sum of the accrued liability (OF THE SPECIAL FUND AS REGARDS) attributable to each active or deferred member of the relief association.

Sec. 25. Minnesota Statutes 1978, Section 69.772, is amended by adding a subdivision to read:

*Subd. 2a. [DETERMINATION OF ACCRUED LIABILITY FOR RECIPIENTS OF INSTALLMENT PAYMENTS.] Each firefighters' relief association which pays a lump sum service pension in installment payments to a retired firefighter pursuant to section 33, subdivision 8, shall determine the accrued liability of the special fund of the firefighters' relief association relative to each retired member receiving a lump sum service pension in installment payments calculated individually as the sum of each future installment payment discounted at an interest rate of five percent, compounded annually, from the date the installment payment is scheduled to be paid to December 31. The sum of the accrued liability attributable to each retired member of the relief association receiving a lump sum service pension in installment payments shall be the total additional accrued liability of the spe-*

*cial fund of the relief association as of December 31, and shall be added to the accrued liability of the special fund of the relief association calculated pursuant to subdivision 2 for purposes of calculating the financial requirements of the relief association and the minimum obligation of the municipality pursuant to subdivision 3.*

Sec. 26. Minnesota Statutes 1978, Section 69.772, Subdivision 3, is amended to read:

Subd. 3. [FINANCIAL REQUIREMENTS OF THE RELIEF ASSOCIATION; MINIMUM OBLIGATION OF THE MUNICIPALITY.] *During the month of July, the officers of the relief association shall determine the overall funding balance of the special fund of the relief association for the current calendar year, the financial requirements of the special fund of the relief association for the following calendar year and the minimum obligation of the municipality with respect to the special fund of the relief association for the following calendar year in accordance with the requirements of this subdivision.*

(1) *The overall funding balance of the special fund of the relief association for the current calendar year shall be determined in the following manner:*

((1) DURING THE MONTH OF JULY, 1971,) (a) *The total (PRESENT) accrued liability of the special fund of the relief association for all active and deferred members of the relief association as of December 31 of the current year shall be calculated (BY THE OFFICERS OF THE FUND AND IT SHALL BE THE SUM OF THE INDIVIDUAL ACCRUED LIABILITIES FOR YEARS OF SERVICE OF ALL ACTIVE MEMBERS THROUGH DECEMBER 31, 1971. FRACTIONAL SERVICE YEARS SHALL BE CALCULATED) pursuant to (THE NEAREST FULL YEAR OF SERVICE) subdivisions 2 and 2a, if applicable.*

((2) DURING THE MONTH OF JULY 1, 1971,) (b) *The total present assets of the special fund(,) of the relief association projected to December 31(, 1971,) of the current year, including receipts by and disbursements from the special fund anticipated to occur on or before December 31 shall be calculated. (THIS PROJECTION SHALL INCLUDE ANTICIPATED RECEIVABLES TO THE FUND AND ANTICIPATED DISBURSEMENTS FROM THE FUND TO THE END OF THE YEAR. IN FOLLOWING YEARS, THE CURRENT ASSETS OF THE FUND SHALL BE DETERMINED IN THE SAME MANNER, PROJECTED TO DECEMBER 31 OF THAT YEAR.)*

((3)) (c) *The amount (BY WHICH THE ESSENTIAL FUND CALCULATIONS) of the total present assets of the special fund of the relief association calculated pursuant to clause (b) shall be subtracted from the amount of the total ac-*

*crued liability (AS DETERMINED BY PARAGRAPH 1) of the special fund of the relief association calculated pursuant to clause (a). If the amount of total present assets exceeds (OR) the amount of the total accrued liability, then the special fund shall be considered to have a surplus over full funding. If the amount of the total present assets is less than the (ASSETS AS DETERMINED BY PARAGRAPH 2,) amount of the total accrued liability, then the special fund shall be considered (THE) to have a deficit (OR SURPLUS OF) from full funding. If the amount of total present assets is equal to the amount of the total accrued liability, then the special fund (, AS THE CASE MAY) shall be considered to be fully funded.*

**((4) PRIOR TO AUGUST 1, 1971, AND PRIOR TO EACH AUGUST 1 THEREAFTER, THE OFFICERS OF THE FUND SHALL DETERMINE THE PROJECTED ACCRUED LIABILITY OF THE FUND FOR THE FOLLOWING CALENDAR YEAR IN THE SAME MANNER AS THE ACCRUED LIABILITY OF THE PRESENT CALENDAR YEAR WAS DETERMINED, BOTH CALCULATED AS OF DECEMBER 31.)**

**((5) (2) The (TOTAL) financial requirements of the special fund of the relief association for the following calendar year shall be (THE NET AMOUNT OF INCREASE) determined in the (ACCRUED LIABILITY OF THE) following (YEAR OVER THE PRESENT YEAR WITH THE FOLLOWING ADJUSTMENTS) manner:**

**(a) (FROM) The total (NET INCREASE SHALL BE DEDUCTED THE ANTICIPATED AMOUNT OF ANY STATE AID TO BE RECEIVED DURING THE) accrued liability of the special fund of the relief association for all active and deferred members of the relief association as of December 31 of the calendar year next following the current calendar year (,) shall be calculated pursuant to (THIS CHAPTER) subdivisions 2 and 2a, if applicable.**

**(b) (FROM) The (TOTAL) increase or decrease in the total accrued liability of the special fund of the relief association for the following calendar year over the total accrued liability of the special fund of the relief association for the current year shall be (DEDUCTED AN ASSUMED FIVE PERCENT INTEREST ON THE PROJECTED ASSETS OF THE FUND) calculated (AS OF THE END OF THE PRESENT CALENDAR YEAR, DETERMINED IN THE MANNER PRESCRIBED IN PARAGRAPH 2).**

**(c) (TO) If the special fund of the relief association is fully funded, the financial requirement of the special fund for the following calendar year shall be either the positive or the negative figure which represents the (TOTAL) increase or the decrease**

in the total accrued liability of the special fund respectively as calculated pursuant to subclause (b).

(d) *If the special fund of the relief association has a deficit from full funding, the financial requirements of the special fund for the following calendar year shall be (ADDED) the financial requirements of the special fund calculated as though the special fund were fully funded pursuant to subclause (c) plus an amount equal to one-tenth of the amount of the deficit, (IF ANY,) from full funding of the special fund as determined (ON THE ORIGINAL COMPUTATION OF ACCRUED LIABILITY AND ASSETS) pursuant to this section for the calendar year 1971 (SUCH) until that deficit is fully retired, and plus an amount equal to one-tenth (SHALL BE ADDED EACH YEAR UNTIL THE ASSETS OF THE SPECIAL FUND ARE EQUAL TO THE ACCRUED LIABILITY AS ANNUALLY DETERMINED) of the increase in the deficit from full funding of the special fund resulting from an increase in the amount of the service pension accruing subsequent to December 31, 1971 until each increase in the deficit is fully retired.*

((D) AT ANY TIME THAT) (e) *If the special fund of the relief association has a surplus (WHERE PRESENT ASSETS EXCEED THE PRESENT ACCRUED LIABILITY) over full funding, the financial requirements of the special fund for the (ENSUING) following calendar year shall be the (AMOUNT THAT THE ACCRUED LIABILITY FOR SAID YEAR, AFTER THE ADJUSTMENTS DESCRIBED IN THIS PARAGRAPH HAVE BEEN MADE, EXCEEDS THE ASSETS) financial requirements of the special fund calculated as though the special fund were fully funded pursuant to subclause (c) reduced by an amount equal to one-tenth of the amount of the surplus over full funding of the special fund.*

(3) *The minimum obligation of the municipality with respect to the special fund of the relief association shall be the financial requirements of the special fund of the relief association reduced by the amount of any fire state aid payable pursuant to sections 69.011 to 69.051 anticipated to be received by the municipality for transmittal to the special fund of the relief association during the following calendar year, an amount of interest on the assets of the special fund projected to the end of the current calendar year calculated at the rate of five percent per annum, and the amount of any anticipated contributions to the special fund by the members of the relief association during the following calendar year.*

Sec. 27. Minnesota Statutes 1978, Section 69.772, Subdivision 4, is amended to read:

Subd. 4. [CERTIFICATION OF FINANCIAL REQUIREMENTS AND MINIMUM MUNICIPAL OBLIGATION; LEVY.] *The officers of the relief association shall certify the*

financial requirements of the special fund of the relief association and the minimum obligation of the municipality with respect to the special fund of the relief association as determined (IN) pursuant to subdivision 3 (SHALL BE CERTIFIED) to the governing body of the municipality (BY) on or before August 1 of each year. The municipality shall provide for at least the minimum obligation of the municipality with respect to the special fund of the relief association by tax levy or (OTHERWISE THE FINANCIAL REQUIREMENTS SO CERTIFIED, OR MORE) from any other source of public revenue. The (TAX LEVY HEREIN PROVIDED) municipality may (BE) levy taxes for the payment of the minimum municipal obligation without any limitation as to rate or amount and irrespective of any limitations imposed by other provisions of law upon the rate or amount of taxation until the balance of the special fund or any fund of the relief association has attained a specified level. In addition (TO), any (STATUTES OR CHARTER LIMITS GOVERNING) taxes levied pursuant to this section shall not cause the amount or rate of any other taxes levied, in that year or to be levied in a subsequent year by the municipality which are subject to a limitation as to rate or amount to be reduced. If the municipality does not include the full amount of the minimum municipal obligations in its levy for any year, the officers of the relief association shall certify that amount to the county auditor, who shall spread a levy in the amount of the minimum municipal obligation.

Sec. 28. Minnesota Statutes 1978, Section 69.772, Subdivision 5, is amended to read:

Subd 5. [CREDITING OF INVESTMENT INCOME; EFFECT OF EXCESS INTEREST.] (INTEREST) All investment income earned (UPON INVESTED) on the assets of the special fund of the relief association shall be credited to the special fund(, BUT SUCH REVENUE). Investment income earned or anticipated to be earned in a calendar year in excess of the assumed rate specified in subdivision 3, clause (3) shall not (ENTER INTO) be included in the calculations (EXCEPT AS PROVIDED IN SUBDIVISION 3, PARAGRAPH (5) (B)) of the financial requirements of the special fund of the relief association or the minimum obligation of the municipality with respect to the special fund of the relief association for that calendar year.

Sec. 29. Minnesota Statutes 1978, Section 69.772, Subdivision 6, is amended to read:

Subd. 6. [REQUIREMENT FOR MUNICIPAL RATIFICATION FOR PLAN AMENDMENTS.] (BYLAW OR) The adoption of or any amendment to the articles of incorporation (CHANGES AFTER JANUARY 1, 1970, AFFECTING) or by laws of a relief association which increases or otherwise affects the retirement coverage provided by or the service pensions or



*retirement benefits (PAID) payable from the special fund of any relief association to which this section applies shall not be effective (OR REMAIN EFFECTIVE) until it is ratified by the (LOCAL) governing body of the municipality in which the relief association is located. (ANY INCREASE IN DEFICIT RESULTING FROM A BYLAW CHANGE AFTER THE ORIGINAL DETERMINATION OF THE FUND'S DEFICIT, SHALL BE AMORTIZED OVER THE SAME PERIOD AND WITH THE SAME MANNER AS PROVIDED FOR IN SUBDIVISION 3, PARAGRAPH (5) (C).) The officers of a relief association shall not seek municipal ratification prior to preparing and certifying an estimate of the expected increase in the accrued liability and annual accruing liability of the relief association attributable to the amendment.*

Sec. 30. Minnesota Statutes 1978, Section 69.773, is amended to read:

**69.773 [RELIEF ASSOCIATIONS PAYING MONTHLY SERVICE PENSIONS.]** Subdivision 1. **[APPLICATION.]** (THE FOLLOWING SUBDIVISIONS OF) This section shall apply to (THOSE) any firefighter's relief (ASSOCIATIONS THAT PROVIDE) association specified in section 69.771, subdivision 1, which pays or allows for (OR ALLOW A CHOICE) an option of a monthly service pension to a retiring firefighter when at least the minimum requirements for entitlement to a service pension specified in (ACCORDANCE WITH AND GOVERNED BY) section (69.06) 33, (OR OTHER GENERAL OR) any applicable special (LAWS) legislation and the articles of incorporation or bylaws of the relief association have been met. Each (SUCH) firefighters' relief association to which this section applies shall determine (AND PROVIDE FOR) the actuarial condition and funding costs of the special fund of the relief association in accordance with subdivisions 2 and 3, the financial requirements of the special fund of the relief association in accordance with subdivision 4 and the (MANNER DESCRIBED) minimum obligation of the municipality with respect to the special fund of the relief association in accordance with subdivision 5.

Subd. 2. **[DETERMINATION OF ACTUARIAL CONDITION AND FUNDING COSTS.]** Each relief association (GOVERNED BY) to which this section applies shall (HAVE) procure an actuarial (SURVEY MADE OF ITS SPECIAL FUND) valuation showing the condition of the special fund of the relief association as of December 31, 1978 and at least as of December 31 every four years thereafter. (THIS SURVEY, AND FUTURE SURVEYS) The valuation shall be prepared in accordance with the provisions of section 356.216, except that the figure for normal cost shall be expressed as a level dollar amount, and the amortization (PERIOD OF) contribution shall be the level dollar amount calculated to amortize any (EXISTING OR NEW DEFICIT CREATED BY BENEFIT CHANGES SHALL

BE 20 YEARS FROM INCEPTION, OR LESS) *current unfunded accrued liability by at least the date of full funding specified in subdivision 4, clause (b).* (SUCH SURVEY, AND) Each (SUCCEEDING SURVEY,) *valuation shall be filed with the governing body of the municipality in which the relief association is (ORGANIZED,) located and with the (INSURANCE COMMISSIONER'S OFFICE) state auditor, not later than June 1 of the following year.* (HOWEVER,) Any relief association (PRESENTLY) *which is operating under a special (LAWS THAT PROVIDE FOR) law which requires that actuarial (SURVEYS) valuations be procured at least every four years and be prepared in accordance with applicable actuarial standards set forth in statute (, SAID ASSOCIATIONS) may continue to have (SURVEYS) actuarial valuations made according to the time schedule (THEREIN, EXCEPT AS MODIFIED BY) set forth in the special legislation subject to the provisions of subdivision 3.* The relief association shall also procure a quadrennial experience study pursuant to section 356.216 to accompany the (SURVEY, AND SHALL PROCURE A QUADRENNIAL EXPERIENCE STUDY) *actuarial valuation every four years (THEREAFTER).*

Subd. 3. [VALUATION REQUIREMENT UPON BENEFIT CHANGE.] *The officers of the relief association shall (THEREAFTER OBTAIN AN ACTUARIAL SURVEY AT LEAST EVERY FOUR YEARS OR PRIOR TO THE) not seek municipal ratification of (A BENEFIT CHANGE BY THE LOCAL GOVERNING BODY, WHICHEVER IS SOONER any amendments to the articles of incorporation or bylaws which increase or otherwise affect the retirement coverage provided by or the service pensions or retirement benefits payable from any relief association pursuant to subdivision 6 prior to obtaining either an updated actuarial valuation including the proposed amendment or an estimate of the expected actuarial impact of the proposed amendment prepared by the actuary of the relief association.*

Subd. 4. [FINANCIAL REQUIREMENTS OF THE SPECIAL FUND.] *Prior to August 1 of each year, the officers of the relief association shall determine the financial requirements of the special fund of the relief association in accordance with the requirements of this subdivision. The financial requirements of the relief association shall be (DETERMINED BY THE OFFICERS OF THE ASSOCIATION PRIOR TO SEPTEMBER 1, 1971, AND PRIOR TO EACH AUGUST 1 THEREAFTER) based on the most recent actuarial valuation prepared in accordance with sections 356.215, subdivision 4, and 356.216. If the relief association has an unfunded accrued liability as reported in the (FOLLOWING MANNER) most recent actuarial valuation, the financial requirements shall be determined by adding the figures calculated pursuant to clauses (a) and (b). If the relief association does not have an unfunded accrued liability as reported in the most recent actuarial valuation, the financial re-*

quirements shall be an amount equal to the figure calculated pursuant to clause (a):

(a) The normal level cost (AS DETERMINED BY ACTUARIAL SURVEY, REQUIRED TO ADEQUATELY FINANCE CURRENTLY ACCRUING LIABILITIES, SHALL BE) requirement for the following year, expressed as a dollar amount, shall be the figure for the normal level cost of the relief association as reported in the actuarial valuation.

(b) (TO THIS NORMAL COST SHALL BE ADDED AN) The amortization (PAYMENT SUFFICIENT) contribution requirement to (AMORTIZE THE DEFICIT DETERMINED AS OF DECEMBER 31, 1970, OR NEWLY CREATED DEFICIT WITHIN A 20 YEAR PERIOD FROM INCEPTION.) retire the current unfunded accrued liability by the established date for full funding shall be the figure for the amortization contribution as reported in the actuarial valuation. If there has not been a change in any or all of the actuarial assumptions used for calculating the accrued liability of the special fund, a change in the bylaws of the relief association governing the service pensions, retirement benefits or both payable from the special fund or a change in the actuarial cost method used to value all or a portion of the special fund which change or changes which by themselves without inclusion of any other items of increase or decrease produce a net increase in the unfunded accrued liability of the special fund since December 31, 1970, the established date for full funding shall be December 31, 1990. If there has been a change in the actuarial assumptions used for calculating the accrued liability of the special fund, a change in the bylaws of the relief association governing the service pensions, retirement benefits or both payable from the special fund or a change in the actuarial cost method used to value all or a portion of the special fund which change or changes which by themselves without inclusion of any other items of increase or decrease produce a net increase in the unfunded accrued liability of the special fund since December 31, 1970 but prior to January 1, 1979, the established date for full funding shall be December 31, 1998, and if there has been a change since December 31, 1978, the established date for full funding shall be determined using the following procedure:

(i) The unfunded accrued liability of the special fund shall be determined in accordance with the provisions governing service pensions, retirement benefits and actuarial assumptions in effect prior to an applicable change;

(ii) The level annual dollar contribution needed to amortize this unfunded accrued liability amount by the date for full funding in effect prior to the change shall be calculated using the interest assumption specified in section 356.215, subdivision 4, clause (4) in effect prior to any applicable change;

(iii) *The unfunded accrued liability of the special fund shall be determined in accordance with any new provisions governing service pensions, retirement benefits and actuarial assumptions and the remaining provisions governing service pensions, retirement benefits and actuarial assumptions in effect prior to an applicable change;*

(iv) *The level annual dollar contribution needed to amortize the difference between the unfunded accrued liability amount calculated pursuant to subclause (i) and the unfunded accrued liability amount calculated pursuant to subclause (iii) over a period of 20 years from December 31 of the year in which the change is effective shall be calculated using the interest assumption specified in section 356.215, subdivision 4, clause (4) in effect subsequent to any applicable change;*

(v) *The annual amortization contribution calculated pursuant to subclause (iv) shall be added to the annual amortization contribution calculated pursuant to subclause (ii);*

(vi) *The period in which the unfunded accrued liability amount determined in subclause (iii) will be amortized by the total annual amortization contribution computed pursuant to subclause (v) shall be calculated using the interest assumption specified in section 356.215, subdivision 4, clause (4) in effect subsequent to any applicable change, rounded to the nearest integral number of years, but which shall not exceed a period of 20 years from the end of the year in which the determination of the date for full funding using this procedure is made and which shall not be less than the period of years beginning in the year in which the determination of the date for full funding using this procedure is made and ending by the date for full funding in effect prior to the change.*

(vii) *The period determined pursuant to subclause (vi) shall be added to the date as of which the actuarial valuation was prepared and the date obtained shall be the new date for full funding.*

Subd. 5. [MINIMUM MUNICIPAL OBLIGATION.] *The (FINANCIAL REQUIREMENTS AS DETERMINED BY SUBDIVISION 4) officers of the relief association shall (BE CERTIFIED TO THE GOVERNING BODY) determine the minimum obligation of the municipality (PRIOR TO SEPTEMBER 1, 1971, AND) with respect to the special fund of the relief association for the following calendar year prior to (EACH) August 1 (THEREAFTER) of each year in accordance with the requirements of this subdivision. The minimum obligation of the municipality with respect to the special fund shall be an amount equal to the financial (REQUIREMENT SO) requirements of the special fund of the relief association determined (LESS ONE YEAR'S) pursuant to subdivision 4, reduced by the estimated amount of any fire state aid (EXPECTED FROM THE*

STATE) payable pursuant to (THIS CHAPTER) sections 69.-011 to 69.051 anticipated to be received by the municipality for transmittal to the special fund of the relief association during the following year and the amount of any anticipated contributions to the special fund by the members of the relief association during the following calendar year. The officers of the relief association shall certify the financial requirements of the special fund of the relief association and the minimum obligation of the municipality with respect to the special fund of the relief association as determined pursuant to subdivision 4 and this subdivision to the governing body of the municipality by August 1 of each year. The municipality shall provide for at least the minimum obligation (SO DETERMINED, OR MORE,) of the municipality with respect to the special fund of the relief association by tax levy or (OTHERWISE) from any other source of public revenue. The (TAX) municipality may levy (HEREIN PROVIDED MAY BE IN ADDITION TO) taxes for the payment of the minimum municipal obligation without any (STATUTES) limitation as to rate or (CHARTER LIMITS GOVERNING) amount and irrespective of any limitations imposed by other provisions of law or charter upon the rate or amount of taxation until the balance of the special fund or any fund of the relief association has attained a specified level. In addition, any taxes levied pursuant to this section shall not cause the amount or rate of any other taxes levied in that year or to be levied in a subsequent year by the municipality which are subject to a limitation as to rate or amount to be reduced. If the municipality does not include the full amount of the minimum municipal obligation in its levy for any year, the officers of the relief association shall certify that amount to the county auditor, who shall spread a levy in the amount of the minimum municipal obligation.

Subd. 6. [REQUIREMENT FOR MUNICIPAL RATIFICATION FOR PLAN AMENDMENTS.] (BYLAW OR) The adoption of or any amendment to the articles of incorporation (AMENDMENTS AFTER JANUARY 1, 1970, AFFECTING) or bylaws of a relief association which increases or otherwise affects the retirement coverage provided by or the service pensions or retirement benefits (PAID) payable from the special fund of any relief association to which this section applies shall not (BECOME OR REMAIN) be effective until (THE CHANGES ARE) it is ratified by the governing body of the municipality in which the relief association is located.

Sec. 31. Minnesota Statutes 1978, Section 69.774, is amended to read:

69.774 [NONPROFIT FIREFIGHTING CORPORATIONS.] Subdivision 1. [AUTHORIZED INCLUSION IN FIRE STATE AID PROGRAM; COVERED NONPROFIT CORPORATIONS.] (THE) This section shall apply to any independent nonprofit firefighting (CORPORATIONS) corporation incor-

porated or organized pursuant to (LAWS 1961, CHAPTER 360, AS AMENDED, PROVIDING) chapter 317 which operates exclusively for firefighting purposes, which is composed of volunteer firefighters, which has a duly established separate subsidiary incorporated firefighters' relief association which provides retirement coverage for or pays a service (PENSIONS FROM A) pension (FUND OF THE CORPORATION) to a retired firefighter or a retirement benefit to a surviving dependent of either an active or a retired firefighter, and which operates subject to the service pension minimum requirements for entitlement to and maximums for a service pension contained in (ACCORDANCE WITH) section (69.69) 33, or (ANY) a special law (, OR A FIREFIGHTER'S RELIEF ASSOCIATION SUBSIDIARY TO A NONPROFIT FIREFIGHTING CORPORATION AND PAYING PENSION BENEFITS,) modifying those requirements or maximums. Notwithstanding any law to the contrary, a municipality contracting with an independent nonprofit firefighting corporation shall (NOT) be (CERTIFIED) included as a qualified municipality in the certification by the state auditor and for inclusion in the distribution of fire state aid to the appropriate county auditor by the (INSURANCE) commissioner (, EXCEPT AS PROVIDED BY) of insurance only if the independent nonprofit firefighting corporation complies with the provisions of this section.

Subd. 2. [DETERMINATION OF ACTUARIAL CONDITION AND FUNDING COSTS.] (THE) Each independent nonprofit firefighting (CORPORATIONS DESCRIBED IN SUBDIVISION 1) corporation to which this section applies shall (QUALIFY FOR STATE AID BY) determine the actuarial condition and the funding costs of the subsidiary relief association using the following procedure:

(a) (THE) An independent nonprofit firefighting corporation (OR SUBSIDIARY RELIEF ASSOCIATION) which has a subsidiary relief association which pays a monthly benefit service pension shall (OBTAIN) procure an actuarial (SURVEY) valuation of the (PENSION) special fund of the subsidiary relief association at the same times and in the same manner as (DESCRIBED) specified in section 69.773, subdivisions (1,) 2 and 3, and an independent nonprofit firefighting corporation which has a subsidiary relief association which pays a lump sum service pension shall determine the accrued liability of the special fund of the relief association in accordance with section 69.772, subdivision 2.

(b) The financial requirements of the special fund of the subsidiary relief association which pays a monthly benefit service pension shall be determined in the same manner as (DESCRIBED) specified in section 69.773, subdivision 4, and the financial requirements of the special fund of the subsidiary relief association shall be determined in the same manner as specified in section 69.772, subdivision 3.

(c) The *minimum obligation of the independent nonprofit firefighting corporation on behalf of the special fund of the subsidiary relief association shall (ANNUALLY FROM ITS INCOME APPROPRIATE FUNDS TO THE PENSION FUND, AT LEAST EQUAL TO THE FINANCIAL REQUIREMENTS AS) be determined (BY PARAGRAPH B, LESS THE ESTIMATED STATE AID AND ANY MEMBER CONTRIBUTIONS) in the same manner as specified in section 69.773, subdivision 5.*

(d) The (INSURANCE COMMISSIONER SHALL CERTIFY THE) *independent nonprofit firefighting corporation (OR RELIEF ASSOCIATION FOR STATE AID IF THE REQUIREMENTS OF THIS SUBDIVISION ARE COMPLIED WITH) shall appropriate annually from the income of the corporation an amount at least equal to the minimum obligation of the independent nonprofit firefighting corporation on behalf of the special fund of the subsidiary relief association.*

Subd. 3. [AUTHORIZED PENSION DISBURSEMENTS.] (IF A) *Authorized disbursements of assets of the special fund of the subsidiary relief association of the nonprofit firefighting corporation (DESCRIBED IN SUBDIVISION 1 RECEIVED STATE AID,) shall be governed by the provisions of section (424.31) 36 (CONCERNING DISBURSEMENTS OF SPECIAL FUND ASSETS SHALL GOVERN).*

Sec. 32. [424A.01] [MEMBERSHIP IN A VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION.] *Subdivision 1. [MINORS.] It is unlawful for any municipality or independent nonprofit firefighting corporation to employ a minor as a volunteer firefighter or to permit a minor to serve in any capacity performing any firefighting duties with a volunteer fire department.*

Subd. 2. [STATUS OF SUBSTITUTE OR PROBATIONARY VOLUNTEER FIREFIGHTERS.] *No person who is serving as a substitute or a probationary volunteer firefighter shall be deemed to be a firefighter for purposes of chapter 69 or sections 32 to 40 nor shall be authorized to be a member of any volunteer firefighters' relief association governed by chapter 69 or sections 32 to 40.*

Subd. 3. [STATUS OF NONMEMBER VOLUNTEER FIREFIGHTERS.] *No person who is serving as a firefighter in a municipal fire department or an independent nonprofit firefighting corporation but who is not a member of the applicable firefighters' relief association shall be entitled to any service pension, retirement benefits or pension or retirement benefit coverage from the relief association.*

Subd. 4. [EXCLUSION OF PERSONS CONSTITUTING AN UNWARRANTED HEALTH RISK.] *The board of trus-*

tees of every volunteer firefighters' relief association governed by chapter 69 or sections 32 to 40 shall have the right to exclude from membership in the relief association all applicants who, due to some medically determinable physical or mental impairment or condition, would constitute for the relief association a predictable and unwarranted risk of the commencement of a retirement benefit at any age earlier than the minimum age specified for receipt of a service pension. Notwithstanding any provision of section 363.02, subdivision 5, it shall be a good and valid defense to a complaint or action brought under chapter 363 that the board of trustees of the relief association made a good faith determination that the applicant suffers from an impairment or condition constituting a predictable and unwarranted risk for the relief association if the determination was made following consideration of the report of the physician completing a physical examination of the applicant completed at the expense of the relief association and of the person's medical history.

Sec. 33. [424A.02] [VOLUNTEER FIREFIGHTERS; SERVICE PENSIONS.] *Subdivision 1.* [AUTHORIZATION.] Any volunteer firefighters' relief association or volunteer firefighters division or account of a partially salaried and partially volunteer firefighters' relief association organized and incorporated under chapter 317 and any laws of the state and directly associated with a fire department established by municipal ordinance or any separate incorporated volunteer firefighters' relief association subsidiary to and providing service pension and retirement benefit coverage for members of an independent nonprofit firefighting corporation organized under the provisions of chapter 317 and operating exclusively for fire fighting purposes, whether or not the nonprofit firefighting corporation qualifies for fire state aid pursuant to chapter 69, when its articles of incorporation or bylaws so provide, may pay out of the assets of the special fund of the volunteer firefighters' relief association or volunteer firefighters' account, a service pension to each of its members who separates from active service with the fire department or the independent nonprofit firefighting corporation, who reaches the age of 50 years and who completes at least ten years of active service as an active member of the municipal fire department to which the relief association is associated or of the independent nonprofit firefighting corporation to which the relief association is subsidiary, and who completes at least ten years of active membership with the volunteer firefighters' relief association or volunteer firefighters' account prior to separation from active service and who complies with any additional conditions as to age, service and membership which are prescribed by the bylaws of the relief association. In the case of a member who has completed at least ten years of active service as an active member of the municipal fire department to which the relief association is associated or of the independent nonprofit firefighting corporation to which the relief association is subsidiary on the date that the volunteer firefighters' relief association is established and incorporated, the re-



quirement that the member complete at least ten years of active membership with the volunteer firefighter's relief association or volunteer firefighters' account prior to separation from active service may be waived by the board of trustees of the relief association if the member completes at least ten years of inactive membership with the volunteer firefighters' relief association or volunteer firefighters' account prior to the payment of the service pension. During the period of inactive membership, the member shall not be entitled to receive any disability benefit coverage, shall not be entitled to receive any additional service credit towards computation of a service pension, and shall be deemed to have the status of a person entitled to a deferred service pension pursuant to subdivision 7.

*Subd. 2. [NONFORFEITABLE PORTION OF SERVICE PENSION.] Any volunteer firefighters' relief association or volunteer firefighters' account to which this section applies, when its articles of incorporation or bylaws so provide and when a retiring member meets the minimum age and service requirements set forth in subdivision 1 but has not completed 20 years of service may pay a portion of the service pension amount earned to date as specified in the bylaws, but not to exceed the percentage applicable for each full year of service completed as follows:*

<i>Completed Years of Service</i>	<i>Nonforfeitable Portion of Annual or Prorata Service Pension Amount</i>
10	60 percent
11	64 percent
12	68 percent
13	72 percent
14	76 percent
15	80 percent
16	84 percent
17	88 percent
18	92 percent
19	96 percent
20 and thereafter	100 percent

**Subd. 3. [FLEXIBLE SERVICE PENSION MAXIMUMS.]**  
*On or before August 1 of each year as part of the certification of the financial requirements and minimum municipal obligation made pursuant to section 69.772, subdivision 4, or 69.773, subdivision 5, the secretary or some other official of the relief association designated in the bylaws of each volunteer firefighters' relief association or volunteer firefighters' account other than a relief association or account which in its bylaws provides solely for the payment of a defined contribution service pension as authorized pursuant to subdivision 4 shall calculate and certify to the governing body of the applicable qualified municipality the average amount of available financing per active covered firefighter for the most recent three year period. The amount of available financing shall include any amounts of fire state aid received or receivable by the relief association or account, any amounts of municipal contributions to the relief association or account raised from levies on real estate or from other available revenue sources exclusive of fire state aid, and one-tenth of the amount of assets in excess of the accrued liabilities of the relief association or account calculated pursuant to sections 69.772, subdivision 2; 69.773, subdivisions 2 and 4; or 69.774, subdivision 2, if any. The maximum service pension which the relief association may provide for in its bylaws for payment to a member retiring after the calculation date when the minimum age and service requirements specified in subdivision 1 are met shall be determined using the applicable following table.*

*For a relief association or account where the governing bylaws provide for a monthly service pension to a retiring member, if the average amount of available financing per active covered firefighter does not exceed the minimum average amount specified below, then the maximum monthly service pension amount per month for each year of service credited which may be provided for in the bylaws shall be the greater of the service pension amount provided for in the bylaws on the date of calculation or the maximum service pension figure corresponding to the average amount of available financing per active covered firefighter:*

<i>Minimum Average Amount of Available Financing per Firefighter</i>	<i>Maximum Service Pension Amount Payable per Month for Each Year of Service</i>
\$ . . .	\$ .25
38	.50
74	1.00
112	1.50
149	2.00
196	2.50

223	3.00
261	3.50
298	4.00
335	4.50
372	5.00
410	6.00
447	7.00
484	8.00
521	9.00
558	10.00
595	11.00
633	12.00
670	13.00
707	14.00
744	15.00

*For a relief association or account in which the governing by-laws provide for a lump sum service pension to a retiring member, if the average amount of available financing per active covered firefighter does not exceed the minimum average amount specified below, then the maximum lump sum service pension amount for each year of service credited which may be provided for in the bylaws shall be the greater of the service pension amount provided for in the bylaws on the date of the calculation or the maximum service pension figure corresponding to the average amount of available financing per active covered firefighter:*

*Minimum Average Amount  
of Available Financing  
per Firefighter*

*Maximum Lump Sum Service  
Pension Amount Payable  
for Each Year of Service*

\$ . . . . .	\$10
10 . . . . .	20
14 . . . . .	30

20	40
24	50
28	60
38	80
48	100
58	120
68	140
76	160
86	180
96	200
116	240
134	280
154	320
172	360
192	400
212	440
230	480
250	520
268	560
288	600
308	640
326	680
346	720
364	760
384	800

432	900
480	1000
528	1100
576	1200
624	1300
672	1400
720	1500
768	1600
816	1700
864	1800
912	1900
960	2000

*For a relief association or account in which the governing by-laws provide for a monthly benefit service pension as an alternative form of service pension payment to a lump sum service pension at the option of the retiring member, the maximum service pension amount shall be determined using the applicable table contained in this subdivision.*

**Subd. 4. [DEFINED CONTRIBUTION LUMP SUM SERVICE PENSION.]** *If the bylaws governing the volunteer firefighters' relief association or volunteer firefighters' firefighters' account of a firefighters' relief association so provide exclusively, the relief association or account may pay a defined contribution lump sum service pension in lieu of any defined benefit service pension governed by subdivision 2. An individual account for each firefighter who is a member of the relief association shall be established. To each individual member account shall be credited a right to an equal share of any amounts of fire state aid received by the relief association or account, any amounts of municipal contributions to the relief association or account raised from levies on real estate or from other available revenue sources exclusive of fire state aid and any amounts equal to the share of the assets of the special fund to the credit of any former member who terminated active service with the fire department of the municipality to which the relief association is associated or the independent nonprofit firefighting corporation to which the relief association is a subsidiary prior to meeting the minimum service requirement provided for in subdivision 1*

and has not returned to active service with the fire department or independent nonprofit firefighting corporation for a period no shorter than five years or to the credit of any retired member who retired prior to obtaining a full nonforfeitable interest in the amounts credited to the individual member account pursuant to subdivision 2 and any applicable provision of the bylaws of the relief association. In addition, any interest or investment income earned on the assets of the special fund shall be credited in proportion to the share of the assets of the special fund to the credit of each individual member account. At the time of retirement pursuant to subdivision 1 and any applicable provision of the bylaws of the relief association, a retiring member shall be entitled to that portion of the assets of the special fund to the credit of the member in the individual member account which is nonforfeitable pursuant to subdivision 2 and any applicable provision of the bylaws of the relief association based on the number of years of service to the credit of the retiring member.

*Subd. 5. [SERVICE CREDIT MAXIMUM.]* No relief association or account to which sections 32 to 40 apply and where the governing bylaws provide for a monthly service pension to a retiring member shall credit any member with service in excess of 30 years; provided, however, that for any member of a relief association or account who, as of the effective date of this act, has received credit for service in excess of 30 years, the limitation on the crediting of further service credit provided for in this subdivision shall apply to any additional years of service occurring after the effective date of this act.

*Subd. 6. [PAYMENT OF SERVICE PENSIONS; NONAS-SIGNABILITY.]* The method of calculating service pensions shall be applied uniformly, except as otherwise provided in this section. No service pension shall be paid to any person while the person remains an active member of the respective municipal fire department or nonprofit firefighting corporation and no person who is receiving a service pension shall be entitled to receive any other benefits from the special fund of the relief association or account. No service pension or retirement benefits paid or payable from the special fund of a relief association or account to any person receiving or entitled to receive a service pension or other benefits shall be subject to garnishment, judgment, execution or other legal process and no person entitled to a service pension or other retirement benefits from the special fund of a relief association or account shall have the right to assign any service pension or retirement benefit payments, nor shall the association have the authority to recognize any assignment or pay over any sum which has been assigned.

*Subd. 7. [DEFERRED SERVICE PENSIONS.]* A member of a relief association or account to which this section applies who has completed the lesser of the minimum period of active service with the municipal fire department or independent nonprofit firefighting corporation specified in the bylaws or 20 years of active service with the municipal fire department to

which the relief association or account is directly associated with or the independent nonprofit firefighting corporation of which the relief association is a subsidiary, who has completed at least ten years of active membership in the relief association or account and who separates from active service and membership prior to reaching the age of 50 years or the minimum age for retirement and commencement of a service pension specified in the bylaws governing the relief association or account if that age is greater than the age of 50 years shall be entitled to a deferred service pension to commence upon the former member reaching the age of 50 years or the minimum age specified in the bylaws governing the relief association or account if that age is greater than the age of 50 years and upon the former member making a valid written application. Any relief association or account which provides a lump sum service pension may, when its governing bylaws so provide, pay interest on the deferred lump sum service pension during the period of deferral. If provided for, interest shall be paid at the rate actually earned by the relief association or account, but not to exceed the interest rate specified in section 356.215, subdivision 4, clause (4), and shall be compounded annually based on calendar year balances. The deferred service pension shall be governed by and shall be calculated pursuant to any general statute, special law, relief association articles of incorporation or relief association bylaw provisions applicable as of the date on which the member separated from active service with the fire department or the nonprofit firefighting corporation and active membership in the relief association or account.

Subd. 8. [LUMP SUM SERVICE PENSIONS; INSTALLMENT PAYMENTS.] Any relief association or account, if the governing bylaws so provide, may, at the option of the retiring member and in lieu of a single payment of a lump sum service pension pay a service pension in installments. The election of installment payments shall be irrevocable and shall be made by the retiring member in writing and filed with the secretary of the relief association no later than 30 days prior to the commencement of payment of the service pension. The amount of the installment payments shall be determined so that the present value of the aggregate installment payments computed at an interest rate of five percent, compounded annually, is equal to the amount of the single lump sum payment which would have been made had the installment payments option not been elected. The payment of each installment shall include interest at the rate of five percent, compounded annually on the reserve supporting the remaining installment payments as of the date on which the previous installment payment was paid computed from the date on which the previous installment payment was paid to the date of payment for the current installment payment.

Subd. 9. [LIMITATION ON RETIREMENT BENEFITS OTHER THAN SERVICE PENSION.] Any relief association

or account to which this section applies, if the governing by-laws so provide, may provide retirement coverage for and may pay any one or any combination death, disability, funeral and survivorship benefits which would constitute an authorized disbursement as specified in section 36 subject to the following limitations:

(1) With respect to a relief association or account where the governing bylaws provide for a lump sum service pension to a retiring member, no retirement benefit may be paid to any former member or paid to any person on behalf of any former member subsequent to the former member terminating active service with the municipal fire department to which the relief association or account is directly associated or the independent nonprofit firefighting corporation of which the relief association is a subsidiary, whichever is applicable, and active membership in the relief association or account, and commencing receipt of a service pension as authorized pursuant to this section; and

(2) With respect to any relief association or account, no retirement benefit paid or payable to any member, to any former member or to any person on behalf of any member or former member may exceed in amount the total service pension calculated using the service pension amount specified in the governing bylaws and the years of service credited to the member or former member as of the date the member or former member became entitled to the retirement benefit or the date the member or former member died entitling a survivor to a retirement benefit on behalf of the member or former member, calculated without regard to whether the member or former member attained the minimum amount of service credit specified in the governing by-laws or not and without regard to the percentage amounts specified in subdivision 2.

**Subd. 10. [LOCAL APPROVAL OF BYLAW AMENDMENTS; FILING REQUIREMENTS.]** Each relief association or account to which this section applies shall file a complete current copy of its governing bylaws with the state auditor on or before July 1, 1980 and shall immediately file a revised copy of its governing bylaws with the state auditor upon the approval of any amendment to its governing bylaws granted by the governing body of the municipality in which the fire department to which the relief association or account is directly associated or by the governing bodies of all municipalities with which the independent nonprofit firefighting corporation of which the relief association is a subsidiary has contracted whichever is applicable. Failure of the relief association to file a copy of the by-laws or any bylaw amendments with the state auditor shall disqualify the municipality from the distribution of any future fire state aid until this filing requirement has been completed. No bylaw amendment which would affect the amount of, the manner of payment of, or the conditions for qualification for service pensions or other retirement benefits or disbursements



*other than administrative expenses authorized pursuant to section 69.80 payable from the special fund of the relief association or account shall be effective until it has been ratified by the governing body of the municipality in which the fire department to which the relief association or account is directly associated or by the governing bodies of all municipalities with which the independent nonprofit firefighting corporation of which the relief association is a subsidiary or has contracted, whichever is applicable.*

**Sec. 34. [424A.03] [UNIFORMITY OF VOLUNTEER FIREFIGHTER SERVICE PENSION AND RETIREMENT BENEFITS.] Subdivision 1. [LIMITATION ON NONUNIFORMITY OF PENSIONS.]** *No partially salaried and partially volunteer firefighters' relief association shall provide service pensions to volunteer firefighter members which differ in nature or amount if the difference is based on compensation paid for firefighting services rendered by any firefighter member nor base the service pensions and retirement benefits it provides upon any rate or amount of compensation which is paid for firefighting services.*

**Subd. 2. [PENALTIES FOR VIOLATIONS.]** *Any municipality which has a fire department to which a relief association which violates the provisions of subdivision 1 is directly associated or which contracts with an independent nonprofit firefighting corporation of which a relief association which violates the provisions of subdivision 1 is a subsidiary shall not be certified as qualified for the receipt of fire state aid by the state auditor to the commissioner of insurance, the commissioner of finance and the county auditor pursuant to section 69.021, subdivision 4, shall not be included in the apportionment of fire state aid by the commissioner of insurance to the applicable county auditor pursuant to section 69.021, subdivision 6, and shall not be included in the apportionment of fire state aid by the county auditor to the various municipalities pursuant to section 69.021, subdivision 7.*

**Subd. 3. [EXCEPTION TO APPLICATION OF LIMITATION AND PENALTY.]** *The limitation provided for in subdivision 1 shall not apply to any relief association which prior to January 1, 1957, had established a definite service pension formula for members of the partially salaried and partially volunteer firefighters' relief association who are regularly employed firefighters.*

**Sec. 35. [424A.04] [VOLUNTEER RELIEF ASSOCIATIONS; BOARD OF TRUSTEES.]** *Every volunteer firefighters' relief association shall be managed by a board of trustees consisting of nine members. Six trustees shall be elected from the membership of the relief association and three trustees shall be drawn from the officials of the municipality which has a fire department to which the relief association is directly as-*

sociated or the municipality which contracts or the municipalities which contract with the independent nonprofit firefighting corporation of which the relief association is a subsidiary. The ex officio trustees if the relief association is directly associated with the fire department of a municipality shall be the mayor, the clerk or clerk-treasurer, and the chief of the municipal fire department. The ex officio trustees if the relief association is a subsidiary of an independent nonprofit firefighting relief corporation shall be three elected officials of the contracting municipality designated by the governing body of the municipality if only one municipality contracts with the independent nonprofit firefighting corporation, two elected officials of the largest municipality in population and one elected official of the next largest municipality in population designated by the governing bodies of the applicable municipalities if two municipalities contract with the independent nonprofit firefighting corporation, or one elected official of each of the three largest municipalities in population designated by the governing bodies of the applicable municipalities if three or more municipalities contract with the independent nonprofit firefighting corporation. An ex officio trustee shall have all of the rights and duties accorded to any other trustee except the right to be an officer of the board of trustees. A board shall have at least three officers, which shall be a president, a secretary and a treasurer. These officers shall be elected from among the elected trustees by either the full board of trustees or by the membership, as specified in the bylaws, and in no event shall any trustee hold more than one officer position at any one time. The terms of the elected trustees and of the officers of the board shall be specified in the bylaws of the relief association but shall not exceed three years. If the term of the elected trustees exceeds one year, the election of the various trustees elected from the membership shall initially and shall thereafter continue to be staggered on as equal a basis as is practicable.

*It shall be the duty of the board of trustees to faithfully administer any provisions of statute or special law applicable to the relief association without prejudice and consistent with the expressed intent of the legislature. The members of the board shall act as trustees with a fiduciary obligation to the state of Minnesota which authorized the creation of the relief association, the taxpayers who aid in its financing and the firefighters who are its beneficiaries.*

Sec. 36. [424A.05] [RELIEF ASSOCIATION SPECIAL FUND.] *Subdivision 1. [ESTABLISHMENT OF SPECIAL FUND.] Every volunteer firefighters' relief association shall establish a special fund within the relief association.*

*Subd. 2. [SPECIAL FUND ASSETS AND REVENUES.] The special fund shall be credited with all fire state aid moneys received pursuant to sections 69.011 to 69.051, all taxes levied by or other revenues received from the municipality pursuant to sections 69.771 to 69.776 or any applicable special law requir-*

*ing municipal support for the relief association, any moneys or property donated, given, granted or devised by any person which is specified for use for the support of the special fund of the relief association and any interest earned upon the assets of the special fund. The treasurer of the relief association shall be the custodian of the assets of the special fund and shall be the recipient on behalf of the special fund of all revenues payable to the special fund. The treasurer shall maintain adequate records documenting any transaction involving the assets or the revenues of the special fund. These records and the bylaws of the relief association shall be public and shall be open for inspection by any member of the relief association, any officer or employee of the state or the municipality or any member of the public, at reasonable times and places.*

**Subd. 3. [AUTHORIZED DISBURSEMENTS FROM THE SPECIAL FUND.]** *Disbursements from the special fund shall not be made for any purpose other than one of the following:*

*(1) For the payment of service pensions to retired members of the relief association if authorized and paid pursuant to law and the bylaws governing the relief association;*

*(2) For the payment of temporary or permanent disability retirement benefits to disabled members of the relief association if authorized and paid pursuant to law and specified in amount in the bylaws governing the relief association;*

*(3) For the payment of survivor retirement benefits to surviving spouses and surviving children of deceased members of the relief association if authorized by and paid pursuant to law and specified in amount in the bylaws governing the relief association;*

*(4) For the payment of any funeral benefits to the surviving spouse, or if no surviving spouse, the estate, of the deceased member of the relief association if authorized by law and specified in amount in the bylaws governing the relief association;*

*(5) For the payment of the fees, dues and assessments to the Minnesota state fire department association and to the state volunteer firefighters' benefit association in order to entitle relief association members to membership in and the benefits of these state associations; and*

*(6) For the payment of administrative expenses of the relief association as authorized pursuant to section 69.80.*

**Subd. 4. [INVESTMENTS OF ASSETS OF THE SPECIAL FUND.]** *The assets of the special fund shall be invested only in securities authorized by section 69.775.*

*Subd. 5. [DEFINITION OF SURVIVING SPOUSE.] For purposes of this section, section 33, and the governing bylaws of any relief association to which sections 32 to 40 apply, the term "surviving spouse" means any person who was the dependent spouse of a deceased active member or retired former member living with the member at the time of the death of the active member or retired former member for at least one year prior to the date on which the member terminated active service and membership.*

*Sec. 37. [424A.06] [RELIEF ASSOCIATION GENERAL FUND.] Subdivision 1. [ESTABLISHMENT OF GENERAL FUND.] Any volunteer firefighters' relief association may establish and maintain a general fund within the relief association.*

*Subd. 2. [GENERAL FUND ASSETS AND REVENUES.] To the general fund, if established, shall be credited all moneys received from dues, fines, initiation fees, entertainment revenues and any moneys or property donated, given, granted or devised by any person, for unspecified uses. The treasurer of the relief association shall be the custodian of the assets of the general fund and shall be the recipient on behalf of the general fund of all revenues payable to the general fund. The treasurer shall maintain adequate records documentary and transaction involving the assets or the revenues of the general fund. These records shall be open for inspection by any member of the relief association at reasonable times and places.*

*Subd. 3. [AUTHORIZED DISBURSEMENTS FROM THE GENERAL FUND.] Disbursements from the general fund may be made for any purpose authorized by either the articles of incorporation or bylaws of the relief association.*

*Subd. 4. [INVESTMENT OF ASSETS OF THE GENERAL FUND.] The assets of the general fund may be invested in any securities authorized by the bylaws of the relief association.*

*Sec. 38. [424A.07] [NONPROFIT FIREFIGHTING CORPORATIONS; ESTABLISHMENT OF RELIEF ASSOCIATIONS.] Prior to paying any service pensions or retirement benefits pursuant to section 33 or becoming entitled to receive any amounts of fire state aid upon transmittal from a contracting municipality pursuant to section 69.031, subdivision 5, a nonprofit firefighting corporation shall establish a relief association governed by sections 32 to 40.*

*Sec. 39. [424A.08] [MUNICIPALITY WITHOUT RELIEF ASSOCIATION; AUTHORIZED DISBURSEMENTS.] Any qualified municipality which is entitled to receive fire state aid but which has no volunteer firefighters' relief association directly associated with its municipal fire department and does not contract with an independent nonprofit firefighting corporation which has a subsidiary volunteer firefighters' relief*

association, shall deposit the fire state aid in a special account in the municipal treasury. Disbursement from the special account shall not be made for any purpose except:

(1) *Payment of the fees, dues and assessments to the Minnesota state fire department association and to the state volunteer firefighters' benefit association in order to entitle its firefighters to membership in and the benefits of these state associations;*

(2) *Payment of the cost of purchasing and maintaining needed equipment for the fire department; and*

(3) *Payment of the cost for construction, acquisition, repair and maintenance of buildings or other premises to house the fire department.*

Sec. 40. [424A.09] [APPLICATION TO CERTAIN RELIEF ASSOCIATIONS.] *Sections 32 to 40 shall supersede any special law applicable to any municipal volunteer firefighters' relief association or independent nonprofit firefighting corporation specifically authorizing the relief association or nonprofit firefighting corporation to exceed the service pension limitations contained in Minnesota Statutes 1978, Sections 69.06 and 69.691. Any relief association which amended its bylaws to provide for a full prorata service pension amount at the specified retirement age with 15 years service credit or 75 percent of the prorata service pension amount at the specified retirement age with ten years of service pursuant to Minnesota Statutes 1978, Section 69.06 may continue to provide the specified service pension amounts at the applicable years of credited service to any member who has credit for at least ten or 15 years, whichever is the applicable minimum service period specified in the bylaws governing the relief association, on or before December 31, 1979, notwithstanding section 33.*

Sec. 41. [POLICE AND FIRE STATE AID; TRANSFER OF THE FINANCIAL EXAMINATION, REGULATORY, SUPERVISORY AND ENFORCEMENT FUNCTIONS TO STATE AUDITOR.] *On the effective date of this act, the financial examination and audit function of the fire and police state aid programs shall be transferred from the commissioner of insurance to the state auditor. As soon as is practicable following the effective date of this act, all files, records, reports, papers and materials relating to the financial examination and audit function of the fire and police state aid programs in the possession of the commissioner of insurance shall be transferred to the state auditor. On July 1, 1980, the regulatory, supervisory, qualification determination and enforcement functions of the fire and police state aid programs shall be transferred from the commissioner of insurance to the state auditor. As soon as is practicable following July 1, 1980, the balance of all files, records, reports, papers and materials relating to the regulatory, supervisory, qualification determination and enforcement func-*

tions of the fire and police state aid programs in the possession of the commissioner of insurance shall be transferred to the state auditor.

Sec. 42. [STATE AUDITOR; REPORT TO THE LEGISLATURE ON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.] *Subdivision 1. [REPORTING REQUIREMENTS.] Commencing November 15, 1981 and every two years thereafter, the state auditor shall report to the legislature on the general financial condition of the various volunteer firefighters' relief associations in the state. Two copies of the report shall be filed with the executive secretary of the legislative commission on pensions and retirement and ten copies of the report shall be filed with the director of the legislative reference library.*

*Subd. 2. [CONTENTS OF REPORT.] The report shall include the aggregate totals for all volunteer firefighters' relief associations directly associated with the municipal fire departments and all volunteer firefighters' relief associations subsidiary to independent nonprofit firefighting corporations, the aggregate totals by the various benefit types and the individual results for each volunteer firefighters' relief association listed by various benefit types specified in subdivision 3. The following items shall be reported in each instance:*

- (1) amount of accrued liability,*
- (2) amount of assets,*
- (3) amount of surplus or unfunded accrued liability,*
- (4) funding ratio,*
- (5) amount of annual accruing liability or normal cost,*
- (6) amount of annual required contribution to amortize the unfunded accrued liability,*
- (7) amount of total required contribution,*
- (8) amount of fire state aid,*
- (9) amount of any municipal contributions,*
- (10) amount of any other non-investment income,*
- (11) amount of investment income,*
- (12) amount of total receipts,*
- (13) amount of administrative expenses,*

- (14) amount of service pension disbursements,
- (15) amount of other retirement benefit disbursements,
- (16) amount of total non-investment related disbursements,
- (17) amount of investments purchased,
- (18) number of active members,
- (19) number of retired members,
- (20) number of deferred members,
- (21) general type and amount of investment securities held,
- (22) amount of fidelity bond of secretary and treasurer,
- (23) amount of service pension,
- (24) minimum retirement age required for commencement of a service pension,
- (25) minimum years of active service credit required for commencement of service pension,
- (26) minimum years of active membership credit required for commencement of service pension,
- (27) type and amount of other retirement benefits, and
- (28) year of incorporation of the volunteer firefighters' relief association.

Subd. 3. [BENEFIT CATEGORIES.] For purposes of compiling the report required by this section, the various benefit types shall be as follows:

- (1) volunteer firefighters' relief associations paying a lump sum service pension of:
  - (a) less than \$50 per year of service,
  - (b) \$50 or more, but less than \$100 per year of service,
  - (c) \$100 or more, but less than \$200 per year of service,
  - (d) \$200 or more, but less than \$300 per year of service,
  - (e) \$300 or more per year of service;

(2) *volunteer firefighters' relief associations paying a monthly benefit service pension of:*

(a) *less than \$2 per month per year of service,*

(b) *\$2 or more per month per year of service;*

(3) *volunteer firefighters' relief associations paying a defined contribution service pension;*

(4) *volunteer firefighters' relief associations paying no service pension.*

Sec. 43. Laws 1963, Chapter 429, Section 1, is amended to read:

Section 1. [CALEDONIA, FIRE DEPARTMENT RELIEF ASSOCIATION PENSIONS.] The fire department relief association of the (VILLAGE) city of Caledonia may pay out of its special fund in a lump sum a service pension (IN AN AMOUNT NOT EXCEEDING \$20 PER YEAR FOR EACH AND EVERY YEAR OF ACTIVE SERVICE, OR) as may be provided by its by laws, *subject to the maximum contained in section 33*, to each of its members who has heretofore retired, who has reached or shall hereafter reach the age of 50 years and who has heretofore done active duty for 15 years or more as a member of the volunteer fire department in the municipality where the association exists.

These pensions shall be uniform in amount, except as herein otherwise provided. No such pension shall be paid to any person while he remains a member of the fire department and no person receiving such pension shall be entitled to other relief from the association. No payments made or to be made by the association to any member on the pension roll shall be subject to judgment, garnishment, execution, or other legal process and no person entitled to such payment shall have the right to assign the same, nor shall the association have the authority to recognize any assignment or pay over any sum which has been assigned.

Sec. 44. Laws 1967, Chapter 575, Section 1, Subdivision 1, is amended to read:

Section 1. [FAIRMONT, CITY OF; FIREFIGHTERS' RELIEF.] Subdivision 1. The (FIREMEN'S) *firefighters' relief association of the city of Fairmont may pay a volunteer (FIREMAN) firefighter who (QUALIFIES UNDER THE TERMS OF MINNESOTA STATUTES, SECTION 69.06, A SERVICE PENSION IN EXCESS OF THE AMOUNTS AUTHORIZED BY SAID SECTION 69.06, AND) is disabled as defined in the bylaws of the association a disability (BENEFITS) benefit as authorized by (MINNESOTA STATUTES, SECTION 424.31)*



section 36, subdivision 3, in (AMOUNTS OF) an amount equal to \$130 per month.

Sec. 45. Laws 1967, Chapter 575, Section 2, is amended to read:

Sec. 2. The said relief association may provide a pension to the (WIDOW) *surviving spouse* of a volunteer (FIREMAN) *firefighter* who qualifies under the terms of (MINNESOTA STATUTES, SECTION 424.31) *section 36, subdivision 3*, of \$65 per month; provided that if (SHE) *the surviving spouse* remarry, such pension shall cease and terminate as of the date of (HER) remarriage.

In event there are dependent surviving children the relief association may provide for a pension of \$25 per month for each unmarried child up to the time each child reaches the age of 22; provided, the total pension hereunder for the (WIDOW) *surviving spouse* and children of the deceased member shall not exceed \$130 per month. Such pension paid on account of surviving children shall be payable to the surviving (WIDOW) *spouse* of the volunteer (FIREMAN) *firefighter*.

Sec. 46. Laws 1967, Chapter 829, Section 1, is amended to read:

Section 1. [HOPKINS, CITY OF; FIREFIGHTERS' RELIEF ASSOCIATION.] Notwithstanding (THE) *any* provisions of (MINNESOTA STATUTES, CHAPTER 69) *sections 32 to 40 to the contrary*, in the city of Hopkins, service pensions paid to members of the Hopkins volunteer fire department shall be calculated and paid in an amount not exceeding the sum derived by dividing the total amount of fire department relief association funds then available in the relief association by the total number of months of regular membership by all of the then members of the fire department relief association, and thereafter multiplying such product by the number of months of regular membership of the retiring (FIREMAN) *firefighter*.

Sec. 47. Laws 1969, Chapter 526, Section 2a, as added by Laws 1974, Chapter 208, Section 1, is amended to read:

Sec. 2a. [FALCON HEIGHTS, VILLAGE OF; FIREFIGHTERS' RELIEF.] (THE BYLAWS OF THE FIRE DEPARTMENT RELIEF ASSOCIATION OF THE VILLAGE OF FALCON HEIGHTS MAY PROVIDE FOR PAYMENT OF A LUMP SUM SERVICE PENSION TO ANY PERSON WHO HAS PERFORMED ACTIVE DUTY FOR 20 YEARS OR MORE AS A VOLUNTEER FIREMAN OF THE FIRE DEPARTMENT OF THE VILLAGE OF FALCON HEIGHTS AND WHO HAS REACHED THE AGE OF 50 YEARS. FOR ALL SERVICE PRIOR TO JANUARY 1, 1974, THE AMOUNT

OF THE PENSION SHALL NOT EXCEED \$400 FOR EACH FULL YEAR OF SERVICE. FOR ALL SERVICE AFTER JANUARY 1, 1974, THE AMOUNT OF THE PENSION SHALL NOT EXCEED \$600 FOR EACH FULL YEAR OF SERVICE, THE EXACT AMOUNT OF THE PENSION TO BE SET BY VILLAGE ORDINANCE. ANY INCREASE RESULTING IN A BENEFIT IN EXCESS OF \$400 FOR EACH FULL YEAR OF SERVICE SHALL APPLY ONLY TO SERVICE AFTER THE EFFECTIVE DATE OF SUCH AN ORDINANCE PROVIDING FOR AN INCREASE AND NO ORDINANCE SHALL BE CONSIDERED BY THE VILLAGE COUNCIL UNLESS THE REQUEST IS SUPPORTED BY AN ACTUARIAL SURVEY SHOWING THE FISCAL EFFECTS OF THE PROPOSED INCREASE; PROVIDED, HOWEVER, THAT NO PERSON MAY PERFORM ACTIVE DUTY AS A VOLUNTEER FIREMAN IN EXCESS OF 20 YEARS UNLESS HIS SERVICE IS APPROVED JOINTLY BY A MAJORITY OF THE MEMBERS OF THE VILLAGE COUNCIL AND A MAJORITY OF THE MEMBERS OF THE ASSOCIATION, AND) In no event shall any person perform service as a volunteer (FIREMAN) *firefighter* who has reached the age of 65.

Sec. 48. Laws 1969, Chapter 664, Section 1, is amended to read:

Section 1. [DASSEL, VILLAGE OF; FIREFIGHTERS' RELIEF; SERVICE PENSIONS.] Notwithstanding (MINNESOTA STATUTES, SECTION 69.06) *any provisions of sections 32 to 40 to the contrary, the (FIREMEN'S) firefighters' relief association of the (VILLAGE) city of Dassel may pay a service pension to each of its retiring members who has done or hereafter does active duty for ten years or more, but less than 20 years, as a member of the fire department of the (VILLAGE) city and who is otherwise eligible to receive a service pension under the laws applicable to that relief association and the by-laws thereof. The amount of the pension payable hereunder is the following percentage of the pension payable to a member with 20 years of service: (a) 20 percent for a member with 10 or more, but less than 15, years of service; (b) 50 percent for a member with 15 years of service; (c) 55 percent for a member with 16 years of service; (d) 60 percent for a member with 17 years of service; (e) 65 percent for a member with 18 years of service; and (f) 70 percent for a member with 19 years of service.*

Sec. 49. Laws 1971, Chapter 114, Section 10, is amended to read:

Sec. 10. [NEW HOPE VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION; AUTHORIZED DISBURSEMENTS.] Moneys in the pension fund shall be disbursed only for purposes and in the manner authorized by the articles of incorporation or

bylaws of the association and in accordance with (MINNESOTA STATUTES, SECTIONS 424.30 AND 424.31) *section 36*. The funds of the association shall be invested in securities which are permitted (BY LAW) *pursuant to Minnesota Statutes, Section 69.775* as investments for funds of the Minnesota state retirement system and funds of Minnesota (FIREMEN'S) *firefighters'* relief associations and may be invested with the Minnesota supplemental retirement fund.

Sec. 50. Laws 1971, Chapter 127, Section 1, is amended to read:

Section 1. [WILLMAR, CITY OF; FIREFIGHTERS' SERVICE PENSIONS.] (NOTWITHSTANDING THE PROVISIONS OF MINNESOTA STATUTES, SECTION 69.06, OR ANY OTHER LAW TO THE CONTRARY, THE FIRE DEPARTMENT RELIEF ASSOCIATION OF THE CITY OF WILLMAR MAY PROVIDE IN ITS BYLAWS FOR A SERVICE PENSION IN AN AMOUNT NOT EXCEEDING \$400 PER YEAR OF SERVICE PAYABLE AS A LUMP SUM BENEFIT TO A RETIRED FIREMAN AFTER 20 YEARS SERVICE AND AGE 50. THE AMOUNT OF BENEFIT PROVIDED TO A RETIRING FIREMAN SHALL BE DETERMINED BY THE BYLAWS OF THE RELIEF ASSOCIATION, AND THIS AMOUNT SHALL BE WITHIN THE LIMITS PROVIDED BY THIS ACT. THE AMOUNT OF LUMP SUM BENEFITS SO DETERMINED BY THE BYLAWS OF THE RELIEF ASSOCIATION SHALL NOT BE EFFECTIVE UNTIL APPROVED BY THE GOVERNING BODY OF THE CITY OF WILLMAR.)

In the event that a *Willmar* fire department *relief association* member becomes disabled, through sickness or accident, to the extent that his service as an active (FIREMAN) *firefighter* must be terminated, then he shall be entitled, as of the day of disability, to the proportionate share of the *service* pension to which he would have been entitled had he retired on the date of such disability, without regard to the minimum requirements of age and service years.

Sec. 51. Laws 1971, Chapter 140, Section 7, is amended to read:

Sec. 7. [GOLDEN VALLEY VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION.] Moneys in the pension fund shall be disbursed only for purposes authorized in (MINNESOTA STATUTES, SECTIONS 424.30 AND 424.31) *section 36, subdivision 3* and in the manner authorized by the articles of incorporation or bylaws of the association. Before any moneys in the fund are invested in order to earn income or any change in the bylaws relative to the purpose or manner of disbursement is made, the association shall obtain the approval of the village council of Golden Valley. All moneys credited to the (FIRE-

MEN'S) *firefighters'* pension fund which are not required for current expenses shall be invested in accordance with standards and limitations applicable to investments of the state employees retirement fund as established by statutes.

Sec. 52. Laws 1971, Chapter 214, Section 1, as amended by Laws 1978, Chapter 599, Section 1, Subdivision 1, is amended to read:

Section 1. [WHITE BEAR LAKE, CITY OF; FIREFIGHTERS RELIEF ASSOCIATION.] Subdivision 1. The bylaws of the volunteer firefighters relief association of the city of White Bear Lake may be amended to authorize the payment to a member firefighter (WHO QUALIFIES UNDER THE TERMS OF MINNESOTA STATUTES, SECTION 69.06,) of a (BASE SERVICE PENSION IN EXCESS OF THE AMOUNTS AUTHORIZED BY SECTION 69.06, OR A) disability benefit, either duty or nonduty incurred, as authorized by (MINNESOTA STATUTES, SECTION 424.31, IN AMOUNTS) *section 36, subdivision 3, in an amount not to exceed \$150 per month.*

Sec. 53. Laws 1971, Chapter 214, Section 2, is amended to read:

Sec. 2. [WHITE BEAR LAKE VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION; SURVIVOR BENEFITS.] The relief association may provide a pension to the (WIDOW) *surviving spouse* of a volunteer (FIREMAN) *firefighter* (WHO QUALIFIED UNDER THE TERMS OF MINNESOTA STATUTES, SECTION 424.31) *as defined by section 36, subdivision 5,* not to exceed \$65 per month; provided that if (SHE REMARRY) *the surviving spouse remarries,* such pension shall cease and terminate as of the date of (HER) remarriage.

In the event there are dependent surviving children, the relief association may provide for a pension not to exceed \$25 per month for each unmarried child up to the time each child reaches the age of 22; provided the total pension hereunder for the (WIDOW) *surviving spouse* and children of the deceased member shall not exceed \$130 per month. Such pension paid on account of surviving children shall be payable to the surviving (WIDOW) *spouse* of the volunteer (FIREMAN) *firefighter.*

Sec. 54. Laws 1973, Chapter 304, Section 4, is amended to read:

Sec. 4. [COON RAPIDS VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION.] Moneys in the pension fund shall be disbursed only for purposes authorized (IN MINNESOTA STATUTES, SECTION 424.31) *pursuant to section 36* and in the manner authorized by the articles of incorporation or bylaws

of the association. Before any moneys in the fund are invested in order to earn income or any change in the bylaws relative to the purpose or manner of disbursement is made, the association shall obtain the approval of the city council of Coon Rapids. All moneys credited to the (FIREMEN'S) *firefighters'* pension fund which are not required for current expenses shall be invested in accordance with standards and limitations applicable to investments of the state employees retirement fund as (ESTABLISHED) *specified* by Minnesota Statutes, Section (69.773) 69.775.

Sec. 55. Laws 1973, Chapter 472, Section 1, as amended by Laws 1976, Chapter 272, Section 1, is amended to read:

Section 1. [WAYZATA, CITY OF; VOLUNTEER FIRE-FIGHTERS' RELIEF ASSOCIATION.] (NOTWITHSTANDING ANY PROVISION OF MINNESOTA STATUTES, SECTION 69.06 TO THE CONTRARY, THE WAYZATA VOLUNTEER FIRE DEPARTMENT RELIEF ASSOCIATION MAY PAY TO ANY FIREMAN RETIRING AFTER JULY 1, 1976 WITH 20 OR MORE YEARS SERVICE AND HAVING ATTAINED THE AGE OF 50, A LUMP SUM BENEFIT NOT IN EXCESS OF \$750 PER YEAR OF SERVICE. THIS) *An amount equal to the lump sum (BENEFIT) service pension which would have been payable to the deceased member had the member retired on the date of death may be (PAYABLE) paid by the Wayzata volunteer fire department relief association to the (WIDOW) surviving spouse or the surviving children of the member in the event that the member dies prior to receiving his lump sum benefit but after completing at least 20 years of service.*

*Notwithstanding any contrary provision of section 36, subdivision 5, a ("WIDOW") surviving spouse for purposes of this act is (DEFINED AS) a spouse who became the legally married (WIFE) spouse of a member during or prior to the time the member served on active duty with the fire department and remained such continuously after the marriage until (HIS) the death of the member. The lump sum benefits provided for by (THIS ACT) the bylaws of the association may be paid to any member entitled thereto in addition to any other pension received from other public or private employment.*

Sec. 56. Laws 1975, Chapter 237, Section 1, is amended to read:

Section 1. [BROOKLYN PARK VOLUNTEER FIRE-FIGHTERS' RELIEF ASSOCIATION.] (IN LIEU OF THE SERVICE PENSION AS PROVIDED IN MINNESOTA STATUTES, SECTION 424.17,) The (FIREMEN'S) *firefighters'* relief association in the city of Brooklyn Park may provide a (FIREMAN WHO QUALIFIES UNDER THE PROVISIONS OF SECTION 424.17) *member* with (A SERVICE PENSION

OR) a disability pension of not more than (1) a sum equal to \$7 per month per year of service, not to exceed \$175 per month, for life, in conformity with the bylaws of the association or (2) a lump sum payment of up to \$600 for each year of service, not to exceed a total of \$15,000, in conformity with the bylaws of the association.

Sec. 57. Laws 1975, Chapter 237, Section 2, is amended to read:

Sec. 2. Subdivision 1. (IN LIEU OF THE WIDOW'S PENSION PROVIDED IN MINNESOTA STATUTES, SECTION 424.24,) The association may provide a (PENSION) *survivor benefit* to the (WIDOW) *surviving spouse* of a volunteer (FIREMAN WHO QUALIFIES UNDER THE TERMS OF SECTION 424.24) *firefighter as defined by section 36, subdivision 5*, such (PENSION) *survivor benefit* to be paid as the bylaws of the association provide for life, not to exceed \$60 per month, provided that if (SHE) *the surviving spouse* remarries, the pension shall cease as of the date of (HER) remarriage.

Subd. 2. In the event there are surviving children (AS PROVIDED IN SECTION 424.24), the association may provide for a pension for each child up to the time each child reaches the age of not less than 16 years nor more than 22 years if classified as a full time student, not to exceed \$30 per month, or as the bylaws of the association may provide.

Sec. 58. Laws 1976, Chapter 209, Section 1, is amended to read:

Section 1. [ROCKFORD, CITY OF; FIREFIGHTERS' PENSIONS.] Notwithstanding (MINNESOTA STATUTES, SECTION 69.06) *any contrary provision of section 33*, the (FIREMEN'S) *firefighters'* relief association of the city of Rockford may pay a proportionate service pension to each of its members who has done or hereafter does active duty for ten years or more, but less than 20 years, as a member of the fire department of the city and who is otherwise eligible to receive a service pension under the laws applicable to that relief association and the bylaws thereof. The amount of the pension payable hereunder shall be prorated in the ratio that the number of full years of service completed bears to 20 years.

Sec. 59. Laws 1977, Chapter 374, Section 41, is amended to read:

Sec. 41. [COLUMBIA HEIGHTS VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION.] *Notwithstanding any contrary provision of section 35*, the governing body of the Columbia Heights fire department relief association volunteer division shall consist of a board of trustees composed of the members of the Columbia Heights city council. The city manager,

clerk-treasurer, chief of the fire department and the public safety director of the city shall be ex officio members of the board of trustees. The ex officio members shall not vote, nor shall they regulate the management or affairs of the division except as provided herein. The board of trustees of the volunteer division shall have the exclusive control and management of all affairs, property, and funds of the volunteer division from whatever source received for the benefit of the volunteer division special fund and shall have authority to carry out the objects and purposes of the volunteer division as set forth in sections 38 to 60.

The city clerk-treasurer and city finance director may, in the discretion of the board of trustees, be appointed the sole investment agent of the volunteer division special fund or may be appointed agent or agents jointly with other individuals or corporations.

The board of trustees of the volunteer division shall investigate and act upon all applications for disability and service pensions and all other claims for relief by or on behalf of members of the division or their beneficiaries. The board of trustees of the volunteer division shall select a competent physician who shall advise the board in its investigations. The physician shall not have a vote on the board.

Sec. 60. Laws 1977, Chapter 374, Section 50, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding any provision of law to the contrary, the bylaws of the Columbia Heights fire department relief association volunteer division may provide, upon consent, approval and ratification by written resolution of the Columbia Heights city council by a four-fifths vote for (1) early (**RETIREMENT BENEFITS**) *service pensions* after ten years service in good standing *as authorized pursuant to section 33, subdivision 2*, (2) surviving spouse and/or minor child or children benefits and/or (3) disability benefits for volunteers provided that any such benefits do not exceed 50 percent of \$180 per month per member or per such member's spouse and children.

Sec. 61. Laws 1977, Chapter 374, Section 51, is amended to read:

Sec. 51. The Columbia Heights city council may provide for an increase in benefits paid to members of the paid division or to members of the volunteer division without further special or general legislation by the state, provided the action by the city council complies with the provisions of sections 38 to 60 *and any increase applicable to members of the volunteer division complies with this act*. The city council may increase or decrease the benefits paid to members of the paid division only by increasing or decreasing the monthly salary of a first grade firefighter pursuant to the provisions of Laws 1975, Chapter 424, Section

9. Nothing in sections 38 to 60 shall be construed to give authorization to the city council to increase or decrease benefits of members of the paid division by increasing or decreasing the number or value of "units" as defined in Laws 1975, Chapter 424, for periods of service in the fire department, nor shall the city council be authorized to change the definition of a "unit" or "units".

The city council shall not provide for any increase in the benefits paid to the members of the volunteer division unless the city council shall first have obtained and given consideration to an actuarial survey, which survey shall use the actuarial assumptions provided in Minnesota Statutes, Chapter 69. The city council shall make written findings stating that based upon such actuarial survey, such increase in benefits to members of the volunteer division and such increase in funding of the volunteer division special fund, if necessary, shall not create a deficit in the volunteer division special fund, the amortization of which, together with the amortization of any existing deficit in the volunteer division special fund, exceeds 20 years from the date such increase in benefits is authorized.

It shall be unlawful for the city of Columbia Heights to contribute any public funds, or to levy taxes for any such increase in benefits paid to members of the paid division or to members of the volunteer division, as the case may be, unless the city council has first complied with the provisions of sections 50 and 51.

Sec. 62. Laws 1977, Chapter 374, Section 57, is amended to read:

Sec. 57. The affairs of the paid division shall be managed by the board of trustees in the manner prescribed by law and the board of trustees of the paid division shall have exclusive control and management of all funds allocated to it under applicable law and received by its treasurer, including the funds derived under the provisions of (MINNESOTA STATUTES, SECTIONS 424.30 AND 424.31) *section 36*, funds derived from the state of Minnesota, and all moneys or property donated, given, granted, or devised for the benefit of the paid division special fund; and such funds when received shall be kept in a separate account in the special fund account of the paid division and never disbursed for any purposes except the following:

(1) For the relief of sick, injured, and disabled members of the paid division;

(2) For the payment of pensions to disabled firefighters and the surviving spouses and orphans of firefighters who are members of the paid division;

(3) For the payment of pensions to retired firefighters of the paid division;



(4) For the payment of the fees, dues, and assessments in the Minnesota state fire department association, so as to entitle the members of the paid division to membership in and benefits of such state association;

(5) For the payment of funeral benefits, if so provided in the division's bylaws, and subject to the following requirements and limitations:

(a) The decedent must have died while serving as an active duty member of the paid division,

(b) The decedent must have completed a period or periods of service equal to 20 years or more,

(c) The decedent must have died without a surviving spouse or minor child entitled to benefits from the Columbia Heights fire department relief association;

In no event shall the funeral benefit exceed the lesser of:

(i) The actual unreimbursed expenses incurred by the estate or representative, or

(ii) \$2,000;

(6) For the payment of necessary expenses of administering such fund.

In the event that there are not enough paid members available to act as a board of trustees, funds shall be paid to a trustee, as provided in section 58, for the benefit of the beneficiaries of such funds and for purposes consistent with clauses (1) through (6).

The relief association may invest its funds in such income paying properties and securities as the city council shall from time to time authorize. Benefits shall in all cases be within the limits authorized by state law and in accordance with the articles of incorporation and bylaws of the association.

Sec. 63. Laws 1978, Chapter 685, Section 1, is amended to read:

Section 1. [PLYMOUTH VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION.] (NOTWITHSTANDING ANY PROVISION OF MINNESOTA STATUTES, SECTION 69.06, CHAPTER 424, OR ANY OTHER LAW,) The bylaws of the Plymouth firefighter's relief association may be amended to provide for payment of a (SERVICE PENSION OR) disability pension in an amount equal to \$8.50 per month per year of service, to a maximum of \$255 per month, to a firefighter (OTHER-

WISE) qualified pursuant to (SECTION 69.06 AND) the bylaws of the association.

Sec. 64. Laws 1978, Chapter 685, Section 4, is amended to read:

Sec. 4. Notwithstanding (MINNESOTA STATUTES, SECTION 424.31) *any contrary provisions of section 33*, the board of trustees shall consist of six general trustees elected from the membership, and the mayor, city manager, director of finance, and chief of the fire department who shall be ex-officio members of the board with the same rights, privileges and duties as the elected trustees.

Sec. 65. [REPEALER.] *Minnesota Statutes 1978, Sections 69.011, Subdivision 4; 69.04; 69.055; 69.06; 69.22; 69.23; 69.24; 69.66; 69.67; 69.68; 69.691; 424.30; and 424.31; Laws 1959, Chapter 324; Laws 1965, Chapters 592, Section 1; and 598, Section 1; Laws 1967, Chapters 575, Section 1, Subdivision 2; 742, Section 1; 815, Sections 1 and 2, Subdivision 1; and 831; Laws 1969, Chapters 252, Section 1, Subdivisions 1 and 2; 526, Sections 1 and 2; 530; 644, Section 1; 714; 719, Section 1; 877; 1088, Section 2, Subdivision 1; and 1105, Sections 1, 2 and 3; Laws 1971, Chapters 2; 114, Section 3, Subdivision 2; 140, Section 1; 184, Section 1, Subdivisions 1 and 2; 200; and 233; Laws 1973, Chapters 30, Section 1, Subdivision 1; 33; 166; 170; 173; 175; 181; 182; 280; 283, Section 1; 288; 304, Section 1, Subdivision 2; 311; and 464; Laws 1974, Chapters 112; Laws 1975, Chapters 36; 43; 117; 118; 119; 124; 125; 178; 197; 229, Section 1; 306, Section 33, Subdivisions 1 and 2; and 367; Laws 1976, Chapters 71; 97; 100, Section 1, Subdivisions 1 and 3; 206; 208; 214; 267; 272, Section 2; and 288, Section 1; Laws 1977, Chapters 294; 295; and 374, Section 50, Subdivision 1; Laws 1978, Chapters 599, Section 1, Subdivisions 2 and 3; 606; 617, Section 1; 622; 631; 673; 683, Sections 1 and 2, Subdivision 1; 753, Section 2, Subdivisions 1 and 1a; and 754 are repealed.*

Sec. 66. [EFFECTIVE DATE.] *This act shall be effective July 1, 1979.*

*The procedure for recognizing assets in excess of accrued liabilities specified in section 26, subdivision 3, clause (2), subclause (c), and the procedure for calculating a new amortization period specified in section 30, subdivision 4, clause (b) may be utilized by any fund covered by an applicable provision for calculations of the financial requirements of, and the minimum obligation of the municipality with respect to the special fund of, the relief association certified during calendar year 1979 and shall be utilized by any relief association covered by an applicable provision for calculations of the financial require-*

*ments of, and the minimum obligation of the municipality with respect to the special fund of, the relief association certified during the calendar year 1980. To the extent that he deems it to be necessary or practical, the state auditor may specify and issue procedures, forms or mathematical tables for use in performing the calculations required pursuant to section 25 or section 33, subdivision 8.*

*Nothing in this act shall be construed to reduce the amount of any benefits received by any person receiving on the effective date of this act a service pension or other retirement benefits paid by any volunteer firefighters' relief association or any independent nonprofit firefighting corporation retirement plan or subsidiary relief association."*

Delete the title in its entirety and insert:

"A bill for an act relating to retirement; volunteer firefighters' relief associations and independent nonprofit firefighting corporations; providing for a flexible statutory service pension maximum; revising the administration of the fire state aid program; transferring the financial examination, regulatory, supervisory and enforcement functions of the police and fire state aid program to the state auditor; providing a procedure for the recognition of a funding surplus in the calculation of the financial requirements of a relief association and the minimum obligation of a municipality; clarifying the calculation of the time period for the amortization of unfunded accrued liabilities of volunteer firefighters' relief associations; clarifying and updating various ambiguous and obsolete provisions regarding the fire state aid program, the authorization of retirement benefits for volunteer firefighters and the mandated guidelines for the financing of volunteer firefighters' relief associations; amending Minnesota Statutes 1978, Sections 69.011, Subdivisions 1, 2, 3 and 5; 69.021, Subdivisions 1, 2, 4, 5, 6, 7 and 9; 69.031, Subdivisions 1, 3, 4, 5 and 6; 69.051, Subdivisions 1, 2, 3 and 4; 69.77, Subdivision 1; 69.771; 69.772, Subdivisions 1, 2, 3, 4, 5, 6, and by adding a subdivision; 69.773; and 69.774; and Laws 1963, Chapter 429, Section 1; Laws 1967, Chapter 575, Sections 1, Subdivision 1; and 2; 829, Section 1; Laws 1969, Chapter 526, Section 2a, as added; 664, Section 1; Laws 1971, Chapters 114, Section 10; 127, Section 1; 140, Section 7; and 214, Sections 1, as amended, and 2; Laws 1973, Chapters 304, Section 4; and 472, Section 1, as amended; Laws 1975, Chapter 237, Sections 1 and 2; Laws 1976, Chapter 209, Section 1; Laws 1977, Chapter 374, Sections 41, 50, Subdivision 2; 51 and 57; Laws 1978, Chapter 685, Sections 1 and 4; repealing Minnesota Statutes 1978, Sections 69.011, Subdivision 4; 69.04; 69.055; 69.06; 69.22; 69.23; 69.24; 69.66; 69.67; 69.68; 69.691; 424.30; and 424.31; Laws 1959, Chapter 324; Laws 1965, Chapters 592, Section 1; and 598, Section 1; Laws 1967, Chapters 575, Section 1, Subdivision 2; 742, Section 1; 815, Sections 1 and 2, Subdivi-

sion 1; and 831; Laws 1969, Chapters 252, Section 1, Subdivisions 1 and 2; 526, Sections 1 and 2; 530; 644, Section 1; 714; 719, Section 1; 877; 1088, Section 2, Subdivision 1; and 1105, Sections 1, 2 and 3; Laws 1971, Chapters 2; 114, Section 3, Subdivision 2; 140, Section 1; 184, Section 1, Subdivisions 1 and 2; 200; and 233; Laws 1973, Chapters 30, Section 1, Subdivision 1; 33; 166; 170; 173; 175; 181; 182; 280; 283, Section 1; 288; 304, Section 1, Subdivision 2; 311; and 464; Laws 1974, Chapter 112; Laws 1975, Chapters 36; 43; 117; 118; 119; 124; 125; 178; 197; 229, Section 1; 306, Section 33, Subdivisions 1 and 2; and 367; Laws 1976, Chapters 71; 97; 100, Section 1, Subdivisions 1 and 3; 206; 208; 214; 267; 272, Section 2; and 288, Section 1; Laws 1977, Chapters 294; 295; and 374, Section 50, Subdivision 1; Laws 1978, Chapters 599, Section 1, Subdivisions 2 and 3; 606; 617, Section 1; 622; 631; 673; 683, Sections 1 and 2, Subdivision 1; 753, Section 2, Subdivisions 1 and 1a; and 754."

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 Governmental Operations to which was referred:

H. F. No. 944, A bill for an act relating to the state civil service; clarifying language and statutory references; providing for modern methods of personnel data record keeping; clarifying the salary setting authority of the attorney general and the higher education systems; adding and deleting certain job categories in the unclassified civil service; clarifying the rights of classified employees appointed to newly created unclassified positions; providing managerial benefits to department heads and deputies; modifying the expanded certification procedures; modifying promotional procedures; clarifying the appointment process following reallocation of positions; modifying the emergency and temporary appointment provisions; simplifying the time off in emergencies procedure; coordinating human resource planning with biennial budget preparation; authorizing the commissioner to promulgate rules on special expenses and permitting the commissioner of finance to delegate enforcement of expenses to appointing authorities; clarifying continuance of eligibility for health and life insurance benefits for state employees; removing eligibility for health and life insurance benefits from student workers and interns; removing the governor from approving modifications in social security agreements with the secretary of health, education and welfare; amending Minnesota Statutes 1978, Sections 15A.13; 43.01, Subdivisions 10 and 11, and by adding a subdivision; 43.05, Subdivision 2; 43.051, Subdivision 1; 43.055; 43.062, Subdivision 4; 43.064; 43.09, Subdivisions 2 and 2a; 43.12, Subdivision 15; 43.127, Subdivision 6; 43.15, Subdivision 5; 43.17, Subdivisions 3 and 4a; 43.19; 43.20, Subdivisions

3 and 5; 43.227; 43.32, Subdivision 4; 43.327, Subdivisions 2 and 3; 43.44, Subdivision 2; 43.47, Subdivision 2; 355.12; 355.17; 355.207; 355.23, Subdivision 3; 355.286; 355.295; 355.308; 355.45; 355.60; and 355.76.

Reported the same back with the following amendments:

Page 5, delete section 6

Page 7, line 12, after "(5)" insert "*and for classified hearing examiners in the office of hearing examiners*"

Page 7, line 14, strike "and"

Page 7, line 14, after "board" insert "*and the chief hearing examiner*"

Page 9, line 29, after "*workers*" insert "*hired after July 1, 1979*"

Page 11, line 17, after "rights" insert "*, the crime control planning board*"

Page 14, line 22, after "*commissioner*" insert "*. Eligible lists shall be made available upon request to the exclusive representative as defined in sections 179.61 to 179.77*"

Page 15, line 29, reinstate "*higher class*"

Page 16, line 4, delete "*and receives a passing score on an*"

Page 16, delete line 5

Page 16, line 6, delete "*for the class*"

Page 19, line 29, after "*the*" insert "*benefits of the*"

Page 22, line 3, after "*workers*" insert "*hired after July 1, 1979*"

Page 22, after line 9, insert:

Sec. 26. Minnesota Statutes 1978, Section 179.74, Subdivision 4, is amended to read:

Subd. 4. The commissioner of personnel shall meet and negotiate with the exclusive representative of appropriate units in the manner prescribed by sections 179.61 to 179.77; provided, however, that the director of mediation services shall define appropriate units of state employees as all the employees

under the same appointing authority except where professional, geographical or other considerations affecting employment relations clearly require appropriate units of some other composition. The positions and classes of positions in the classified and unclassified services defined as managerial by the commissioner of personnel in accordance with the provisions of section 43.326 and so designated in the official state compensation schedules, all unclassified positions in the state university system and the community college system defined as managerial by their respective boards, all positions in the bureau of mediation services, *all hearing examiners in the office of hearing examiners*, employees who work in the personnel offices of an appointing authority in the executive branch and who have access to information subject to use by the appointing authority in meeting and negotiating or who actively participate in the meeting and negotiating on behalf of the state, shall be excluded from any appropriate unit. Regardless of unit determination, the governor may upon the unanimous written request of exclusive representatives of units and appointing authorities direct that negotiations be conducted for one or more appointing authorities in a common proceeding.

Renumber subsequent sections accordingly

Amend the title as follows:

Page 1, line 6, after "attorney general" insert ", the chief hearing examiner"

Page 1, line 26, after "interns;" insert "excluding hearing examiners from appropriate units;"

Page 1, lines 32 and 33, delete "43.051, Subdivision 1;"

Page 1, line 39, after "43.47, Subdivision 2;" insert "179.74, Subdivision 4;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wigley from the Committee on Energy and Utilities to which was referred:

H. F. No. 990, A bill for an act relating to energy; clarifying the procedures for declaring an energy emergency; prescribing the powers of the governor and executive council in an emergency; providing for the issuance of emergency rules by the director of the energy agency; prescribing additional elements of the energy emergency conservation and allocation plan; providing for earth sheltered construction zoning variances; pro-

hibiting local governments from banning earth sheltered construction; requiring certain building energy reports and audits; providing for an adult and post-secondary energy education plan; limiting the time for application for certain variances; providing a method for determining certain efficiencies for air conditioners; prescribing a penalty; appropriating money; amending Minnesota Statutes 1978, Sections 12.02, Subdivision 1; 12.03, Subdivision 4, and by adding a subdivision; 12.21, Subdivisions 1 and 3; 12.28; 12.32; 116H.02, Subdivisions 3 and 5, and by adding subdivisions; 116H.08; 116H.09, Subdivisions 1, 4, and 5; 116H.11; 116H.12, Subdivisions 1a, 1b, 3a, 3b, and 10; 116H.122; 116H.123; 116H.124; 116H.126; 116H.13; 116H.15; 120.78, Subdivision 1; 325.989, by adding a subdivision; 394.25, Subdivision 3; 394.27, Subdivision 7; 462.-357, Subdivisions 1 and 6; and Chapter 116H, by adding a section; repealing Minnesota Statutes 1978, Section 116H.125.

Reported the same back with the following amendments:

Page 6 after line 20 insert:

“Sec. 6. Minnesota Statutes 1978, Section 12.21, is amended by adding a subdivision to read:

*Subd. 4. The governor shall propose procedures for annual review by state and local officials of the evacuation plans specified in the licensing of each nuclear fission electrical generating plant. The review shall include, but not be limited to such factors as changes in traffic patterns, population densities, and new construction. Opportunity for full public participation in the annual review shall be provided. Copies of an evacuation plan shall be published, publicized, and distributed to the news media and to the appropriate officials of affected communities, and shall be made available to the general public upon request, at no more than the cost of reproduction.”*

Page 9, line 14, delete “restrict and”

Page 9, delete lines 15 and 16

Page 9, line 17, delete “other means,”

Page 10, line 7, delete “except that the” and insert “and reviewed by the appropriate standing committees of the legislature. The”

Page 10, line 31, after “plan” delete the rest of the line

Page 10, line 32, delete everything before the period and insert “or any part thereof”

Renumber the sections accordingly:

Page 18, line 23, after "education," insert "the higher education coordinating board,"

Page 20, after line 14, insert the following subsections:

*"(g) The cost of energy to residential and rental consumers in relation to their socio-economic status;*

*(h) An assessment of the economic and employment implications of proposed state energy policies;"*

Renumber clauses in sequence

Page 26, after line 20, insert:

*"Subd. 3. [APPEAL FROM DECISION OF DIRECTOR.] The governing body of any city or county may appeal the decision of the director pursuant to subdivision 2 by submitting in writing to the director the reasons for the appeal. No appeal may be considered by the director if received later than three months after notification to the city or county that a mini-audit or maxi-audit shall be performed. The director shall review all appeals and respond to the governing body within one month of receipt of the appeal indicating whether the appeal is granted in full, granted in part, or denied."*

Renumber subdivisions in sequence

Page 27, after line 32, insert:

*"Subd. 3. [APPEAL FROM DECISION OF DIRECTOR.] Any school district may appeal the decision of the director pursuant to subdivision 2 by submitting in writing to the director the reasons for the appeal. No appeal may be considered by the director if received later than three months after notification to the school district that a mini-audit or maxi-audit shall be performed. The director shall review all appeals and respond to the school district within one month of receipt of the appeal indicating whether the appeal is granted in full, granted in part, or denied."*

Renumber subdivisions in sequence

Page 30, line 20, after "consider" insert "the granting,"

Page 30, line 23, after "granting" insert "or denying"

Page 33, after line 13, insert:

"Sec. 19. Minnesota Statutes 1978, Chapter 268, is amended by adding a section to read:



[268.37] [COORDINATION OF RESIDENTIAL WEATHERIZATION PROGRAM.] *Subdivision 1. The department of economic security is the state agency to apply for, receive and disburse federal funds made available to the state by federal law or rules and regulations promulgated thereunder for the purpose of weatherizing residences of low-income persons. The department shall coordinate available federal funds with any state funds appropriated for this purpose.*

*Subd. 2. The commissioner shall make grants to community action agencies and other public or private nonprofit agencies for the purpose of weatherizing the residences of low-income persons. Grant applications shall be submitted in accordance with regulations developed pursuant to 42 U.S.C. 6861-6872 or for any other relevant federal program and rules promulgated by the department.*

*Subd. 3. The department shall promulgate all rules necessary to administer the grants program by July 1, 1979. The rules shall describe: (a) content of grant applications, (b) application procedures, (c) criteria of eligibility for grants, (d) procedures for the administration of grants, (e) data to be reported by grant recipients, and (f) such other matters as the department may find necessary for the proper administration of the grant program including compliance with relevant federal regulations. Weatherization assistance shall be given to households where the total income does not exceed 125 percent of the poverty level as updated by the office of management and budget poverty guidelines.*

*Subd. 4. The commissioner shall submit a report to the legislature on March 1, 1980, and March 1, 1981, evaluating the weatherization program. The reports shall describe: (a) the numbers of households weatherized, (b) the average cost per household, (c) any change in energy consumption after weatherization, (d) outreach efforts, and (e) any other information the department feels is relevant including information routinely submitted to the federal government.*

*Sec. 20. [APPROPRIATION.] There is appropriated from the general fund to the department of economic security the sum of \$4,800,000 for the biennium ending June 30, 1981, for the purposes of section 19."*

Renumber the sections accordingly

Page 33, after line 15, insert:

**"ARTICLE IV: FUNDING FOR ENERGY AUDITS AND  
CONSERVATION MEASURES**

Section 1. [116H.21] *Subdivision 1. [DEFINITIONS.] As used in sections 2 and 3, the following terms shall have the meanings here given them.*

*Subd. 2. "Energy conservation measure" means an installation or modification of an installation in a building which is primarily intended to reduce energy consumption or allow the use of an alternative energy source. The measure must be one which a mini-audit or a maxi-audit of the building, as defined in subdivisions 4 and 5, indicates would reduce the consumption of energy. An "energy conservation measure" as defined in section 302(a)(2) of the National Energy Conservation Policy Act, P.L. 95-619, shall be considered an energy conservation measure as defined herein.*

*Subd. 3. "Governing body" means the governing body of a statutory or home rule charter city, or county.*

*Subd. 4. "Maxi-audit" means a detailed engineering analysis of energy saving building improvements, including modifications to building structure; heating, ventilating and air conditioning systems; operation practices; lighting; and other factors that relate to energy use. The primary objective is to quantify the economic and engineering feasibility of energy saving improvements which require capital expenditures or major operational modifications. "Technical assistance" as defined in section 302(a)(17) of the National Energy Conservation Policy Act, P.L. 95-619, shall be considered a maxi-audit.*

*Subd. 5. "Mini-audit" means a brief, on site, inspection designed to observe and record building energy use systems and related factors. The primary objective is to identify energy saving measures that can be implemented quickly and at low cost. An "energy audit", as defined in section 302(a)(13) of the National Energy Conservation Policy Act, P.L. 95-619, shall be considered a mini-audit.*

*Subd. 6. "School" means a public school district, or an area vocational-technical institute.*

Sec. 2. [116H.22] [FUNDS FOR SCHOOLS AND GOVERNING BODIES.] *Funds to pay part or all of the actual costs of maxi-audits and energy conservation measures performed by or for schools and governing bodies shall be available from legislative appropriation made for that purpose in accordance with the priorities established in section 3.*

Sec. 3. [116H.23] [PRIORITIES FOR FUNDING.] *All applications for funding shall be made to the director of the Minnesota energy agency. Applications shall be accompanied by a report on the energy using characteristics of the building and any other information the director may reasonably require. All*

*schools and local governments may apply to the director to receive reimbursement for up to the actual costs of mini-audits or maxi-audits performed pursuant to article III, sections 12 and 13. Notwithstanding any other law to the contrary schools and local governments which submit their maxi-audits or mini-audits to the director prior to or on December 31, 1980 may use the state funds received to pay part of or all of the actual costs of energy conservation measures. In the event that the applicant receives federal funds pursuant to the National Energy Conservation Policy Act, P.L. 95-619, which funds are intended to be used to pay part or all of the costs of a mini-audit or maxi-audit, the applicant shall receive state funds, which, when combined with federal funds received, equal the actual cost of the mini-audit or maxi-audit. If funds are not sufficient to cover the costs of these categories, funds shall be allocated to acceptable applicants in accordance with criteria established by the director of the energy agency, the department of education, and representatives of governing bodies and schools. Such criteria may include, but not be limited to population, number of students, amount of funding requests, condition of facilities, type of facility, and type of energy conservation measure for which funding is requested.*

**Sec. 4. [APPROPRIATION.]** *There is appropriated \$10,000,000 from the general fund to the energy agency for the biennium beginning July 1, 1979 for the purposes of sections 2 and 3 of this article. Of this appropriation, \$692,017 shall be used for program administration. The approved complement of the energy agency shall be increased by 13 unclassified positions while this appropriation is in effect.*

**Sec. 5. [DEVELOPMENT AND IMPLEMENTATION OF ENERGY ACCOUNTING SYSTEM; APPROPRIATION.]** *There is appropriated from the general fund to the energy agency for the biennium beginning July 1, 1979, \$40,000 to develop an energy accounting system for schools and local governments and to conduct training courses for local government and school personnel on energy accounting methods.*

**Sec. 6. [STUDY OF CAPABILITY OF ENERGY MANAGEMENT PERSONNEL; APPROPRIATION.]** *There is appropriated from the general fund to the energy agency for the biennium beginning July 1, 1979, \$10,000 to study the level of training and capabilities of local government and school energy management personnel. The energy agency shall prepare a report, which shall be submitted to the legislature by January 1, 1980.*

## ARTICLE V: SOLAR ENERGY

**Section 1.** Minnesota Statutes 1978, Section 16.32, is amended by adding a subdivision to read:

*Subd. 4. Plans prepared by the commissioner for a new building or for a renovation of 50 percent or more of an existing building or its energy systems shall include designs which utilize active and passive solar energy systems, earth-sheltered construction, and other alternative energy sources where feasible.*

Sec. 2. Minnesota Statutes 1978, Chapter 116H, is amended by adding a section to read:

**[116H.1271] [SOLAR ENERGY DEMONSTRATIONS IN STATE-OWNED BUILDINGS.]** *Subdivision 1. The commissioner of administration in consultation with the director shall equip four existing state-owned buildings with solar systems that supply hot water or heat. The commissioner shall select for this purpose buildings that are frequented by members of the general public. Such buildings shall be available for public inspection during regular office hours.*

*Subd. 2. The commissioner shall monitor the performance of the solar systems for one year after their installation. A copy of records from the monitoring shall be maintained by the participating state building and by the energy agency and shall be available for public inspection during regular office hours. The energy agency shall prepare a report on the results of the demonstration program which shall tabulate and analyze the data obtained from monitoring the solar systems.*

Sec. 3. Minnesota Statutes 1978, Section 462A.02, is amended by adding a subdivision to read:

*Subd. 10. It is further declared that supplies of conventional energy resources are rapidly depleting in quantity and rising in price and that the burden of these occurrences falls heavily upon persons of low and moderate income. These conditions are adverse to the health, welfare, and safety of the citizens of this state. It is further declared that it is a public purpose to ensure the availability of financing to be used by low and moderate income people to install in their dwellings reasonably priced energy conserving systems using alternative energy resources and equipment.*

Sec. 4. **[APPROPRIATION.]** *There is appropriated from the general fund to the energy agency \$25,000 for the fiscal year ending June 30, 1980 to analyze and monitor solar systems in Minnesota, to prepare a program for assistance to persons who install solar systems, and to develop technical and non-technical literature on solar energy for dissemination to Minnesota citizens.*

Sec. 5. **[APPROPRIATION.]** *The sum of \$160,000 is appropriated from the general fund to the commissioner of ad-*

*ministration for the purposes of section 2, and shall be available until June 30, 1981. The sum of \$11,400 is appropriated from the general fund to the energy agency for the purposes of section 2, subdivision 2, and shall be available until June 30, 1981.*

**ARTICLE VI: MUNICIPAL STEAM HEAT SYSTEMS AND OTHER ENERGY PROJECTS**

Section 1. Minnesota Statutes 1978, Section 451.09, is amended to read:

**451.09 [STEAM HEAT SYSTEMS; DISCONTINUANCE OR CONVERSION.]** *Subdivision 1.* Any steam heat system operated by a public utilities board or commission in any home rule charter city may be discontinued in whole or in part at the discretion of such board or commission. Funds may be expended at the discretion of such board or commission to compensate persons to whom service is discontinued for the expense of converting to some other type of heat system. Prior to exercising any of the authority granted by this section, the public utilities board or commission shall obtain the approval of the governing body of the city. The authority granted by this section shall apply notwithstanding any statute, city charter, or other law to the contrary. This (SECTION) *subdivision* shall not apply to Austin, Marshall and Virginia.

*Subd. 2.* *The public utilities board or commission shall inform the energy agency of its plans to discontinue operation at least two years prior to the intended date of discontinuance of operation. If a public utilities board or commission decides to discontinue operation of a steam heat system prior to July 1, 1981, it shall notify the director of the energy agency within 60 days of its decision.*

Sec. 2. **[COAL RESEARCH AND MONITORING; APPROPRIATION.]** *There is appropriated from the general fund to the Minnesota energy agency \$48,000 to monitor coal use in Minnesota during the biennium beginning July 1, 1979. The approved complement of the energy agency shall be increased by one unclassified position while this appropriation is in effect.*

Sec. 3. **[DISTRICT HEATING; APPROPRIATION.]** *There is appropriated from the general fund to the energy agency \$100,000 to conduct research on district heating systems during the biennium beginning July 1, 1979. The approved complement of the energy agency shall be increased by two unclassified positions while this appropriation is in effect.*

Sec. 4. **[ENGINEERING ANALYSES OF EXISTING STEAM HEAT SYSTEMS.]** *There is appropriated from the general fund to the energy agency \$50,000 in the biennium be-*

*ginning July 1, 1979, to conduct engineering analyses of steam heat systems.*

Sec. 5. [DISTRICT HEATING PROJECTS.] *There is appropriated from the general fund to the energy agency \$250,000 for the biennium beginning July 1, 1979, to match federal funding of a Minneapolis-St. Paul district heating system project and to match federal funding of other district heating system projects. These funds shall be released by the commissioner of finance to the energy agency when the federal government issues a letter of intent to finance the project at the rate of \$3 for every \$1 provided by the state.*

Sec. 6. [ELECTRICAL ENERGY ALTERNATIVES STUDY.] *There is appropriated from the general fund to the energy agency \$25,000 for the fiscal year beginning July 1, 1979, to prepare a proposal for a study of alternative methods for the production of electrical energy in Minnesota.*

Further, amend the title as follows:

Line 17, after "conditioners;" insert "providing partial funding to school districts, private nonsectarian schools, post secondary schools, townships, municipalities and counties for energy audits and energy conservation measures; requiring the commissioner of administration to prepare plans for new buildings that utilize alternative energy sources; establishing a state building solar demonstration program; requiring notice to the Minnesota energy agency of the proposed discontinuance of municipal steam heat systems; appropriating funds to the energy agency for various energy related purposes;"

Line 17, after "penalty;" insert "authorizing a weatherization program for low-income persons;"

Lines 17 and 18, delete "appropriating money;"

Line 20, after "and 3" insert ", and by adding a subdivision"

Line 21, after "12.32;" insert "16.32, by adding a subdivision;"

Line 28, after "subdivision 7;" insert "451.09;"

Line 28, after "subdivisions 1 and 6;" insert "462A.02, by adding a subdivision;"

Line 29, delete "a section;" and insert "sections; and Chapter 268, 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.

Enebo from the Committee on Governmental Operations to which was referred:

**S. F. No. 606, A bill for an act relating to the revisor of statutes; publication of the Minnesota Statutes, Supplement and Session Laws by the revisor; correcting certain obsolete provisions; clarifying certain provisions; amending Minnesota Statutes 1978, Sections 482.09; 482.11; 648.31, Subdivision 1; 648.32; 648.40; and 648.41, Subdivision 1.**

Reported the same back with the following amendments:

Page 5, line 15, after the period insert:

"Sec. 7. Minnesota Statutes 1978, Section 487.17, is amended to read:

**487.17 [FORCIBLE ENTRY AND UNLAWFUL DETAINER.]** Whether or not title to real estate is involved, the county court has jurisdiction of actions of forcible entry and unlawful detainer or actions for unlawful removal or exclusion pursuant to section (504.25) 566.175, involving land located wholly or partly within the county court district and of actions seeking relief for code violations pursuant to sections 566.18 to 566.33 involving premises located wholly or partly within the county court district.

Sec. 8. Minnesota Statutes 1978, Section 488A.01, Subdivision 5, is amended to read:

**Subd. 5. [FORCIBLE ENTRY AND UNLAWFUL DETAINER OR UNLAWFUL REMOVAL OR EXCLUSION.]** Whether or not the title to real estate is involved, the court has jurisdiction of actions of forcible entry and unlawful detainer or actions for unlawful removal or exclusion pursuant to section (504.25) 566.175, involving land located wholly or in part within Hennepin county and, notwithstanding any provision of subdivision 7 to the contrary, of actions seeking relief for code violations pursuant to sections 566.18 to 566.33 involving premises located wholly or partly within Hennepin county.

Sec. 9. Minnesota Statutes 1978, Section 488A.18, Subdivision 6, is amended to read:

**Subd. 6. [FORCIBLE ENTRY AND UNLAWFUL DETAINER OR UNLAWFUL REMOVAL OR EXCLUSION.]** Whether or not the title to real estate is involved, the court has jurisdiction of actions of forcible entry and unlawful detainer or actions for unlawful removal or exclusion pursuant to section (504.25) 566.175, involving land located wholly or in part

within Ramsey county and, notwithstanding any provision of subdivision 8 to the contrary, of actions seeking relief for code violations pursuant to sections 566.18 to 566.33 involving premises located wholly or partly within Ramsey county."

Delete the title and insert:

"A bill for an act relating to the operation of state government; publication of the Minnesota Statutes, Supplement and Session Laws by the revisor; correcting certain obsolete provisions; clarifying certain provisions; providing for correction of an erroneous reference with respect to actions for unlawful removal or exclusion; amending Minnesota Statutes 1978, Sections 482.09; 482.11; 487.17; 488A.01, Subdivision 5; 488A.18, Subdivision 6; 648.31, Subdivision 1; 648.32; 648.40; and 648.41, Subdivision 1."

With the recommendation that when so amended the bill pass.

The report was adopted.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 176, 198, 253, 261, 299, 519, 588, 624, 659, 711, 740, 757, 819, 823, 843 and 944 were read for the second time.

#### SECOND READING OF SENATE BILLS

S. F. Nos. 530, 572 and 606 were read for the second time.

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Pavlak and Novak introduced:

H. F. No. 1183, A bill for an act relating to privacy; eliminating certain restrictions on the release of data to Interpol; repealing Minnesota Statutes 1978, Section 15.1643.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Moe introduced:



H. F. No. 1184, A bill for an act relating to financial reports; requiring the preparation of annual reports on state finances; appropriating money; amending Minnesota Statutes 1978, Sections 16A.055; 16A.50; 16A.55, Subdivision 1; repealing Minnesota Statutes 1978, Section 16A.55, Subdivisions 2 to 9.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berkelman, Jaros, Munger and Lehto introduced:

H. F. No. 1185, A bill for an act relating to the city of Duluth; providing for a temporary demonstration purpose income tax credit to individuals who use the Duluth transit system for work commuting.

The bill was read for the first time and referred to the Committee on Taxes.

Patton introduced:

H. F. No. 1186, A bill for an act relating to workers' compensation; replacing the rating bureau with a commission on compensation insurance rates; amending Minnesota Statutes 1978, Sections 79.08; 79.09; 79.10; 79.11; 79.16; 79.17; 79.18; 79.21; 79.22; 79.23; 79.24; 79.25; 79.28; 79.29; 79.30; 79.31; and 176.185, Subdivision 1; repealing Minnesota Statutes 1978, Sections 79.12; 79.13; 79.14; 79.15; 79.26; 79.27; and 79.32.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Casserly, Kroening, Jacobs, Sieben, H., and Anderson, I., introduced:

H. F. No. 1187, A bill for an act relating to taxation; property tax; reducing property taxes on certain homesteads; increasing property tax refunds; amending Minnesota Statutes 1978, Sections 273.122; 273.13, Subdivision 7; 290A.03, Subdivision 11; and 290A.04, Subdivisions 2, 2a and 2b.

The bill was read for the first time and referred to the Committee on Taxes.

Faricy and Clark introduced:

H. F. No. 1188, A bill for an act relating to health; authorizing the commissioner of health to establish a research program concerning therapeutic uses of marijuana; establishing requirements for the program; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Drew, Fritz, Crandall, Valento and Pavlak introduced:

H. F. No. 1189, A bill for an act relating to retirement; annuities and benefits under certain public retirement plans; appropriating funds.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Mehrkens; Dempsey; Anderson, B.; Ludeman and Kempe introduced:

H. F. No. 1190, A bill for an act relating to transportation; requiring the consent of municipalities for certain trunk highway improvements; authorizing the commissioner of transportation to convey or otherwise dispose of certain lands no longer needed for trunk highway purposes; authorizing the commissioner to lease airspace above and subsurface areas below trunk highway right-of-way; adding new routes to the trunk highway system, and adding new routes in substitution of existing routes; providing for the designation of handicapped parking spaces; authorizing leaves of absence for certain employees under certain conditions; modifying the procedures for approval of plats which include lands abutting trunk highways; amending Minnesota Statutes 1978, Sections 161.172; 161.23, Subdivision 2; 161.43; 161.433, Subdivision 1; 161.44, Subdivision 1; 169.346, Subdivision 2; 174.03, by adding a subdivision; and 505.03, Subdivision 2; repealing Minnesota Statutes 1978, Section 163.07, Subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation.

Long, Norton, Searle, Erickson and Johnson, C., introduced:

H. F. No. 1191, A bill for an act relating to education; providing for a center for the older adult learner and for an advisory council on the older adult learner; appropriating money; amending Minnesota Statutes 1978, Section 256.975, Subdivision 2; and Chapter 121, by adding sections.

The bill was read for the first time and referred to the Committee on Education.

Patton, Moe, Biersdorf and Kaley introduced:

H. F. No. 1192, A bill for an act relating to retirement; increasing employee contributions to local police and firefighters relief associations; amending Minnesota Statutes 1978, Section 69.77, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Metzen, Biersdorf, Jacobs, Osthoff and Sieben, H., introduced:

H. F. No. 1193, A bill for an act relating to the operation of state government; requiring zero-based budgeting by selected departments.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Biersdorf, Moe, Sarna and Anderson, I., introduced:

H. F. No. 1194, A bill for an act relating to retirement; establishing a new board of directors for the Minnesota state retirement system and the public employees retirement association; abolishing existing boards; transferring records and personnel; amending Minnesota Statutes 1978, Sections 352.03, Subdivisions 4, 6, 7, 9, 10, 11, 14, 15 and 16 and by adding a subdivision; and 353.03, by adding a subdivision; repealing Minnesota Statutes 1978, Sections 352.029, Subdivision 5; 352.03, Subdivisions 1, 1a, and 2; and 353.03, Subdivisions 1, 1a, 2, 3, and 3a.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Casserly, Norton, Pavlak, Dean and Munger introduced:

H. F. No. 1195, A bill for an act relating to the environment; authorizing the environmental quality board to require pollution control measures for retail and commercial establishments constructed before 1974 under certain conditions; amending Minnesota Statutes 1978, Chapter 1160, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kostohryz, Simoneau, Pavlak, Dean and Fjoslien introduced:

H. F. No. 1196, A bill for an act relating to veterans; granting certain veterans preference on waiting lists at area vocational-technical institutes.

The bill was read for the first time and referred to the Committee on Education. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Prahl, Otis and Welch introduced:

H. F. No. 1197, A bill for an act relating to retirement; granting survivor benefits to a certain surviving spouse of a deceased member of the public employees retirement association.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Fjoslien, McEachern, Wieser, Munger and Wigley introduced:

H. F. No. 1198, A bill for an act relating to wild animals; altering or eliminating certain provisions in regard to the taking, possessing, or transporting of game or fish; amending Minnesota Statutes 1978, Section 97.50, Subdivision 1; 98.45, Subdivision 1; 98.47, Subdivision 1; 100.27, Subdivision 4; 100.29, Subdivisions 7, 14, and 30; and 101.42, Subdivision 18, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Ellingson introduced:

H. F. No. 1199, A bill for an act relating to creditor's remedies; defining property exempt from legal process; amending Minnesota Statutes 1978, Section 550.37, Subdivision 4, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

Evans introduced:

H. F. No. 1200, A bill for an act relating to Independent School District No. 22, Detroit Lakes; authorizing it to transfer certain funds from its post-secondary vocational general fund to its post-secondary vocational capital expenditure fund for certain purposes; providing for the duration of the authorization; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Carlson, D.; Kahn; Munger and Searles introduced:

H. F. No. 1201, A bill for an act relating to waters; providing for watercraft licensing and safe operation; altering certain definitions; changing license fees; authorizing a temporary certificate; stating the evidentiary effect of certain blood tests; altering certain safety requirements and motor noise limits; providing an outline for distributing water safety enforcement funds; amending Minnesota Statutes 1978, Sections 361.02, Subdivision 7, and by adding a subdivision; 361.03, Subdivisions 3 and 12, and by adding a subdivision; 361.10; 361.12; 361.13, Subdivision 1; 361.141, Subdivision 1; 361.15, Subdivision 1; 361.16, Subdivision 1; 361.17; 361.18; 361.21, Subdivision 2, and by adding a subdivision; 361.215; 361.24; 361.27, Subdivision 1; and 361.29, Subdivision 4; repealing Minnesota Statutes 1978, Section 361.15, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Sarna, Adams and McEachern introduced:

H. F. No. 1202, A bill for an act relating to outdoor recreation; creating the citizen's advisory sportsmen's council on Minnesota's outdoor recreational resources; prescribing its powers and duties; providing for a surcharge on fish and game licenses to fund the council; appropriating money; repealing Minnesota Statutes 1978, Section 86A.10.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Pavlak, Brinkman, Norton, Ludeman and Ellingson introduced:

H. F. No. 1203, A bill for an act relating to insurance; providing for certain group coverages to be continued; amending Minnesota Statutes 1978, Chapter 60A, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Fjoslien; Anderson, B.; Anderson, G.; Wieser and Kalis introduced:

H. F. No. 1204, A bill for an act relating to education; establishing a minimum aid payment to certain school districts; expanding the definition of special state aid; appropriating money; amending Minnesota Statutes 1978, Section 124.65; and Chapter 124, by adding a section.

The bill was read for the first time and referred to the Committee on Education.

Adams and Nelsen, B., introduced:

H. F. No. 1205, A bill for an act relating to public safety; authorizing the crime control planning board to employ two assistant directors in the unclassified service; amending Minnesota Statutes 1978, Section 299A.03, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Sviggum and Mehrkens introduced:

H. F. No. 1206, A bill for an act relating to energy; encouraging municipalities to use diseased trees as firewood.

The bill was read for the first time and referred to the Committee on Energy and Utilities.

Sviggum introduced:

H. F. No. 1207, A bill for an act relating to motor vehicles; defining the term "motor vehicle" for the purposes of no-fault automobile insurance; amending Minnesota Statutes 1978, Section 65B.43, Subdivision 2.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Swanson, Welch, Rice, Reif and Pavlak introduced :

H. F. No. 1208, A bill for an act relating to health; increasing catastrophic health expense protection in certain cases; directing the commissioner of health to provide training and information about catastrophic health insurance; appropriating money; amending Minnesota Statutes 1978, Sections 62E.52, Subdivision 3a; 62E.53, Subdivision 2; and 62E.54, Subdivision 1.

The bill was read for the first time and referred to the Committee on Appropriations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Tomlinson; Laidig; Sieben, H.; Patton and Biersdorf introduced :

H. F. No. 1209, A bill for an act relating to retirement; hospital and medical benefits for retired or disabled state officials and employees; appropriating funds; amending Minnesota Statutes 1978, Chapter 43, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Moe introduced :

H. F. No. 1210, A bill for an act relating to retirement; specifying authorized investments for all public retirement funds; clarifying certain limitations on investments; providing for uniform valuation and reporting of investment securities; specifying a procedure for the recognition of unrealized equity investment appreciation; providing a procedure for the calculation of a uniform rate of return on investments; requiring a report by the state board of investment in order to implement certain investment limitations; amending Minnesota Statutes 1978, Sections 11.16; 11.18, Subdivisions 2, 3, 3a, 4 and 5; 11.19; 11.25, Subdivisions 2, 4, 5, 6, 7, 8, and 16; 69.051, Subdivision 1; 69.77, Subdivision 2; 69.775; 352.061; 352B.05; 353.06; 354.07, Subdivisions 4 and 5; 354A.08; 356.20, Subdivisions 3 and 4, and by adding subdivisions; 422A.05, Subdivisions 1, 2, 3, and 4; 423.389; 423.60; and 490.123, Subdivision 3; and Chapter 356, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Redalen, Munger, Searle, Mann and Valan introduced:

H. F. No. 1211, A bill for an act relating to soil and water conservation; imposing duties upon land occupiers to apply and maintain wind and water erosion control systems in accordance with rules of soil and water conservation districts established within guidelines of the state soil and water conservation board.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

McCarron, Kostohryz, Moe, Byrne and Levi introduced:

H. F. No. 1212, A bill for an act relating to Ramsey County; providing for court and probation services in the county; amending Laws 1974, Chapter 435, by adding a section; repealing Minnesota Statutes 1961, Sections 636.09; 636.10; 636.11; 636.12; 636.14; 636.19; and 636.21; and Laws 1923, Chapter 289, Sections 1, as amended; 2, as amended; 3, as amended; 4, as amended; 6, as amended; 11, as amended; and 13, as amended; and Laws 1965, Chapter 469, Section 8, as amended.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kostohryz; Munger; Anderson, D.; Searle and Sieben, H., introduced:

H. F. No. 1213, A bill for an act relating to natural resources; establishing Tettegouche state park; prescribing the powers and duties of the commissioner of natural resources in relation thereto.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Nelsen, B., introduced:

H. F. No. 1214, A bill for an act relating to Independent School District No. 786, Bertha-Hewitt; exempting it from certain requirements for obtaining one capital loan from the equalization aid review committee; setting a limit for that loan.

The bill was read for the first time and referred to the Committee on Education.



Pehler introduced:

H. F. No. 1215, A bill for an act relating to taxation; income tax; changing certain corporate tax rates; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Adams; Sieben, H.; Metzen; Friedrich and Ainley introduced:

H. F. No. 1216, A bill for an act relating to liquor; registration of labels; amending Minnesota Statutes 1978, Section 340.62.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Murphy introduced:

H. F. No. 1217, A bill for an act relating to the city of Cloquet; appropriating money to reimburse the city for costs incurred by the Cloquet fire department in responding to a trunk highway emergency fire call.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kroening and Casserly introduced:

H. F. No. 1218, A bill for an act relating to licensed occupations; term of public liability insurance; amending Minnesota Statutes 1978, Section 326.40, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Moe and Patton introduced:

H. F. No. 1219, A bill for an act relating to retirement; clarifying various ambiguous and erroneous references and provisions affecting various retirement plans and funds; amending Minnesota Statutes 1978, Sections 3A.01, Subdivision 7; 69.031, Subdivision 6; 69.051, Subdivision 1; 69.691, Subdivision 1; 118.01; 275.50, Subdivision 5; 353.36, Subdivision 2; 354.05, Subdivision 25; 354.091; 354.092; 354.094; 354.44, Subdivisions 4, 6 and 7; 354.66; 356.20, Subdivision 2; 356.216; 356.24; 356.-

25; 356.32, Subdivision 1; 356.60, Subdivision 1; 422A.09, Subdivision 3; 422A.32, Subdivisions 1 and 2; 422A.35, Subdivisions 2 and 3; and 490.121, Subdivision 4; repealing Minnesota Statutes 1978, Section 354.55, Subdivision 6; Laws 1978, Chapter 538, Section 6.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Moe, Patton and Kaley introduced:

H. F. No. 1220, A bill for an act relating to retirement; metropolitan transit commission-transit operating division employees; clarifying the amortization obligation of the metropolitan transit commission to the Minnesota state retirement system; calculating service credit for certain part time transit operating division employees; clarifying the provision of the minimum disability coverage; providing a retirement annuity to certain former transit operating division employees; providing service credit for certain military service leaves of absence; amending Minnesota Statutes 1978, Sections 352.01, Subdivisions 11 and 16; 473.417; 473.418; and Laws 1978, Chapter 538, Section 21.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Moe, Kaley, Patton and Sarna introduced:

H. F. No. 1221, A bill for an act relating to retirement; state employees; miscellaneous amendments to the state employees and unclassified employees retirement plans; amending Minnesota Statutes 1978, Sections 352.03, Subdivisions 1 and 6; 352.113, Subdivisions 1, 4 and 6; 352.115, Subdivisions 8 and 9; 352.12, Subdivision 2; 352.15, Subdivision 1; 352.23; 352D.02, Subdivision 1; 352D.04, Subdivision 2; and 352D.05, Subdivisions 3 and 4; repealing Minnesota Statutes 1978, Sections 352.115, Subdivision 13; 352B.29; 352D.03; and 352D.10.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kroening and Osthoff introduced:

H. F. No. 1222, A bill for an act relating to housing; providing new standards and procedures for disclosing conflicts of interest for commissioners and employees of housing and redevelopment authorities; establishing penalties; amending Minnesota Statutes 1978, Chapter 462, by adding a section; repealing Minnesota Statutes 1978, Section 462.431.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Kroening, Jacobs, Battaglia, Sarna and Osthoff introduced:

H. F. No. 1223, A bill for an act relating to housing; fixing the maximum debt of the Minnesota housing finance agency; fixing the complement and cost limit of the agency; appropriating money for various housing programs; amending Minnesota Statutes 1978, Section 462A.22, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Simoneau, Enebo, Begich, Stowell and Rice introduced:

H. F. No. 1224, A bill for an act relating to workers' compensation; establishing a state compensation insurance agency; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Pavlak, Norton, Ellingson, Clark and Johnson, D., introduced:

H. F. No. 1225, A bill for an act relating to insurance; providing for payments of certain expenses incurred in prosecuting a claim.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Jude introduced:

H. F. No. 1226, A bill for an act relating to courts; providing that probate court shall have tort action jurisdiction; amending Minnesota Statutes 1978, Section 524.3-105.

The bill was read for the first time and referred to the Committee on Judiciary.

Jude introduced:

H. F. No. 1227, A bill for an act relating to health; adding a time limit for hearing appeals under the hospitalization and commitment act; amending Minnesota Statutes 1978, Section 253A.21, Subdivision 5.

The bill was read for the first time and referred to the Committee on Judiciary.

Jude introduced:

H. F. No. 1228, A bill for an act relating to probate; changing procedures for appealing certain orders, judgments and decrees; amending Minnesota Statutes 1978, Section 525.712; repealing Minnesota Statutes 1978, Sections 525.713; and 525.72.

The bill was read for the first time and referred to the Committee on Judiciary.

Jude introduced:

H. F. No. 1229, A bill for an act relating to judicial commitment; requiring an investigation and report by county welfare prior to filing a commitment petition; amending Minnesota Statutes 1978, Chapter 253A, by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Adams, Jude, Greenfield, Anderson, D., and Wieser introduced:

H. F. No. 1230, A bill for an act relating to state credit unions; clarifying borrowing limitations; amending Minnesota Statutes 1978, Sections 52.09, Subdivision 2; and 52.15.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Reif, Valento, Peterson, Reding and Nelsen, M., introduced:

H. F. No. 1231, A bill for an act relating to education; providing that a certain agreement between the state board for community colleges and the Minnesota Community College Faculty Association shall be implemented for the biennium ending June 30, 1979; eliminating the requirement that the board and the association agree upon a different salary schedule for each fiscal year of the biennium; appropriating money; amending Laws 1977, Chapter 449, Section 5, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Rothenberg introduced:

H. F. No. 1232, A bill for an act relating to state government agencies and officials; requiring rules, findings of facts, written opinions, and open precedents in certain circumstances; expanding judicial review of actions of agencies and officials.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pavlak introduced:

H. F. No. 1233, A bill for an act relating to crimes; defining the crime of receiving stolen property; amending Minnesota Statutes 1978, Section 609.53, Subdivision 2.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Dean, Otis, Ainley and McEachern introduced:

H. F. No. 1234, A bill for an act relating to newspapers; raising the fees for publishing legal notices; amending Minnesota Statutes 1978, Section 331.08.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Jude, Heinitz and Norton introduced:

H. F. No. 1235, A bill for an act relating to real estate; setting effective dates for provisions regulating the validation of foreclosure sales; amending Minnesota Statutes 1978, Section 582.27.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Laidig introduced:

H. F. No. 1236, A bill for an act relating to the town of Forest Lake; exempting it from certain tax levy limitations.

The bill was read for the first time and referred to the Committee on Taxes.

Lehto, Murphy, McCarron and Norman introduced:

H. F. No. 1237, A bill for an act relating to aeronautics; providing personal notice of certain airport zoning hearings; amending Minnesota Statutes 1978, Section 360.065, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation.

Byrne, Jude and Sieben, M., introduced:

H. F. No. 1238, A bill for an act relating to crimes; prohibiting the obtaining or retaining of a child in violation of a court order; prescribing penalties; amending Minnesota Statutes 1978, Section 609.26.

The bill was read for the first time and referred to the Committee on Judiciary.

Berglin and Eken introduced:

H. F. No. 1239, A bill for an act relating to taxation; providing for an investment tax credit for certain investments in defined economically distressed areas; amending Minnesota Statutes 1978, Chapter 290, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Lehto, Munger, Peterson and Crandall introduced:

H. F. No. 1240, A bill for an act relating to natural resources; requiring sales of state timber land to be by sealed bid; amending Minnesota Statutes 1978, Section 90.101.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Lehto, McEachern, Luknic, Brinkman and Anderson, D., introduced:

H. F. No. 1241, A bill for an act relating to natural resources; reducing local match required for dam repair and reconstruction grants; authorizing loans for local share of project costs; authorizing sale of bonds for loan program; appropriating money; amending Minnesota Statutes 1978, Section 105.482, Subdivisions 3 and 5, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Enebo and Carlson, L., introduced:

H. F. No. 1242, 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.

Clark, Reif, Enebo, Schreiber and Otis introduced:

H. F. No. 1243, A bill for an act relating to transportation; establishing a state policy of coordinating public and private programs providing transportation for elderly, handicapped and others with special transportation needs; establishing an inter-agency task force on coordination of special transportation programs; authorizing the commissioner of transportation to adopt and enforce operating standards for special transportation services; exempting services that meet standards from other license and permit requirements; directing the establishment of a demonstration project for coordinating special transportation service in the metropolitan area; providing for state assistance for driver training and insurance and establishing accessibility requirements for paratransit projects; authorizing medical assistance reimbursement to qualified public and private nonprofit providers of special transportation service; requiring certain provisions in the medical assistance reimbursement rules of the department of public welfare; amending Minnesota Statutes 1978, Chapter 174, by adding sections; and Sections 256B.02, Subdivision 8; and 256B.04, Subdivision 12.

The bill was read for the first time and referred to the Committee on Transportation.

Rothenberg; Knickerbocker; Sieben, H.; Searle and Anderson, I., introduced:

H. F. No. 1244, A resolution memorializing the Federal Republic of Germany to repeal the statute of limitations for Nazi crimes.

The bill was read for the first time and referred to the Committee on Criminal Justice. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Crandall, Faricy, Jude, Peterson and Sieben, M., introduced:

H. F. No. 1245, A bill for an act relating to crime victims reparations; providing that the record of a claim may be used as evidence by the state on its subrogation claim; providing that the state's right of subrogation shall not limit the claimant's right to recover for pain and suffering; amending Minnesota Statutes 1978, Sections 299B.10; and 299B.14.

The bill was read for the first time and referred to the Committee on Judiciary.

Swanson, Heinitz, Rice, Brinkman and Reif introduced:

H. F. No. 1246, A bill for an act relating to insurance; providing for changes in the operation and funding of the comprehensive health association; requiring identification of certain insurers; setting premium standards; amending Minnesota Statutes 1978, Sections 62E.02, Subdivision 10, and by adding a subdivision; 62E.04, Subdivision 4; 62E.08; 62E.10; 62E.11; 62E.13, Subdivision 2; 62E.14, Subdivision 1; and Chapter 62E, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Schreiber, Adams, Valento, Piepho and Kroening introduced:

H. F. No. 1247, A bill for an act relating to housing; authorizing city housing finance programs; authorizing bond issues for them.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

#### HOUSE ADVISORIES

The following House Advisories were introduced:

Fjoslien, Kostohryz and Munger introduced:

H. A. No. 16, A proposal for emergency evacuation procedures for nuclear power plant accidents in Minnesota.

The advisory was referred to the Committee on Environment and Natural Resources.



Biersdorf introduced:

H. A. No. 17, A proposal to study the continuation of the state Liquor Control Division as it relates to the Department of Public Safety.

The advisory was referred to the Committee on Commerce, Economic Development and Housing.

Biersdorf and Metzen introduced:

H. A. No. 18, A proposal to study the effects of consumer protection legislation as it relates to the increased cost of consumer goods.

The advisory was referred to the Committee on Commerce, Economic Development and Housing.

Berkelman, Fritz, Norman, Elioff and Crandall introduced:

H. A. No. 19, A proposal requesting the governor to initiate and conduct daily negotiations to resolve the contract dispute for community college employees.

The advisory was referred to the Committee on Education.

Moe and Enebo introduced:

H. A. No. 20, A proposal to study the organizational structure of the Department of Public Service.

The advisory was referred to the Committee on Governmental Operations.

REPORTS FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following resolution, which resolution was referred to the committee upon objection pursuant to the organizational agreement:

<i>H.R. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
17	Mar. 29, 1979	Labor-Management Relations

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following bills, which bills were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
1079	Mar. 29, 1979	Taxes
1080	Mar. 29, 1979	Environment and Natural Resources
1085	Mar. 29, 1979	Governmental Operations
1091	Mar. 29, 1979	Environment and Natural Resources
1098	Mar. 29, 1979	Judiciary
1099	Mar. 29, 1979	Appropriations
1100	Mar. 29, 1979	Judiciary
1103	Mar. 29, 1979	Judiciary
1106	Mar. 29, 1979	Governmental Operations
1119	Mar. 29, 1979	Judiciary
1122	Mar. 29, 1979	Governmental Operations
1125	Mar. 29, 1979	Agriculture
1134	April 2, 1979	Criminal Justice
1151	April 2, 1979	General Legislation and Veterans Affairs
1160	April 2, 1979	Governmental Operations

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

Senate Concurrent Resolution No. 9, A Senate Concurrent Resolution relating to adjournment.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

## SENATE CONCURRENT RESOLUTION NO. 9

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 Wednesday, April 11, 1979, it may adjourn to any date not later than April 16, 1979.

Anderson, I., moved that Senate Concurrent Resolution No. 9 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 9 was adopted.

## 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 House File, herewith returned:

H. F. No. 493, A bill for an act relating to the city of Bemidji; authorizing the issuance of bonds authorized at a special election.

PATRICK E. FLAHAVEN, Secretary of the Senate

## CONSENT CALENDAR

H. F. No. 384 was reported to the House.

Crandall moved to amend H. F. No. 384, as follows:

Page 1, line 12, after "*nonresident*" insert "*minor*"

Page 1, line 14, strike "*other*"

The motion prevailed and the amendment was adopted.

H. F. No. 384, A bill for an act relating to game and fish; authorizing certain non-resident minors and spouses to be treated as Minnesota residents for the purpose of taking wild game; amending Minnesota Statutes 1978, Section 98.45, 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 132 yeas and 0 nays as follows:

## Those who voted in the affirmative were:

Aasness	Eken	Kahn	Nelson	Sieben, H.
Adams	Elioff	Kaley	Niehaus	Sieben, M.
Ainley	Ellingson	Kalis	Norman	Simoneau
Albrecht	Enebo	Kelly	Norton	Stadum
Anderson, B.	Erickson	Kempe	Novak	Stoa
Anderson, D.	Esau	Knickerbocker	Nysether	Stowell
Anderson, G.	Evans	Kostohryz	Olsen	Sviggum
Anderson, I.	Ewald	Kroening	Onnen	Swanson
Anderson, R.	Faricy	Kvam	Osthoff	Thiede
Battaglia	Fjoslien	Laidig	Otis	Tomlinson
Begich	Forsythe	Lehto	Pavlak	Valan
Berglin	Friedrich	Levi	Pehler	Valento
Berkelman	Fritz	Long	Peterson	Vanasek
Biersdorf	Fudro	Ludeman	Piepho	Voss
Blatz	Greenfield	Luknic	Pleasant	Waldorf
Brinkman	Halberg	Mann	Prahl	Weaver
Byrne	Haukoos	McCarron	Redalen	Welch
Carlson, L.	Heap	McDonald	Reding	Welker
Casserly	Heinitz	McEachern	Rees	Wenzel
Clark	Hoberg	Mehrkens	Reif	Wieser
Clawson	Hokanson	Metzen	Rice	Wigley
Corbid	Jacobs	Minne	Rose	Wynia
Crandall	Jaros	Moe	Rothenberg	Zubay
Dean	Jennings	Munger	Sarna	Speaker Searle
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	
Drew	Jude	Nelsen, M.	Sherwood	

The bill was passed, as amended, and its title agreed to.

H. F. No. 627, A bill for an act relating to natural resources; authorizing cities to acquire conservation easements; amending Minnesota Statutes 1978, Sections 84.64, Subdivision 1; and 84.65, 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:

Aasness	Carlson, L.	Faricy	Jude	McDonald
Adams	Clark	Fjoslien	Kaley	McEachern
Ainley	Clawson	Forsythe	Kalis	Mehrkens
Albrecht	Corbid	Friedrich	Kelly	Metzen
Anderson, B.	Crandall	Fritz	Kempe	Minne
Anderson, D.	Dean	Fudro	Knickerbocker	Moe
Anderson, G.	Dempsey	Greenfield	Kostohryz	Munger
Anderson, I.	Den Ouden	Halberg	Kroening	Murphy
Anderson, R.	Drew	Haukoos	Kvam	Nelsen, B.
Battaglia	Eken	Heap	Laidig	Nelsen, M.
Begich	Elioff	Heinitz	Lehto	Nelson
Berglin	Ellingson	Hoberg	Levi	Niehaus
Berkelman	Enebo	Hokanson	Long	Norman
Biersdorf	Erickson	Jacobs	Ludeman	Norton
Blatz	Esau	Jennings	Luknic	Novak
Brinkman	Evans	Johnson, C.	Mann	Nysether
Byrne	Ewald	Johnson, D.	McCarron	Olsen

Onnen	Prahl	Searles	Swanson	Welch
Osthoff	Redalen	Sherwood	Thiede	Welker
Otis	Reding	Sieben, H.	Tomlinson	Wenzel
Patton	Rees	Sieben, M.	Valan	Wieser
Pavlak	Rice	Simoneau	Valento	Wigley
Pehler	Rose	Stadum	Vanasek	Wynia
Peterson	Rothenberg	Stoa	Voss	Zubay
Piepho	Sarna	Stowell	Waldorf	Speaker Searle
Pleasant	Schreiber	Sviggum	Weaver	

The bill was passed and its title agreed to.

H. F. No. 988 was reported to the House.

Swanson moved to amend H. F. No. 988 as follows:

Amend the title as follows:

Page 1, line 2, after "banks;" delete "including safe deposit box"

Page 1, delete line 3

Page 1, line 4, delete "facility;"

The motion prevailed and the amendment was adopted.

H. F. No. 988, A bill for an act relating to banks; altering certain definitions and time limits; amending Minnesota Statutes 1978, Sections 47.51; and 47.54.

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:

Aasness	Casserly	Forsythe	Kalis	Metzen
Adams	Clark	Friedrich	Kelly	Minne
Ainley	Clawson	Fritz	Kempe	Moe
Albrecht	Corbid	Fudro	Knickerbocker	Munger
Anderson, B.	Crandall	Greenfield	Kostohryz	Murphy
Anderson, D.	Dempsey	Halberg	Kroening	Nelsen, B.
Anderson, G.	Den Ouden	Haukoos	Kvam	Nelsen, M.
Anderson, I.	Drew	Heap	Laidig	Nelson
Anderson, R.	Eken	Heinitz	Lehto	Niehaus
Battaglia	Elioff	Hoberg	Levi	Norman
Begich	Ellingson	Hokanson	Long	Norton
Berkelman	Enebo	Jacobs	Ludeman	Novak
Biersdorf	Erickson	Jaros	Luknic	Nysether
Blatz	Esau	Jennings	Mann	Olsen
Brinkman	Evans	Johnson, D.	McCarron	Onnen
Byrne	Ewald	Jude	McDonald	Osthoff
Carlson, D.	Faricy	Kahn	McEachern	Otis
Carlson, L.	Fjoslien	Kaley	Mehrkens	Patton

Pavlak	Rice	Simoneau	Valan	Wenzel
Pehler	Rose	Stadum	Valento	Wieser
Peterson	Rothenberg	Stoa	Vanasek	Wigley
Piepho	Schreiber	Stowell	Voss	Wynia
Prahl	Searles	Sviggum	Waldorf	Zubay
Reding	Sherwood	Swanson	Weaver	Speaker Searle
Rees	Sieben, H.	Thiede	Welch	
Reif	Sieben, M.	Tomlinson	Welker	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1029, A bill for an act relating to employments licensed by the state; prescribing certain duties of the board of architecture, engineering, land surveying and landscape architecture; limiting certain rule making powers of the board, and extending the time limit for the making of the rules; amending Minnesota Statutes 1978, Section 326.06.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelson	Sherwood
Adams	Eken	Kahn	Niehaus	Sieben, H.
Ainley	Elioff	Kaley	Norman	Sieben, M.
Albrecht	Ellingson	Kalis	Norton	Stadum
Anderson, B.	Enebo	Kelly	Novak	Stoa
Anderson, D.	Erickson	Kempe	Nysether	Stowell
Anderson, G.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, I.	Evans	Kroening	Onnen	Swanson
Anderson, R.	Ewald	Kvam	Osthoff	Thiede
Battaglia	Faricy	Laidig	Otis	Tomlinson
Begich	Fjoslien	Lehto	Patton	Valan
Berglin	Forsythe	Levi	Pavlak	Valento
Berkelman	Friedrich	Long	Pehler	Vanasek
Biersdorf	Fritz	Ludeman	Peterson	Voss
Blatz	Fudro	Luknic	Piepho	Waldorf
Brinkman	Greenfield	Mann	Pleasant	Weaver
Byrne	Halberg	McCarron	Prahl	Welch
Carlson, D.	Haukoos	McDonald	Redalen	Welker
Carlson, L.	Heap	McEachern	Reding	Wenzel
Casserly	Heinitz	Mehrkens	Rees	Wieser
Clark	Hoberg	Metzen	Reif	Wigley
Clawson	Hokanson	Minne	Rice	Wynia
Corbid	Jacobs	Moe	Rose	Zubay
Crandall	Jaros	Munger	Rothenberg	Speaker Searle
Dean	Jennings	Murphy	Sarna	
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	

The bill was passed and its title agreed to.

S. F. No. 51, A bill for an act relating to liens; enacting the revised uniform federal lien registration act; amending Minnesota Statutes 1978, Sections 272.481; 272.482; 272.483; 272.484; 272.486; and Chapter 272, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelson	Sherwood
Adams	Eken	Kaley	Niehaus	Sieben, H.
Ainley	Ellingson	Kalis	Norman	Sieben, M.
Albrecht	Enebo	Kelly	Norton	Simoneau
Anderson, B.	Erickson	Kempe	Novak	Stadum
Anderson, D.	Esau	Knickerbocker	Nysether	Stoa
Anderson, G.	Evans	Kostohryz	Olsen	Stowell
Anderson, I.	Ewald	Kroening	Onnen	Sviggum
Anderson, R.	Faricy	Kvam	Osthoff	Swanson
Battaglia	Fjoslien	Laidig	Otis	Thiede
Begich	Forsythe	Lehto	Patton	Tomlinson
Berglin	Friedrich	Levi	Paviak	Valan
Berkelman	Fritz	Long	Pehler	Valento
Biersdorf	Fudro	Ludeman	Peterson	Vanasek
Blatz	Greenfield	Luknic	Piepho	Voss
Brinkman	Halberg	Mann	Pleasant	Waldorf
Byrne	Haukoos	McCarron	Prahl	Weaver
Carlson, D.	Heap	McDonald	Redalen	Weich
Carlson, L.	Heinitz	McEachern	Reding	Welker
Casserly	Hoberg	Mehrkens	Rees	Wenzel
Clark	Hokanson	Metzen	Reif	Wieser
Clawson	Jacobs	Minne	Rice	Wigley
Corbid	Jaros	Moe	Rose	Wynia
Crandall	Jennings	Munger	Rothenberg	Zubay
Dean	Johnson, C.	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	

The bill was passed and its title agreed to.

Valento was excused at 3:20 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. 656, 389, 31, 103 and 122 which it recommended to pass.

S. F. Nos. 57 and 572 which it recommended progress.

H. F. No. 479 which it recommended to pass with the following amendments:

Offered by Kahn:

Page 1, line 16, delete "normal"

Page 1, line 17, delete "normal"

Offered by Dean and Ewald:

As previously amended, page 1, delete lines 16 to 19 and insert:

*"Subd. 3. Among childbirth, family planning and abortion, it is the policy of the state of Minnesota that childbirth and family planning are to be given preference over abortion."*

Further amend the title:

Line 4, after "childbirth" insert "and family planning"

H. F. No. 768 which it recommended to pass with the following amendment offered by Ludeman:

Page 2, line 9, delete "\$17.50" and insert "\$22.50"

Page 4, line 11, delete "\$30,000" and insert "\$35,000"

On the motion of Sieben, H., 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:

Long moved to amend H. F. No. 479 as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 62D.02, Subdivision 7, is amended to read:

*Subd. 7. "Comprehensive health maintenance services" means a package of health services an enrollee has chosen to contract for from a list that may include, emergency care services, inpatient hospital and physician care services, outpatient health*



*services and preventive health services. No health maintenance organization shall be required to provide any health service which is not specified in the enrollee's evidence of coverage and his health maintenance contract."*

The question was taken on the adoption of the amendment and the roll was called. There were 23 yeas and 103 nays as follows:

Those who voted in the affirmative were:

Casserly	Greenfield	Kelly	Nelson	Stoa
Clark	Heinitz	Lehto	Norton	Welker
Clawson	Jaros	Levi	Novak	Wynia
Dean	Kahn	Long	Otis	
Enebo	Kaley	Moe	Simoneau	

Those who voted in the negative were:

Aasness	Drew	Johnson, D.	Nysether	Sieben, M.
Adams	Eken	Jude	Olsen	Stadum
Albrecht	Elioff	Kalis	Onnen	Stowell
Anderson, B.	Ellingson	Kempe	Osthoff	Swiggum
Anderson, G.	Erickson	Knickerbocker	Patton	Swanson
Anderson, I.	Esau	Kostohryz	Pavlak	Thiede
Anderson, R.	Evans	Kroening	Pehler	Tomlinson
Battaglia	Ewald	Kvam	Peterson	Valan
Begich	Faricy	Laidig	Piepho	Valento
Berglin	Fjoslien	Ludeman	Pleasant	Vanasek
Berkelman	Forsythe	Luknic	Prahl	Voss
Biersdorf	Friedrich	Mann	Redalen	Waldorf
Blatz	Fritz	McDonald	Reding	Weaver
Brinkman	Fudro	McEachern	Rees	Welch
Byrne	Halberg	Mehrkens	Reif	Wenzel
Carlson, D.	Haukoos	Metzen	Rose	Wieser
Carlson, L.	Hoberg	Minne	Sarna	Wigley
Corbid	Hokanson	Murphy	Schreiber	Zubay
Crandall	Jacobs	Nelsen, B.	Searles	Speaker Searle
Dempsey	Jennings	Niehaus	Sherwood	
Den Ouden	Johnson, C.	Norman	Sieben, H.	

The motion did not prevail and the amendment was not adopted.

Dean moved to amend H. F. No. 479, as follows:

Page 1, lines 14 to 19, delete Section 1 of the bill.

The question was taken on the adoption of the amendment and the roll was called. There were 20 yeas and 104 nays as follows:

Those who voted in the affirmative were:

Berglin	Clawson	Greenfield	Long	Nelson
Byrne	Dean	Heinitz	Minne	Norton
Casserly	Enebo	Kahn	Moe	Novak
Clark	Ewald	Lehto	Munger	Wynia

Those who voted in the negative were:

Aasness	Eken	Kalis	Nysether	Sieben, M.
Adams	Elioff	Kelly	Olsen	Stadum
Ainley	Ellingson	Kempe	Onnen	Stoa
Albrecht	Erickson	Kostohryz	Osthoff	Stowell
Anderson, B.	Esau	Kroening	Otis	Sviggum
Anderson, D.	Evans	Kvam	Patton	Swanson
Anderson, G.	Fjoslien	Laidig	Favlak	Thiede
Anderson, I.	Forsythe	Levi	Pehler	Valan
Anderson, R.	Friedrich	Ludeman	Peterson	Valento
Battaglia	Fritz	Luknic	Piepho	Vanasek
Begich	Fudro	Mann	Prahl	Voss
Berkelman	Halberg	McCarron	Redalen	Waldorf
Biersdorf	Haukoos	McDonald	Reding	Weaver
Blatz	Heap	McEachern	Rees	Welch
Brinkman	Hoberg	Mehrkens	Reif	Welker
Carlson, L.	Hokanson	Metzen	Rose	Wenzel
Corbid	Jacobs	Murphy	Rothenberg	Wieser
Crandall	Jennings	Nelsen, B.	Sarna	Wigley
Dempsey	Johnson, C.	Nelsen, M.	Searles	Zubay
Den Ouden	Johnson, D.	Niehaus	Sherwood	Speaker Searle
Drew	Jude	Norman	Sieben, H.	

The motion did not prevail and the amendment was not adopted.

Enebo moved to amend H. F. No. 479 as follows:

Page 2, line 7, after "organization" insert "*, except where provided under the terms of an existing collectively bargained agreement*"

Page 2, line 16, after "expense," insert "*except that such notice shall not affect coverage under any collectively bargained agreement*"

Page 2, line 31, after "physician" insert "*, except where such procedures are to be provided under the terms of an existing collectively bargained agreement*"

Page 3, line 3, after "services" insert "*, except that exclusion shall not be an option where an existing collectively bargained agreement provides for such coverage*"

The question was taken on the adoption of the amendment and the roll was called. There were 28 yeas and 96 nays as follows:

Those who voted in the affirmative were:

Berglin	Ewald	Kostohryz	Nelson	Stoa
Carlson, L.	Greenfield	Lehto	Norton	Tomlinson
Cassery	Heinitz	Levi	Novak	Voss
Clark	Jaros	Long	Otis	Wynia
Dean	Kahn	Moe	Rees	
Enebo	Kaley	Munger	Simoneau	

## Those who voted in the negative were:

Aasness	Drew	Johnson, C.	Olsen	Stowell
Adams	Eken	Johnson, D.	Onnen	Sviggum
Ainley	Elioff	Jude	Osthoff	Swanson
Albrecht	Ellingson	Kelly	Patton	Thiede
Anderson, B.	Erickson	Kempe	Pavlak	Valan
Anderson, D.	Esau	Kroening	Pehler	Valento
Anderson, G.	Evans	Kvam	Peterson	Vanasek
Anderson, I.	Faricy	Laidig	Piepho	Waldorf
Anderson, R.	Fjoslien	Ludeman	Pleasant	Weaver
Battaglia	Forsythe	Luknic	Prahl	Welch
Begich	Friedrich	Mann	Redalen	Welker
Biersdorf	Fritz	McDonald	Reif	Wenzel
Blatz	Fudro	Mehrkens	Rose	Wieser
Brinkman	Halberg	Metzen	Sarna	Wigley
Byrne	Haukoos	Minne	Schreiber	Zubay
Carlson, D.	Heap	Murphy	Searles	Speaker Searle
Corbid	Hoberg	Nelsen, B.	Sherwood	
Crandall	Hokanson	Niehaus	Sieben, H.	
Dempsey	Jacobs	Norman	Sieben, M.	
Den Ouden	Jennings	Nysether	Stadum	

The motion did not prevail and the amendment was not adopted.

Kahn moved to amend H. F. No. 479 as follows:

Page 1, line 16, delete "normal"

Page 1, line 17, delete "normal"

The question was taken on the adoption of the amendment and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelson	Searles
Adams	Eken	Kaley	Niehaus	Sherwood
Ainley	Elioff	Kalis	Norman	Sieben, H.
Albrecht	Ellingson	Kelly	Norton	Sieban, M.
Anderson, B.	Enebo	Kempe	Novak	Simoneau
Anderson, D.	Erickson	Knickerbocker	Nysether	Stadum
Anderson, G.	Esau	Kostohryz	Olsen	Stoa
Anderson, I.	Enebo	Kroening	Onnen	Stowell
Battaglia	Ewald	Kvam	Osthoff	Sviggum
Begich	Faricy	Laidig	Otis	Swanson
Berglin	Fjoslien	Lehto	Patton	Thiede
Biersdorf	Fritz	Levi	Pavlak	Tomlinson
Blatz	Fudro	Long	Pehler	Valan
Brinkman	Greenfield	Ludeman	Peterson	Vanasek
Byrne	Halberg	Luknic	Piepho	Voss
Carlson, D.	Haukoos	Mann	Pleasant	Waldorf
Carlson, L.	Heap	McCarron	Prahl	Weaver
Cassery	Heinitz	McDonald	Redalen	Welch
Clark	Hoberg	Mehrkens	Reding	Welker
Clawson	Hokanson	Metzen	Rees	Wenzel
Corbid	Jacobs	Minne	Reif	Wieser
Crandall	Jennings	Moe	Rose	Wigley
Dean	Johnson, C.	Munger	Rothenberg	Wynia
Dempsey	Johnson, D.	Murphy	Sarna	Zubay
Den Ouden	Jude	Nelsen, B.	Schreiber	Speaker Searle

The motion prevailed and the amendment was adopted.

Greenfield moved to amend H. F. No. 479, as amended, as follows:

Page 1, line 16, delete "*Between normal childbirth and abortion,*"

Page 1, line 17, after "*that*" insert "*contraception and*"

Page 1, line 18, delete "*is*" insert "*are*"

The question was taken on the adoption of the amendment and the roll was called. There were 51 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Ainley	Ewald	Knickerbocker	Nelson	Sieben, M.
Anderson, G.	Forsythe	Kostohryz	Norton	Simoneau
Berglin	Friedrich	Lehto	Novak	Stoa
Byrne	Greenfield	Levi	Osthoff	Stowell
Carlson, L.	Haukoos	Long	Otis	Tomlinson
Cassery	Heinitz	McCarron	Pehler	Wynia
Clark	Hokanson	Mehrkens	Pleasant	Zubay
Clawson	Jaros	Metzen	Prahl	
Dean	Jennings	Minne	Rice	
Ellingson	Kahn	Moe	Searles	
Enebo	Kaley	Munger	Sieben, H.	

Those who voted in the negative were:

Aasness	Den Ouden	Kelly	Olsen	Svigum
Adams	Drew	Kempe	Onnen	Swanson
Albrecht	Elioff	Kroening	Patton	Thiede
Anderson, B.	Esau	Kvam	Pavlak	Valan
Anderson, I.	Evans	Laidig	Peterson	Valento
Battaglia	Fjoslien	Ludeman	Piepho	Voss
Begich	Fritz	Luknic	Redalen	Waldorf
Berkelman	Fudro	Mann	Reding	Weaver
Biersdorf	Heap	McDonald	Rees	Welch
Blatz	Hoberg	McEachern	Reif	Welker
Brinkman	Jacobs	Murphy	Rose	Wenzel
Carlson, D.	Johnson, C.	Nelsen, B.	Sarna	Wieser
Corbid	Johnson, D.	Niehaus	Schreiber	Wigley
Crandall	Jude	Norman	Sherwood	Speaker Searle
Dempsey	Kalis	Nysether	Stadium	

The motion did not prevail and the amendment was not adopted.

Otis moved to amend H. F. No. 479, as follows:

Page 2, line 7, after "*organization*" insert "*except as provided in section 4*"

Page 2, after line 16, insert

"Sec. 4. Minnesota Statutes 1978, Section 62D.12, is amended by adding a subdivision to read:

*Subd. 12. A health maintenance organization which provides the only health service plan available through an employer to his employees shall not eliminate from its coverage elective, induced abortions. The health maintenance organization may, however, refuse to perform elective, induced abortions at its own facilities. If such services are denied at its own facilities, the health maintenance organization shall contract with other providers of health care services to perform elective, induced abortions for its enrollees. A contract made pursuant to this subdivision may be limited to enrollees who are employees of the employers who offer as their sole health plan coverage by the health maintenance organization choosing not to perform elective, induced abortions at its own facilities."*

Page 2, line 31, after "physician" delete the semicolon and insert "unless required under section 4. Except as required under section 4,"

Renumber sections in sequence

Further amend the title as follows

Page 1, line 4, after the semicolon delete "eliminating any" and insert "changing"

Page 1, line 8, after the semicolon insert "requiring certain health maintenance organizations choosing not to perform elective, induced abortions to contract with other health care providers to perform them for certain enrollees;"

Page 1, line 11, after the semicolon insert "62D.12, by adding a subdivision;"

The question was taken on the adoption of the amendment and the roll was called. There were 23 yeas and 105 nays as follows:

Those who voted in the affirmative were:

Berglin	Dean	Jaros	Moe	Otis
Carlson, L.	Enebo	Kahn	Munger	Simoneau
Cassery	Ewald	Lehto	Nelson	Wynia
Clark	Greenfield	Long	Norton	
Clawson	Heinitz	McCarron	Novak	

Those who voted in the negative were:

Aasness	Anderson, B.	Anderson, R.	Biersdorf	Carlson, D.
Adams	Anderson, D.	Battaglia	Blatz	Corbid
Ainley	Anderson, G.	Begich	Brinkman	Crandall
Albrecht	Anderson, I.	Berkelman	Byrne	Dempsey

Den Ouden	Hokanson	Mann	Peterson	Stowell
Drew	Jacobs	McDonald	Piepho	Sviggum
Eken	Jennings	McEachern	Prahl	Swanson
Elioff	Johnson, C.	Mehrkens	Redalen	Thiede
Ellingson	Johnson, D.	Metzen	Reding	Valan
Erickson	Jude	Minne	Rees	Valento
Esau	Kalis	Murphy	Reif	Vanasek
Evans	Kelly	Nelsen, B.	Rose	Voss
Faricy	Kempe	Niehaus	Rothenberg	Waldorf
Fjoslien	Knickerbocker	Norman	Sarna	Weaver
Forsythe	Kostohryz	Nysether	Schreiber	Welch
Friedrich	Kroening	Olsen	Searles	Welker
Fritz	Kvam	Onnen	Sherwood	Wenzel
Fudro	Laidig	Osthoff	Sieben, H.	Wieser
Haukoos	Levi	Patton	Seiben, M.	Wigley
Heap	Ludeman	Pavlak	Stadum	Zubay
Hoberg	Luknic	Pehler	Stoa	Speaker Searle

The motion did not prevail and the amendment was not adopted.

Enebo moved to amend H. F. No. 479 as follows:

Page 3, after line 3, add a section to read:

*"Sec. 5. [EFFECTIVE DATE.] This act shall be effective August 1, 1979, subject to the following exception: The provisions of sections 2, 3 and 4 shall not be effective until January 1, 1980 in the case of collectively bargained health maintenance organization coverage."*

The question was taken on the adoption of the amendment and the roll was called. There were 33 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Berglin	Enebo	Kelly	Moe	Rees
Berkelman	Ewald	Knickerbocker	Munger	Rothenberg
Carlson, L.	Greenfield	Kostohryz	Nelson	Simoneau
Casserly	Heinitz	Lehto	Norton	Tomlinson
Clark	Jaros	Long	Novak	Wynia
Clawson	Kahn	McCarron	Otis	
Dean	Kaley	Minne	Prahl	

Those who voted in the negative were:

Aasness	Carlson, D.	Friedrich	Kempe	Niehaus
Adams	Corbid	Fritz	Kroening	Norman
Ainley	Crandall	Fudro	Kvam	Nysether
Albrecht	Dempsey	Halberg	Laidig	Olsen
Anderson, B.	Den Ouden	Haukoos	Levi	Onnen
Anderson, D.	Drew	Heap	Ludeman	Osthoff
Anderson, I.	Elioff	Hoberg	Luknic	Patton
Anderson, R.	Ellingson	Hokanson	Mann	Pavlak
Battaglia	Erickson	Jacobs	McDonald	Pehler
Begich	Esau	Jennings	McEachern	Peterson
Biersdorf	Evans	Johnson, C.	Mehrkens	Piepho
Blatz	Faricy	Johnson, D.	Metzen	Pleasant
Brinkman	Fjoslien	Jude	Murphy	Redalen
Byrne	Forsythe	Kalis	Nelsen, B.	Reding

Reif	Sieben, H.	Swiggum	Vanasek	Wenzel
Rose	Sieben, M.	Swanson	Waldorf	Wieser
Sarna	Stadum	Thiede	Weaver	Wigley
Schreiber	Stoa	Valan	Welch	Zubay
Sherwood	Stowell	Valento	Welker	Speaker Searle

The motion did not prevail and the amendment was not adopted.

Byrne moved to amend H. F. No. 479, as amended, as follows:

Page 1, line 17, after *“that”* insert *“family planning and”*

The question was taken on the adoption of the amendment and the roll was called. There were 46 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dean	Jaros	Moe	Stoa
Berglin	Ellingson	Jennings	Munger	Stowell
Berkelman	Enebo	Kahn	Nelson	Tomlinson
Blatz	Ewald	Kaley	Norton	Vanasek
Byrne	Faricy	Knickerbocker	Novak	Wynia
Carlson, L.	Forsythe	Kostohryz	Otis	Zubay
Casserly	Friedrich	Lehto	Pehler	
Clark	Greenfield	Levi	Rice	
Clawson	Haukoos	Long	Rothenberg	
Crandall	Hokanson	McCarron	Simoneau	

Those who voted in the negative were:

Aasness	Eken	Kroening	Onnen	Stadum
Adams	Elioff	Kvam	Osthoff	Swiggum
Ainley	Erickson	Laidig	Patton	Swanson
Albrecht	Evans	Ludeman	Pavlak	Thiede
Anderson, B.	Fjoslien	Luknic	Peterson	Valan
Anderson, D.	Fritz	Mann	Piepho	Voss
Anderson, I.	Fudro	McDonald	Prahl	Waldorf
Anderson, R.	Halberg	McEachern	Redalen	Weaver
Battaglia	Heap	Mehrkens	Reding	Welch
Begich	Hoberg	Metzen	Rees	Welker
Biersdorf	Jacobs	Minne	Rose	Wenzel
Brinkman	Johnson, D.	Murphy	Sarna	Wieser
Corbid	Jude	Nelsen, B.	Schreiber	Wigley
Dempsey	Kalis	Niehaus	Sherwood	Speaker Searle
Den Ouden	Kelly	Norman	Sieben, H.	
Drew	Kempe	Nysether	Sieben, M.	

The motion did not prevail and the amendment was not adopted.

Kahn moved to amend H. F. No. 479, as follows:

Page 2, line 4, after *“death”* insert *“or physical health impairment that might lead to the death of the mother”*

Page 2, line 14, after *“death”* insert *“or physical health impairment that might lead to the death of the mother”*

Page 2, line 30, after "death" insert "or physical health impairment that might lead to the death of the mother"

Page 3, line 2, after "death" insert "or physical health impairment that might lead to the death of the mother"

The question was taken on the adoption of the amendment and the roll was called. There were 26 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Berglin	Enebo	Knickerbocker	Norton	Voss
Berkelman	Ewald	Lehto	Novak	Wynia
Carlson, L.	Greenfield	Long	Ottis	
Cassery	Heinitz	Moe	Stoa	
Clark	Jaros	Munger	Stowell	
Dean	Kaley	Nelson	Tomlinson	

Those who voted in the negative were:

Aasness	Dempsey	Johnson, D.	Nelsen, B.	Sarna
Adams	Den Ouden	Jude	Niehaus	Searles
Ainley	Eken	Kalis	Norman	Sherwood
Albrecht	Elioff	Kelly	Nysether	Sieben, H.
Anderson, B.	Erickson	Kempe	Olsen	Sieben, M.
Anderson, D.	Esau	Kostohryz	Onnen	Stadum
Anderson, G.	Evans	Kroening	Osthoff	Sviggum
Anderson, I.	Faricy	Kvam	Patton	Swanson
Anderson, R.	Fjoslien	Laidig	Pavlak	Thiede
Battaglia	Forsythe	Levi	Pehler	Valan
Begich	Friedrich	Ludeman	Peterson	Waldorf
Biersdorf	Fritz	Luknie	Piepho	Weaver
Blatz	Fudro	Mann	Pleasant	Welch
Brinkman	Halberg	McDonald	Prahl	Welker
Byrne	Haukoos	McEachern	Redalen	Wenzel
Carlson, D.	Heap	Mehrkens	Reding	Wieser
Clawson	Hoberg	Metzen	Rees	Wigley
Corbid	Jacobs	Minne	Reif	Zubay
Crandall	Jennings	Murphy	Rothenberg	Speaker Searle

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. 479, as amended, and the roll was called. There were 109 yeas and 20 nays as follows:

Those who voted in the affirmative were:

Aasness	Begich	Dempsey	Faricy	Jacobs
Adams	Berkelman	Den Ouden	Fjoslien	Jennings
Ainley	Biersdorf	Drew	Forsythe	Johnson, C.
Albrecht	Blatz	Eken	Friedrich	Johnson, D.
Anderson, B.	Brinkman	Elioff	Fritz	Jude
Anderson, D.	Byrne	Ellingson	Fudro	Kalis
Anderson, G.	Carlson, D.	Erickson	Haukoos	Kelly
Anderson, I.	Clawson	Esau	Heap	Kempe
Anderson, R.	Corbid	Evans	Hoberg	Knickerbocker
Battaglia	Crandall	Ewald	Hokanson	Kostohryz



Kroening	Murphy	Pehler	Sarna	Vanasek
Kvam	Nelsen, B.	Peterson	Schreiber	Voss
Laidig	Neisen, M.	Piepho	Searles	Waldorf
Levi	Niehaus	Pleasant	Sherwood	Weaver
Ludeman	Norman	Prahl	Sieben, H.	Welch
Luknic	Novak	Redalen	Sieben, M.	Welker
McCarron	Nysether	Reding	Stadum	Wenzel
McDonald	Olsen	Rees	Stoa	Wieser
McEachern	Onnen	Reif	Svigum	Wigley
Mehrkens	Osthoff	Rice	Swanson	Zubay
Metzen	Patton	Rose	Thiede	Speaker Searle
Minne	Pavlak	Rothenberg	Valan	

Those who voted in the negative were:

Berglin	Dean	Jaros	Long	Norton
Carlson, L.	Enebo	Kahn	Moe	Otis
Casserly	Greenfield	Kaley	Munger	Tomlinson
Clark	Heinitz	Lehto	Nelson	Wynia

The motion prevailed.

## MOTIONS AND RESOLUTIONS

Crandall moved that his name be stricken as an author on H. F. No. 695. The motion prevailed.

Wenzel moved that his name be stricken as an author on H. F. No. 714. The motion prevailed.

Simoneau moved that the name of Osthoff be added as an author on H. F. No. 757. The motion prevailed.

McEachern moved that his name be stricken as an author on H. F. No. 930. The motion prevailed.

Kaley moved that the name of Reding be added as an author on H. F. No. 1119. The motion prevailed.

Sarna moved that the names of Anderson, I., and Munger be added as authors on H. F. No. 1202. The motion prevailed.

Moe moved that the name of Jude be added as an author on House Advisory No. 20. The motion prevailed.

Dempsey moved that S. F. No. 52 be recalled from the Committee on Judiciary and together with H. F. No. 742, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Casserly moved that H. F. No. 731 be recalled from the Committee on Commerce and Economic Development and Housing and be re-referred to the Committee on Judiciary. The motion prevailed.

Swanson moved that H. F. No. 1246 be recalled from the Committee on Health and Welfare and be re-referred to the Committee on Financial Institutions and Insurance. The motion prevailed.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 9, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 9, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## THIRTY-THIRD DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 9, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Oisen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Stowell 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. 253, 624, 711, 740, 823, 176, 261, 299, 384, 519, 659, 757, 819, 843, 944, 988, 479, 588, 768 and 198 and S. F. No. 606 have been placed in the members' files.

S. F. No. 52 and H. F. No. 742, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Dempsey moved that the rules be so far suspended that S. F. No. 52 be substituted for H. F. No. 742 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  
ST. PAUL 55155

April 5, 1979

The Honorable Rod Searle  
Speaker of the House  
State of Minnesota

Dear Speaker Searle:

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. 303, relating to validating and legalizing certain state assignment certificates.

Sincerely,

ALBERT H. QUIE  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

April 5, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
	303	19	April 5	April 5

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

#### REPORTS OF STANDING COMMITTEES

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 227, A bill for an act relating to insurance; regulating homeowner's insurance; requiring insurers to disclose and file information; prescribing certain procedures for an insurer's refusal to renew or to write homeowner's insurance; prohibiting redlining; amending Minnesota Statutes 1978, Section 72A.20, Subdivision 1; and Chapter 65A, by adding sections.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 65A, is amended by adding a section to read:

[65A.27] [DEFINITIONS.] *Subdivision 1. For purposes of sections 1 to 3 the following terms have the meanings given.*

*Subd. 2. "Commissioner" means the commissioner of insurance.*

*Subd. 3. "Decline" or "declination" means an agent's refusal to accept an application for homeowner's insurance or an insurer's refusal to issue a policy of homeowner's insurance to a person who has submitted a written application.*

*Subd. 4. "Homeowner's insurance" means insurance coverage, as provided in section 60A.06, subdivision 1, clause (1)(c), normally written by the insurer as a standard homeowner's package policy or as a standard residential renter's package policy.*

*Subd. 5. "Insurer" means any insurer licensed to write insurance, as defined in section 60A.06, subdivision 1, clause (1), and writing homeowner's insurance in this state.*

*Subd. 6. "Metropolitan area" means the area defined in section 473.121, subdivision 2.*

*Subd. 7. "Nonpayment of premium" means a failure of the named insured to pay the premium when due on a policy of homeowner's insurance or any installment of the premium, whether the premium is payable directly to the insurer or its agent or indirectly under a premium finance plan or an extension of credit.*

*Subd. 8. "Renewal" or "renew" means an insurer's issuance and delivery to the insured of a new insurance policy at the end of the policy period of an existing policy written by the insurer or an insurer's issuance and delivery of a certificate or notice extending the term of a policy beyond its policy period or term.*

Sec. 2. Minnesota Statutes 1978, Chapter 65A, is amended by adding a section to read:

[65A.28] [DISCLOSURE AND FILING REQUIREMENTS.] *Subdivision 1. Each insurer writing homeowner's insurance for property located in the metropolitan area or a statutory or home rule charter city of the first class shall compile and file annually with the commissioner on or before May 1 a report for the preceding calendar year. This report shall contain the following information reported by postal zip code areas for each zip code area located in a city of the first class which contains property for which the insurer wrote, declined to write, or cancelled homeowner's insurance:*

- (a) the number of policies written;*
- (b) the number of policies cancelled;*
- (c) the number of policies nonrenewed; and*

(d) *the number of applications for homeowner's insurance declined.*

*If the commissioner determines that additional information is necessary to effectuate the purposes of this act, he may require, by rule:*

(i) *that the required information be reported for additional areas of the state, or*

(ii) *that additional types of information, including premium and claims data, be reported for some or all of the areas subject to the reporting requirements.*

*If the commissioner has reason to believe that an insurance company or insurance agent has violated section 72A.20, subdivision 1, clauses (13) or (14), the commissioner may issue an order requiring the company or agent to compile and submit within a reasonable time information on its homeowner's insurance marketing, underwriting, or rating practices for a specific geographic area or areas. This information may be in addition to the types and categories of information required to be reported by this section or rules promulgated under subdivision 4.*

*Subd. 2. The commissioner shall make the reports filed pursuant to subdivision 1 available for public inspection.*

*Subd. 3. Any insurer required to report under this section which fails to file a report, containing the data and within the time prescribed by this section or rules promulgated under subdivision 4, shall be subject to a penalty of \$10 for each day in default. Any penalty imposed under this section may be recovered in a civil action brought by and in the name of the state.*

*Subd. 4. The commissioner may prescribe rules necessary to carry out the purposes of this section. The rules may provide for classifications, differentiations, adjustments or exceptions, as in the judgment of the commissioner, are necessary and proper to effectuate the purposes of, prevent circumvention or evasion of, or to facilitate compliance with this section.*

*Sec. 3. Minnesota Statutes 1978, Chapter 65A, is amended by adding a section to read:*

*[65A.29] [CANCELLATION; NONRENEWAL; REFUSAL TO WRITE.] Subdivision 1. [CANCELLATION.] No insurer may cancel a policy of homeowner's insurance except for the reasons specified in section 65A.01.*

*Subd. 2. [RENEWAL; NOTICE REQUIREMENT.] No insurer may refuse to renew a policy of homeowner's insurance unless it delivers or mails to the named insured, at the most recent address furnished by the insured, at least 30 days advance*



*notice of its intention not to renew. This notice shall state the specific underwriting or other reason for nonrenewal. This subdivision shall not apply to a refusal to renew for nonpayment of the premium.*

*Subd. 3. [REFUSAL TO WRITE.] Upon completion in writing of the insurer's application form for homeowner's insurance, any person having an insurable interest in real or tangible property at a fixed location shall be entitled upon written request either (a) to the insurer's offer of coverage, including type, amount and premium cost of coverage, or (b) to a written declination, stating specifically the underwriting or other reason for the refusal to write. For purposes of this subdivision, "insurer" means only an insurer writing or offering to write homeowner's insurance for property in the same statutory or home rule charter city or town in which the applicant's property is located.*

*Subd. 4. [FORM REQUIREMENTS.] Any notice or statement required by subdivisions 1 to 3 shall be written in language which is easily readable and understandable by a person of average intelligence and understanding. The statement of reason shall be sufficiently specific to convey, clearly and without further inquiry, the basis for the insurer's refusal to renew or to write the insurance coverage.*

*Subd. 5. Notwithstanding sections 65A.01 and 65A.07, any policy of homeowner's insurance issued after January 1, 1980 shall contain nonrenewal provisions consistent with this section.*

*Subd. 6. [IMMUNITY OF INSURER OR COMMISSIONER.] There shall be no liability on the part of and no cause of action of any nature shall arise against the commissioner or against any insurer, its authorized representative, its agents, its employees or any firm, person or corporation furnishing to the insured information as to reasons for declination, nonrenewal, or cancellation, for any statement made by them in any written notice of declination, nonrenewal or cancellation, for the providing of information relating thereto, or for statements made or evidence submitted at any hearings or investigations conducted in connection therewith. This subdivision shall not apply to any action or proceeding arising under section 4 of this act.*

Sec. 4. Minnesota Statutes 1978, Section 72A.20, Subdivision 1, is amended to read:

**72A.20 [METHODS, ACTS AND PRACTICES WHICH ARE DEFINED AS UNFAIR OR DECEPTIVE.]** Subdivision 1. **[SCHEDULE OF UNFAIR METHODS.]** The following are hereby defined as unfair methods of competition and unfair and deceptive acts or practices in the business of insurance:

(1) [MISREPRESENTATIONS AND FALSE ADVERTISING OF POLICY CONTRACTS.] Making, issuing, circulating, or causing to be made, issued, or circulated, any estimate, illustration, circular, or statement misrepresenting the terms of any policy issued or to be issued or the benefits or advantages promised thereby or the dividends or share of the surplus to be received thereon, or making any false or misleading statement as to the dividends or share of surplus previously paid on similar policies, or making any misleading representation or any misrepresentation as to the financial condition of any insurer, or as to the legal reserve system upon which any life insurer operates, or using any name or title of any policy or class of policies misrepresenting the true nature thereof, or making any misrepresentation to any policyholder insured in any company for the purpose of inducing or tending to induce such policyholder to lapse, forfeit, or surrender his insurance;

(2) [FALSE INFORMATION AND ADVERTISING GENERALLY.] Making, publishing, disseminating, circulating, or placing before the public, or causing, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in a newspaper, magazine, or other publication, or in the form of a notice, circular, pamphlet, letter, or poster, or over any radio station, or in any other way, an advertisement, announcement, or statement, containing any assertion, representation, or statement with respect to the business of insurance, or with respect to any person in the conduct of his insurance business, which is untrue, deceptive, or misleading;

(3) [DEFAMATION.] Making, publishing, disseminating, or circulating, directly or indirectly, or aiding, abetting, or encouraging the making, publishing, disseminating, or circulating of any oral or written statement or any pamphlet, circular, article, or literature which is false, or maliciously critical of or derogatory to the financial condition of an insurer, and which is calculated to injure any person engaged in the business of insurance;

(4) [BOYCOTT, COERCION AND INTIMIDATION.] Entering into any agreement to commit, or by any concerted action committing, any act of boycott, coercion, or intimidation, resulting in or tending to result in unreasonable restraint of, or monopoly in, the business of insurance;

(5) [FALSE FINANCIAL STATEMENTS.] Filing with any supervisory or other public official, or making, publishing, disseminating, circulating, or delivering to any person, or placing before the public, or causing, directly or indirectly, to be made, published, disseminated, circulated, delivered to any person, or placed before the public, any false statement of financial condition of an insurer with intent to deceive;

(6) [FALSE ENTRIES.] Making any false entry in any book, report, or statement of any insurer with intent to deceive any agent or examiner lawfully appointed to examine into its condition or into any of its affairs, or any public official to whom such insurer is required by law to report, or who has authority by law to examine into its condition or into any of its affairs, or, with like intent, wilfully omitting to make a true entry of any material fact pertaining to the business of such insurer in any book, report, or statement of such insurer;

(7) [STOCK OPERATIONS AND ADVISORY BOARD CONTRACTS.] Issuing or delivering, or permitting agents, officers, or employees to issue or deliver, agency company stock or other capital stock, or benefit certificates or shares in any common-law corporation, or securities or any special or advisory board contracts or other contracts of any kind promising returns and profits as an inducement to insurance;

(8) [DISCRIMINATION.] Making or permitting any unfair discrimination between individuals of the same class and equal expectation of life in the rates charged for any contract of life insurance or of annuity or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of such contract or in making or permitting the rejection of an individual's application for life insurance coverage, as well as the determination of the rate class for such individual, on the basis of a disability, unless the claims experience and actuarial projections and other data establish significant and substantial differences in class rates because of the disability;

(9) [DISCRIMINATION BETWEEN INDIVIDUALS OF THE SAME CLASS.] Making or permitting any unfair discrimination between individuals of the same class and of essentially the same hazard in the amount of premium, policy fees, or rates charged for any policy or contract of accident or health insurance or in the benefits payable thereunder, or in any of the terms or conditions of such contract, or in any other manner whatever, or in making or permitting the rejection of an individual's application for accident or health insurance coverage, as well as the determination of the rate class for such individual, on the basis of a disability, unless the claims experience and actuarial projections and other data establish significant and substantial differences in class rates because of the disability;

(10) [REBATES.] Except as otherwise expressly provided by law, knowingly permitting or offering to make or making any contract of life insurance, annuity, or accident and health insurance, or agreement as to such contract, other than as plainly expressed in the contract issued thereon, or paying or allowing or giving, or offering to pay, allow, or give, directly or indirectly, as inducement to such insurance or annuity, any rebate of premiums payable on the contract, or any special favor or advantage in the dividends or other benefits thereon, or any valuable con-

sideration or inducement whatever not specified in the contract; or giving or selling or purchasing, or offering to give, sell, or purchase, as inducement to such insurance or annuity, or in connection therewith, any stocks, bonds, or other securities of any insurance company or other corporation, association, or partnership, or any dividends or profits accrued thereon, or anything of value whatsoever not specified in the contract;

(11) [APPLICATION TO CERTAIN SECTIONS.] Any violation of any provision of the following sections of this chapter not set forth in clauses (1) to (10) of this subdivision: section 72A.12, subdivisions 2, 3, and 4, section 72A.16, subdivision 2, sections 72A.03 and 72A.04, section 72A.08, subdivision 1 as modified by section 72A.08, subdivision 4, and section 65B.13;

(12) [UNFAIR SERVICE.] Causing or permitting with such frequency to indicate a general business practice the claims and complaints of insureds to be processed in an unreasonable length of time, or in an unfair, deceptive, or fraudulent manner, or in violation of such regulations as the commissioner of insurance shall make in the public interest to insure the prompt, fair, and honest processing of such claims and complaints;

(13) [REFUSAL TO RENEW.] *Refusing to renew, declining to offer or write, or charging differential rates for an equivalent amount of homeowner's insurance coverage, as defined by section 1 of this act, for property located in a town or statutory or home rule charter city, in which the insurer offers to sell or writes homeowner's insurance, solely because:*

- (a) *of the geographic area in which the property is located;*
- (b) *of the age of the primary structure sought to be insured;*
- (c) *the insured or prospective insured was denied coverage of the property by another insurer, whether by cancellation, non-renewal or declination to offer coverage, for a reason other than those specified in section 65A.01, subdivision 3a, clauses (a) to (e); or*
- (d) *the property of the insured or prospective insured has been insured under the Minnesota Fair Plan Act;*

*This clause (13) shall not prohibit the insurer from applying underwriting or rating standards which the insurer applies generally in all other locations in the state and which are not specifically prohibited by clauses (a) to (d). Such underwriting or rating standards shall specifically include but not be limited to standards based upon the proximity of the insured property to an extraordinary hazard or based upon the quality or availability of fire protection services or based upon the density or concentration of the insurer's risks. Clause (b) shall not prohibit the use of rating standards based upon the age of the insured structure's*

*plumbing, electrical, heating or cooling system or other part of the structure, the age of which affects the risk of loss. Any insurer's failure to comply with section 3, subdivisions 2 to 4 of this act, either (1) by failing to give an insured or applicant the required notice or statement or (2) by failing to state specifically a bona fide underwriting or other reason for the refusal to write shall create a presumption that the insurer has violated this clause.*

(14) [APPLICATION FORM REFUSAL.] *An insurance agent refusing to supply a requested application form for homeowner's insurance with any insurer whom the agent represents or refusing to transmit forthwith any completed application form to the insurer."*

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. 294, A bill for an act relating to private passenger vehicle insurance; prohibiting certain premium increases attributable to relatives living in the same household; amending Minnesota Statutes 1978, Chapter 65B, by adding a section.

Reported the same back with the following amendments:

Page 1, line 14, delete "for" and insert "or decline to renew"

Page 1, line 15, delete "relative" and insert "person under the age of 25"

Page 1, line 17, delete "relative" and insert "person under the age of 25"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 317, A bill for an act relating to highway traffic regulations; passing a stopped school bus displaying stop arm signals; providing civil remedies; prescribing penalties; amending Minnesota Statutes 1978, Section 169.44, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 169.44, is amended by adding a subdivision to read:

*Subd. 1a. [ARREST OF DRIVER PASSING STOPPED SCHOOL BUS; LIABILITY OF VEHICLE OWNER.] (a) A peace officer may arrest the driver of a vehicle if the peace officer has probable cause to believe that the driver has used the vehicle in violation of subdivision 1 and has reason to believe the vehicle is about to leave the state.*

*(b) A person registered as an owner of a motor vehicle may be fined, not to exceed \$500, if a motor vehicle bearing his registration number is operated contrary to the provisions of subdivision 1. The registered owner may not be so fined if (1) the motor vehicle was reported stolen to the commissioner or a law enforcement agency at the time of the alleged unlawful act or if (2) the registered owner demonstrates that the motor vehicle either was stolen or was not in use at the time of the alleged unlawful act or if (3) a conviction is had for the violation set forth in subdivision 1. The provisions of this subdivision do not apply to any person who rents or leases a motor vehicle if such person keeps a record of the name and address of the person or persons renting or leasing such motor vehicle, the registration number thereof, the departure date and time and expected time of return thereof. Such records shall be preserved for at least six months and shall be prima facie evidence that the person named therein was the operator thereof at the time it was operated contrary to the provisions of subdivision 1. The provisions of this subdivision do not prohibit or limit the prosecution of a motor vehicle operator for violating the provisions of subdivision 1.”*

Further, amend the title as follows:

Page 1, line 4, delete “civil”

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 423, A bill for an act relating to holidays; establishing January 15, Martin Luther King, Jr.'s birthday, as a holiday; amending Minnesota Statutes 1978, Section 645.44, Subdivision 5.

Reported the same back with the following amendments:

Page 1, after line 7, insert

“Section 1. Minnesota Statutes 1978, Section 126.13, is amended to read:

126.13 [CONDUCT OF SCHOOL ON CERTAIN HOLIDAYS.] The governing body of any district may contract with any of the teachers thereof for the conduct of schools, and may conduct schools, on either, or any, of the following holidays, provided that a clause to this effect is inserted in the teacher's contract: *Martin Luther King Jr.'s birthday*, Lincoln's and Washington's birthdays, Columbus Day and Veterans' Day, provided that on Washington's birthday, Lincoln's birthday, and Veterans' Day at least one hour of the school program be devoted to a patriotic observance of the day.”

Renumber the sections accordingly

Page 2, after line 9, insert “Sec. 3. *This act shall be effective on January 1, 1982.*”

Amend the title as follows:

Page 1, line 4, delete “Section” and insert “Sections 126.13; and”

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 458, A bill for an act relating to actions involving negligence; providing that contributory fault be measured against the total fault of persons from whom recovery is sought; amending Minnesota Statutes 1978, Section 604.01, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 503, A bill for an act relating to courts; sixth judicial district; providing that terms of court no longer shall be held in Ely; authorizing terms of court to be held at places other than Duluth, Hibbing or Virginia; amending Minnesota Statutes 1978, Sections 484.48; 484.50; and Chapter 484, by adding a section.

Reported the same back with the following amendments:

Page 2, line 2, strike "the first term of"

Page 2, line 3, strike "court to be held at"

Page 2, line 3, strike "at which a"

Page 2, line 4, strike "grand jury is in session"

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. 564, A bill for an act relating to financial institutions; providing a new interest index for conventional home loans; regulating mortgage insurance; regulating various interest rates; granting enforcement powers to the attorney general; permitting a usury exception to certain loans; extending the contract for deed redemption period; providing penalties; amending Minnesota Statutes 1978, Sections 47.20, Subdivisions 2, 4, 13, and by adding a subdivision; 82.19, by adding a subdivision; 334.01, Subdivision 2; 334.011, Subdivision 1; 559.21; and Chapter 334, by adding sections.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 47.20, Subdivision 2, is amended to read:

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 mortgagee 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, but excluding any charges or sums retained by the mortgagee or lender as self-insured retention.



(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 *borrower's interest rate commitment* or for making a *borrower's loan commitment* (FOR A CONVENTIONAL LOAN), whether or not an actual loan follows such commitment. The term service charge shall not include (DEVELOPER'S) *forward* 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 or 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 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, by the administrator of veterans affairs, or by the administrator of the farmers home administration. The term mortgage shall not include contracts for deed or installment land contracts.

(3) "(DEVELOPER'S) *Forward* 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 *binding forward* commitment by or through the lender to make conventional loans to two or more credit worthy purchasers, including future purchasers, of residential units, or a fee or other consideration paid to a lender for the purpose of securing a *binding forward* commitment by or through the lender to make conventional loans to two or more credit worthy purchasers, including future 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) provided that the forward commitment rate of interest does not exceed the maximum lawful rate of interest effective as of the date the forward commitment is issued by the lender.

(4) "*Borrower's interest rate commitment*" means a binding commitment made by a lender to a borrower wherein the lender agrees that, if a conventional loan is made following issuance of and pursuant to the commitment, the conventional loan shall be made at a rate of interest not in excess of the rate of interest agreed to in the commitment, provided that the rate of interest agreed to in the commitment is not in excess of the maximum lawful rate of interest effective as of the date the commitment is issued by the lender to the borrower.

(5) "*Borrower's loan commitment*" means a binding commitment made by a lender to a borrower wherein the lender agrees to make a conventional loan pursuant to the provisions, including the interest rate, of the commitment, provided that the commitment rate of interest does not exceed the maximum lawful rate of interest effective as of the date the commitment is issued and the commitment when issued and agreed to shall constitute a legally binding obligation on the part of the mortgagee or lender to make a conventional loan 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 the commitment is issued by the lender to the borrower; provided that a lender who issues a borrower's loan commitment pursuant to the provisions of a forward commitment is authorized to issue such borrower's loan commitment at a rate of interest not to exceed the maximum lawful rate of interest effective as of the date the forward commitment is issued by the lender.

((4)) (6) "*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) forward commitment fee. The finance charges plus the actual closing costs and any (DEVELOPER'S) forward commitment fee, charged by a lender shall in-

clude all charges made by a lender other than the principal of the conventional loan.

((5)) (7) "Lender" means any person making a conventional loan, or any person arranging financing for a conventional loan. The term shall also include the holder or assignee at any time of a conventional loan.

((6)) (8) "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.)

((7)) (9) "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.

(9a) "*Monthly index of the federal national mortgage association auction yields*" means the gross weighted average yield of accepted offers in the second free market system conventional home mortgage auction held by the federal national mortgage association in a month.

((8)) (10) "Person" means an individual, corporation, business trust, partnership or association or any other legal entity.

((9)) (11) "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.

Sec. 2. Minnesota Statutes 1978, Section 47.20, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding the provisions of section 334.01, lenders are authorized to make conventional loans and purchases of obligations representing conventional loans 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 or 4a.

Sec. 3. Minnesota Statutes 1978, Section 47.20, Subdivision 4, is amended to read:

Subd. 4. No conventional loan shall be made at a rate of interest or loan yield 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 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 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 the maximum lawful rate of interest to be published in a legal newspaper in Ramsey county on or before the 20th day of each month and in the state register on or before the last day of each month; the maximum lawful rate of interest to be effective on the first day of the next succeeding month.

(3) A contract rate within the maximum lawful interest rate applicable to a conventional loan at the time the loan is made shall be the maximum lawful interest rate for the term of the conventional loan.

(4) Conventional loans made pursuant to a *borrower's interest rate commitment (FOR A CONVENTIONAL LOAN), (INCLUDING) or made pursuant to a borrower's loan commitment, or made pursuant to a commitment for conventional loans made upon payment of a (DEVELOPER'S) forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, which commitment provides for consummation within some future time following the issuance of the commitment may be consummated pursuant to the provisions, including the interest rate, of the commitment notwithstanding the fact that the maximum lawful rate of interest at the time (SUCH) the conventional loan is actually 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 the commitment was issued (AND PROVIDED THAT THE COMMITMENT WHEN ISSUED AND AGREED TO SHALL CONSTITUTE A LEGALLY*

BINDING OBLIGATION ON THE PART OF THE MORTGAGEE OR LENDER TO MAKE A CONVENTIONAL LOAN 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 THE COMMITMENT WAS ISSUED). The refinancing of (a) an existing conventional loan, (b) a loan insured or guaranteed by the secretary of housing and urban development, the administrator of veterans affairs, or the administrator of the farmers home administration, or (c) a contract for deed by making a conventional loan shall be deemed to be a new conventional loan for purposes of determining the maximum lawful rate of interest under this subdivision. A *borrower's interest rate commitment or a borrower's loan commitment* shall be deemed to be issued on the date the commitment is hand delivered by the lender to (THE BORROWER), or mailed to the borrower (OR TO ANY ONE OF THEM IF THERE SHOULD BE MORE THAN ONE). A *forward commitment* shall be deemed to be issued on the date the forward commitment is hand delivered by the lender to, or mailed to the person paying the forward commitment fee to the lender, or to any one of them if there should be more than one.

(5) A loan made pursuant to a *borrower's interest rate commitment, or made pursuant to a borrower's loan commitment, (INCLUDING) or made pursuant to a forward commitment* for conventional loans made upon payment of a (DEVELOPER'S) *forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, (ISSUED ON OR BEFORE JULY 31, 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 THE LOAN) was made shall continue to be enforceable in accordance with its terms until the indebtedness is fully satisfied.

((6) THIS SUBDIVISION EXPIRES JULY 31, 1979.)

Sec. 4. Minnesota Statutes 1978, Section 47.20, is amended by adding a subdivision to read:

*Subd. 4a. No conventional loan shall be made at a rate of interest or loan yield in excess of a maximum lawful interest rate which shall be based upon the monthly index of the federal national mortgage association auction yields as compiled by the federal national mortgage association. The maximum lawful interest rate shall be computed as follows:*

(1) *The maximum lawful rate of interest for a conventional loan made or contracted for during any calendar month shall be equal to the monthly index of the federal national mortgage association auction yields for the first preceding calendar month rounded off to the next highest quarter of one percent per annum.*

(2) *On or before the last day of each month the commissioner of banking shall determine, based on available statistics, the monthly index of the federal national mortgage association auction yields for that 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 the maximum lawful rate of interest to be published in a legal newspaper in Ramsey County on or before the first day of each month or as soon thereafter, as practicable and in the state register on or before the last day of each month; the maximum lawful rate of interest to be effective on the first day of that month. If a federal national mortgage association free market system conventional home mortgage auction is not held in any month, the maximum lawful rate of interest determined by the commissioner of banks pursuant to the last auction shall be the maximum lawful rate of interest through the last day of the month in which the next auction is held.*

(3) *A contract rate within the maximum lawful interest rate applicable to a conventional loan at the time the loan is made shall be the maximum lawful interest rate for the term of the conventional loan.*

(4) *Conventional loans made pursuant to a borrower's interest rate commitment or made pursuant to a borrower's loan commitment, or made pursuant to a commitment for conventional loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, which commitment provides for consummation within some future time following the issuance of the commitment may be consummated pursuant to the provisions, including the interest rate, of the commitment notwithstanding the fact that the maximum lawful rate of interest at the time the conventional loan is actually 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 the commitment was issued. The refinancing of (a) an existing conventional loan, (b) a loan insured or guaranteed by the secretary of housing and urban development, the administrator of veterans affairs, or the administrator of the farmers home administration, or (c) a contract for deed by making a conventional loan shall be deemed to be a new conventional loan for purposes of determining the maximum lawful rate of interest under this subdivision. A borrower's interest rate commitment or a borrower's loan commitment shall be deemed to be issued on the date the commitment is hand delivered by the lender to, or mailed to the borrower. A forward commitment shall be deemed to be issued on the date the forward commitment is hand delivered by the lender to, or mailed to the person paying the forward commitment fee to the lender, or to any one of them if there should be more than one.*

(5) *A loan made pursuant to a borrower's interest rate commitment, or made pursuant to a borrower's loan commitment,*

or made pursuant to a forward commitment for conventional loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, at a rate of interest not in excess of the rate of interest authorized by this subdivision at the time the commitment was made shall continue to be enforceable in accordance with its terms until the indebtedness is fully satisfied.

(6) This subdivision supersedes subdivision 4 from the effective date of this act until November 30, 1982.

(7) This subdivision expires November 30, 1982.

Sec. 5. Minnesota Statutes 1978, Section 47.20, Subdivision 6, is amended to read:

Subd. 6. *If the purpose of a conventional loan is to enable a borrower to purchase a one to four family dwelling for his or her residence, no lender shall disapprove the sale or transfer of the real estate where the existing borrower continues after sale or transfer to be directly liable with the purchaser for repayment of the entire indebtedness. The lender may establish, as the only condition for denying release of the existing borrower from all obligations under the loan instruments, that the person to whom the real estate will be sold or transferred does not meet the standards of creditworthiness normally used by persons in the business of making conventional loans including but not limited to the ability of the purchaser to make the loan payments and satisfactorily maintain the real estate used as collateral. No conventional loan (OR LOAN AUTHORIZED IN SUBDIVISION 1) made on or after the effective date of (LAWS 1977, CHAPTER 350) 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 and the existing borrower continues after sale or transfer to be directly liable with the purchaser for repayment of the entire assumed indebtedness, provided that a lender is authorized to charge a fee not to exceed one percent of the remaining unpaid principal balance in the event the remaining indebtedness is assumed by another person and the existing borrower is released from all obligations under the loan instruments.*

Sec. 6. Minnesota Statutes 1978, Section 47.20, Subdivision 7, is amended to read:

Subd. 7. (1) No conventional loan made on or after the effective date of Laws 1977, Chapter 350 and prior to the effective date of this act shall contain a provision requiring or permitting the imposition, directly or indirectly, of any discount points, whether or not actually denominated as discount points, on any person. Conventional loans made on or after the effective date

*of this act may contain provisions permitting discount points, if the loan does not provide a loan yield in excess of that permitted by subdivision 4 or 4a. The loan yield is computed using the amount resulting when the discount points are included in the finance charge.*

(2) *Forward commitment fees are not discount points (SHALL BE DEEMED NOT TO INCLUDE A DEVELOPER'S COMMITMENT FEE) within the meaning of this subdivision.*

(3) No charges, fees, or sums permitted by this section 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 SECTION 115 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1969, PUBLIC LAW 91-152, 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.)

Sec. 7. Minnesota Statutes 1978, Section 47.20, Subdivision 13, is amended to read:

Subd. 13. Any conventional loan having an interest rate or loan yield in excess of the maximum lawful interest rate provided for in subdivision 4 or 4a 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. 8. Minnesota Statutes 1978, Section 47.20, is amended by adding a subdivision to read:

Subd. 14. (a) *A lender requiring or offering private mortgage insurance shall make available to the borrower or other person paying the insurance premium the same premium payment plans as are available to the lender in paying the private mortgage insurance premium.*

(b) *Any refund or rebate for unearned private mortgage insurance premiums shall be paid to the borrower or other person actually providing the funds for payment of the premium.*

Sec. 9. *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 financial institutions; providing a new interest index for conventional home loans; regulating private mortgage insurance; regulating various interest rates; amending Minnesota Statutes 1978, Sections 47.20, Subdivisions 2, 3, 4, 6, 7, and 13, and by adding subdivisions."

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 594, A bill for an act relating to human rights; requiring the commissioner of human rights to follow certain procedures in an investigation of allegations of unfair discriminatory practices; amending Minnesota Statutes 1978, Section 363.06, Subdivision 4.

Reported the same back with the following amendments:

Page 2, line 1, strike "such" and insert "the"

Page 2, line 3, strike "such" and insert "the"

Page 2, line 4, strike "this"

Page 2, line 7, strike "any"

Page 2, line 14, strike "thereafter"

Page 2, line 24, delete "registered"

Page 2, line 25, delete "or certified" and insert "first class"

Page 2, lines 25 to 27, delete everything after the comma

Page 2, line 28, delete "of law allegedly violated" and insert "a notice setting forth a short plain statement of the alleged facts which support the finding of probable cause and an enumeration of the provisions of law allegedly violated"

Page 2, line 28, delete "Thereafter,"

Page 2, line 31, after "been" insert "or would be"

Page 3, line 8, strike "At any time"

Page 3, line 17, strike "any" and insert "an"

Page 3, line 18, strike "any" and insert "an"

Page 3, line 20, strike "such"

Page 3, line 20, after "or" insert "a"

Page 3, line 21, strike "such"

Page 3, line 27, strike "such" and insert "an"

Page 3, line 28, strike "such" and insert "the"

Page 3, line 29, strike "such"

Page 3, line 33, strike "any" and insert "a"

Page 4, line 2, strike "such" and insert "a"

Page 4, line 3, strike "such" and insert "the"

Page 4, line 4, strike "any" and insert "a"

Page 4, line 4, after "respect" insert "to the practice"

Page 4, line 5, strike "thereto"

Page 4, line 5, strike "such" and insert "the"

Page 4, line 6, strike "such" and insert "a"

Page 4, line 6, strike "any" and insert "a"

Page 4, line 7, strike "hereunder" and insert "as provided in this section"

Page 4, line 7, strike "such" and insert "the" in both instances

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 614, A bill for an act relating to civil actions; statutes of limitations; providing for limits on time to commence certain real estate actions; amending Minnesota Statutes 1978, Section 541.051, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 2, strike "ten" and insert "15"

Page 2, after line 16, insert:

"Sec. 2. Minnesota Statutes 1978, Section 541.051, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding the provisions of subdivision 1, in the case of such an (INJURY TO PROPERTY OR THE PERSON, OR SUCH AN INJURY CAUSING WRONGFUL DEATH) *action*, which (INJURY OCCURRED) *accrues* during the (TENTH) *14th or 15th* year after the completion of such construction, an action to recover damages (FOR SUCH AN INJURY OR WRONGFUL DEATH) may be brought within (ONE YEAR) *two years* after the date on which such (INJURY OCCURRED, IRRESPECTIVE OF THE DATE OF DEATH) *action accrued*, but in no event may such an action be brought more than (11) *17* years after the completion of such construction.

Sec. 3. Minnesota Statutes 1978, Section 541.051, Subdivision 4, is amended to read:

Subd. 4. This section shall not apply to actions based on breach of the statutory warranties set forth in section 327A.02, *or to actions based on breach of an express written warranty, provided such actions shall be brought within two years of the discovery of the breach.*"

Renumber the remaining section

Amend the title as follows:

Page 1, line 3, delete "to commence"

Page 1, line 4, after "actions" insert "accrue"

Page 1, line 5, delete "Subdivision 1" and insert "Subdivisions 1, 2, and 4"

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 704, A bill for an act relating to elections; providing for the tabulation and announcement of votes cast on elec-

tronic voting systems; amending Minnesota Statutes 1978, Section 206.185, Subdivision 5, and by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 11, after "at" delete "the" and insert "a"

Page 1, line 12, after "center" and before the comma insert "where votes are counted by a multiple use computer"

Page 1, line 13, delete everything after the period

Page 1, delete line 14

Page 1, line 15, delete "necessary replacements, as provided in subdivision 4."

Page 1, after line 23 insert:

*"For purposes of this subdivision, a multiple use computer is a type of automatic tabulating equipment which can perform functions other than counting votes."*

Page 2, line 13, after "votes" insert "and the precinct summary statements prepared in accordance with section 204A.46"

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 791, A bill for an act relating to courts; authorizing the district court to adopt by rule guidelines for the awarding of maintenance, child support and disposition of property in dissolution, legal separation and maintenance proceedings; appropriating money.

Reported the same back with the following amendments:

Page 1, line 12, delete "district" and insert "county or municipal"

Page 1, line 14, delete "his" and insert "the"

Page 1, line 23, before "advisory" insert "only"

Page 1, line 23, after "district" insert "or county"

Page 2, line 7, after "maintenance" insert "and shall clearly declare that other considerations, if relevant, are not precluded"

Page 2, line 13, after the period insert "The coordinator may solicit such advice and assistance from the practitioners in the field as he sees fit."

Page 2, line 21, after "state" insert "and such persons who register with the research coordinator their desire to receive notice of hearings on the proposed guidelines"

Pages 2 and 3, delete Subdivision 5, and renumber the subsequent subdivision

Amend the title, as follows:

Page 1, line 2, delete "the district court" and insert "a committee consisting of county and county municipal court judges"

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. 859, A bill for an act relating to banks and other financial institutions; regulating open end loan accounts; removing certain restrictions; providing for computation of finance charges; amending Minnesota Statutes 1978, Section 48.185, Subdivisions 2 and 3.

Reported the same back with the following amendments:

Page 2, after line 15, insert:

"Sec. 3. Minnesota Statutes 1978, Section 48.185 is amended by adding a subdivision to read:

*Subd. 4a. Any bank or savings bank that operates a national bank credit card program providing for a periodic finance charge not to exceed 1-1/2 percent per month with no additional annual charge shall also have available to the debtor a plan providing for a periodic finance charge not to exceed one percent per month with an additional annual charge of up to \$15 per year. Any bank or savings bank that operates more than one national bank credit card program may comply with this subdivision by having available to the debtor under at least one national bank credit card program a plan providing for a periodic finance charge not to exceed one percent per month and an additional*

*charge of up to \$15 per year and under at least one other national bank credit card program a plan providing for a periodic charge not to exceed 1-1/2 percent per month with no additional annual charge."*

Renumber subsequent sections accordingly

Amend the title as follows:

Page 1, line 5, after the semicolon, insert:

**"requiring banks which offer a certain credit card program to offer another program with a specified finance charge;"**

Page 1, line 6, after "2" delete "and" and insert a comma

Page 1, line 6, after "3" insert "and by adding a subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 969, A bill for an act relating to corrections; institutions under the control of the commissioner of corrections; designating them as correctional facilities according to geographical location; prescribing the title for the chief executive officer of each institution; authorizing the temporary detention of persons who trespass upon institution grounds; prescribing penalties; amending Minnesota Statutes 1978, Sections 242.41; 242.51; 243.21; 243.40; 243.48; 243.55; 243.56; 243.59; 243.75; and 243.90; repealing Minnesota Statutes 1978, Sections 243.54 and 243.92.

Reported the same back with the following amendments:

Page 3, line 14 delete *“, engages in any conduct prohibited by law”* and insert *“introduces or attempts to introduce contraband prohibited by section 243.55 or anything usable in making an escape, or assaults or attempts to assault an officer or employee of the facility”*

Page 5, delete lines 14, 15, 16, 17

Page 5, line 23, delete *“director”* and insert *“chief executive officer of the facility”*

With the recommendation that when so amended the bill pass.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 998, A bill for an act relating to corrections; providing for vocational training of the inmates of state correctional facilities; reorganizing and harmonizing the various laws relating to the industrial activities conducted at such facilities; amending Minnesota Statutes 1978, Sections 241.26, Subdivision 7; and 241.27; repealing Minnesota Statutes 1978, Sections 243.19; 243.41; 243.42; 243.43; 243.44; 243.45; 243.46; 243.47; 243.63; 243.66; 243.67; 243.68; 243.80; 243.84; 243.85; 325.45; 325.46; and 325.47.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

H. F. No. 1033, A bill for an act relating to wrongful death; a clarification of the time limitations for maintaining an action for death by intentional wrongful act where the act responsible for the death constitutes the crime of murder; amending Minnesota Statutes 1978, Section 573.02, 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 General Legislation and Veterans Affairs to which was referred:

S. F. No. 72, A bill for an act relating to elections; providing for the official identification of ballots; amending Minnesota Statutes 1978, Sections 123.11, Subdivision 4; 123.32, Subdivision 5; 203A.13; 203A.15; 204A.26, Subdivision 1; 204A.31; 204A.32, Subdivision 3; and 206.17.

Reported the same back with the following amendments:

Page 2, line 19, reinstate "(THE BACK OF)"

Page 2, lines 23 to 25, reinstate everything after the period.

Page 3, line 14, reinstate "(BACKS OF ALL THE)"

Page 4, line 4, reinstate "(THE BACK OF)"

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 General Legislation and Veterans Affairs to which was referred:

S. F. No. 340, A bill for an act relating to ethics in government; defining administrative action; clarifying campaign report filing dates; providing for the registration of political committees and political funds; defining candidate to include candidates for certain judicial offices and excluding those candidates from reporting under the Fair Campaign Practices Act; amending Minnesota Statutes 1978, Sections 10A.01, Subdivisions 2 and 5; 10A.14, Subdivision 1; 10A.20, Subdivision 2; 210A.01, Subdivision 3; and 290.06, Subdivision 11.

Reported the same back with the following amendments:

Page 2, after line 17 insert:

"Sec. 2. Minnesota Statutes 1978, Section 10A.01, Subdivision 11, is amended to read:

Subd. 11. "Lobbyist" means any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

"Lobbyist" does not include any:

(a) Public official or employee of the state or any of its political subdivisions or public bodies acting in his official capacity;

(b) Party or his representative appearing in a proceeding before a state board, commission or agency of the executive branch unless the board, commission or agency is taking administrative action;



(c) Individual while engaged in selling goods or services to be paid for by public funds;

(d) News media or their employees or agents while engaged in the publishing or broadcasting of news items, editorial comments or paid advertisements which directly or indirectly urge official action;

(e) Paid expert witness whose testimony is requested by the body before which he is appearing, but only to the extent of preparing or delivering testimony; or

(f) Stockholder of a family farm corporation as defined in section 500.24, subdivision 1, who does not spend over \$250, excluding his own travel expenses, in any year in communicating with public officials ; or

*(g) Party or his representative appearing to present a claim to the legislature and communicating to legislators only by the filing of a claim form and supporting documents and by appearing at public hearings on the claim."*

Renumber the sections in sequence

Amend the title as follows :

Page 1, line 3, after the semicolon, insert "excluding persons presenting legislative claims from the definition of "lobbyist" under certain conditions;"

Page 1, line 10, delete "and" and insert a comma and after "5" insert "and 11"

With the recommendation that when so amended the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 227, 294, 317, 458, 503, 564, 594, 614, 704, 859, 969, 998 and 1033 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 52, 72 and 340 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced :

Swanson, Heinitz, Niehaus and Clawson introduced:

H. F. No. 1248, A bill for an act relating to public welfare; authorizing the commissioner of public welfare to make grants to certain types of facilities for the mentally handicapped; exempting such facilities from certain licensing requirements, building code requirements, and minimum wage requirements; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Fjoslien; Johnson, D.; McEachern and Murphy introduced:

H. F. No. 1249, A bill for an act relating to town roads; providing for the establishment of certain cartways, and authorizing the expenditure of town road and bridge funds under certain conditions; amending Minnesota Statutes 1978, Section 164.08, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

Den Ouden introduced:

H. F. No. 1250, A bill for an act relating to education; raising the reimbursement paid G.E.D. testing centers; amending Minnesota Statutes 1978, Section 124.26, Subdivision 3.

The bill was read for the first time and referred to the Committee on Education.

Wynia, Waldorf, McCarron, Mehrkens and Corbid introduced:

H. F. No. 1251, A bill for an act relating to public welfare; prohibiting denial or reduction of benefits under certain private health care plans to public assistance recipients; providing subrogation rights for counties to recover costs of services provided; amending Minnesota Statutes 1978, Sections 62A.045; 62C.141; 62E.04, Subdivision 8; 64A.221; and Chapter 393, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Prahl, Battaglia, Begich, Anderson, I., and Nelsen, M., introduced:

H. F. No. 1252, A bill for an act relating to crimes; authorizing application for a permit to carry a pistol to be made either to the local chief of police or county sheriff; amending Minnesota Statutes 1978, Section 62A.714, Subdivision 2.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Casserly, Heinitz, Norton, Schreiber and Pleasant introduced:

H. F. No. 1253, A bill for an act relating to the metropolitan council; providing for the acquisition and betterment of regional recreation open space; authorizing the issuance of Minnesota state general obligation bonds; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

Stadum and Eken introduced:

H. F. No. 1254, A bill for an act relating to Polk County; permitting the imposition of a tax on removing gravel; providing for its administration; providing a penalty.

The bill was read for the first time and referred to the Committee on Taxes.

Casserly, Heinitz, Clawson, Schreiber and Sieben, H., introduced:

H. F. No. 1255, A bill for an act relating to taxation; clarifying the taxable status of Title II property owned by a non-profit entity; amending Minnesota Statutes 1978, Section 272.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Wynia, Brinkman, Heinitz, Biersdorf and Adams introduced:

H. F. No. 1256, A bill for an act relating to fire insurance; repealing certain requirements for examination and appraisal of insured structures; repealing Minnesota Statutes 1978, Section 65A.08, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Waldorf, Norton, Fjoslien and Kostohryz introduced:

H. F. No. 1257, A bill for an act relating to public transit; authorizing the acquisition, betterment, operation and maintenance of a people mover system in St. Paul; authorizing financial participation in its construction and operation by the metropolitan transit commission; providing for assistance by the state; appropriating money; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; repealing Laws 1977, Chapter 454, Section 45.

The bill was read for the first time and referred to the Committee on Transportation.

Voss, Ewald, Ellingson and Blatz introduced:

H. F. No. 1258, A bill for an act relating to banks; authorizing the closing of loans at detached facilities; amending Minnesota Statutes 1978, Section 47.53.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Wenzel introduced:

H. F. No. 1259, A resolution memorializing the United States Congress to take responsible action regarding their own pay.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Rees introduced:

H. F. No. 1260, A bill for an act relating to the city of Shakopee; permitting the city to impose an amusements tax; providing for its administration.

The bill was read for the first time and referred to the Committee on Taxes.

Dempsey introduced:

H. F. No. 1261, A bill for an act relating to the city of New Ulm; authorizing an increase in firefighters service pensions and death and disability benefits; amending Laws 1973, Chapter 182, Section 1, as amended.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Thiede introduced :

H. F. No. 1262, A bill for an act relating to the city of Breezy Point; relating to its tax levy for general purposes; repealing Laws 1971, Chapter 110.

The bill was read for the first time and referred to the Committee on Taxes.

Luknic, Fudro and Ainley introduced :

H. F. No. 1263, A bill for an act relating to education; changing the applicability of certain provisions relating to equipment of a school bus, use of the equipment, compliance with certain rules of the state board of education and loading and unloading of school children; requiring unobstructed aisles and exits in school buses; regulating the pulling of trailers by school buses; eliminating provisions dealing with the maximum speed and color of a school bus; amending Minnesota Statutes 1978, Section 169.44, Subdivisions 1 and 2, and by adding subdivisions; repealing Minnesota Statutes 1978, Section 169.44, Subdivisions 5 and 7.

The bill was read for the first time and referred to the Committee on Education. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Drew and Ainley introduced :

H. F. No. 1264, A bill for an act relating to health; establishing an American Indian advisory board to assist the department of public welfare in formulating policies relating to chemical dependency and the abuse of alcohol and other drugs by American Indians; amending Minnesota Statutes 1978, Section 254A.03, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Esau, Aasness, Kempe, Rees and Battaglia introduced :

H. F. No. 1265, A bill for an act relating to cable communications; exempting systems with fewer than 1,000 subscribers from cable communications board regulation; amending Minnesota Statutes 1978, Section 238.02, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Ainley, Anderson, I., and Nysether introduced :

H. F. No. 1266, A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in Beltrami County.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Den Ouden introduced :

H. F. No. 1267, A bill for an act relating to education; extending the time period for calculating library system grants; altering the percentage of funds distributed on a per capita basis; amending Minnesota Statutes 1978, Section 134.35, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Education.

Aasness; Fjoslien; Anderson, R.; Evans and Valan introduced :

H. F. No. 1268, A bill for an act relating to state lands; authorizing the conveyance of certain lands in Otter Tail County to the city of Fergus Falls.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Metzen, Adams, Patton, Olsen and Osthoff introduced :

H. F. No. 1269, A bill for an act relating to retirement; state payment of social security taxes and employer's retirement contribution for school district employees who are members of the public employees retirement association; appropriating money; amending Minnesota Statutes 1978, Sections 355.41, Subdivision 4; 355.46, Subdivision 3; 355.49; and Chapter 353, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Elioff, Battaglia, Biersdorf, Begich and Sherwood introduced :

H. F. No. 1270, A bill for an act relating to game and fish; altering the dates on the season for taking lake trout; amending Minnesota Statutes 1978, Section 101.41, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Ellingson and Carlson, L., introduced:

H. F. No. 1271, A bill for an act relating to the city of Brooklyn Center; authorizing housing and rehabilitation loan and grant program.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Fjoslien, Osthoff, Dempsey, Sarna and McEachern introduced:

H. F. No. 1272, A bill for an act relating to aeronautics; excluding parachutes and parachuting from the jurisdiction of the department of transportation; amending Minnesota Statutes 1978, Section 360.013, Subdivisions 2, 3 and 11.

The bill was read for the first time and referred to the Committee on Transportation.

Patton and Biersdorf introduced:

H. F. No. 1273, A bill for an act relating to the public employees retirement association; reducing penalty for early retirement; increasing interest on refunds; providing for coordinated survivor benefits and survivor benefits after retirement; increasing the amount retirees may earn in public service without affecting the payment of their annuity; amending Minnesota Statutes 1978, Sections 353.30, Subdivisions 1, 1b, 1c, and 3; 353.31, by adding subdivisions; 353.32, Subdivision 1; 353.34, Subdivision 2; 353.37, Subdivision 1; and 353.657, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Moe, Patton, Biersdorf and Kaley introduced:

H. F. No. 1274, A bill for an act relating to retirement; payment of teachers' annuities; refunds of accumulated contributions; amending Minnesota Statutes 1978, Sections 354.44, by adding a subdivision; and 354.47, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Moe, Patton, Biersdorf and Kaley introduced:

H. F. No. 1275, A bill for an act relating to Minnesota retirement funds; concerning the fixed return account; clarifying early redemption valuations for organizational participants; amending Minnesota Statutes 1978, Section 11.18, Subdivision 3a.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton and Biersdorf introduced:

H. F. No. 1276, A bill for an act relating to retirement; state payment of employer's retirement contributions for members of the public employees retirement association; appropriating money; amending Minnesota Statutes 1978, Section 353.27, Subdivisions 3, 3a, 4, 7, 9, 11, and 12; and Chapter 353, by adding a section; repealing Minnesota Statutes 1978, Section 353.28.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Stowell, Nysether and Sviggum introduced:

H. F. No. 1277, A bill for an act relating to retirement; increasing the minimum period of service required to qualify for legislators retirement; amending Minnesota Statutes 1978, Section 3A.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Stowell and Fritz introduced:

H. F. No. 1278, A bill for an act relating to retirement; authorizing the purchase of non-Minnesota teaching service in the teachers retirement association by certain members; amending Minnesota Statutes 1978, Chapter 354, by adding a section; repealing Minnesota Statutes 1978, Section 354.09.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Berkelman, Munger, Lehto and Jaros introduced:

H. F. No. 1279, A bill for an act relating to city of Duluth; providing for the management of the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Sections 2, Subdivision 2; 5, Subdivision 4; 7, as amended; and 8.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.



Nysether, Evans, Battaglia, Anderson, I., and Elioff introduced:

H. F. No. 1280, A bill for an act relating to taxation; income; providing a tax credit to a Minnesota resident for income taxes paid to a province of Canada; amending Minnesota Statutes 1978, Section 290.081.

The bill was read for the first time and referred to the Committee on Taxes.

Stowell, Redalen, Friedrich and Fudro introduced:

H. F. No. 1281, A bill for an act relating to taxation; special fuel; providing procedures for payment of tax on special fuel for taxable use at the time of sale; amending Minnesota Statutes 1978, Section 296.12, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Minne, Elioff, Battaglia, Wigley and Munger introduced:

H. F. No. 1282, A bill for an act relating to energy; requiring land authorities to make certain trees and hedges available to the public for use as firewood.

The bill was read for the first time and referred to the Committee on Energy and Utilities. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Stadum; Eken; Nelsen, B.; Osthoff and Evans introduced:

H. F. No. 1283, A bill for an act relating to gambling; requiring distributors of gambling devices to be licensed; prescribing penalties; amending Minnesota Statutes 1978, Section 349.26, Subdivision 1; 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. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Rothenberg introduced:

H. F. No. 1284, A bill for an act relating to nuclear electric generating facilities; requiring safety inspection; providing for updated public evacuation plans.

The bill was read for the first time and referred to the Committee on Energy and Utilities.

Clawson introduced:

H. F. No. 1285, A bill for an act relating to public welfare; altering miscellaneous provisions related to a grant program for developmental achievement centers; amending Minnesota Statutes 1978, Sections 252.21; 252.22; 252.23; 252.24, Subdivisions 1 and 4; 252.25; 252.26; and 252.261.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Clawson introduced:

H. F. No. 1286, A bill for an act relating to commerce; providing for the qualification of free distribution newspapers as legal newspapers; amending Minnesota Statutes 1978, Section 331.02, Subdivisions 1 and 8.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Clawson, Clark and Greenfield introduced:

H. F. No. 1287, A bill for an act relating to nursing homes; providing for the management of personal funds of nursing home residents.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Kalis, Mann, Munger, Carlson, D., and Levi introduced:

H. F. No. 1288, A bill for an act relating to game and fish; allowing associations to undertake emergency conservation projects upon petition to the commissioner of natural resources.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Heinitz and Swanson introduced:

H. F. No. 1289, A bill for an act relating to public welfare; requiring certain recipients of state aid for medical care to authorize the commissioner of public welfare to have access to their medical records for certain purposes; authorizing the commissioner to promulgate certain rules related to investigation of fraud perpetrated by health care vendors; authorizing certain sanctions against fraudulent vendors; authorizing the commissioner to institute an action to recover moneys wrongfully paid; amending Minnesota Statutes 1978, Sections 62E.53, by adding a subdivision; 62E.54, Subdivision 1; 256.01, by adding a subdivision; 256B.04, Subdivision 10; 256B.064, Subdivision 2, and by adding subdivisions; 256B.27, Subdivisions 3 and 4; 256D.03, Subdivision 3; and 256D.05, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Reding introduced:

H. F. No. 1290, A bill for an act relating to the operation of state government; abolishing the board of abstracters and the board of assessors and transferring their respective powers and duties; altering the membership, regulatory powers, practices and supervision of certain boards; limiting criteria for issuing licenses; providing for registration rather than licensing of watchmakers; providing for review of certain functions of certain boards; permitting certain occupational advertising; requiring the collection of certain health manpower information; amending Minnesota Statutes 1978, Sections 125.05, Subdivision 1; 147.02, Subdivision 1; 147.021, Subdivision 1; 148.211, Subdivision 1; 148.10, Subdivision 1; 148.291, Subdivision 1; 148.57, Subdivisions 1 and 3; 148.91, Subdivision 4; 148.93; 150A.06, Subdivisions 1, 2, 2a and 4; 151.10; 153.04; 153.15; 154.05; 154.06; 154.11; 154.12; 154.22; 155.04; 155.05; 155.09, Subdivision 1; 156.02, Subdivision 1; 156.071; 156.072, Subdivision 2; 156.081, Subdivision 2; 214.01, Subdivision 3; 214.04; 214.06; 214.09, Subdivision 2; 326.10, Subdivision 1; 326.19, Subdivision 2; 326.332, Subdivision 1; 326.54; 326.546; Chapter 214, by adding sections; 270, by adding a section; and 386, by adding a section; repealing Minnesota Statutes 1978, Sections 147.11; 150A.11, Subdivision 2; 151.28; 270.41; 270.42; 270.43; 341.09; 386.61, Subdivision 3; and 386.63; and Chapter 186.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kempe, McDonald, Metzen, Osthoff and Sarna introduced:

H. F. No. 1291, A bill for an act relating to public welfare; modifying the definition of dependent child; amending Minnesota Statutes 1978, Section 256.12, Subdivision 14; repealing Minnesota Statutes 1978, Section 256.73, Subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Laidig, Pavlak, Clawson, Lehto and Levi introduced:

H. F. No. 1292, A bill for an act relating to administration of criminal justice; establishing a criminal justice records code; establishing procedures for information maintained by criminal justice agencies; amending Minnesota Statutes 1978, Section 15.162, Subdivisions 1a, 2a, and 5a.

The bill was read for the first time and referred to the Committee on Judiciary.

Nelsen, M.; Anderson, I.; Reding; Weaver and Biersdorf introduced:

H. F. No. 1293, A bill for an act relating to game and fish; migratory waterfowl hunting hours; amending Minnesota Statutes 1978, 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.

Welker, Weaver, Ludeman, Ainley and Nysether introduced:

H. F. No. 1294, A bill for an act relating to retirement; legislators retirement plan; providing for an election to be excluded from retirement coverage; amending Minnesota Statutes 1978, Section 3A.01, Subdivision 3; and Chapter 3A, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Long, Rothenberg, Otis, Berkelman and Faricy introduced:

H. F. No. 1295, A resolution memorializing the President and Secretary of State of the United States to urge the German Federal Republic to abolish or extend the statute of limitations on Nazi war crimes.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Welch, Nelson, Luknic and McEachern introduced:

H. F. No. 1296, A bill for an act relating to education; requiring the department of education to provide for the education of inmates of state correctional institutions; transferring certain powers, duties, property and employees from the commissioner of corrections and the corrections board to the department of education; imposing certain duties on the commissioner of corrections and the corrections board; giving the commissioner of corrections certain powers; providing for an advisory council on education in state correctional institutions; requiring a report; removing a restriction on labor at the reformatory; amending Minnesota Statutes 1978, Sections 242.20; 242.21; 242.385, Subdivision 1; 242.43; 242.44; 242.53; 242.55; 243.80; 243.85; and 243.92.

The bill was read for the first time and referred to the Committee on Education.

Metzen; Sieben, H.; Jacobs; Evans and Novak introduced:

H. F. No. 1297, A bill for an act relating to taxation; allowing use of lump sum distribution tax computation upon receipt of severance pay in certain instances; amending Minnesota Statutes 1978, Section 290.032, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Battaglia, Prahl, Elioff and Begich introduced:

H. F. No. 1298, A bill for an act relating to taxation; real property; extending the homestead credit, and taconite credit to class 3a property; amending Minnesota Statutes 1978, Sections 273.13, Subdivision 5a; and 273.135, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Greenfield, Jennings, Lehto, Crandall and Moe introduced:

H. F. No. 1299, A bill for an act relating to crimes; property seized by authorized law enforcement officers; providing for identification and return of seized property; amending Minnesota Statutes 1978, Section 299C.07; repealing Minnesota Statutes 1978, Sections 626.04 and 629.361.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Hokanson and Niehaus introduced:

H. F. No. 1300, A bill for an act relating to human services; eliminating certain minimum population requirements related to human services boards; authorizing county boards to be human services boards; amending Minnesota Statutes 1978, Sections 402.01, Subdivision 1; and 402.02.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Hokanson, Ewald and Berglin introduced:

H. F. No. 1301, A bill for an act relating to children; providing for limited retention of report records relating to maltreatment of minors; amending Minnesota Statutes 1978, Section 626.556, Subdivision 11.

The bill was read for the first time and referred to the Committee on Health and Welfare. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Ellingson; Blatz; Johnson, D.; Brinkman and Ewald introduced:

H. F. No. 1302, A bill for an act relating to financial institutions; permitting banks and trust companies to take junior liens under certain circumstances; amending Minnesota Statutes 1978, Section 48.19, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Ellingson; Valan; Johnson, C.; Redalen and Novak introduced:

H. F. No. 1303, A bill for an act relating to taxation; abolishing the inheritance tax; imposing an estate tax; repealing the gift tax; amending Minnesota Statutes 1978, Sections 291.005, Subdivision 1; 291.01; 291.03; 291.05; 291.051; 291.06; 291.065; 291.07, Subdivision 1; 291.08; 291.09, Subdivisions 1, 2, 3, 4, 5, and 7, and by adding a subdivision; 291.11, Subdivision 1; 291.111, Subdivision 1; 291.132; 291.14; 291.19, Subdivisions 3 and 5; 291.20, Subdivision 1; 291.21, Subdivision 2; 291.27; 291.33, Subdivision 1; 352.15, Subdivision 1; 353.15; 354.10; 354A.11; 524.3-916; 524.3-1001; 525.091, Subdivisions 1 and 2; 525.71; 525.74; and 525.841; and Chapter 291, by adding sections; repealing Minnesota Statutes 1978, Sections 3A.08; 291.02; 291.07,

Subdivisions 2 and 2a; 291.10; 291.11, Subdivisions 2, 3, 4, 5, 6, 7, 8, and 9; 291.12, Subdivision 3; 291.22; 291.23; 291.24; 291.25; 291.26; 291.29, Subdivisions 1, 2, 3 and 4; 291.30; 291.34; 291.35; 291.36; 291.37; 291.38; 291.39; 291.40; 292.01; 292.02; 292.03; 292.031; 292.04; 292.05; 292.06; 292.07; 292.08; 292.09; 292.105; 292.111; 292.112; 292.12; 292.125; 292.14; 292.15; and 525.151.

The bill was read for the first time and referred to the Committee on Taxes.

Adams, Ainley, Friedrich and Biersdorf introduced:

H. F. No. 1304, A bill for an act relating to consumer credit sales; restricting and regulating finance charges on sales not involving open end credit; amending Minnesota Statutes 1978, Chapter 334, by adding sections.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Ainley, Elioff, Thiede and Johnson, C., introduced:

H. F. No. 1305, A bill for an act relating to education; authorizing the state board for community colleges to purchase certain insurance and to reimburse members of local advisory committees for expenses; making a substitution for a masculine pronoun; amending Minnesota Statutes 1978, Sections 136.62, by adding a subdivision; 136.63, Subdivision 1; and 136.70, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Ellingson, Wenzel, Sieben, M., and Drew introduced:

H. F. No. 1306, A bill for an act relating to financial corporations; requiring payment of interest on certain escrow accounts required by mortgagees of multiple unit residential buildings; amending Minnesota Statutes 1978, Section 47.20, Subdivision 9.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Rice, Kroening, Enebo, Sviggum and Dean introduced:

H. F. No. 1307, A bill for an act relating to cable communications; regulating the franchising and operating of cable communications systems; amending Minnesota Statutes 1978, Sections 238.01; 238.02, Subdivisions 3, 6 and 8; 238.04, Subdivision 2; 238.05, Subdivisions 2, 7, 10, 11, 16 and 17; 238.06, Subdivision 6; 238.07; 238.08; 238.09, Subdivisions 6 and 7; 238.11, Subdivision 2; 238.12; and 238.17, Subdivisions 2 and 3; repealing Minnesota Statutes 1978, Sections 238.09, Subdivision 10; and 238.17, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Greenfield and Niehaus introduced:

H. F. No. 1308, A bill for an act relating to children; requiring reports of neglect and sexual abuse of children; amending Minnesota Statutes 1978, Section 626.556, Subdivision 2.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Voss, Jacobs, Begich and McDonald introduced:

H. F. No. 1309, A bill for an act relating to mobile homes; regulating space and lot rentals and leases; prohibiting unreasonable park rules and regulations; requiring notice; specifying grounds for eviction and access; prohibiting retaliatory conduct; amending Minnesota Statutes 1978, Sections 327.42, Subdivisions 1 and 2; 327.43, Subdivision 2, and by adding a subdivision; 327.44; and Chapter 327, by adding sections.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Rees introduced:

H. F. No. 1310, A bill for an act relating to public welfare; limiting emergency temporary general assistance to 30 days within a 12 month period; exceptions; amending Minnesota Statutes 1978, Section 256D.06, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

#### HOUSE ADVISORIES

The following House Advisory was introduced:



Biersdorf, Metzen, Adams, Sarna and Friedrich introduced:

H. A. No. 21, A proposal to study installment credit sales practices in Minnesota for the purpose of determining whether rate ceiling and additional consumer protections should be enacted.

The advisory was referred to the Committee on Financial Institutions and Insurance. Anderson, I., objected to the reference and the advisory was referred to the Committee on Rules and Legislative Administration.

### 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. 127, A bill for an act relating to the Minnesota historical society; repealing Minnesota Statutes 1978, Section 138.02.

H. F. No. 373, A bill for an act relating to agriculture; allowing food products grown, processed or manufactured in Minnesota to be so labeled; amending Minnesota Statutes 1978, Chapter 17, 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. 295, A bill for an act relating to nursing homes; requiring notice of rate increases to residents who are not recipients of medical assistance; amending Minnesota Statutes 1978, Section 144A.04, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Berkelman moved that the House concur in the Senate amendments to H. F. No. 295 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 295, A bill for an act relating to nursing homes; requiring notice of rate increases to residents who are not recipients of medical assistance; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision.

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 117 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Aasness	Ellingson	Knickerbocker	Norton	Sieben, M.
Ainley	Enebo	Kostohryz	Novak	Simoneau
Albrecht	Erickson	Kroening	Nysether	Stadum
Anderson, B.	Esau	Kvam	Olsen	Stoa
Anderson, G.	Evans	Laidig	Onnen	Stowell
Anderson, I.	Ewald	Lehto	Osthoff	Swanson
Anderson, R.	Faricy	Levi	Otis	Thiede
Battaglia	Fjoslien	Long	Patton	Tomlinson
Begich	Forsythe	Ludeman	Pavlak	Valan
Berkelman	Friedrich	Luknic	Pehler	Valento
Biersdorf	Fritz	Mann	Peterson	Vanasek
Blatz	Fudro	McCarron	Piepho	Voss
Brinkman	Halberg	McEachern	Pleasant	Weaver
Byrne	Haukoos	Mehrkens	Redalen	Weich
Carlson, D.	Heap	Metzen	Reding	Welker
Carlson, L.	Heinitz	Minne	Rees	Wenzel
Clark	Hoberg	Moe	Rice	Wieser
Clawson	Hokanson	Munger	Rose	Wigley
Crandall	Jacobs	Murphy	Rothenberg	Wynia
Dean	Jennings	Nelsen, B.	Sarna	Zubay
Dempsey	Jude	Nelsen, M.	Schreiber	Speaker Searle
Drew	Kaley	Nelson	Searles	
Eken	Kalis	Niehaus	Sherwood	
Elioff	Kempe	Norman	Sieben, H.	

Those who voted in the negative were:

Berglin            Corbid            Den Ouden

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. 444, 528, 603 and 871.

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 493.

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. Nos. 622.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 444, A bill for an act relating to fences; providing for the compensation of fence viewers; amending Minnesota Statutes 1978, Section 344.18.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 528, A bill for an act relating to courts; conforming civil fees collected by the Hennepin county municipal court with the district court; amending Minnesota Statutes 1978, Section 488A.03, Subdivision 11.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 603, A bill for an act relating to courts; sixth judicial district; providing that terms of court no longer shall be held in Ely; authorizing terms of court to be held at places other than Duluth, Hibbing or Virginia; amending Minnesota Statutes 1978, Sections 484.48; 484.50; and Chapter 484, by adding a section.

The bill was read for the first time.

Battaglia moved that S. F. No. 603 and H. F. No. 503, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 871, A bill for an act relating to Anoka County; permitting redistricting of commissioner districts to seven for the 1982 election.

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 the City of Moorhead; authorizing a housing finance program and providing for the issuance of revenue bonds to finance the program.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 493, A bill for an act relating to elections; providing for the tabulation and announcement of votes cast on electronic voting systems; amending Minnesota Statutes 1978, Section 206.185, Subdivision 5, and by adding a subdivision.

The bill was read for the first time.

Swanson moved that S. F. No. 493 and H. F. No. 704, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 622, A bill for an act relating to the county of Hennepin; creating the office of county administrator; providing financial procedures; providing for the operation of county government; providing bonding limits; creating a corrections facility; providing for central purchasing; establishing set aside contracts; providing a penalty; amending Laws 1965, Chapter 533, Section 1, as amended; Extra Session Laws 1967, Chapter 24, Section 1, Subdivision 1; Extra Session Laws 1967, Chapter 24, Section 1, Subdivision 2, as amended; Extra Session Laws 1967, Chapter 47, Section 1, as amended; Extra Session Laws 1967, Chapter 47, Section 3, as amended; Laws 1969, Chapter 476, Section 1, as amended; repealing Laws 1951, Chapter 556; Laws 1951, Chapter 598; Laws 1951, Chapter 636, Section 4; Laws 1951, Chapter 702; Laws 1953, Chapter 270; Laws 1953, Chapter 703, Section 1; Laws 1953, Chapter 753; Laws 1955, Chapter 875; Laws 1957, Chapter 671, Section 7; Laws 1957, Chapter 950; Laws 1959, Chapter 200; Laws 1959, Chapter 297; Extra Session Laws 1959, Chapter 17; Extra Session Laws 1961, Chapter 45; Extra Session Laws 1961, Chapter 47; Laws 1963, Chapter 857; Laws 1965, Chapter 294; Laws 1965, Chapter 633; Laws 1965, Chapter 850; Laws 1967, Chapter 441; Laws 1967, Chapter 588; Laws 1967, Chapter 599, Section 4; Laws 1967, Chapter 796; Laws 1969, Chapter 473; Laws 1969, Chapter 692; Laws 1969, Chapter 918; Laws 1969, Chapter 1053; Laws 1971, Chapter 495; Laws 1971, Chapter 744, Section 2; Laws 1973, Chapter 261.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

#### CONSENT CALENDAR

S. F. No. 530, A bill for an act relating to historic sites; authorizing the Minnesota Historical Society to exchange certain

state owned nonhistoric land for certain privately owned historic land.

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:

Aasness	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elioff	Kaley	Nichaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Fariy	Kvam	Osthoff	Thiede
Begich	F'oshien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Paviak	Valento
Biersdorf	Fritz	Long	Pehler	Vanasek
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Weaver
Byrne	Halberg	Mann	Prahl	Welch
Carlson, D.	Haukoos	McCarron	Redalen	Welker
Carlson, L.	Heap	McDonald	Reding	Wenzel
Casserly	Heimitz	McEachern	Rees	Wieser
Clark	Hoberg	Mehrrens	Reif	Wigley
Clawson	Hokanson	Metzen	Rice	Wynia
Corbid	Jacobs	Minne	Rose	Zubay
Crandall	Jaros	Moe	Rothenberg	Speaker Searle
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	
Drew	Jude	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 253, A bill for an act relating to Washington County; authorizing the commissioner of public safety under certain circumstances to appoint an agent to assist the clerk of the district court in Washington County in accepting applications for drivers licenses and permits; repealing Minnesota Statutes 1978, Section 171.06, 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 126 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Aasness	Albrecht	Anderson, D.	Anderson, I.	Battaglia
Ainley	Anderson, B.	Anderson, G.	Anderson, R.	Begich

Berglin	Forsythe	Kroening	Nysether	Simoneau
Berkelman	Friedrich	Kvam	Olsen	Stadum
Blatz	Fritz	Laidig	Onnen	Stoa
Brinkman	Fudro	Lehto	Osthoff	Stowell
Byrne	Greenfield	Levi	Otis	Sviggum
Carlson, D.	Halberg	Long	Patton	Swanson
Carlson, L.	Haukoos	Luknic	Pavlak	Tomlinson
Casserly	Heap	Mann	Pehler	Valan
Clark	Heinitz	McCarron	Peterson	Valento
Clawson	Hoberg	McDonald	Piepho	Vanasek
Corbid	Hokanson	McEachern	Pleasant	Voss
Crandall	Jacobs	Mehrkens	Prahl	Weaver
Dean	Jaros	Metzen	Redalen	Welch
Drew	Jennings	Minne	Reding	Welker
Eken	Johnson, C.	Moe	Rees	Wenzel
Elioff	Johnson, D.	Munger	Reif	Wieser
Ellingson	Jude	Murphy	Rice	Wigley
Enebo	Kahn	Nelsen, B.	Rose	Wynia
Erickson	Kaley	Nelsen, M.	Rothenberg	Zubay
Esau	Kalis	Nelson	Sarna	Speaker Searle
Evans	Kelly	Niehaus	Searles	
Ewald	Kempe	Norman	Sherwood	
Faricy	Knickerbocker	Norton	Sieben, H.	
Fjoslien	Kostohryz	Novak	Sieben, M.	

Those who voted in the negative were:

Den Ouden      Ludeman      Thiede

The bill was passed and its title agreed to.

H. F. No. 299, A bill for an act relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarifying the term "civil defense"; amending Minnesota Statutes 1978, Sections 12.03, Subdivision 4; and 12.31; repealing Minnesota Statutes 1978, Section 12.25, 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 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Brinkman	Ellingson	Heap	Knickerbocker
Adams	Byrne	Enebo	Heinitz	Kostohryz
Ainley	Carlson, D.	Erickson	Hoberg	Kroening
Albrecht	Carlson, L.	Esau	Hokanson	Kvam
Anderson, B.	Casserly	Evans	Jacobs	Laidig
Anderson, D.	Clark	Ewald	Jaros	Lehto
Anderson, G.	Clawson	Faricy	Jennings	Levi
Anderson, I.	Corbid	Fjoslien	Johnson, C.	Long
Anderson, R.	Crandall	Forsythe	Johnson, D.	Ludeman
Battaglia	Dean	Friedrich	Jude	Luknic
Begich	Dempsey	Fritz	Kahn	Mann
Berglin	Den Ouden	Fudro	Kaley	McDonald
Berkelman	Drew	Greenfield	Kalis	McEachern
Biersdorf	Eken	Halberg	Kelly	Mehrkens
Blatz	Elioff	Haukoos	Kempe	Metzen

Minne	Onnen	Rees	Stoa	Welch
Moe	Osthoff	Reif	Stowell	Welker
Munger	Otis	Rice	Sviggum	Wenzel
Murphy	Patton	Rose	Swanson	Wieser
Nelsen, B.	Paviak	Rothenberg	Thiede	Wigley
Nelsen, M.	Pehler	Sarna	Tomlinson	Wynia
Niehaus	Peterson	Schreiber	Valan	Zubay
Norman	Piepho	Searles	Valento	Speaker Searle
Norton	Pleasant	Sherwood	Vanasek	
Novak	Prahl	Sieben, H.	Voss	
Nysether	Redalen	Sieben, M.	Waldorf	
Olsen	Reding	Simoneau	Weaver	

Those who voted in the negative were:

McCarron

The bill was passed and its title agreed to.

H. F. No. 588, A bill for an act relating to the county of Anoka; authorizing the county to enter into agreements with the Anoka State Hospital for community mental health services.

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Farcy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 624, A bill for an act relating to counties; fixing the amounts that may be spent for Memorial Day observances; amending Minnesota Statutes 1978, Sections 375.34; and 375.35.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Eloff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Waldorf
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wieser
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 740, A bill for an act relating to Ramsey County; changing the day of county board meetings; amending Laws 1974, Chapter 435, Section 2.05, Subdivision 1, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Albrecht	Anderson, G.	Battaglia	Berkelman
Adams	Anderson, B.	Anderson, I.	Begich	Biersdorf
Ainley	Anderson, D.	Anderson, R.	Berglin	Blatz



Brinkman	Friedrich	Kvam	Nysether	Simoneau
Byrne	Fritz	Laidig	Olsen	Stadum
Carlson, D.	Fudro	Lehto	Onnen	Stoa
Carlson, L.	Greenfield	Levi	Osthoff	Stowell
Casserly	Halberg	Long	Otis	Sviggum
Clark	Haukoos	Ludeman	Patton	Swanson
Clawson	Heap	Luknic	Pavlak	Thiede
Corbid	Heinitz	Mann	Pehler	Tomlinson
Crandall	Hoberg	McCarron	Peterson	Valan
Dean	Hokanson	McDonald	Piepho	Valento
Dempsey	Jacobs	McEachern	Pleasant	Vanasek
Den Ouden	Jaros	Mehrkens	Prahl	Voss
Drew	Jennings	Metzen	Redalen	Waldorf
Eken	Johnson, C.	Minne	Reding	Weaver
Elioff	Johnson, D.	Moe	Rees	Welch
Ellingson	Jude	Munger	Reif	Welker
Enebo	Kahn	Murphy	Rose	Wenzel
Erickson	Kaley	Nelsen, B.	Rothenberg	Wieser
Esau	Kalis	Nelsen, M.	Sarna	Wigley
Evans	Kelly	Nelson	Schreiber	Wynia
Ewald	Kempe	Niehaus	Searles	Zubay
Faricy	Knickerbocker	Norman	Sherwood	Speaker Searle
Fjoslien	Kostohryz	Norton	Sieben, H.	
Forsythe	Kroening	Novak	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 757, A bill for an act relating to commerce; exempting certain sales of motor vehicles from provisions regulating home solicitation sales; amending Minnesota Statutes 1978, Section 325.933, 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 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Corbid	Haukoos	Long	Onnen
Adams	Crandall	Heap	Ludeman	Osthoff
Ainley	Dean	Heinitz	Luknic	Otis
Albrecht	Dempsey	Hoberg	Mann	Patton
Anderson, B.	Den Ouden	Hokanson	McCarron	Pavlak
Anderson, D.	Drew	Jacobs	McDonald	Pehler
Anderson, G.	Eken	Jaros	McEachern	Peterson
Anderson, I.	Elioff	Jennings	Mehrkens	Piepho
Anderson, R.	Ellingson	Johnson, C.	Metzen	Pleasant
Battaglia	Enebo	Johnson, D.	Minne	Prahl
Begich	Erickson	Jude	Moe	Redalen
Berglin	Esau	Kahn	Munger	Reding
Berkelman	Evans	Kaley	Murphy	Rees
Biersdorf	Ewald	Kalis	Nelsen, B.	Reif
Blatz	Faricy	Kelly	Nelsen, M.	Rose
Brinkman	Fjoslien	Knickerbocker	Nelson	Rothenberg
Byrne	Forsythe	Kostohryz	Niehaus	Sarna
Carlson, D.	Friedrich	Kroening	Norman	Schreiber
Carlson, L.	Fritz	Kvam	Norton	Searles
Casserly	Fudro	Laidig	Novak	Sherwood
Clark	Greenfield	Lehto	Nysether	Sieben, H.
Clawson	Halberg	Levi	Olsen	Sieben, M.

Simoneau	Swanson	Vanasek	Welker	Zubay
Stadum	Thiede	Voss	Wenzel	Speaker Searle
Stoa	Tomlinson	Waldorf	Wieser	
Stowell	Valan	Weaver	Wigley	
Sviggum	Valento	Welch	Wynia	

Those who voted in the negative were:

Kempe

The bill was passed and its title agreed to.

H. F. No. 819, A bill for an act relating to local government; fixing a maximum amount for airport revenue certificates; amending Minnesota Statutes 1978, Section 360.71.

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:

Aasness	Drew	Jude	Nelson	Sieben, H.
Adams	Eken	Kahn	Niehaus	Sieben, M.
Ainley	Elioff	Kaley	Norman	Simoneau
Albrecht	Ellingson	Kalis	Norton	Stadum
Anderson, B.	Enebo	Kelly	Novak	Stoa
Anderson, D.	Erickson	Kempe	Nysether	Stowell
Anderson, G.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, I.	Evans	Kostohryz	Ommen	Swanson
Anderson, R.	Ewald	Kroening	Osthoff	Thiede
Battaglia	Faricy	Kvam	Otis	Tomlinson
Begich	Fjoslien	Laidig	Patton	Valan
Berglin	Forsythe	Lehto	Pavlak	Valento
Berkelman	Friedrich	Levi	Pehler	Vanasek
Biersdorf	Fritz	Long	Peterson	Voss
Blatz	Fudro	Ludeman	Piepho	Waldorf
Brinkman	Greenfield	Luknic	Pleasant	Weaver
Byrne	Halberg	Mann	Prahl	Welch
Carlson, D.	Haukoos	McDonald	Redalen	Welker
Carlson, L.	Heap	McEachern	Reding	Wenzel
Casserly	Heinitz	Mehrkens	Rees	Wieser
Clark	Hoberg	Metzen	Reif	Wigley
Clawson	Hokanson	Minne	Rose	Wynia
Corbid	Jacobs	Moe	Rothenberg	Zubay
Crandall	Jaros	Munger	Sarna	Speaker Searle
Dean	Jennings	Murphy	Schreiber	
Dempsey	Johnson, C.	Nelsen, B.	Searles	
Den Ouden	Johnson, D.	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 823, A bill for an act relating to Olmsted County; permitting the intermittent inundation by flood water and temporary closing of county and town roads.

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:

Aasness	Drew	Kahn	Nelson	Sieben, H.
Adams	Eken	Kaley	Niehaus	Sieben, M.
Ainley	Elioff	Kalis	Norman	Simoneau
Albrecht	Ellingson	Kelly	Norton	Stadum
Anderson, B.	Enebo	Kempe	Novak	Stoa
Anderson, D.	Erickson	Knickerbocker	Nysether	Stowell
Anderson, G.	Esau	Kostohryz	Olsen	Swiggum
Anderson, I.	Evans	Kroening	Onnen	Swanson
Anderson, R.	Ewald	Kvam	Osthoff	Thiede
Battaglia	Faricy	Laidig	Otis	Tomlinson
Begich	Forsythe	Lehto	Patton	Valan
Berglin	Friedrich	Levi	Pavlak	Valento
Berkelman	Fritz	Long	Pehler	Vanasek
Biersdorf	Fudro	Ludeman	Peterson	Voss
Blatz	Greenfield	Luknic	Piepho	Waldorf
Brinkman	Halberg	Mann	Pleasant	Weaver
Byrne	Haukoos	McCarron	Prahl	Welch
Carlson, D.	Heap	McDonald	Redalen	Welker
Carlson, L.	Heinitz	McEachern	Reding	Wenzel
Casserly	Hoberg	Mehrkens	Rees	Wieser
Clark	Hokanson	Metzen	Reif	Wigley
Clawson	Jacobs	Minne	Rose	Wynia
Corbid	Jaros	Moe	Rothenberg	Zubay
Crandall	Jennings	Munger	Sarna	Speaker Searle
Dean	Johnson, C.	Murphy	Schreiber	
Dempsey	Johnson, D.	Nelsen, B.	Searles	
Den Ouden	Jude	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 843, A bill for an act relating to housing and redevelopment authorities; providing that by agreement a housing and redevelopment authority may exercise powers in a county or municipality which has no active housing and redevelopment authority; amending Minnesota Statutes 1978, Section 462.445, 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 131 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, G.	Berkelman	Carlson, L.	Dempsey
Adams	Anderson, I.	Biersdorf	Casserly	Den Ouden
Ainley	Anderson, R.	Blatz	Clark	Drew
Albrecht	Battaglia	Brinkman	Clawson	Eken
Anderson, B.	Begich	Byrne	Crandall	Elioff
Anderson, D.	Berglin	Carlson, D.	Dean	Ellingson

Enebo	Johnson, C.	McEachern	Pehler	Sviggum
Erickson	Johnson, D.	Mehrkens	Peterson	Swanson
Esau	Jude	Metzen	Piepho	Thiede
Evans	Kahn	Minne	Pleasant	Tomlinson
Ewald	Kaley	Moe	Prahl	Valan
Faricy	Kalis	Munger	Redalen	Valento
Fjoslien	Kelly	Murphy	Reding	Vanasek
Forsythe	Kempe	Nelsen, B.	Rees	Waldorf
Friedrich	Knickerbocker	Nelsen, M.	Reif	Weaver
Fritz	Kostohryz	Nelson	Rose	Welch
Fudro	Kroening	Niehaus	Rothenberg	Welker
Greenfield	Kvam	Norman	Sarna	Wenzel
Halberg	Laidig	Norton	Schreiber	Wieser
Haukoos	Lehto	Novak	Searles	Wigley
Heap	Levi	Nysether	Sherwood	Wynia
Heinitz	Long	Olsen	Sieben, H.	Zubay
Hoberg	Ludeman	Onnen	Sieben, M.	Speaker Searle
Hokanson	Luknic	Osthoff	Simoneau	
Jacobs	Mann	Otis	Stadum	
Jaros	McCarron	Patton	Stoa	
Jennings	McDonald	Pavlak	Stowell	

Those who voted in the negative were:

Corbid            Voss

The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 479, A bill for an act relating to health maintenance organizations; declaring legislative intent and public policy favoring childbirth and family planning over abortion; eliminating any requirements that health maintenance organizations provide elective, induced abortions; requiring the organizations to notify enrollees if elective, induced abortions are eliminated from coverage; amending Minnesota Statutes 1978, Sections 62D.01, by adding a subdivision; 62D.02, Subdivision 7; 62D.07, Subdivision 4; and 62D.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 111 yeas and 20 nays as follows:

Those who voted in the affirmative were:

Aasness	Berkelman	Drew	Friedrich	Jude
Adams	Biersdorf	Eken	Fritz	Kalis
Ainley	Blatz	Elioff	Fudro	Kelly
Albrecht	Brinkman	Ellingson	Halberg	Kempe
Anderson, B.	Byrne	Erickson	Heap	Knickerbocker
Anderson, D.	Carlson, D.	Esau	Hoberg	Kostohryz
Anderson, G.	Clawson	Evans	Hokanson	Kroening
Anderson, I.	Corbid	Ewald	Jacobs	Kvam
Anderson, R.	Crandall	Faricy	Jennings	Laidig
Battaglia	Dempsey	Fjoslien	Johnson, C.	Levi
Begich	Den Ouden	Forsythe	Johnson, D.	Ludeman

Luknic	Norman	Prahl	Simoneau	Weaver
Mann	Novak	Redalen	Stadum	Welch
McCarron	Nysether	Reding	Stoa	Welker
McDonald	Olsen	Rees	Stowell	Wenzel
McEachern	Onnen	Reif	Sviggun	Wieser
Mehrkens	Osthoff	Rose	Swanson	Wigley
Metzen	Patton	Rothenberg	Thiede	Zubay
Minne	Pavlak	Sarna	Valan	Speaker Searle
Murphy	Pehler	Schreiber	Valento	
Nelsen, B.	Peterson	Sherwood	Vanasek	
Nelsen, M.	Piepho	Sieben, H.	Voss	
Niehaus	Pleasant	Sieben, M.	Waldorf	

Those who voted in the negative were:

Berglin	Dean	Heinitz	Long	Norton
Carlson, L.	Enebo	Jaros	Moe	Otis
Casserly	Greenfield	Kahn	Munger	Tomlinson
Clark	Haukoos	Kaley	Nelson	Wynia

The bill was passed and its title agreed to.

H. F. No. 656, A bill for an act relating to probate; clarifying certain witness requirements for inheritance by illegitimates; amending Minnesota Statutes 1978, Section 525.172.

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:

Aasness	Drew	Kahn	Nelson	Sieben, H.
Adams	Eken	Kaley	Niehaus	Sieben, M.
Ainley	Elioff	Kalis	Norman	Simoneau
Albrecht	Ellingson	Kelly	Norton	Stadum
Anderson, B.	Enebo	Kempe	Novak	Stoa
Anderson, D.	Erickson	Knickerbocker	Nysether	Stowell
Anderson, G.	Esau	Kostohryz	Olsen	Sviggun
Anderson, I.	Evans	Kroening	Onnen	Swanson
Anderson, R.	Ewald	Kvam	Osthoff	Thiede
Battaglia	Faricy	Laidig	Otis	Tomlinson
Begich	Fjoslien	Lehto	Patton	Valan
Berglin	Forsythe	Levi	Pavlak	Valento
Berkelman	Fritz	Long	Pehler	Vanasek
Biersdorf	Fudro	Ludeman	Peterson	Voss
Blatz	Greenfield	Luknic	Piepho	Waldorf
Brinkman	Halberg	Mann	Pleasant	Weaver
Byrne	Haukoos	McCarron	Prahl	Welch
Carlson, D.	Heap	McDonald	Redalen	Welker
Carlson, L.	Heinitz	McEachern	Reding	Wenzel
Casserly	Hoberg	Mehrkens	Rees	Wieser
Clark	Hokanson	Metzen	Reif	Wigley
Clawson	Jacobs	Minne	Rose	Wynia
Corbid	Jaros	Moe	Rothenberg	Zubay
Crandall	Jennings	Munger	Sarna	Speaker Searle
Dean	Johnson, C.	Murphy	Schreiber	
Dempsey	Johnson, D.	Nelsen, B.	Searles	
Den Ouden	Jude	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 389, A bill for an act relating to towns; removing certain levy limitations; amending Minnesota Statutes 1978, Section 164.041; repealing Minnesota Statutes 1978, Section 275.10.

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 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Niehaus	Sieben, M.
Adams	Elioff	Kaley	Norman	Simoneau
Ainley	Ellingson	Kalis	Norton	Stadum
Albrecht	Enebo	Kelly	Novak	Stoa
Anderson, B.	Erickson	Kempe	Nysether	Stowell
Anderson, D.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, G.	Evans	Kostohryz	Onnen	Swanson
Anderson, I.	Ewald	Kvam	Osthoff	Thiede
Anderson, R.	Faricy	Laidig	Otis	Tomlinson
Battaglia	Fjoslien	Lehto	Patton	Valan
Begich	Forsythe	Levi	Pavlak	Valento
Berglin	Friedrich	Long	Pehler	Vanasek
Berkelman	Fritz	Ludeman	Peterson	Voss
Biersdorf	Fudro	Luknic	Piepho	Waldorf
Blatz	Greenfield	Mann	Pleasant	Weaver
Brinkman	Halberg	McCarron	Prahl	Welch
Byrne	Haukoos	McDonald	Redalen	Welker
Carlson, L.	Heap	McEachern	Reding	Wenzel
Casserly	Heinitz	Mehrkens	Rees	Wieser
Clark	Hoberg	Metzen	Reif	Wigley
Clawson	Hokanson	Minne	Rose	Wynia
Corbid	Jacobs	Moe	Rothenberg	Zubay
Crandall	Jaros	Munger	Sarna	Speaker Searle
Dean	Jennings	Murphy	Schreiber	
Dempsey	Johnson, C.	Nelsen, B.	Searles	
Den Ouden	Johnson, D.	Nelsen, M.	Sherwood	
Drew	Jude	Nelson	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 768, A bill for an act relating to agriculture; changing certain fees and expenses; eliminating certain bonding requirements; adopting certain federal food regulations; amending Minnesota Statutes 1978, Sections 17B.13, Subdivision 1; 21.54, Subdivisions 2 and 3; 24.25, Subdivision 2; and 31.101, Subdivision 8; repealing Minnesota Statutes 1978, Section 17B.08; 17B.09; and 21.114.

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:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elioff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Fariy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pavlak	Valento
Biersdorf	Fritz	Long	Pehler	Vanasek
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Waldorf
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wieser
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rose	Wynia
Crandall	Jaros	Moe	Rothenberg	Zubay
Dean	Jennings	Munger	Sarna	Speaker Searle
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	

The bill was passed and its title agreed to.

H. F. No. 31, A bill for an act relating to taconite and semi-taconite companies; withdrawing the right to exercise eminent domain; authorizing the grant of licenses, permits and leases of state owned land; amending Minnesota Statutes 1978, Section 117.47; repealing Minnesota Statutes 1978, Sections 117.46; and 117.461.

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:

Aasness	Blatz	Elioff	Haukoos	Kelly
Adams	Brinkman	Ellingson	Heap	Kempe
Ainley	Byrne	Enebo	Heinitz	Knickerbocker
Albrecht	Carlson, L.	Erickson	Hoberg	Kostohryz
Anderson, B.	Casserly	Esau	Hokanson	Kroening
Anderson, D.	Clark	Evans	Jacobs	Kvam
Anderson, G.	Clawson	Ewald	Jaros	Laidig
Anderson, I.	Corbid	Fariy	Jennings	Lehto
Anderson, R.	Crandall	Fjoslien	Johnson, C.	Levi
Battaglia	Dean	Forsythe	Johnson, D.	Long
Begich	Dempsey	Friedrich	Jude	Ludeman
Berglin	Den Ouden	Fudro	Kahn	Luknic
Berkelman	Drew	Greenfield	Kaley	Mann
Biersdorf	Eken	Halberg	Kalis	McCarron

McDonald	Norton	Prahl	Simoneau	Weaver
McEachern	Novak	Redalen	Stadum	Welch
Mehrkens	Nysether	Reding	Stoa	Welker
Metzen	Olsen	Rees	Stowell	Wenzel
Minne	Onnen	Reif	Sviggum	Wieser
Moe	Osthoff	Rose	Swanson	Wigley
Munger	Otis	Rothenberg	Thiede	Wynia
Murphy	Patton	Sarna	Tomlinson	Zubay
Nelsen, B.	Pavlak	Schreiber	Valan	Speaker Searle
Nelsen, M.	Pehler	Searles	Valento	
Nelson	Peterson	Sherwood	Vanasek	
Niehaus	Piepho	Sieben, H.	Voss	
Norman	Pleasant	Seiben, M.	Waldorf	

The bill was passed and its title agreed to.

H. F. No. 103, A bill for an act relating to highway traffic regulations; allowing loads of round baled hay with a width of 11-1/2 feet to be transported pursuant to permit; amending Minnesota Statutes 1978, 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 121 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Niehaus	Simoneau
Ainley	Eken	Kahn	Norman	Stadum
Albrecht	Elioff	Kaley	Norton	Stoa
Anderson, B.	Ellingson	Kalis	Novak	Stowell
Anderson, D.	Erickson	Kelly	Nysether	Sviggum
Anderson, G.	Esau	Kempe	Olsen	Swanson
Anderson, R.	Evans	Knickerbocker	Onnen	Thiede
Battaglia	Ewald	Kvam	Otis	Tomlinson
Begich	Faricy	Laidig	Patton	Valan
Berglin	Fjoslien	Levi	Pehler	Valento
Berkelman	Forsythe	Long	Peterson	Vanasek
Biersdorf	Friedrich	Ludeman	Piepho	Waldorf
Blatz	Fudro	Luknic	Pleasant	Weaver
Brinkman	Greenfield	Mann	Prahl	Welch
Byrne	Halberg	McCarron	Redalen	Welker
Carlson, D.	Haukoos	McDonald	Reding	Wenzel
Carlson, L.	Heap	Mehrkens	Rees	Wieser
Cassery	Heinitz	Metzen	Reif	Wigley
Clark	Hoberg	Minne	Rose	Wynia
Clawson	Hokanson	Moe	Rothenberg	Zubay
Corbid	Jacobs	Munger	Schreiber	Speaker Searle
Crandall	Jaros	Murphy	Searles	
Dean	Jennings	Nelsen, B.	Sherwood	
Dempsey	Johnson, C.	Nelsen, M.	Sieben, H.	
Den Ouden	Johnson, D.	Nelson	Sieben, M.	

Those who voted in the negative were:

Adams	Enebo	Kroening	McEachern	Sarna
Anderson, I.	Kostohryz	Lehto	Osthoff	Voss

The bill was passed and its title agreed to.



H. F. No. 122, A bill for an act relating to 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 1978, Section 260.315; and Chapter 260, 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 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kaley	Niehaus	Sieben, M.
Adams	Eken	Kalis	Norman	Simoneau
Ainley	Elioff	Kelly	Norton	Stadum
Albrecht	Ellingson	Kempe	Novak	Stoa
Anderson, B.	Enebo	Knickerbocker	Nysether	Stowell
Anderson, D.	Erickson	Kostohryz	Olsen	Sviggum
Anderson, G.	Esau	Kroening	Onnen	Swanson
Anderson, I.	Evans	Kvam	Osthoff	Thiede
Anderson, R.	Ewald	Laidig	Otis	Tomlinson
Battaglia	Faricy	Lehto	Patton	Valan
Begich	Fjoslien	Levi	Pavlak	Valento
Berglin	Forsythe	Long	Pehler	Vanasek
Berkelman	Friedrich	Ludeman	Peterson	Voss
Biersdorf	Fudro	Luknic	Piepho	Waldorf
Blatz	Halberg	Mann	Pleasant	Weaver
Brinkman	Haukoos	McCarron	Prahl	Welch
Byrne	Heap	McDonald	Redalen	Welker
Carlson, D.	Heimitz	McEachern	Reding	Wenzel
Carlson, L.	Hoberg	Mehrkens	Rees	Wieser
Casserly	Hokanson	Metzen	Reif	Wigley
Clark	Jacobs	Minne	Rose	Wynia
Clawson	Jaros	Moe	Rothenberg	Zubay
Corbid	Jennings	Munger	Sarna	Speaker Searle
Crandall	Johnson, C.	Murphy	Schreiber	
Dean	Johnson, D.	Nelsen, B.	Searles	
Dempsey	Jude	Nelsen, M.	Sherwood	
Den Ouden	Kahn	Nelson	Sieben, H.	

Those who voted in the negative were:

Greenfield

The bill was passed and its title agreed to.

Carlson, D. and Schreiber were excused at 5:45 p.m. Searles was 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 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. 235 and 248 which it recommended to pass.

H. F. No. 361 which it recommended progress until Monday, April 16, 1979.

S. F. No. 57 which it recommended to pass with the following amendment offered by Sieben, M.:

Page 1, line 12, delete the new language

Page 1, line 13, delete "premium rates,"

Page 1, line 20, after the period insert "*No entity may coordinate benefits pursuant to this subdivision, unless it provides an appropriately reduced premium rate. The amount of this rate reduction shall be not less than the amount of the projected reduction in benefits and claims for which the entity will be liable on that class of risks, less the additional reasonable expenses incurred to administer the plan coordinating benefits. The projected reduction in benefits and claims shall be based upon sound actuarial principles.*"

Further amend the title:

Line 4, after "losses;" insert "requiring reduced premium rates;"

S. F. No. 572 which it recommended to pass with the following amendment offered by Pehler:

Page 1, lines 13 to 15, delete all of the language and insert:

"Sec. 2. This act is effective only upon its approval by a majority of the voters of the city of Bloomington voting on the question at any regular city election or special election, and upon compliance with Minnesota Statutes, Section 645.021."

H. F. No. 399 which it recommended to pass with the following amendments:

Offered by Byrne:

Page 1, after line 8, insert a new section to read:

"Section 1. Minnesota Statutes 1978, Section 145.912, Subdivision 9, is amended to read:

Subd. 9. "Family planning services" means counseling by trained personnel regarding family planning; distribution of information relating to family planning; referral to licensed physicians or local health agencies for consultation, examination, medical treatment, genetic counseling, and prescriptions for the purpose of family planning; and the distribution of family planning products, such as charts, thermometers, drugs, medical preparations, and contraceptive devices. For purposes of sections 145.911 to (145.922) 145.925, family planning shall mean voluntary action by individuals to prevent or aid conception but shall not include the performance or dissemination of information on abortion, or make referrals for encouragement of voluntary termination of pregnancy."

Renumber the next section

Offered by Waldorf:

As previously amended, page 1, lines 11 and 12, reinstate the stricken language

Page 1, line 13, reinstate the stricken words "corporation which performs abortions."

Page 1, line 13, after "abortions" insert "*other than abortions certified in writing by the attending physician as medically necessary to prevent the death of the mother*"

Page 1, line 18, delete "*No state family planning funds*"

Page 1, delete lines 19, 20 and 21 and insert "*Cities, counties, groups of cities or counties or nonprofit corporations shall not use family planning funds received pursuant to this section to contract with any corporation, agency, individual or entity which performs*"

Further, amend the title as follows:

Page 1, lines 3 and 4, delete ", agency, individual, or entity"

Page 1, line 4, after "abortions;" insert "prohibiting counties or cities from contracting with any corporation, agency, individual or entity which performs abortions;"

Offered by Waldorf:

As previously amended, page 2, line 1, after "mother." insert "*If any provision of this subdivision is found to be unconstitutional and void, the provisions of Minnesota Statutes 1978, Section 145.925 shall not be severable.*"

Further, amend the title as follows:

Page 1, line 4, after "abortions;" insert "providing that certain provisions of law are nonseverable under certain conditions;"

Offered by Waldorf:

As previously amended, page 2, after line 1, insert a new section to read:

"Sec. 3. Minnesota Statutes 1978, Section 145.92, Subdivision 1, is amended to read:

145.92 [COMMUNITY HEALTH SERVICE PLANS.] Subdivision 1. [PLAN CONTENT.] The community health services plan shall be a written plan for the development, implementation, coordination, and operation of community health services that meet the priority needs of the community. Financial constraints and differing priorities may result in variations in levels of effort for different services. The plan shall include the following:

- (a) A description of the process used to encourage full community participation in the development of the plan;
- (b) An explanation of the extent to which the planning and service delivery systems have been integrated with the delivery of personal health services, institutional health services, health related environmental programs and services, and with related human services in the community. The plan shall include a statement of the priority needs of the community and an inventory of existing health related services in the community;
- (c) Descriptions of each service program including each of the following: Community nursing services, home health services, disease prevention and control services including immunization, emergency medical services, health education, and environmental health services;
- (d) The projected amount and sources of funding for carrying out the plan;
- (e) A report and evaluation of the two preceding years' community health service programs;

(f) *If funds authorized by sections 145.911 to 145.921 are to be used by a community health board to contract for family planning services, the plan shall identify as a distinct line item the funds budgeted for this purpose. Community health boards shall not use funds received pursuant to sections 145.911 to 145.921 and budgeted for family planning services to contract for family planning services with any corporation, agency, individual or entity which performs abortions other than abortions certified in writing by the attending physician as medically necessary to prevent the death of the mother.*

Delete the title amendment adopted by Byrne amendment and further, amend the title as follows:

Page 1, line 5, after "1978" delete "Section" and insert "Sections 145.912, Subdivision 9; 145.92, Subdivision 1; and"

Offered by Waldorf:

As previously amended, page 2, after line 1, insert a new section to read:

"Sec. 4. *This act shall be effective on the day following final enactment.*"

On the motion of Sieben, H., 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 Nelsen, M., motion to recommend re-referral of S. F. No. 57 to the Committee on Commerce, Economic Development and Housing and the roll was called. There were 46 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, D.	Onnen	Sarna
Adams	Drew	Kempe	Osthoff	Searles
Anderson, I.	Elioff	Kostohryz	Otis	Sherwood
Battaglia	Evans	Kroening	Patton	Thiede
Begich	Farcy	Long	Piepho	Valento
Blatz	Forsythe	McEachern	Prahl	Wieser
Carlson, D.	Fudro	Metzen	Redalen	
Carlson, L.	Halberg	Murphy	Reding	
Crandall	Haukoos	Nelsen, M.	Rees	
Dempsey	Jennings	Nysether	Rice	

Those who voted in the negative were:

Ainley	Anderson, B.	Anderson, G.	Berglin	Biersdorf
Albrecht	Anderson, D.	Anderson, R.	Berkelman	Brinkman

Byrne	Heinitz	Levi	Novak	Tomlinson
Casserly	Hoberg	Ludeman	Olsen	Vanasek
Clark	Hokanson	Luknic	Pavlak	Voss
Clawson	Jacobs	Mann	Pehler	Waldorf
Corbid	Jaros	McCarron	Peterson	Weaver
Dean	Johnson, C.	McDonald	Pleasant	Welch
Eken	Jude	Mehrkens	Reif	Welker
Ellingson	Kahn	Minne	Rose	Wenzel
Enebo	Kaley	Moe	Rothenberg	Wigley
Esau	Kalis	Munger	Schreiber	Wynia
Ewald	Kelly	Nelsen, B.	Simoneau	Zubay
Fjoslien	Knickerbocker	Nelson	Stadium	Speaker Searle
Fritz	Kvam	Niehaus	Stoa	
Greenfield	Laidig	Norman	Stowell	
Heap	Lehto	Norton	Sviggum	

The motion did not prevail.

The question was taken on the motion to recommend passage of S. F. No. 57, as amended, and the roll was called. There were 97 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Adams	Esau	Kalis	Niehaus	Stadium
Ainley	Evans	Kelly	Norman	Stoa
Albrecht	Ewald	Knickerbocker	Norton	Stowell
Anderson, B.	Faricy	Kostohryz	Novak	Swanson
Anderson, D.	Forsythe	Kvam	Nysether	Tomlinson
Anderson, R.	Friedrich	Laidig	Olsen	Valan
Berglin	Fritz	Lehto	Otis	Valento
Berkelman	Greenfield	Levi	Pavlak	Vanasek
Biersdorf	Haukoos	Ludeman	Pehler	Voss
Blatz	Heap	Luknic	Peterson	Waldorf
Brinkman	Heinitz	Mann	Pleasant	Weaver
Byrne	Hoberg	McCarron	Redalen	Welch
Casserly	Hokanson	McDonald	Reding	Welker
Clark	Jacobs	McEachern	Rees	Wenzel
Clawson	Jaros	Mehrkens	Reif	Wynia
Corbid	Jennings	Minne	Rose	Zubay
Dean	Johnson, C.	Moe	Rothenberg	Speaker Searle
Eken	Johnson, D.	Munger	Schreiber	
Ellingson	Jude	Nelsen, B.	Sieben, M.	
Enebo	Kahn	Nelson	Simoneau	

Those who voted in the negative were:

Aasness	Crandall	Halberg	Nelsen, M.	Sherwood
Anderson, G.	Dempsey	Kaley	Onnen	Sieben, H.
Anderson, I.	Den Ouden	Kempe	Osthoff	Sviggum
Battaglia	Drew	Kroening	Patton	Thiede
Begich	Elioff	Long	Piepho	Wieser
Carlson, D.	Fjoslien	Metzen	Prahl	
Carlson, L.	Fudro	Murphy	Sarna	

The motion prevailed.

Pehler moved to amend S. F. No. 572 as follows:

Page 1, lines 13 to 15, delete all of the language and insert:

"Sec. 2. This act is effective only upon its approval by a majority of the voters of the city of Bloomington voting on the question at any regular city election or special election, and upon compliance with Minnesota Statutes, Section 645.021."

The question was taken on the adoption of the amendment and the roll was called. There were 85 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Aasness	Crandall	Johnson, D.	Minne	Sherwood
Adams	Dean	Jude	Moe	Sieben, H.
Anderson, B.	Den Ouden	Kahn	Murphy	Simoneau
Anderson, G.	Eken	Kaley	Nelsen, B.	Stadum
Anderson, I.	Elioff	Kalis	Nelsen, M.	Stoa
Battaglia	Ellingson	Kelly	Nelson	Sviggum
Begich	Enebo	Kempe	Norman	Swanson
Berglin	Ewald	Kostohryz	Novak	Thiede
Berkelman	Faricy	Kroening	Nysether	Tomlinson
Biersdorf	Fudro	Lehto	Onnen	Vanasek
Brinkman	Greenfield	Long	Osthoff	Voss
Byrne	Halberg	Luknic	Otis	Waldorf
Carlson, L.	Haukoos	Mann	Pehler	Weaver
Casserly	Hokanson	McCarron	Prahl	Welch
Clark	Jacobs	McEachern	Reding	Wenzel
Clawson	Jaros	Mehrkens	Rice	Zubay
Corbid	Johnson, C.	Metzen	Sarna	Speaker Searle

Those who voted in the negative were:

Ainley	Fjoslien	Laidig	Piepho	Stowell
Albrecht	Forsythe	Levi	Pleasant	Valan
Anderson, D.	Friedrich	Ludeman	Redalen	Valento
Anderson, R.	Fritz	McDonald	Rees	Welker
Blatz	Heap	Munger	Reif	Wieser
Carlson, D.	Heinitz	Niehaus	Rose	Wigley
Dempsey	Hoberg	Olsen	Rothenberg	
Drew	Jennings	Patton	Schreiber	
Esau	Knickerbocker	Pavlak	Searles	
Evas	Kvam	Peterson	Sieben, M.	

The motion prevailed and the amendment was adopted.

Swanson moved to amend S. F. No. 572, as amended, as follows:

Page 1, line 13, delete section 2 and insert:

"Sec. 2. [VOTER APPROVAL.] The city council of the city of Bloomington prior to the issuance of any licenses authorized by section 1 shall adopt an initial resolution stating the amount, and shall publish the resolution once each week for two consecutive weeks in the official newspaper of the city. The licenses may be issued without the submission of the question of their issuance to the voters of the city unless within 21 days after the second publication of the resolution a petition requesting an election signed by at least five percent of the registered voters of the

city voting in the last general election is filed with the city clerk-treasurer. If a petition is filed, no licenses shall be issued unless approved by a majority of the voters of the city voting on the question of their issuance at a regular or special election."

The question was taken on the adoption of the amendment and the roll was called. There were 40 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Albrecht	Heinitz	Laidig	Peterson	Searles
Blatz	Hoberg	Levi	Piepho	Stowell
Dean	Jaros	McDonald	Pleasant	Swanson
Dempsey	Jennings	Munger	Reding	Valan
Drew	Johnson, D.	Nelsen, B.	Reif	Valento
Forsythe	Kaley	Niehaus	Rose	Wieser
Friedrich	Kelly	Olsen	Rothenberg	Wigley
Heap	Knickerbocker	Pavlak	Schreiber	Speaker Searle

Those who voted in the negative were:

Aasness	Clark	Johnson, C.	Norman	Simoneau
Adams	Corbid	Jude	Novak	Stadum
Ainley	Crandall	Kahn	Nysether	Stoa
Anderson, D.	Den Ouden	Kalis	Onnen	Sviggum
Anderson, G.	Eken	Kempe	Osthoff	Thiede
Anderson, I.	Elioff	Kostohryz	Otis	Tomlinson
Anderson, R.	Ellingson	Kroening	Patton	Vanasek
Battaglia	Enebo	Lehto	Pehler	Voss
Begich	Esau	Long	Prahl	Waldorf
Berglin	Evans	Ludeman	Redalen	Weaver
Berkelman	Ewald	Luknic	Rees	Welch
Biersdorf	Faricy	Mann	Rice	Welker
Brinkman	Fudro	McEachern	Sarna	Wenzel
Byrne	Greenfield	Minne	Sherwood	Wynia
Carlson, L.	Haukoos	Murphy	Sieben, H.	Zubay
Casserly	Jacobs	Nelson	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. 572, as amended, and the roll was called. There were 119 yeas and 13 nays as follows:

Those who voted in the affirmative were:

Aasness	Blatz	Ellingson	Haukoos	Kalis
Adams	Byrne	Enebo	Heap	Kelly
Ainley	Carlson, D.	Erickson	Heinitz	Kempe
Aibrecht	Carlson, L.	Esau	Hoberg	Knickerbocker
Anderson, B.	Casserly	Evans	Hokanson	Kostohryz
Anderson, G.	Clark	Ewald	Jacobs	Kroening
Anderson, I.	Clawson	Faricy	Jaros	Kvam
Anderson, R.	Crandall	Fjoslien	Jennings	Laidig
Battaglia	Dean	Forsythe	Johnson, C.	Lehto
Begich	Den Ouden	Friedrich	Johnson, D.	Levi
Berglin	Drew	Fritz	Jude	Long
Berkelman	Eken	Fudro	Kahn	Ludeman
Biersdorf	Elioff	Greenfield	Kaley	Luknic



Mann	Niehaus	Peterson	Simoneau	Waldorf
McCarron	Norman	Pleasant	Stadum	Weaver
Mehrkens	Norton	Prahl	Stoa	Welch
Metzen	Novak	Redalen	Stowell	Welker
Minne	Nysether	Reif	Sviggum	Wenzel
Moe	Olsen	Rose	Swanson	Wieser
Munger	Onnen	Rothenberg	Thiede	Wigley
Murphy	Otis	Schreiber	Tomlinson	Wynia
Nelsen, B.	Patton	Searles	Valan	Zubay
Nelsen, M.	Pavlak	Sieben, H.	Valento	Speaker Searle
Nelson	Pehler	Sieben, M.	Voss	

Those who voted in the negative were:

Anderson, D.	Dempsey	Piepho	Rice	Sherwood
Brinkman	McDonald	Reding	Sarna	Vanasek
Corbid	McEachern	Rees		

The motion prevailed.

Byrne moved to amend H. F. No. 399 as follows:

Page 2, after line 1, insert new sections to read:

"Sec. 3. Minnesota Statutes 1978, Section 145.925, Subdivision 5, is amended to read:

Subd. 5. The commissioner of health shall promulgate rules for approval of plans and budgets of prospective grant recipients, for the submission of annual financial and statistical reports, and the maintenance of statements of source and application of funds by grant recipients. *The rules promulgated by the commissioner shall require a separate account of the use of state family planning funds.* The commissioner of health may not require that any home rule charter or statutory city or county apply for or receive grants under this subdivision as a condition for the receipt of any state or federal funds unrelated to family planning services.

Sec. 4. Minnesota Statutes 1978, Section 145.925, is amended by adding a subdivision to read:

*Subd. 9. The commissioner shall prohibit recipients from using funds received pursuant to this section to reduce in any way present expenditure levels supporting family planning services or diverting funds otherwise available for family planning services to other purposes. Reduction in funds from other sources due to causes other than receipt of state family planning funds shall not affect eligibility for grants authorized by this section. In no case shall funds authorized by this section be used to perform, make referrals for or disseminate information on abortion."*

Further amend the title as follows:

Page 1, line 6, delete "Subdivision" and insert "Subdivisions" and after "2" insert "and 5 and by adding a subdivision"

The question was taken on the adoption of the amendment and the roll was called. There were 38 yeas and 88 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Ellingson	Jaros	Munger	Simoneau
Berglin	Enebo	Kahn	Murphy	Stoa
Berkelman	Ewald	Kaley	Nelson	Tomlinson
Byrne	Fariy	Lehto	Norton	Vanasek
Carlson, L.	Forsythe	Levi	Novak	Voss
Casserly	Greenfield	Long	Otis	Wynia
Clark	Heinitz	Minne	Rothenberg	
Dean	Hokanson	Moe	Searles	

Those who voted in the negative were:

Aasness	Drew	Kempe	Onnen	Stadum
Adams	Eken	Kostohryz	Osthoff	Stowell
Ainley	Elioff	Kroening	Patton	Sviggum
Albrecht	Erickson	Kvam	Pavlak	Swanson
Anderson, B.	Esau	Laidig	Pehler	Thiede
Anderson, I.	Evans	Ludeman	Peterson	Valan
Anderson, R.	Fjoslien	Luknic	Piepho	Valento
Battaglia	Friedrich	Mann	Prahl	Waldorf
Begich	Fritz	McCarron	Redalen	Weaver
Biersdorf	Fudro	McDonald	Reding	Welch
Blatz	Halberg	McEachern	Rees	Welker
Brinkman	Haukoos	Mehrrens	Reif	Wenzel
Carlson, D.	Heap	Metzen	Rose	Wieser
Clawson	Hoberg	Nelsen, B.	Sarna	Wigley
Corbid	Jacobs	Nelsen, M.	Schreiber	Zubay
Crandall	Johnson, D.	Niehaus	Sherwood	Speaker Searle
Dempsey	Jude	Norman	Sieben, H.	
Den Ouden	Kalis	Nysether	Sieben, M.	

The motion did not prevail and the amendment was not adopted.

Waldorf moved to amend H. F. No. 399, as amended, as follows:

Page 1, lines 11 and 12, reinstate the stricken language

Page 1, line 13, reinstate the stricken words "corporation which performs abortions."

Page 1, line 13, after "abortions" insert "*other than abortions certified in writing by the attending physician as medically necessary to prevent the death of the mother*"

Page 1, line 18, delete "*No state family planning funds*"

Page 1, delete lines 19, 20 and 21 and insert "*Cities, counties, groups of cities or counties or nonprofit corporations shall not use family planning funds received pursuant to this section to contract with any corporation, agency, individual or entity which performs*"

Further, amend the title as follows:

Page 1, lines 3 and 4, delete “, agency, individual, or entity”

Page 1, line 4, after “abortions;” insert “prohibiting counties or cities from contracting with any corporation, agency, individual or entity which performs abortions;”

The question was taken on the adoption of the amendment and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, C.	Nelsen, M.	Scarles
Adams	Drew	Johnson, D.	Nelson	Sherwood
Ainley	Eken	Jude	Niehaus	Sieben, H.
Albrecht	Elioff	Kahn	Norman	Sieben, M.
Anderson, B.	Ellingson	Kaley	Norton	Stadum
Anderson, D.	Enebo	Kalis	Novak	Stoa
Anderson, G.	Erickson	Kempe	Nysether	Stowell
Anderson, I.	Esau	Kostohryz	Olsen	Sviggum
Anderson, R.	Evans	Kroening	Onnen	Swanson
Battaglia	Ewald	Kvam	Osthoff	Thiede
Begich	Faricy	Laidig	Otis	Tomlinson
Berglin	Fjoslien	Lehto	Patton	Valan
Berkelman	Forsythe	Levi	Pavlak	Valento
Eiersdorf	Friedrich	Ludeman	Pehler	Vanasek
Blatz	Fritz	Luknic	Peterson	Voss
Brinkman	Fudro	Mann	Piepho	Waldorf
Byrne	Greenfield	McCarron	Pleasant	Weaver
Carlson, D.	Halberg	McDonald	Prahl	Welch
Carlson, L.	Haukoos	McEachern	Redalen	Welker
Casserly	Heap	Mehrkens	Reding	Wenzel
Clark	Heinitz	Metzen	Rees	Wieser
Clawson	Hoberg	Minne	Reif	Wigley
Corbid	Hokanson	Moe	Rose	Wynia
Crandall	Jacobs	Munger	Rothenberg	Speaker Searle
Dean	Jaros	Murphy	Sarna	
Dempsey	Jennings	Nelsen, B.	Schreiber	

The motion prevailed and the amendment was adopted.

Waldorf moved to amend H. F. No. 399, as amended, as follows:

Page 2, line 1, after “mother.” insert “If any provision of this subdivision is found to be unconstitutional and void, the provisions of Minnesota Statutes 1978, Section 145.925 shall not be severable.”

Further, amend the title as follows:

Page 1, line 4, after “abortions;” insert “providing that certain provisions of law are nonseverable under certain conditions;”

The question was taken on the adoption of the amendment and the roll was called. There were 83 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kempe	Niehaus	Sherwood
Adams	Elioff	Knickerbocker	Norman	Sieben, M.
Ainley	Erickson	Kostohryz	Nysether	Stadum
Albrecht	Esau	Kroening	Onnen	Sviggum
Anderson, B.	Evans	Kvam	Osthoff	Thiede
Anderson, D.	Fjoslien	Laidig	Patton	Valan
Anderson, I.	Fritz	Ludeman	Pavlak	Valento
Anderson, R.	Fudro	Luknic	Pehler	Waldorf
Battaglia	Halberg	Mann	Peterson	Weaver
Begich	Heap	McCarron	Piepho	Welch
Biersdorf	Hoberg	McDonald	Prahl	Welker
Blatz	Jacobs	McEachern	Redalen	Wenzel
Brinkman	Jennings	Mehrkens	Rees	Wieser
Corbid	Johnson, D.	Metzen	Reif	Wigley
Crandall	Jude	Murphy	Rose	Zubay
Dempsey	Kalis	Nelsen, B.	Sarna	
Den Ouden	Kelly	Nelsen, M.	Schreiber	

Those who voted in the negative were:

Anderson, G.	Ellingson	Jaros	Nelson	Sieben, H.
Berglin	Enebo	Johnson, C.	Norton	Simoneau
Berkelman	Ewald	Kahn	Novak	Stoa
Byrne	Faricy	Kaley	Olsen	Stowell
Carlson, D.	Forsythe	Lehto	Otis	Swanson
Carlson, L.	Friedrich	Levi	Pleasant	Tomlinson
Casserly	Greenfield	Long	Reding	Vanasek
Clark	Haukoos	Minne	Rice	Voss
Dean	Heinitz	Moe	Rothenberg	Wynia
Eken	Hokanson	Munger	Searles	Speaker Searle

The motion prevailed and the amendment was adopted.

Waldorf moved to amend H. F. No. 399, as amended, as follows:

Page 2, after line 1, insert a new section to read:

"Sec. 3. Minnesota Statutes 1978, Section 145.92, Subdivision 1, is amended to read:

145.92 [COMMUNITY HEALTH SERVICE PLANS.] Subdivision 1. [PLAN CONTENT.] The community health services plan shall be a written plan for the development, implementation, coordination, and operation of community health services that meet the priority needs of the community. Financial constraints and differing priorities may result in variations in levels of effort for different services. The plan shall include the following:

(a) A description of the process used to encourage full community participation in the development of the plan;

(b) An explanation of the extent to which the planning and service delivery systems have been integrated with the delivery of personal health services, institutional health services, health related environmental programs and services, and with related human services in the community. The plan shall include a statement of the priority needs of the community and an inventory of existing health related services in the community;

(c) Descriptions of each service program including each of the following: Community nursing services, home health services, disease prevention and control services including immunization, emergency medical services, health education, and environmental health services;

(d) The projected amount and sources of funding for carrying out the plan;

(e) A report and evaluation of the two preceding years' community health service programs;

(f) *If funds authorized by sections 145.911 to 145.921 are to be used by a community health board to contract for family planning services, the plan shall identify as a distinct line item the funds budgeted for this purpose. Community health boards shall not use funds received pursuant to sections 145.911 to 145.921 and budgeted for family planning services to contract for family planning services with any corporation, agency, individual or entity which performs abortions other than abortions certified in writing by the attending physician as medically necessary to prevent the death of the mother. If the restrictions prescribed in this paragraph for the use of community health funds for family planning services are found to be unconstitutional and void, no funds authorized by sections 145.911 to 145.921 shall be used for family planning services."*

Delete the title amendment adopted by the Byrne amendment and further, amend the title as follows:

Page 1, line 5, after "1978" delete "Section" and insert "Sections 145.912, Subdivision 9; 145.92, Subdivision 1; and"

McCarron moved to amend the preceding Waldorf amendment to H. F. No. 399, as amended, as follows:

Delete the last sentence in clause (f) which reads as follows: *"If the restrictions prescribed in this paragraph for the use of community health funds for family planning services are found to be unconstitutional and void, no funds authorized by sections 145.911 to 145.921 shall be used for family planning services."*

The question was taken on the adoption of the McCarron amendment to the Waldorf amendment and the roll was called. There were 91 yeas and 37 nays as follows:

## Those who voted in the affirmative were:

Adams	Eken	Johnson, D.	Nelsen, B.	Sieben, M.
Ainley	Elihoff	Jude	Nelson	Simoneau
Anderson, B.	Ellingson	Kahn	Norman	Stadum
Anderson, D.	Enebo	Kaley	Norton	Stoa
Anderson, G.	Evans	Kelly	Novak	Stowell
Anderson, R.	Ewald	Knickerbocker	Olsen	Sviggum
Battaglia	Faricy	Kvam	Onnen	Swanson
Begich	Forsythe	Lehto	Osthoff	Tomlinson
Berglin	Friedrich	Levi	Otis	Valan
Biersdorf	Greenfield	Long	Peterson	Vanasek
Blatz	Halberg	Ludeman	Piepho	Voss
Byrne	Haukoos	Luknic	Pleasant	Weaver
Carlson, L.	Heinitz	McCarron	Prahl	Wynia
Casserly	Hoberg	Mehrkens	Redalen	Zubay
Clark	Hokanson	Metzen	Reding	Speaker Searle
Clawson	Jacobs	Minne	Reif	
Crandall	Jaros	Moe	Rice	
Dean	Jennings	Munger	Rothenberg	
Drew	Johnson, C.	Murphy	Sieben, H.	

## Those who voted in the negative were:

Albrecht	Fjoslien	Laidig	Pehler	Welch
Anderson, I.	Fritz	McDonald	Rees	Welker
Berkelman	Fudro	McEachern	Rose	Wenzel
Brinkman	Heap	Nelsen, M.	Sarna	Wieser
Corbid	Kalis	Niehaus	Sherwood	Wigley
Dempsey	Kempe	Nysether	Thiede	
Den Ouden	Kostohryz	Patton	Valento	
Erickson	Kroening	Paviak	Waldorf	

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the adoption of the Waldorf amendment, as amended, and the roll was called. There were 113 yeas and 15 nays as follows:

## Those who voted in the affirmative were:

Aasness	Dempsey	Hokanson	McEachern	Pleasant
Adams	Den Ouden	Jacobs	Mehrkens	Prahl
Ainley	Drew	Jennings	Metzen	Redalen
Albrecht	Eken	Johnson, C.	Minne	Reding
Anderson, B.	Elihoff	Johnson, D.	Munger	Rees
Anderson, D.	Ellingson	Jude	Murphy	Reif
Anderson, G.	Erickson	Kalis	Nelsen, B.	Rice
Anderson, I.	Esau	Kelly	Nelsen, M.	Rose
Anderson, R.	Evans	Kempe	Niehaus	Rothenberg
Battaglia	Ewald	Knickerbocker	Norman	Sarna
Begich	Faricy	Kostohryz	Novak	Sherwood
Berkelman	Fjoslien	Kroening	Nysether	Sieben, H.
Biersdorf	Forsythe	Kvam	Olsen	Sieben, M.
Blatz	Friedrich	Laidig	Onnen	Stadum
Brinkman	Fritz	Levi	Osthoff	Stowell
Byrne	Fudro	Ludeman	Patton	Sviggum
Carlson, L.	Halberg	Luknic	Paviak	Swanson
Clawson	Haukoos	Mann	Pehler	Thiede
Corbid	Heap	McCarron	Peterson	Tomlinson
Crandall	Hoberg	McDonald	Piepho	Valan

Valento	Waldorf	Welker	Wigley	Speaker Searle
Vanasek	Weaver	Wenzel	Wynia	
Voss	Welch	Wieser	Zubay	

Those who voted in the negative were:

Berglin	Dean	Heinitz	Kaley	Moe
Casserly	Enebo	Jaros	Lehto	Norton
Clark	Greenfield	Kahn	Long	Otis

The motion prevailed and the amendment, as amended, was adopted.

The question was taken on the motion to recommend passage of H. F. No. 399, as amended, and the roll was called. There were 86 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kempe	Onnen	Thiede
Adams	Elioff	Kostohryz	Osthoff	Valan
Ainley	Erickson	Kroening	Patton	Valento
Albrecht	Esau	Kvam	Pavlak	Vanasek
Anderson, B.	Evans	Laidig	Pehler	Voss
Anderson, D.	Fjoslien	Ludeman	Peterson	Waldorf
Anderson, I.	Fritz	Luknic	Piepho	Weaver
Anderson, R.	Fudro	Mann	Redalen	Welch
Battaglia	Halberg	McCarron	Rees	Welker
Begich	Heap	McDonald	Reif	Wenzel
Biersdorf	Hoberg	McEachern	Rice	Wieser
Blatz	Jacobs	Mehrkens	Rose	Wigley
Brinkman	Jennings	Metzen	Sarna	Zubay
Clawson	Johnson, C.	Murphy	Sherwood	Speaker Searle
Corbid	Johnson, D.	Nelsen, M.	Sieben, H.	
Crandall	Jude	Niehaus	Sieben, M.	
Dempsey	Kalis	Norman	Stadum	
Den Ouden	Kelly	Nysether	Sviggum	

Those who voted in the negative were:

Anderson, G.	Ellingson	Hokanson	Moe	Rothenberg
Berglin	Enebo	Jaros	Munger	Simoneau
Berkelman	Ewald	Kahn	Nelson	Stoa
Byrne	Faricy	Kaley	Norton	Stowell
Carlson, L.	Forsythe	Knickerbocker	Novak	Swanson
Casserly	Friedrich	Lehto	Olsen	Tomlinson
Clark	Greenfield	Levi	Otis	Wynia
Dean	Haukoos	Long	Pleasant	
Eken	Heinitz	Minne	Reding	

The motion prevailed.

## MOTIONS AND RESOLUTIONS

Reding moved that the name of Reding be stricken and the name of Dean be added as chief author on H. F. No. 631. The motion prevailed.

Fjoslien moved that the name of Wieser be added as an author on H. F. No. 1249. The motion prevailed.

Berglin moved that H. F. No. 1131 be recalled from the Committee on Health and Welfare and be re-referred to the Committee on Appropriations. The motion prevailed.

Waldorf moved that H. F. No. 1257 be recalled from the Committee on Transportation and be re-referred to the Committee on Local and Urban Affairs. The motion prevailed.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, April 11, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, April 11, 1979.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**





## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## THIRTY-FOURTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 11, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Tomlinson
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

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. 458, 998, 1033, 227, 294, 503, 564, 614, 704, 859, 317, 594, 969 and 399 and S. F. Nos. 26, 493, 622, 444, 528, 603, 871, 57, 72, 340 and 572 have been placed in the members' files.

S. F. No. 493 and H. F. No. 704, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Swanson moved that the rules be so far suspended that S. F. No. 493 be substituted for H. F. No. 704 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 603 and H. F. No. 503, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Battaglia moved that the rules be so far suspended that S. F. No. 603 be substituted for H. F. No. 503 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  
ST. PAUL 55155

April 9, 1979

The Honorable Rod Searle  
Speaker of the House  
State of Minnesota

Dear Speaker Searle:

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. 201, relating to political subdivisions; regarding public officers; permitting contracts between hospital district boards and board members; amending Minnesota Statutes 1978, Section 471.88, subdivision 1.

H. F. No. 472, urging the President, Congress and the Secretary of Transportation to retain the Amtrak North Coast Hiawatha in the National Amtrak Transportation System.

Sincerely,

ALBERT H. QUIE  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

April 9, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
	201	20	April 9	April 9
198		21	April 9	April 9
204		22	April 9	April 9
254		23	April 9	April 9
288		24	April 9	April 9
327		25	April 9	April 9
	472	Resolution No. 2	April 9	April 9

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

April 10, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
20		26	April 10	April 10

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

### REPORTS OF STANDING COMMITTEES

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 96, A bill for an act relating to children; establishing a comprehensive child protective services program; prescribing duties of the commissioner of public welfare and county welfare boards; authorizing grants for experimental programs to encourage interagency cooperation; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [CITATION.] Sections 1 to 11 may be cited as the “comprehensive child protective services act.”

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 11 the terms defined in this section shall

have the meanings given them, unless the context clearly indicates otherwise.

Subd. 2. "Child protective services" means services prescribed in section 4 which are directed at the goals of identification and prevention of physical, sexual or emotional abuse or neglect of children and of safeguarding the health and welfare of children whose parents are unable or unwilling to do so.

Subd. 3. "Commissioner" means the commissioner of public welfare.

Subd. 4. "County board" means the board of county commissioners in each county.

Subd. 5. "Human services board" means a board established pursuant to Minnesota Statutes, Section 402.02, or a board given the powers and responsibilities of a human service board by other law.

Sec. 3. [DUTIES OF COUNTY BOARDS.] The county board of each county shall be responsible for the administration, planning and funding of the child protective services program as required by sections 1 to 11 and rules promulgated by the commissioner. Counties which have by resolution combined to form a multicounty board for social service purposes or which have established a human service board shall have the same powers, duties and functions as the individual county boards.

Sec. 4. [CHILD PROTECTIVE SERVICES PROGRAM.]  
Subdivision 1. [STAFF.] The county board or boards or human services board shall designate a member of its staff to be responsible for the child protective services program.

Subd. 2. [REQUIREMENTS.] Each child protective services program shall:

(a) be capable 24 hours a day, seven days a week, of receiving all reports alleging that a child has been abused or neglected;

(b) assess each report to determine the need for investigation;

(c) establish, pursuant to rules established by the commissioner, detailed procedures for intervention, in cooperation with the appropriate law enforcement agency, for the protection of a child in immediate danger;

(d) provide for referral to a physician, medical clinic or hospital for emergency care when it is not otherwise available to the child;

(e) designate licensed facilities for emergency care which are available and capable of receiving children at any time;

(f) offer to each family in which an abused or neglected child is found counseling services which seek to prevent further incidents of abuse or neglect and enable children to remain in their own home if it is in the child's best interest;

(g) develop, in cooperation with or on behalf of each abused or neglected child and its family, a written individual treatment plan designed to improve the conditions which caused the abuse or neglect to occur and to prevent recurrence of the abuse or neglect, including periodic follow-up services after the initial conditions have improved;

(h) cooperate with the child protection team and any other agencies in making referrals or obtaining services needed by the child and its family;

(i) disseminate information on child abuse and neglect to the general public in order to increase awareness of the problem and encourage voluntary reporting by those not required by law to report.

Subd. 3. [PAYMENTS.] Payments to physicians, medical clinics and hospitals for diagnostic procedures may be made by the county board or boards or human services board if no other source of payment is available.

Sec. 5. [LOCAL PLAN.] Subdivision 1. [PLAN REQUIRED.] Commencing in 1980 and every two years thereafter, each board of county commissioners or human service board shall, on or before May 1 of that year, publish a proposed biennial plan for the provision of child protective services. The plan for child protective services may be part of the county's community social services plan or comprehensive annual services plan required under Title XX of the social security act.

Subd. 2. [PLAN CONTENTS.] The local plan shall describe: (a) local implementation of the comprehensive child protective services act, including the organization, staffing, method of operations and financing of the child protective service, as well as provisions made for the purchase of services and interagency cooperation; (b) programs in effect and programs planned in connection with the implementation of sections 1 to 11; (c) training programs in existence or planned for personnel involved in the diagnosis or treatment of physical or sexual abuse or neglect of children.

Subd. 3. [CONTRACTS.] The local plan shall specify the terms and conditions under which the county board or boards or human services board may purchase and utilize services of any

public or private agency to carry out its responsibilities under sections 1 to 11.

Subd. 4. [CITIZEN PARTICIPATION.] The county board or boards or human services board shall provide opportunities for participation by citizens in the development of the biennial plan and in the allocation of funds for child protective services. Compliance with citizen participation requirements in the development of community social services plans shall be deemed compliance with the requirements prescribed by this subdivision.

Subd. 5. [PLAN SUBMISSION.] The county board or boards or human services board shall submit the child protective services plan, either separately or as part of the community social services plan, to the commissioner. The date of submission to the commissioner shall be determined by the commissioner so that this plan is coordinated with the proposed and final comprehensive annual services program plan required under Title XX of the social security act and the biennial community social services plan.

Sec. 6. [INTERAGENCY COOPERATION.] Subdivision 1. [CHILD PROTECTION TEAM.] The county board or boards or human services boards shall establish methods and procedures to encourage cooperation among local public and private agencies in providing comprehensive child protective services. The board may appoint a multidisciplinary child protection team consisting of representatives of social service, health, education, mental health, law enforcement and other appropriate public or private local agencies as well as representatives of parent groups.

Subd. 2. [ROLE OF TEAMS.] The county board or boards or human services board may assign any or all of the following responsibilities to a child protection team:

(a) the development of procedures to clarify the roles and responsibilities of each discipline in the comprehensive child protective services program;

(b) the development of individualized program plans for children and families;

(c) the development of the biennial child protective services plan and recommendations concerning the allocation of available funds for child protective services;

(d) The development of projects to increase public awareness concerning child abuse and neglect.

Subd. 3. [PRIVACY.] Notwithstanding any other law to the contrary a member of a child protection team may disclose



private and confidential data on individuals to other members of the child protection team when necessary to enable the team to perform the assigned functions. All of this data shall be subject to the requirements of Minnesota Statutes, Sections 15.162 to 15.1671.

Sec. 7. [DUTIES OF THE COMMISSIONER OF PUBLIC WELFARE.] Subdivision 1. The commissioner of public welfare shall supervise the provision of child protective services by the county board or boards or human service boards. For this purpose, the commissioner shall designate within the department of public welfare an organizational unit, the director of which shall be responsible for state efforts to assist county agencies in the planning for and provision of child protective services through technical assistance, staff training and statewide dissemination of information on the prevention, identification and treatment of child abuse and neglect.

Subd. 2. The commissioner shall review each county plan for child protective services and approve the plan or return the proposed plan with specific suggestions for improving the plan and an offer of technical assistance to the county board.

Within 30 days of its submission, the commissioner shall certify whether the local plan fulfills the purposes and requirements of sections 1 to 11. If the commissioner certifies that the local plan does not do so, he shall state the reasons therefore, and the local agency shall have 30 days to submit an amended plan. The commissioner shall in such cases have 30 days to certify whether this amended plan fulfills the purposes and requirements of sections 1 to 8.

Subd. 3. The commissioner shall monitor the implementation of the county child protective services plan by requiring periodic reports from each county. Reports required by other laws which include child protective services shall fulfill the requirements of this subdivision. The commissioner shall annually publish a statewide report on child protective services which shall include recommendations to the governor and the legislature, a description of each experimental program funded under section 9, and a description of each program funded through the federal child abuse prevention and treatment act.

Sec. 8. [EDUCATION AND TRAINING.] The commissioner shall conduct a continuing education and training program designed to encourage the fullest degree of reporting of known and suspected cases of child abuse and neglect, including institutional abuse and neglect, and to improve communication and coordination among all agencies in the identification, prevention, and treatment of child abuse and neglect. The program shall inform the general public and professionals of the nature and extent of child abuse and neglect and their responsibilities, obligations and powers under sections 1 to 11 and Minnesota Statutes,

Sections 245.813, 626.555 and 626.556. It shall also include information relating to the functions and procedures of the county child protection program and child protection team. The commissioner may contract with appropriate state and other agencies for the development of curriculum for and training of professionals in the respective disciplines.

Sec. 9. [EXPERIMENTAL PROGRAMS.] The commissioner may make grants to public and private nonprofit organizations for experimental programs which encourage interagency cooperation in preventing or treating of child abuse and neglect. Each experimental program shall conform to guidelines developed by the commissioner. Applications for grants shall be made in the form prescribed by the commissioner and shall include a method whereby the program can be evaluated on the basis of measurable program objectives. The guidelines and forms prescribed by the commissioner pursuant to this section shall be exempt from the administrative procedures prescribed in chapter 15.

Sec. 10. [APPROPRIATION.] For the biennium ending June 30, 1981, there is appropriated from the general fund to the commissioner of public welfare the sum of \$..... for the purposes of section 7 and the sum of \$..... for the purposes of section 8.

Sec. 11. [EFFECTIVE DATE.] Sections 1 to 6 are effective the day following final enactment. Sections 7 to 10 are effective August 1, 1979."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 160, A bill for an act relating to welfare; changing income disregard provisions for certain medical assistance recipients and certain supplemental aid recipients; amending Minnesota Statutes 1978, Sections 256B.06, Subdivision 1; and 256D.37, Subdivision 1.

Reported the same back with the following amendments:

Page 3, line 3, after "to" insert "aged or"

Page 3, line 6, after "to" insert "aged and"

Page 4, line 29, after "for" insert "aged or"

Page 4, line 30, after "to" insert "aged or"

Page 5, after line 4, insert new sections to read:

"Sec. 3. Minnesota Statutes 1978, Section 256D.37, Subdivision 2, is amended to read:

Subd. 2. The eligibility criteria for supplemental aid under this section shall be those in effect December 31, 1973 for the categorical aid programs of old age assistance, aid to the blind, and aid to the disabled except that *in determining eligibility for aged or disabled individuals all actual work expenses shall be disregarded and the earned income disregard shall be the same as the earned income disregard used to determine eligibility for aged or disabled individuals in the supplemental security income program, and except that net equity of \$25,000 in one home used as a residence, one automobile the market value of which does not exceed \$1,650, and real estate not used as a home which produces net income applicable to the family's needs or which the family is making a continuing effort to sell at a fair and reasonable price, are to be disregarded in determining eligibility.* The commissioner of public welfare shall annually adjust the limitation on net equity in real property used as a home by the same percentage as the homestead base value index provided in section 273.122, subdivision 2. The local agency shall apply the relevant criteria to each application. The local agency in its discretion may permit eligibility of an applicant having assets in excess of the amount prescribed in this section if liquidation of the assets would cause undue loss or hardship.

Sec. 4. [REPEALER.] *Minnesota Statutes 1978, Section 256B.36, is repealed.*"

Further, amend the title as follows:

Page 1, delete line 7 and insert "Subdivisions 1 and 2; repealing Minnesota Statutes 1978, Section 256B.36."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 307, A bill for an act relating to commerce; regulating building movers; amending Minnesota Statutes 1978, Chapter 221, by adding a section.

Reported the same back with the following amendments:

Page 1, line 12, delete "or" and insert "and"

Page 2, line 22, delete "shall" and insert "may"

Page 2, line 23, before the semicolon, insert "of building movers"

Page 2, line 24, delete the comma and insert "; and other rules as necessary to implement this section. The department shall promulgate rules establishing"

Page 2, line 25, delete everything before the period

Page 3, line 2, delete "or otherwise"

Page 3, line 2, after "routing," insert "movement,"

Page 3, line 4, delete "or highways"

Page 3, line 5, after "or" insert "highways within the jurisdiction of"

Page 3, after line 7, insert:

"Subd. 6. [ENFORCEMENT POWERS; VIOLATIONS; PENALTIES.]

*The enforcement powers of the department of transportation and its representatives under section 221.221, and the violations and penalty provisions of section 221.68 shall be applicable to this section."*

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 448, A bill for an act relating to public health; authorizing the funding of a statewide poison information center; giving grant and program monitoring responsibilities to the commissioner of health; appropriating money.

Reported the same back with the following amendments:

Page 1, line 12, delete "referral or treatment" and insert "appropriate home management or referral"

Page 2, line 12, after "users" insert "and in a manner that utilizes 911 emergency telephone services developed pursuant to Minnesota Statutes, Chapter 403"

Page 2, line 14, delete the comma and insert "direction as well as the"

Page 2, line 15, after "resources" insert "needed for poison information services"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 500, A bill for an act relating to interest rates; increasing permissible finance charges for open end credit sales; amending Minnesota Statutes 1978, Section 334.16, Subdivision 1.

Reported the same back with the following amendments:

Page 2, after line 7, insert:

"Sec. 2. [COMPUTATION OF AVERAGE DAILY BALANCE.] *If a plan, agreement or arrangement provides that if full payment is made within a certain time a finance charge will not be imposed, and if full payment is not made within that time, then the calculation of the average daily balance for the purpose of the limitation on rates imposed by section 334.16, subdivision 1, clause (b) shall be made by excluding from the daily balances the amount of each sale from the date of the sale until the last day of the regular billing cycle during which the sale was made. The portion of any balance arising from the sale of goods which are returned shall be excluded from the unpaid balance as of the date the goods are returned.*"

Renumber sections accordingly.

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 523, A bill for an act relating to public health; prescribing fees for diagnostic laboratory services provided by

the department of health; providing exemptions for charging fees; authorizing the commissioner of health to promulgate rules; amending Minnesota Statutes 1978, Chapter 144, 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.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 611, A bill for an act relating to metropolitan government; fixing the location of metropolitan sports facilities; amending Minnesota Statutes 1978, Sections 473.556, Subdivision 3; and 473.571, Subdivision 1; repealing Minnesota Statutes 1978, Section 473.571, Subdivisions 2, 3, 4, 5 and 6.

Reported the same back with the following amendments:

Page 1, delete lines 10 to 23

Page 2, delete lines 1 and 2

Page 2, after line 2, add a section to read:

"Section 1. Minnesota Statutes 1978, Section 473.581, Subdivision 3, is amended to read:

Subd. 3. [LIMITATIONS.] The principal amount of the bonds issued pursuant to subdivision 1, clause (a), shall not exceed the amounts hereinafter authorized. 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, the principal amount of bonds issued pursuant to subdivision 1, clause (a), shall be limited to \$55,000,000. If the commission's proposal and the construction contracts do not provide for the construction of a cover on a proposed multipurpose sports facility and the commission does not otherwise contract for the construction or acquisition of a cover for the sports facility, the principal amount shall be limited to (\$42,000,000) \$46,000,000. (IF THE SITE FOR THE FACILITY IS IN THE COUNTY OF ANOKA, NO MORE THAN \$3,000,000 OF ADDITIONAL BONDS MAY BE ISSUED FOR LAND ACQUISITION, CLEARANCE, RELOCATION AND LEGAL COSTS REFERRED TO IN CLAUSES (D) AND (E) OF THIS SUBDIVISION IN CONNECTION WITH THE CONSTRUCTION OF A MULTI PURPOSE STADIUM.) 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 (\$37,500,000) \$46,000,000. 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. The proceeds of the bonds issued pursuant to subdivision 1, clause (a), shall be used only for the acquisition and betterment of sports facilities suitable for baseball, football and soccer, with a seating capacity for football and soccer of approximately (65,000) 60,000 persons. The council shall issue its bonds and construction of sports facilities may commence when the council has made the following determinations:

(a) The commission has executed agreements with major league professional baseball and football organizations to use its sports facilities for all scheduled regular season home games and play-off home games and, in the case of the football organization, for at least one-half of its exhibition games played each season. The agreements shall be for a period of not more than 30 years nor less than the term of the longest term bonds that in the council's judgment it may find it necessary to issue to finance the acquisition and betterment of the (COMMISSION'S) sports (FACILITIES) *facility intended for use by the particular organization*. The agreements shall provide that, in the event of breach of the agreements, the defaulting organization shall pay damages annually to the commission. The annual payment shall be in an amount equal to the annual average of all revenue derived by the commission from attendance at events and activities of the defaulting organization during the years prior to default, provided that the damages shall not exceed in any year an amount sufficient, with other revenues of the commission but excluding proceeds of the tax under section 473.591, to pay all expenses of operation, maintenance, administration, and debt service for the facilities used by the defaulting organization during the same year. The damages shall be payable during the period from the occurrence of the default to the date on which another major league professional baseball or football organization, replacing the defaulting organization, enters into a use agreement with the commission for not less than the then remaining term of the original agreement. The agreements with the teams shall provide that no closed circuit or pay television broadcasting of events in the sports facility may be allowed without the approval of the commission. The agreements shall include provisions protecting the commission and the council in the event of change in ownership of the professional teams.

(b) The commission has executed agreements with professional baseball and football major leagues which guarantee the continuance of franchises in the metropolitan area for the period of the agreements referred to in clause (a).

(c) The proceeds of bonds provided for in this subdivision will be sufficient, together with other capital funds that may be available to the commission, to construct or remodel and to furnish the sports facilities proposed by the commission, including the appropriate professional fees and charges but excluding, except as otherwise provided in this subdivision, the acquisition, clearance, relocation, and legal costs referred to in clauses (d) and (e).

(d) The commission has acquired, without cost to the commission or the council except as provided in this subdivision, title to all real property including all easements and other appurtenances needed for the construction and operation of any proposed sports facilities or has received a grant of funds or has entered into an agreement or agreements sufficient in the judgment of the council to assure the receipt of funds, at the time and in the amount required, to make any payment upon which the commission's acquisition of title and possession of the real property is conditioned.

(e) The commission has received a grant of funds or entered into an agreement or agreements sufficient in the judgment of the council to assure the receipt of funds, at the time and in the amount required, to pay all costs, except as provided in this subdivision, of clearing the real property needed for the construction and operation of any proposed sports facilities of all buildings, railroad tracks and other structures, including without limitation all relocation costs, all utility relocation costs, and all legal costs.

(f) The commission has executed agreements with appropriate labor organizations and construction contractor organizations which provide that no labor strike or management lockout will halt, delay or impede construction.

(g) The commission has executed contracts for the construction of its sports facilities.

(h) The environmental impact statement for the sports facility or facilities has been accepted by the environmental quality board, and the pollution control agency and any other department, agency, or unit of government have taken final action to approve or deny any permits necessary for the sports facility or facilities.

(i) At least 50 percent of the private boxes provided for in the sports facility or facilities are leased for at least five years.

(j) The anticipated revenue from the operation of the sports facility or facilities plus any additional available revenue of the commission, but not including proceeds of the tax under section 473.591, will be an amount sufficient to pay when due all debt service plus all operating and maintenance expenses, unless



the proposed facility is a covered multipurpose sports facility, in which case the aforementioned revenues need only be an amount sufficient to pay when due all debt service plus a substantial portion of operating and maintenance expense.

(k) The commission has studied and considered the needs of the university of Minnesota for athletic facilities for a prospective 20 year period.

The validity of any bonds issued under subdivision 1, clause (a), and the obligations of the council and commission related thereto, shall not be conditioned upon or impaired by the council's determinations made pursuant to this subdivision. For purposes of issuing the bonds the determinations made by the council shall be deemed conclusive, and the council shall be and remain obligated for the security and payment of the bonds irrespective of determinations which may be erroneous, inaccurate, or otherwise mistaken."

Renumber the sections.

Further amend the title:

Page 1, lines 2 and 3, delete "fixing the location of" and insert "changing certain bond amount maximums and seating capacity requirements related to"

Page 1, line 4 delete "Sections" and insert "Section"

Page 1, line 5 delete "473.556, Subdivision 3; and 473.571" and insert "473.581"

Page 1, line 6 delete "1" and insert "3"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 686, A bill for an act relating to public health; permitting statewide use of plastic water well casings; repealing Minnesota Statutes 1978, Section 156A.031, Subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 156A.031, Subdivision 2, is amended to read:

Subd. 2. This section applies only to the counties of Traverse, Grant, Douglas, Stevens, Pope, Big Stone, Swift, Lac

qui Parle, Chippewa, Kandiyohi, Yellow Medicine, Renville, Lincoln, Lyon, Pipestone, Murray, Rock, (AND) Nobles, *Kittson, Roseau, Lake of the Woods, Marshall, Pennington, Polk, Red Lake, Norman, Mahnomen, Clearwater, Clay, Becker, Wilkin, Ottertail, Wadena, Todd, Martin, Jackson, and Cottonwood.*

Sec. 2. *This act is effective the day following its final enactment.*"

Amend the title as follows:

Page 1, line 2, delete "statewide"

Page 1, line 3, after "casings" insert "in additional counties" and delete "repealing" and insert "amending"

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. 716, A bill for an act relating to non-alcoholic beverages; requiring laboratory examination of certain beverages; deleting registration exemption for identified beverages; amending Minnesota Statutes 1978, Section 34.05, Subdivision 1; repealing Minnesota Statutes 1978, Section 34.05, Subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 729, A bill for an act relating to public welfare; increasing personal needs allowance for residents of certain facilities; restricting the use of allowances by third parties; providing for a civil action and damages; providing a penalty; amending Minnesota Statutes 1978, Section 256B.35.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 256B.35, is amended to read:

**256B.35 [PERSONAL ALLOWANCE, PERSONS IN SKILLED NURSING HOMES OR INTERMEDIATE CARE FACILITIES.]** Subdivision 1. Notwithstanding any law to the contrary, welfare allowances for clothing and personal needs for individuals receiving medical assistance while residing in any skilled nursing home or intermediate care facility, including recipients of supplemental security income, in this state shall not be less than (\$30) \$50 per month from all sources. *When benefit amounts for social security or supplementary security income recipients are increased pursuant to sections 215(i) and 1617 of the Social Security Act, the commissioner shall, effective in the month in which the increase takes effect, increase by the same percentage the clothing and personal needs allowance for individuals receiving medical assistance while residing in any skilled nursing home or intermediate care facility. The commissioner of public welfare shall provide timely notice to local agencies, providers, and recipients of increases pursuant to this provision.*

Provided that this personal needs allowance may be paid as part of the Minnesota supplemental aid program, notwithstanding the provisions of section 256D.37, subdivision 2, and payments to the recipients from Minnesota supplemental aid funds may be made once each three months beginning in October, 1977 covering liabilities that accrued during the preceding three months.

Subd. 2. Neither the skilled nursing home, the intermediate care facility nor the department of public welfare shall withhold or deduct any amount of this allowance for any purpose contrary to this section.

Subd. 3. The nursing home may not comingle the patient's funds with nursing home funds or in any way use the funds for nursing home purposes.

Subd. 4. The (DEPARTMENT) commissioner of public welfare (IS AUTHORIZED TO) shall conduct field audits at least once every three years without notice to determine whether this section was complied with by the skilled nursing home or intermediate care facility and that the funds provided residents for their personal needs were actually expended for that purpose. *The field audits may be conducted at the same time as cost report audits required under section 256B.27, subdivision 2a.*

Subd. 5. The nursing home may transfer the personal allowance to someone other than the recipient only when the recipient or his guardian or conservator designates that person in writing to receive or expend funds on behalf of the recipient and that person certifies in writing that the allowance is spent for the well being of the recipient. *Persons, other than the recipient, in possession of the personal allowance, shall use the*

allowance only for the well being of the recipient. Any person, other than the recipient, who, with intent to defraud, uses the personal needs allowance for purposes other than the well being of the recipient shall be guilty of theft and shall be sentenced pursuant to section 609.52, subdivision 3, clauses (1), (2) and (5). To prosecute under this subdivision, the attorney general or the appropriate county attorney, acting independently or at the direction of the attorney general, may institute a criminal action. A nursing home that transfers personal needs allowance funds to a person other than the recipient in good faith and in compliance with this section shall not be held liable under this subdivision.

Subd. 6. In addition to the remedies otherwise provided by law, any person injured by a violation of any of the provisions of this section, may bring a civil action and recover damages, together with costs and disbursements, including costs of investigation and reasonable attorney's fees, and receive other equitable relief as determined by the court."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 792, A bill for an act relating to claims against the state; providing for claims arising out of injury or death of persons conditionally released by the Minnesota corrections board to perform community service; amending Minnesota Statutes 1978, Section 3.738, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 14, after "of" insert "*the circumstances described in this subdivision shall be presented to, heard, and determined by the legislature*"

Page 1, line 15, after "(1)" insert "An"

Page 1, line 18, delete ", or (2)" and insert " ; (2) An"

Page 1, line 21, delete "volunteer" and insert "uncompensated"

Page 1, line 21, delete "or service"

Page 2, line 2, delete "such" and insert "the"

Page 2, line 2, delete "or service"

Page 2, lines 2 and 3, strike "shall be presented to, heard and determined by the legislature" and insert "; (3) An injury to or death of a person who has been placed on probation by a court and who is performing work in restitution pursuant to court order; (4) An injury to or death of a person, including a juvenile, who has been diverted from the court system and who is performing work in restitution pursuant to a written agreement signed by himself, and if a juvenile, by his parent or guardian; or (5) An injury to or loss of property or personal injury or death of a third person caused by a person performing any of the work described above"

Amend the title as follows :

Page 1, line 3, delete "injury or death of"

Delete lines 4 and 5 and insert "various restitution programs to be heard by the legislature;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

H. F. No. 912, A bill for an act relating to juries; requiring the department of public safety to provide jury commissioners with drivers' license lists without fee; amending Minnesota Statutes 1978, Section 593.37, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 12, delete "no" and insert "a reasonable"

Amend the title as follows :

Page 1, line 4, delete "without" and insert "at a reasonable"

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. 940, A bill for an act relating to transportation; authorizing an increase in the approved complement of the department for certain services; providing for reimbursement for the services; appropriating money.

Reported the same back with the following amendments:

Page 2, line 13, after the period, insert "The commissioner shall deposit all money reimbursed under this section in the trunk highway fund."

Page 2, line 15, after "for" insert "each year of"

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. 982, A bill for an act relating to transportation; authorizing an increase in the mileage of the municipal state-aid street system; amending Minnesota Statutes 1978, Section 162.09, Subdivision 1.

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:

H. F. No. 1097, A bill for an act relating to agriculture; regulating alien ownership of land; providing for permanent resident alien and loss of status; amending Minnesota Statutes 1978, Section 500.221, Subdivisions 1, 3, and 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 Taxes to which was referred:

H. F. No. 1129, A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; providing a one year extension of a reduced gross earnings tax equivalent to ad valorem tax during transition; eliminating the use of limited market valuation in the assessment of property; reducing the classification ratios applied to homesteads and agricultural and seasonal recreational property; increasing the percentage and maximum amount of the homestead credit; pro-

viding state aid to local taxing authorities containing reduced assessment property and natural resources land; increasing the percentage of rent to be used to compute property tax refunds; increasing maximum amounts of property tax refunds; increasing the amount of local government aid paid by the state; appropriating money; amending Minnesota Statutes 1978, Sections 273.061, Subdivision 8; 273.11, Subdivision 2; 273.13, Subdivisions 4, 6, 7, and 14a; 273.17, Subdivision 1; 275.51, Subdivision 3d; 276.04; 290A.03, Subdivision 11; 290A.04, Subdivisions 2, 2a and 2b; 295.02; 477A.01, Subdivisions 1 and 4; and Chapters 270 and 273, by adding sections; repealing Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 273.11, is amended to read:

273.11 [VALUATION OF PROPERTY.] Subdivision 1. Except as provided in (SUBDIVISIONS 2 AND) *subdivision* 6 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 valuing 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. 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.

(SUBD. 2. (A) THE ASSESSOR AFTER DETERMINING THE VALUE OF ANY PROPERTY SHALL COMPARE THE VALUE WITH THAT DETERMINED IN THE PRECEDING ASSESSMENT. NOTWITHSTANDING THE PROVISIONS OF SECTION 273.17, 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 A SUBSEQUENT YEAR OR YEARS; PROVIDED, HOWEVER, THAT IF THE AMOUNT OF THE INCREASE IN MARKET VALUE IS

(I) MORE THAN TEN PERCENT BUT NO MORE THAN 20 PERCENT, THE EXCESS SHALL BE ENTERED IN THE FOLLOWING YEAR;

(II) MORE THAN 20 PERCENT BUT NO MORE THAN 40 PERCENT, TEN PERCENT SHALL BE ENTERED IN EACH SUBSEQUENT YEAR UNTIL THE AMOUNT REMAINING TO BE ENTERED IS LESS THAN 10 PERCENT IN WHICH CASE THE AMOUNT REMAINING WILL BE ENTERED IN THE NEXT SUBSEQUENT YEAR; OR

(III) MORE THAN 40 PERCENT, THE EXCESS SHALL BE ENTERED EQUALLY IN THE THREE SUBSEQUENT YEARS.

(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).)

Subd. 5. Notwithstanding any other provision of law to the contrary, the limitation contained in (SUBDIVISIONS) *subdivision 1 (TO 5)* shall also apply to the authority of the local board of review as provided in section 274.01, the county board of equalization as provided in section 274.13, and the state board of equalization and the commissioner of revenue as provided in section 270.11, 270.12 and 270.16 (, AND ANY INCREASE EFFECTED BY THESE BOARDS OVER THE VALUATION CURRENTLY BEING USED IN COMPUTING TAXES SHALL BE ADDED TO THE PREVIOUS ASSESSED VALUATION IN ANNUAL INCREMENTS AS PROVIDED IN SUBDIVISION 2).

Subd. 6. For purposes of property taxation, the market value of real and personal property installed prior to January 1, 1984, which is a solar, wind, or agriculturally derived methane gas system used as a heating, cooling, or electric power source of a building or structure shall be excluded from the market value of that building or structure if the property is not used to provide energy for sale.

Sec. 2. Minnesota Statutes 1978, Section 273.122, is amended to read:

273.122 [FLEXIBLE HOMESTEAD BASE VALUE.] Subdivision 1. [HOMESTEAD BASE VALUE.] For (1975 AND PRIOR YEARS) *the 1979 assessment*, the homestead base value shall mean (\$12,000) *\$30,000* of market value of any property which qualifies as homestead property for assessment purposes. The homestead base value shall be increased in any subsequent assessment year as provided in subdivision 2.

Subd. 2. [HOMESTEAD BASE VALUE INDEX.] In assessment years subsequent to (1975) *1979*, the homestead base value shall be adjusted pursuant to the homestead base value index. The homestead base value index shall be computed by the equalization aid review committee for each year immediately preceding an assessment year. This index is computed in the following manner. The annual statewide average market value of homestead property as indicated by bona fide real estate sales during the year shall be divided by the statewide average market value of all homestead property sold in (1974) *1978*. This quotient is multiplied by 100. For each increase of a full three and one-half points in the index the homestead base value shall be increased (\$500) *\$1,000* in the following assessment year. On or before December 1 of any year preceding an assessment year the commissioner of revenue shall certify the homestead base value for that year.

Sec. 3. Minnesota Statutes 1978, Section 273.13, Subdivision 4, is amended to read:

Subd. 4. [CLASS 3.] (a) Tools, implements and machinery of an electric generating, transmission or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products or mains and pipes used in the distribution of steam or hot or chilled water for heating or cooling buildings, which are fixtures, all agricultural land, except as provided by classes 1, 3b, 3e, all buildings and structures assessed as personal property and situated upon land of the state of Minnesota or the United States government which is rural in character and devoted or adaptable to rural but not necessarily agricultural use shall constitute class 3 and shall be valued and assessed at 33 1/3 percent of the market value thereof, except as provided in clause (b). Except as provided in subdivision 5a, all real property devoted to temporary and seasonal residential occupancy for recreational purposes, and which is not devoted to commercial purposes for more than 200 days in the year preceding the year of assessment, shall be class 3 property and assessed accordingly. For this purpose, property is devoted to commercial use on a specific day if it is used, or offered for use, and a fee is charged for such use.

(b) For taxes (ASSESSED) levied in (1977) 1979, payable in (1978) 1980 and subsequent years, agricultural land and real property devoted to temporary and seasonal residential occupancy for recreation purposes which is classified as class 3 shall be assessed at (31) 26 percent of its market value (, AND FOR TAXES ASSESSED IN 1978, PAYABLE IN 1979 AND THEREAFTER, IT SHALL BE ASSESSED AT 30 PERCENT OF ITS MARKET VALUE).

Sec. 4. Minnesota Statutes 1978, 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 (18) 12 percent of the market value thereof in (1977) 1979, for taxes payable in (1978) 1980, and (AT 16 PERCENT THEREAFTER) subsequent years. The property tax to be paid on class 3b property as otherwise determined by law not exceeding (120) 320 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, shall be reduced by (45) 60 percent of the tax; provided that the amount of said reduction shall not exceed (\$325) \$650. (VALUATION SUBJECT TO RELIEF IN 1977 FOR TAXES PAYABLE IN 1978 SHALL BE LIMITED TO 120 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. FOR TAXES LEVIED IN 1978 PAYABLE 1979 AND SUBSEQUENT YEARS,) Valuation subject to relief shall be limited to (160) 320 acres of land, most contiguous surrounding, (OR) bordering, or closest to 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 at (31) 26 percent of its market value in (1977,) 1979 for taxes payable in (1978,) 1980 and (AT 30 PERCENT THEREAFTER) *subsequent years*. 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 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. 5. Minnesota Statutes 1978, Section 273.13, Subdivision 6a, is amended to read:

Subd. 6a. [HOMESTEAD OWNED BY FAMILY FARM CORPORATION OR PARTNERSHIP.] (a) Each family farm corporation and each partnership operating a family farm shall be entitled to class 3b assessment and shall be eligible for the credit provided in subdivision 6 for one homestead occupied by a shareholder or partner thereof who is residing on the land and actively engaged in farming of the land owned by the corporation or partnership. Such a homestead shall not exceed (160) 320 acres, and shall be assessed as provided in subdivision 6, notwithstanding the fact that legal title to the property may be in the name of the corporation or partnership and not in the name of the person residing thereon. "Family farm corporation" and "family farm" shall mean as defined in section 500.24.

(b) In addition to property specified in paragraph (a), any other residences owned by corporations or partnerships described in paragraph (a) which are located on agricultural land and occupied as homesteads by shareholders or partners who are actively engaged in farming on behalf of the corporation or part-

nership shall also be assessed as class 3b property, and be entitled to the credit provided in subdivision 6, but the property eligible shall be limited to the residence itself and as much of the land surrounding the homestead, not exceeding one acre, as is reasonably necessary for the use of the dwelling as a home, and shall not include any other structures that may be located thereon.

Sec. 6. Minnesota Statutes 1978, 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 (22) 19 percent of the market value thereof in (1977,) 1979 for taxes payable in (1978,) 1980 and (AT 20 PERCENT THEREAFTER) *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, shall be reduced by (45) 60 percent of the amount of such tax; provided that the amount of said reduction shall not exceed (\$325) \$650. 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 (36) 32 percent of market value in (1977,) 1979 for taxes payable in (1978,) 1980 and (AT 33 1/3 PERCENT THEREAFTER) *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. Class 3cc property shall include only real estate which is used for the purposes of a homestead by (a) 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 (b) any person (hereinafter referred to as veteran) who: (1) served in the active military or naval service of the United States and (2) 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 wheelchair, and (3) 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 (c) any person who: (1) is permanently and totally disabled and (2) is receiving (i) aid from any state as a result of that disability, or (ii) supplemental security income for the disabled, or (iii) workers' compensation based on a finding of total and permanent disability, or (iv) social security disability, or (v) 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. Class 3cc property 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 shall be reduced by (45) 60 percent of the amount of such tax; provided that the amount of said reduction shall not exceed (\$325) \$650. If the market value is in excess of the sum of \$28,000, the amount in excess of that sum shall be valued and assessed at (31) 26 percent in (1977,) 1979 for taxes payable in (1978) 1980 and (30 PERCENT THEREAFTER) *subsequent years*, in the case of agricultural land used for a homestead and (36) 32 percent in the case of all other real estate used for a homestead for taxes payable in (1978) 1980 (AND 33 1/3 PERCENT FOR TAXES PAYABLE IN 1979) and subsequent years.

Sec. 7. Minnesota Statutes 1978, 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 shall be reduced by (45) 60 percent of the amount of the tax in respect of said value as otherwise determined by law, but not by more than (\$325) \$650.

Sec. 8. *The 1978 adjusted assessed values determined under the provisions of section 124.212 shall be computed using the assessment ratios for taxes payable in 1980 provided by sections 3, 4, and 6. In the case of adjusted assessed values which are limited under the provisions of section 124.212, subdivision 11, clause (a), the recomputation provided in this section shall be made on the limited value.*

Sec. 9. Minnesota Statutes 1978, Section 273.17, Subdivision 1, is amended to read:

273.17 [ASSESSMENT OF REAL PROPERTY.] Subdivision 1. In every year, on January 2, the assessor shall also assess all real property that may have become subject to taxation since the last previous assessment, including all real property platted since the last real estate assessment, and all buildings or other structures of any kind, whether completed or in process of construction, of over \$1,000 in value, the value of which has not been previously added to or included in the valuation of the land on which they have been erected. (THE NEWLY ASSESSED PROPERTY SHALL BE VALUED INITIALLY AT

A VALUE NOT EXCEEDING THE AVERAGE PERCENT OF MARKET VALUE USED IN THE TAX LEVIES FOR ITS RESPECTIVE CLASS OF PROPERTY IN ITS ASSESMENT 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. THE ASSESSMENT SHALL BE INCREASED TO MARKET VALUE IN ANNUAL INCREMENTS AS PROVIDED IN SECTION 273.11, SUBDIVISION 2 UNTIL SUCH TIME AS THE PROPERTY IS REASSESSED.) He shall make return thereof to the county auditor, with his return of personal property, showing the tract or lot on which each structure has been erected and the market value added thereto by such erection. Every assessor shall list, without revaluing, in each year, on a form to be prescribed by the commissioner of revenue, all parcels of land that shall have become homesteads or shall have ceased to be homesteads for taxation purposes since the last real estate assessment, and other parcels of land when the use of the land requires a change in classification or the land has been incorrectly classified in a previous assessment.

The county auditor shall note such change in the assessed valuation upon the tax lists, caused by a change in classification, and shall calculate the taxes for such year on such changed valuation. In case of the destruction by fire, flood, or otherwise of any building or structure, over \$100 in value, which has been erected previous to the last valuation of the land on which it stood, or the value of which has been added to any former valuation, the assessor shall determine, as nearly as practicable, how much less such land would sell for at private sale in consequence of such destruction, and make return thereof to the auditor.

Sec. 10. Minnesota Statutes 1978, Section 290A.03, Subdivision 11, is amended to read:

Subd. 11. [RENT CONSTITUTING PROPERTY TAXES.] "Rent constituting property taxes" means (22) 25 percent of the gross rent actually paid in cash, or its equivalent, or that portion of gross rent which is paid in lieu of property taxes, in (1977) 1979 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. 11. Minnesota Statutes 1978, 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 home-

stead 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 1977 or any calendar year thereafter. No apportionment or reduction of the "property taxes payable" shall be required for the use of a portion of the claimant's homestead for a business purpose if the claimant does not deduct any business depreciation expenses for the use of a portion of the homestead in the determination of federal adjusted gross income. For homesteads which are mobile homes as defined in section 168.011, subdivision 8, "property taxes payable" shall also include (22) 25 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, such tenants shall determine between them which tenant may claim the property taxes payable on the homestead. If they are unable to agree, the matter shall be referred to the commissioner of revenue and his decision shall be final. 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. 12. Minnesota Statutes 1978, Section 290A.04, Subdivision 2, is amended to read:

Subd. 2. The refund 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 (\$2,999) \$3,599, 0.5 percent, up to \$475;

(3,000) 3,600 to (3,999) 4,799, 0.6 percent, up to \$475;

(4,000) 4,800 to (4,999) 5,999, 0.7 percent, up to \$475;

(5,000) 6,000 to (5,999) 7,199, 0.8 percent, up to \$475;

(6,000) 7,200 to (6,999) 8,399, 0.9 percent, up to \$475;

(7,000) 8,400 to (7,999) 9,599, 1.0 percent, up to \$475;

(8,000) 9,600 to (8,999) 10,799, 1.1 percent, up to \$475;

(9,000) 10,800 to (9,999) 11,999, 1.2 percent, up to \$475;

(10,000) 12,000 to (10,999) 13,199, 1.3 percent, up to \$475;

- (11,000) 13,200 to (11,999) 14,399, 1.4 percent, up to \$475;  
(12,000) 14,400 to (19,999) 23,999, 1.5 percent, up to \$475;  
(20,000) 24,000 to (22,999) 27,599, 1.6 percent, up to \$475;  
(23,000) 27,600 to (25,999) 31,199, 1.8 percent, up to \$425;  
(26,000) 31,200 to (30,999) 37,199, 2.0 percent, up to \$375;  
(31,000) 37,200 to (35,999) 43,199, 2.2 percent, up to \$350;  
(36,000) 43,200 to (40,999) 49,199, 2.4 percent, up to \$325;  
(41,000) 49,200 to (44,999) 53,999, 2.6 percent, up to \$325;  
(45,000) 54,000 to (52,999) 63,599, 2.8 percent, up to \$325;  
(53,000) 63,600 to (65,999) 79,199, 3.0 percent, up to \$325;  
(66,000) 79,200 to (81,999) 93,399, 3.2 percent, up to \$325;  
(82,000) 93,400 to (99,999) 119,999, 3.5 percent, up to \$325;  
(100,000) 120,000 and over, 4.0 percent, up to \$325;

provided that maximum credits for incomes above (\$20,000) \$24,000 decline according to the following schedule:

between (\$20,000) \$24,000 and (\$26,000) \$31,200 decline (\$16.67) \$1.39 per (\$1,000) \$100; between (\$26,000) \$31,200 and (\$36,000) \$43,200 decline (\$5) \$.42 per (\$1,000) \$100.

The payment made to a claimant shall be the amount of refund calculated pursuant to this subdivision, but not exceeding \$675, less the homestead credit given pursuant to section 273.13, subdivisions 6 and 7.

Sec. 13. Minnesota Statutes 1978, Section 290A.04, Subdivision 2a, is amended to read:

Subd. 2a. An additional refund shall be allowed each claimant who was not disabled or who had not attained the age of 65 by June 1 of the year in which the taxes were payable (AND WHOSE CLAIM IS BASED ON TAXES PAID ON THE HOME HE OWNS) in an amount equal to (35) 50 percent of the amount by which property taxes payable (AND) or rent constituting property taxes exceed the sum of (a) the refund calculated pursuant to subdivision 2 and (b) the percentage of the



claimant's household income specified in subdivision 2. The sum of the refunds provided in subdivision 2 and this subdivision shall not exceed the maximum amounts provided below.

For claimants earning:

\$0 to (19,999) 23,999, up to (\$800) \$1,100;

(20,000) 24,000 to (25,999) 43,199, up to (\$800) \$1,100;

(26,000 TO 35,999, UP TO \$650;)

(36,000) 43,000 and over, up to \$325;

provided that maximum refunds for incomes above (\$20,000) \$24,000 decline according to the following schedule:

between (\$20,000) \$24,000 and (\$26,000) \$43,200 decline (\$25) \$4.04 per (\$1,000) \$100 ( ; BETWEEN \$26,000 AND \$36,000 DECLINE \$32.50 PER 1,000). A claimant who owns his own homestead part of the year and rents part of the year may add his rent constituting property taxes to the qualifying tax on his homestead and receive the additional refund provided in subdivision 2a.

Sec. 14. Minnesota Statutes 1978, Section 290A.04, Subdivision 2b, is amended to read:

Subd. 2b. An additional refund shall be allowed each claimant who is disabled or has attained the age of 65 by June 1 of the year in which the taxes were payable in an amount equal to 50 percent of the amount by which property taxes payable or rent constituting property taxes exceed the sum of (a) the refund calculated pursuant to subdivision 2 and (b) the percentage of the claimant's household income specified in subdivision 2. The sum of the refunds provided in subdivision 2 and this subdivision shall not exceed the maximum amounts provided below.

For claimants earning:

\$0 to (19,999) 23,999, up to (\$800) \$1,100;

(20,000) 24,000 to (22,999) 43,199, up to (\$800) \$1,100;

(23,000 TO 25,999, UP TO \$763;)

(26,000 TO 35,999, UP TO \$725;)

(36,000) 43,200 and over, up to \$525;

provided that maximum refunds for incomes above (\$20,000) \$24,000 decline according to the following schedule:

between (\$20,000) \$24,000 and (\$26,000) \$43,200 decline (\$12.50) \$3.00 per (\$1,000) \$100 (; BETWEEN \$26,000 AND \$36,000 DECLINE \$20 PER \$1,000).

In the case of a claimant who was disabled on or before June 1 or who attained the age of 65 on the date specified in subdivision 1, the refund shall not be less than the refund 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.

Sec. 15. Minnesota Statutes 1978, Section 290A.04, is amended by adding a subdivision to read:

*Subd. 2c. [INFLATION ADJUSTMENT.] For claims based on property taxes payable in 1981 and rent constituting property taxes paid in 1980 and thereafter, the income amounts in subdivisions 2, 2a, and 2b shall be adjusted for inflation. The commissioner of revenue shall annually determine the percentage increase in the consumer price index (revised series) for the Minneapolis-St. Paul metropolitan area prepared by the United States department of labor with 1967 as a base year. The commissioner of revenue shall determine the percentage change occurring over the prior one year period ending in August of the current year. The commissioner shall then multiply each of the income amounts by that percentage and add the resulting product, rounded to the nearest dollar, to such base income amounts which shall be allowed under this subdivision for that taxable year. The commissioner shall announce his determination by November 1 of each taxable year.*

Sec. 16. Minnesota Statutes 1978, Section 290A.04, Subdivision 3, is amended to read:

Subd. 3. The commissioner of revenue shall construct and make available to taxpayers a comprehensive table showing the property taxes to be paid and credit allowed at various levels of income and assessment. The table shall follow the schedule of income percentages, maximums and other provisions specified in (SUBDIVISION) subdivisions 2, 2a, 2b, and 2c, except that the commissioner may graduate the transition between income brackets.

For homestead property owners who are disabled or are 65 or older, as provided in subdivision 1, the commissioner shall base his determination of the credit on the gross qualifying tax reduced by the average statewide effective homestead credit percentage for taxes payable in 1975 calculated under section 273.13, subdivisions 6 and 7.

**Sec. 17. [EFFECTIVE DATE.]** *Sections 1, 2, 3, 4, 5, 6, 7 and 9 are effective for taxes levied in 1979 payable in 1980 and subsequent years. Sections 10, 11, 12, 13, 14 and 16 are effective for claims based on property taxes payable in 1980 and rent constituting property taxes paid in 1979 and subsequent years. Section 15 is effective for claims based on property taxes payable in 1981 and rent constituting property taxes paid in 1980 and subsequent years."*

Delete the title in its entirety and insert:

"A bill for an act relating to taxation; repealing limited market value; changing homestead base value; decreasing classification ratios on certain property; increasing homestead credit percentage and maximum amount; increasing property tax refund amounts for renters and homeowners; providing a basic adjustment and annual adjustments to property tax refund income amounts according to rate of change in the cost of living index; amending Minnesota Statutes 1978, Sections 273.11; 273.122; 273.13, Subdivisions 4, 6, 6a, 7 and 14a; 273.17, Subdivision 1; 290A.03, Subdivisions 11 and 13; 290A.04, Subdivisions 2, 2a, 2b and 3, and by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the committee on Health and Welfare to which was referred:

House Concurrent Resolution No. 2, A house concurrent resolution urging the Food and Drug Administration and the National Cancer Institute to proceed with scientific testing of laetrile.

Reported the same back with the recommendation that the resolution be adopted and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H.F. Nos. 307, 500, 523, 686, 716, 792, 912, 982, 1097 and 1129 were read for the second time.

## SECOND READING OF SENATE BILLS

S.F. Nos. 493 and 603 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Berglin, Jaros, Greenfield and Casserly introduced:

H. F. No. 1311, A bill for an act relating to taxation; providing homestead taxation for certain apartments.

The bill was read for the first time and referred to the Committee on Taxes.

Esau, Berkelman, Drew, Onnen and Clark introduced:

H. F. No. 1312, A bill for an act relating to public welfare; general assistance; changing the county of financial responsibility for social services in certain cases; amending Minnesota Statutes 1978, Section 256D.18, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Olsen, Eken, Adams, McEachern and Piepho introduced:

H. F. No. 1313, A bill for an act relating to commerce; setting a time limit on requests for hearings on orders denying, revoking or suspending franchises; amending Minnesota Statutes 1978, Section 80C.12, Subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Osthoff introduced:

H. F. No. 1314, A bill for an act relating to alcoholic beverages; authorizing the sale of intoxicating liquor and nonintoxicating malt liquor on election days; amending Minnesota Statutes 1978, 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, Economic Development and Housing.

Adams, Wenzel, Patton, Osthoff and Kaley introduced:

H. F. No. 1315, A bill for an act relating to retirement; directing the legislative commission on pensions and retirement to study the 40 year service credit maximum and the appropriate employee contribution rate for public pension fund members affected; requiring report.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Heinitz; Sieben, H.; Dean; Berkelman and Pleasant introduced:

H. F. No. 1316, A bill for an act relating to statutory definitions; providing an alternative definition for determination of death; enacting the uniform brain death act.

The bill was read for the first time and referred to the Committee on Judiciary. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Rees introduced:

H. F. No. 1317, A bill for an act relating to energy; repealing the requirement that home sellers disclose to prospective buyers the energy efficiency report on the residence; repealing Minnesota Statutes 1978, Section 116H.129, Subdivisions 5, 6 and 7.

The bill was read for the first time and referred to the Committee on Energy and Utilities.

Voss, Clawson and Zubay introduced:

H. F. No. 1318, A bill for an act relating to public defense; establishing the board of public defense; transferring public defender responsibilities from the judicial council to the board of public defense; abolishing the judicial council; amending Minnesota Statutes 1978, Sections 611.23; 611.26, Subdivisions 1, 2, 3, 4 and 5; and Chapter 611, by adding a section; repealing Minnesota Statutes 1978, Sections 480.053; 483.01 and 483.02.

The bill was read for the first time and referred to the Committee on Judiciary.

Clawson, Welch, Carlson, L., and McCarron introduced:

H. F. No. 1319, A bill for an act relating to health; providing for a moratorium on the construction of certain hospital beds; providing for a study of excess hospital bed supply; appropriating money; amending Minnesota Statutes 1978, Chapter 145, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Hoberg, Battaglia, Searles, Begich and Valento introduced:

H. F. No. 1320, A bill for an act relating to taxation; levy limits; allowing a governmental subdivision to make a supplementary levy equal to the amount by which the levy limitations for certain years exceeds the actual levy for those years; amending Minnesota Statutes 1978, Section 275.50, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Piepho; Johnson, C.; Johnson, D.; Anderson, B., and Kalis introduced:

H. F. No. 1321, A bill for an act relating to public safety; providing for optional emergency telephone services in the non-metropolitan area; amending Minnesota Statutes 1978, Section 403.01, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Piepho, Reding, Anderson, B., and Stowell introduced:

H. F. No. 1322, A bill for an act relating to motor vehicles; extending the effective date for certain truck fuel economy labeling; amending Minnesota Statutes 1978, Section 168.271.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Drew, Ainley, Corbid, Mehrkens and Anderson, I., introduced:

H. F. No. 1323, A bill for an act relating to Indians; providing for use of the nomenclature "American Indians" in Minnesota Statutes; amending Minnesota Statutes 1978, Sections 145.922, Subdivision 2; 152.02, Subdivision 2; 254A.02, Subdivision 11; 254A.03; 254A.031; 254A.07, Subdivision 2; 462A.07, Subdivisions 13, 14, and 15; 462A.21, Subdivisions 4c and 4d; and 517.18, Subdivision 4.

The bill was read for the first time and referred to the Committee on Judiciary.

Drew, Jennings, Novak and Norman introduced:

H. F. No. 1324, A bill for an act relating to arson; fire loss information; authorizing certain agencies to request and receive from insurance companies information relating to fire losses; providing for immunity to insurance companies providing fire loss information; providing for confidentiality of released information; providing for testimony in matters under litigation; providing for penalties.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Nelson introduced:

H. F. No. 1325, A bill for an act relating to welfare; excluding certain payments made to members of Indian tribes from resources considered in determining eligibility for general assistance; amending Minnesota Statutes 1978, Section 256D.08, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Corbid and Nysether introduced:

H. F. No. 1326, A bill for an act relating to waters; limiting the rule making power of the commissioner of natural resources in regard to flood plain management; amending Minnesota Statutes 1978, Section 104.05.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Corbid and Crandall introduced:

H. F. No. 1327, A bill for an act relating to banks; clarifying that certain branch banks may establish detached facilities; amending Minnesota Statutes 1978, Section 47.51.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Redalen, Patton, Searles, Mann and Nelsen, B., introduced:

H. F. No. 1328, A bill for an act relating to taxation; providing for an annual adjustment of the excise tax on gasoline and special fuel based on changes in the consumer price index; amending Minnesota Statutes 1978, Section 296.02, Subdivision 1; and Chapter 296, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Lehto, Murphy, Stowell, Fudro and McCarron introduced:

H. F. No. 1329, A bill for an act relating to aeronautics; providing representation for affected communities on airport zoning boards; regulating the process of airport zoning; amending Minnesota Statutes 1978, Sections 360.061, Subdivision 3; 360.063, Subdivision 3; and 360.065.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Sherwood, Ainley, Nelson, Battaglia and Nysether introduced:

H. F. No. 1330, A bill for an act relating to education; requiring additional qualifications for receipt of certain Indian scholarships; providing for the composition of the Minnesota Indian scholarship committee for the appointment, terms, compensation and removal of members, for the filling of vacancies and for the expiration of the committee; amending Minnesota Statutes 1978, Section 124.48.

The bill was read for the first time and referred to the Committee on Education.



Munger, Wigley, Kahn, Dean and Anderson, I., introduced:

H. F. No. 1331, A bill for an act relating to energy; establishing and empowering a commission on nuclear power; appropriating funds.

The bill was read for the first time and referred to the Committee on Energy and Utilities.

Greenfield; Anderson, I.; Rice; Moe and Fritz introduced:

H. F. No. 1332, A bill for an act relating to labor; overtime; changing the minimum workweek; amending Minnesota Statutes 1978, Section 177.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Luknic, Hokanson and Mehrkens introduced:

H. F. No. 1333, A bill for an act relating to highways; providing for the priority construction of protective fences on certain bridges; appropriating money; amending Minnesota Statutes 1978, Chapter 165, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

Luknic introduced:

H. F. No. 1334, A bill for an act relating to crimes; prescribing a gross misdemeanor penalty for a person who hurls objects upon motor vehicles on highways; amending Minnesota Statutes 1978, Section 169.42, Subdivision 5.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Murphy, Lehto, Norman and McCarron introduced:

H. F. No. 1335, A bill for an act relating to aeronautics; providing compensation for land takings due to airport zoning; regulating airport zoning; amending Minnesota Statutes 1978, Section 360.062; 360.066, Subdivision 1a; and 360.067, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation. Murphy objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Pavlak; Johnson, D.; Reif; Osthoff and Kelly introduced:

H. F. No. 1336, A bill for an act relating to the legislature; establishing a temporary joint legislative study commission and empowering it to examine the educational programs for primary patient care of the University of Minnesota Medical School; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Wynia, Jaros, Wieser, Anderson, R., and Faricy introduced:

H. F. No. 1337, A bill for an act relating to credit transactions; regulating finance charges and certain other terms and conditions of certain credit transactions; providing for territorial application of state laws; amending Minnesota Statutes 1978, Section 56.18; and Chapter 334, by adding a section; repealing Minnesota Statutes 1978, Section 48.185, Subdivision 6.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Greenfield, Jude, Pleasant, Byrne and Crandall introduced:

H. F. No. 1338, A bill for an act relating to courts; Hennepin and Ramsey county municipal courts; providing for removal of certain actions to district court; amending Minnesota Statutes 1978, Sections 488A.01, by adding a subdivision; and 488A.18, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

Biersdorf; Carlson, D.; Nelsen, M.; Anderson, G., and Brinkman introduced:

H. F. No. 1339, A bill for an act relating to insurance; eliminating the right of an insurer to refuse to renew an automobile insurance policy under certain circumstances; amending Minnesota Statutes 1978, Section 65B.17.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Sieben, M., introduced:

H. F. No. 1340, A bill for an act relating to search warrants; requiring a finding of reasonable possibility that evidence will be concealed or destroyed before the issuance of a search warrant for the premises of persons not suspected of criminal activity; providing for civil penalties and injunctive relief; amending Minnesota Statutes 1978, Section 626.07.

The bill was read for the first time and referred to the Committee on Judiciary.

Clawson introduced:

H. F. No. 1341, A bill for an act relating to legislative oversight; requiring that bills be more specific in setting program objectives; requiring continuing information from state agencies on the extent to which programs are achieving their stated objectives; providing for periodic review of authorizations of funds; and requiring certain descriptions in the governor's biennial budget.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pavlak, Moe, Novak and Rothenberg introduced:

H. F. No. 1342, A bill for an act relating to public safety; reducing the period of time stolen property in the custody of the bureau of criminal apprehension must be held; including the superintendent of the bureau of criminal apprehension under the provisions of the workers' compensation law; protecting the status of certain bureau of criminal apprehension employees in the highway patrolmen's retirement fund; removing obsolete gender references; repealing the law prohibiting the release of certain data to the international organization known as Interpol; prohibiting the use of police radios in non-police vehicles without approval of the county sheriff; repealing obsolete provisions of law relating to the state police radio system; providing penalties; amending Minnesota Statutes 1978, Sections 299C.07; 299C.19; 299C.38; 352B.01, Subdivision 2; 373.041, by adding a subdivision; and 631.412; repealing Minnesota Statutes 1978, Sections 15.1643; and 299C.30 to 299C.37.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kahn introduced:

H. F. No. 1343, A bill for an act relating to highways; allowing construction of Motley bypass; amending Minnesota Statutes 1978, Section 161.123.

The bill was read for the first time and referred to the Committee on Transportation.

Clawson introduced:

H. F. No. 1344, A bill for an act relating to health care; providing additional protection against catastrophic health expenses; expanding coverage for certain nursing home expenses under the Minnesota catastrophic health expense protection act of 1976; amending Minnesota Statutes 1978, Section 62E.52, Subdivision 3a.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Clawson introduced:

H. F. No. 1345, A bill for an act relating to local government aids; fixing rates; changing the definition of population used in computing local government aids; amending Minnesota Statutes 1978, Section 477A.01, Subdivisions 1 and 4; repealing Minnesota Statutes 1978, Section 477A.01, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

McDonald, McEachern, Hoberg and Fritz introduced:

H. F. No. 1346, A bill for an act relating to education; providing for actions against school districts to restrain violations of the rules and regulations of the state board of education; amending Minnesota Statutes 1978, Section 127.03, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Hoberg, Eken, Evans, Olsen and Levi introduced:

H. F. No. 1347, A bill for an act relating to education; authorizing a district in statutory operating debt to transfer annually certain funds from one account to another; extending the time by which the clerk of an independent school district must file a report with the board; authorizing the state auditor to examine that report at district expense; authorizing the payment of claims against a school district prior to board approval under certain conditions; providing for termination of state aid for extraordinary tax delinquency and for advances outstanding at the time of termination; eliminating certain requirements relating to the adoption, sale and exchange of textbooks; amending Minnesota Statutes 1978, Sections 121.912, by adding a subdivision; 123.34, Subdivision 8; 123.35, by adding a subdivision; 124.241, Subdivision 4, and by adding a subdivision; repealing Minnesota Statutes 1978, Sections 126.16 and 126.18.

The bill was read for the first time and referred to the Committee on Education.

Redalen, Patton, Searles, Mann and Nelsen, B., introduced:

H. F. No. 1348, A bill for an act relating to taxation; increasing the excise tax on gasoline and special fuel; amending Minnesota Statutes 1978, Section 296.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Den Ouden introduced:

H. F. No. 1349, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Kandiyohi county for the purpose of correcting conveyancing errors.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kaley and Adams introduced:

H. F. No. 1350, A bill for an act relating to unemployment compensation; providing for conformity with federal requirements; altering certain definitions; altering certain provisions as to employer contributions; altering provisions as to deductions from benefits; altering provisions as to between term denial of benefits to certain educational employees; altering certain provisions for disqualification from benefits; altering certain appeal provisions; removing limitation on certain reciprocal benefit arrangements; amending Minnesota Statutes 1978, Sections 268.04, Subdivisions 10, 12 and 23; 268.06, Subdivisions 5, 8, 21, 22, and by adding a subdivision; 268.08, Subdivisions 3, 4 and 6; 268.09, Subdivisions 1, 2 and 3; 268.10, Subdivision 2; 268.12, Subdivision 13; 268.13, Subdivision 2; and 268.18, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kaley, Heinitz and Nelsen, B., introduced:

H. F. No. 1351, A bill for an act relating to workers' compensation; providing for settlement of claims; amending Minnesota Statutes 1978, Section 176.521, Subdivision 2.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Schreiber, Casserly, Weaver, Levi and Clawson introduced:

H. F. No. 1352, A bill for an act relating to local government; providing for municipal planning; authorizing regulation of subdivisions; providing a penalty; amending Minnesota Statutes 1978, Sections 462.351; 462.352, by adding subdivisions; 462.355, Subdivision 4; 462.358, by adding subdivisions; repealing Minnesota Statutes 1978, Section 462.358, Subdivisions 1, 2, 3 and 4.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Nelsen, B.; Esau; Novak; Jacobs and Blatz introduced:

H. F. No. 1353, A bill for an act relating to motor vehicles; establishing fees for motorized bicycle operator permits; excepting motorized bicycles from seat belt requirements; amending Minnesota Statutes 1978, Sections 169.685, Subdivision 1; and 171.02, Subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation.

#### HOUSE ADVISORIES

The following House Advisory was introduced:

Fjoslien, Sherwood, Zubay, Johnson, D., and Wigley introduced:

H. A. No. 22, A proposal to study the funding of student publications of state post-secondary educational institutions.

The advisory was referred to the Committee on Education.

#### 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. 52, A bill for an act relating to physically handicapped persons; providing parking privileges for the physically handicapped; authorizing parking privileges for operators of vehicles used in transporting the physically handicapped; amending Minnesota Statutes 1978, Sections 169.345, Subdivisions 3 and 4; and 169.346, Subdivision 1.

PATRICK E. FLAHAVER, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Nelson moved that the House concur in the Senate amendments to H. F. No. 52 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 52, A bill for an act relating to physically handicapped persons; providing parking privileges for the physically

handicapped; authorizing parking privileges for operators of vehicles used in transporting the physically handicapped; amending Minnesota Statutes 1978, Sections 169.345, Subdivisions 3 and 4; and 169.346, 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Elioff	Kahn	Nelsen, M.	Sherwood
Adams	Ellingson	Kaley	Nelson	Sieben, H.
Ainley	Enebo	Kalis	Niehaus	Sieben, M.
Albrecht	Erickson	Kelly	Norman	Simoneau
Anderson, B.	Esau	Kempe	Norton	Stadum
Anderson, D.	Evans	Knickerbocker	Novak	Stoa
Anderson, G.	Ewald	Kostohryz	Nysether	Stowell
Anderson, I.	Faricy	Kroening	Olsen	Sviggum
Anderson, R.	Fjoslien	Kvam	Onnen	Swanson
Battaglia	Forsythe	Laidig	Osthoff	Thiede
Begich	Friedrich	Lehto	Otis	Tomlinson
Berglin	Fritz	Levi	Patton	Valan
Berkelman	Fudro	Long	Pavlak	Valento
Biersdorf	Greenfield	Ludeman	Pehler	Vanasek
Blatz	Halberg	Luknic	Peterson	Voss
Brinkman	Haukoos	Mann	Piepho	Waldorf
Byrne	Heap	McCarron	Pleasant	Weaver
Carlson, L.	Heinitz	McDonald	Redalen	Welch
Casserly	Hoberg	McEachern	Reding	Welker
Clark	Hokanson	Mehrkens	Rees	Wenzel
Clawson	Jacobs	Metzen	Reif	Wieser
Corbid	Jaros	Minne	Rose	Wigley
Crandall	Jennings	Moe	Rothenberg	Wynia
Dempsey	Johnson, C.	Munger	Sarna	Zubay
Den Ouden	Johnson, D.	Murphy	Schreiber	Speaker Searle
Drew	Jude	Nelsen, B.	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. 259, A bill for an act relating to cooperative associations; providing for boards of directors; prescribing the minimum number of directors governing a cooperative apartment corporation; amending Minnesota Statutes 1978, Section 308.11.



## CONCURRENCE AND REPASSAGE

Kahn moved that the House concur in the Senate amendments to H. F. No. 259 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 259, A bill for an act relating to cooperative associations; providing for boards of directors; prescribing the minimum number of directors governing a cooperative apartment corporation; amending Minnesota Statutes 1978, Section 308.11.

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:

Aasness	Elioff	Kaley	Niehhaus	Sieben, H.
Adams	Ellingson	Kalis	Norman	Sieben, M.
Ainley	Enebo	Kelly	Norton	Simoneau
Albrecht	Erickson	Kempe	Novak	Stadum
Anderson, B.	Esau	Knickerbocker	Nysether	Stoa
Anderson, D.	Evans	Kostohryz	Olsen	Stowell
Anderson, G.	Ewald	Kroening	Onnen	Sviggum
Anderson, I.	Faricy	Kvam	Osthoff	Swanson
Anderson, R.	Fjoslien	Laidig	Otis	Thiede
Battaglia	Forsythe	Lehto	Patton	Tomlinson
Begich	Friedrich	Levi	Pavlak	Valan
Berglin	Fritz	Long	Pehler	Valento
Berkelman	Fudro	Ludeman	Peterson	Vanasek
Biersdorf	Greenfield	Luknic	Piepho	Voss
Blatz	Halberg	Mann	Pleasant	Waldorf
Brinkman	Haukoos	McCarron	Prahl	Weaver
Byrne	Heap	McDonald	Redalen	Welch
Carlson, L.	Heinitz	McEachern	Reding	Welker
Casserly	Hoberg	Mehrkens	Rees	Wenzel
Clark	Hokanson	Metzen	Reif	Wieser
Clawson	Jacobs	Minne	Rice	Wigley
Corbid	Jaros	Moe	Rose	Wynia
Crandall	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	
Drew	Jude	Nelsen, M.	Searles	
Eken	Kahn	Nelson	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. 270, A bill for an act relating to education; changing definition of textbook to include certain text substitutes; amending Minnesota Statutes 1978, Section 123.932, Subdivision 1b.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Pehler moved that the House concur in the Senate amendments to H. F. No. 270 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 270, A bill for an act relating to education; changing definition of textbook to include certain text substitutes; amending Minnesota Statutes 1978, Section 123.932, Subdivision 1b.

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 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelson	Sherwood
Adams	Eken	Kaley	Niehaus	Sieben, H.
Ainley	Elioff	Kalis	Norman	Sieben, M.
Albrecht	Ellingson	Kelly	Norton	Simoneau
Anderson, B.	Enebo	Kempe	Novak	Stadum
Anderson, D.	Erickson	Knickerbocker	Nysether	Stoa
Anderson, G.	Esau	Kostohryz	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	Mann	Pleasant	Waldorf
Byrne	Halberg	McCarron	Prahl	Weaver
Carlson, D.	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Cassery	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Johnson, C.	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	

Those who voted in the negative were:

Jennings

The bill was repassed, as amended by the Senate, and its title agreed to.

## CONSENT CALENDAR

H. F. No. 594, A bill for an act relating to human rights; requiring the commissioner of human rights to follow certain procedures in an investigation of allegations of unfair discriminatory practices; amending Minnesota Statutes 1978, Section 363.06, 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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelson	Sieben, H.
Adams	Eken	Kahn	Niehaus	Sieben, M.
Ainley	Elioff	Kaley	Norman	Simoneau
Albrecht	Ellingson	Kalis	Norton	Stadum
Anderson, B.	Enebo	Kelly	Novak	Stoa
Anderson, D.	Erickson	Kempe	Nysether	Stowell
Anderson, G.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, I.	Evans	Kroening	Onnen	Swanson
Anderson, R.	Ewald	Kvam	Osthoff	Thiede
Battaglia	Faricy	Laidig	Otis	Tomlinson
Begich	Fjoslien	Lehto	Pavlak	Valan
Berglin	Forsythe	Levi	Pehler	Valento
Berkelman	Friedrich	Long	Peterson	Vanasek
Biersdorf	Fritz	Ludeman	Piepho	Voss
Blatz	Fudro	Luknic	Pleasant	Waldorf
Brinkman	Greenfield	Mann	Prahl	Weaver
Byrne	Halberg	McCarron	Redalen	Welch
Carlson, D.	Haukoos	McDonald	Reding	Welker
Carlson, L.	Heap	McEachern	Rees	Wenzel
Casserly	Heinitz	Mehrkens	Reif	Wieser
Clark	Hoberg	Metzen	Rice	Wigley
Clawson	Hokanson	Minne	Rose	Wynia
Corbid	Jacobs	Moe	Rothenberg	Zubay
Crandall	Jaros	Munger	Sarna	Speaker Searle
Dean	Jennings	Murphy	Schreiber	
Dempsey	Johnson, C.	Nelsen, B.	Searles	
Den Ouden	Johnson, D.	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1033, A bill for an act relating to wrongful death; a clarification of the time limitations for maintaining an action for death by intentional wrongful act where the act responsible for the death constitutes the crime of murder; amending Minnesota Statutes 1978, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Nelson	Sherwood
Adams	Elioff	Kaley	Niehaus	Sieben, H.
Ainley	Ellingson	Kalis	Norman	Sieben, M.
Albrecht	Enebo	Kelly	Norton	Simoneau
Anderson B.	Erickson	Kempe	Novak	Stadum
Anderson D.	Esau	Knickerbocker	Nysether	Stoa
Anderson, G.	Evans	Kostohryz	Olsen	Stowell
Anderson, I.	Ewald	Kroening	Onnen	Svigum
Anderson, R.	Faricy	Kvam	Osthoff	Swanson
Battaglia	Fjoslien	Laidig	Otis	Thiede
Begich	Forsythe	Lehto	Patton	Tomlinson
Berglin	Friedrich	Levi	Pavlak	Valan
Berkelman	Fritz	Long	Peher	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	
Drew	Jude	Nelsen, M.	Searles	

The bill was passed and its title agreed to.

S. F. No. 72, A bill for an act relating to elections; providing for the official identification of ballots; amending Minnesota Statutes 1978, Sections 123.11, Subdivision 4; 123.32, Subdivision 5; 203A.13; 203A.15; 204A.26, Subdivision 1; 204A.31; 204A.32, Subdivision 3; and 206.17.

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 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Brinkman	Ellingson	Heinitz	Kostohryz
Adams	Byrne	Enebo	Hoberg	Kroening
Ainley	Carlson, D.	Erickson	Hokanson	Kvam
Albrecht	Carlson, L.	Esau	Jacobs	Laidig
Anderson, B.	Casserly	Evans	Jaros	Lehto
Anderson, D.	Clark	Faricy	Jennings	Levi
Anderson, G.	Clawson	Fjoslien	Johnson, C.	Long
Anderson, I.	Corbid	Forsythe	Johnson, D.	Ludeman
Anderson, R.	Crandall	Friedrich	Jude	Luknic
Battaglia	Dean	Fritz	Kahn	Mann
Begich	Dempsey	Fudro	Kaley	McDonald
Berglin	Den Ouden	Greenfield	Kalis	McEachern
Berkelman	Drew	Halberg	Kelly	Mehrkens
Biersdorf	Eken	Haukoos	Kempe	Metzen
Blatz	Elioff	Heap	Knickerbocker	Minne

Moe	Onnen	Rees	Stoa	Welch
Munger	Osthoff	Reif	Stowell	Welker
Murphy	Otis	Rose	Sviggum	Wenzel
Nelsen, B.	Patton	Rothenberg	Swanson	Wieser
Nelsen, M.	Pavlak	Sarna	Thiede	Wigley
Nelson	Pehler	Schreiber	Tomlinson	Wynia
Niehaus	Peterson	Searles	Valan	Zubay
Norman	Piepho	Sherwood	Valento	Speaker Searle
Norton	Pleasant	Sieben, H.	Vanasek	
Novak	Prahl	Sieben, M.	Voss	
Nysether	Redalen	Simoneau	Waldorf	
Olsen	Reding	Stadum	Weaver	

Those who voted in the negative were:

Rice

The bill was passed and its title agreed to.

### CALENDAR

S. F. No. 57, A bill for an act relating to insurance; providing for the coordination of reparations benefits for automobile losses; amending Minnesota Statutes 1978, Section 65B.61, Subdivision 3; repealing Minnesota Statutes 1978, Section 65B.61, 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 111 yeas and 20 nays as follows:

Those who voted in the affirmative were:

Aasness	Enebo	Kalis	Norton	Stadum
Adams	Erickson	Kelly	Novak	Stoa
Ainley	Esau	Kempe	Nysether	Stowell
Albrecht	Evans	Kostohryz	Olsen	Sviggum
Anderson, B.	Ewald	Kroening	Otis	Swanson
Anderson, I.	Faricy	Kvam	Patton	Tomlinson
Anderson, R.	Fjoslien	Laidig	Pavlak	Valan
Battaglia	Forsythe	Lehto	Pehler	Valento
Berglin	Friedrich	Levi	Peterson	Vanasek
Berkelman	Greenfield	Ludeman	Piepho	Voss
Biersdorf	Haukoos	Luknic	Pleasant	Waldorf
Blatz	Heap	Mann	Prahl	Weaver
Brinkman	Heinitz	McCarron	Redalen	Welch
Byrne	Hoberg	McDonald	Reding	Welker
Carlson, D.	Hokanson	Mehrkens	Rees	Wenzel
Carlson, L.	Jacobs	Minne	Reif	Wieser
Casserly	Jaros	Moe	Rose	Wynia
Clark	Jennings	Munger	Rothenberg	Zubay
Clawson	Johnson, C.	Murphy	Schreiber	Speaker Searle
Corbid	Johnson, D.	Nelsen, B.	Searles	
Eken	Jude	Nelson	Sherwood	
Elioff	Kahn	Niehaus	Sieben, M.	
Ellingson	Kaley	Norman	Simoneau	

Those who voted in the negative were:

Anderson, D.	Dean	Fudro	Metzen	Rice
Anderson, G.	Dempsey	Halberg	Nelsen, M.	Sarna
Begich	Den Ouden	Long	Onnen	Sieben, H.
Crandall	Fritz	McEachern	Osthoff	Thiede

The bill was passed and its title agreed to.

S. F. No. 572, A bill for an act relating to the city of Bloomington; authorizing additional on-sale liquor licenses.

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:

Adams	Elioff	Kalis	Niehaus	Sieben, M.
Ainley	Ellingson	Kelly	Norman	Simoneau
Albrecht	Erickson	Kempe	Norton	Stadum
Anderson, B.	Evans	Knickerbocker	Novak	Stoa
Anderson, G.	Faricy	Kostohryz	Nysether	Stowell
Anderson, I.	Fjoslien	Kroening	Olsen	Sviggum
Anderson, R.	Forsythe	Kvam	Onnen	Swanson
Battaglia	Friedrich	Laidig	Otis	Thiede
Begich	Fritz	Lehto	Patton	Tomlinson
Berglin	Fudro	Levi	Pavlak	Valan
Berkelman	Greenfield	Long	Pehler	Valento
Biersdorf	Halberg	Ludeman	Peterson	Vanasek
Blatz	Haukoos	Luknic	Piepho	Voss
Brinkman	Heap	Mann	Pleasant	Waldorf
Byrne	Heinitz	McCarron	Prahl	Weaver
Carlson, D.	Hoberg	McEachern	Redalen	Welker
Carlson, L.	Hokanson	Mehrkens	Reding	Wenzel
Casserly	Jacobs	Metzen	Reif	Wieser
Clark	Jaros	Minne	Rice	Wigley
Clawson	Jennings	Moe	Rose	Wynia
Crandall	Johnson, C.	Munger	Rothenberg	Zubay
Dean	Johnson, D.	Murphy	Sarna	Speaker Searle
Dempsey	Jude	Nelsen, B.	Schreiber	
Den Ouden	Kahn	Nelsen, M.	Searles	
Eken	Kaley	Nelson	Sieben, H.	

Those who voted in the negative were:

Aasness	Corbid	McDonald	Rees	Sherwood
Anderson, D.	Enebo	Osthoff		

The bill was passed and its title agreed to.

H. F. No. 235, A bill for an act relating to state parks; removing certain lands from within the boundaries of Split Rock Lighthouse State Park and Judge C. R. Magney State Park; adding lands to the boundaries of Split Rock Lighthouse State Park and Afton 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 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 248, A bill for an act relating to banks and banking; authorizing state banks to lease personal property under certain conditions; amending Minnesota Statutes 1978, Section 48.152.

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:

Aasness	Begich	Clark	Ellingson	Fritz
Adams	Berglin	Clawson	Enebo	Fudro
Ainley	Berkelman	Corbid	Erickson	Greenfield
Albrecht	Biersdorf	Crandall	Esau	Halberg
Anderson, B.	Blatz	Dean	Evans	Heap
Anderson D.	Brinkman	Dempsey	Ewald	Heinitz
Anderson, G.	Byrne	Den Ouden	Faricy	Hoberg
Anderson, I.	Carlson, D.	Drew	Fjoslien	Hokanson
Anderson, R.	Carlson, L.	Eken	Forsythe	Jacobs
Battaglia	Casserly	Elioff	Friedrich	Jaros

Jennings	Ludeman	Norton	Reif	Tomlinson
Johnson, C.	Luknic	Novak	Rice	Valan
Johnson, D.	Mann	Nysether	Rose	Valento
Jude	McCarron	Olsen	Rothenberg	Vanasek
Kahn	McDonald	Onnen	Sarna	Voss
Kaley	McEachern	Osthoff	Schreiber	Waldorf
Kalis	Mehrkens	Otis	Searles	Weaver
Kelly	Metzen	Patton	Sherwood	Welch
Kempe	Minne	Paviak	Sieben, H.	Welker
Knickerbocker	Moe	Pehler	Sieben, M.	Wenzel
Kostohryz	Munger	Peterson	Simoneau	Wieser
Kroening	Murphy	Piepho	Stadum	Wigley
Kvam	Nelsen, B.	Pleasant	Stoa	Wynia
Laidig	Nelsen, M.	Prahl	Stowell	Zubay
Lehto	Nelson	Redalen	Sviggum	Speaker Searle
Levi	Niehaus	Reding	Swanson	
Long	Norman	Rees	Thiede	

The bill was passed and its title agreed to.

H. F. No. 399 was reported to the House and given its third reading.

Pehler moved that H. F. No. 399 be returned to General Orders and considered first by the Committee of the Whole for today.

A roll call was requested and properly seconded.

The question was taken on the Pehler motion and the roll was called. There were 73 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Adams	Ellingson	Johnson, C.	Nelson	Simoneau
Anderson, B.	Enebo	Johnson, D.	Norman	Stoa
Anderson, G.	Esau	Kahn	Norton	Stowell
Begich	Evans	Kaley	Novak	Sviggum
Berglin	Ewald	Kelly	Olsen	Swanson
Berkelman	Farcy	Knickerbocker	Osthoff	Tomlinson
Blatz	Fjoslien	Kostohryz	Otis	Vanasek
Byrne	Forsythe	Lehto	Pehler	Voss
Carlson, L.	Friedrich	Levi	Reding	Waldorf
Casserly	Greenfield	Long	Rees	Welch
Clark	Halberg	Luknic	Rice	Wigley
Clawson	Heinitz	McCarron	Rothenberg	Wynia
Crandall	Hokanson	Metzen	Searles	Zubay
Dean	Jacobs	Minne	Sieben, H.	
Eken	Jaros	Moe	Sieben, M.	

Those who voted in the negative were:

Aasness	Corbid	Hoberg	McDonald	Patton
Ainley	Dempsey	Jennings	McEachern	Paviak
Albrecht	Den Ouden	Jude	Mehrkens	Peterson
Anderson, D.	Drew	Kalis	Munger	Piepho
Anderson, I.	Elioff	Kempe	Murphy	Pleasant
Anderson, R.	Erickson	Kroening	Nelsen, B.	Prahl
Battaglia	Fritz	Kvam	Nelsen, M.	Redalen
Biersdorf	Fudro	Laidig	Niehaus	Reif
Brinkman	Haukoos	Ludeman	Nysether	Rose
Carlson, D.	Heap	Mann	Onnen	Sarna



Schreiber  
Sherwood  
Stadum

Thiede  
Valan  
Valento

Weaver  
Welker  
Wenzel

Wieser

Speaker Searle

The motion prevailed.

Kahn 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 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. No. 399 which it recommended to pass.

H. F. No. 455 which it recommended progress.

H. F. No. 555 which it recommended to pass with the following amendments:

Offered by McCarron:

Page 3, line 25, delete "*at the time the defendant is charged. The*" and insert a period.

Page 3, delete lines 26 to 28

Offered by Crandall:

Page 13, line 26, after the word "*notify*" insert "*the chief of police of an organized fulltime police department of the municipality or, if there is no such local chief of police,*"

Offered by Crandall:

Page 14, line 20, delete "*to 6 and 9 to 31*" and insert "*to 25*"

Page 14, line 20, after the word "*section*" delete "*32*" and insert "*26*"

Page 14, line 24, after the word "*Section*" delete "*32*" and insert "*26*"

H. F. No. 623 which it recommended to pass with the following amendment offered by Patton:

Page 2, line 9, after "less" insert "subject to easements of record and excepting therefrom the right of way of Trunk Highway No. 301 as now located and established"

S. F. No. 307 which it recommended to pass with the following amendment offered by Welker:

Page 1, line 22 to page 2, line 4, delete section 3 from the bill

Further amend the title:

Line 3, delete "requiring placement"

Line 4, delete "efforts by the Minnesota humane society;"

Line 6, before "144A" insert "and"

Line 6, delete "; and 343, by"

Line 7, delete "adding a section"

On the motion of Sieben, H., 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 moved to amend H. F. No. 399, as follows:

Page 2, line 10, delete "If"

Page 2, delete lines 11 and 12

Page 2, line 13, delete the new language

Further amend the title:

Page 1, line 6, delete "providing that certain"

Page 1, delete line 7

Page 1, line 8, delete "conditions;"

The question was taken on the adoption of the amendment and the roll was called. There were 56 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Adams	Enebo	Kaley	Norton	Stoa
Anderson, G.	Ewald	Kelly	Novak	Stowell
Berglin	Faricy	Knickerbocker	Olsen	Swanson
Berkelman	Forsythe	Kostohryz	Otis	Tomlinson
Blatz	Friedrich	Lehto	Pehler	Vanasek
Byrne	Greenfield	Levi	Reding	Voss
Carlson, L.	Haukoos	Long	Rice	Wynia
Casserly	Heinitz	McCarron	Rothenberg	Zubay
Clark	Hokanson	Mehrkens	Searles	
Dean	Jaros	Minne	Sieben, H.	
Eken	Johnson, C.	Moe	Sieben, M.	
Ellingson	Kahn	Nelson	Simoneau	

Those who voted in the negative were:

Aasness	Den Ouden	Kalis	Norman	Stadum
Ainley	Drew	Kempe	Nysether	Sviggum
Albrecht	Elioff	Kroening	Onnen	Thiede
Anderson, B.	Erickson	Kvam	Osthoff	Valan
Anderson, D.	Esau	Laidig	Patton	Valento
Anderson, I.	Evans	Ludeman	Pavlak	Waldorf
Anderson, R.	Fjoslien	Luknic	Peterson	Weaver
Battaglia	Fritz	Mann	Piepho	Welch
Begich	Fudro	McDonald	Prahl	Welker
Biersdorf	Halberg	McEachern	Redalen	Wenzel
Brinkman	Heap	Metzen	Rees	Wieser
Carlson, D.	Hoberg	Murphy	Reif	Wigley
Clawson	Jennings	Nelsen, B.	Rose	
Crandall	Johnson, D.	Nelsen, M.	Sarna	
Dempsey	Jude	Niehaus	Sherwood	

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. 399 and the roll was called. There were 84 yeas and 47 nays as follows:

Those who voted in the affirmative were:

Aasness	Corbid	Hoberg	McCarron	Patton
Adams	Crandall	Jacobs	McDonald	Pavlak
Ainley	Dempsey	Jennings	McEachern	Pehler
Albrecht	Den Ouden	Johnson, C.	Mehrkens	Peterson
Anderson, B.	Drew	Johnson, D.	Metzen	Piepho
Anderson, D.	Elioff	Jude	Murphy	Redalen
Anderson, I.	Erickson	Kalis	Nelsen, B.	Rees
Anderson, R.	Esau	Kelly	Nelsen, M.	Reif
Battaglia	Evans	Kempe	Niehaus	Rice
Begich	Fjoslien	Kroening	Norman	Rose
Biersdorf	Fritz	Kvam	Nysether	Sarna
Blatz	Fudro	Laidig	Olsen	Schreiber
Brinkman	Halberg	Ludeman	Onnen	Sherwood
Carlson, D.	Heap	Luknic	Osthoff	Sieben, H.

Stowell	Valan	Waldorf	Welker	Wigley
Sviggum	Valento	Weaver	Wenzel	Zubay
Thiede	Vanasek	Welch	Wieser	

Those who voted in the negative were:

Anderson, G.	Ellingson	Jaros	Moe	Sieben, M.
Berglin	Enebo	Kahn	Munger	Simoneau
Berkelman	Ewald	Kaley	Nelson	Stoa
Byrne	Faricy	Knickerbocker	Norton	Swanson
Carlson, L.	Forsythe	Kostohryz	Novak	Tomlinson
Casserly	Friedrich	Lehto	Otis	Voss
Clark	Greenfield	Levi	Prahl	Wynia
Clawson	Haukoos	Long	Reding	
Dean	Heinitz	Mann	Rothenberg	
Eken	Hokanson	Minne	Searles	

The motion prevailed.

Welker moved to amend S. F. No. 307, as follows:

Page 1, line 22 to page 2, line 4, delete Section 3 from the bill

Further amend the title:

Line 3, delete "requiring placement"

Line 4, delete "efforts by the Minnesota humane society;"

Line 6, before "144A" insert "and"

Line 6, delete "; and 343, by"

Line 7, delete "adding a section"

The question was taken on the adoption of the amendment and the roll was called. There were 98 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Aasness	Carlson, L.	Friedrich	Knickerbocker	Novak
Adams	Corbid	Fudro	Kroening	Nysether
Ainley	Crandall	Halberg	Kvam	Olsen
Albrecht	Dean	Haukoos	Laidig	Onnen
Anderson, B.	Dempsey	Heap	Levi	Patton
Anderson, D.	Den Ouden	Heinitz	Ludeman	Pavlak
Anderson, G.	Drew	Hoberg	Luknic	Peterson
Anderson, I.	Eken	Hokanson	Mann	Piepho
Anderson, R.	Elioff	Jacobs	McDonald	Prahl
Battaglia	Ellingson	Jennings	McEachern	Redalen
Begich	Erickson	Johnson, C.	Mehrkens	Rees
Biersdorf	Esau	Johnson, D.	Metzen	Reif
Blatz	Evans	Jude	Minne	Rice
Brinkman	Ewald	Kaley	Murphy	Sarna
Byrne	Faricy	Kalis	Nelsen, B.	Schreiber
Carlson, D.	Forsythe	Kempe	Niehaus	Searles

Sherwood	Stoa	Tomlinson	Welker	Zubay
Sieben, H.	Stowell	Valan	Wenzel	Speaker Searle
Sieben, M.	Sviggum	Valento	Wieser	
Stadum	Thiede	Weaver	Wigley	

Those who voted in the negative were:

Berglin	Fritz	Long	Simoneau	Wynia
Casserly	Greenfield	Moe	Vanasek	
Clark	Kelly	Nelson	Waldorf	
Fjoslien	Lehto	Otis	Welch	

The motion prevailed and the amendment was adopted.

The question was taken on the Carlson, D., motion to re-refer S. F. No. 307, as amended, to the Committee on Agriculture and the roll was called. There were 28 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dempsey	Kalis	Piepho	Valan
Anderson, D.	Den Ouden	Ludeman	Prahl	Valento
Anderson, R.	Erickson	Mann	Redalen	Wenzel
Begich	Evans	McDonald	Stadum	Wigley
Biersdorf	Friedrich	Nelsen, B.	Sviggum	
Carlson, D.	Haukoos	Pavlak	Thiede	

Those who voted in the negative were:

Aasness	Elioff	Kaley	Nelson	Sherwood
Adams	Enebo	Kelly	Niehaus	Sieben, H.
Ainley	Esau	Kempe	Norman	Sieben, M.
Anderson, B.	Ewald	Knickerbocker	Norton	Simoneau
Anderson, G.	Faricy	Kostohryz	Novak	Stoa
Anderson, I.	Forsythe	Kroening	Nysether	Stowell
Battaglia	Fritz	Laidig	Olsen	Swanson
Berglin	Fudro	Lehto	Otnen	Tomlinson
Berkelman	Greenfield	Levi	Otis	Vanasek
Blatz	Halberg	Long	Patton	Voss
Brinkman	Heap	Luknic	Pehler	Waldorf
Byrne	Heinitz	McCarron	Peterson	Weaver
Carlson, L.	Hoberg	McEachern	Pleasant	Welch
Casserly	Hokanson	Mehrkens	Rees	Welker
Clark	Jacobs	Metzen	Reif	Wieser
Corbid	Jennings	Minne	Rothenberg	Wynia
Crandall	Johnson, C.	Moe	Sarna	Zubay
Drew	Johnson, D.	Munger	Schreiber	Speaker Searle
Eken	Jude	Murphy	Searles	

The motion did not prevail.

The question was taken on the motion to recommend passage of S. F. No. 307, as amended, and the roll was called. There were 73 yeas and 50 nays as follows:

## Those who voted in the affirmative were:

Adams	Esau	Knickerbocker	Nelson	Sieben, H.
Anderson, B.	Ewald	Kostohryz	Norman	Sieben, M.
Anderson, I.	Fjoslien	Kroening	Norton	Simoneau
Anderson, R.	Forsythe	Laidig	Nysether	Stoa
Berglin	Fritz	Lehto	Olsen	Tomlinson
Berkelman	Fudro	Levi	Onnen	Vanasek
Blatz	Greenfield	Long	Otis	Voss
Byrne	Halberg	Luknic	Pehler	Welch
Carlson, L.	Heap	McCarron	Prahl	Welker
Casserly	Heinitz	Mehrkens	Reding	Wieser
Clark	Hoberg	Minne	Rees	Wynia
Corbid	Jacobs	Moe	Reif	Zubay
Crandall	Jude	Munger	Rothenberg	Speaker Searle
Drew	Kaley	Murphy	Searles	
Enebo	Kelly	Nelsen, B.	Sherwood	

## Those who voted in the negative were:

Aasness	Den Ouden	Johnson, C.	Novak	Stowell
Ainley	Eken	Johnson, D.	Osthoff	Sviggum
Albrecht	Elioff	Kalis	Pavlak	Swanson
Anderson, D.	Erickson	Kempe	Peterson	Thiede
Battaglia	Evans	Ludeman	Piepho	Valan
Begich	Faricy	Mann	Pleasant	Valento
Biersdorf	Friedrich	McDonald	Redalen	Waldorf
Brinkman	Haukoos	McEachern	Sarna	Weaver
Carlson, D.	Hokanson	Metzen	Schreiber	Wenzel
Dempsey	Jennings	Niehaus	Stadum	Wigley

The motion prevailed.

## MOTIONS AND RESOLUTIONS

Heap moved that the name of Carlson, L., be added as an author on H. F. No. 305. The motion prevailed.

Crandall moved that the name of Blatz be added as an author on H. F. No. 523. The motion prevailed.

Fritz moved that his name be stricken as an author on H. F. No. 719. The motion prevailed.

Valento moved that his name be stricken as an author on H. F. No. 719. The motion prevailed.

Prahl moved that the name of Faricy be stricken and the name of Kaley be added as an author on H. F. No. 876. The motion prevailed.

Jacobs moved that the name of Swanson be added as an author on H. F. No. 976. The motion prevailed.

Faricy moved that the name of Clawson be added as an author on H. F. No. 1188. The motion prevailed.

Waldorf moved that the name of Valento be added as an author on H. F. No. 1257. The motion prevailed.

Murphy moved that the name of Jude be added as an author on H. F. No. 1335. The motion prevailed.

Clawson moved that the names of Weaver and Jude be added as authors on H. F. No. 1345. The motion prevailed.

Greenfield moved that H. F. No. 1308 be recalled from the Committee on Criminal Justice and be re-referred to the Committee on Health and Welfare. The motion prevailed.

Osthoff moved that the name of Metzen be added as an author on H. F. No. 1314. The motion prevailed.

Biersdorf; Anderson, D.; Munger; Searle; and Fudro introduced:

House Resolution No. 18, A house resolution eulogizing John A. Hartle and commemorating the exemplary nature of his life and work.

The resolution was referred to the Committee on Rules and Legislative Administration.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 1:00 p.m., Thursday, April 12, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Thursday, April 12, 1979.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## THIRTY-FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 12, 1979

The House of Representatives convened at 1:00 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:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elioff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Olsen	Stowell
Anderson, I.	Evans	Kostohryz	Onnen	Sviggum
Anderson, R.	Ewald	Kroening	Osthoff	Swanson
Battaglia	Faricy	Kvam	Otis	Thiede
Begich	Fjoslien	Laidig	Patton	Tomlinson
Berglin	Forsythe	Lehto	Pavlak	Valan
Berkelman	Friedrich	Levi	Pehler	Valento
Biersdorf	Fritz	Long	Peterson	Vanasek
Blatz	Fudro	Ludeman	Piepho	Voss
Brinkman	Greenfield	Luknic	Pleasant	Waldorf
Byrne	Halberg	Mann	Prahl	Weaver
Carlson, D.	Haukoos	McCarron	Redalen	Welch
Carlson, L.	Heap	McDonald	Reding	Welker
Casserly	Heinitz	McEachern	Rees	Wenzel
Clark	Hoberg	Mehrkens	Reif	Wieser
Clawson	Hokanson	Metzen	Rice	Wigley
Corbid	Jacobs	Minne	Rose	Wynia
Crandall	Jaros	Moe	Rothenberg	Zubay
Dean	Jennings	Munger	Sarna	Speaker Searle
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	

A quorum was present.

Nysether was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson 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. 523, 716, 982, 1097, 307, 500, 623, 686, 912, 1129, 792 and 555 and S. F. No. 307 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No 123, A bill for an act relating to crimes; prohibiting solicitation or inducement concerning prostitution, promoting the prostitution of a person, receiving profit derived from prostitution, engaging in prostitution, and patronizing a prostitute; limiting defenses to prosecution; establishing rules of evidence; establishing immunity from prosecution for certain testimony; providing penalties; repealing Minnesota Statutes 1978, Section 609.32.

Reported the same back with the following amendments:

Page 6, line 12, delete "one year" and insert "90 days".

Page 6, line 13, delete "\$1,000" and insert "\$500".

Page 6, after line 18, insert:

"Whoever violates the provisions of this subdivision within two years of a previous conviction 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."

With the recommendation that when so amended the bill pass.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 346, A bill for an act relating to crimes; establishing a program for undercover arson investigation; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [WHITE COLLAR CRIME AND ARSON INVESTIGATION PROGRAM.] Subdivision 1. There is established a program for the investigation of criminal activity re-

lated to economic crimes and the intentional destruction or damage of real or personal property for unlawful purposes including but not limited to defrauding an insurer (section 609.611), arson (sections 609.561 to 609.563), theft (section 609.52, subdivision 2, clauses (3) or (4)).

Subd. 2. Subject to the limitation of funds appropriated for investigation, county sheriffs, county attorneys, the chief administrative officer of municipal fire department arson squads, or the chief administrative officer of municipal police departments may make application for the use of funds for criminal investigatory activity in cooperation with the bureau of criminal apprehension and the attorney general, as appropriate, including the purchase of information. Application for funds shall be made to the commissioner of public safety on forms and pursuant to procedures developed by the superintendent of the bureau of criminal apprehension. The application shall be maintained as a confidential record.

Subd. 3. The commissioner shall submit an annual report to appropriate committees of the legislature indicating the number of persons arrested, the nature of charges filed, number of convictions and terms of sentence, nature and value of property involved, the amount of funds paid to informants, and an accounting of those funds applied for and used in the investigation of white collar crime and arson.

Sec. 2. [SPECIAL INQUIRY JUDGE; PETITION FOR ORDER.] The chief judge of the district court shall, upon request of the county attorney, designate a judge of the district, county or county municipal court to serve as a special inquiry judge for proceedings authorized by this act. When the county attorney, based on information in his possession, has reasonable grounds to believe that any person has violated any of the laws of this state referred to in section 1, and there is reason to believe that there are persons who may be able to give material testimony or provide material evidence, including but not limited to documents, papers, books, accounts, letters, photographs or checks concerning such violations, the county attorney may petition the special inquiry judge for that county for an order directed to such persons commanding them to appear at a designated time and place in the county and to then and there answer questions concerning such violations as the special inquiry judge may approve, or provide evidence as directed by the special inquiry judge.

Sec. 3. [SPECIAL INQUIRY JUDGE; PERSONS AUTHORIZED TO ATTEND HEARING.] County attorneys, the witness under examination, interpreters when needed, and for the purpose of recording the evidence, a court reporter or operator of a recording instrument may be present while the hearing is in session. Upon order of the special inquiry judge, for the purpose of security, a designated peace officer may be present while

a specified witness is testifying. If a witness before the special inquiry judge has been advised of his constitutional rights and has effectively waived his immunity from self-incrimination he shall be advised that his attorney may be present while the witness is testifying, provided the attorney is then and there available for that purpose or his presence can be secured without unreasonable delay in the proceedings. The attorney shall not be permitted to participate in the proceedings except to advise and consult with the witness while he is testifying.

Sec. 4. [SPECIAL INQUIRY JUDGE; SECRECY; EXCEPTIONS; USE OF EVIDENCE.] Subdivision 1. No county attorney, private attorney, court reporter, operator of recording instrument, interpreter, peace officer, witness, judge, or other person may disclose the testimony of a witness examined before a special inquiry judge or other evidence received, except when required by the court to disclose the testimony of the witness examined before the special inquiry judge for the purpose of ascertaining whether it is consistent with that of the witness given before the court, or to disclose his testimony given before the special inquiry judge by any person upon a charge against such person for perjury in giving his testimony or upon trial therefor, or when permitted by the court in furtherance of justice.

Subd. 2. The county attorney shall have access to all special inquiry judge evidence and testimony and may introduce such evidence and testimony before any grand jury, in any criminal complaint or search warrant application, or at any trial in which the evidence may be relevant.

Subd. 3. The court upon a showing of good cause may make any or all special inquiry judge evidence or testimony available to any other county attorney upon proper application and with the concurrence of the county attorney attending the special inquiry judge proceeding.

Subd. 4. Upon motion of the defendant with notice to the county attorney, the district court at any time before trial shall, subject to such protective order as may be granted, order that defense counsel may obtain a transcript or copy of: (1) any recorded testimony of the defendant before a special inquiry judge in the case against the defendant, (2) the recorded testimony of any person appearing before the special inquiry judge whom the prosecution intends to call as a witness at the defendant's trial, (3) the recorded testimony of any witness appearing before the special inquiry judge in the case against the defendant, or (4) any evidence obtained which may be available to the defendant.

Sec. 5. [SPECIAL INQUIRY JUDGE; WITNESSES.] Subdivision 1. Except as provided in this section, no person has

a right to appear as a witness in a special inquiry judge proceeding.

Subd. 2. A county attorney may call as a witness in special inquiry judge proceedings, any person believed by him to possess information or knowledge relevant thereto and may issue legal process and subpoena to compel his attendance and the production of evidence.

Subd. 3. The special inquiry judge may cause to be called as a witness any person believed by him to possess relevant information or knowledge. If the special inquiry judge desires to hear any such witness who has not been called by the county attorney, he may direct a county attorney to issue and serve a subpoena upon such witness and the county attorney must comply with such direction. At any time after service of the subpoena and before the return date thereof, however, the county attorney may apply to the special inquiry judge for an order vacating or modifying the subpoena on the grounds that to do so is in the public interest. Upon application, the court may in its discretion vacate the subpoena, extend its return date, attach reasonable conditions to directions, or make other qualification thereof as is appropriate.

Subd. 4. Whenever a prosecution is commenced against any person and evidence relevant to that prosecution was obtained pursuant to the provision of this act, the defendant therein shall have the right to recall any witness that appeared in a special inquiry judge proceeding for the purpose of eliciting further testimony. Testimony taken pursuant to this subdivision shall be upon examination by the defendant's attorney. The defendant shall have the right to compel attendance by the witness at any such examination and the special inquiry judge shall issue orders appropriate to insure compliance whenever necessary.

Subd. 5. The proceedings to summon a person and compel him to testify or provide evidence shall, as far as possible, be the same as proceedings to summon witnesses and compel their attendance at district court criminal trials. Persons summoned as witnesses shall receive only those fees paid witnesses in district court criminal trials.

Sec. 6. [SPECIAL INQUIRY JUDGE; DISQUALIFICATION FROM SUBSEQUENT PROCEEDINGS.] The judge serving as special inquiry judge shall be disqualified from acting as a magistrate or judge in any subsequent court proceeding arising from the inquiry except alleged contempt for neglect or refusal to appear, testify or provide evidence at the inquiry in response to an order, summons or subpoena.

Sec. 7. [SPECIAL INQUIRY JUDGE; DIRECTIONS TO COUNTY ATTORNEY TO PARTICIPATE IN PROCEED-

INGS IN ANOTHER COUNTY.] Upon petition of a county attorney to the special inquiry judge that based on information in his possession he has reasonable grounds to believe that there exists evidence that any person has violated any of the laws of this state referred to in section 1, in another county, and with the concurrence of the special inquiry judge and county attorney of the other county, the special inquiry judge may direct the county attorney to attend and participate in special inquiry judge proceedings in the other county held to inquire into such violations which relate to the inquiry under investigation in the initiating county. The proceedings of the special inquiry judge may be transcribed, certified, and filed in the county of the county attorney's jurisdiction at the expense of that county.

Sec. 8. [REPORT OF SUSPICIOUS FIRES.] Any person who has reason to believe that any other person has violated the laws of this state regarding arson or defrauding an insurer shall, for the purpose of notification and further investigation, so notify in writing the county attorney, county sheriff, the chief administrative officer of the municipal fire department arson squad, or chief administrative officer of the municipal police department of the jurisdiction in which such violation occurred, and shall provide that official with all information known to that person relating to such violation. Any person complying with such reporting requirements in good faith shall not be liable to any other person in a civil action solely on account of compliance with this section.

Sec. 9. [APPROPRIATION.] The sum of \$ . . . . . is appropriated from the general fund to the department of public safety for the purposes of this act for the biennium beginning July 1, 1979."

Delete the title and insert:

"A bill for an act relating to crimes; establishing an undercover arson and related economic crime investigation program; establishing special inquiry judge proceedings; providing for the power to subpoena witnesses; providing for the use of evidence obtained; requiring reporting of suspected arson or related crimes; limiting liability; 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.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 357, A bill for an act relating to professional regulation; regulating architects, engineers, surveyors, and landscape

architects; adding an additional member to the board of architecture, engineering, land surveying and landscape architecture; amending Minnesota Statutes 1978, Sections 326.02, Subdivision 4; and 326.04.

Reported the same back with the following amendments:

Page 1, line 19, delete "*any work*"

Page 1, line 20, delete "*involving*"

Page 1, line 22, after "*elevations*" delete the comma and insert "*and*" and delete "*and*" and insert "*or*"

Page 1, line 23, delete "*within*"

Page 1, line 24, delete "*workings*"

Page 2, line 4, after "(c)" insert "*planning, designing, and*"

Pages 2 and 3, delete Sections 2 and 3

Further amend the title:

Page 1, line 7, after "1978" delete "Sections" and insert "Section"

Page 1, lines 7 and 8, delete "; and 326.04"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 381, A bill for an act relating to education; increasing the maximum awards for scholarships and grants-in-aid; changing the eligibility for certain financial assistance; increasing the bonding authority of the higher education coordinating board; requiring that data on certain applicants for student financial assistance be classified as private and providing an exception; increasing the eligibility for a tuition subsidy for a public post-secondary vocational-technical school; appropriating money; amending Minnesota Statutes 1978, Sections 136A.121, Subdivisions 4, 5, 7 and 8; 136A.162; 136A.171; and 136A.236, Subdivision 2.

Reported the same back with the following amendments:

Page 4, line 19, after the period insert "Subdivision 1."

Page 4, after line 25, insert:

*"Subd. 2. The sum of \$1,561,900 is appropriated to the higher education coordinating board for each year of the biennium ending June 30, 1981, to implement the change made by section 7."*

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 General Legislation and Veterans Affairs to which was referred:

H. F. No. 430, A bill for an act relating to elections; allowing employees of the state or its political subdivisions to serve as election judges; amending Minnesota Statutes 1978, Section 204A.18, Subdivision 3; repealing Minnesota Statutes 1978, Section 204A.17, Subdivision 5.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 484, A bill for an act relating to fiscal notes; requiring fiscal notes to accompany certain bills and administrative rules; appropriating money; amending Minnesota Statutes 1978, Section 15.0412, Subdivision 7; and Chapter 3, by adding a section.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 3, is amended by adding a section to read:

[3.979] [LEGISLATIVE OFFICE OF FISCAL NOTES.]  
*Subdivision 1. A legislative office of fiscal notes is established under the jurisdiction and control of the legislative coordinating commission to prepare fiscal notes to accompany bills which require the expenditure of public funds by local units of government.*

*Subd. 2. The legislative coordinating commission may employ and may fix the compensation of the professional, clerical and technical assistants it deems necessary for the legislative office of fiscal notes to perform its duties. All employees of the legislative office of fiscal notes are employees of the legislature in the unclassified service of the state.*

*Subd. 3. The legislative office of fiscal notes may call upon any department or agency of the state or any political subdivision thereof for such data as may be available to assist it in the preparation of fiscal notes and the department, agency or political subdivision shall cooperate with the office to the fullest extent possible.*

Sec. 2. Minnesota Statutes 1978, Chapter 3, is amended by adding a section to read:

[3.9795] [FISCAL NOTES ON BILLS AFFECTING CERTAIN POLITICAL SUBDIVISIONS.] *Subdivision 1. The chairman of the senate or house standing committee to which a bill is originally referred shall, at least ten days before the bill is heard in committee, request the legislative office of fiscal notes to prepare a fiscal note for any bill requiring an expenditure of public funds by, or otherwise having a fiscal impact on, a county, town, school district, home rule charter city or statutory city. The legislative office of fiscal notes shall prepare and return the fiscal note to the chairman within ten days after receipt of the request. The fiscal note shall be printed at the end of each bill as part of an engrossment of the bill after it is reported by the first committee to which it is assigned.*

*Subd. 2. The fiscal note, where possible, shall cite: (1) the estimated total cost to counties, towns, school districts, statutory cities or home rule charter cities of implementing or complying with the proposed law for the two years immediately following the effective date; and (2) the long range fiscal implications, if any; and (3) whether the levy limits established pursuant to sections 275.50 to 275.59 apply to the required expenditure. The fiscal note may comment upon the technical or mechanical defects of the bill but shall not express any opinion concerning the merits of the proposal.*

Sec. 3. Minnesota Statutes 1978, Section 3.98, Subdivision 1, is amended to read:

3.98 [FISCAL NOTES ON BILLS AFFECTING STATE DEPARTMENTS AND AGENCIES.] *Subdivision 1. Whenever a bill requires an expenditure of public funds by a department or agency of the state government the head or chief administrative officer of each department or agency (OF THE STATE GOVERNMENT) shall prepare a fiscal note at the request of the chairman of the standing committee to which a bill has been*



referred, or the chairman of the house appropriations committee, or the chairman of the senate committee on finance.

Sec. 4. Minnesota Statutes 1978, Section 15.0412, Subdivision 7, is amended to read:

Subd. 7. (IF THE ADOPTION OF A RULE BY AN AGENCY WILL REQUIRE THE EXPENDITURE OF PUBLIC MONEYS BY LOCAL PUBLIC BODIES, THE NOTICE OF THE PROPOSED RULE AS REQUIRED BY THIS SECTION SHALL BE ACCOMPANIED BY A WRITTEN STATEMENT GIVING THE AGENCY'S REASONABLE ESTIMATE OF THE TOTAL COST TO ALL LOCAL PUBLIC BODIES IN THE STATE TO IMPLEMENT THE RULE FOR THE TWO YEARS IMMEDIATELY FOLLOWING ADOPTION OF THE RULE IF THE ESTIMATED TOTAL COST EXCEEDS \$100,000 IN EITHER OF THE TWO YEARS. FOR PURPOSES OF THIS SECTION, LOCAL PUBLIC BODIES SHALL MEAN OFFICERS AND GOVERNING BODIES OF THE POLITICAL SUBDIVISIONS OF THE STATE AND OTHER OFFICERS AND BODIES OF LESS THAN STATE WIDE JURISDICTION WHICH HAVE THE AUTHORITY TO LEVY TAXES.)

*No later than 45 days before a proposed agency rule which requires an expenditure of public funds by, or otherwise having a fiscal impact on, a county, town, school district, statutory city, or home rule charter city is scheduled for a public hearing, the agency shall send a copy of the proposed rule to the legislative office of fiscal notes. The office shall prepare a fiscal note on the proposed rule. The fiscal note, where possible, shall cite: (1) the estimated total cost to counties, towns, school districts, statutory cities, or home rule charter cities of implementing or complying with the proposed rule for the two years immediately following the effective date; and (2) the long range fiscal implications, if any; and (3) whether the levy limits established pursuant to Minnesota Statutes, Sections 275.50 to 275.59 apply to the required expenditure. The legislative office of fiscal notes shall send the fiscal note to the assigned hearing examiner not later than 15 days after he or she received the proposed rule. The notice of the public hearing on the proposed rule provided by subdivision 4, shall state that a copy of the fiscal note prepared by the legislative auditor may be obtained from the hearing examiner upon request.*

Sec. 5. *The sum of \$ . . . . . is appropriated from the general fund to the legislative office of fiscal notes for the purpose of preparing fiscal notes on bills and administrative rules affecting counties, towns, school districts, statutory city or home rule charter city and shall be available until June 30, 1981.*

Sec. 6. *Minnesota Statutes 1978, Section 3.98, is repealed on July 1, 1982.*

Sec. 7. *Sections 1 to 4 of this act are repealed on July 1, 1982. Sections 1 to 4 of this act are effective on July 1, 1979.*"

Further, amend the title to read:

Delete the title in its entirety and insert:

"A bill for an act relating to fiscal notes; creating a legislative office of fiscal notes; requiring fiscal notes to accompany certain bills and administrative rules; appropriating money; amending Minnesota Statutes 1978, Sections 3.98, Subdivision 1; 15.0412, Subdivision 7; and Chapter 3, by adding sections."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 499, 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, as amended.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 581, A bill for an act relating to education; authorizing certain school districts to make a certain levy; correcting a section reference; amending Minnesota Statutes 1978, Section 122.531, Subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 606, A bill for an act relating to controlled substances; amending certain schedules; adding the precursors of phencyclidine; amending Minnesota Statutes 1978, Section 152.02, Subdivisions 2, 3, 4, 5 and 6.

Reported the same back with the following amendments:

Page 1, after line 7, insert a section to read:

"Section 1. Minnesota Statutes 1978, Section 152.01, Subdivision 9, is amended to read:

Subd. 9. [MARIJUANA.] "Marijuana" means all parts of the plant of *any species of the genus Cannabis (SATIVAL.)*, including all agronomical varieties, whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin, but shall not include the mature stalks of such plant, fiber from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination."

Page 5, line 27, strike "1-phenylcyclonexylamine" and insert "*1-phenylcyclonexylamine*"

Page 6, line 4, strike "Methpyphenidate" and insert "*Methylphenidate*"

Page 8, delete lines 7 to 33

Page 9, delete lines 1 to 7

Renumber the sections

Delete the title and insert:

"A bill for an act relating to controlled substances; amending the definition of Cannabis; amending certain schedules; adding the precursors of phencyclidine; amending Minnesota Statutes 1978, Section 152.01, Subdivision 9; Section 152.02, Subdivisions 2, 3, and 4."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 691, A bill for an act relating to crimes; controlling telephone communications with certain offenders; allowing po-

lice to prevent unauthorized communications; providing penalties.

Reported the same back with the following amendments:

Page 1, lines 10 and 11, delete "the following words have the meanings given them:"

Page 1, line 12, delete "(a)"

Page 1, line 14, delete "section 609.25 or 609.255, or any other state" and insert "a person is being unlawfully confined"

Page 1, delete line 15

Page 1, line 16, delete "is being violated"

Page 1, lines 17 and 18, delete "one or more persons are being unlawfully confined;" and insert "the violation is believed to be occurring."

Page 1, delete lines 19, 20, 21

Page 2, line 3, delete "with a violator"

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 709, A bill for an act relating to the state civil service; including veterans in the protected group for the purpose of the statewide affirmative action program; amending Minnesota Statutes 1978, Section 43.15, Subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 710, A bill for an act relating to intoxicating liquor; authorizing Washington County to issue an off-sale license in Denmark township.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 728, A bill for an act relating to education; allowing not more than ten days used by kindergarten teachers for parent-teacher conferences or teachers' workshops to count as part of the required minimum number of days school is in session; amending Minnesota Statutes 1978, Section 124.19, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 18, delete "teachers" and insert "classes"

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 General Legislation and Veterans Affairs to which was referred:

H. F. No. 733, A bill for an act relating to veterans; increasing the maximum amount of certain educational grants to certain persons; amending Minnesota Statutes 1978, Section 197.75, Subdivision 1.

Reported the same back with the following amendments:

Page 2, after line 19, insert:

"Sec. 2. Minnesota Statutes 1978, Section 197.11, is amended to read:

197.11 [LIMITATION ON PAYMENTS.] Not more than (\$250) \$350 shall be paid under the provisions of sections 197.09 to 197.11 for any one child for any one year.

Sec. 3. [APPROPRIATION.] *There is appropriated to the commissioner of veterans affairs from the general fund the sum of \$44,000 to be used for the purposes of this act during the biennium ending June 30, 1981.*"

Amend the title as follows:

Page 1, line 4, after "persons;" insert "appropriating money;"

Page 1, line 4, delete "Section" and insert "Sections 197.11; 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 Governmental Operations to which was referred:

H. F. No. 774, A bill for an act relating to state government; prohibiting certain expense accounts expenditures for alcoholic beverages; amending Minnesota Statutes 1978, Section 16A.16.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 790, A bill for an act relating to government regulation; establishing a study commission to assess the economic impact of state regulations on business and industry; 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.

Paylak from the Committee on Criminal Justice to which was referred:

H. F. No. 813, A bill for an act relating to crimes; regulating dance halls; removing the limitation on persons under the age of 16; amending Minnesota Statutes 1978, Section 624.49.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 842, A bill for an act relating to local government; providing for certain local improvements and special assess-

ments; amending Minnesota Statutes 1978, Sections 429.011, by adding a subdivision; and 429.021, Subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 870, A bill for an act relating to education; requiring that certain schools provide a prospective student with a school catalog before accepting the student; providing in certain cases for tuition refunds from private business, trade, and correspondence schools that do not use written contracts; providing for certain exemptions under the private business, trade and correspondence school act; amending Minnesota Statutes 1978, Sections 141.25, Subdivision 9; 141.271, Subdivision 3 and 141.35.

Reported the same back with the following amendments:

Page 5, after line 4, insert:

“Sec. 3. Minnesota Statutes 1978, Section 141.271, is amended by adding a subdivision to read:

*Subd. 13. If a student's enrollment in a school is cancelled for any reason, the school shall notify any agency providing financial aid to the student of the cancellation within 30 days.”*

Renumber the remaining section.

Amend the title as follows:

Page 1, line 11, after “Subdivision 3” insert “, and by adding a subdivision;”

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 900, 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 1978, Chapter 444, by adding a section.

Reported the same back with the following amendments:

Page 1, line 16, after "*taxes*" insert "*at a rate not to exceed one mill*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 913, A bill for an act relating to small businesses; increasing state procurement from small businesses; amending Minnesota Statutes 1978, Section 16.083, Subdivisions 1 and 4.

Reported the same back with the following amendments:

Page 2, line 9, delete "*20*" and insert "*15*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 936, A bill for an act relating to education; expanding a definition of "American Indian child"; extending the deadline for a report required by the American Indian language and culture education act; providing for an advisory task force on American Indian language and culture education programs; amending Minnesota Statutes 1978, Sections 126.47, Subdivision 2; 126.52, Subdivision 10; and Chapter 126, by adding a section; repealing Minnesota Statutes 1978, Section 126.53.

Reported the same back with the following amendments:

Pages 1 and 2, delete sections 2, 3 and 4

Amend the title as follows:

Page 1, line 3, delete "extending the deadline"

Page 1, delete lines 4, 5 and 6

Page 1, line 7, delete "and culture education programs;"

Page 1, delete lines 9 and 10

Page 1, line 11, delete "Section 126.53"



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 General Legislation and Veterans Affairs to which was referred:

H. F. No. 976, A bill for an act relating to gambling; raising the compensation allowed persons conducting a bingo occasion; amending Minnesota Statutes 1978, Section 349.17, Subdivision 1.

Reported the same back with the following amendments:

Amend the title as follows:

Page 1, line 2, delete "gambling" and insert "bingo"

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 General Legislation and Veterans Affairs to which was referred:

H. F. No. 1050, A bill for an act relating to the department of veterans affairs; increasing the bed capacity at the Hastings veterans home; eliminating the requirement of certain informational reports relating to the interment of deceased veterans; amending Minnesota Statutes 1978, Section 198.31; repealing Minnesota Statutes 1978, Section 149.07.

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 Governmental Operations to which was referred:

H. F. No. 1065, A bill for an act relating to state government; regulating meetings, indemnification and appointment of the investment advisory council and annual reports of the state board of investment; amending Minnesota Statutes 1978, Sections 11.117, Subdivisions 4 and 6; 11.118 and 11.145.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1106, A bill for an act relating to economic security; providing for the establishment of placement services for public school employees; 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.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1158, A bill for an act relating to Independent School District No. 275; providing for the consolidation of Independent School District No. 275.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1214, A bill for an act relating to Independent School District No. 786, Bertha-Hewitt; exempting it from certain requirements for obtaining one capital loan from the equalization aid review committee; setting a limit for that loan.

Reported the same back with the following amendments:

Page 2, line 1, delete "loan" and after "approval" insert "of the bond issue by the voters"

Page 2, line 5, after "approval" insert "of the bond issue by the voters"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

S. F. No. 118, A bill for an act relating to crimes; defining the crime of receiving stolen property; amending Minnesota Statutes 1978, Section 609.53, Subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 609.53, is amended to read:

609.53 [RECEIVING STOLEN GOODS.] Subdivision 1. Any person who receives, *possesses, transfers,* 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 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, TO PUNISHMENT AS A MISDEMEANOR.)

(SUBD. 2. ANY PERSON WHO RECEIVES, BUYS OR CONCEALS ANY STOLEN PROPERTY OR PROPERTY OBTAINED BY ROBBERY, BELIEVING THE SAME TO BE SO STOLEN OR OBTAINED BY ROBBERY, MAY BE SENTENCED TO PUNISHMENT AS A MISDEMEANOR) *shall be sentenced, upon conviction, in accordance with the provisions of section 609.52, subdivision 3, clauses (1), (2) and (5).*

Subd. (3) 2. Any person convicted of a second or subsequent violation under subdivision (2 WITHIN A PERIOD OF ONE YEAR MAY) *1 shall be sentenced (AS PROVIDED IN SUBDIVISION 1, CLAUSE (1)) to imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both.*

Subd. (4) 3. Any person who has been injured by a violation of subdivision 1 may bring an action for three times the amount of actual damages, if any, sustained by the plaintiff, costs of suit and reasonable attorney's fees.

Subd. (5) 4. In this section, "value" has the meaning defined in section 609.52, subdivision 1, clause (3).

Sec. 2. *This act is effective August 1, 1979 and applies to all offenses committed on or after that date and to all persons convicted of a crime committed on or after that date."*

Delete the title and insert:

"A bill for an act relating to crimes; repealing the lesser included offense of receiving property believing it to have been stolen; providing penalties; amending Minnesota Statutes 1978, Section 609.53."

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

S. F. No. 219, A bill for an act relating to state government; abolishing achievement awards for commissioners and deputy constitutional officers; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 6; 43.062, Subdivision 3; and 43.067, Subdivision 4; repealing Minnesota Statutes 1978, Section 43.069.

Reported the same back with the following amendments:

Page 2, line 24, delete "*110 percent of*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred:

S. F. No. 322, A bill for an act relating to guardianship; providing that a petition for guardianship may be treated as a petition for conservatorship; providing for the transfer of guardianship to conservatorship; amending Minnesota Statutes 1978, Sections 201.15; 525.551; and 525.61.

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 General Legislation and Veterans Affairs to which was referred:

S. F. No. 484, A bill for an act relating to elections; requiring recounts in county, municipal and school district elections under certain circumstances; setting a time limit for appeal of a district court determination in a school district election contest; amending Minnesota Statutes 1978, Chapter 204A, by adding a section; Sections 123.32, Subdivision 25, and by adding a sub-

division; 205.11, by adding a subdivision; and 205.14, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, after line 21, insert:

*"A losing candidate for nomination or election to a county or municipal office may request a recount in the manner provided in this section at the candidate's own expense when the vote difference is greater than the difference required by clauses (a) to (e). The votes shall be recounted as provided in this section if the requesting candidate files with the county auditor or municipal clerk a bond, cash or surety in an amount set by the governing body of the jurisdiction for the payment of the recount expenses."*

Page 3, after line 29, insert:

*"A losing candidate for nomination or election to a school district may request a recount in the manner provided in this section at the candidate's own expense when the vote difference is greater than the difference required by clauses (a) to (e). The votes shall be recounted as provided in this section if the requesting candidate files with the school board a bond, cash or surety in an amount set by the board for the payment of the recount expenses."*

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 549, A bill for an act relating to local government; requiring additional local participation in consolidation procedures; amending Minnesota Statutes 1978, Section 414.041.

Reported the same back with the following amendments:

Page 2, line 18 after "a" insert "separate"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 871, A bill for an act relating to Anoka County; permitting redistricting of commissioner districts to seven for the 1982 election.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 123, 357, 430, 499, 581, 606, 691, 710, 728, 774, 813, 842, 870, 900, 913, 936, 976, 1065, 1158 and 1214 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 118, 219, 322, 484, 549 and 871 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Carlson, L.; McEachern; Nelsen, M.; Heap and Novak introduced:

H. F. No. 1354, A bill for an act relating to education; providing for hearings before an arbitrator in certain cases and for a school board to furnish a teacher with certain transcripts; eliminating certain hearings before a school board; requiring that probationary teachers be placed on unnegotiated, unrequested leave in the inverse order of their employment; correcting certain references; amending Minnesota Statutes 1978, Section 125.12, Subdivisions 2, 3, 4, 6b, 8, 9, 10 and 11.

The bill was read for the first time and referred to the Committee on Education.

Vanasek introduced:

H. F. No. 1355, A bill for an act relating to metropolitan government; removing the city of Northfield from definition of metropolitan areas; adding the city of Northfield to region ten; amending Minnesota Statutes 1978, 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.

Pehler introduced:

H. F. No. 1356, A bill for an act relating to taxation; exempting certain taxicabs from gasoline and special fuels tax; amending Minnesota Statutes 1978, Sections 296.01, by adding a subdivision; 296.02, Subdivision 1; 296.025, Subdivision 1; and 296.18, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Kempe and Laidig introduced:

H. F. No. 1357, A bill for an act relating to motor vehicles; requiring certain documents indicating vehicle weight to be carried in certain vehicles; authorizing law enforcement officers to examine the documents; providing that the documents be prima facie evidence of the weight of the vehicle and load; amending Minnesota Statutes 1978, Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

Sieben, H., introduced:

H. F. No. 1358, A bill for an act relating to taxation; increasing the income tax exclusion for pension income; extending the availability of the low income credit; providing for adjustment of income tax brackets, credits, and the maximum standard deduction according to the rate of increase in the consumer price index; increasing personal credits; increasing the maximum standard deduction; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.06, Subdivisions 2c, 3c and 3d, 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.

Byrne, Drew, Wenzel, Berglin and Anderson, I., introduced:

H. F. No. 1359, A bill for an act relating to welfare; excluding educational grants and loans from income when determining the amount of assistance granted under aid to families with dependent children; amending Minnesota Statutes 1978, Section 256.74, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Onnen, McEachern, Elioff and Wenzel introduced:

H. F. No. 1360, A bill for an act relating to the Minnesota municipal board; providing for the membership of the board; amending Minnesota Statutes 1978, Section 414.01, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pehler, Dempsey, Evans, Vanasek and Hoberg introduced:

H. F. No. 1361, A bill for an act relating to local government; providing for certain adjustments to the levy limit bases of cities and towns; requiring preparation of annual population estimates by the state demographer; providing a means for distributing state aid to local units of government; appropriating money; amending Minnesota Statutes 1978, Sections 275.51, Subdivision 3d; 275.52, Subdivision 4; 275.53, Subdivision 1, and by adding a subdivision; and 477A.01, Subdivisions 1 and 4; repealing Minnesota Statutes 1978, Section 477A.01, Subdivisions 3 and 4a.

The bill was read for the first time and referred to the Committee on Taxes.

Rees, Pavlak, Kahn and Forsythe introduced:

H. F. No. 1362, A bill for an act relating to crimes; providing that the status of marriage or an ongoing voluntary sexual relationship of cohabiting adults shall not be a defense to prosecution for criminal sexual conduct; amending Minnesota Statutes 1978, Section 609.349.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Rees, Vanasek, Jennings and Johnson, C., introduced:

H. F. No. 1363, A bill for an act relating to game and fish; authorizing special bow and arrow deer seasons in certain state waysides during 1979; requiring a stamp; appropriating proceeds.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.



Olsen; Sieben, M.; Adams; Forsythe and Ainley introduced:

H. F. No. 1364, A bill for an act relating to the regulation of securities; exempting certain securities from certain registration and filing requirements; amending Minnesota Statutes 1978, Section 80A.15, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Dempsey introduced:

H. F. No. 1365, A bill for an act relating to education; permitting a student enrolled in a nonpublic school outside his district of residence to attend a public school in the district; amending Minnesota Statutes 1978, Section 120.075.

The bill was read for the first time and referred to the Committee on Education.

Dempsey and Piepho introduced:

H. F. No. 1366, A bill for an act relating to the state fire marshal; providing for orders to remove fire hazards; providing procedures to enforce and challenge orders; amending Minnesota Statutes 1978, Sections 299F.10; 299F.13; 299F.14; 299F.15; 299F.16; 299F.17, Subdivision 1; and 299F.18.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Dempsey introduced:

H. F. No. 1367, A bill for an act relating to the supreme court; authorizing the supreme court to regulate by rules the pleading, practice and procedure in the juvenile court; authorizing the supreme court to promulgate rules of evidence for the juvenile court.

The bill was read for the first time and referred to the Committee on Judiciary.

Dempsey, Kvam, Knickerbocker, Valento and Crandall introduced:

H. F. No. 1368, A bill for an act relating to taxation; changing computation of the homestead base value; increasing the homestead credits; increasing the state paid agricultural credit; increasing the maximum property tax refund; providing an additional credit for certain homeowners; appropriating money; amending Minnesota Statutes 1978, Sections 273.122, Subdivision 2; 273.13, Subdivisions 6, 6a, 7 and 14a; 273.132; 290A.03, Subdivisions 11 and 13; 290A.04, Subdivisions 2, 2a, 2b, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 273.122, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Mehrkens introduced:

H. F. No. 1369, A bill for an act relating to highways; appropriating money for the upgrading of county state aid highways in Goodhue County; providing for repayment from the county's state aid allotments.

The bill was read for the first time and referred to the Committee on Appropriations.

Den Ouden and Redalen introduced:

H. F. No. 1370, A bill for an act relating to public utilities; redefining the term "public utility" so as to exempt from public service commission jurisdiction certain small natural gas utilities; amending Minnesota Statutes 1978, Section 216B.02, Subdivision 4.

The bill was read for the first time and referred to the Committee on Energy and Utilities.

Halberg and Hoberg introduced:

H. F. No. 1371, A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, adding a section; providing constitutional limits on state spending.

The bill was read for the first time and referred to the Committee on Appropriations.

Halberg and Crandall introduced:

H. F. No. 1372, A bill for an act relating to intoxicating liquor; requiring proof of financial responsibility; amending Minnesota Statutes 1978, Sections 340.11, by adding a subdivision; 340.12; and 340.353, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Brinkman, Patton and Kostohryz introduced:

H. F. No. 1373, A bill for an act relating to motor vehicles; establishing gross weight limitations on certain highways for certain vehicles and combinations of vehicles; providing an exception; providing for the enforcement of weight limitations and providing penalties; authorizing the employment of certain personnel in the unclassified service to enforce certain motor vehicle and traffic laws, and prescribing the conditions of employment; amending Minnesota Statutes 1978, Sections 168.013, Subdivision 3; 169.03, Subdivision 6; 169.83, Subdivision 2; 169.832, Subdivision 2, and by adding a subdivision; 169.85; and 299D.06.

The bill was read for the first time and referred to the Committee on Transportation.

Reif, Swanson and Drew introduced:

H. F. No. 1374, A bill for an act relating to education; requiring the council on quality education to make grants for pilot comprehensive health education programs; providing for applications for the grants, selection of recipients and for certain reports; authorizing the use of supplemental funds for the pilot programs; providing for an advisory task force on comprehensive health education programs, for state board of education support of pilot programs and for advisory committees for each program; appropriating money; amending Minnesota Statutes 1978, Chapter 3, by adding sections.

The bill was read for the first time and referred to the Committee on Education.

Berkelman; Munger; Anderson, I.; Lehto and Elioff introduced:

H. F. No. 1375, A bill for an act relating to regional development; setting a maximum tax levy for region 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Reding introduced:

H. F. No. 1376, A bill for an act relating to local government; providing that mileage allowances be set locally; amending Minnesota Statutes 1978, Section 471.665.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Johnson, D.; Wynia; Jennings and Metzen introduced:

H. F. No. 1377, A bill for an act relating to financial institutions; providing intervals for examination of institutions by state or federal agencies; amending Minnesota Statutes 1978, Section 46.04.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Patton, Enebo, Berglin and Norton introduced:

H. F. No. 1378, A bill for an act relating to retirement; establishing and empowering a temporary joint legislative and public commission on public pension policy; appropriating funds.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pavlak, Moe, Lehto, Minne and Jennings introduced:

H. F. No. 1379, A bill for an act relating to peace officers; authorizing the peace officers standards and training board to receive complaints, require investigations, and hold revocation hearings with respect to statutes or rules it is empowered to enforce; amending Minnesota Statutes 1978, Section 214.10, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Niehaus, Waldorf, Esau, Blatz and Kempe introduced:

H. F. No. 1380, A bill for an act relating to children; providing for the adoption of unborn children; allowing for the payment of expenses of delivery of an unborn child by the adopting person or the placing agency; allowing reimbursement to placing agencies for child delivery expenses; amending Minnesota Statutes 1978, Sections 259.21, Subdivision 2; 259.22, Subdivision 2; 259.23, Subdivision 2; 259.24, Subdivision 6, and by adding a subdivision; 259.25, Subdivision 2, and by adding a subdivision; 259.26, Subdivision 1; and 317.65, Subdivision 7.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Minne introduced:

H. F. No. 1381, A bill for an act relating to the county of St. Louis; permitting the sale of certain tax-forfeited land.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Hoberg and Valan introduced:

H. F. No. 1382, A bill for an act relating to local government; establishing the Moorhead-Clay County area redevelopment authority; terminating the existence of the Moorhead local redevelopment agency and the Clay County local redevelopment agency; granting certain powers to the city of Moorhead and the county of Clay.

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. 1383, A bill for an act relating to public safety; requiring marking of plowed roads on lakes.

The bill was read for the first time and referred to the Committee on Transportation.

Battaglia introduced:

H. F. No. 1384, A bill for an act relating to game and fish; restricting the power of the commissioner of natural resources to close the season on lake trout.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Sieben, M.; Laidig and Levi introduced:

H. F. No. 1385, A bill for an act relating to Washington County; providing for the appointment and compensation of probation officers; amending Laws 1978, Chapter 693, Section 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Wynia, Faricy, Drew, Norton and Tomlinson introduced:

H. F. No. 1386, A bill for an act relating to the city of St. Paul; fixing the rate of the franchise fee for utility supplies to residential dwellings.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Pleasant, Adams, Ewald, Knickerbocker and Carlson, L., introduced:

H. F. No. 1387, A bill for an act relating to certain independent school districts in the county of Hennepin; requiring that a joint school board established by any districts to govern an area vocational-technical school include a member appointed by the teachers' association which represents the faculty of the school; amending Laws 1967, Chapter 822, Section 2.

The bill was read for the first time and referred to the Committee on Education.

Johnson, D.; Blatz and Dempsey introduced:

H. F. No. 1388, A bill for an act relating to taxation; income; extending the time for which a taxpayer is deemed to have made a contribution to an individual retirement account, annuity or bond for a taxable year; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

The bill was read for the first time and referred to the Committee on Taxes.

Simoneau, Pehler, Biersdorf and Searle introduced:

H. F. No. 1389, A bill for an act relating to agency rules; providing for comparison of state and federal standards; amending Minnesota Statutes 1978, Chapter 15, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Albrecht, Stadum, Wenzel, Welker and Anderson, G., introduced:

H. F. No. 1390, A bill for an act relating to taxation; providing that the proceeds of the motor vehicle excise tax shall be deposited in the highway user tax distribution fund for highway purposes; amending Minnesota Statutes 1978, 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.

#### HOUSE ADVISORIES

The following House Advisories were introduced:

Kelly, Novak, Crandall, Pavlak and Sherwood introduced:

H. A. No. 23, A proposal to study the need for a secure facility for juvenile offenders.

The advisory was referred to the Committee on Criminal Justice.

Otis, Eken, Levi, Olsen and Johnson, C., introduced:

H. A. No. 24, A proposal for study of the administration of financial assistance to post-secondary vocational-technical school students.

The advisory was referred to the Committee on Education.

#### REPORTS FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following bills, which bills were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
1183	Apr. 5, 1979	Judiciary
1186	Apr. 5, 1979	Labor-Management Relations
1196	Apr. 5, 1979	General Legislation and Veterans Affairs

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
1208	Apr. 5, 1979	Appropriations
1212	Apr. 5, 1979	Local and Urban Affairs
1217	Apr. 5, 1979	Appropriations
1224	Apr. 5, 1979	Labor-Management Relations
1229	Apr. 5, 1979	Health and Welfare
1231	Apr. 5, 1979	Appropriations
1235	Apr. 5, 1979	Judiciary
1244	Apr. 5, 1979	General Legislation and Veterans Affairs
1251	Apr. 9, 1979	Financial Institutions and Insurance
1263	Apr. 9, 1979	Transportation
1265	Apr. 9, 1979	Governmental Operations
1282	Apr. 9, 1979	Environment and Natural Resources
1283	Apr. 9, 1979	General Legislation and Veterans Affairs
1300	Apr. 9, 1979	Health and Welfare
1301	Apr. 9, 1979	Health and Welfare
1306	Apr. 9, 1979	Financial Institutions and Insurance
1316	Apr. 11, 1979	Judiciary
1328	Apr. 11, 1979	Taxes
1335	Apr. 11, 1979	Transportation
1348	Apr. 11, 1979	Taxes

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following



House Advisory, which advisory was referred to the committee upon objection pursuant to the organizational agreement:

<i>H.A. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
21	Apr. 9, 1979	Commerce, Economic Development and Housing

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

House Resolution No. 18, A house resolution eulogizing John A. Hartle and commemorating the exemplary nature of his life and work.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

#### HOUSE RESOLUTION NO. 18

A house resolution eulogizing John A. Hartle and commemorating the exemplary nature of his life and work.

*Whereas*, John A. Hartle was born on his father's farm in Havana Township, Steele County, Minnesota, on August 6, 1891; and,

*Whereas*, John A. Hartle attended the country schools in Steele County, graduated from Owatonna High School in 1908, and with his father and brother operated the family farm for many years; and,

*Whereas*, John A. Hartle was elected to the House of Representatives of the State of Minnesota and served there continuously from 1935 until he chose not to stand for re-election in 1968; and,

*Whereas*, during his seventeen terms in the House of Representatives he served eight terms on the tax committee including once as its chairman; five terms on the education committee including twice as its chairman; nine terms as a member of the civil administration committee including four times as its chairman; three terms on the markets and marketing committee including once as its chairman; twelve terms on the insurance committee; seven terms as a member of the highways committee; six terms as a member of the rules committee; three terms as a member of the employee's compensation committee;

five terms as a member of the appropriations committee; and for a single term at various times of his career as a member of fourteen other committees; and,

*Whereas*, from 1949 through 1953 John A. Hartle was elected to and served as Speaker of the House of Representatives; and,

*Whereas*, John A. Hartle was principally responsible for the 1967 tax reform bill which provided for the state sales tax; and,

*Whereas*, he was the principal author of many other laws which benefited the people of the state of Minnesota and of Steele County; and,

*Whereas*, after retirement from the legislature, John A. Hartle continued to work for the betterment of the people of the state of Minnesota; and,

*Whereas*, John A. Hartle died on April 5, 1979; *now therefore*,

*Be it resolved* by the House of Representatives of the State of Minnesota:

(1) It commends to the people of the state of Minnesota the record of John A. Hartle as life, work and spirit worth emulation.

(2) It extends its condolences to his wife, Ruth, to his son and daughter, to his godson, to his sister and two brothers, and to all the people of Steele County who knew him.

(3) The Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution and to present it to Ruth Hartle.

Biersdorf moved that House Resolution No. 18 be now adopted. The motion prevailed and House Resolution No. 18 was adopted.

## 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. 157, A bill for an act relating to labor and employment; prohibiting mandatory retirement of public and private employees before the age of 70; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 1; 125.12, Subdivision 5;

181.81; 181.811; 354.44, Subdivision 1a; 354.49, Subdivision 3; 354A.05; 354A.21; 356.32, Subdivision 1; 423.076; 473.419; and Chapter 181, by adding a section.

H. F. No. 330, A bill for an act relating to courts; eliminating erroneous and ambiguous references relating to municipal courts outside Hennepin and Ramsey counties; amending Minnesota Statutes 1978, Sections 480.055, Subdivision 1; 487.01, Subdivision 8; 487.16; 487.38; 488A.113; 488A.282; 525.011, Subdivision 1; 525.013, Subdivisions 1 and 8; and 525.014.

**PATRICK E. FLAHAVEN, Secretary of 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 transportation; urging the appropriate federal agencies to provide assistance to the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (The Milwaukee Road); affirming the consideration of affirmative action by the Minnesota legislature to provide economic and viable rail transportation service for the people of Minnesota.

**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. 122, 420 and 498.

**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. 58, 144 and 842.

**PATRICK E. FLAHAVEN, Secretary of the Senate**

### FIRST READING OF SENATE BILLS

S. F. No. 122, A bill for an act relating to life insurance; providing for advance payment of certain benefits under policies in-

suring persons who are absent and presumed dead; amending Minnesota Statutes 1978, Chapter 576, by adding sections.

The bill was read for the first time.

Norton moved that S. F. No. 122 and H. F. No. 545, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 420, A bill for an act relating to agriculture; changing the eligibility requirements for a family farm security loan; changing the eligibility standards for payment adjustments received pursuant to a family farm security loan; amending Minnesota Statutes 1978, Sections 41.55; and 41.57, Subdivision 3.

The bill was read for the first time and referred to the Committee on Agriculture.

S. F. No. 498, A bill for an act relating to motor vehicles; authorizing the identification of certain tax exempt vehicles by use of removable plates or placards; amending Minnesota Statutes 1978, Section 168.012, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 58, A bill for an act relating to no-fault automobile insurance; increasing basic economic loss benefits; clarifying legislative intent concerning stacking of insurance policies; amending Minnesota Statutes 1978, Sections 65B.44, Subdivision 1; 65B.47, by adding a subdivision; and 65B.49, Subdivisions 4 and 6.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 144, A bill for an act relating to taxation; repealing obsolete references to a tax on money and credits; repealing Minnesota Statutes 1978, Chapter 285.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 842, A bill for an act relating to aeronautics; appropriating and transferring money for construction of hangars.

The bill was read for the first time and referred to the Committee on Appropriations.

## CONSENT CALENDAR

S. F. No. 603, A bill for an act relating to courts; sixth judicial district; providing that terms of court no longer shall be held in Ely; authorizing terms of court to be held at places other than Duluth, Hibbing or Virginia; amending Minnesota Statutes 1978, Sections 484.48; 484.50; and 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelson	Sieben, M.
Adams	Elioff	Kaley	Niehaus	Simoneau
Ainley	Ellingson	Kalis	Norman	Stadum
Albrecht	Enebo	Kelly	Norton	Stoa
Anderson, B.	Erickson	Kempe	Novak	Stowell
Anderson, D.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, G.	Evans	Kostohryz	Onnen	Swanson
Anderson, I.	Ewald	Kroening	Osthoff	Thiede
Anderson, R.	Faricy	Kvam	Otis	Tomlinson
Battaglia	Fjoslien	Laidig	Patton	Valan
Begich	Forsythe	Lehto	Pavlak	Valento
Berglin	Friedrich	Levi	Pehler	Vanasek
Berkelman	Fritz	Long	Peterson	Voss
Biersdorf	Fudro	Ludeman	Piepho	Waldorf
Blatz	Greenfield	Luknic	Pleasant	Weaver
Brinkman	Halberg	Mann	Redalen	Welch
Byrne	Haukoos	McCarron	Reding	Welker
Carlson, D.	Heap	McDonald	Rees	Wenzel
Carlson, L.	Heinitz	McEachern	Reif	Wieser
Cassery	Hoberg	Mehrkens	Rice	Wigley
Clark	Hokanson	Metzen	Rose	Wynia
Clawson	Jacobs	Minne	Rothenberg	Zubay
Corbid	Jaros	Moe	Sarna	Speaker Searle
Crandall	Jennings	Munger	Schreiber	
Dean	Johnson, C.	Murphy	Searles	
Dempsey	Johnson, D.	Nelsen, B.	Sherwood	
Den Ouden	Jude	Nelsen, M.	Sieben, H.	

The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 399, A bill for an act relating to health; prohibiting family planning funds to any corporation which performs abortions; prohibiting counties or cities from contracting with any corporation, agency, individual or entity which performs abortions; providing that certain provisions of law are nonseverable under certain conditions; amending Minnesota Statutes 1978, Sections 145.912, Subdivision 9; 145.92, Subdivision 1; and 145.925, 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 85 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kelly	Norman	Sieben, H.
Ainley	Elioff	Kempe	Olsen	Sieben, M.
Albrecht	Erickson	Kostohryz	Onnen	Stadum
Anderson, B.	Esau	Kroening	Osthoff	Stowell
Anderson, D.	Evans	Kvam	Patton	Sviggum
Anderson, I.	Fjoslien	Laidig	Pavlak	Thiede
Anderson, R.	Fritz	Ludeman	Pehler	Valan
Battaglia	Fudro	Luknic	Peterson	Valento
Begich	Halberg	Mann	Piepho	Vanasek
Biersdorf	Heap	McDonald	Redalen	Waldorf
Blatz	Hoberg	McEachern	Rees	Weaver
Brinkman	Jacobs	Mehrkens	Reif	Welch
Carlson, D.	Jennings	Metzen	Rice	Welker
Corbid	Johnson, C.	Murphy	Rose	Wenzel
Crandall	Johnson, D.	Nelsen, B.	Sarna	Wieser
Dempsey	Jude	Nelsen, M.	Schreiber	Wigley
Den Ouden	Kalis	Niehaus	Sherwood	Zubay

Those who voted in the negative were:

Anderson, G.	Ellingson	Jaros	Munger	Stoa
Berglin	Enebo	Kahn	Nelson	Swanson
Berkelman	Ewald	Kaley	Norton	Tomlinson
Byrne	Faricy	Knickerbocker	Novak	Voss
Carlson, L.	Forsythe	Lehto	Otis	Wynia
Casserly	Friedrich	Levi	Pleasant	Speaker Searle
Clark	Greenfield	Long	Reding	
Clawson	Haukoos	McCarron	Rothenberg	
Dean	Heinitz	Minne	Searles	
Eken	Hokanson	Moe	Simoneau	

The bill was passed and its title agreed to.

H. F. No. 555, A bill for an act relating to crimes; specifying the crime of offering substances purporting to be prohibited for sale; creating a new category of offense for assault; reclassifying assaults by degrees; specifying the crime of interference with privacy; reclassifying the pecuniary categories of the crime of theft; redefining certain felonies; authorizing agents of the bureau of criminal apprehension to obtain search warrants; clarifying the locus of venue; providing penalties; amending Minnesota Statutes 1978, Sections 609.02, by adding subdivisions; 609.11; 609.25, Subdivision 2; 609.341, Subdivision 3, and by adding a subdivision; 609.343; 609.344; 609.345; 609.52, Subdivision 3; 609.562; 609.563; 609.595, Subdivision 1; 611.033; 626.05, Subdivision 2; 626.11; 626.13; 627.01; Chapters 152, by adding a section; and 609, by adding sections; repealing Minnesota Statutes 1978, Sections 246.43; 609.22; and 609.225.

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 6 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sieben, H.
Adams	Eken	Kaley	Niehaus	Sieben, M.
Ainley	Elioff	Kalis	Norman	Simoneau
Albrecht	Ellingson	Kelly	Norton	Stadum
Anderson, B.	Enebo	Kempe	Novak	Stoa
Anderson, D.	Erickson	Knickerbocker	Olsen	Stowell
Anderson, G.	Esau	Kostohryz	Onnen	Sviggum
Anderson, I.	Evans	Kroening	Osthoff	Swanson
Anderson, R.	Ewald	Kvam	Otis	Thiede
Battaglia	Faricy	Laidig	Patton	Tomlinson
Begich	Fjoslien	Lehto	Pavlak	Valan
Berglin	Forsythe	Levi	Pehler	Valento
Berkelman	Friedrich	Long	Peterson	Vanasek
Biersdorf	Fritz	Ludeman	Piepho	Voss
Blatz	Fudro	Luknic	Pleasant	Waldorf
Brinkman	Halberg	Mann	Redalen	Weaver
Byrne	Haukoos	McCarron	Reding	Welch
Carlson, L.	Heap	McDonald	Rees	Welker
Clark	Heinitz	McEachern	Reif	Wenzel
Clawson	Hoberg	Mehrkens	Rose	Wieser
Corbid	Hokanson	Metzen	Rothenberg	Wigley
Crandall	Jacobs	Minne	Sarna	Wynia
Dean	Jennings	Munger	Schreiber	Zubay
Dempsey	Johnson, C.	Murphy	Searles	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Sherwood	

Those who voted in the negative were:

Casserly	Jaros	Kahn	Moe	Rice
Greenfield				

The bill was passed and its title agreed to.

H. F. No. 623, A bill for an act relating to state lands; providing for the conveyance of state land to the city of St. Cloud for use as a fire station.

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:

Aasness	Anderson, D.	Begich	Byrne	Clawson
Adams	Anderson, G.	Berkelman	Carlson, D.	Corbid
Ainley	Anderson, I.	Biersdorf	Carlson, L.	Crandall
Albrecht	Anderson, R.	Blatz	Casserly	Dean
Anderson, B.	Battaglia	Brinkman	Clark	Dempsey

Den Ouden	Hoberg	Ludeman	Osthoff	Stoa
Drew	Hokanson	Luknic	Otis	Stowell
Eken	Jacobs	Mann	Patton	Swiggum
Elioff	Jaros	McCarron	Pavlak	Swanson
Ellingson	Jennings	McDonald	Pehler	Thiede
Enebo	Johnson, C.	McEachern	Peterson	Tomlinson
Erickson	Johnson, D.	Mehrkens	Piepho	Valan
Esau	Jude	Metzen	Pleasant	Valento
Evans	Kahn	Minne	Redalen	Vanasek
Ewald	Kaley	Moe	Reding	Voss
Faricy	Kalis	Munger	Rees	Waldorf
Fjoslien	Kelly	Murphy	Reif	Weaver
Forsythe	Kempe	Nelsen, B.	Rice	Welch
Friedrich	Knickerbocker	Nelsen, M.	Rose	Welker
Fritz	Kostohryz	Nelson	Rothenberg	Wenzel
Fudro	Kroening	Niehaus	Sarna	Wieser
Greenfield	Kvam	Norman	Schreiber	Wigley
Halberg	Laidig	Norton	Searles	Wynia
Haukoos	Lehto	Novak	Sherwood	Zubay
Heap	Levi	Olsen	Sieben, M.	Speaker Searle
Heinitz	Long	Onnen	Simoneau	

The bill was passed and its title agreed to.

S. F. No. 307, A bill for an act relating to health; permitting placement of pets in certain institutions; requiring placement efforts by the Minnesota humane society; amending Minnesota Statutes 1978, Chapters 144, by adding a section; 144A, by adding a section; and 343, 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 77 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Adams	Esau	Knickerbocker	Nelson	Sieben, H.
Anderson, B.	Evans	Kostohryz	Norman	Sieben, M.
Anderson, I.	Ewald	Kroening	Norton	Stoa
Anderson, R.	Fjoslien	Kvam	Novak	Tomlinson
Berglin	Fritz	Laidig	Olsen	Vanasek
Berkelman	Fudro	Lehto	Onnen	Voss
Blatz	Greenfield	Levi	Otis	Weaver
Carlson, L.	Halberg	Long	Pehler	Welch
Cassarly	Heap	Luknic	Reding	Welker
Clark	Heinitz	Mehrkens	Rees	Wieser
Corbid	Hokanson	Metzen	Reif	Wynia
Crandall	Jacobs	Minne	Rice	Zubay
Dean	Jude	Munger	Rose	Speaker Searle
Drew	Kahn	Murphy	Rothenberg	
Ellingson	Kaley	Nelsen, B.	Searles	
Enebo	Kelly	Nelsen, M.	Sherwood	

Those who voted in the negative were:

Aasness	Anderson, G.	Brinkman	Dempsey	Erickson
Ainley	Battaglia	Byrne	Den Ouden	Faricy
Albrecht	Begich	Carlson, D.	Eken	Forsythe
Anderson, D.	Biersdorf	Clawson	Elioff	Friedrich



Haukoos	Kempe	Osthoff	Schreiber	Valento
Hoberg	Ludeman	Pavlak	Stadum	Waldorf
Jaros	Mann	Peterson	Stowell	Wenzel
Jennings	McCarron	Piepho	Sviggum	Wigley
Johnson, C.	McDonald	Pleasant	Swanson	
Johnson, D.	McEachern	Redalen	Thiede	
Kalis	Niehaus	Sarna	Valan	

The bill was passed and its title agreed to.

Swanson was excused at 1:30 p.m. Biersdorf and Sarna were excused at 2:25 p.m. Murphy was excused at 4:30 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. No. 455 which it recommended progress with the following amendment offered by Weaver:

Page 2, after line 30, insert:

*"Subd. 1a. When an equal opportunity to participate in the athletic program of an educational institution or public service is not provided to members of a sex whose athletic opportunities have previously been limited, that educational institution or public service shall, where there is demonstrated interest, provide separate teams for members of the excluded sex in sports which it determines will provide members of that excluded sex with a substantially equal opportunity to participate in its athletic program.*

Page 3, line 10, strike "Educational institutions and public services"

Page 3, strike lines 11 to 21

Page 4, line 26, delete "have exclusive"

Page 4, line 27, delete "state agency jurisdiction over" and insert "investigate all"

Page 4, line 29, after "programs" insert "*shall make a determination as to whether or not there is probable cause to credit an allegation of unfair discriminatory practices and shall notify the commissioner of human rights of its determination within 60 days after the charge is filed. If the state board determines that no probable cause exists to credit the allegation of an unfair discriminatory practice, its decision or a reaffirmation of its decision after compliance with section 363.06, subdivision 4, clause (1), shall be binding on the commissioner of human rights. If the state board determines that probable cause exists to credit the allegation, the commissioner of human rights shall review that determination and may either affirm it and proceed pursuant to this chapter or reject it and return it to the state board of education. The state board of education shall review all determinations rejected by the commissioner. If it affirms its original determination that probable cause exists, the state board shall so notify the commissioner who shall then proceed pursuant to this chapter*"

Page 4, line 31, delete "over" and insert "*in its investigation of*"

On the motion of Sieben, H., 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:

Weaver moved to amend H. F. No. 455 as follows:

Page 2, after line 30, insert:

*"Subd. 1a. When an equal opportunity to participate in the athletic program of an educational institution or public service is not provided to members of a sex whose athletic opportunities have previously been limited, that educational institution or public service shall, where there is demonstrated interest, provide separate teams for members of the excluded sex in sports which it determines will provide members of that excluded sex with a substantially equal opportunity to participate in its athletic program.*

Page 3, line 10, strike "Educational institutions and public services"

Page 3, strike lines 11 to 21

Page 4, line 26, delete "have exclusive"

Page 4, line 27, delete "state agency jurisdiction over" and insert "investigate all"

Page 4, line 29, after "programs" insert "*shall make a determination as to whether or not there is probable cause to credit an allegation of unfair discriminatory practices and shall notify the commissioner of human rights of its determination within 60 days after the charge is filed. If the state board determines that no probable cause exists to credit the allegation of an unfair discriminatory practice, its decision or a reaffirmation of its decision after compliance with section 363.06, subdivision 4, clause (1), shall be binding on the commissioner of human rights. If the state board determines that probable cause exists to credit the allegation, the commissioner of human rights shall review that determination and may either affirm it and proceed pursuant to this chapter or reject it and return it to the state board of education. The state board of education shall review all determinations rejected by the commissioner. If it affirms its original determination that probable cause exists, the state board shall so notify the commissioner who shall then proceed pursuant to this chapter*"

Page 4, line 31, delete "over" and insert "*in its investigation of*"

Dean moved to amend the Weaver amendment to H. F. No. 455, as follows:

After "*the excluded sex in*" delete the remainder of the sentence and insert "*those sports in which members previously had limited opportunities to participate.*"

Faricy moved that H. F. No. 455 be re-referred to the Committee on Education.

The question was taken on the motion to re-refer H. F. No. 455 to the Committee on Education and the roll was called. There were 22 yeas and 99 nays as follows:

Those who voted in the affirmative were:

Berglin	Faricy	Moe	Prahl	Voss
Byrne	Greenfield	Norton	Sieben, M.	Wynia
Casserly	Kahn	Novak	Stoa	
Corbid	Lehto	Osthoff	Tomlinson	
Enebo	Long	Otis	Vanasek	

Those who voted in the negative were:

Aasness	Anderson, D.	Begich	Carlson, L.	Den Ouden
Adams	Anderson, G.	Berkelman	Clawson	Drew
Ainley	Anderson, I.	Biersdorf	Crandall	Eken
Albrecht	Anderson, R.	Brinkman	Dean	Elioff
Anderson, B.	Battaglia	Carlson, D.	Dempsey	Ellingson

Erickson	Jacobs	Mann	Pavlak	Stowell
Esau	Jennings	McDonald	Peterson	Sviggum
Evans	Johnson, C.	McEachern	Piepho	Thiede
Ewald	Johnson, D.	Mehrkens	Pleasant	Valan
Fjoslien	Jude	Metzen	Redalen	Valento
Forsythe	Kaley	Minne	Rees	Waldorf
Friedrich	Kalis	Munger	Reif	Weaver
Fritz	Kelly	Murphy	Rice	Welch
Fudro	Kempe	Nelsen, B.	Rose	Welker
Halberg	Knickerbocker	Nelsen, M.	Rothenberg	Wenzel
Haukoos	Kroening	Niehaus	Sarna	Wieser
Heap	Laidig	Norman	Schreiber	Wigley
Heinitz	Levi	Olsen	Sherwood	Zubay
Hoberg	Ludeman	Onnen	Simoneau	Speaker Searle
Hokanson	Luknic	Patton	Stadum	

The motion did not prevail.

The question recurred on the adoption of the Dean amendment to the Weaver amendment and the roll was called. There were 46 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Berglin	Enebo	Lehto	Novak	Stoa
Berkelman	Forsythe	Levi	Osthoff	Sviggum
Byrne	Greenfield	Long	Otis	Tomlinson
Carlson, L.	Hokanson	McCarron	Pehler	Vanasek
Casserly	Jacobs	Moe	Prahl	Voss
Clark	Jaros	Munger	Reding	Wynia
Clawson	Kahn	Murphy	Rice	
Corbid	Kelly	Nelson	Rothenberg	
Dean	Kroening	Norman	Sieben, H.	
Ellingson	Laidig	Norton	Sieben, M.	

Those who voted in the negative were:

Aasness	Drew	Johnson, C.	Nelsen, B.	Sherwood
Adams	Eken	Johnson, D.	Nelsen, M.	Simoneau
Ainley	Elioff	Jude	Niehaus	Stadum
Albrecht	Erickson	Kaley	Olsen	Stowell
Anderson, D.	Esau	Kalis	Onnen	Thiede
Anderson, G.	Evans	Kempe	Patton	Valan
Anderson, I.	Ewald	Knickerbocker	Pavlak	Valento
Anderson, R.	Fjoslien	Kostohryz	Peterson	Weaver
Battaglia	Friedrich	Kvam	Piepho	Welch
Begich	Fritz	Ludeman	Pleasant	Welker
Biersdorf	Fudro	Luknic	Redalen	Wenzel
Blatz	Halberg	Mann	Rees	Wieser
Brinkman	Haukoos	McDonald	Reif	Wigley
Carlson, D.	Heap	McEachern	Rose	Zubay
Crandall	Heinitz	Mehrkens	Sarna	Speaker Searle
Dempsey	Hoberg	Metzen	Schreiber	
Den Ouden	Jennings	Minne	Searles	

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the adoption of the Weaver amendment and the roll was called. There were 84 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Aasness	Erickson	Kaley	Olsen	Simoneau
Adams	Esau	Kalis	Onnen	Stadum
Albrecht	Evans	Kempe	Patton	Stowell
Anderson, D.	Ewald	Knickerbocker	Pavlak	Sviggum
Anderson, G.	Fjoslien	Kvam	Peterson	Thiede
Battaglia	Friedrich	Ludeman	Piepho	Valan
Begich	Fritz	Luknic	Pleasant	Valento
Biersdorf	Fudro	Mann	Prahl	Waldorf
Blatz	Halberg	McDonald	Redalen	Weaver
Brinkman	Haukoos	McEachern	Reding	Welch
Carlson, D.	Heap	Mehrkens	Rees	Welker
Crandall	Heinitz	Metzen	Reif	Wenzel
Dempsey	Hoberg	Minne	Rose	Wieser
Den Ouden	Jennings	Nelsen, B.	Rothenberg	Wigley
Drew	Johnson, C.	Nelsen, M.	Sarna	Zubay
Eken	Johnson, D.	Niehaus	Schreiber	Speaker Searle
Elioff	Jude	Norman	Sherwood	

Those who voted in the negative were:

Ainley	Clawson	Jaros	Moe	Rice
Anderson, I.	Corbid	Kahn	Munger	Sieben, H.
Anderson, R.	Dean	Kelly	Murphy	Sieben, M.
Berglin	Ellingson	Kostohryz	Nelson	Stoa
Berkelman	Enebo	Laidig	Norton	Tomlinson
Byrne	Faricy	Lehto	Novak	Vanasek
Carlson, L.	Forsythe	Levi	Osthoff	Voss
Casserly	Greenfield	Long	Otis	Wynia
Clark	Jacobs	McCarron	Pehler	

The motion prevailed and the amendment was adopted.

Otis moved to amend H. F. No. 455, as follows:

Page 2, after line 30, insert:

*"Notwithstanding the other provisions of this subdivision, when an educational institution or a public service operates an athletic team in a noncontact individual sport or in a sport in which a pupil competes in any event on an individual basis against another pupil, membership on the team shall not be restricted to participants of one sex."*

The question was taken on the adoption of the amendment and the roll was called. There were 48 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Berglin	Ellingson	Kostohryz	Norton	Rothenberg
Berkelman	Enebo	Laidig	Novak	Sieben, H.
Blatz	Faricy	Lehto	Osthoff	Sieben, M.
Byrne	Forsythe	Levi	Otis	Vanasek
Carlson, L.	Greenfield	Long	Patton	Voss
Casserly	Hokanson	McCarron	Pehler	Welch
Clark	Jaros	Moe	Prahl	Wynia
Clawson	Kahn	Munger	Reding	Zubay
Corbid	Kaley	Murphy	Reif	
Dean	Kempe	Nelson	Rice	

Those who voted in the negative were:

Aasness	Eken	Johnson, D.	Norman	Sviggum
Adams	Erickson	Jude	Olsen	Thiede
Ainley	Esau	Kalis	Onnen	Tomlinson
Albrecht	Evans	Knickerbocker	Pavlak	Valan
Anderson, D.	Ewald	Kroening	Peterson	Valento
Anderson, G.	Fjoslien	Kvam	Piepho	Waldorf
Anderson, I.	Friedrich	Ludeman	Pleasant	Weaver
Battaglia	Fritz	Luknic	Redalen	Welker
Begich	Fudro	Mann	Rees	Wenzel
Biersdorf	Halberg	McDonald	Rose	Wieser
Brinkman	Haukoos	McEachern	Schreiber	Wigley
Carlson, D.	Heap	Mehrkens	Searles	Speaker Searle
Crandall	Hoberg	Metzen	Sherwood	
Dempsey	Jacobs	Minne	Stadium	
Den Ouden	Jennings	Nelsen, B.	Stoa	
Drew	Johnson, C.	Niehaus	Stowell	

The motion did not prevail and the amendment was not adopted.

Kahn moved to amend H. F. No. 455 as follows:

Page 1, line 26, delete "*or public services*"

Page 2, line 12, delete "*or a public*"

Page 2, line 13, delete "*service*"

Page 4, line 20, delete "*or a*"

Page 4, line 21, delete "*public service*"

Page 5, line 3, after the period insert, "*(d) Notwithstanding any other provisions of this chapter or any law to the contrary, in athletic programs operated by public services and designed for participants 12 years old or older, or in the seventh grade or above, it is not an unfair discriminatory practice:*

(1) *to restrict membership on an athletic team to participants of one sex, if this restriction is necessary to provide members of each sex with an equal opportunity to participate in the athletic program; provided, if a membership restriction on the basis of sex results in the operation of two teams in the same sport which are separated or substantially separated according to sex, the two teams shall be operated in compliance with all the provisions of clause (2); or*

(2) *to provide two teams in the same sport which are in fact separated or substantially separated according to sex, if the two teams are provided with substantially equal budgets per participant, exclusive of gate receipts and other revenues generated by that sport, and in all other respects are treated in a substantially*

*equal manner. The two teams shall be operated separately only in those activities where separation is necessary to provide the members of each sex equal opportunity to participate in the athletic program.*

*(e) Nothing in this chapter shall be construed so as to prohibit separation of events according to sex in coeducational competition or special activities, teams, or programs designed to improve the skills of participants in athletics who would otherwise be unable or unwilling to participate in the athletic program."*

The question was taken on the adoption of the amendment and the roll was called. There were 38 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Adams	Dean	Laidig	Norton	Stoa
Berglin	Ellingson	Lehto	Novak	Sviggum
Berkelman	Enebo	Long	Otis	Tomlinson
Byrne	Faricy	McCarron	Prahl	Voss
Carlson, L.	Jaros	Moe	Reding	Wynia
Casserly	Kahn	Munger	Rothenberg	Zubay
Clark	Kaley	Murphy	Sieben, H.	
Corbid	Kelly	Nelson	Sieben, M.	

Those who voted in the negative were:

Aasness	Den Ouden	Hokanson	McEachern	Schreiber
Ainley	Drew	Jacobs	Mehrkens	Searles
Albrecht	Eken	Jennings	Minne	Sherwood
Anderson, B.	Elioff	Johnson, C.	Nelsen, B.	Simoneau
Anderson, D.	Erickson	Johnson, D.	Niehaus	Stadum
Anderson, G.	Esau	Jude	Norman	Stowell
Anderson, I.	Evans	Kalis	Olsen	Thiede
Anderson, R.	Ewald	Kempe	Onnen	Valan
Battaglia	Fjoslien	Knickerbocker	Pavlak	Valento
Begich	Forsythe	Kroening	Peterson	Weaver
Biersdorf	Friedrich	Kvam	Piepho	Welch
Blatz	Fritz	Levi	Pleasant	Welker
Brinkman	Fudro	Ludeman	Redalen	Wenzel
Carlson, D.	Halberg	Luknic	Rees	Wieser
Crandall	Haukoos	Mann	Reif	Wigley
Dempsey	Hoberg	McDonald	Rose	Speaker Searle

The motion did not prevail and the amendment was not adopted.

Kahn moved to amend H. F. No. 455 as follows:

Page 2, line 4, reinstate the stricken language.

Page 2, line 5, reinstate the stricken language.

Page 2, line 6, reinstate the stricken language.

The question was taken on the adoption of the amendment and the roll was called. There were 37 yeas and 89 nays as follows:

## Those who voted in the affirmative were:

Berglin	Enebo	Laidig	Novak	Stoa
Byrne	Faricy	Lehto	Osthoff	Tomlinson
Carlson, L.	Greenfield	Long	Otis	Vanasek
Cassery	Hokanson	McCarron	Reding	Voss
Clark	Jaros	Moe	Rice	Wynia
Corbid	Kahn	Murphy	Rothenberg	
Dean	Kaley	Nelson	Sieben, H.	
Ellingson	Kelly	Norton	Sieben, M.	

## Those who voted in the negative were:

Aasness	Den Ouden	Jacobs	Metzen	Searles
Adams	Drew	Jennings	Nelsen, B.	Sherwood
Ainley	Eken	Johnson, C.	Nelsen, M.	Stadum
Albrecht	Elioff	Johnson, D.	Niehaus	Stowell
Anderson, B.	Erickson	Jude	Norman	Sviggum
Anderson, D.	Esau	Kalis	Olsen	Thiede
Anderson, G.	Evans	Kempe	Onnen	Valan
Anderson, I.	Ewald	Knickerbocker	Patton	Valento
Anderson, R.	Fjoslien	Kostohryz	Pavlak	Waldorf
Battaglia	Forsythe	Kroening	Peterson	Weaver
Begich	Friedrich	Kvam	Piepho	Welch
Berkelman	Fritz	Levi	Pleasant	Welker
Biersdorf	Fudro	Ludeman	Prahl	Wenzel
Blatz	Halberg	Luknic	Redalen	Wieser
Brinkman	Haukoos	Mann	Rees	Wigley
Carlson, D.	Heap	McDonald	Reif	Zubay
Crandall	Heinitz	McEachern	Rose	Speaker Searle
Dempsey	Hoberg	Mehrkens	Schreiber	

The motion did not prevail and the amendment was not adopted.

Kahn moved to amend H. F. No. 455 as follows:

Page 2, line 18, after "offered" delete the balance of line 18, all of lines 19 and 20, and insert: "*if allowing members of the excluded sex to try out contributes to providing an equal opportunity for the excluded sex to participate in the athletic program; and*"

The question was taken on the adoption of the amendment and the roll was called. There were 39 yeas and 86 nays as follows:

## Those who voted in the affirmative were:

Berglin	Ellingson	Kaley	Murphy	Rice
Byrne	Enebo	Kelly	Nelson	Sieben, H.
Carlson, L.	Faricy	Laidig	Norton	Sieben, M.
Cassery	Fjoslien	Lehto	Novak	Stoa
Clark	Greenfield	Long	Osthoff	Tomlinson
Corbid	Hokanson	McCarron	Otis	Voss
Dean	Jaros	Moe	Pehler	Wynia
Elioff	Kahn	Munger	Prahl	

## Those who voted in the negative were:

Aasness	Adams	Ainley	Albrecht	Anderson, D.
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Anderson, G.	Evans	Kempe	Norman	Stowell
Anderson, I.	Ewald	Knickerbocker	Olsen	Sviggum
Anderson, R.	Forsythe	Kostohryz	Onnen	Thiede
Battaglia	Friedrich	Kroening	Pavlak	Valan
Begich	Fritz	Kvam	Peterson	Valento
Berkelman	Fudro	Levi	Piepho	Waldorf
Biersdorf	Halberg	Ludeman	Pleasant	Weaver
Blatz	Haukoos	Luknic	Redalen	Welker
Brinkman	Heap	Mann	Reding	Wenzel
Carlson, D.	Heinitz	McDonald	Rees	Wieser
Crandall	Hoberg	McEachern	Reif	Wigley
Dempsey	Jacobs	Mehrkens	Rose	Zubay
Den Ouden	Jennings	Metzen	Rothenberg	Speaker Searle
Drew	Johnson, C.	Minne	Schreiber	
Eken	Johnson, D.	Nelsen, B.	Searles	
Erickson	Jude	Nelsen, M.	Sherwood	
Esau	Kalis	Niehaus	Stadum	

The motion did not prevail and the amendment was not adopted.

Rice moved to amend H. F. No. 455 as amended by the Weaver amendment adding a new Subd. 1a on page 2, after line 30:

Delete "*substantially equal*" and insert "*equitably comparable*"

The question was taken on the adoption of the amendment and the roll was called. There were 62 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Adams	Clawson	Kaley	Nelsen, M.	Sieben, H.
Ainley	Corbid	Kelly	Nelson	Sieben, M.
Anderson, B.	Dean	Kempe	Norman	Stoa
Anderson, G.	Elioff	Kostohryz	Norton	Tomlinson
Anderson, I.	Ellingson	Kroening	Novak	Vanasek
Begich	Enebo	Laidig	Osthoff	Voss
Berglin	Faricy	Lehto	Otis	Waldorf
Berkelman	Forsythe	Levi	Pehler	Welch
Blatz	Fudro	Long	Prahl	Wenzel
Byrne	Greenfield	McCarron	Reding	Wynia
Carlson, L.	Hokanson	Metzen	Reif	
Casserly	Jacobs	Moe	Rice	
Clark	Kahn	Munger	Sarna	

Those who voted in the negative were:

Aasness	Esau	Jude	Onnen	Sviggum
Albrecht	Evans	Kalis	Patton	Thiede
Anderson, D.	Ewald	Knickerbocker	Pavlak	Valan
Anderson, R.	Fjoslien	Kvam	Peterson	Valento
Battaglia	Friedrich	Ludeman	Piepho	Weaver
Biersdorf	Fritz	Luknic	Pleasant	Welker
Brinkman	Halberg	Mann	Redalen	Wieser
Carlson, D.	Haukoos	McDonald	Rees	Wigley
Crandall	Heap	McEachern	Rose	Zubay
Dempsey	Heinitz	Mehrkens	Rothenberg	Speaker Searle
Den Ouden	Hoberg	Minne	Schreiber	
Drew	Jennings	Nelsen, B.	Searles	
Eken	Johnson, C.	Niehaus	Sherwood	
Erickson	Johnson, D.	Olsen	Stowell	

The motion did not prevail and the amendment was not adopted.

Berglin moved to amend H. F. No. 455, as amended by the Weaver amendment, as follows:

Page 4, delete lines 26 to 33

Page 4, delete lines 1 to 3

Page 1, Weaver Amendment, delete lines 17 to 21

Page 2, Weaver Amendment, delete lines 1 to 21

The question was taken on the adoption of the amendment and the roll was called. There were 39 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Berglin	Dean	Kaley	Nelson	Rice
Berkelman	Elioff	Kelly	Norton	Sieben, H.
Byrne	Ellingson	Lehto	Novak	Sieben, M.
Carlson, L.	Enebo	Long	Osthoff	Stoa
Casserly	Faricy	Luknic	Otis	Tomlinson
Clark	Greenfield	McCarron	Patton	Welch
Clawson	Hokanson	Moe	Pehler	Wynia
Corbid	Kahn	Munger	Prahl	

Those who voted in the negative were:

Aasness	Eken	Jude	Nelsen, M.	Stadum
Adams	Esau	Kalis	Niehaus	Stowell
Ainley	Evans	Kempe	Norman	Sviggum
Albrecht	Ewald	Knickerbocker	Olsen	Thiede
Anderson, B.	Fjoslien	Kostohryz	Onnen	Valan
Anderson, G.	Friedrich	Kroening	Peterson	Valento
Anderson, I.	Fritz	Kvam	Piepho	Vanasek
Anderson, R.	Fudro	Laidig	Pleasant	Waldorf
Battaglia	Halberg	Levi	Redalen	Weaver
Begich	Haukoos	Ludeman	Reding	Welker
Biersdorf	Heap	Mann	Rees	Wenzel
Blatz	Heinitz	McDonald	Reif	Wieser
Brinkman	Hoberg	McEachern	Rose	Wigley
Carlson, D.	Jacobs	Mehrkens	Rothenberg	Zubay
Crandall	Jennings	Metzen	Schreiber	Speaker Searle
Dempsey	Johnson, C.	Minne	Searles	
Den Ouden	Johnson, D.	Nelsen, B.	Sherwood	

The motion did not prevail and the amendment was not adopted.

## MOTIONS AND RESOLUTIONS

Clawson moved that the name of Carlson, D., be added as an author on H. F. No. 754. The motion prevailed.

Clawson moved that the name of Long be added as an author on H. F. No. 1341. The motion prevailed.

Heinitz moved that the name of Blatz be added as an author on H. F. No. 1289. The motion prevailed.

Drew moved that H. F. No. 543 be recalled from the Committee on Commerce, Economic Development and Housing and be re-referred to the Committee on Judiciary. The motion prevailed.

Knickerbocker introduced:

House Resolution No. 19, A house resolution relating to compensating members of the House and members-elect who attended freshman orientation.

The resolution was referred to the Committee on Rules and Legislative Administration.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 16, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 16, 1979.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**

## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## THIRTY-SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 16, 1979

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:

Aasness	Drew	Kahn	Nelson	Sherwood
Adams	Eken	Kaley	Niehaus	Sieben, H.
Ainley	Elioff	Kalis	Norman	Sieben, M.
Albrecht	Ellingson	Kelly	Norton	Simoneau
Anderson, B.	Enebo	Kempe	Novak	Stadum
Anderson, D.	Erickson	Knickerbocker	Nysether	Stoa
Anderson, G.	Esau	Kostohryz	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Greenfield	Luknic	Piepho	Voss
Brinkman	Halberg	Mann	Pleasant	Waldorf
Byrne	Haukoos	McCarron	Prahl	Weaver
Carlson, D.	Heap	McDonald	Redalen	Welch
Carlson, L.	Hoberg	McEachern	Reding	Welker
Casserly	Hokanson	Mehrkens	Rees	Wenzel
Clark	Jacobs	Metzen	Reif	Wieser
Clawson	Jaros	Minne	Rice	Wynia
Corbid	Jennings	Moe	Rose	Zubay
Crandall	Johnson, C.	Munger	Rothenberg	Speaker Searle
Dean	Johnson, D.	Murphy	Sarna	
Dempsey	Jude	Nelsen, B.	Schreiber	
Den Ouden		Nelsen, M.	Searles	

A quorum was present.

Heinitz and Wigley were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kempe 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. 430, 499, 581, 710, 774, 813, 842, 1065, 1158, 123, 728, 900, 913, 976, 1214, 606, 691, 870, 936, 357 and 455 and S. F. Nos. 118, 219, 484, 549, 122, 420, 498, 58, 144 and 842 have been placed in the members' files.

S. F. No. 122 and H. F. No. 545, 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. 122 be substituted for H. F. No. 545 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  
ST. PAUL 55155

April 12, 1979

The Honorable Rod Searle  
Speaker of the House  
State of Minnesota

Dear Speaker Searle:

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. 493, relating to the city of Bemidji; authorizing the issuance of bonds authorized at a special election.

Sincerely,

ALBERT H. QUIE  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

April 12, 1979

The Honorable Rod Searle  
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 1979 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 1979	Date Filed 1979
298		27	April 12	April 12
	493	28	April 12	April 12

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

### REPORTS OF STANDING COMMITTEES

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 305, A bill for an act relating to education; requiring the expungement of certain material from the files of certain supervisory employees; amending Minnesota Statutes 1978, Sections 125.12, Subdivision 14 and 125.17, Subdivision 12.

Reported the same back with the following amendments:

Page 1, line 14, strike "his"

Page 1, line 18, strike "his"

Page 2, line 6, before the period insert "; provided, the grievance procedure promulgated by the director of the bureau of mediation services, pursuant to section 179.71, subdivision 5, clause (i), shall apply to those principals and supervisory em-

*ployees not included in an appropriate unit as defined in section 179.63, subdivision 1"*

Page 3, line 1, before the period insert "*; provided, the grievance procedure promulgated by the director of the bureau of mediation services, pursuant to section 179.71, subdivision 5, clause (i), shall apply to those principals and supervisory employees not included in an appropriate unit as defined in section 179.63, subdivision 1"*

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. 311, A bill for an act relating to credit unions; allowing membership by spouses of relatives of regularly qualified members; amending Minnesota Statutes 1978, Section 52.05.

Reported the same back with the following amendments:

Page 1, lines 15, 16, and 19, delete the new language

Page 1, line 20, after the period insert "*The surviving spouse of a regularly qualified member may become a member.*"

Further amend the title as follows:

Page 1, line 3, delete "spouses of relatives" and insert "surviving spouses"

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 318, A bill for an act relating to domestic relations; contracts and conveyances between husband and wife; amending Minnesota Statutes 1978, Sections 500.19, by adding a subdivision; and 519.06.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 500.19, Subdivision 2, is amended to read:

**Subd. 2. [CONSTRUCTION OF GRANTS AND DEVICES.]** All grants and devises of lands, made to two or more persons, shall be construed to create estates in common, and not in joint tenancy, unless expressly declared to be in joint tenancy. This (SECTION) *subdivision* shall not apply to mortgages, nor to devises or grants made in trust, or to executors.

Sec. 2. Minnesota Statutes 1978, Section 500.19, is amended by adding a subdivision to read:

**Subd. 3. [JOINT TENANCY REQUIREMENTS ABOLISHED.]** *The common law requirement for unity of time, title, interest, and possession in the creation of a joint tenancy is abolished.*

Sec. 3. Minnesota Statutes 1978, Section 500.19, is amended by adding a subdivision to read:

**Subd. 4. [CONVERTING ESTATES.]** *An owner of an interest in real estate may convey the interest directly to himself and one or more other persons as joint tenants.*

Sec. 4. Minnesota Statutes 1978, Section 500.19, is amended by adding a subdivision to read:

**Subd. 5. [SEVERANCE OF ESTATES IN JOINT TENANCY.]** *A severance of a joint tenancy interest in real estate by a joint tenant shall be legally effective only if (1) the instrument of severance is recorded in the office of the county recorder or the registrar of titles in the county where the real estate is situated; or (2) the instrument of severance is executed by all of the joint tenants; or (3) the severance is ordered by a court of competent jurisdiction; or (4) a severance is effected pursuant to bankruptcy of a joint tenant.*

Sec. 5. Minnesota Statutes 1978, Section 507.02, is amended to read:

**507.02 [CONVEYANCES BY HUSBAND AND WIFE; POWERS OF ATTORNEY.]** If the owner (BE) is married, no (MORTGAGE) conveyance of the homestead, except a mortgage for purchase money unpaid thereon, a conveyance between spouses pursuant to section 3, or a severance of a joint tenancy pursuant to section 4, (NOR ANY SALE OR OTHER ALIENATION THEREOF) shall be valid without the signatures of both husband and wife.

A husband and wife, by their joint deed, may convey the real estate of either. The husband, by his separate deed, may convey any real estate owned by him, except the homestead, subject to the rights of his wife therein; and the wife, by her separate deed,



may convey any real estate owned by her, except the homestead, subject to the rights of her husband therein; and either husband or wife may, by separate conveyance, relinquish his or her rights in the real estate so conveyed by the other. Subject to the foregoing provisions, either husband or wife may separately appoint an attorney to sell or convey any real estate owned by such husband or wife, or join in any conveyance made by or for the other. A minor husband or wife has legal capacity to join in a conveyance of real estate owned by his or her spouse, so long as the minor husband or wife is not incapacitated because of some reason other than his or her minor age.

Sec. 6. Minnesota Statutes 1978, Section 519.06, is amended to read:

519.06 [CONTRACTS BETWEEN HUSBAND AND WIFE.] No contract between husband and wife relative to the real estate of either, or any interest therein, nor any power of attorney or other authority from the one to the other to convey real estate, or any interest therein, shall be valid, *except as provided in section 3*; but, in relation to all other subjects, either may be constituted the agent of the other, or contract with the other. In all cases where the rights of creditors or purchasers in good faith come in question, each spouse shall be held to have notice of the contracts and debts of the other as fully as if a party thereto."

Amend the title as follows:

Page 1, line 2, delete "domestic relations" and insert "real estate"

Page 1, line 2, after the semicolon, insert "providing for the conveyance and limiting the severance of joint tenancy interests; permitting certain"

Page 1, line 4, after "500.19," insert "Subdivision 2, and"

Page 1, line 5, delete "a subdivision" and insert "subdivisions"

Page 1, line 5, after the semicolon, insert "507.02;"

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. 376, A bill for an act relating to pipelines; establishing a process for routing and issuing construction permits for

certain pipelines; establishing standards for pipeline routing to protect the environment and minimize adverse impact to agricultural land; granting powers and imposing duties on the environmental quality board; prohibiting construction of certain pipelines, exercise of eminent domain power and acquisition of easements without a construction permit; allowing exemptions for certain pipelines; requiring public meetings and hearings; requiring state inspection of pipeline construction; requiring minimum depth of cover for certain pipelines; relieving liability for damage to certain pipelines; establishing a property tax credit for land crossed by certain pipelines; setting fees to cover routing and inspection costs; authorizing permanent and temporary rules; providing penalties; appropriating money; amending Minnesota Statutes 1978, Sections 117.49; 276.04; 299F.61; and Chapter 299F, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 12, the terms defined in this section have the meanings given them, unless otherwise provided or indicated by the context.

Subd. 2. “Construction” means any clearing of land, excavation, or other action that would adversely affect the natural environment of a pipeline route but does not include changes needed for temporary use of a route for purposes other than installation of a pipeline, or for securing survey or geological data.

Subd. 3. “Pipeline” means pipe located in this state which is used to transport natural or synthetic gas, crude petroleum or petroleum fuels or oil or their derivatives, coal, anhydrous ammonia or any mineral slurry to a distribution center or storage facility which is located within or outside of this state.

Subd. 4. “Cultivated agricultural land” means land which is used to raise agricultural crops, is capable of use for that purpose, is plowed, fallow or contains harvested crop residue, or is pasture land.

Sec. 2. [PIPELINE PROPOSAL; ACQUISITION OF EASEMENTS; PUBLIC MEETINGS.] Subdivision 1. Any person proposing to construct or operate a pipeline shall comply with the provisions of this section before negotiating or acquiring any easement or right of way agreement for that purpose.

Subd. 2. Any person proposing to construct or operate a pipeline shall so notify the environmental quality board and the county board of each county through which the pipeline will be constructed. The notice shall include a description of the route on

which the pipeline is proposed to be located, the size and type of pipeline to be constructed, the types of commodities to be carried and the construction and operational characteristics of the pipeline. The proposed route shall be described in sufficient detail so that the owners or lessees of property on which the route is located can be identified. Notice to the environmental quality board shall be accompanied by a fee of \$25,000 for preparation of an information book as provided in section 3 and for expenses incurred by state agencies to participate in public meetings as provided in section 4. The environmental quality board shall refund any amount that exceeds the actual cost to the board of preparing the information book, including necessary revisions, and to state agencies for participating in the public meetings.

If the pipeline route described in the notice is changed to the extent that, in any county, 20 percent or more of the owners or lessees of property on which the new route is located were not owners or lessees of property on which the other route was located, the person proposing to construct and operate the pipeline shall notify the environmental quality board and the county board of that county of the change in the proposed route. No additional fee shall be required for a notice of change of a proposed route.

Subd. 3. No person shall negotiate or acquire an easement or right of way agreement for the purpose of constructing and operating a pipeline until 30 days after:

(a) A public meeting has been held as provided in section 4 in the county in which the right of way in question is located; and

(b) That person has provided to the owner or lessee from whom the easement or agreement is acquired a copy of the information book prepared pursuant to section 3. If the original information book is revised pursuant to section 3, each owner or lessee of property which the original route did not affect shall be provided with a copy of the revised book.

Sec. 3. [INFORMATION BOOK.] Within 45 days after receiving the notification and fee required by section 2 the environmental quality board shall prepare and make available to the person proposing to construct the pipeline sufficient copies of an information book for owners and lessees of property along the pipeline route. The board may allow the person proposing the pipeline to prepare the book at his own expense subject to approval of the book by the board. The information book shall contain at least the following information:

(1) A description of the pipeline proposed for construction, including the proposed route, types of commodities to be carried, size of the line and construction and operational characteristics;

(2) Explanation of the steps which must be taken to acquire right of way for the pipeline and of the rights and alternatives of the owner;

(3) Explanation of the legal requirements that must be met in constructing the pipeline; and

(4) Explanation of the county inspection procedure and instructions for contacting the inspector in the event of noncompliance with legal requirements.

Within 45 days after receiving notification of a change in a proposed route the board shall prepare and make available or shall approve a revision of the original information book so that a description of the new route and any other required information relevant to the new route is incorporated in the book.

Sec. 4. [PUBLIC MEETINGS REQUIRED.] Within 60 days of receiving notification as provided in section 2 the county board of each county in which the pipeline route is proposed to be located shall hold a public meeting as provided in this section. If a county board receives a required notification of a change in the proposed pipeline route in that county, the board shall hold an additional public meeting as provided in this section within 30 days after receiving that notification. The purpose of a public meeting held pursuant to this section shall be to provide information to the public concerning:

(1) The pipeline proposed for construction, including the proposed route, the size of the pipeline, types of commodities to be carried and construction and operating characteristics; and

(2) The legal requirements which must be met in acquiring easements and in constructing and operating the pipeline.

Notice and agenda of the public meeting shall be given by the county board at least ten days but no earlier than 45 days before the meetings. Notice shall be by publication in a legal newspaper of the county and a newspaper of general circulation in the area in which the public meeting is to be held and written notice to the clerk of each town and incorporated municipality in the county. State agencies authorized to issue permits required for construction or operation of the pipeline shall participate in the public meetings in each county. The agencies shall explain the procedures for issuing the permits and the manner in which the public may participate in those procedures.

Sec. 5. [INTERSTATE GAS PIPELINES; FEDERAL EMINENT DOMAIN; CONDITIONS NOT APPLICABLE.] Any person that proposes to construct or operate an interstate natural gas pipeline and that has power to acquire an easement or right of way agreement for that pipeline by eminent domain under the authority of the federal Natural Gas Act, Title 15,

United States Code, Chapter 15B, shall not be required to comply with the provisions of sections 2 to 4 as a condition of acquiring the easement or right of way pursuant to that action.

**Sec. 6. [PROTECTION OF PUBLIC FACILITIES AND CULTIVATED AGRICULTURAL LAND.]**

Subdivision 1. [DEPTH OF COVER.] Unless waived in the manner provided in subdivisions 2 or 3, any pipeline installed after the effective date of this section shall be buried with a minimum level cover of not less than four and one-half feet in all areas where the pipeline crosses the right of way of any public drainage facility or any county, town or municipal street or highway and where the pipeline crosses cultivated agricultural land. Where the pipeline crosses the right of way of any drainage ditch, the pipeline shall be at least 4-1/2 feet below the authorized depth of the ditch, unless waived in the manner provided in subdivisions 2 and 3.

Subd. 2. [WAIVER OF DEPTH REQUIREMENT.] In any easement granting right of way for a pipeline over cultivated agricultural land the grantor of the easement may waive the minimum depth of cover requirement of subdivision 1 with respect to all or part of the pipeline to be buried under that land. A waiver of the minimum depth of cover requirement of subdivision 1 shall be effective only if the waiver:

- (a) Is separately and expressly stated in the easement agreement and includes an express statement by the grantor acknowledging that he has read and understood the waiver;
- (b) Is printed in capital letters and in language understandable to an average person not learned in law; and
- (c) Is separately signed or initialed by the grantor.

Subd. 3. [WAIVER AND RULES OF POLITICAL SUBDIVISIONS.] Any political subdivision authorized by law to approve the use of the right of way of any public drainage facility or any public street or highway for a pipeline may:

- (1) Waive the minimum depth of cover requirement of subdivision 1 if the depth of cover or other means approved for the use of the right of way adequately protects the health and safety of the public; or
- (2) Adopt and enforce by ordinance or resolution reasonable rules or regulations establishing a greater depth of cover than the minimum required in subdivision 1 and other measures for protection of public roads and drainage facilities under their jurisdiction.

Subd. 4. [INTERSTATE GAS PIPELINES; EXEMPTION.] Subdivisions 1 to 3 shall not apply to interstate natural gas pipelines subject to safety regulations under the federal Natural Gas Pipeline Safety Act of 1968, Public Law 90-481, as amended.

Subd. 5. [AGRICULTURAL PROTECTION STANDARDS.] A county board may establish by ordinance reasonable standards and conditions for pipeline construction which are necessary to protect and restore cultivated agricultural land crossed by a pipeline and to mitigate the adverse impact of pipeline construction on the productive use of that land. The standards may include but shall not be limited to standards and conditions concerning restoration of drainage tile and drainage patterns, soil compaction and removal of rocks and debris after construction. A county adopting standards and conditions for pipeline construction shall consult with adjacent counties and other counties in the same development region and shall endeavor to adopt standards and conditions which are reasonably uniform with standards and conditions in adjacent counties and in other counties in that region.

Subd. 6. [INSPECTION FEE.] Before beginning construction a person proposing to construct a pipeline shall pay an inspection fee to the treasurer of each county through which the pipeline will be constructed. The fee shall be in the amount of \$500 for each mile or fraction of a mile of pipeline that will be constructed in the county.

Subd. 7. [COUNTY INSPECTOR.] The county board of each county through which a pipeline will be constructed shall designate an inspector who shall conduct on site inspections of the construction to determine whether the pipeline is constructed in compliance with the provisions of this section and ordinances or resolutions adopted pursuant to this section. The inspector shall promptly report to the county board any failure or refusal to comply with the provisions of this section or ordinances or resolutions adopted pursuant to this section and shall issue a written notice to the person constructing the pipeline specifying the violation and the action to be taken in order to comply.

During on site inspection the inspector shall maintain a written log which shall include a record of comments and complaints concerning the pipeline construction made by owners and lessees of land crossed by the pipeline and by local officials. The log shall note in particular any complaints concerning failure to settle damage claims filed by any owner or lessee or failure to comply with the terms of an easement agreement. The log, reports and other records of the inspector shall be preserved by the county board.

Subd. 8. [EQUITABLE RELIEF.] The provisions of subdivision 1 or of ordinances or resolutions adopted pursuant to subdivisions 3 and 5 may be enforced by injunction, action to compel performance or other appropriate equitable relief in the district court of the county in which the violation occurs. The relief may be sought by petition of the county attorney or the attorney of the political subdivision that adopted the ordinance or resolution violated or in which the violation occurs.

Subd. 9. [CRIMINAL PENALTY.] Any person who violates the provisions of subdivision 1 or any ordinance or resolution adopted pursuant to subdivisions 3 and 5 is guilty of a misdemeanor for each offense. Any person who violates the provisions of section 2, subdivision 1, is guilty of a gross misdemeanor.

Subd. 10. [CIVIL PENALTY.] When the court finds that any person has violated the provisions of subdivision 1 or section 2, subdivision 1, or any ordinance or resolution adopted pursuant to subdivisions 3 and 5 or has violated any court order issued under subdivision 8 the court may impose a civil penalty of not more than \$5,000 for each violation. These penalties shall be paid to the county in which the violation occurred.

Sec. 7. [LIMITATION OF LIABILITY.] Subdivision 1. [GENERAL RULE.] Any owner or lessee of any real property or any person acting with the authority of that owner or lessee who, in the ordinary conduct of agricultural operations upon that property, causes any injury to any underground pipeline, shall not be liable for any of the direct or incidental costs of repairing, restoring or replacing the pipeline in the absence of a showing of gross negligence or willful or wanton misconduct.

“Ordinary conduct of agricultural operations”, as that term is used in this subdivision, does not include well drilling or other excavation but includes the installation or repair of agricultural drainage tile subject to the provisions of subdivision 2.

Subd. 2. [NOTICE REQUIREMENT.] An owner or lessee of any real property or a person acting with his authority who installs or repairs agricultural drainage tile on that property shall be relieved of liability as provided in subdivision 1 only if that owner, lessee or other person acting with his authority notifies the designated agent of the owner or operator of the pipeline of the intention to install or repair drainage tile on the property at least seven days before that work commences. An owner or operator of a pipeline shall provide to the county auditor of each county in which that pipeline is located the name, address and phone number of the individual to whom notice shall be given as provided in this subdivision. Notice is effective if made in writing by certified mail to this designated agent of the owner or operator of the pipeline.

**Sec. 8. [PROPERTY TAX CREDIT FOR PROPERTY CROSSED BY PIPELINES.]** Every owner of land defined as class 3, 3b, 3c, 3cc, 3d, or 3f pursuant to section 273.13 listed on records of the county auditor or treasurer through which there is located any part of a pipeline constructed after the effective date of this section shall receive a credit against the tax due on the parcel of land so affected. The credit shall be in an amount determined by multiplying a fraction, the numerator of which is the length of pipeline located on that parcel and the denominator of which is the total length of that particular pipeline located on all property within the county, by ten percent of the tax revenue derived from the tax on that pipeline pursuant to section 273.33. Where a right of way width is shared by more than one property owner, the numerator shall be adjusted by multiplying the length of pipeline on the parcel by the proportion of the total width on the parcel owned by that property owner. The amount of credit for which an owner qualifies pursuant to this section shall not exceed 20 percent of the total gross tax on the affected parcel prior to deduction of the state paid agricultural credit and the state paid homestead credit.

The auditor of the county in which the affected parcel is located shall calculate the amount of the credit due for each parcel and transmit that information to the county treasurer.

**Sec. 9. [REVERSION OF EASEMENTS.]** Notwithstanding any law to the contrary, all easement interests acquired after the effective date of this section for the purpose of constructing and operating a pipeline shall revert to the then fee owner if the pipeline ceases operation for a period of five years.

**Sec. 10. [RECORDING OF SURVEY POINTS.]** The permanent location of monuments or markers found or placed in a survey of right of way for a pipeline route shall be placed on record in the office of the county recorder or registrar of titles by the owner of the pipeline. No fee shall be charged for recording this information.

**Sec. 11. [SEVERABILITY.]** If any provision of sections 1 to 12 is found to be unconstitutional and void with respect to pipelines transporting one or more of the substances enumerated in section 1, subdivision 3, the provision shall remain effective with respect to pipelines transporting any of the other enumerated substances. This provision shall supplement any general law on the subject of severability.

**Sec. 12. [SAVINGS PROVISION.]** Sections 2 to 4 shall not apply to a pipeline if, on or before the effective date of this act:

(a) An application for a certificate of need has been filed for the pipeline pursuant to section 116H.13 and easements



have been acquired for at least 85 percent of the length of the proposed pipeline right of way; or

(b) An environmental impact statement has been prepared, pursuant to chapter 116D concerning the construction of the pipeline and the environmental quality board has determined that the statement is adequate under that chapter.

Sec. 13. [EFFECTIVE DATE.] This act is effective the day after final enactment."

Delete the title in its entirety and insert:

"A bill for an act relating to pipelines; limiting negotiation and acquisition of easements; requiring public meetings and information books for affected landowners; requiring minimum depth of cover on cultivated land; authorizing adoption of local ordinances to protect public roads and drainage facilities; authorizing counties to adopt ordinances to establish pipeline construction standards; requiring pipelines to pay inspection fees; providing for a county inspector; limiting liability for certain unintentional damage to pipelines; establishing a pipeline property tax credit; providing for reversion of certain easements and recording of survey points; imposing duties on the environmental quality board and certain county boards; providing for enforcement by injunctive relief; imposing criminal and civil penalties."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 536, A bill for an act relating to insurance; removing certain licensing and regulatory controls from appraisers, adjusters, solicitors and other persons handling insurance claims; repealing Minnesota Statutes 1978, Chapter 72B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 72B.01, is amended to read:

72B.01 [PURPOSE AND SCOPE.] It is the purpose of sections 72B.01 to 72B.14 to provide high quality service to insureds and insurance claimants in the state of Minnesota by pro-

viding for well trained (APPRAISERS,) adjusters and persons engaged in soliciting business for adjusters, who are qualified to deal with the public in the interest of a fair resolution of insurance claims. Sections 72B.01 to 72B.14 shall apply to all (APPRAISERS,) adjusters, and adjusters' solicitors, except as specifically stated to the contrary; but nothing in sections 72B.01 to 72B.14 shall apply to:

(a) An attorney at law who is licensed or otherwise allowed to practice law in this state and who does not hold himself out to be an adjuster, (APPRAISER) or adjuster's solicitor.

(b) A licensed agent of an authorized insurer who adjusts losses for such insurer solely under policies issued by him or his agency or on which he is the agent of record, provided the agent receives no extra compensation for such services.

(c) Personnel of township mutual companies.

(d) Adjusters for crop hail and farm windstorm damage claims who are on the staff of companies covering such risks.

(e) Persons who process life insurance annuity contract or accident and health insurance claims.

(f) Persons processing or adjusting wet marine or inland transportation claims or losses.

Sec. 2. Minnesota Statutes 1978, Section 72B.03, is amended to read:

72B.03 [LICENSES.] Subdivision 1. [REQUIREMENT; EXCEPTIONS.] Except as otherwise provided, no person shall act as an independent adjuster, public adjuster, or public adjuster solicitor (OR APPRAISER) for money, a commission, or any other thing of value, unless such person shall first obtain from the commissioner a license. No license shall be required for a person:

(a) Undergoing a training or education program under the guidance of a licensed adjuster and who is registered with the commissioner for a one year temporary permit;

(b) Acting in a catastrophe or emergency situation, and who has registered with the commissioner for that purpose;

((C) WHO IS ENGAGED AS A STAFF APPRAISER;)

((D)) (c) A nonresident adjuster who occasionally is in this state to adjust a single loss; provided, however, that if a nonresident adjusts more than six losses in this state in one year he

must qualify for and receive a nonresident's license as provided in sections 72B.01 to 72B.14, and provided the adjuster's domiciliary state affords a like privilege.

Subd. 2. [CLASSES OF LICENSES.] There shall be (FOUR) *three* classes of licenses, as follows:

- (a) Independent adjuster's license.
- (b) Public adjuster's license.
- (c) Public adjuster solicitor's license.

((D) APPRAISER'S LICENSE.)

The independent adjuster and public adjuster licenses shall be issued in at least three fields each, as follows:

(a) Fire and allied lines, inland marine lines and including all perils under homeowners' policies.

(b) All lines written as casualty insurance under section 60A.06, and including workers' compensation.

(c) A combination of the fields described in (a) and (b), above. Separate licenses shall be required for each field, but the same person may obtain licenses in more than one field. No person shall be licensed as both a public and independent adjuster. The license shall state the class for which the person is licensed and, where applicable, the field in which the person is licensed, and shall state the licensee's name and residence address, the date of issuance and the date of expiration of the license and any other information prescribed by the commissioner which is consistent with the purpose of the license.

Subd. 3. [PAYMENT FOR SERVICES; UNLAWFUL PRACTICE.] No insurer, agent, or other representative of an insurer nor any adjuster (OR APPRAISER) shall pay any fee or other compensation to any person for acting as an adjuster, (AN APPRAISER,) or a public adjuster solicitor, except to a person duly licensed to so act or to a person not required to be licensed by sections 72B.01 to 72B.14; and it shall be unlawful for any person to act as an independent adjuster, a public adjuster or a public adjuster solicitor (OR AN APPRAISER), who is not duly licensed, or excluded from the licensing requirement.

Sec. 3. Minnesota Statutes 1978, Section 72B.04, Subdivision 1, is amended to read:

72B.04 [LICENSE PROCEDURE AND REQUIREMENTS; EXAMINATIONS; FEES.] Subdivision 1. [APPLI-

CATION.] A license to act as an adjuster, (APPRAISER,) or public adjuster solicitor shall only be granted by the commissioner to a qualified person upon request.

Sec. 4. Minnesota Statutes 1978, Section 72B.04, Subdivision 2, is amended to read:

Subd 2. [QUALIFICATIONS.] An applicant for licensing as an adjuster under sections 72B.01 to 72B.14 shall be at least 18 years of age, and shall have one year's training and experience in adjusting insurance claims for damage or loss from risks in the field stated in his application. The applicant shall be competent and trustworthy and shall not have been engaged in any practice which would be grounds for suspension or revocation of a license under sections 72B.01 to 72B.14 within the three years next preceding the date of his application.

(AN APPLICANT FOR LICENSING AS AN APPRAISER UNDER SECTIONS 72B.01 TO 72B.14 SHALL BE AT LEAST 18 YEARS OF AGE AND SHALL HAVE HAD ONE YEAR'S TRAINING AND EXPERIENCE IN EVALUATING MOTOR VEHICLE PHYSICAL DAMAGE. THE APPLICANT SHALL BE COMPETENT AND TRUSTWORTHY AND SHALL NOT HAVE BEEN ENGAGED IN ANY PRACTICE WHICH WOULD BE GROUNDS FOR SUSPENSION OR REVOCATION OF A LICENSE UNDER SECTIONS 72B.01 TO 72B.14 WITHIN THE THREE YEARS NEXT PRECEDING THE DATE OF HIS APPLICATION.)

An applicant for licensing as a public adjuster solicitor under sections 72B.01 to 72B.14 shall be at least 18 years of age, shall be competent and trustworthy, and shall not have been engaged in any practice which would be grounds for suspension or revocation of a license under sections 72B.01 to 72B.14 within the three years next preceding the date of his application.

In the case of any applicant who has been convicted of a felony within the ten years next preceding the date of his application, and who in the judgment of the commissioner, meets the other qualifications, the commissioner may impose the additional requirement of the filing of a bond in accordance with the requirements of section 72B.08, subdivision 8.

Sec. 5. Minnesota Statutes 1978, Section 72B.04, Subdivision 5, is amended to read:

Subd. 5. [EXAMINATIONS.] A person applying for a license under sections 72B.01 to 72B.14 must successfully complete an examination prescribed by the commissioner, which examination shall be at least in part a written examination. Examinations shall be given at such time and place as designated by the commissioner and there shall be different examina-

tions for adjusters, (APPRAISERS) public adjuster solicitors, and applicants for temporary permits. Adjusters' examinations shall be given in at least each of three fields: fire and allied lines, inland marine lines and including all perils under homeowners policies; all lines written as casualty insurance under section 60A.06, and including workers' compensation; and a combination of the two foregoing fields. Each examination shall be, in the judgment of the commissioner with the advice of the advisory committee, sufficient to require for a satisfactory score such knowledge of insurance, adjusting practices and appraisal techniques, to the extent that such knowledge is necessary for the class of license applied for and the field in which the applicant is being examined, that the people of Minnesota will receive insurance claim service from persons who are sufficiently trained to make fair and well informed judgments in the evaluation or settlement of insured losses. The examination for an applicant for a temporary permit may be oriented to the specified fields, but shall be less exacting than the examination for a license.

The commissioner may by rule determine the period of time between failure of an examination and re-examination.

A person shall not be eligible to take an examination if his license as an adjuster (, APPRAISER,) or public adjuster solicitor has been revoked in this or any other state within the three years next preceding the date of his application.

No examination shall be required for the timely renewal of a license, unless the license has been revoked.

Sec. 6. Minnesota Statutes 1978, Section 72B.04, Subdivision 7, is amended to read:

Subd. 7. [LICENSE TERM.] Every adjuster's (, APPRAISER'S) and public adjuster solicitor's license shall be for a term expiring on December 31 next following the date of its issuance, and may be renewed for the ensuing calendar year upon the timely filing of an application for renewal.

Sec. 7. Minnesota Statutes 1978, Section 72B.08, Subdivision 1, is amended to read:

72B.08 [DENIAL, SUSPENSION AND REVOCATION OF LICENSES.] Subdivision 1. [CAUSES.] The commissioner may suspend, revoke, or refuse to issue an initial or renewal license or temporary permit for any of the following causes:

- (a) Failure to pass a required examination;
- (b) Material misrepresentation or fraud in obtaining or attempting to obtain a license or a temporary permit;

(c) Willful violation of any insurance law or of any provision of sections 72B.01 to 72B.14;

(d) Misappropriation, conversion or illegal withholding of moneys required to be held in a fiduciary capacity;

(e) Materially misrepresenting the terms and effect of any insurance contract, with intent to deceive, or engaging in, or attempting to engage in, any fraudulent transaction with respect to a claim or loss that the licensee or holder of a temporary permit is adjusting (OR APPRAISING) and, in the case of a public adjuster solicitor, misrepresenting the services offered or the fees or commission to be charged.

(f) Conviction of a felony under the laws of this state, any other state, the United States, or any foreign country.

(g) The licensee or holder of a temporary permit has demonstrated his incompetency or untrustworthiness to act as an adjuster (, APPRAISER,) or public adjuster solicitor;

(h) Refusal to comply with any lawful order of the commissioner.

Sec. 8. Minnesota Statutes 1978, Section 72B.10, is amended to read:

72B.10 [STAFF ADJUSTERS.] A staff adjuster (OR A STAFF APPRAISER) who adjusts (OR APPRAISES) losses or claims in this state shall not be subject to the application, licensing, or examination requirements or other qualifications set forth in sections 72B.01 to 72B.14. Such a staff adjuster (OR APPRAISER) shall not, however, engage in any of the practices forbidden to a licensee under section 72B.08, subdivision 1, clauses (c), (d), (e), (f), (g) or (h). If the commissioner has information, which if true, would establish that a staff adjuster (OR APPRAISER) has engaged or is engaging in any such prohibited practices, he may issue an order for a hearing to determine the facts involved. The order shall fix the time and place for hearing. The staff adjuster (OR APPRAISER) and one or more representatives of the insurer or insurers employing the staff adjuster (OR APPRAISER) shall make an appearance at the hearing unless the commissioner expressly waives the appearance of one or more such parties. If, following the hearing, the commissioner determines that the staff adjuster (OR APPRAISER) has engaged or is engaging in any prohibited practices, he may impose a fine, not in excess of \$500, on the staff adjuster (OR APPRAISER) or on the employing insurer or insurers, or on both such parties. In addition, the commissioner may order the employing insurer to suspend the staff adjuster (OR APPRAISER) from his duties for such period as the commissioner may deem appropriate.

Any final order of the commissioner shall be subject to judicial review. Any hearing or judicial review under this section shall be in accordance with the contested case provisions of chapter 15.

Sec. 9. [REPEALER.] *Minnesota Statutes 1978, Section 72B.02, Subdivisions 9 and 10, are repealed.*"

Amend the title as follows:

Page 1, line 3, delete the comma

Page 1, delete line 4

Page 1, line 5, delete "insurance claims"

Page 1, line 5, after the semicolon insert "amending Minnesota Statutes 1978, Sections 72B.01; 72B.03; 72B.04, Subdivisions 1, 2, 5, and 7; 72B.08, Subdivision 1; and 72B.10;"

Page 1, line 6, delete "Chapter 72B" and insert "Section 72B.02, Subdivisions 9 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. 546, A bill for an act relating to insurance; prohibiting discrimination in the sale of automobile insurance solely on the basis of a disability; providing procedures for establishing discrimination in the sale of automobile insurance on the basis of race or disability; providing penalties; amending Minnesota Statutes 1978, Sections 65B.13 and 72A.20, Subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 65B.13, is amended to read:

65B.13 [AUTOMOBILE INSURANCE, DISCRIMINATION IN AUTOMOBILE POLICIES FORBIDDEN.] No insurance company, or its agent, shall refuse to issue any standard policy of (AUTOMOBILE LIABILITY) *motor vehicle* insurance or make any discrimination in the acceptance of risks, in rates, premiums, dividends, or benefits of any kind, or by way of rebate:

(a) between persons of the same class, (NOR) or

(b) on account of race, or

(c) on account of physical handicap if the handicap is compensated for by special training, equipment, prosthetic device, corrective lenses, or medication and if the physically handicapped person;

(1) is licensed by the department of public safety to operate a motor vehicle in this state, and

(2) operates only vehicles which are equipped with auxiliary devices and equipment necessary for safe and effective operation by the handicapped person.

Every company or agent violating any of the foregoing provisions shall be fined not (LESS THAN \$50, NOR) more than \$100 per violation, and every officer, agent, or solicitor violating the same shall be guilty of a misdemeanor. The commissioner of insurance is authorized to treat violations of this section as an unfair insurance practice and to enforce this section using the procedures, remedies, and penalties provided in sections 72A.17 to 72A.32.

Sec. 2. Minnesota Statutes 1978, Section 65B.131, is repealed."

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon.

Page 1, delete lines 5 to 9 and insert "amending Minnesota Statutes 1978, Section 65B.13; repealing Minnesota Statutes 1978, Section 65B.131."

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 748, A bill for an act relating to retirement; actuarial reporting law; implementing a procedure to extend the period for the amortization of unfunded liabilities in the event of changes in actuarial assumptions or increases in annuities and benefits; amending Minnesota Statutes 1978, Sections 356.215, Subdivision 4; 356.22, Subdivision 2; 422A.08, Subdivision 2; and 422A.39, Subdivision 2.



Reported the same back with the following amendments:

Page 3, line 24, after "in" insert "any or all of"

Page 3, line 27, after the comma insert "a change in the actuarial cost method used in calculating the accrued liability of all or a portion of the fund,"

Page 3, line 28, delete "two" and insert "three" and delete "produces" and insert "change or changes by themselves without inclusion of any other items of increase or decrease produce"

Page 4, line 2, after "in" insert "any or all of"

Page 4, line 5, after the comma insert "a change in the actuarial cost method used in calculating the accrued liability of all or a portion of the fund,"

Page 4, line 6, delete "two" and insert "three"

Page 4, line 6, delete "produces" and insert "change or changes by themselves without inclusion of any other items of increase or decrease produce"

Page 4, line 15, after "The" insert "level" and after "annual" insert "dollar"

Page 4, line 28, after "The" insert "level" and after "annual" insert "dollar"

Page 5, line 3, after "The" insert "level" and after "annual" insert "dollar"

Page 5, line 4, after "the" insert "level" and after "annual" insert "dollar"

Page 5, line 8, after "total" insert "level" and after "annual" insert "dollar"

Page 9, line 24, strike "five percent per annum" and insert "interest equal to the interest assumption specified in section 356.215, subdivision 4, clause (4)"

Page 10, line 4, after "1979," insert "or if the following amortization target date provides a longer amortization period than the amortization period defined by the established date for full funding as determined pursuant to section 356.215, subdivision 4, clause (7)."

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 Governmental Operations to which was referred:

H. F. No. 749, A bill for an act relating to retirement; teachers retirement fund associations in cities of the first class; codification of a coordinated program for the Minneapolis and St. Paul teachers retirement fund associations; recodification of the law governing first class city teachers retirement fund associations; amending Minnesota Statutes 1978, Sections 354A.05; 354A.08; 354A.09; 354A.091; 354A.11; 354A.12; 354A.21; and 356.32, Subdivision 2; and Chapter 354A by adding sections; repealing Minnesota Statutes 1978, Sections 354A.01; 354A.02; 354A.03; 354A.04; 354A.10; 354A.13; and 354A.22.

Reported the same back with the following amendments:

Page 4, line 22, after "*payable*" insert "*to a member*" and delete "*the member*" .

Page 4, line 25, after "*payable*" insert "*to a member*"

Page 5, line 21, after "*payable*" insert "*to a member*" and delete "*the member*"

Page 5, line 23, delete "*the member*"

Page 5, line 26, after "*payable*" insert "*to a member*" and delete "*the member*"

Page 5, line 28, delete "*the member*"

Page 15, line 21, after "*Minneapolis*" insert "*teachers retirement fund association*" and after "*or*" insert "*the*"

Page 15, line 22, delete "*associations*" and insert "*association*"

Page 16, line 28, after "*Minneapolis*" insert "*teachers retirement fund association*" and after "*or*" insert "*the*"

Page 16, line 29, delete "*associations*" and insert "*association*"

Page 24, line 12, delete "*respective*" and after "*district*" insert "*in which the association is located*"

Page 24, line 13, delete "*the respective*" and insert "*that*"

Page 27, line 19, delete "*liability*" and insert "*disability*"

Page 30, line 9, delete "*filing of an*"

Page 30, line 11, delete "*Payment of*"

Page 32, line 21, delete "*are required to*" and insert "*shall*"

Page 32, line 31, delete "*retired*" and insert "*retires*"

Page 33, line 6, after "*to*" insert "*the member's*".

Page 36, line 13, delete "*Payment of*"

Page 40, line 10, delete "*recipient*" and insert "*recipient's*"

Page 40, line 21, after "*refund*" insert "*in lieu of any other annuity or benefit from the teachers retirement fund association other than an annuity from a tax shelter annuity program and fund as authorized pursuant to section 2, subdivision 5*"

Page 42, line 22, after "*A*" insert "*coordinated*"

Page 43, line 1, after "*the*" insert "*coordinated*"

Page 44, line 12, after "*member*" insert "*of either the Minneapolis teachers retirement fund association or of the St. Paul teachers retirement fund association*"

Page 44, line 29, after "*member*" insert "*of either the Minneapolis teachers retirement fund association or of the St. Paul teachers retirement fund association*"

Page 45, line 9, after "*member*" insert "*of either the Minneapolis teachers retirement fund association or of the St. Paul teachers retirement fund association*"

Page 47, line 10, after "*354A.22*" insert "*; Laws 1976, Chapter 238, Section 12; and Laws 1977, Chapter 429, Section 60*"

Amend the title as follows:

Page 1, line 14, after "*354A.22*" insert "*; Laws 1976, Chapter 238, Section 12; and Laws 1977, Chapter 429, Section 60*"

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. 877, A bill for an act relating to insurance premium finance companies; authorizing finance charges at rates permitted by the general usury provisions; amending Minnesota Statutes 1978, Section 59A.09, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, delete lines 11 to 18 and insert:

*"Subd. 6. The maximum rate limitations of this section shall not apply to finance charges under an insurance premium finance agreement, if the rate does not exceed the maximum rate permissible under section 334.011 and the agreement was made to finance an insurance policy for business or agricultural purposes, as defined by section 334.011. The maximum rate limitations of this section shall not apply to an insurance premium finance agreement, if the insured is a corporation or cooperative.*

*Sec. 2. This act is effective the day following final enactment."*

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 914, A bill for an act relating to retirement; providing for continued membership in public safety employee pension funds for certain current public safety employees who may not have the power of arrest with a warrant; amending Minnesota Statutes 1978, Sections 352B.01, Subdivision 2; and 353.64, Subdivision 1.

Reported the same back with the following amendments:

Page 3, line 2, after "subdivision" insert "*in a position in the same department in which the person was employed on that date*"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 924, A bill for an act relating to commerce; regulating conduct of business under assumed business names; amending

Minnesota Statutes 1978, Sections 301.09; 333.01; 333.04; 333.06; and Chapter 333, by adding sections; repealing Minnesota Statutes 1978, Sections 333.001; 333.035; and 333.055.

Reported the same back with the following amendments:

Page 4, line 3, delete "\$1" and insert "\$5"

Page 5, after line 5, add a section:

"Sec. 8. [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.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 929, A bill for an act relating to real estate brokers and salespersons; regulating the real estate education, research and recovery fund; setting fees; providing guidelines for the amount of the recovery portion of the fund and for paying claims; amending Minnesota Statutes 1978, Section 82.34.

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. 1165, A bill for an act relating to insurance; authorizing use of facsimile signatures on certain insurance policies; amending Minnesota Statutes 1978, Sections 60A.08, Subdivision 5; and 65A.01, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 11, strike "its" and insert "insurance"

Page 1, line 14, delete "Any" and strike "of"

Page 1, line 15, strike "a" and strike "signature" and insert "signatures"

Page 1, lines 19 to 23 delete the new language

Page 2, line 6, delete "*if a sample of the facsimile signature*"

Page 2, delete lines 7 and 8

Page 2, line 9, delete everything up to the period

With the recommendation that when so amended the bill pass.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

H. F. No. 1226, A bill for an act relating to courts; providing that probate court shall have tort action jurisdiction; amending Minnesota Statutes 1978, Section 524.3-105.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

H. F. No. 1227, A bill for an act relating to health; adding a time limit for hearing appeals under the hospitalization and commitment act; amending Minnesota Statutes 1978, Section 253A.21, Subdivision 5.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

H. F. No. 1235, A bill for an act relating to real estate; setting effective dates for provisions regulating the validation of foreclosure sales; amending Minnesota Statutes 1978, Section 582.27.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

H. F. No. 1238, A bill for an act relating to crimes; prohibiting the obtaining or retaining of a child in violation of a court order; prescribing penalties; amending Minnesota Statutes 1978, Section 609.26.

Reported the same back with the following amendments:

Page 1, line 11, reinstate "(INTENTIONALLY)" and before "*knowingly*" insert "*and*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 1245, A bill for an act relating to crime victims reparations; providing that the record of a claim may be used as evidence by the state on its subrogation claim; providing that the state's right of subrogation shall not limit the claimant's right to recover for pain and suffering; amending Minnesota Statutes 1978, Sections 299B.10; and 299B.14.

Reported the same back with the following amendments:

Page 1, line 19, delete "*pain and suffering*" and insert "*other damages*"

Amend the title as follows:

Page 1, lines 6 and 7, delete "*pain and suffering*" and insert "*other damages*"

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. 305, 311, 318, 536, 546, 748, 749, 877, 914, 924, 929, 1165, 1226, 1227, 1235, 1238 and 1245 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. No. 122 was read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Sieben, M., and Sieben, H., introduced:

H. F. No. 1391, A bill for an act relating to the environment; establishing a state program for processing and storing hazardous wastes; establishing a state hazardous waste commission; prescribing the commission's powers and duties; providing for a penalty; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Enebo, Rice, Rothenberg, Heap and Begich introduced:

H. F. No. 1392, A bill for an act relating to labor; requiring operators of motor vehicles to stop and proceed with caution at certain entrances and exits.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Long, Valento, Pleasant, Fritz and Casserly introduced:

H. F. No. 1393, A bill for an act relating to taxation; reducing the assessment ratio applied to seasonal recreational property; amending Minnesota Statutes 1978, Section 273.13, Subdivisions 4 and 5a.

The bill was read for the first time and referred to the Committee on Taxes.

Johnson, C., for the Committee on Education, introduced:

H. F. No. 1394, A resolution memorializing the Legislature and Governor of the state of Wisconsin to amend the Wisconsin statute governing tuition reciprocity payments.

The bill was read for the first time and laid over one day.

Metzen introduced:

H. F. No. 1395, A bill for an act relating to the city of South St. Paul; permitting certain methods of financing equipment purchases.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.



Carlson, L.; Heinitz; Kaley; Berglin and Swanson introduced:

H. F. No. 1396, A bill for an act relating to health; altering a requirement governing the issuance of certificates of authority; amending Minnesota Statutes 1978, Section 62D.04, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Jaros introduced:

H. F. No. 1397, A bill for an act relating to public employees; providing for a uniform system of health care benefits for active and retired public employees and their dependents; establishing a public employees health plan board; prescribing its powers and duties; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wenzel, Brinkman, Byrne, Novak and Faricy introduced:

H. F. No. 1398, A bill for an act relating to retirement; directing post retirement lump sum payments to certain annuitants, disabilitants and survivors; appropriating funds.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Nelson, Byrne, Welch, McEachern and Eken introduced:

H. F. No. 1399, A bill for an act relating to education; establishing a basic skills program; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Valento introduced:

H. F. No. 1400, A bill for an act relating to insurance; placing certain restrictions on life insurance policies designed to protect certain interests arising out of business relationships; amending Minnesota Statutes 1978, Chapter 61A, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Elioff, Brinkman, Jennings, Pavlak and Murphy introduced:

H. F. No. 1401, A bill for an act relating to automobile insurance; providing for calculation of premium payments; prohibiting consideration of traffic offenses more than three years old; amending Minnesota Statutes 1978, Section 65B.70, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Berkelman, Jaros, Munger and Lehto introduced:

H. F. No. 1402, A bill for an act relating to retirement; extending the combined service annuity to members of the University of Minnesota faculty plan; amending Minnesota Statutes 1978, Section 356.30, Subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton; Sieben, H.; Laidig; Searle and Berkelman introduced:

H. F. No. 1403, A bill for an act relating to corporations; permitting employee contribution funds for political purposes; amending Minnesota Statutes 1978, Section 210A.34, by adding a subdivision.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Heinitz, Ewald, Metzen, Voss and Brinkman introduced:

H. F. No. 1404, A bill for an act relating to financial institutions; permitting variable payment home mortgages; amending Minnesota Statutes 1978, Chapter 47, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Kalis, Clawson, Murphy, Rose and Olsen introduced:

H. F. No. 1405, A bill for an act relating to state government; providing for the distribution of state publications and documents; amending Minnesota Statutes 1978, Sections 3.195; 15.047, Subdivision 2; 15.051, Subdivision 4; 15.18; and 648.39, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kalis and Reding introduced:

H. F. No. 1406, A bill for an act relating to probate; allowing claims based on certain medical assistance to be made against the homestead; amending Minnesota Statutes 1978, Sections 510.05; and 525.16.

The bill was read for the first time and referred to the Committee on Judiciary.

McCarron, Voss, Kostohryz, Rees and Pleasant introduced:

H. F. No. 1407, A bill for an act relating to employment; prohibiting certain cities from establishing residency requirements as a condition of employment.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Mehrkens, Luknic, Hokanson, Dempsey and Elioff introduced:

H. F. No. 1408, A bill for an act relating to motor vehicles; providing for the proration of taxes on certain vehicles on the basis of the registration period; providing for the issuance and use of certain motor vehicle dealer plates; adjusting the bond provisions for certain dealers; authorizing dealers' licenses for the sale of motorized bicycles; specifying grounds for suspension and revocation of dealers' licenses; amending Minnesota Statutes 1978, Sections 168.013, Subdivision 2; and 168.27, Subdivisions 2, 12, 20, 22 and 24.

The bill was read for the first time and referred to the Committee on Transportation.

Clawson, Stoa and Clark introduced:

H. F. No. 1409, A bill for an act relating to the legislature; fixing the size of the legislature in 1983 and thereafter; amending Minnesota Statutes 1978, Section 2.021.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

#### HOUSE ADVISORIES

The following House Advisory was introduced:

Clawson, Kroening, McDonald, Byrne and Heinitz introduced:

H. A. No. 25, A proposal to study the printing and distribution of the State Register.

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 House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 396, A bill for an act relating to welfare; altering the conditions under which a day care facility will be considered a single family residential use of property for zoning purposes; amending Minnesota Statutes 1978, Section 245.812, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Berglin moved that the House concur in the Senate amendments to H. F. No. 396 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 396, A bill for an act relating to welfare; altering the conditions under which a day care facility will be considered a single family residential use of property for zoning purposes; amending Minnesota Statutes 1978, Section 245.812, Subdivision 3.

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 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Berkelman	Dempsey	Forsythe	Jennings
Adams	Biersdorf	Den Ouden	Friedrich	Johnson, C.
Ainley	Blatz	Drew	Fritz	Jude
Albrecht	Brinkman	Eken	Fudro	Kahn
Anderson, B.	Byrne	Elioff	Greenfield	Kaley
Anderson, D.	Carlson, D.	Ellingson	Halberg	Kalis
Anderson, G.	Carlson, L.	Enebo	Haukoos	Kelly
Anderson, I.	Clark	Erickson	Heap	Knickerbocker
Anderson, R.	Clawson	Esau	Hoberg	Kostohryz
Battaglia	Corbid	Evans	Hokanson	Kroening
Begich	Crandall	Ewald	Jacobs	Kvam
Berglin	Dean	Faricy	Jaros	Lehto

Levi	Murphy	Patton	Rothenberg	Valan
Long	Nelsen, B.	Pavlak	Sarna	Valento
Ludeman	Nelsen, M.	Pehler	Sherwood	Vanasek
Luknic	Nelson	Peterson	Sieben, H.	Voss
Mann	Niehaus	Piepho	Sieben, M.	Waldorf
McCarron	Norton	Pleasant	Simoneau	Welch
McEachern	Novak	Prahl	Stadum	Wenzel
Mehrkens	Nysether	Redalen	Stoa	Wynia
Metzen	Olsen	Reding	Stowell	Zubay
Minne	Onnen	Rees	Sviggum	Speaker Searle
Moe	Osthoff	Reif	Swanson	
Munger	Otis	Rice	Tomlinson	

Those who voted in the negative were:

Thiede            Wieser

The bill was repassed, as amended by the Senate, and its title agreed to.

### CONSENT CALENDAR

H. F. No. 523, A bill for an act relating to public health; prescribing fees for diagnostic laboratory services provided by the department of health; providing exemptions for charging fees; authorizing the commissioner of health to promulgate rules; amending Minnesota Statutes 1978, 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:

Aasness	Corbid	Haukoos	Ludeman	Patton
Adams	Crandall	Heap	Luknic	Pavlak
Ainley	Dean	Hoberg	Mann	Pehler
Albrecht	Dempsey	Hokanson	McCarron	Peterson
Anderson, B.	Den Ouden	Jacobs	McEachern	Pleasant
Anderson, D.	Drew	Jaros	Mehrkens	Prahl
Anderson, G.	Eken	Jennings	Metzen	Redalen
Anderson, I.	Elioff	Johnson, C.	Minne	Reding
Anderson, R.	Ellingson	Johnson, D.	Moe	Rees
Battaglia	Enebo	Jude	Munger	Reif
Begich	Erickson	Kaley	Murphy	Rice
Berglin	Esau	Kalis	Nelsen, B.	Rothenberg
Berkelman	Evans	Kelly	Nelsen, M.	Sarna
Biersdorf	Ewald	Kempe	Nelson	Searles
Blatz	Fariy	Knickerbocker	Niehaus	Sherwood
Brinkman	Fjoslien	Kostohryz	Norton	Sieben, H.
Byrne	Forsythe	Kroening	Novak	Sieben, M.
Carlson, D.	Friedrich	Kvam	Nysether	Simoneau
Carlson, L.	Fritz	Laidig	Olsen	Stadum
Casserly	Fudro	Lehto	Onnen	Stoa
Clark	Greenfield	Levi	Osthoff	Stowell
Clawson	Halberg	Long	Otis	

Sviggum	Valan	Waldorf	Wieser	Zubay
Swanson	Valento	Welch	Wynia	Speaker Searle
Thiede	Vanasek	Welker		
Tomlinson	Voss	Wenzel		

The bill was passed and its title agreed to.

H. F. No. 982, A bill for an act relating to transportation; authorizing an increase in the mileage of the municipal state-aid street system; amending Minnesota Statutes 1978, Section 162.09, Subdivision 1.

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:

Aasness	Dempsey	Johnson, C.	Murphy	Sarna
Adams	Drew	Johnson, D.	Nelsen, B.	Searles
Ainley	Eken	Jude	Nelsen, M.	Sherwood
Albrecht	Elioff	Kaley	Nelson	Sieben, H.
Anderson, B.	Ellingson	Kelly	Niehaus	Sieben, M.
Anderson, D.	Enebo	Kempe	Norton	Simoneau
Anderson, G.	Erickson	Knickerbocker	Novak	Stadum
Anderson, I.	Esau	Kostohryz	Nysether	Stoa
Anderson, R.	Evans	Kroening	Olsen	Stowell
Battaglia	Ewald	Kvam	Onnen	Sviggum
Begich	Faricy	Laidig	Osthoff	Swanson
Berglin	Fjoslien	Lehto	Otis	Thiede
Berkelman	Forsythe	Levi	Patton	Tomlinson
Biersdorf	Friedrich	Long	Pavlak	Valan
Blatz	Fritz	Ludeman	Pehler	Valento
Brinkman	Fudro	Luknic	Peterson	Vanasek
Byrne	Greenfield	Mann	Piepho	Voss
Carlson, D.	Halberg	McCarron	Pleasant	Waldorf
Carlson, L.	Haukoos	McDonald	Prahl	Welch
Casserly	Heap	McEachern	Redalen	Welker
Clark	Hoberg	Mehrkens	Reding	Wenzel
Clawson	Hokanson	Metzen	Rees	Wieser
Corbid	Jacobs	Minne	Reif	Wynia
Crandall	Jaros	Moe	Rice	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle

Those who voted in the negative were:

Kalis

The bill was passed and its title agreed to.

H. F. No. 357, A bill for an act relating to professional regulation; regulating architects, engineers, surveyors, and landscape architects; amending Minnesota Statutes 1978, Section 326.02, 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 122 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Aasness	Dempsey	Johnson, C.	Nelsen, B.	Searles
Adams	Den Ouden	Johnson, D.	Nelsen, M.	Sherwood
Ainley	Drew	Jude	Nelson	Sieben, H.
Albrecht	Eken	Kaley	Niehaus	Sieben, M.
Anderson, B.	Elioff	Kalis	Norton	Simoneau
Anderson, D.	Ellingson	Kelly	Novak	Stadum
Anderson, G.	Enebo	Kempe	Nysether	Stoa
Anderson, I.	Esau	Knickerbocker	Olsen	Stowell
Anderson, R.	Evans	Kostohryz	Onnen	Swanson
Battaglia	Ewald	Kroening	Osthoff	Thiede
Begich	Faricy	Kvam	Otis	Tomlinson
Berglin	Fjoslien	Laidig	Patton	Valan
Berkelman	Forsythe	Lehto	Pavlak	Valento
Biersdorf	Friedrich	Levi	Pehler	Vanasek
Blatz	Fritz	Long	Peterson	Voss
Brinkman	Fudro	Luknic	Piepho	Waldorf
Byrne	Greenfield	Mann	Pleasant	Welch
Carlson, D.	Halberg	McCarron	Prahl	Wenzel
Carlson, L.	Haukoos	McDonald	Redalen	Wieser
Casserly	Heap	McEachern	Reding	Wynia
Clark	Hoberg	Mehrkens	Reif	Zubay
Clawson	Hokanson	Metzen	Rice	Speaker Searle
Corbid	Jacobs	Minne	Rose	
Crandall	Jaros	Moe	Rothenberg	
Dean	Jennings	Murphy	Sarna	

Those who voted in the negative were:

Erickson	Ludeman	Rees	Sviggum	Welker
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The bill was passed and its title agreed to.

H. F. No. 499, 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, 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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, D.	Begich	Brinkman	Clark
Adams	Anderson, G.	Berglin	Byrne	Clawson
Ainley	Anderson, I.	Berkelman	Carlson, D.	Corbid
Albrecht	Anderson, R.	Biersderf	Carlson, L.	Crandall
Anderson, B.	Battaglia	Blatz	Casserly	Dean

Dempsey	Hoberg	Luknic	Otis	Stadum
Den Ouden	Hokanson	Mann	Patton	Stoa
Drew	Jacobs	McCarron	Pavlak	Stowell
Eken	Jaros	McDonald	Pehler	Sviggum
Elioff	Jennings	McEachern	Peterson	Swanson
Ellingson	Johnson, C.	Mehrkens	Piepho	Thiede
Enebo	Johnson, D.	Metzen	Pleasant	Tomlinson
Erickson	Jude	Minne	Prahl	Valan
Esau	Kaley	Moe	Redalen	Valento
Evans	Kalis	Murphy	Reding	Vanasek
Ewald	Kelly	Nelsen, B.	Rees	Voss
Farcy	Kempe	Nelsen, M.	Reif	Waldorf
Fjoslien	Knickerbocker	Nelson	Rice	Welch
Forsythe	Kostohryz	Niehaus	Rose	Welker
Friedrich	Kroening	Norman	Rothenberg	Wenzel
Fritz	Kvam	Norton	Sarna	Wieser
Fudro	Laidig	Novak	Searles	Wynia
Greenfield	Lehto	Nysether	Sherwood	Zubay
Halberg	Levi	Olsen	Sieben, H.	Speaker Searle
Haukoos	Long	Onnen	Sieben, M.	
Heap	Ludeman	Osthoff	Simoneau	

The bill was passed and its title agreed to.

H. F. No. 606, A bill for an act relating to controlled substances; amending the definition of Cannabis; amending certain schedules; adding the precursors of phencyclidine; amending Minnesota Statutes 1978, Sections 152.01, Subdivision 9; and 152.02, Subdivisions 2, 3 and 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:

Aasness	Dean	Jacobs	Mehrkens	Prahl
Adams	Dempsey	Jaros	Metzen	Redalen
Ainley	Den Ouden	Jennings	Minne	Reding
Albrecht	Drew	Johnson, C.	Moe	Rees
Anderson, B.	Eken	Johnson, D.	Munger	Reif
Anderson, D.	Elioff	Jude	Murphy	Rice
Anderson, G.	Ellingson	Kaley	Nelsen, B.	Rose
Anderson, I.	Enebo	Kalis	Nelsen, M.	Rothenberg
Anderson, R.	Erickson	Kelly	Nelson	Sarna
Battaglia	Esau	Kempe	Niehaus	Schreiber
Begich	Evans	Knickerbocker	Norman	Searles
Berglin	Ewald	Kostohryz	Norton	Sherwood
Berkelman	Farcy	Kroening	Novak	Sieben, H.
Biersdorf	Fjoslien	Kvam	Nysether	Sieben, M.
Blatz	Forsythe	Laidig	Olsen	Simoneau
Brinkman	Friedrich	Lehto	Onnen	Stadum
Byrne	Fritz	Levi	Osthoff	Stoa
Carlson, D.	Fudro	Long	Otis	Stowell
Carlson, L.	Greenfield	Ludeman	Patton	Sviggum
Casserly	Halberg	Luknic	Pavlak	Swanson
Clark	Haukoos	Mann	Pehler	Thiede
Clawson	Heap	McCarron	Peterson	Tomlinson
Corbid	Hoberg	McDonald	Piepho	Valan
Crandall	Hokanson	McEachern	Pleasant	Valento



Vanasek  
Voss

Waldorf  
Welch

Welker  
Wenzel

Wieser  
Wynia

Zubay  
Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 728, A bill for an act relating to education; allowing not more than ten days used by kindergarten teachers for parent-teacher conferences or teachers' workshops to count as part of the required minimum number of days school is in session; amending Minnesota Statutes 1978, Section 124.19, 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, D.	Nelsen, B.	Sarna
Adams	Drew	Jude	Nelsen, M.	Schreiber
Ainley	Eken	Kaley	Nelson	Searles
Albrecht	Elioff	Kalis	Niehaus	Sherwood
Anderson, B.	Ellingson	Kelly	Norman	Sieben, H.
Anderson, D.	Enebo	Kempe	Norton	Sieben, M.
Anderson, G.	Erickson	Knickerbocker	Novak	Simoneau
Anderson, I.	Esau	Kostohryz	Nysether	Stadum
Anderson, R.	Evans	Kroening	Olsen	Stoa
Battaglia	Ewald	Kvam	Onnen	Stowell
Begich	Faricy	Laidig	Osthoff	Sviggum
Berglin	Fjoslien	Lehto	Otis	Swanson
Berkelman	Forsythe	Levi	Patton	Thiede
Biersdorf	Friedrich	Long	Paviak	Tomlinson
Blatz	Fritz	Ludeman	Pehler	Valan
Brinkman	Fudro	Luknic	Peterson	Valento
Byrne	Greenfield	Mann	Piepho	Vanasek
Carlson, D.	Halberg	McCarron	Pleasant	Voss
Carlson, L.	Haukoos	McDonald	Prahl	Waldorf
Casserly	Heap	McEachern	Redalen	Welch
Clark	Hoberg	Mehrkens	Reding	Welker
Clawson	Hokanson	Metzen	Rees	Wenzel
Corbid	Jacobs	Minne	Reif	Wieser
Crandall	Jaros	Moe	Rice	Wynia
Dean	Jennings	Munger	Rose	Zubay
Dempsey	Johnson, C.	Murphy	Rothenberg	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 774 was reported to the House. Upon objection of ten members H. F. No. 774 was stricken from the Consent Calendar and returned to General Orders.

H. F. No. 813, A bill for an act relating to crimes; regulating dance halls; removing the limitation on persons under the age of 16; amending Minnesota Statutes 1978, Section 624.49.

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:

Aasness	Den Ouden	Johnson, C.	Nelsen, M.	Schreiber
Adams	Drew	Johnson, D.	Nelson	Searles
Ainley	Eken	Jude	Niehaus	Sieben, H.
Anderson, B.	Elioff	Kahn	Norman	Sieben, M.
Anderson, G.	Ellingson	Kaley	Norton	Simoneau
Anderson, I.	Enebo	Kalis	Novak	Stadum
Anderson, R.	Esau	Kelly	Nysether	Stoa
Battaglia	Evans	Kempe	Olsen	Stowell
Begich	Ewald	Knickerbocker	Onnen	Sviggum
Berglin	Faricy	Kostohryz	Osthoff	Swanson
Berkelman	Fjoslien	Kvam	Otis	Tomlinson
Biersdorf	Forsythe	Laidig	Patton	Valan
Blatz	Friedrich	Lehto	Pavlak	Valento
Brinkman	Fritz	Levi	Pehler	Vanasek
Byrne	Fudro	Long	Peterson	Voss
Carlson, D.	Greenfield	Luknic	Piepho	Waldorf
Carlson, L.	Halberg	McDonald	Prahl	Weaver
Casserly	Haukoos	McEachern	Redalen	Welch
Clark	Heap	Mehrkens	Reding	Wenzel
Clawson	Hoberg	Metzen	Reif	Wieser
Corbid	Hokanson	Minne	Rice	Wynia
Crandall	Jacobs	Moe	Rose	Zubay
Dean	Jaros	Munger	Rothenberg	Speaker Searle
Dempsey	Jennings	Murphy	Sarna	

Those who voted in the negative were:

Anderson, D.	Kroening	Pleasant	Rees	Welker
Erickson	Ludeman			

The bill was passed and its title agreed to.

H. F. No. 842, A bill for an act relating to local government; providing for certain local improvements and special assessments; amending Minnesota Statutes 1978, Sections 429.011, by adding a subdivision; and 429.021, 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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, D.	Begich	Brinkman	Clark
Adams	Anderson, G.	Berglin	Byrne	Clawson
Ainley	Anderson, I.	Berkelman	Carlson, D.	Corbid
Albrecht	Anderson, R.	Biersdorf	Carlson, L.	Crandall
Anderson, B.	Battaglia	Blatz	Casserly	Dean

Dempsey	Hokanson	Mann	Patton	Stoa
Den Ouden	Jacobs	McCarron	Pavlak	Stowell
Drew	Jaros	McDonald	Pehler	Sviggum
Eken	Jennings	McEachern	Peterson	Swanson
Elioff	Johnson, C.	Mehrkens	Piepho	Thiede
Ellingson	Johnson, D.	Metzen	Pleasant	Tomlinson
Enebo	Jude	Minne	Prahl	Valan
Erickson	Kahn	Moe	Redalen	Valento
Esau	Kaley	Munger	Reding	Vanasek
Evans	Kalis	Murphy	Rees	Voss
Ewald	Kelly	Nelsen, B.	Reif	Waldorf
Faricy	Kempe	Nelsen, M.	Rice	Weaver
Fjoslien	Knickerbocker	Nelson	Rose	Welch
Forsythe	Kostohryz	Niehaus	Rothenberg	Welker
Friedrich	Kroening	Norman	Sarna	Wenzel
Fritz	Kvam	Norton	Schreiber	Wieser
Fudro	Laidig	Novak	Searles	Wynia
Greenfield	Lehto	Nysether	Sherwood	Zubay
Halberg	Levi	Olsen	Sieben, H.	Speaker Searle
Haukoos	Long	Onnen	Sieben, M.	
Heap	Ludeman	Osthoff	Simoneau	
Hoberg	Luknic	Otis	Stadum	

The bill was passed and its title agreed to.

H. F. No. 936, A bill for an act relating to education; expanding a definition of "American Indian child"; amending Minnesota Statutes 1978, Sections 126.47, 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:

Aasness	Crandall	Hoberg	Mann	Pavlak
Adams	Dean	Hokanson	McCarron	Pehler
Ainley	Dempsey	Jacobs	McDonald	Peterson
Albrecht	Den Ouden	Jaros	McEachern	Piepho
Anderson, B.	Drew	Jennings	Mehrkens	Pleasant
Anderson, D.	Eken	Johnson, C.	Metzen	Prahl
Anderson, G.	Elioff	Johnson, D.	Minne	Redalen
Anderson, I.	Ellingson	Jude	Moe	Reding
Anderson, R.	Enebo	Kahn	Munger	Rees
Battaglia	Erickson	Kaley	Murphy	Reif
Begich	Esau	Kalis	Nelsen, B.	Rice
Berglin	Evans	Kelly	Nelsen, M.	Rose
Berkelman	Ewald	Kempe	Nelson	Rothenberg
Biersdorf	Faricy	Knickerbocker	Niehaus	Sarna
Blatz	Fjoslien	Kostohryz	Norman	Schreiber
Brinkman	Forsythe	Kroening	Norton	Searles
Byrne	Friedrich	Kvam	Novak	Sherwood
Carlson, D.	Fritz	Laidig	Nysether	Sieben, H.
Carlson, L.	Fudro	Lehto	Olsen	Sieben, M.
Casserly	Greenfield	Levi	Onnen	Simoneau
Clark	Halberg	Long	Osthoff	Stadum
Clawson	Haukoos	Ludeman	Otis	Stoa
Corbid	Heap	Luknic	Patton	Stowell

Sviggum	Valan	Waldorf	Wenzel	Speaker Searle
Swanson	Valento	Weaver	Wieser	
Thiede	Vanasek	Welch	Wynia	
Tomlinson	Voss	Welker	Zubay	

The bill was passed and its title agreed to.

H. F. No. 976, A bill for an act relating to bingo; raising the compensation allowed persons conducting a bingo occasion; amending Minnesota Statutes 1978, Section 349.17, 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 7 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kaley	Nelson	Sieben, H.
Adams	Elioff	Kalis	Niehaus	Sieben, M.
Ainley	Ellingson	Kelly	Norman	Simoneau
Albrecht	Enebo	Kempe	Norton	Stadum
Anderson, B.	Esau	Knickerbocker	Novak	Stoa
Anderson, G.	Evans	Kostohryz	Nysether	Stowell
Anderson, I.	Ewald	Kroening	Olsen	Sviggum
Anderson, R.	Fjoslien	Kvam	Onnen	Swanson
Battaglia	Forsythe	Laidig	Osthoff	Thiede
Begich	Friedrich	Lehto	Otis	Tomlinson
Berglin	Fritz	Long	Patton	Valan
Berkelman	Fudro	Ludeman	Pehler	Valento
Biersdorf	Greenfield	Luknic	Peterson	Vanasek
Blatz	Halberg	Mann	Piepho	Voss
Brinkman	Haukoos	McCarron	Prahl	Waldorf
Byrne	Heap	McDonald	Redalen	Weaver
Carlson, L.	Hoberg	McEachern	Reding	Welch
Casserly	Hokanson	Mehrkens	Rees	Welker
Clark	Jacobs	Metzen	Reif	Wenzel
Clawson	Jaros	Minne	Rice	Wieser
Crandall	Jennings	Moe	Rose	Wynia
Dean	Johnson, C.	Munger	Rothenberg	Zubay
Dempsey	Johnson, D.	Murphy	Sarna	Speaker Searle
Den Ouden	Jude	Nelsen, B.	Schreiber	
Drew	Kahn	Nelsen, M.	Searles	

Those who voted in the negative were:

Anderson, D.	Corbid	Faricy	Pavlak	Sherwood
Carlson, D.	Erickson			

The bill was passed and its title agreed to.

H. F. No. 1065 was reported to the House.

There being no objection H. F. No. 1065 was continued on the Consent Calendar for one day.

H. F. No. 1158, A bill for an act relating to Independent School District No. 275; providing for the consolidation of Independent School District No. 275.

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:

Aasness	Den Ouden	Johnson, D.	Murphy	Sarna
Adams	Drew	Jude	Nelsen, B.	Schreiber
Ainley	Eken	Kahn	Nelsen, M.	Searles
Albrecht	Elioff	Kaley	Nelson	Sherwood
Anderson, B.	Ellingson	Kalis	Niehaus	Sieben, H.
Anderson, D.	Enebo	Kelly	Norman	Sieben, M.
Anderson, G.	Erickson	Kempe	Norton	Simoneau
Anderson, I.	Esau	Knickerbocker	Novak	Stadum
Anderson, R.	Evans	Kostohryz	Nysether	Stoa
Battaglia	Ewald	Kroening	Olsen	Stowell
Begich	Faricy	Kvam	Onnen	Sviggum
Berglin	Fjoslien	Laidig	Osthoff	Swanson
Berkelman	Forsythe	Lehto	Otis	Tomlinson
Biersdorf	Friedrich	Levi	Patton	Valan
Blatz	Fritz	Long	Pavlak	Valento
Brinkman	Fudro	Ludeman	Pehler	Vanasek
Byrne	Greenfield	Luknic	Peterson	Voss
Carlson, D.	Halberg	Mann	Piepho	Waldorf
Carlson, L.	Haukoos	McCarron	Prahl	Weaver
Casserly	Heap	McDonald	Redalen	Welch
Clark	Hoberg	McEachern	Reding	Welker
Clawson	Hokanson	Mehrkens	Rees	Wenzel
Corbid	Jacobs	Metzen	Reif	Wieser
Crandall	Jaros	Minne	Rice	Wynia
Dean	Jennings	Moe	Rose	Zubay
Dempsey	Johnson, C.	Munger	Rothenberg	Speaker Searle

The bill was passed and its title agreed to.

S. F. No. 322 was reported to the House.

There being no objection, S. F. No. 322 was continued on the Consent Calendar for one day.

#### CALL OF THE HOUSE

On the motion of Sieben, H., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Aasness	Anderson, I.	Blatz	Clawson	Eken
Adams	Anderson, R.	Brinkman	Corbid	Elioff
Ainley	Battaglia	Byrne	Crandall	Ellingson
Albrecht	Begich	Carlson, D.	Dean	Enebo
Anderson, B.	Berglin	Carlson, L.	Dempsey	Erickson
Anderson, D.	Berkelman	Casserly	Den Ouden	Esau
Anderson, G.	Biersdorf	Clark	Drew	Evans

Ewald	Kaley	Minne	Peterson	Stowell
Faricy	Kalis	Moe	Piepho	Sviggum
Fjoslien	Kelly	Munger	Pleasant	Swanson
Forsythe	Kempe	Murphy	Prahl	Thiede
Friedrich	Knickerbocker	Nelsen, B.	Redalen	Tomlinson
Fritz	Kostohryz	Nelsen, M.	Reding	Valan
Fudro	Kroening	Nelson	Rees	Valento
Greenfield	Kvam	Niehaus	Reif	Vanasek
Halberg	Laidig	Norman	Rose	Voss
Haukoos	Lehto	Norton	Rothenberg	Waldorf
Heap	Levi	Novak	Sarna	Weaver
Hoberg	Long	Nysether	Schreiber	Welch
Hokanson	Ludeman	Olsen	Searles	Welker
Jacobs	Luknic	Onnen	Sherwood	Wenzel
Jaros	Mann	Osthoff	Sieben, H.	Wieser
Johnson, C.	McCarron	Otis	Sieben, M.	Wynia
Johnson, D.	McEachern	Patton	Simoneau	Zubay
Jude	Mehrkens	Pavlak	Stadum	Speaker Searle
Kahn	Metzen	Pehler	Stoa	

Sieben, H., 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.

### CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Sieben, H., requested immediate consideration of H. F. No. 1129.

H. F. No. 1129 was reported to the House.

Sieben, H., moved to amend H. F. No. 1129 as follows:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 124.212, Subdivision 7c, is amended to read:

Subd. 7c. For the 1980-1981 school year a district shall receive in foundation aid \$1,220 per pupil unit less (27) 25 mills times the 1978 adjusted assessed valuation of the district, plus the amount of the agricultural tax credit by which 1979 payable 1980 property taxes in the district are reduced pursuant to section 273.132.

Sec. 2. Minnesota Statutes 1978, Section 273.11, is amended to read:

273.11 [VALUATION OF PROPERTY.] Subdivision 1. Except as provided in (SUBDIVISIONS 2 AND) *subdivision* 6 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 valuing 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. 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.

(SUBD. 2. (A) THE ASSESSOR AFTER DETERMINING THE VALUE OF ANY PROPERTY SHALL COMPARE THE VALUE WITH THAT DETERMINED IN THE PRECEDING ASSESSMENT. NOTWITHSTANDING THE PROVISIONS OF SECTION 273.17, 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 A SUBSEQUENT YEAR OR YEARS; PROVIDED, HOWEVER, THAT IF THE AMOUNT OF THE INCREASE IN MARKET VALUE IS)

((i) MORE THAN TEN PERCENT BUT NO MORE THAN 20 PERCENT, THE EXCESS SHALL BE ENTERED IN THE FOLLOWING YEAR;)

((ii) MORE THAN 20 PERCENT BUT NO MORE THAN 40 PERCENT, TEN PERCENT SHALL BE ENTERED IN EACH SUBSEQUENT YEAR UNTIL THE AMOUNT REMAINING TO BE ENTERED IS LESS THAN 10 PERCENT IN WHICH CASE THE AMOUNT REMAINING WILL BE ENTERED IN THE NEXT SUBSEQUENT YEAR; OR)

((iii). MORE THAN 40 PERCENT, THE EXCESS SHALL BE ENTERED EQUALLY IN THE THREE SUBSEQUENT YEARS.)

((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).)

Subd. 5. Notwithstanding any other provision of law to the contrary, the limitation contained in (SUBDIVISIONS) *sub-division 1* (TO 5) shall also apply to the authority of the local board of review as provided in section 274.01, the county board of equalization as provided in section 274.13, and the state board of equalization and the commissioner of revenue as provided in section 270.11, 270.12 and 270.16 (, AND ANY INCREASE EFFECTED BY THESE BOARDS OVER THE VALUATION CURRENTLY BEING USED IN COMPUTING TAXES SHALL BE ADDED TO THE PREVIOUS ASSESSED VALUATION IN ANNUAL INCREMENTS AS PROVIDED IN SUBDIVISION 2).

Subd. 6. For purposes of property taxation, the market value of real and personal property installed prior to January 1, 1984, which is a solar, wind, or agriculturally derived methane gas system used as a heating, cooling, or electric power source of a building or structure shall be excluded from the market value of that building or structure if the property is not used to provide energy for sale.

Sec. 3. Minnesota Statutes 1978, Section 273.122, is amended to read:

273.122 [FLEXIBLE HOMESTEAD BASE VALUE.] Sub-division 1. [HOMESTEAD BASE VALUE.] For (1975 AND



PRIOR YEARS) *the 1979 assessment*, the homestead base value shall mean (\$12,000) \$30,000 of market value of any property which qualifies as homestead property for assessment purposes. The homestead base value shall be increased in any subsequent assessment year as provided in subdivision 2.

Subd. 2. [HOMESTEAD BASE VALUE INDEX.] In assessment years subsequent to (1975) 1979, the homestead base value shall be adjusted pursuant to the homestead base value index. The homestead base value index shall be computed by the equalization aid review committee for each year immediately preceding an assessment year. This index is computed in the following manner. The annual statewide average market value of homestead property as indicated by bona fide real estate sales during the year shall be divided by the statewide average market value of all homestead property sold in (1974) 1978. This quotient is multiplied by 100. For each increase of a full three and one-half points in the index the homestead base value shall be increased (\$500) \$1,000 in the following assessment year. On or before December 1 of any year preceding an assessment year the commissioner of revenue shall certify the homestead base value for that year.

Sec. 4. Minnesota Statutes 1978, Section 273.13, Subdivision 4, is amended to read:

Subd. 4. [CLASS 3.] (a) Tools, implements and machinery of an electric generating, transmission or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products or mains and pipes used in the distribution of steam or hot or chilled water for heating or cooling buildings, which are fixtures, all agricultural land, except as provided by classes 1, 3b, 3e, all buildings and structures assessed as personal property and situated upon land of the state of Minnesota or the United States government which is rural in character and devoted or adaptable to rural but not necessarily agricultural use shall constitute class 3 and shall be valued and assessed at 33 1/3 percent of the market value thereof, except as provided in clause (b). Except as provided in subdivision 5a, all real property devoted to temporary and seasonal residential occupancy for recreational purposes, and which is not devoted to commercial purposes for more than 200 days in the year preceding the year of assessment, shall be class 3 property and assessed accordingly. For this purpose, property is devoted to commercial use on a specific day if it is used, or offered for use, and a fee is charged for such use.

(b) For taxes (ASSESSED) *levied* in (1977) 1979, payable in (1978) 1980 and subsequent years, agricultural land and real property devoted to temporary and seasonal residential occupancy for recreation purposes which is classified as class 3 shall be assessed at (31) 24 percent of its market value (, AND FOR TAXES ASSESSED IN 1978, PAYABLE IN 1979 AND

THEREAFTER, IT SHALL BE ASSESSED AT 30 PERCENT OF ITS MARKET VALUE).

Sec. 5. Minnesota Statutes 1978, 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 (18) 12 percent of the market value thereof in (1977) 1979, for taxes payable in (1978) 1980, and (AT 16 PERCENT THEREAFTER) *subsequent years*. The property tax to be paid on class 3b property as otherwise determined by law not exceeding (120) 320 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, shall be reduced by (45) 60 percent of the tax; provided that the amount of said reduction shall not exceed (\$325. VALUATION SUBJECT TO RELIEF IN 1977 FOR TAXES PAYABLE IN 1978 SHALL BE LIMITED TO 120 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. FOR TAXES LEVIED IN 1978 PAYABLE 1979 AND SUBSEQUENT YEARS,) \$800 nor be less than \$200. However, the reduction provided in this subdivision shall not exceed the property taxes payable for that year. Valuation subject to relief shall be limited to (160) 320 acres of land, most contiguous surrounding, (OR) bordering, or closest to 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 at (31) 24 percent of its market value in (1977,) 1979 for taxes payable in (1978,) 1980 and (AT 30 PERCENT THEREAFTER) *subsequent years*. 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 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. 6. Minnesota Statutes 1978, Section 273.13, Subdivision 6a, is amended to read:

Subd. 6a. [HOMESTEAD OWNED BY FAMILY FARM CORPORATION OR PARTNERSHIP.] (a) Each family farm corporation and each partnership operating a family farm shall be entitled to class 3b assessment and shall be eligible for the credit provided in subdivision 6 for one homestead occupied by a shareholder or partner thereof who is residing on the land and actively engaged in farming of the land owned by the corporation or partnership. Such a homestead shall not exceed (160) 320 acres, and shall be assessed as provided in subdivision 6, notwithstanding the fact that legal title to the property may be in the name of the corporation or partnership and not in the name of the person residing thereon. "Family farm corporation" and "family farm" shall mean as defined in section 500.24.

(b) In addition to property specified in paragraph (a), any other residences owned by corporations or partnerships described in paragraph (a) which are located on agricultural land and occupied as homesteads by shareholders or partners who are actively engaged in farming on behalf of the corporation or partnership shall also be assessed as class 3b property, and be entitled to the credit provided in subdivision 6, but the property eligible shall be limited to the residence itself and as much of the land surrounding the homestead, not exceeding one acre, as is reasonably necessary for the use of the dwelling as a home, and shall not include any other structures that may be located thereon.

Sec. 7. Minnesota Statutes 1978, 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 (22) 19 percent of the market value thereof in (1977,) 1979 for taxes payable in (1978,) 1980 and (AT 20 PERCENT THEREAFTER) *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, shall be reduced by (45) 60 percent of the amount of such tax; provided that the amount of said reduction shall not exceed (\$325) \$800 nor be less than \$200. *However, the reduction provided in this subdivision shall not exceed the property taxes payable that year.* 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 (36) 32 percent of market value in (1977,) 1979 for taxes pay-

able in (1978,) 1980 and (AT 33 1/3 PERCENT THEREAFTER) 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. Class 3cc property shall include only real estate which is used for the purposes of a homestead by (a) 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 (b) any person (hereinafter referred to as veteran) who: (1) served in the active military or naval service of the United States and (2) 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 wheelchair, and (3) 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 (c) any person who: (1) is permanently and totally disabled and (2) is receiving (i) aid from any state as a result of that disability, or (ii) supplemental security income for the disabled, or (iii) workers' compensation based on a finding of total and permanent disability, or (iv) social security disability, or (v) 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. Class 3cc property 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 shall be reduced by (45) 60 percent of the amount of such tax; provided that the amount of said reduction shall not exceed (\$325) \$800 nor be less than \$200. However, the reduction provided in this subdivision shall not exceed the property taxes payable for that year. If the market value is in excess of the sum of \$28,000, the amount in excess of that sum shall be valued and assessed at (31) 24 percent in (1977,) 1979 for taxes payable in (1978) 1980 and (30 PERCENT THEREAFTER) subsequent years, in the case of agricultural land used for a homestead and (36) 32 percent in the case of all other real estate used for a homestead for taxes payable in (1978) 1980 (AND 33 1/3 PERCENT FOR TAXES PAYABLE IN 1979) and subsequent years.

Sec. 8. Minnesota Statutes 1978, 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 shall be reduced by (45) 60 percent of the amount of the tax in respect of said value as otherwise determined by law, but not by more than (\$325) \$800.

Sec. 9. *The 1978 adjusted assessed values determined under the provisions of section 124.212 shall be computed using the assessment ratios for taxes payable in 1980 provided by sections 4, 5, and 7. In the case of adjusted assessed values which are limited under the provisions of section 124.212, subdivision 11, clause (a), the recomputation provided in this section shall be made on the limited value.*

Sec. 10. Minnesota Statutes 1978, Section 273.132, is amended to read:

273.132 [STATE PAID AGRICULTURAL CREDIT.] The county auditor shall reduce the tax for school purposes 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 (15) 17 mills on the property. The county auditor shall reduce the tax for school purposes 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) 12 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.

In 1977, 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. In 1978, payment shall be made pursuant to sections 124.212, subdivision 7b and 124.11, for the purpose of replacing revenue lost as a result of the reduction in 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 in fiscal year 1978. There is appropriated from the general fund in the state treasury to the department of education the amount

necessary to make these payments in fiscal year 1979 and thereafter.

Sec. 11. Minnesota Statutes 1978, Section 273.17, Subdivision 1, is amended to read:

273.17 [ASSESSMENT OF REAL PROPERTY.] Subdivision 1. In every year, on January 2, the assessor shall also assess all real property that may have become subject to taxation since the last previous assessment, including all real property platted since the last real estate assessment, and all buildings or other structures of any kind, whether completed or in process of construction, of over \$1,000 in value, the value of which has not been previously added to or included in the valuation of the land on which they have been erected. (THE NEWLY ASSESSED PROPERTY SHALL BE VALUED INITIALLY AT A VALUE NOT EXCEEDING THE AVERAGE PERCENT OF MARKET VALUE USED IN THE TAX LEVIES FOR ITS RESPECTIVE CLASS OF PROPERTY 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. THE ASSESSMENT SHALL BE INCREASED TO MARKET VALUE IN ANNUAL INCREMENTS AS PROVIDED IN SECTION 273.11, SUBDIVISION 2 UNTIL SUCH TIME AS THE PROPERTY IS REASSESSED.) He shall make return thereof to the county auditor, with his return of personal property, showing the tract or lot on which each structure has been erected and the market value added thereto by such erection. Every assessor shall list, without revaluing, in each year, on a form to be prescribed by the commissioner of revenue, all parcels of land that shall have become homesteads or shall have ceased to be homesteads for taxation purposes since the last real estate assessment, and other parcels of land when the use of the land requires a change in classification or the land has been incorrectly classified in a previous assessment.

The county auditor shall note such change in the assessed valuation upon the tax lists, caused by a change in classification, and shall calculate the taxes for such year on such changed valuation. In case of the destruction by fire, flood, or otherwise of any building or structure, over \$100 in value, which has been erected previous to the last valuation of the land on which it stood, or the value of which has been added to any former valuation, the assessor shall determine, as nearly as practicable, how much less such land would sell for at private sale in consequence of such destruction, and make return thereof to the auditor.

Sec. 12. Minnesota Statutes 1978, Section 290A.03, Subdivision 11, is amended to read:

Subd. 11. [RENT CONSTITUTING PROPERTY TAXES.] "Rent constituting property taxes" means (22) 25 percent of the gross rent actually paid in cash, or its equivalent, or that portion of gross rent which is paid in lieu of property taxes, in (1977) 1979 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. 13. Minnesota Statutes 1978, 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 1977 or any calendar year thereafter. No apportionment or reduction of the "property taxes payable" shall be required for the use of a portion of the claimant's homestead for a business purpose if the claimant does not deduct any business depreciation expenses for the use of a portion of the homestead in the determination of federal adjusted gross income. For homesteads which are mobile homes as defined in section 168.011, subdivision 8, "property taxes payable" shall also include (22) 25 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, such tenants shall determine between them which tenant may claim the property taxes payable on the homestead. If they are unable to agree, the matter shall be referred to the commissioner of revenue and his decision shall be final. 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. 14. Minnesota Statutes 1978, Section 290A.04, Subdivision 2, is amended to read:

Subd. 2. The refund 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 (\$2,999) \$3,599, 0.5 percent, up to \$475;

- (3,000) 3,600 to (3,999) 4,799, 0.6 percent, up to \$475;  
 (4,000) 4,800 to (4,999) 5,999, 0.7 percent, up to \$475;  
 (5,000) 6,000 to (5,999) 7,199, 0.8 percent, up to \$475;  
 (6,000) 7,200 to (6,999) 8,399, 0.9 percent, up to \$475;  
 (7,000) 8,400 to (7,999) 9,599, 1.0 percent, up to \$475;  
 (8,000) 9,600 to (8,999) 10,799, 1.1 percent, up to \$475;  
 (9,000) 10,800 to (9,999) 11,999, 1.2 percent, up to \$475;  
 (10,000) 12,000 to (10,999) 13,199, 1.3 percent, up to \$475;  
 (11,000) 13,200 to (11,999) 14,399, 1.4 percent, up to \$475;  
 (12,000) 14,400 to (19,999) 23,999, 1.5 percent, up to \$475;  
 (20,000) 24,000 to (22,999) 27,599, 1.6 percent, up to \$475;  
 (23,000) 27,600 to (25,999) 31,199, 1.8 percent, up to \$425;  
 (26,000) 31,200 to (30,999) 37,199, 2.0 percent, up to \$375;  
 (31,000) 37,200 to (35,999) 43,199, 2.2 percent, up to \$350;  
 (36,000) 43,200 to (40,999) 49,199, 2.4 percent, up to \$325;  
 (41,000) 49,200 to (44,999) 53,999, 2.6 percent, up to \$325;  
 (45,000) 54,000 to (52,999) 63,599, 2.8 percent, up to \$325;  
 (53,000) 63,600 to (65,999) 79,199, 3.0 percent, up to \$325;  
 (66,000) 79,200 to (81,999) 98,399, 3.2 percent, up to \$325;  
 (82,000) 98,400 to (99,999) 119,999, 3.5 percent, up to \$325;  
 (100,000) 120,000 and over, 4.0 percent, up to \$325;

provided that maximum credits for incomes above (\$20,000) \$24,000 decline according to the following schedule:

between (\$20,000) \$24,000 and (\$26,000) \$31,200 decline (\$16.67) \$1.39 per (\$1,000) \$100; between (\$26,000) \$31,200 and (\$36,000) \$43,200 decline (\$5) \$.42 per (\$1,000) \$100.



The payment made to a claimant shall be the amount of refund calculated pursuant to this subdivision, but not exceeding \$675, less the homestead credit given pursuant to section 273.13, subdivisions 6 and 7.

Sec. 15. Minnesota Statutes 1978, Section 290A.04, Subdivision 2a, is amended to read:

Subd. 2a. An additional refund shall be allowed each claimant who was not disabled or who had not attained the age of 65 by June 1 of the year in which the taxes were payable (AND WHOSE CLAIM IS BASED ON TAXES PAID ON THE HOME HE OWNS) in an amount equal to (35) 50 percent of the amount by which property taxes payable (AND) or rent constituting property taxes exceed the sum of (a) the refund calculated pursuant to subdivision 2 and (b) the percentage of the claimant's household income specified in subdivision 2. The sum of the refunds provided in subdivision 2 and this subdivision shall not exceed the maximum amounts provided below.

For claimants earning:

\$0 to (19,999) 23,999, up to (\$800) \$1,100;

(20,000) 24,000 to (25,999) 43,199, up to (\$800) \$1,100;

(26,000 TO 35,999, UP TO \$650;)

(36,000) 43,200 and over, up to \$325;

provided that maximum refunds for incomes above (\$20,000) \$24,000 decline according to the following schedule:

between (\$20,000) \$24,000 and (\$26,000) \$43,200 decline (\$25) \$4.04 per (\$1,000; BETWEEN \$26,000 AND \$36,000 DECLINE \$32.50 PER \$1,000) \$100. A claimant who owns his own homestead part of the year and rents part of the year may add his rent constituting property taxes to the qualifying tax on his homestead and receive the additional refund provided in subdivision 2a.

Sec. 16. Minnesota Statutes 1978, Section 290A.04, Subdivision 2b, is amended to read:

Subd. 2b. An additional refund shall be allowed each claimant who is disabled or has attained the age of 65 by June 1 of the year in which the taxes were payable in an amount equal to (50) 60 percent of the amount by which property taxes payable or rent constituting property taxes exceed the sum of (a) the refund calculated pursuant to subdivision 2 and (b) the percentage of the claimant's household income specified in subdivi-

sion 2. The sum of the refunds provided in subdivision 2 and this subdivision shall not exceed the maximum amounts provided below.

For claimants earning:

\$0 to (19,999) 23,999, up to (\$800) \$1,100;

(20,000) 24,000 to (22,999) 43,199, up to (\$800) \$1,100;

(23,000 TO 25,999, UP TO \$763;)

(26,000 TO 35,999, UP TO \$725;)

(36,000) 43,200 and over, up to \$525;

provided that maximum refunds for incomes above (\$20,000) \$24,000 decline according to the following schedule:

between (\$20,000) \$24,000 and (\$26,000) \$43,200 decline (\$12.50) \$3.00 per (\$1,000; BETWEEN \$26,000 AND \$36,000 DECLINE \$20 PER \$1,000) \$100.

In the case of a claimant who was disabled on or before June 1 or who attained the age of 65 on the date specified in subdivision 1, the refund shall not be less than the refund 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.

Sec. 17. Minnesota Statutes 1978, Section 290A.04, is amended by adding a subdivision to read:

Subd. 2c. [INFLATION ADJUSTMENT.] *For claims based on property taxes payable in 1981 and rent constituting property taxes paid in 1980 and thereafter, the income amounts in subdivisions 2, 2a, and 2b shall be adjusted for inflation. The commissioner of revenue shall annually determine the percentage increase in the consumer price index (revised series) for the Minneapolis-St. Paul metropolitan area prepared by the United States department of labor with 1967 as a base year. The commissioner of revenue shall determine the percentage change occurring over the prior one year period ending in August of the current year. The commissioner shall then multiply each of the income amounts by that percentage and add the resulting product, rounded to the nearest dollar, to such base income amounts which shall be allowed under this subdivision for that taxable year. The commissioner shall announce his determination by November 1 of each taxable year.*

Sec. 18. Minnesota Statutes 1978, Section 290A.04, Subdivision 3, is amended to read:

Subd. 3. The commissioner of revenue shall construct and make available to taxpayers a comprehensive table showing the property taxes to be paid and credit allowed at various levels of income and assessment. The table shall follow the schedule of income percentages, maximums and other provisions specified in (SUBDIVISION) *subdivisions 2, 2a, 2b, and 2c*, except that the commissioner may graduate the transition between income brackets.

For homestead property owners who are disabled or are 65 or older, as provided in subdivision 1, the commissioner shall base his determination of the credit on the gross qualifying tax reduced by the average statewide effective homestead credit percentage for taxes payable in 1975 calculated under section 273.13, subdivisions 6 and 7.

Sec. 19. [EFFECTIVE DATE.] *Sections 2, 3, 4, 5, 6, 7, 8, 10 and 11 are effective for taxes levied in 1979 payable in 1980 and subsequent years. Sections 12, 13, 14, 15, 16 and 18 are effective for claims based on property taxes payable in 1980 and rent constituting property taxes paid in 1979 and subsequent years. Section 17 is effective for claims based on property taxes payable in 1981 and rent constituting property taxes paid in 1980 and subsequent years."*

Further, delete the title and insert:

"A bill for an act relating to taxation; repealing limited market value; changing homestead base value; decreasing classification ratios on certain property; increasing homestead credit percentage and maximum amount; increasing property tax refund amounts for renters and homeowners; providing a basic adjustment and annual adjustments to property tax refund income amounts according to rate of change in the cost of living index; amending Minnesota Statutes 1978, Sections 124.212, Subdivision 7c; 273.11; 273.122; 273.13, Subdivisions 4, 6, 6a, 7 and 14a; 273.132; 273.17, Subdivision 1; 290A.03, Subdivisions 11 and 13; 290A.04, Subdivisions 2, 2a, 2b and 3, and by adding a subdivision."

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 67 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Adams	Anderson, I.	Berglin	Byrne	Clark
Anderson, B.	Battaglia	Berkelman	Carlson, L.	Clawson
Anderson, G.	Begich	Brinkman	Cassery	Corbid

Eken	Jude	McEachern	Otis	Swanson
Elioff	Kahn	Metzen	Patton	Tomlinson
Ellingson	Kalis	Minne	Pehler	Vanasek
Enebo	Kelly	Moe	Prahl	Voss
Faricy	Kempe	Munger	Reding	Waldorf
Fudro	Kostohryz	Murphy	Rice	Welch
Greenfield	Kroening	Nelsen, M.	Sarna	Wenzel
Hokanson	Lehto	Nelson	Sieben, H.	Wynia
Jacobs	Long	Norton	Sieben, M.	
Jaros	Mann	Novak	Simoneau	
Johnson, C.	McCarron	Osthoff	Stoa	

Those who voted in the negative were:

Aasness	Erickson	Johnson, D.	Nysether	Searles
Ainley	Esau	Kaley	Olsen	Sherwood
Albrecht	Evans	Knickerbocker	Onnen	Stadum
Anderson, D.	Ewald	Kvam	Pavlak	Stowell
Anderson, R.	Fjoslien	Laidig	Peterson	Sviggum
Biersdorf	Forsythe	Levi	Piepho	Thiede
Blatz	Friedrich	Ludeman	Pleasant	Valan
Carlson, D.	Fritz	Luknie	Redalen	Valento
Crandall	Halberg	McDonald	Rees	Weaver
Dean	Haukoos	Mehrkens	Reif	Welker
Dempsey	Heap	Nelsen, B.	Rose	Wieser
Den Ouden	Hoberg	Niehaus	Rothenberg	Zubay
Drew	Jennings	Norman	Schreiber	Speaker Searle

The motion prevailed and the amendment was adopted.

H. F. No. 1129, A bill for an act relating to taxation; repealing limited market value; changing homestead base value; decreasing classification ratios on certain property; increasing homestead credit percentage and maximum amount; increasing property tax refund amounts for renters and homeowners; providing a basic adjustment and annual adjustments to property tax refund income amounts according to rate of change in the cost of living index; amending Minnesota Statutes 1978, Sections 124.-212, Subdivision 7c; 273.11; 273.122; 273.13, Subdivisions 4, 6, 6a, 7 and 14a; 273.132; 273.17, Subdivision 1; 290A.03, Subdivisions 11 and 13; 290A.04, Subdivisions 2, 2a, 2b 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 67 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Adams	Brinkman	Elioff	Jaros	Kroening
Anderson, B.	Byrne	Ellingson	Johnson, C.	Lehto
Anderson, G.	Carlson, L.	Enebo	Jude	Long
Anderson, I.	Casserly	Faricy	Kahn	Mann
Battaglia	Clark	Fudro	Kalis	McCarron
Begich	Clawson	Greenfield	Kelly	McEachern
Berglin	Corbid	Hokanson	Kempe	Metzen
Berkelman	Eken	Jacobs	Kostohryz	Minr

Moe	Novak	Reding	Stoa	Welch
Munger	Osthoff	Rice	Swanson	Wenzel
Murphy	Otis	Sarna	Tomlinson	Wynia
Nelsen, M.	Patton	Sieben, H.	Vanasek	
Nelson	Pehler	Sieben, M.	Voss	
Norton	Prahl	Simoneau	Waldorf	

Those who voted in the negative were:

Aasness	Erickson	Johnson, D.	Nysether	Searles
Ainley	Esau	Kaley	Olsen	Sherwood
Albrecht	Evans	Knickerbocker	Onnen	Stadum
Anderson, D.	Ewald	Kvam	Pavlak	Stowell
Anderson, R.	Fjoslien	Laidig	Peterson	Swiggum
Biersdorf	Forsythe	Levi	Piepho	Thiede
Blatz	Friedrich	Ludeman	Pleasant	Valan
Carlson, D.	Fritz	Luknic	Redalen	Valento
Crandall	Halberg	McDonald	Rees	Weaver
Dean	Haukoos	Mehrkens	Reif	Welker
Dempsey	Heap	Nelsen, B.	Rose	Wieser
Den Ouden	Hoberg	Niehaus	Rothenberg	Zubay
Drew	Jennings	Norman	Schreiber	Speaker Searle

The bill was not passed, as amended.

### 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. No. 455 which it recommended to pass as amended by the Committee of the Whole on Thursday, April 12, 1979.

H. F. No. 361 which it recommended progress.

On the motion of Sieben, H., 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:

Kahn moved to amend H. F. No. 455 as follows:

Page 4, after line 8, insert:

"Sec. 2. Minnesota Statutes 1978, Section 129.121 is amended by adding a subdivision to read:

*Subd. 1d. The league shall not require member schools to restrict a team to members of one sex when athletic opportunities for the members of the excluded sex have previously been limited."*

The question was taken on the adoption of the amendment and the roll was called. There were 47 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Laidig	Novak	Swanson
Berglin	Faricy	Lehto	Osthoff	Tomlinson
Berkelman	Greenfield	Long	Otis	Vanasek
Blatz	Hokanson	McCarron	Pehler	Voss
Byrne	Jaros	Metzen	Prahl	Wenzel
Carlson, L.	Jude	Moe	Rice	Wynia
Cassery	Kahn	Munger	Rothenberg	Zubay
Clark	Kaley	Murphy	Sieben, H.	
Clawson	Kelly	Nelson	Sieben, M.	
Corbid	Kostohryz	Norton	Stoa	

Those who voted in the negative were:

Aasness	Drew	Jennings	Niehaus	Sherwood
Adams	Eken	Johnson, C.	Norman	Simoneau
Ainley	Elioff	Johnson, D.	Nysether	Stadum
Albrecht	Erickson	Kalis	Olsen	Stowell
Anderson, D.	Esau	Kempe	Onnen	Sviggum
Anderson, G.	Evans	Knickerbocker	Patton	Thiede
Anderson, I.	Ewald	Kroening	Pavlak	Valan
Anderson, R.	Fjoslien	Kvam	Peterson	Valento
Battaglia	Forsythe	Levi	Piepho	Waldorf
Begich	Friedrich	Ludeman	Redalen	Weaver
Biersdorf	Fritz	Luknic	Reding	Welch
Brinkman	Fudro	Mann	Rees	Welker
Carlson, D.	Halberg	McDonald	Reif	Wieser
Crandall	Haukoos	McEachern	Rose	Speaker Searle
Dean	Heap	Mehrkens	Sarna	
Dempsey	Hoberg	Minne	Schreiber	
Den Ouden	Jacobs	Nelsen, B.	Searles	

The motion did not prevail and the amendment was not adopted.

Kahn moved to amend H. F. No. 455 as follows:

Page 2, line 4, after "sex" insert "*whether or not*"

Page 2, line 4, reinstate the stricken language "this restriction is"

Page 2, lines 5 and 6, reinstate the stricken language

Further amend the title as follows:

Page 1, line 2, delete "providing equal opportunity" and insert "permitting sex restricted athletic teams whether or not they serve the purpose of equal opportunity"

Page 1, delete line 3

Page 1, line 4, delete "certain athletics"

The question was taken on the adoption of the amendment and the roll was called. There were 27 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Berglin	Ellingson	Lehto	Otis	Stoa
Byrne	Enebo	Long	Patton	Voss
Casserly	Greenfield	McCarron	Pehler	Wynia
Clark	Jaros	Norton	Rice	
Clawson	Kahn	Novak	Sieben, H.	
Corbid	Kelly	Osthoff	Sieben, M.	

Those who voted in the negative were:

Aasness	Drew	Johnson, C.	Munger	Searles
Adams	Eken	Johnson, D.	Murphy	Sherwood
Ainley	Elioff	Jude	Nelsen, B.	Stadum
Albrecht	Erickson	Kalis	Niehaus	Swiggum
Anderson, D.	Esau	Kempe	Norman	Swanson
Anderson, G.	Evans	Knickerbocker	Nysether	Thiede
Anderson, I.	Ewald	Kostohryz	Olsen	Tomlinson
Anderson, R.	Fjoslien	Kroening	Onnen	Valan
Battaglia	Forsythe	Kvam	Pavlak	Valento
Begich	Friedrich	Laidig	Peterson	Vanasek
Biersdorf	Fritz	Levi	Piepho	Waldorf
Blatz	Fudro	Ludeman	Redalen	Weaver
Brinkman	Halberg	Luknic	Reding	Welch
Carlson, D.	Haukoos	Mann	Rees	Welker
Carlson, L.	Heap	McDonald	Reif	Wenzel
Crandall	Hoberg	McEachern	Rose	Wieser
Dean	Hokanson	Mehrkens	Rothenberg	Zubay
Dempsey	Jacobs	Metzen	Sarna	Speaker Searle
Den Ouden	Jennings	Minne	Schreiber	

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. 455, as amended by the Committee of the Whole on Thursday, April 12, 1979, and the roll was called. There were 95 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, I.	Carlson, D.	Eken	Friedrich
Adams	Anderson, R.	Carlson, L.	Elioff	Fritz
Ainley	Battaglia	Clawson	Erickson	Fudro
Albrecht	Begich	Crandall	Esau	Halberg
Anderson, B.	Biersdorf	Dempsey	Evans	Haukoos
Anderson, D.	Blatz	Den Ouden	Fjoslien	Heap
Anderson, G.	Brinkman	Drew	Forsythe	Hoberg

Hokanson	Levi	Niehaus	Reding	Sviggum
Jacobs	Ludeman	Norman	Rees	Swanson
Jennings	Luknic	Nysether	Reif	Thiede
Johnson, C.	Mann	Olsen	Rose	Valan
Johnson, D.	McDonald	Onnen	Rothenberg	Valento
Jude	McEachern	Patton	Sarna	Waldorf
Kalis	Mehrkens	Paviak	Schreiber	Weaver
Kempe	Metzen	Peterson	Searles	Welker
Knickerbocker	Minne	Piepho	Sherwood	Wenzel
Kostohryz	Munger	Pleasant	Simoneau	Wieser
Kroening	Murphy	Prahl	Stadum	Zubay
Kvam	Nelsen, B.	Redalen	Stowell	Speaker Searle

Those who voted in the negative were:

Berglin	Ellingson	Kaley	Nelson	Sieben, H.
Berkelman	Enebo	Kelly	Norton	Sieben, M.
Byrne	Ewald	Laidig	Novak	Stoa
Casserly	Faricy	Lehto	Osthoff	Tomlinson
Clark	Greenfield	Long	Otis	Vanasek
Corbid	Jaros	McCarron	Pehler	Voss
Dean	Kahn	Moe	Rice	Wynia

The motion prevailed.

#### MOTIONS AND RESOLUTIONS

McEachern moved that the name of Otis be stricken and the name of Drew be added as an author on H. F. No. 870. The motion prevailed.

Sieben, H., moved that the name of Pehler be added as an author on H. F. No. 1358. The motion prevailed.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, April 18, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, April 18, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives





## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## THIRTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 18, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elioff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pavlak	Valento
Biersdorf	Fritz	Long	Pehler	Vanasek
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Waldorf
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wieser
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

A quorum was present.

Searles was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly 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. 929, 1226, 1227, 1235, 305, 311, 546, 748, 1165, 1238, 877, 914, 1245, 924, 536, 318 and 749 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 177, A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; amending Minnesota Statutes 1978, Chapter 270, by adding sections; and Chapter 429, by adding a section; repealing Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14.

Reported the same back with the following amendments:

Page 1, line 15, delete "10" and insert "13"

Page 2, line 18, delete "10" and insert "13"

Page 2, line 24, after the period insert "*In making such determination, the commissioner shall solicit information and opinions from outside his department and afford all interested persons an opportunity to submit data or views on the subject in writing or orally.*"

Page 3, line 15, delete "10" and insert "13"

Page 4, line 22, delete "10" and insert "13"

Page 5, line 6, after the period insert "*If the commissioner uses original cost as a factor in determining the unit value of operating property, no depreciation or obsolescence allowance shall be permitted. However, if the commissioner uses replacement cost as a factor in determining the unit value of operating property, then a reasonable depreciation and obsolescence allowance may be used.*"

*The commissioner shall give a report to the legislature in February 1980 and in February 1981 on the formula which he has used to determine the unit value of railroad operating property pursuant to this act. This report shall also contain the valuation for payable 1980 and 1981 by company and the taxes payable in 1980 and 1981 by company based upon the valuation of operating property. The legislature may review the formula, the valuation, and the resulting taxes and may make changes in the formula that it deems necessary.*"

Page 5, line 28, delete "Subdivision 1."

Page 6, delete lines 12 to 17

Page 6, line 22, delete "equalized"

Page 6, line 24, delete "equalized"

Page 6, line 26, delete "assessed valuation" and insert "fair market value"

Page 7, delete section 11 and insert:

"Sec. 11. Minnesota Statutes 1978, Chapter 270, is amended by adding a section to read:

[270.90] [PAYMENT OF TAXES IN 1980 AND 1981 ONLY.] *For the years 1979 and 1980 only, after the commissioner has determined the market value of the operating property of each company under the provisions of sections 5 and 6, he shall compute the assessed value of the operating property by applying the classification percentage contained in section 273.13, subdivision 9. By March 1, 1980 and 1981, the commissioner shall compute the tax due from each company by applying the average statewide mill rate. The statement of taxes shall be sent to each company on or before April 1, 1980 and 1981, and shall indicate the assessed value of operating property, the mill rate applied in determining the taxes and the total amount of taxes due and payable. That amount shall be compared to the amount of gross earnings tax imposed under section 13 of this act. If the amount paid pursuant to section 13 is less than the amount computed in this section, the additional tax shall be payable to the commissioner and shall be deposited by him in the general fund of the state treasury. The provisions of section 279.01 pertaining to due dates and penalties for late payment of taxes for nonhomestead property shall be applicable to the taxes payable under this section. If the amount paid pursuant to section 13 exceeds the amount computed in this section, the commissioner shall refund the amount of excess within 60 days. The amounts necessary to make the refunds provided in this section are appropriated to the commissioner from the general fund in the state treasury.*

Sec. 12. Minnesota Statutes 1978, Section 272.02, Subdivision 1, is amended to read:

272.02 [EXEMPT PROPERTY.] Subdivision 1. Except as provided in other subdivisions of this section or in section 272.025, all property described in this section to the extent herein limited shall be exempt from taxation:

- (1) All public burying grounds;

- (2) All public schoolhouses;
- (3) All public hospitals;
- (4) All academies, colleges, and universities, and all seminaries of learning;
- (5) All churches, church property, and houses of worship;
- (6) Institutions of purely public charity;
- (7) All public property exclusively used for any public purpose;
- (8) All natural cheese held in storage for aging by the original Minnesota manufacturer;
- (9) (a) Class 2 property of every household of the value of \$100, maintained in the principal place of residence of the owner thereof. The county auditor shall deduct such exemption from the total valuation of such property as equalized by the revenue commissioner assessed to such household, and extend the levy of taxes upon the remainder only. The term "household" as used in this section is defined to be a domestic establishment maintained either (1) by two or more persons living together within the same house or place of abode, subsisting in common and constituting a domestic or family relationship, or (2) by one person.

(b) During the period of his active service and for six months after his discharge therefrom, no member of the armed forces of the United States shall lose status of a householder under paragraph (a) which he had immediately prior to becoming a member of the armed forces.

In case there is an assessment against more than one member of a household the \$100 exemption shall be divided among the members assessed in the proportion that the assessed value of the Class 2 property of each bears to the total assessed value of the Class 2 property of all the members assessed. The Class 2 property of each household claimed to be exempt shall be limited to property in one taxing district, except in those cases where a single domestic establishment is maintained in two or more adjoining districts.

Bonds and certificates of indebtedness hereafter issued by the state of Minnesota, or by any county or city of the state, or any town, or any common or independent school district of the state, or any governmental board of the state, or any county or city thereof, shall hereafter be exempt from taxation; provided, that nothing herein contained shall be construed as exempting such bonds from the payment of a tax thereon, as provided for by section 291.01, when any of such bonds con-

stitute, in whole or in part, any inheritance or bequest, taken or received by any person or corporation.

(10) Farm machinery manufactured prior to 1930, which is used only for display purposes as a collectors item;

(11) The taxpayer shall be exempted with respect to, all agricultural products, inventories, stocks of merchandise of all sorts, all materials, parts and supplies, furniture and equipment, manufacturers material, manufactured articles including the inventories of manufacturers, wholesalers, retailers and contractors; and the furnishings of a room or apartment in a hotel, rooming house, tourist court, motel or trailer camp, tools and machinery which by law are considered as personal property, and the property described in section 272.03, subdivision 1 (c), except personal property which is part of an electric generating, transmission, or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products or mains and pipes used in the distribution of steam or hot or chilled water for heating or cooling buildings and structures. *Railroad docks and wharves which are part of the operating property of a railroad company as defined in section 1 of this act are not exempt.*

(12) Containers of a kind customarily in the possession of the consumer during the consumption of commodities, the sale of which are subject to tax under the provisions of the excise tax imposed by Extra Session Laws 1967, Chapter 32;

(13) All livestock, poultry, all horses, mules and other animals used exclusively for agricultural purposes;

(14) All agricultural tools, implements and machinery used by the owners in any agricultural pursuit.

(15) Real and personal property used primarily for the abatement and control of air, water, or land pollution to the extent that it is so used.

Any taxpayer requesting exemption of all or a portion of any equipment or device, or part thereof, operated primarily for the control or abatement of air or water pollution shall file an application with the commissioner of revenue. Any such equipment or device shall meet standards, regulations or criteria prescribed by the Minnesota Pollution Control Agency, and must be installed or operated in accordance with a permit or order issued by that agency. The Minnesota Pollution Control Agency shall upon request of the commissioner furnish information or advice to the commissioner. If the commissioner determines that property qualifies for exemption, he shall issue an order exempting such property from taxation. Any such equipment or device shall continue to be exempt from taxation as long as

the permit issued by the Minnesota Pollution Control Agency remains in effect.

Sec. 13. Minnesota Statutes 1978, Section 295.02, is amended to read:

295.02 [ANNUAL RETURN.] Every railroad company owning or operating any line of railroad situated within, or partly within, this state shall, annually, pay to the commissioner of revenue, in lieu of all taxes upon all property within this state owned or operated for railway purposes by such company, including equipment, appurtenances, appendages and franchises thereof, a sum of money equal to (FIVE) *two* percent of the gross earnings derived from the operation of such line of railway within this state.

On or before September first, annually, each such railroad company shall file a true and just return of all such gross earnings for the six months ending June thirtieth, next preceding, and the tax of (FIVE) *two* percent thereon shall become due and payable to the state of Minnesota, in manner provided by law, on September first.

On or before March first, annually, each such railroad company shall file a true and just return of all such gross earnings for the six months ending December thirty-first, next preceding, and tax of (FIVE) *two* percent thereon shall become due and payable to the state of Minnesota, in manner provided by law, on March first. The payments of such sums at the times hereinbefore set forth shall be in full and in lieu of all other taxes upon the property and franchises so taxed.

Such returns shall be filed with the commissioner, in such form as he shall prescribe, and the provisions of chapter 294 and acts amendatory thereto, shall be applicable to such railroad companies and to the returns and the taxes submitted therewith by them.

The lands acquired by public grant shall be and remain exempt from taxation until sold or contracted to be sold or conveyed, as provided in the respective acts whereby such grants were made or recognized."

Page 8, line 1, after "Sec. 13." insert "*Section 14 shall be effective beginning for taxable years after December 31, 1980. The remainder of*"

Renumber the sections.

Further, amend the title:

Page 1, line 5, delete "and Chapter 429, by"

Page 1, line 6, delete "adding a section" and insert "Sections 272.02, Subdivision 1; and 295.02"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 257, A bill for an act relating to taxation; providing standards and procedures for tax increment financing; authorizing the issuance of bonds; authorizing tax increment financing for the payment of principal and interest on such bonds; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1978, Sections 362A.05; 458.192, Subdivision 11; 462.545, Subdivision 5; 462.585, Subdivisions 2, 3 and 4; 472A.06; 472A.07, by adding a subdivision; 473F.02, Subdivision 3; 473F.05; 473F.08, Subdivisions 2, 4 and 6; 474.10, Subdivisions 2 and 3; and Chapter 273, by adding sections; repealing Minnesota Statutes 1978, Sections 472A.02, Subdivision 3; 472A.07, Subdivision 4; and 472A.08.

Reported the same back with the following amendments:

Page 6, line 14 after "to" insert "*or services provided for*"

Page 11, after line 1, insert "*\$1,500,000,000 or more*" and "*3.5 percent*"

Page 11, line 2, delete "*or more*" and insert "*to \$1,499,999,999*"

Page 11, after line 5, insert "*The provisions of this subdivision shall not apply to a city of less than 2,500 population. All other provisions of this act shall apply to these cities unless otherwise indicated.*"

Page 13, line 29, delete "*15*" and insert "*ten*"

Page 21, line 20, before the period insert "*, except that a tax increment financing plan need not be adopted for any project for which tax increment financing has been undertaken prior to the effective date of the act pursuant to statutes not requiring a tax increment financing plan*"

Page 37, line 10, after "Sections" insert "*458.192, Subdivision 12;*"

And further amend the title:

Page 1, line 15, after "Sections" insert "*458.192, Subdivision 12;*"



With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 274, A bill for an act relating to medical assistance; nursing home rates; modifying exceptions to rate limits; requiring annual hearings on limits on nursing care; amending Minnesota Statutes 1978, Section 256B.47, Subdivision 1; and by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 256B.47, Subdivision 1 is amended to read:

256B.47 [RATE LIMITS.] Subdivision 1. The state agency shall by rule establish separate overall limitations on the costs for items which directly relate to the provision of patient care to residents of nursing homes and those which do not directly relate to the provision of care. The state agency may also by rule, establish limitations for specific cost categories which do not directly relate to the provision of patient care. The state agency shall *promptly* reimburse nursing homes for the costs of nursing care *upon the receipt and approval of an amended cost report*:

(a) If the commissioner of health issues a correction order pursuant to section 144A.10, subdivision 4, directing the nursing home to provide the additional nursing care; or

(b) *Up to a maximum of 3.2 hours per day for skilled nursing care or 2.45 hours per day for intermediate care under the following conditions. Only nursing homes that incurred in calendar year 1978 nursing hours in excess of 2.7 hours per day for skilled nursing care or 2.2 hours per day for intermediate care are eligible for reimbursement under (b). The state agency shall reimburse an eligible nursing home in one year for the costs of no more than ten percent more hours than the nursing home incurred for that level of nursing care during the previous calendar year, up to the maximum. Clause (b) expires upon promulgation of rules regarding maximum reimbursable nursing hours pursuant to section 3.*

All costs determined otherwise allowable shall be subject to these limitations.

Sec. 2. [EXPERIMENTAL PROJECT.] *Subdivision 1. The commissioner of health shall design and conduct a two year experimental project to identify and determine the feasibility of an alternative system of measuring the needs of residents in long-term care facilities for nursing care time and to determine the number of hours of nursing care for each level of care for which should be reimbursable under sections 256B.41 to 256B.51. The project shall be designed according to the concepts of the independent professional review and periodic medical review programs operated under Title XIX of the Social Security Act, 42 U.S.C. Sections 1396a et seq., and shall involve as participants those facilities certified as skilled nursing facilities or intermediate care facilities under that act. Long term care facilities eligible for certification as skilled nursing facilities or intermediate care facilities under the Social Security Act may be involved in the project at the discretion of the commissioner.*

*Subd. 2. The commissioner of health shall seek the advice and assistance of the commissioner of public welfare in the design, conduct and evaluation of the project.*

*Subd. 3. The commissioner shall seek the voluntary cooperation of a representative number of long term care facilities in conducting the project. The commissioner shall enter into a contract with each facility selected to participate in the project. The contracts shall specify the duties and responsibilities of the contracting facilities. The commissioner may terminate upon seven days notice any contract with a facility which does not comply with the terms of the contract or is otherwise not cooperating with the conduct of the project. The rules of the departments of health and of public welfare relating respectively to minimum hours of nursing care time and maximum reimbursable hours of nursing care time shall not be applicable to any contracting facility during the period of the contract. During contract periods, and notwithstanding the provisions of Minnesota Statutes, Sections 15.0412 and 256B.47, minimum hours of nursing care time and maximum reimbursable hours of nursing care time shall be fixed according to the provisions of the project design and each contract.*

*Subd. 4. Not later than June 30, 1981, the commissioner shall furnish the governor and the legislature with a report on the project and the commissioner's recommendations regarding the advisability and manner of utilizing the results of the project.*

Sec. 3. *Utilizing the results of the project conducted by the commissioner of health pursuant to section 2, the commissioner of public welfare shall establish in rule the maximum number of hours of nursing care reimbursable under sections 256B.41 to 256B.51 for each level of care no later than January 1, 1982.*

Sec. 4. \$ . . . . . is appropriated to the commissioner of public welfare from the general fund for the purposes of section 1 for the biennium ending June 30, 1981. \$200,000 is appropriated to the commissioner of health from the general fund for the purposes of section 2 for the biennium ending June 30, 1981.

Sec. 5. Sections 1 to 4 are effective the day following final enactment."

Further, amend the title as follows:

Line 3, delete "requiring"

Delete line 4 and insert "providing for an experimental project to determine an alternative system of measuring needs and reimbursement; appropriating money;"

Line 6, delete "; 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.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 313, A bill for an act relating to public employees; reimbursing university systems for expenses of certain athletic leaves of absence; amending Minnesota Statutes 1978, Section 15.62, Subdivision 3.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 348, A bill for an act relating to health; establishing a council on physical fitness; prescribing its duties; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [PUBLIC POLICY.] The legislature recognizes that physical inactivity associated with sedentary living is a

major health problem and has been shown to contribute to a wide range of serious medical problems including heart disease, obesity, backache, or chronic fatigue. The legislature also recognizes the relationship between a sound mind and a sound body and believes that vigorous physical activity builds character, develops citizenship, and contributes to physical well being and healthy productive living. Therefore, it is the purpose of this act to improve the quality of life in Minnesota by increasing the general level of physical fitness of the citizens of the state.

Sec. 2. [ADVISORY COUNCIL ON PHYSICAL FITNESS.]  
Subdivision 1. [CREATION.] An advisory council is hereby created to study and promote the physical fitness of the citizens of Minnesota.

Subd. 2. [DUTIES.] The council shall:

(a) Promote the development of physical fitness with the assistance of local health and educational agencies, business, labor unions, health action and advocacy groups, religious, fraternal and social organizations, community based multiservice recreational agencies, and health maintenance organizations;

(b) Promote physical fitness research and collect and disseminate statistics on physical fitness achievements of residents of all ages;

(c) Sponsor physical fitness workshops, clinics, and conferences for physical educators, health professionals, recreation personnel, civic and business leaders, and others;

(d) Initiate public service advertising programs; and

(e) Generate income for its physical fitness programs and other functions from the private sector.

The council shall submit an annual report on January 15 to the governor and to the legislature describing its activities.

Subd. 3. [MEMBERSHIP.] The council shall consist of 15 members appointed by the governor. There shall be at least one member from each congressional district. They shall have backgrounds in a wide range of activities, including business management, labor, school administration, higher education, recreation and parks, communications and media, amateur and professional sports competition, public health, sports medicine, physical fitness, and nutrition. There shall be at least one member each from the house of representatives and the senate and at least one member shall be a local government official. The governor shall appoint one of his staff as a member to serve as a liaison with the council. Terms, compensation of members, their removal from office and the filling of vacancies shall be as provided in Minne-

sota Statutes, Section 15.059. Legislator members shall not receive the per diem pay authorized by Minnesota Statutes, Section 15.059.

Subd. 4. [OFFICE, MEETINGS, OFFICERS.] The advisory council shall maintain an office in the department of health. The full council shall meet six times per year and may hold other meetings when deemed necessary at the times and places it may designate. The council shall select a chairman, a vice chairman, and any other officers from its membership it may deem necessary to serve as an executive committee. The executive committee shall hold meetings at the times and places it may designate.

Subd. 5. [STAFF.] The council may employ the professional, clerical, and technical assistants it deems necessary in order to perform its duties.

Sec. 3. [FUNDS.] Subdivision 1. [ACCEPTANCE OF OFFERS.] When a person, corporation, the United States government, or other entity offers funds to the council by way of gift, grant, or loan for the purpose of assisting the council to carry out its powers and duties, the council may accept the offer by majority vote and upon acceptance, the chairman shall receive the funds subject to the terms of the offer. 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. 2. [FEDERAL GRANTS.] The council may contract with the department of health, education and welfare for the purpose of receiving federal grants under section 1707 of the Public Health Service Act, 42 U.S.C. 3000-5. If the council enters into a contract under this subdivision, it may plan and administer a program of grants-in-aid to support physical fitness projects, research projects and public information efforts to promote the development of physical fitness in accordance with the federal contract terms.

Subd. 3. [COMPLIANCE WITH CONDITIONS.] The council may establish a program to evaluate and improve the availability and quality of sports medicine and athletic trainer programs in this state if such a program is necessary in order to qualify for federal funds contracted for under subdivision 2.

Sec. 4. [APPROPRIATIONS.] There is appropriated from the general fund to the department of health the sum of \$ . . . . . for the biennium ending June 30, 1981, for the purposes of this act.

Sec. 5. [EFFECTIVE DATE.] This act shall be effective July 1, 1979."

Further, amend the title as follows:

Page 1, line 3, after "its" insert "powers and"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 386, A bill for an act relating to the range association of municipalities and schools; providing for the court standing of the association; amending Minnesota Statutes 1978, Section 471.58.

Reported the same back with the following amendments:

Page 2, line 7, after "in" delete "*any other manner proper for a corporation*" and insert "*which the outcome of the action will have an effect upon the interest of any of its members*"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 489, A bill for an act relating to the Hennepin county park reserve district; regulating tax levies and bond issues for the purposes of the district; amending Laws 1967, Chapter 721, Section 2, as amended.

Reported the same back with the following amendments:

Page 1, line 20 after "thereof." strike "To provide"

Page 1, strike lines 21 and 22

Page 2, lines 1 to 29, strike old language and delete new language

Amend the title as follows:

Page 1, line 3 delete "and bond issues"

Page 1, line 4 delete "for the purposes of the district"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wigley from the Committee on Energy and Utilities to which was referred:

H. F. No. 496, A bill for an act relating to cities; authorizing cities engaged in gas distribution to secure gas by individual or joint action; authorizing the creation of municipal gas agencies; defining their powers and responsibilities; authorizing the issuance of bonds.

Reported the same back with the following amendments:

Page 2, line 3, after "services." insert "It is not the purpose of sections 1 to 11 to authorize a municipal corporation to engage in the distribution of gas to the end users."

Page 4, line 8, after "taken" insert "; and provided further, that the concurrence of the city council or other elected body charged with the general management of a city shall be required, prior to the adoption by the city of any resolution approving an agency agreement or any amendment thereto"

Page 6, line 21, after the comma, insert "other than the municipal gas agency,"

Page 12, line 31, delete "may" and insert "shall"

Page 20, line 27, after "[CITY POWERS.]" insert a new subdivision:

"Subdivision 1. A city may by resolution of its governing body, elect to join a municipal gas agency, provided that it shall give written notice by mail to all its gas consumers twenty days prior to the meeting at which the resolution is to be considered, and one week's prior notice by publication in the official newspaper."

Renumber remaining subdivisions

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 508, A bill for an act relating to unemployment compensation; exempting family corporation shareholder's income

from contribution rate; amending Minnesota Statutes 1978, Section 268.04, Subdivision 12.

Reported the same back with the following amendments:

Page 9, line 31, delete the new language, reinstate "(AN OFFICER)" and insert "*or shareholder*"

Page 12, line 13, after "officers" insert "*or shareholders*"

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 Labor-Management Relations to which was referred:

H. F. No. 567, A bill for an act relating to privacy of communications; permissible monitoring; amending Minnesota Statutes 1978, Section 626A.02, Subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 626A.02, Subdivision 2, is amended to read:

Subd. 2. [EXEMPTIONS.] (a) It shall not be unlawful under sections 626A.01 to 626A.23 for an operator of a switchboard, or an officer, employee, or agent of any communication common carrier, whose facilities are used in the transmission of a wire communication, to intercept, disclose, or use that communication in the normal course of his employment while engaged in any activity which is a necessary incident to the rendition of his service or to the protection of the rights or property or the carrier of such communication: provided, that said communication common carriers shall not utilize service observing or random monitoring except for mechanical or service quality control checks *and when utilized notice of such monitoring shall be published in each telephone directory.*

(b) It shall not be unlawful under sections 626A.01 to 626A.23 for an officer, employee, or agent of the Federal Communications Commission, in the normal course of his employment and in discharge of the monitoring responsibilities exercised by the commission in the enforcement of chapter 5 of title 47 of the United States Code to intercept a wire communication, or oral communication transmitted by radio, or to disclose or use the information thereby obtained.



(c) It shall not be unlawful under sections 626A.01 to 626A.-23 for a person acting under color of law to intercept a wire or oral communication, where such person is a party to the communication or one of the parties to the communication has given prior consent to such interception.

(d) It shall not be unlawful under this chapter for a person not acting under color of law to intercept a wire or oral communication where such person is a party to the communication or where one of the parties to the communication has given prior consent to such interception unless such communication is intercepted for the purpose of committing any criminal or tortious act in violation of the constitution or laws of the United States or of any state or for the purpose of committing any other injurious act."

Amend the title as follows:

Page 1, line 3, delete "monotoring" and insert "monitoring"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 579, A bill for an act relating to Blue Earth County; authorizing the county to enter into various agreements for acquisition of property; amending Laws 1973, Chapter 38, Section 1.

Reported the same back with the following amendments:

Page 1, line 14 delete "*real or*"

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. 582, A bill for an act relating to natural resources; requiring the commissioner of natural resources, by eminent domain proceedings, to acquire public access to certain bodies of water in Itasca County.

Reported the same back with the following amendments:

Page 1, line 12, delete "shall" and insert "may"

Page 1, line 18, after the period insert "The commissioner is not required to acquire the mineral interests in said lands."

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 626, A bill for an act relating to welfare; establishing a program of subsidies to families caring in the home for certain mentally retarded, autistic and cerebral palsied minor dependents; appropriating money; amending Minnesota Statutes 1978, Chapter 245, by adding a section; repealing Minnesota Statutes 1978, Section 252.27, Subdivision 4.

Reported the same back with the following amendments:

Page 1, line 18, delete "the"

Page 1, delete line 19

Page 1, line 20, delete "establish a program to" and insert "county boards or human services boards may, subject to rules promulgated by the commissioner of public welfare,"

Page 1, line 24, after "Subd. 2." insert "County boards may limit" and after "program" delete "shall be limited"

Page 2, line 7, delete "welfare"

Page 2, line 10, delete "welfare"

Page 2, line 13, after "by" insert "the county board or human services board subject to limitations prescribed in this section and rules promulgated by"

Page 2, line 15, delete "commissioner" and insert "board"

Page 2, line 23, delete "commissioner" and insert "board"

Page 2, line 30, delete "as"

Page 2, line 31, delete "grants under" and insert "to county boards for the purposes of"

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. 675, A bill for an act relating to the Memorial Hardwood Forest; directing the sale or exchange of certain tillable parcels; responsibility for roads; retention of easements; authorizing exemptions.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 707, A bill for an act relating to health; providing for special grants to provide a range of services designed to maintain physically impaired adults in their homes and communities; appropriating money; amending Minnesota Statutes 1978, Section 145.912, Subdivision 7; and Chapter 145, 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.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 727, A bill for an act relating to courts; authorizing the Itasca County court district to elect an additional judge; amending Minnesota Statutes 1978, Section 487.01, Subdivision 5.

Reported the same back with the following amendments:

Page 3, after line 18, insert:

*"Sec. 2. 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.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 747, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1978, Sections 353.01, Subdivisions 2b, 10, 16, and 27; 353.017, Subdivision 2; 353.29, Subdivisions 2 and 8; 353.31, Subdivision 1; 353.32, Subdivisions 1, 3, and 9; 353.33, Subdivision 1 and by adding a subdivision; 353.34, Subdivision 3; 353.35; 353.46, Subdivision 1; 353.656, Subdivision 2; 353.657, Subdivision 1; 353.71, Subdivision 5; repealing Minnesota Statutes 1978, Sections 353.272; 353.33, Subdivisions 4 and 6.

Reported the same back with the following amendments:

Page 2, line 13, after "employees" insert "*other than firefighters*"

Page 2, line 14, after "employees" insert "*other than firefighters*"

Page 3, line 11, after "no" insert "*person employed*"

Page 3, line 11, strike "public employees" and insert "*by a governmental subdivision*"

Page 4, after line 14, insert:

*"(s) volunteer firefighters as defined in section 22 and firefighters who receive reimbursement for expenses incurred incidental to their performance of duties as firefighters or who receive compensation for services if the employing municipality does not annually stipulate in advance on a form prescribed by the executive director that the annual compensation from any hourly wage payments for service as a firefighter which will be payable during the year shall exceed \$3,000 and if the annual compensation from any hourly wage payments for service as a firefighter which is actually received during the year does not exceed \$3,000."*

Page 5, line 13, delete "*not*"

Page 5, line 14, delete "*exceeding one year*" and after "pay" insert "*which does not exceed one year and*"

Page 7, after line 12, insert:

"Sec. 6. Minnesota Statutes 1978, Section 353.03, Subdivision 3, is amended to read:

Subd. 3. [OFFICERS; EMPLOYEES; BYLAWS.] The board shall elect a chairman and vice-chairman, and shall ap-

point an executive director and other employees and may adopt bylaws, and procure other services as it may reasonably deem necessary and fix their compensation subject to subdivision 2 hereof. (EXCEPT IN SUBDIVISION 3A, WHENEVER THE TERMS "SECRETARY", "SECRETARY OF THE BOARD" OR "SECRETARY OF THE BOARD OF TRUSTEES" APPEAR IN THIS CHAPTER THE REVISOR OF STATUTES IS HEREIN DIRECTED TO SUBSTITUTE THEREFOR, "EXECUTIVE DIRECTOR".) *The executive director shall be appointed by the board on the basis of fitness, experience in the retirement field and leadership ability. The executive director shall have had at least five years of experience on the administrative staff of a major retirement system.*

Page 11, line 10, delete "*contributions refunded*" and insert "*a refund otherwise authorized pursuant to section 353.34*"

Page 11, line 11, delete "*or any*" and insert "*and no purchase of prior service or*"

Page 11, line 11, delete "*to obtain additional credit*" and insert "*made in lieu of salary deductions otherwise authorized pursuant to sections 353.01, subdivision 16, 353.017, subdivision 4, or 353.36, subdivision 2*"

Page 11, line 11, after "*after*" insert "*the occurrence of the*"

Page 11, line 12, delete "*occurs*" and insert "*for which an application pursuant to this section is filed*"

Page 11, delete section 13

Page 12, delete section 16 and insert:

"Sec. 16. Minnesota Statutes 1978, Section 353.64, Subdivision 1, is amended to read:

353.64 [MEMBERSHIP; QUALIFICATIONS; POLICE OFFICER, FIRE FIGHTER.] Subdivision 1. Any person who prior to July 1, 1961, was a member of the police and fire fund, by virtue of being a police officer or fire fighter, shall as long as he remains in either position, be deemed to continue his membership in said fund. Any other employee serving on a full-time basis as a police officer or fire fighter on or after July 1, 1961, shall become a member of the public employees police and fire fund. Any employee serving on less than a full-time basis as a police officer (OR FIRE FIGHTER), as determined by the rules *which shall be* prescribed by the board of trustees *on or before January 1, 1980*, shall become a member of the public employees police and fire fund only after a resolution is adopted by the governing body of the governmental subdivision employing (SUCH) *the* person declaring that the position (SUCH)

which the person holds is (EITHER) that of a police officer (OR FIRE FIGHTER). Any employee serving on less than a full time basis as a firefighter other than a volunteer firefighter as defined in section 20, as determined by rules which shall be prescribed by the board of trustees on or before January 1, 1980, shall become a member of the public employees police and fire fund only after a resolution is adopted by the governing body of the governmental subdivision employing the person declaring that the position which the person holds is that of a fire fighter and that the position will be compensated at an hourly wage payment rate which will yield a salary on an annual basis in an amount in excess of \$3,000. Any police officer or fire fighter who by virtue of his employment is required to contribute to any other pension, relief, or retirement fund established for the benefit of officers (AND) or employees of a governmental subdivision other than a volunteer firefighters relief association to which sections 69.771 to 69.776 shall not be a member of this fund.

Sec. 17. Minnesota Statutes 1978, Section 353.65, Subdivision 2, is amended to read:

Subd. 2. The employee contribution shall be an amount equal to eight percent of the total salary of every member. This contribution shall be made by deduction from salary in the manner provided in subdivision 4. Where any portion of a member's salary is paid from other than public funds, such member's employee contribution shall be based on the total salary received from all sources. *If the member is a firefighter employed on less than a full-time basis, the member's total salary shall not include any reimbursement payments for fire calls unless the established reimbursement for fire calls is payable on the basis of the number of hours of service during the fire call or the established reimbursement payment rate for a fire call of three hours duration exceeds an amount equal to three times the minimum wage for employees who are age 18 or older as defined in section 177.24, subdivision 1.*

Page 13, delete section 18

Page 13, after line 28, insert:

“Sec. 20. [VOLUNTEER FIREFIGHTER; DEFINITION.] *A volunteer firefighter is any person who serves on a regular basis as an active member of a municipal fire department or an independent nonprofit firefighting corporation without becoming eligible for substantial compensation for that service and who is actively engaged in the suppression of fire and the prevention of fire hazards. For purposes of this section, a firefighter shall be deemed to be eligible for substantial compensation for service on a regular basis as an active member of a municipal fire department or an independent nonprofit firefighting corporation when the annual total compensation from any hourly*

wage payments for that service exceeds an amount equal to 20 percent of the annualized average weekly wage paid by employers as defined in Minnesota Statutes, Section 268.07, Subdivision 2 or the established reimbursement for fire calls is payable on the basis of the number of hours of service during the fire call or the established reimbursement payment rate for a fire call of three hours duration exceeds an amount equal to three times the minimum wage for employees who are age 18 or older as defined in Minnesota Statutes, Section 177.24, Subdivision 1.

**Sec. 21. [CORRECTION OF ERRONEOUS INTERPRETATION OF EXCLUSION OF CERTAIN EMPLOYEES IN CERTAIN FEDERAL PROGRAMS.]** *The employment of a person as an enrollee under the federal comprehensive employment and training act in a subsidized on-the-job training, work experience or public service employment position shall not be deemed to be two employments for purposes of implementing the exclusion from retirement fund coverage provided for in Laws 1978, Chapter 720, even though the compensation for the person is paid in part from federal comprehensive employment and training act subsidy funds and is paid in part from local supplementary revenue sources other than funds provided under the federal comprehensive employment and training act, and any contrary prior administrative interpretation of the provisions of Laws 1978, Chapter 720 is deemed to be erroneous. This section shall be deemed to be remedial in nature and shall be effective retroactively to March 30, 1978. Any employee contributions and any employer and employer additional contributions taken from or on behalf of any person who would have been excluded from retirement fund coverage pursuant to Laws 1978, Chapter 720 except for the erroneous prior administrative interpretation shall be deemed to be erroneous deductions and shall be refunded as soon as practicable to the person and employing unit involved. The refund shall be accompanied by interest at the rate of five percent per annum compounded, payable from the date that the erroneous deduction was taken to the first day of the month in which the refund is processed.*

**Sec. 22. [BENEFIT ADJUSTMENTS FOR CERTAIN OMITTED SURVIVOR BENEFIT RECIPIENTS.]** *In addition to the benefit increase granted pursuant to Laws 1978, Chapter 665, Section 2, each public pension fund to which Minnesota Statutes, Section 356.41 shall pay an increase equal to four percent to eligible survivors who are recipients of automatic survivor annuities of retirees where the retiree began initial receipt of the retirement annuity prior to July 1, 1976 and who did not receive an increase from or an increase equal to the increase from the Minnesota adjustable fixed benefit fund paid or payable on January 1, 1978 and who did not receive an increase pursuant to Laws 1978, Chapter 665, Section 2. The increase shall be payable from the first day of the month next following the effective date of this section and shall include retroactive payments to July 1, 1978.*

Sec. 23. [REINSTATEMENT OF CERTAIN DISABILITY BENEFITS.] *A former member of the public employees retirement association who was a former employee of the Nopeming Sanatorium, who became eligible for total and permanent disability benefits on November 20, 1969, and whose total and permanent disability benefits were discontinued as of March 21, 1972 pursuant to Minnesota Statutes, Section 353.33, Subdivision 6, shall again be entitled to total and permanent disability benefits upon application therefor and compliance with Minnesota Statutes, Section 353.33, commencing upon the effective date of this act, notwithstanding the fact that more than three years have elapsed following termination of public service."*

Page 13, delete section 20

Page 13, line 31, delete "This act is" and insert "Sections 1, 6, 18, 19, 22, 23, 24 and 25 are effective the day following final enactment. The balance of this act shall be"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "2;" insert "353.03, Subdivision 3;"

Page 1, lines 8 and 9, delete "and by adding a subdivision"

Page 1, line 10, delete "353.46" and insert "353.64" and after the first semicolon insert "353.65, Subdivision 2;"

Page 1, line 11, delete "353.657, Subdivision 1;" and after "5" delete the semicolon and insert a period

Page 1, delete lines 12 and 13

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. 772, A bill for an act relating to highways; allowing private landowners to install drainage tiles in highway right-of-way; amending Minnesota Statutes 1978, Section 160.20, by adding a subdivision.

Reported the same back with the following amendments:



Page 1, line 14, after "highway" insert "*provided that there will be no diversion of drainage waters away from the natural receiving drainageway immediately downstream from the highway*"

Page 2, line 6, delete "No open trenching will be"

Page 2, line 7, delete "allowed."

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 841, A bill for an act relating to courts; authorizing the judges of the courts within each judicial district to elect to reorganize to form one unified court.

Reported the same back with the following amendments:

Page 4, line 7, delete "110" and insert "102"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 844, A bill for an act relating to crimes; authorizing counties to establish victim support funds and to provide services to victims of crime; providing for a penalty assessment on convicted persons; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [POLICY.] It is the policy of the state of Minnesota to provide programs, in addition to the Minnesota crime victims reparation act, for emergency and support services to the victims of crimes, including the victims of conduct by juveniles which would be criminal if committed by an adult; and to establish victim support funds and promote the delivery of emergency and support services by political subdivisions of the state.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 6, the following terms have the meanings given them.

Subd. 2. "Emergency and support services" mean those services provided to crime victims pursuant to Minnesota Statutes, Sections 241.51 to 241.66, victim-witness and restitution programs.

Subd. 3. "Commissioner" means the commissioner of corrections.

Sec. 3. [DUTIES OF THE COMMISSIONER.] Subdivision 1. The commissioner shall prescribe standards for the emergency and support services defined in this act and for the implementation of sections 3 and 4. The standards shall include the percentage of program funds which may be expended for administrative costs.

Subd. 2. The commissioner shall review emergency and support services programs proposed by counties and groups of counties, and shall certify those programs which meet the standards established in subdivision 1.

Subd. 3. The commissioner shall design and implement a uniform method of collecting and evaluating data on programs established pursuant to sections 1 to 6.

Subd. 4. The commissioner shall provide technical assistance to counties in the design and operation of emergency and support services programs.

Subd. 5. The commissioner shall appoint a project coordinator, who shall be in the unclassified service. The project coordinator shall assist the commissioner in performing the duties set forth in this section.

Subd. 6. The commissioner shall report biennially to the legislature on the programs established pursuant to sections 1 to 6.

Sec. 4. [COUNTY ESTABLISHMENT OF VICTIM SUPPORT FUND.] Subdivision 1. Any county or group of counties may establish a victim support fund with which to finance the emergency and support services in a manner consistent with the rules adopted pursuant to section 3. Counties may contract with nonprofit corporations for the conduct of any program or delivery of any services provided pursuant to sections 1 to 6. A county or a group of counties may not establish a victim support fund until the commissioner of corrections has certified that the proposed emergency and support services program meets the minimum standards pursuant to section 3, subdivision 2.

Subd. 2. Any county or group of counties participating in the community corrections subsidy act established by Minnesota Statutes, Chapter 401, which elects to provide the program and services authorized by subdivision 1 must include them in the comprehensive plan for the delivery and administration of correctional services prescribed in Minnesota Statutes, Chapter 401.

Sec. 5. [COURT DUTIES.] Upon a person being convicted of a crime in any county or group of counties in which a program to provide emergency and support services to the victims of crime has been certified by the commissioner and established by the county board, if the court finds that the defendant has the ability to pay, the court shall, in addition to any other penalty, order the defendant to pay a penalty assessment commensurate with the offense committed of at least \$10, but not to exceed \$100 for a misdemeanor, \$500 for a gross misdemeanor and \$1,000 for a felony. There shall be only one penalty assessment notwithstanding that the defendant is convicted under the same indictment or complaint of more than one count. The penalty assessment imposed pursuant to this section shall be paid into the victim support fund authorized by section 4.

Subd. 2. The sentencing court may, upon a showing of indigency or undue hardship upon the convicted person or his immediate family, authorize payment of the penalty assessment in installments. If the convicted person is sentenced and committed to imprisonment, the chief executive officer of the institution in which the person is confined may collect the assessment from any earnings the inmate shall accrue for work performed in the institution or while on conditional release therefrom under the provisions of Minnesota Statutes, Section 241.26 or 631.425, and forward same to the victim support fund of the county in which he was sentenced.

Sec. 6. There is appropriated from the general fund to the commissioner of corrections the sum of \$40,000 for the purpose of implementing 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, C., from the Committee on Education to which was referred:

H. F. No. 852, A bill for an act relating to schools; requiring school boards to allow official representatives of military forces reasonable access to certain school facilities for recruitment presentations; amending Minnesota Statutes 1978, Section 123.36, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 17, delete "*enlistment in*" and insert "*entry into*"

Page 1, line 18, after the period insert "*The access required by this subdivision shall be equivalent to the access provided to other persons or groups which make pupils aware of post-secondary occupational or educational options.*"

Page 2, line 4, after "*facilities*" insert "*for the purpose of recruiting*"

Page 2, line 8, delete "*amount*" and insert "*use*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 872, A bill for an act relating to the state building code; restricting statewide application of certain provisions; requiring builders to construct homes in compliance with the building code; permitting the use of ungraded Minnesota lumber in certain jurisdictions; providing for courses on lumber grading; providing tuition reimbursement and per diem for building officials; providing for notations in deeds; appropriating money; amending Minnesota Statutes 1978, Sections 16.851; 16.861, Subdivisions 1 and 4, and by adding a subdivision; 16.866, Subdivision 1; 327A.01, Subdivision 2; 327A.02, Subdivision 1; repealing Laws 1978, Chapter 786, Section 22.

Reported the same back with the following amendments:

Page 1, after line 17, insert:

"Section 1. Minnesota Statutes 1978, Section 16.84, Subdivision 3, is amended to read:

Subd. 3. "*Municipality*" means any city, county, (OR) town (MEETING THE REQUIREMENTS OF SECTION 368.01, SUBDIVISION 1), or the University of Minnesota *which, as of May 27, 1971, has a building code or which adopts a building code prior to June 1, 1977, or after the effective date of this act.*"

Renumber succeeding sections

Page 1, line 21, delete the new language

Page 1, lines 23 to 27, delete the new language

Page 2, lines 1 to 4, delete the new language and insert:

*“Specifically, the code shall apply to any municipality which as of May 27, 1971, has a building code and shall further apply to any municipality which chooses to adopt a building code prior to June 1, 1977. The code shall also apply to all public buildings in the state. A city, county, town, or the University of Minnesota shall enforce the state building code with respect to construction of any public building within its jurisdiction. The state building code shall also apply to any building in the state which is not used or designed primarily as a one or two family dwelling. The state building inspector or other inspector certified by the state shall enforce the state building code with respect to construction of these buildings in areas where a county, city, or town has not adopted and is not enforcing the code.”*

Page 2, line 15, delete “A municipality” and insert “Any municipality which did not adopt the code prior to June 1, 1977, may adopt and enforce the state building code or any portion of it with respect to any construction within the municipality’s jurisdiction. If a municipality adopted or enforced the state building code prior to June 1, 1977 or elects after the effective date of this act to adopt the code, it”

Page 3, line 22, after “where” insert “the code has been adopted but”

Page 3, line 28, after “municipality” insert “, or other unit of local government with respect to public buildings,”

Page 3, lines 31 and 33, strike “municipality” and insert “unit of local government”

Page 4, line 1, strike “municipality” and insert “unit”

Page 4, line 4, after “municipalities” insert “, or other units of local government with respect to public buildings,”

Page 4, line 8, after “municipality” insert “or other unit of local government”

Page 4, line 14, after “municipality” insert “or other unit of local government”

Page 4, after line 21, insert “In every municipality which adopts the state building code,”

Page 4, line 22, delete “every” and insert “the”

Page 5, lines 21 and 22, delete *"which has been charged with enforcing the state building code after July 1, 1977"*

Page 5, line 24, after *"single"* insert *"and double"*

Page 5, line 26, after *"jurisdiction"* delete *"if the lumber has been inspected by a"*

Page 5, delete line 27

Page 5, line 28, delete everything up to the period

Page 6, line 18, after *"municipalities"* insert *"enforcing the state building code"*

Page 7, after line 1, insert:

*"Out of the total surcharge paid to the commissioner, that portion which results from the issuance of plumbing permits shall be allocated to the commissioner of health for administering the plumbing program pursuant to Minnesota Statutes, Section 16.86, Subdivision 5."*

Page 7, line 3, after *"to"* insert *"those"* and after *"municipalities"* insert *"enforcing the state building code"*

Page 7, lines 14 and 28, after *"code"* insert *"," where adopted"*

Page 8, line 3, delete section 8 and insert:

*"Sec. 9. Nothing in sections 1 to 8 shall be construed to affect sections 471.465 to 471.469, regarding building requirements for handicapped persons. These sections and rules promulgated by the commissioner of administration regarding building requirements for handicapped persons shall continue to apply statewide, and shall be enforced by each city, county, or town meeting the requirements of section 368.01, subdivision 1, or the University of Minnesota. In any city, county, or town meeting the requirements of section 368.01, subdivision 1, or the University of Minnesota, which does not adopt the state building code, the commissioner of administration shall cause administration and enforcement of building requirements for the handicapped to be undertaken by the state building inspector or other inspector certified by the state. Immediately upon undertaking administration and enforcement the commissioner shall notify the affected unit of local government in writing and the unit may challenge the determination as a contested case before the commissioner pursuant to the administrative procedures act. The commissioner shall determine the appropriate fees to be charged for the administration and enforcement service rendered. Any cost to the state arising from the state administration and enforce-*

*ment of the laws regarding building requirements for the handicapped shall be borne by the subject unit of local government."*

Page 8, line 13, after "each" and before "a" delete "county" and insert "*municipality adopting the state building code*" and delete "\$20,000 per county or"

Page 8, delete lines 14 to 17

Page 8, line 18, delete "*enforcing area to that of the county*" and insert "*\$30,000 to be used for adoption and enforcement of the building code*"

Amend the title as follows:

Page 1, delete line 4

Page 1, line 5, delete "compliance with the building code;"

Page 1, line 9, delete "providing for"

Page 1, line 10, delete "notations in deeds;"

Page 1, line 11, after "Sections" insert "16.84, Subdivision 3;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 882, A bill for an act relating to pollution control; establishing processing procedures for outstanding unpaid charges for solid waste management; providing for certification of certain charges to county auditors for collection of taxes upon the lands served; amending Minnesota Statutes 1978, Section 400.08.

Reported the same back with the following amendments:

Page 2, line 7, delete "shall" and insert "may"

Page 2, line 12 after "interest" insert "*not to exceed 6 percent per annum*"

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. 899, A bill for an act relating to natural resources; eliminating the requirement for a wild rice processor's license; amending Minnesota Statutes 1978, Section 98.46, Subdivision 18.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 941, A bill for an act relating to corrections; creating a code of corrections; reorganizing various laws relating to corrections, including laws relating to the commissioner, personnel, the ombudsman, compacts, acts, and agreements, institutions, industries, offenders, community-based services, and releases; providing penalties; amending Minnesota Statutes 1978, Sections 244.01, Subdivisions 1 and 2; 244.08; 609.165, Subdivision 1; Chapters 144, by adding a section; 244, by adding a section; and 631, by adding sections; repealing Minnesota Statutes 1978, Sections 260.51; 260.52; 260.53; 260.54; 260.55; 260.56; 260.57; 325.45; 325.46; 325.47; 609.105, Subdivision 2; 609.12; 629.292; 629.294; and Chapters 241; 242; 243; and 401.

Reported the same back with the following amendments:

Page 13, line 2, delete "*or to the state sanatorium*"

Page 18, line 12, delete "*an x-ray examination*"

Page 18, line 13, delete "*of the lungs*" and insert "*a Mantoux test*"

Page 18, delete section 19

Page 80, line 24, delete "*engages in any conduct*"

Page 80, line 25, delete "*prohibited by law*"

Page 80, line 25, before "*may*" insert "*introduces or attempts to introduce contraband prohibited by section 56, or anything usable in making an escape, or assaults or attempts to assault an officer or employee of the institution*"

Page 81, delete lines 23 to 26



Renumber the sections and amend section references as may be required by this amendment

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 954, A bill for an act relating to counties; providing for the time for certain welfare board activities; amending Minnesota Statutes 1978, Sections 393.04; and 393.08.

Reported the same back with the following amendments:

Page 1, strike line 11 and insert "*by resolution establish a date for an annual meeting at which it shall*"

Page 1, line 12, strike "in July each"

Page 1, line 13, strike "year meet and"

Page 1, line 20, strike "and regulations"

Page 1, line 21, after "and" insert "*the director*"

Page 2, line 1, strike "His" and insert "*The director's*"

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 Governmental Operations to which was referred:

H. F. No. 970, A bill for an act relating to unemployment compensation; limiting benefits paid to certain owners of seasonal businesses; amending Minnesota Statutes 1978, Section 268.08, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 268.07, Subdivision 3, is amended to read:

Subd. 3. [WHEN WAGE CREDITS ARE NOT AVAILABLE.] (1) No individual may receive benefits in a benefit year unless, subsequent to the beginning of the next preceding benefit year during which he received benefits, he performed service in insured work as defined in section 268.04, subdivision 17, and earned remuneration for such service in an amount equal to not less than the minimum wage credits required to qualify for benefits.

(2) No employer who provided 90 percent or more of the wage credits in a claimant's base period shall be charged for benefits based upon earnings of such claimant during a subsequent base period unless he has employed such claimant in any part of such subsequent base period.

(3) *Wages paid by an employing unit may not be used for benefit purposes by any individual who individually or jointly with the individual's spouse, parent or minor child owns or controls directly or indirectly 25 percent or more interest in such employing unit or is in the employment of an employing unit in which the individual's spouse, parent or minor child owns or controls directly or indirectly 25 percent or more interest in such employing unit, except for an individual who is permanently separated from employment.*

Sec. 2. *This act is effective for new claims filed on and after July 1, 1979."*

Amend the title as follows:

Page 1, line 3, after "owners" insert "and relatives" and delete "seasonal" and insert "certain"

Page 1, line 5, delete "268.08, by adding a subdivision" and insert "268.07, Subdivision 3"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 971, A bill for an act relating to the city of Duluth; authorizing the issuance of bonds in connection with the municipal steam utility plant; authorizing the governing body to transfer money from the steam division account of the public utility fund to the general fund; authorizing the governing body to delegate the power to make certain purchases for the municipal steam utility to a private management organization.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Johnson C., from the Committee on Education to which was referred:

H. F. No. 993, A bill for an act relating to education; permitting a school district to sell certain buildings at auction; setting conditions for the sale.

Reported the same back with the following amendments:

Page 1, line 13, after "secondary" insert "or post-secondary"

Page 2, after line 5, insert:

"Sec. 2. This act shall be effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 1008, A bill for an act relating to housing; creating a demonstration program in congregate housing; appropriating money; amending Minnesota Statutes 1978, Sections 462A.02, by adding a subdivision; 462A.03, by adding a subdivision; 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision.

Reported the same back with the following amendments:

Page 3, line 10, delete "\$3,000,000" and insert "\_\_\_\_\_"

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 Labor-Management Relations to which was referred:

H. F. No. 1011, A bill for an act relating to labor; master and apprentice; identifying the ex officio member of the advisory council; authorizing equal opportunity in employment standards; providing for reciprocity recognition of certain programs; changing the terms of apprenticeships; changing the range in apprenticeship committee membership; amending Minnesota Statutes 1978, Sections 178.02, Subdivision 1; 178.03, Subdivision 3, and by adding a subdivision; 178.05, Subdivision 2; and 178.06.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1023, A bill for an act relating to Independent School District No. 911; providing for the sale of certain land.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 1049, A bill for an act relating to crimes; limiting juvenile court jurisdiction with respect to certain juveniles; amending Minnesota Statutes 1978, Sections 260.015, by adding a subdivision; 260.111, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 15, after "degree" insert "*and has been adjudicated delinquent for an offense committed within the preceding 24 months, which offense would be a felony if committed by an adult*"

Page 2, line 5, after "degree," insert "*aggravated robbery,*"

Page 2, line 11, delete "*violation of*"

Page 2, delete all of lines 25 to 33 and insert:

*"Subd. 3. Any person described in section 1 who is convicted as charged or of any lesser offense for which he would have been charged in the same court as adults similarly charged shall not thereafter be subject to the jurisdiction of the juvenile court. Any person described in section 1 who is acquitted or who is convicted of a lesser included offense which could not have been charged pursuant to section 1 in the same court as adults similarly charged, shall be subject to juvenile court jurisdiction for appropriate disposition on the record of the adult court acquittal or conviction and shall be subject to juvenile court jurisdiction for any subsequent unlawful conduct other than that described in section 1. Delinquent adjudications occurring prior to the effective date of this act shall be considered in determining the applicability of section 1 to*

*persons who commit offenses to which section 1 applies after the effective date of this act."*

Page 3, delete all of line 1 and insert the following:

*"Sec. 3. Except as provided in section 2, this act is effective May 1, 1980 and"*

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1063, A bill for an act relating to the city of Duluth; increasing the number of directors on the Duluth Transit Authority and permitting representation of the city of Superior, Wisconsin; amending Laws 1969, Chapter 720, Sections 1, as amended, and 11, Subdivision 3.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1084, A bill for an act relating to financial reports; requiring the preparation of annual reports on state finances; appropriating money; amending Minnesota Statutes 1978, Sections 16A.055, 16A.50, 16A.55, Subdivision 1; repealing Minnesota Statutes 1978, Section 16A.55, Subdivisions 2 to 9.

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. 1111, A bill for an act relating to pollution; authorizing water pollution control fund grants for certain wastewater treatment projects; providing for use of state and federal funds in certain proportions; authorizing issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1978, Section 116.18, Subdivisions 1 and 4.

Reported the same back with the following amendments:

Page 1, line 16, delete "\$157,600,000" and insert "\$155,000,000"

Page 3, line 31, delete "\$146,600,000" and insert "\$144,000,000"

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:

H. F. No. 1126, A bill for an act relating to state parks; authorizing the acquisition of certain lands for Afton State Park by eminent domain.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1169, A bill for an act relating to census taking; providing for the taking of special censuses by the United States bureau of the census rather than the secretary of state; providing for the approval of school district population estimates by the state demographer; providing for annual population estimates of governmental subdivisions by the state demographer and their use in the computation of tax levy limits and local government aid; abolishing the authority of the municipal board to determine the population of municipalities and towns; amending Minnesota Statutes 1978, Sections 4.12, Subdivision 7; 275.14; 275.45; 275.53; 414.01, Subdivision 14; 477A.01, Subdivision 4; and Chapter 477A, by adding a section; repealing Minnesota Statutes 1978, Sections 365.61; and 414.033, Subdivision 8.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 1216, A bill for an act relating to liquor; registration of labels; amending Minnesota Statutes 1978, Section 340.62.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 340.62, is amended to read:

**340.62 [CERTAIN LIQUOR REGISTERED.]** No licensed manufacturer or wholesaler shall manufacture or import for sale within the state, any brand of intoxicating liquor or *nonintoxicating malt beverage* such as distilled spirits (AND), wine, beer or malt beverage, or any distilled or vinous liquor designated as a specialty, wherein such liquor is ready for sale for beverage purposes without further processing, unless the label of such brand has been *filed by the owner thereof or authorized agent and registered* with and approved by the commissioner. The commissioner shall hereinafter establish a register for such brand labels, which labels shall be acceptable under the following conditions:

(1) No brand of intoxicating liquor or *nonintoxicating malt beverage* as hereinbefore described shall be manufactured or imported for sale within the state after the passage of this act unless the brand label thereof has been (SUBMITTED TO) *registered by the owner thereof or authorized agent and approved by the commissioner and the importation thereof made with the consent of the brand owner or authorized agent.* The fee for such *filing and registration* shall be (\$10) \$15 for each brand label. *Nothing in this clause (1) shall be construed to repeal, limit or otherwise affect the provisions of section 340.114.*

(2) THE SAME REGISTRATION AND FEE SHALL BE REQUIRED FOR ANY BRAND OF LIQUOR AS HEREINBEFORE DESCRIBED WHICH HAS BEEN MANUFACTURED OR IMPORTED FOR SALE WITHIN THIS STATE AND IN WHICH THE BRAND LABEL FOR SUCH BRAND HAS BEEN FILED WITH THE COMMISSIONER AND WHEREIN THE SALE OF SUCH BRAND HAS BEEN DISCONTINUED WITHIN THE STATE BY THE MANUFACTURER OR WHOLESALER FOR A PERIOD OF TWO YEARS.)

((3) AFTER THE SALE OF ANY BRAND OF INTOXICATING LIQUOR AS HEREINBEFORE DESCRIBED HAS BEEN DISCONTINUED WITHIN THIS STATE FOR A PERIOD OF THREE YEARS BY THE MANUFACTURER OR WHOLESALER DISTRIBUTING IT, SAID BRAND AND ITS BRAND LABEL AND ANY AND ALL REGISTRATIONS THEREOF IN THIS STATE SHALL THEREAFTER BE CONCLUSIVELY PRESUMED TO HAVE BEEN ABANDONED BY SAID MANUFACTURER OR WHOLESALER.)

(2) All labels shall be registered for a two year period. The registration period shall begin on the first day of the month in which the application is approved by the commissioner. When a label approval expires, it may be re-registered for another two year period, by refiling, paying the fee and obtaining the approval of the commissioner. In order to implement the provisions of this act, all labels approved before July 1, 1978 shall expire June 30, 1980 and all labels approved between July 1, 1978 and June 30, 1979 shall expire June 30, 1981.

((4)) (3) The terms "brand" and "brand label," when used herein, shall each be construed to mean and include trademarks and designs used in connection therewith.

((5)) (4) All money received by the commissioner under the provisions of this section shall be paid to the state treasurer and such money shall be credited to the general fund.

Sec. 2. *This act is effective July 1, 1979.*"

Delete the title in its entirety and insert:

"A bill for an act relating to liquor and nonintoxicating malt beverage; registration of labels; amending Minnesota Statutes 1978, Section 340.62."

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. 601, A bill for an act relating to trunk highways; requiring reimbursement of local expenses for fighting fires originating in the trunk highway right-of-way; amending Minnesota Statutes 1978, Section 161.465.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1394, 177, 313, 386, 489, 496, 508, 567, 579, 582, 747, 772, 852, 882, 941, 954, 970, 971, 993, 1011, 1023, 1049, 1063, 1126, 1169 and 1216 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. No. 601 was read for the second time.



INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Stadum and Nelsen, B., introduced:

H. F. No. 1410, A bill for an act relating to education; establishing a study commission on area vocational-technical institutes; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Anderson, I., introduced:

H. F. No. 1411, A bill for an act relating to Beltrami County; providing for disposition of the proceeds from the sale or rental of tax forfeited lands or from the sale of their products; increasing the amount that may be spent 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 Governmental Operations.

Pehler introduced:

H. F. No. 1412, A bill for an act relating to taxation; income; granting a tax credit to certain business firms who contribute to neighborhood organizations or who engage in activities to alleviate poverty in certain areas; prescribing certain duties and responsibilities of the department of revenue and department of economic security, office of economic opportunity.

The bill was read for the first time and referred to the Committee on Taxes.

Brinkman, Wenzel, Corbid, Ewald and Blatz introduced:

H. F. No. 1413, A bill for an act relating to commerce; providing for a rate of interest on business or agricultural loans; amending Minnesota Statutes 1978, Section 334.011, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Stoa introduced:

H. F. No. 1414, A bill for an act relating to political parties; changing the date for holding precinct caucuses; amending Minnesota Statutes 1978, Section 202A.14, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Olsen and Levi introduced:

H. F. No. 1415, A bill for an act relating to education; authorizing school districts to increase a certain levy; amending Minnesota Statutes 1978, Section 275.125, Subdivision 2a.

The bill was read for the first time and referred to the Committee on Education.

Valento, Wynia, Levi and Waldorf introduced:

H. F. No. 1416, A bill for an act relating to Ramsey County; fixing the terms of county commissioners; amending Laws 1974, Chapter 435, Section 2.021, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Sherwood and Wenzel introduced:

H. F. No. 1417, A bill for an act relating to local government; providing for fire protection services in various local units in Cass and Morrison counties.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Stowell, Wieser, Mehrkens, Lehto and Kahn introduced:

H. F. No. 1418, A bill for an act relating to transportation; providing for a feasibility study and cost analysis of certain modifications of trunk highway marked No. 74 within White-water State Park; including within the study the feasibility and cost of relocating certain park facilities; appropriating money.

The bill was read for the first time and referred to the Committee on Transportation.

Wynia, Otis, Drew, Rothenberg and Kostohryz introduced:

H. F. No. 1419, A bill for an act relating to public meetings; requiring availability of certain materials; imposing a penalty; amending Minnesota Statutes 1978, Section 471.705.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Heap, Rothenberg and Elioff introduced:

H. F. No. 1420, A bill for an act relating to education; providing for an occupational information system, for an advisory task force on the system and for a report to the legislature; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Patton; Anderson, D.; Casserly; Munger and Searle introduced:

H. F. No. 1421, A bill for an act relating to outdoor recreation; authorizing the issuance of state bonds and appropriating the proceeds for the acquisition and betterment of state trails, forests, and fish and wildlife management, natural and scientific areas.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Eken and Anderson, G., introduced:

H. F. No. 1422, A bill for an act relating to agriculture; providing annual audits for promotional councils; amending Minnesota Statutes 1978, Section 17.58, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Agriculture.

Sieben, M.; Schreiber and Casserly introduced:

H. F. No. 1423, A bill for an act relating to metropolitan government; providing for reconciliation of various possible conflicts among plans or programs; amending Minnesota Statutes 1978, Section 473.175, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Sieben, M., introduced:

H. F. No. 1424, A bill for an act relating to the city of Cottage Grove; authorizing a housing finance program and providing for the issuance of bonds to finance the program for single family or multiple family housing, or both.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Johnson, C.; Eken; Johnson, D.; Schreiber and Anderson, G., introduced:

H. F. No. 1425, A bill for an act relating to workers' compensation; limiting the time for reopening claims; amending Minnesota Statutes 1978, Section 176.151.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Begich and Carlson, D., introduced:

H. F. No. 1426, A bill for an act relating to public safety; extending the time for fencing certain unused open pit mines; amending Minnesota Statutes 1978, Section 180.03, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Brinkman; Patton; Nelsen, B.; Friedrich and Carlson, D., introduced:

H. F. No. 1427, A bill for an act relating to banks; raising the amount of an employee loan possible without prior board approval; amending Minnesota Statutes 1978, Section 48.08.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Albrecht, Redalen, Haukoos, Friedrich and Jennings introduced:

H. F. No. 1428, A bill for an act relating to agriculture; providing an income tax exclusion for interest earned on certain family farm security loan transactions; amending Minnesota Statutes 1978, Sections 41.55; 290.01, Subdivision 20; and Chapter 41, by adding a section.

The bill was read for the first time and referred to the Committee on Agriculture. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Enebo, Clawson, Sviggum, Stoa and Aasness introduced:

H. F. No. 1429, A bill for an act relating to state government; modifying the duties of certain state officers and departments; eliminating certain conflicting or obsolete provisions superseded by other provisions of law; eliminating the agricultural slogan and printing requirements relating thereto; modifying the general services and computer services revolving funds and the motorpool revolving account; changing procedures for disposal of certain old buildings; changing certain definitions; establishing procedures for approval of certain revised planning costs; clarifying mailing requirements for certain vehicles; extending use of state employee commuter vans; incorporating provisions of certain reorganization orders; appropriating money; amending Minnesota Statutes 1978, Sections 4.31, Subdivision 1; 15.052, Subdivision 6; 16.02, Subdivisions 10, 14, 18, and by adding a subdivision; 16.05; 16.098, Subdivision 9; 16.24; 16.243; 16.28; 16.77; 16.80, Subdivision 1; 16.82, Subdivision 1; 16.822, Subdivisions 5 and 9; 16.826, by adding a subdivision; 16.866, Subdivision 1; 16A.126; 43.17, Subdivision 4a; 84.084; 144.08; 155.18, Subdivision 1; 161.06, Subdivision 1; 168.012, Subdivision 1; 176.541, Subdivision 6; 177.28, Subdivision 6; 181A.09, Subdivision 3; 190.095, Subdivision 2; 239.52; 260.311, Subdivision 4; 268.06, Subdivision 26; 268.12, Subdivision 5; 268.15, Subdivision 2; 282.38, Subdivision 1; 290.59; 296.01, by adding a subdivision; 296.04; 296.25, Subdivision 1; 296.27; 296.28; 298.22, Subdivision 1; 299C.08; 352.03, Subdivision 6; 352.04, Subdivision 5; 354.06, Subdivision 2a; 360.015, Subdivision 16; 362.125; 574.04; and Chapter 16A, by adding a section; and Laws 1976, Chapter 233, Section 14; repealing Minnesota Statutes 1978, Sections 1.39; 10.31; 10.38; 16.096; 16.51; 16.52; 16.53; 16.56; 93.45; 136.85; 155.18, Subdivision 2; 296.07; and 299A.01, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

McDonald introduced:

H. F. No. 1430, A bill for an act relating to local government; providing that part of the town of Laketown is in the Lake Minnetonka conservation district for tax purposes.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Heinitz, Jude and Adams introduced:

H. F. No. 1431, A bill for an act relating to Hennepin County; establishing an unclassified civil service position of chief civil deputy sheriff; amending Laws 1965, Chapter 855, Section 7, Subdivision 2, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Norman introduced:

H. F. No. 1432, A bill for an act relating to education; providing for technical assistance in basic skills instruction for certain teachers; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Anderson, D., introduced:

H. F. No. 1433, A bill for an act relating to the city of Benson; authorizing the issuance of revenue bonds for the acquisition and installation of equipment for hospital and medical clinic purposes.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Valento, Reif, Fritz and Nelsen, B., introduced:

H. F. No. 1434, A bill for an act relating to workers' compensation; changing retraining benefits for certain employees; amending Minnesota Statutes 1978, Section 176.101, Subdivision 7.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Forsythe and Reif introduced:

H. F. No. 1435, A bill for an act relating to health; exempting out of state physicians from licensing regulations under certain conditions; amending Minnesota Statutes 1978, Section 147.09.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Esau introduced:

H. F. No. 1436, A bill for an act relating to the city of Currie in Murray County; authorizing the city to convey lands to a private individual, group or corporation.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Dempsey introduced:

H. F. No. 1437, A bill for an act relating to statutes; providing that selected statutes shall be subject to judicial modification as is common law; amending Minnesota Statutes 1978, Chapter 645, by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary.

Dempsey, Rees, Piepho and Jennings introduced:

H. F. No. 1438, A bill for an act relating to contracts; making certain contracts unenforceable unless in writing.

The bill was read for the first time and referred to the Committee on Judiciary.

## 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. 361, 410 and 600.

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. 550, 607, 728 and 876.

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. 450 and 905.

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. 346, 363, 467 and 708.

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. 491, 660, 709 and 980.

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. 186, 712, 759, 866 and 926.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 361, A bill for an act relating to highway traffic regulations; regulating speed limits within school zones; prescribing



ing penalties; amending Minnesota Statutes 1978, Section 169.14, Subdivision 5a.

The bill was read for the first time.

Heinitz moved that S. F. No. 361 and H. F. No. 176, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 410, A bill for an act relating to courts; board on judicial standards; providing for appointment of an executive secretary by the board; providing for appointment of board members by certain organizations; amending Minnesota Statutes 1978, Section 490.15, Subdivision 1.

The bill was read for the first time.

Rothenberg moved that S. F. No. 410 and H. F. No. 616, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 600, A bill for an act relating to natural resources; exempting track racing snowmobiles from registration requirements; amending Minnesota Statutes 1978, Section 84.82, Subdivision 6.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 550, A bill for an act relating to elections; regulating campaign financing; increasing certain expenditure limits; providing that a candidate's expenditure limit agreement is not binding unless agreements are signed by the candidate's opponents; amending Minnesota Statutes 1978, Sections 10A.25, Subdivision 2; and 10A.32, Subdivisions 3 and 3b.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 607, A bill for an act relating to crimes; prescribing penalties for the possession of controlled substances on school premises; amending Minnesota Statutes 1978, Section 152.15, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 728, A bill for an act relating to crimes; controlling telephone communications with certain offenders; allowing police to prevent unauthorized communications; providing penalties.

The bill was read for the first time.

Pavlak moved that S. F. No. 728 and H. F. No. 691, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 876, A bill for an act relating to local government; permitting units in Fillmore County to spend money to assist blood collection.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 450, A bill for an act relating to probate; clarifying the form for a self-proved will; amending Minnesota Statutes 1978, Section 524.2-504.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 905, A bill for an act relating to public lands; authorizing the transfer of titles to lands of the state and local units of government; specifying powers and duties of the land exchange board, the commissioner of natural resources, and local units of government in relation to title transfers.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 346, A bill for an act relating to Hennepin county; authorizing the county board to self insure against claims and losses; allowing conditions of commercial insurance; repealing Laws 1971, Chapter 330.

The bill was read for the first time.

Heinitz moved that S. F. No. 346 and H. F. No. 181, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 363, A bill for an act relating to crimes; requiring reporting of firearm discharges by security guards.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 467, A bill for an act relating to education; requiring the commissioner of education to sponsor and report on an annual meeting between the state board of education and certain school board members; amending Minnesota Statutes 1978, Chapter 121, by adding a section.

The bill was read for the first time and referred to the Committee on Education.

S. F. No. 708, A bill for an act relating to natural resources; providing for regulation of the harvest and sale of ginseng; amending Minnesota Statutes 1978, Sections 84.028, Subdivision 1; 97.48, by adding a subdivision; and 98.46, Subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 491, A bill for an act relating to cities; authorizing cities engaged in gas distribution to secure gas by individual or joint action; authorizing the creation of municipal gas agencies; defining their powers and responsibilities; authorizing the issuance of bonds.

The bill was read for the first time.

Reding moved that S. F. No. 491 and H. F. No. 496, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 660, A bill for an act relating to corporations; altering quorum requirements; permitting loans and other transactions with officers and employees; empowering corporations to engage in certain transactions; amending Minnesota Statutes 1978, Sections 301.25, Subdivision 7, and by adding a subdivision; 301.32; and 301.36.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 709, A bill for an act relating to game and fish; affording protection to the badger; authorizing a season thereon; amending Minnesota Statutes 1978, Sections 100.26, Subdivision 1; and 100.27, Subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 980, A bill for an act relating to courts; Hennepin and Ramsey county municipal courts; providing for removal of certain actions to district court; amending Minnesota Statutes 1978, Sections 488A.01, by adding a subdivision; and 488A.18, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 186, A bill for an act relating to crimes; limiting a perpetrator's right to commercially exploit the crime; providing for the payment of crime victims; appropriating money; amending Minnesota Statutes 1978, Chapter 299B, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 712, A bill for an act relating to Indians; providing for use of the nomenclature "American Indians" in Minnesota Statutes; amending Minnesota Statutes 1978, Sections 145.922, Subdivision 2; 152.02, Subdivision 2; 254A.02, Subdivision 11; 254A.03; 254A.031; 254A.07, Subdivision 2; 462A.07, Subdivisions 13, 14, and 15; 462A.21, Subdivisions 4c and 4d; and 517.18, Subdivision 4.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 759, A bill for an act relating to Indian affairs; expanding the term of office for at large intertribal board members from two years to four years; providing for future at large elections; defining the term of office for at large members; amending Minnesota Statutes 1978, Section 3.922, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 866, A bill for an act relating to county recorders; requiring erroneous entries against real estate to be corrected without charge; amending Minnesota Statutes 1978, Section 357.18, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 926, A bill for an act relating to the city of Saint Paul; authorizing the port authority to make certain investments.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Speaker pro tem Heinitz was called to the chair.

#### CONSENT CALENDAR

H. F. No. 1065, A bill for an act relating to state government; regulating meetings, indemnification and appointment of the investment advisory council and annual reports of the state board

of investment; amending Minnesota Statutes 1978, Sections 11.117, Subdivisions 4 and 6; 11.118 and 11.145.

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:

Adams	Eken	Jude	Nelsen, M.	Sieben, H.
Ainley	Elioff	Kahn	Nelson	Sieben, M.
Albrecht	Ellingson	Kaley	Niehaus	Simoneau
Anderson, B.	Enebo	Kalis	Norman	Stadum
Anderson, D.	Erickson	Kelly	Novak	Stoa
Anderson, I.	Esau	Kempe	Nysether	Stowell
Anderson, R.	Evans	Knickerbocker	Olsen	Swanson
Battaglia	Ewald	Kostohryz	Onnen	Thiede
Begich	Faricy	Kroening	Osthoff	Tomlinson
Berglin	Fjoslien	Laidig	Otis	Valan
Berkelman	Forsythe	Lehto	Patton	Valento
Biersdorf	Friedrich	Levi	Pavlak	Vanasek
Blatz	Fritz	Long	Pehler	Waldorf
Brinkman	Fudro	Ludeman	Peterson	Weaver
Byrne	Greenfield	Luknic	Piepho	Welch
Carlson, D.	Halberg	Mann	Pleasant	Welker
Carlson, L.	Haukoos	McCarron	Prahl	Wenzel
Cassery	Heap	McDonald	Redalen	Wieser
Clark	Heinitz	McEachern	Rees	Wigley
Clawson	Hoberg	Mehrkens	Reif	Wynia
Corbud	Hokanson	Metzen	Rice	Zubay
Crandall	Jacobs	Minne	Rose	Speaker Searle
Dean	Jaros	Moe	Rothenberg	
Dempsey	Jennings	Munger	Sarna	
Den Ouden	Johnson, C.	Murphy	Schreiber	
Drew	Johnson, D.	Neisen, B.	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 322, A bill for an act relating to guardianship; providing that a petition for guardianship may be treated as a petition for conservatorship; providing for the transfer of guardianship to conservatorship; amending Minnesota Statutes 1978, Sections 201.15; 525.551; and 525.61.

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:

Adams	Anderson, D.	Begich	Blatz	Carlson, L.
Ainley	Anderson, I.	Berglin	Brinkman	Cassery
Albrecht	Anderson, R.	Berkelman	Byrne	Clark
Anderson, B.	Battaglia	Biersdorf	Carlson, D.	Clawson

Crandall	Haukoos	Long	Osthoff	Stadum
Dean	Heap	Ludeman	Otis	Stoa
Dempsey	Heinitz	Luknic	Patton	Stowell
Den Ouden	Hoberg	Mann	Pavlak	Swanson
Drew	Hokanson	McCarron	Pehler	Thiede
Eken	Jacobs	McDonald	Peterson	Tomlinson
Elioff	Jaros	McEachern	Piepho	Valan
Ellingson	Jennings	Mehrkens	Pleasant	Valento
Enebo	Johnson, C.	Metzen	Prahl	Vanasek
Erickson	Johnson, D.	Minne	Redalen	Waldorf
Esau	Jude	Moe	Rees	Weaver
Evans	Kahn	Munger	Reif	Welch
Ewald	Kaley	Murphy	Rice	Welker
Farcy	Kalis	Nelsen, B.	Rose	Wenzel
Fjoslien	Kelly	Nelsen, M.	Rothenberg	Wieser
Forsythe	Kempe	Nelson	Sarna	Wigley
Friedrich	Knickerbocker	Niehaus	Schreiber	Wynia
Fritz	Kroening	Norman	Sherwood	Zubay
Fudro	Laidig	Novak	Sieben, H.	Speaker Searle
Greenfield	Lehto	Olsen	Sieben, M.	
Halberg	Levi	Onnen	Simoneau	

The bill was passed and its title agreed to.

H. F. No. 318, A bill for an act relating to real estate; providing for the conveyance and limiting the severance of joint tenancy interests; permitting certain contracts and conveyances between husband and wife; amending Minnesota Statutes 1978, Sections 500.19, Subdivision 2, and by adding subdivisions; 507.02; and 519.06.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Crandall	Heap	Long	Osthoff
Adams	Dean	Heinitz	Ludeman	Otis
Ainley	Dempsey	Hoberg	Luknic	Patton
Albrecht	Den Ouden	Hokanson	Mann	Pavlak
Anderson, B.	Drew	Jacobs	McCarron	Pehler
Anderson, D.	Eken	Jaros	McDonald	Peterson
Anderson, G.	Elioff	Jennings	McEachern	Piepho
Anderson, I.	Ellingson	Johnson, C.	Mehrkens	Pleasant
Anderson, R.	Enebo	Johnson, D.	Metzen	Prahl
Battaglia	Erickson	Jude	Minne	Redalen
Begich	Esau	Kahn	Moe	Rees
Berglin	Evans	Kaley	Munger	Reif
Berkelman	Ewald	Kalis	Murphy	Rice
Biersdorf	Farcy	Kelly	Nelsen, B.	Rose
Blatz	Fjoslien	Kempe	Nelsen, M.	Rothenberg
Brinkman	Forsythe	Knickerbocker	Nelson	Sarna
Byrne	Friedrich	Kostohryz	Niehaus	Schreiber
Carlson, D.	Fritz	Kroening	Norman	Sherwood
Carlson, L.	Fudro	Kvam	Novak	Sieben, H.
Clark	Greenfield	Laidig	Nysether	Sieben, M.
Clawson	Halberg	Lehto	Olsen	Simoneau
Corbid	Haukoos	Levi	Onnen	Stadum

Stoa	Tomlinson	Voss	Welker	Wynia
Stowell	Valan	Waldorf	Wenzel	Zubay
Swanson	Valento	Weaver	Wieser	Speaker Searle
Thiede	Vanasek	Welch	Wigley	

The bill was passed and its title agreed to.

H. F. No. 748, A bill for an act relating to retirement; actuarial reporting law; implementing a procedure to extend the period for the amortization of unfunded liabilities in the event of changes in actuarial assumptions or increases in annuities and benefits; amending Minnesota Statutes 1978, Sections 356.215, Subdivision 4; 356.22, Subdivision 2; 422A.08, Subdivision 2; and 422A.39, Subdivision 2.

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:

Aasness	Drew	Johnson, D.	Murphy	Sarna
Adams	Eken	Jude	Nelsen, B.	Schreiber
Ainley	Elioff	Kahn	Nelsen, M.	Sherwood
Albrecht	Ellingson	Kaley	Nelson	Sieben, H.
Anderson, B.	Enebo	Kalis	Niehaus	Sieben, M.
Anderson, D.	Erickson	Kelly	Norman	Simoneau
Anderson, G.	Esau	Kempe	Norton	Stadum
Anderson, I.	Evans	Knickerbocker	Novak	Stoa
Anderson, R.	Ewald	Kostohryz	Nysether	Stowell
Battaglia	Faricy	Kroening	Olsen	Swanson
Begich	Fjoslien	Kvam	Onnen	Thiede
Berglin	Forsythe	Laidig	Osthoff	Tomlinson
Berkelman	Friedrich	Lehto	Otis	Valan
Biersdorf	Fritz	Levi	Patton	Valento
Blatz	Fudro	Long	Pavlak	Vanasek
Brinkman	Greenfield	Ludeman	Pehler	Voss
Byrne	Halberg	Luknic	Peterson	Waldorf
Carlson, D.	Haukoos	Mann	Piepho	Weaver
Carlson, L.	Heap	McCarron	Pleasant	Welch
Clark	Heinitz	McDonald	Prahl	Welker
Clawson	Hoberg	McEachern	Redalen	Wenzel
Corbid	Hokanson	Mehrkens	Rees	Wieser
Crandall	Jacobs	Metzen	Reif	Wigley
Dean	Jaros	Minne	Rice	Wynia
Dempsey	Jennings	Moe	Rose	Zubay
Den Ouden	Johnson, C.	Munger	Rothenberg	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 749, A bill for an act relating to retirement; teachers retirement fund associations in cities of the first class; codification of a coordinated program for the Minneapolis and St. Paul teachers retirement fund associations; recodification of the law governing first class city teachers retirement fund associations; amending Minnesota Statutes 1978, Sections 354A.05; 354A.08; 354A.09; 354A.091; 354A.11; 354A.12; 354A.21; and 356.32,

Subdivision 2; and Chapter 354A by adding sections; repealing Minnesota Statutes 1978, Sections 354A.01; 354A.02; 354A.03; 354A.04; 354A.10; 354A.13; and 354A.22; Laws 1976, Chapter 238, Section 12; and Laws 1977, Chapter 429, Section 60.

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:

Aasness	Den Ouden	Johnson, C.	Munger	Sarna
Adams	Drew	Johnson, D.	Murphy	Schreiber
Ainley	Eken	Jude	Nelsen, B.	Sherwood
Albrecht	Elioff	Kahn	Nelsen, M.	Sieben, H.
Anderson, B.	Ellingson	Kaley	Nelson	Sieben, M.
Anderson, D.	Enebo	Kalis	Niehau	Simoneau
Anderson, G.	Erickson	Kelly	Norman	Stadum
Anderson, I.	Esau	Kempe	Norton	Stoa
Anderson, R.	Evans	Knickerbocker	Novak	Stowell
Battaglia	Ewald	Kostohryz	Nysether	Swanson
Begich	Faricy	Kroening	Olsen	Thiede
Berglin	Fjostlien	Kvam	Onnen	Tomlinson
Berkelman	Forsythe	Laidig	Otis	Valan
Biersdorf	Friedrich	Lehto	Patton	Valento
Blatz	Fritz	Levi	Pavlak	Vanasek
Brinkman	Fudro	Long	Pehler	Voss
Byrne	Greenfield	Ludeman	Peterson	Waldorf
Carlson, D.	Halberg	Luknic	Piepho	Weaver
Carlson, L.	Haukoos	Mann	Pleasant	Welch
Casserly	Heap	McCarron	Prahl	Welker
Clark	Heinitz	McDonald	Redalen	Wenzel
Clawson	Hoberg	McEachern	Rees	Wieser
Corbid	Hokanson	Mehrkens	Reif	Wigley
Crandall	Jacobs	Metzen	Rice	Wynia
Dean	Jaros	Minne	Rose	Zubay
Dempsey	Jennings	Moe	Rothenberg	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 914, A bill for an act relating to retirement; providing for continued membership in public safety employee pension funds for certain current public safety employees who may not have the power of arrest with a warrant; amending Minnesota Statutes 1978, Sections 352B.01, Subdivision 2; and 353.64, 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 131 yeas and 0 nays as follows:



Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sieben, H.
Adams	Eken	Kahn	Nelson	Sieben, M.
Ainley	Elioff	Kaley	Niehaus	Simoneau
Albrecht	Ellingson	Kalis	Norman	Stadum
Anderson, B.	Enebo	Kelly	Norton	Stoa
Anderson, D.	Erickson	Kempe	Novak	Stowell
Anderson, G.	Esau	Knickerbocker	Nysether	Swanson
Anderson, I.	Evans	Kostohryz	Olsen	Thiede
Anderson, R.	Ewald	Kroening	Onnen	Tomlinson
Battaglia	Faricy	Kvam	Osthoff	Valan
Begich	Fjoslien	Laidig	Otis	Valento
Berglin	Forsythe	Lehto	Patton	Vanasek
Berkelman	Friedrich	Levi	Pavlak	Voss
Biersdorf	Fritz	Long	Pehler	Waldorf
Blatz	Fudro	Ludeman	Peterson	Weaver
Brinkman	Greenfield	Luknic	Piepho	Welch
Byrne	Halberg	Mann	Pleasant	Welker
Carlson, D.	Haukoos	McCarron	Prahl	Wenzel
Carlson, L.	Heap	McDonald	Redalen	Wieser
Casserly	Heinitz	McEachern	Rees	Wigley
Clark	Hoberg	Mehrkens	Reif	Wynia
Clawson	Hokanson	Metzen	Rice	Zubay
Corbid	Jacobs	Minne	Rose	Speaker Searle
Crandall	Jaros	Moe	Rothenberg	
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1226, A bill for an act relating to courts; providing that probate court shall have tort action jurisdiction; amending Minnesota Statutes 1978, Section 524.3-105.

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:

Aasness	Carlson, L.	Fjoslien	Kahn	McEachern
Adams	Casserly	Forsythe	Kaley	Mehrkens
Ainley	Clark	Friedrich	Kalis	Metzen
Albrecht	Clawson	Fritz	Kelly	Minne
Anderson, B.	Crandall	Fudro	Kempe	Moe
Anderson, D.	Dean	Greenfield	Knickerbocker	Munger
Anderson, G.	Dempsey	Halberg	Kostohryz	Murphy
Anderson, I.	Den Ouden	Haukoos	Kroening	Nelsen, B.
Anderson, R.	Drew	Heap	Kvam	Nelsen, M.
Battaglia	Eken	Heinitz	Laidig	Nelson
Begich	Elioff	Hoberg	Lehto	Niehaus
Berglin	Ellingson	Hokanson	Levi	Norman
Berkelman	Enebo	Jacobs	Long	Norton
Biersdorf	Erickson	Jaros	Ludeman	Novak
Blatz	Esau	Jennings	Luknic	Nysether
Brinkman	Evans	Johnson, C.	Mann	Olsen
Byrne	Ewald	Johnson, D.	McCarron	Onnen
Carlson, D.	Faricy	Jude	McDonald	Osthoff

Otis	Redalen	Sherwood	Thiede	Welch
Patton	Rees	Sieben, H.	Tomlinson	Welker
Pavlak	Reif	Sieben, M.	Valan	Wenzel
Pehler	Rice	Simoneau	Valento	Wieser
Peterson	Rose	Stadum	Vanasek	Wigley
Piepho	Rothenberg	Stoa	Voss	Wynia
Pleasant	Sarna	Stowell	Waldorf	Zubay
Prahl	Schreiber	Swanson	Weaver	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 1227, A bill for an act relating to health; adding a time limit for hearing appeals under the hospitalization and commitment act; amending Minnesota Statutes 1978, Section 353A.-21, 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sieben, M.
Adams	Eken	Kahn	Nelson	Simoneau
Ainley	Elioff	Kaley	Niehaus	Stadum
Albrecht	Ellingson	Kalis	Norman	Stoa
Anderson, B.	Enebo	Kelly	Norton	Stowell
Anderson, D.	Erickson	Kempe	Novak	Sviggum
Anderson, G.	Esau	Knickerbocker	Nysether	Swanson
Anderson, I.	Evans	Kostohryz	Olsen	Thiede
Anderson, R.	Ewald	Kroening	Onnen	Tomlinson
Battaglia	Faricy	Kvam	Osthoff	Valan
Begich	Fjoslien	Laidig	Otis	Valento
Berglin	Forsythe	Lehto	Patton	Vanasek
Berkelman	Friedrich	Levi	Pavlak	Voss
Biersdorf	Fritz	Long	Peterson	Waldorf
Blatz	Fudro	Ludeman	Piepho	Weaver
Brinkman	Greenfield	Luknic	Pleasant	Welch
Byrne	Halberg	Mann	Prahl	Welker
Carlson, D.	Haukoos	McCarron	Redalen	Wenzel
Carlson, L.	Heap	McDonald	Rees	Wieser
Casserly	Heinitz	McEachern	Reif	Wigley
Clark	Hoberg	Mehrkens	Rice	Wynia
Clawson	Hokanson	Metzen	Rose	Zubay
Corbid	Jacobs	Minne	Rothenberg	Speaker Searle
Crandall	Jaros	Moe	Sarna	
Dean	Jennings	Munger	Schreiber	
Dempsey	Johnson, C.	Murphy	Sherwood	
Den Ouden	Johnson, D.	Nelsen, B.	Sieben, H.	

The bill was passed and its title agreed to.

Voss was excused for the remainder of today's session.

H. F. No. 1235, A bill for an act relating to real estate; setting effective dates for provisions regulating the validation of foreclosure sales; amending Minnesota Statutes 1978, Section 582.27.

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:

Aasness	Drew	Johnson, D.	Nelsen, B.	Schreiber
Adams	Eken	Jude	Nelsen, M.	Sherwood
Ainley	Elioff	Kahn	Nelson	Sieben, H.
Albrecht	Ellingson	Kaley	Niehaus	Sieben, M.
Anderson, B.	Enebo	Kalis	Norman	Simoneau
Anderson, D.	Erickson	Kelly	Norton	Stadum
Anderson, G.	Esau	Kempe	Novak	Stoa
Anderson, I.	Evans	Kostohryz	Nysether	Stowell
Anderson, R.	Ewald	Kroening	Olsen	Swiggum
Battaglia	Faricy	Kvam	Onnen	Swanson
Begich	Fjoslien	Laidig	Osthoff	Thiede
Berglin	Forsythe	Lehto	Otis	Tomlinson
Berkelman	Friedrich	Levi	Patton	Valan
Biersdorf	Fritz	Long	Pavlak	Valento
Blatz	Fudro	Ludeman	Pehler	Vanasek
Brinkman	Greenfield	Luknic	Peterson	Waldorf
Byrne	Halberg	Mann	Piepho	Weaver
Carlson, D.	Haukoos	McCarron	Pleasant	Welch
Casserly	Heap	McDonald	Prahl	Welker
Clark	Heinitz	McEachern	Redalen	Wenzel
Clawson	Hoberg	Mehrkens	Rees	Wieser
Corbid	Hokanson	Metzen	Reif	Wigley
Crandall	Jacobs	Minne	Rice	Wynia
Dean	Jaros	Moe	Rose	Zubay
Dempsey	Jennings	Munger	Rothenberg	Speaker Searle
Den Ouden	Johnson, C.	Murphy	Sarna	

The bill was passed and its title agreed to.

H. F. No. 1245, A bill for an act relating to crime victims reparations; providing that the record of a claim may be used as evidence by the state on its subrogation claim; providing that the state's right of subrogation shall not limit the claimant's right to recover for other damages; amending Minnesota Statutes 1978, Sections 299B.10; and 299B.14.

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:

Aasness	Anderson, I.	Blatz	Clawson	Eken
Adams	Anderson, R.	Brinkman	Corbid	Elioff
Ainley	Battaglia	Byrne	Crandall	Ellingson
Albrecht	Begich	Carlson, D.	Dean	Enebo
Anderson, B.	Berglin	Carlson, L.	Dempsey	Erickson
Anderson, D.	Berkelman	Casserly	Den Ouden	Esau
Anderson, G.	Biersdorf	Clark	Drew	Evans

Faricy	Kahn	Mehrkens	Pavlak	Stoa
Fjoslien	Kaley	Metzen	Pehler	Stowell
Forsythe	Kalis	Minne	Peterson	Sviggum
Friedrich	Kelly	Moe	Piepho	Swanson
Fritz	Kempe	Munger	Pleasant	Thiede
Fudro	Knickerbocker	Murphy	Prahl	Tomlinson
Greenfield	Kostohryz	Nelsen, B.	Redalen	Valan
Halberg	Kroening	Nelsen, M.	Rees	Valento
Haukoos	Kvam	Nelson	Reif	Vanasek
Heap	Laidig	Niehaus	Rice	Waldorf
Heinitz	Lehto	Norman	Rose	Weaver
Hoberg	Levi	Norton	Rothenberg	Welch
Hokanson	Long	Novak	Sarna	Welker
Jacobs	Ludeman	Nysether	Schreiber	Wenzel
Jaros	Luknic	Olsen	Sherwood	Wieser
Jennings	Mann	Onnen	Sieben, H.	Wigley
Johnson, C.	McCarron	Osthoff	Sieben, M.	Wynia
Johnson, D.	McDonald	Otis	Simoneau	Zubay
Jude	McEachern	Patton	Stadum	Speaker Searle

The bill was passed and its title agreed to.

### CALENDAR

Speaker Searle resumed the chair.

**H. F. No. 455, A bill for an act relating to education; providing equal opportunity for members of both sexes to participate in certain athletics; modifying the coverage and terms of the current law providing for equal opportunity in certain athletics; requiring the state board of education to promulgate certain rules and giving it exclusive jurisdiction over certain sex discrimination charges; providing for the rights of certain parties in the case of certain sex discrimination charges; amending Minnesota Statutes 1978, Sections 126.21 and 363.02, Subdivision 3.**

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 90 yeas and 41 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Heinitz	Ludeman	Onnen
Adams	Eken	Hoberg	Luknic	Patton
Ainley	Elioff	Hokanson	Mann	Pavlak
Albrecht	Erickson	Jacobs	McDonald	Peterson
Anderson, D.	Esau	Jennings	McEachern	Piepho
Anderson, G.	Evans	Johnson, C.	Mehrkens	Pleasant
Anderson, I.	Ewald	Johnson, D.	Metzen	Prahl
Anderson, R.	Fjoslien	Jude	Minne	Redalen
Battaglia	Forsythe	Kalis	Murphy	Rees
Begich	Friedrich	Kempe	Nelsen, B.	Reif
Biersdorf	Fritz	Knickerbocker	Nelsen, M.	Rose
Brinkman	Fudro	Kostohryz	Niehaus	Rothenberg
Carlson, D.	Halberg	Kroening	Norman	Sarna
Dempsey	Haukoos	Kvam	Nysether	Schreiber
Den Ouden	Heap	Levi	Olsen	Sherwood

Simoneau	Sviggum	Valento	Welker	Wigley
Stadium	Thiede	Waldorf	Wenzel	Zubay
Stowell	Valan	Weaver	Wieser	Speaker Searle

Those who voted in the negative were:

Anderson, B.	Corbid	Kaley	Norton	Swanson
Berglin	Crandall	Kelly	Novak	Tomlinson
Berkelman	Dean	Laidig	Osthoff	Vanasek
Blatz	Ellingson	Lehto	Otis	Welch
Byrne	Enebo	Long	Pehler	Wynia
Carlson, L.	Faricy	McCarron	Rice	
Casserly	Greenfield	Moe	Sieben, H.	
Clark	Jaros	Munger	Sieben, M.	
Clawson	Kahn	Nelson	Stoa	

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 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

Speaker pro tem Heinitz resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 361, 183, 282, 815, 198, 519, 659, 711 and 294 which it recommended to pass.

S. F. Nos. 122, 52, 63 and 606 which it recommended to pass.

H. F. Nos. 592, 261, 944, 227, 317, 564 and 614 which it recommended progress.

S. F. No. 384 which it recommended progress.

H. F. No. 458 which it recommended progress until Thursday, April 26, 1979.

H. F. No. 222 which it recommended to pass with the following amendment offered by Jude:

Page 2, line 2, delete "*July 1*" and insert "*April 15*"

H. F. No. 260 which it recommended to pass with the following amendments:

Offered by Minne:

Page 13, line 8, delete the period and insert a semicolon

Page 13, after line 8, insert

“(1) The special needs of hospitals to convert excess hospital beds to long-term care or other alternate functions. If beds proposed to be converted exceed by up to ten percent the number of long-term care beds projected as needed in the applicable health systems plan, any projected operating expense savings from converting those beds shall be given greater weight in the decision-making process than the fact that projected need for those beds would be exceeded.”

Offered by Carlson, L.:

Page 18, after line 9, insert

“Sec. 12. [144.844] [HEALTH MAINTENANCE ORGANIZATION.] Sections 1 to 11 shall apply to health maintenance organizations to the extent that federal law or regulation requires the application of state certificate of need laws to health maintenance organizations.”

Renumber the following sections in sequence and correct all internal cross references as may be required by the amendment

H. F. No. 475 which it recommended to pass with the following amendment offered by Berkelman:

Page 2, line 7, delete “JCAH” and insert “*joint commission*”

Page 2, line 22, delete “JCAH” and insert “*joint commission*”

Page 3, line 6, delete “JCAH” and insert “*the joint commission*”

Page 3, line 15 delete “JCAH” and insert “*the joint commission*”

Page 3, line 25, delete “JCAH” and insert “*joint commission*”

Page 5, line 6, after “revocation” insert “, *suspension, or refusal to renew*”

Page 5, line 27, delete “JCAH” and insert “*the joint commission's*”

H. F. No. 644 which it recommended to pass with the following amendment offered by Kaley:

Page 6, after line 22, insert:

“Sec. 7. Minnesota Statutes 1978, Chapter 147, is amended by adding a section to read:

[147.024] [PROFESSIONAL ADVERTISING.] *Public advertising by physicians may be controlled by reasonable rules promulgated by the board.*”

Page 6, line 23, delete “7” and insert “8”

Amend the title as follows:

Page 1, after line 14, insert: “authorizing the board of medical examiners to promulgate rules governing advertising by physicians;”

Page 1, line 16, after “1978,” insert “*Chapter 147, by adding a section;*”

On the motion of Sieben, H., the report of the Committee of the Whole was adopted.

## MOTIONS AND RESOLUTIONS

Sieben, H., moved that the name of Vanasek be added as an author on H. F. No. 1358. The motion prevailed.

Anderson, I., moved that the name of Ainley be added as an author on H. F. No. 1411. The motion prevailed.

Fudro moved that H. F. No. 1249 be recalled from the Committee on Transportation and be re-referred to the Committee on Local and Urban Affairs. The motion prevailed.

Stadum moved that the name of Haukoos be added as an author on H. F. No. 1410. The motion prevailed.

Stoa moved that the names of Dean, Hokanson, Kempe and Ainley be added as authors on H. F. No. 738. The motion prevailed.

Dean moved that H. F. No. 189 be returned to its author. The motion prevailed.

## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, April 19, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and Speaker pro tem Heinitz declared the House stands adjourned until 2:00 p.m., Thursday, April 19, 1979.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**





## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## THIRTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 19, 1979

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:

Aasness	Drew	Kahn	Niehaus	Sieben, M.
Adams	Eken	Kaley	Norman	Simoneau
Ainley	Elioff	Kalis	Norton	Stadum
Albrecht	Ellingson	Kelly	Novak	Stoa
Anderson, B.	Enebo	Kempe	Nysether	Stowell
Anderson, D.	Erickson	Knickerbocker	Olsen	Sviggum
Anderson, G.	Esau	Kostohryz	Onnen	Swanson
Anderson, I.	Evans	Kroening	Osthoff	Thiede
Anderson, R.	Ewald	Kvam	Otis	Tomlinson
Battaglia	Faricy	Laidig	Patton	Valan
Begich	Fjoslien	Lehto	Pavlak	Valento
Berglin	Forsythe	Levi	Pehler	Vanasek
Berkelman	Friedrich	Long	Peterson	Voss
Biersdorf	Fritz	Ludeman	Piepho	Waldorf
Blatz	Fudro	Luknic	Pleasant	Weaver
Brinkman	Greenfield	McCarron	Prahl	Welch
Byrne	Halberg	McDonald	Redalen	Welker
Carlson, D.	Haukoos	McEachern	Reding	Wenzel
Carlson, L.	Heap	Mehrkens	Rees	Wieser
Casserly	Heinitz	Metzen	Reif	Wigley
Clark	Hokanson	Minne	Rice	Wynia
Clawson	Jacobs	Moe	Rose	Zubay
Corbid	Jaros	Munger	Rothenberg	Speaker Searle
Crandall	Jennings	Murphy	Sarna	
Dean	Johnson, C.	Nelsen, B.	Schreiber	
Dempsey	Johnson, D.	Nelsen, M.	Sherwood	
Den Ouden	Jude	Nelson	Sieben, H.	

A quorum was present.

Hoberg, Mann and Searles were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Johnson, C., 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. 1394, 313, 971, 1011, 1023, 1063, 1126, 1169, 386, 954, 970, 1049, 1216, 496, 567, 582, 772, 852, 993, 177, 508, 579, 882, 489, 222, 475, 644, 747, 260 and 317 and S. F. Nos. 550, 607, 728, 876, 450, 905, 346, 363, 467, 708, 491, 600, 410, 660, 709, 361, 980, 186, 712, 759, 866 and 926 have been placed in the members' files.

S. F. No. 728 and H. F. No. 691, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Pavlak moved that S. F. No. 728 be substituted for H. F. No. 691 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 346 and H. F. No. 181, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Heinitz moved that the rules be so far suspended that S. F. No. 346 be substituted for H. F. No. 181 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 361 and H. F. No. 176, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Heinitz moved that the rules be so far suspended that S. F. No. 361 be substituted for H. F. No. 176 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 410 and H. F. No. 616, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Rothenberg moved that the rules be so far suspended that S. F. No. 410 be substituted for H. F. No. 616 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 491 and H. F. No. 496, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Reding moved that the rules be so far suspended that S. F. No. 491 be substituted for H. F. No. 496 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 693, A bill for an act relating to education; extending the teacher mobility incentives to certain teachers in the vocational center schools, area vocational-technical schools, community colleges and state universities; amending Minnesota Statutes 1978, Sections 125.60, Subdivisions 1, 2, 2a, 3, 6 and 7, and by adding subdivisions; 125.61, Subdivisions 1, 2, 4 and 6, and by adding subdivisions; 354.094, Subdivisions 2 and 5; 354.66, Subdivisions 1, 2, 7 and 10, and by adding subdivisions; 354.69; and 354A.091, Subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

"Section 1. [136.88] [EXTENDED LEAVES OF ABSENCE.] *Subdivision 1. As used in this section, the terms defined in this subdivision have the meanings given them.*

(a) *"Board" means the state board for community colleges and the state university board.*

(b) *"Teacher" means a person on the instructional or administrative staff of the community college or state university system who is a member of the teachers retirement association. It shall not include a chancellor or vice-chancellor.*

*Subd. 2. A board may grant an extended leave of absence without salary to a full time teacher who has been employed by the board for at least five years and has at least ten years of allowable service as defined in section 354.05, subdivision 13. The maximum duration of an extended leave of absence pursuant to this section shall be determined by mutual agreement of the board and the teacher at the time the leave is granted and shall be at least three but no more than five years. An extended leave of absence pursuant to this section shall be taken by mutual consent of the board and the teacher. No teacher may receive more than one leave of absence pursuant to this section.*

*Subd. 3. A board which denies a request for an extended leave of absence pursuant to this section shall record the denial and the reasons therefor. Prior to February 1, 1980, and each year thereafter by the same date, a board shall file a written report with the education committees of the legislature on any denials recorded pursuant to this subdivision.*

*Subd. 4. A teacher on an extended leave of absence pursuant to this section shall have the right to be reinstated to the same position or a similar position within the department or program from which the leave was granted at the beginning of the school year which immediately follows a year of extended leave of absence, unless the teacher is discharged or placed on retrenchment or on lay-off or his contract is terminated while he is on the extended leave. A board shall not be obligated to reinstate a 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. 5. A teacher who is reinstated to the same or similar position after an extended leave pursuant to this section shall not lose tenure or credit for previous seniority in the employing community college or state university. A teacher shall not accrue seniority credit during the time of a leave of absence pursuant to this section.*

*Subd. 6. 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 reinstatement to the same or similar position by the board which granted the leave. 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 reinstatement to the same or similar position by the board which granted the leave for a period of time equal to the time of the extended leave of absence.*

*Subd. 7. Nothing within the provisions of this section shall be construed to limit the authority of a board to grant a teacher a leave of absence which is not subject to the provisions of this section and section 354.094.*

*Subd. 8. A board shall not grant extended leaves of absence pursuant to this section beyond the limits of the appropriation to that board for the purposes of section 354.094.*

*Subd. 9. This section shall expire June 30, 1986.*

**Sec. 2. [136.89] [TEACHER EARLY RETIREMENT INCENTIVE PROGRAM.]** *Subdivision 1. As used in this section, the terms defined in this subdivision have the meanings given them.*

(a) "Board" means the state board for community colleges and the state university board.

(b) "Retirement" means termination of services with the employing board and withdrawal from active teaching service.

(c) "Teacher" means a teacher as defined in section 1, subdivision 1, who has not less than 15 total years of full time teaching service in the community college system or the state university system, and who has or will have attained the age of 55 years but less than 65 years as of June 30 in the school year during which an application for an early retirement incentive is made.

Subd. 2. A teacher meeting the requirements of subdivision 1 may be offered a contract for termination of services with the employing board, withdrawal from active teaching service and payment of an early retirement incentive by the employing board. An offer may be accepted by the teacher by submitting a written resignation to the employing board. Applications shall be submitted prior to May 1 of the school year at the end of which the teacher wishes to retire.

Subd. 3. An eligible teacher who is or will be 55 years of age as of the end of the school year during which an application for an early retirement incentive is made and accepted shall receive an early retirement incentive in the amount of \$10,000. This amount shall be reduced by \$500 for each year that a teacher is over the age of 55 years to a maximum age of 60 years and by an additional \$1,500 for each year that a teacher is over the age of 60 years. The age of a teacher shall be determined as of June 30 following the deadline for the application.

Subd. 4. The early retirement incentive shall be paid by the employing board at the time and in the manner agreed to by the board and the teacher. An early retirement incentive shall not be paid to any teacher who is discharged by a board.

Subd. 5. A board shall approve or disapprove applications pursuant to this section within the limits of the appropriation for the purposes of this section.

Subd. 6. This section shall expire June 30, 1986.

Sec. 3. Minnesota Statutes 1978, Section 354.094, Subdivision 1, is amended to read:

354.094 [EXTENDED LEAVES OF ABSENCE.] Subdivision 1. If a member is granted an extended leave of absence pursuant to section 125.60 or section 1 of this act, he may receive allowable service credit toward annuities and other benefits

under this chapter, 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 state 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.

Sec. 4. Minnesota Statutes 1978, Section 354.094, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding section 354.49, subdivision 4, clause (3), a member on extended leave who pays employee contributions into the fund pursuant to subdivision 1 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, *the community college system or the state university system.*

Sec. 5. Minnesota Statutes 1978, Section 354.094, Subdivision 3, is amended to read:

Subd. 3. A member on extended leave of absence pursuant to section 125.60 or section 1 of this act 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 this chapter.

Sec. 6. Minnesota Statutes 1978, Section 354.094, Subdivision 5, is amended to read:

Subd. 5. The provisions of this section shall not apply to a member who is *discharged or placed on unrequested leave of absence or retrenchment or lay-off* or whose contract is terminated (PURSUANT TO SECTION 125.12 OR 125.17) while he is on an extended leave of absence pursuant to section 125.60 or section 1 of this act.

Sec. 7. Minnesota Statutes 1978, Section 354.094, is amended by adding a subdivision to read:

Subd. 7. *After June 30, 1986, the provisions of this section shall not apply to employees of the community college system or the state university system.*

Sec. 8. Minnesota Statutes 1978, Section 354.66, Subdivision 1, is amended to read:

354.66 [QUALIFIED PART TIME TEACHERS; PARTICIPATION IN FUND.] Subdivision 1. As used in this section, the term "teachers" shall have the meaning given it in section 125.03, subdivision 1, but shall not include superintendents. *It shall also have the meaning given it in section 1, subdivision 1 of this act.*

Sec. 9. Minnesota Statutes 1978, Section 354.66, is amended by adding a subdivision to read:

*Subd. 1a. For purposes of this section, "board" means a school district board, the state board for community colleges and the state university board.*

Sec. 10. Minnesota Statutes 1978, Section 354.66, is amended by adding a subdivision to read:

*Subd. 1b. For purposes of this section, "district" means a school district, the community college system and the state university system.*

Sec. 11. Minnesota Statutes 1978, Section 354.66, Subdivision 2, is amended to read:

Subd. 2. A teacher in the public elementary or secondary schools, *in the community college system or the state university system* 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.

Sec. 12. Minnesota Statutes 1978, Section 354.66, Subdivision 7, is amended to read:

Subd. 7. Only teachers who are (IN THE BARGAINING UNIT) *public employees* as defined in section 179.63, subdivision (17) 7, during the *school 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 4. 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. 13. Minnesota Statutes 1978, Section 354.66, Subdivision 9, is amended to read:



Subd. 9. A *school* district shall not assign a teacher to a part time teaching position qualifying for the continuation of contributions and accrual of service credit pursuant to this section without applying for and receiving the authorization of the commissioner of education. In cooperation with the boards of trustees of the appropriate retirement fund associations and within the limits of the amount appropriated for the purpose of this section, the commissioner of education shall approve or disapprove applications from *school* districts for authorization to assign teachers to part time teaching positions qualifying for the continuation of contributions and accrual for service credit pursuant to this section. *The state board for community colleges and the state university board may within the limits appropriated to them for purposes of this section assign a teacher to a part time teaching position qualifying for the continuation of contributions and accrual of service credit pursuant to this section without applying for and receiving the authorization of the commissioner of education.*

Sec. 14. Minnesota Statutes 1978, Section 354.66, Subdivision 10, is amended to read:

Subd. 10. Nothing within the provisions of this section shall be construed to limit the authority of a (SCHOOL) board to assign a teacher to a part time teaching position which does not qualify for the continuation of contributions and accrual of service credit pursuant to this section.

Sec. 15. Minnesota Statutes 1978, Section 354.66, is amended by adding a subdivision to read:

*Subd. 11. After June 30, 1986, the provisions of this section shall not apply to employees of the community college system or the state university system.*

Sec. 16. Minnesota Statutes 1978, Section 354.69, is amended to read:

354.69 [INFORMATION SUPPLIED BY DISTRICT.] Each school district *and the community college and state university systems* 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 (LAWS 1977, CHAPTER 447, ARTICLE 9) sections 125.60, 125.61, 354.094, 354.66, 354A.091 and 354A.22.

Sec. 17. [APPROPRIATION.] *Subdivision 1. There is appropriated from the general fund to the state university board to meet the state's obligations, for teachers employed by the state university board, pursuant to Minnesota Statutes, Sections 354.094 and 354.66, and sections 1 to 13 of this act, the sum of \$174,800 for the fiscal year ending June 30, 1980, and the sum*

of \$177,660 for the fiscal year ending June 30, 1981. These amounts include \$150,000 in each year for the early retirement incentive program pursuant to section 2 of this act, \$23,800 in 1980 and \$25,500 in 1981 for the extended leave of absence program pursuant to section 1 of this act and Minnesota Statutes, Section 354.094, and \$1,000 in 1980 and \$2,160 in 1981 for the part-time teaching program pursuant to Minnesota Statutes, Section 354.66.

*Subd. 2. There is appropriated from the general fund to the community college board to meet the state's obligations, for teachers employed by the community college board, pursuant to Minnesota Statutes, Sections 354.094 and 354.66, and sections 1 to 13 of this act, the sum of \$21,000 for the fiscal year ending June 30, 1980 and the sum of \$23,000 for the fiscal year ending June 30, 1981. These amounts include \$12,000 in each year for the early retirement incentive program pursuant to section 2 of this act, and \$9,000 in 1981 and \$11,000 in 1982 for the extended leave of absence program pursuant to section 1 of this act and Minnesota Statutes, Section 354.094.*

*Subd. 3. Any unexpended balance remaining from the appropriations in this section for fiscal year 1980 shall not cancel but shall be available for the second year of the biennium. 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.*

*Subd. 4. Notwithstanding the provisions of sections 354.43 and 354A.12, the state's obligation prescribed in Minnesota Statutes, Sections 354.094 and 354.66 shall not be financed out of standing appropriations for the state's obligations pursuant to chapter 354 or 354A."*

Further, amend the title by striking it in its entirety and insert the following:

"A bill for an act relating to education; providing and regulating certain mobility incentives for certain teachers in the community colleges and state universities; appropriating money; amending Minnesota Statutes 1978, Sections 354.094, Subdivisions 1, 2, 3 and 5, and by adding a subdivision; 354.66, Subdivisions 1, 2, 7, 9 and 10, and by adding subdivisions; and 354.69."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Wigley from the Committee on Energy and Utilities to which was referred:

H. F. No. 770, A bill for an act relating to energy; appropriating funds to the Minnesota energy agency for a study of potential impacts of renewable energy systems.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Wigley from the Committee on Energy and Utilities to which was referred:

H. F. No. 787, A bill for an act relating to energy; Minnesota energy assistance act; providing assistance for certain homeowners and renters for costs of energy needed to sustain life; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256.879, Subdivision 3, and by adding subdivisions; and Chapter 290A, by adding sections.

Reported the same back with the following amendments:

Page 1, line 22, after "4 to" insert "6 and 8 to"

Page 2, line 32, delete "4,"

Page 3, line 26, after "spouse" insert "while"

Page 4, delete lines 9 and 10 and insert "insulation as defined in section 325.984, subdivision 5."

Page 8, line 10, after "endorsement." insert "No person providing a second endorsement, pursuant to this section, shall release information indicating the identity of any recipient under the Minnesota energy assistance act, to any consumer reporting agency as defined in the Fair Credit Reporting Act, Public Law 91-508, 15 U.S.C. 1681 to 1681t, as amended."

Page 9, after line 27, insert

"Sec. 17. Notwithstanding the provisions of section 7, subdivision 1, and section 11, during 1979, a credit shall be allowed to each qualified claimant who has filed a claim under sections 4 to 17 by September 30 and the commissioner shall disburse to each qualified claimant the amount determined to be payable under sections 4 to 17 on or before November 15."

Renumber the sections in sequence

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. 898, A bill for an act relating to traffic regulation; allowing an authorized emergency vehicle to use an oscillating white light; amending Minnesota Statutes 1978, Section 169.55, Subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1078, A bill for an act relating to education; providing for grants for noncommercial radio stations and for an audit of certain grant recipients; appropriating money.

Reported the same back with the following amendments:

Page 1, line 9, delete "this section" and insert "sections 1 and 2"

Page 1, line 9, delete "(a)"

Page 1, line 12, delete "and (b) to provide for"

Page 1, delete lines 13 and 14 to the period

Page 1, line 15, delete "this section" and insert "sections 1 and 2"

Page 2, line 1, delete "licensee of" and insert "station holding a license or operating under program test authority from"

Page 2, delete lines 6 to 23 and insert:

"(d) "Operating income" may include: (1) individual and other community contributions; (2) all grants received from the Corporation for Public Broadcasting; (3) grants received from foundations, corporations, or federal, state or local agencies or other sources for the purpose of programming or general operating support; (4) interest income; (5) earned income; (6) employee salaries paid through the federal Comprehensive Employment and Training Act, or other similar public employment programs, provided that only salary expended for employee duties directly relating to radio station operations shall be counted; (7) employee salaries paid through supporting educa-

tional institutions, provided that only salary expended for employee duties directly relating to radio station operations shall be counted; (8) direct operating costs provided by supporting educational institutions; (9) no more than \$15,000 in volunteer time calculated at the federal minimum wage.

The following are specifically excluded in determining a station's operating income: (1) dollar representations of in-kind assistance from any source except as stipulated in (8) above; (2) grants or contributions from any source for the purpose of purchasing capital improvements or equipment; (3) non-commercial radio station grants received in the previous fiscal year pursuant to sections 1 and 2."

Page 2, line 33, after "persons" insert "or the equivalent in part time staff"

Page 3, line 1, after "persons" insert "or the equivalent in part time staff"

Page 4, line 18, delete the third "the" and insert "a"

Page 4, line 19, after "Broadcasting" insert "audit"

Page 4, line 21, after the period insert "If the applicant station is not qualified for assistance from the Corporation for Public Broadcasting, an independent audit is required."

Page 4, line 32, after "the" and before "fiscal" insert "applicant station's"

Page 5, line 3, after the period insert "The board of the arts may promulgate rules to implement sections 1 and 2 for this purpose. The board may promulgate temporary rules pursuant to Minnesota Statutes, Section 15.0412, Subdivision 5."

Page 5, line 6, after "in" insert "private"

Page 5, line 7, after "state" delete ", excluding" and insert a period and "No"

Page 5, line 8, after "expenditures" insert "shall be counted." and delete ", and"

Page 5, line 13, after the period insert "A station's total allocation for volunteer time shall not exceed 20 percent of its total grant pursuant to sections 1 and 2."

Page 5, line 14, before "The" insert "(c)"

Page 5, line 17, after "until" insert "the applicant station has received \$10,000 in grant funds under sections 1 and 2, and thereafter grant funds shall be distributed on a dollar for dollar basis until"

Page 5, line 19, after "applicants" delete ", except" and insert "; provided"

Page 5, line 23, delete "budget" and insert "income"

Page 5, line 24, delete everything after the period

Page 5, delete lines 25 and 26

Page 5, line 27, after "grant funds" insert "under sections 1 and 2"

Page 5, line 28, delete ", except that a station shall not use grant funds"

Page 5, delete lines 29 and 30 to the period

Page 5, line 33, after "auditor" insert "or Corporation for Public Broadcasting audit"

Page 6, line 4, delete "shall be available to the"

Page 6, line 5, delete "public and a copy"

Page 6, delete section 2

Renumber succeeding section

Page 6, line 25, delete "Subdivision 1."

Page 6, line 26, delete "\$250,000" and insert "\$150,000"

Page 6, line 27, delete "each" and insert "the first"

Page 6, line 27, after "biennium" insert "and \$200,000 in the second year of the biennium"

Page 6, delete lines 32 and 33

Delete page 7

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. 1101, A bill for an act relating to motor vehicles; providing for the issuance of handicapped license plates; amending Minnesota Statutes 1978, Section 168.021, Subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1144, A bill for an act relating to state lands; authorizing conveyance of certain land to Independent School District No. 281.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1268, A bill for an act relating to state lands; authorizing the conveyance of certain lands in Otter Tail County to the city of Fergus Falls.

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. 1272, A bill for an act relating to aeronautics; excluding parachutes and parachuting from the jurisdiction of the department of transportation; amending Minnesota Statutes 1978, Section 360.013, Subdivisions 2, 3 and 11.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 1324, A bill for an act relating to arson; fire loss information; authorizing certain agencies to request and receive from insurance companies information relating to fire losses; providing for immunity to insurance companies providing fire loss information; providing for confidentiality of released information; providing for testimony in matters under litigation; providing for penalties.

Reported the same back with the following amendments:

Page 2, delete lines 5, 6, 7, 8, 9, and insert:

“(f) Chief administrative officer of municipal fire department arson squad.”

Page 2, line 23, delete “but” insert “and”, delete “not”

Page 3, line 23, delete “Except when actual malice can be proved,” capitalize “An”

Page 3, line 26, after “written,” insert “acting in good faith,”

Page 4, line 6, delete “or knowingly”

Page 4, line 9, delete “or knowingly”

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. 1353, A bill for an act relating to motor vehicles; establishing fees for motorized bicycle operator permits; excepting motorized bicycles from seat belt requirements; amending Minnesota Statutes 1978, Sections 169.685, Subdivision 1; and 171.02, Subdivision 3.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 1379, A bill for an act relating to peace officers; authorizing the peace officers standards and training board to receive complaints, require investigations, and hold revocation hearings with respect to statutes or rules it is empowered to en-



force; amending Minnesota Statutes 1978, Section 214.10, by adding subdivisions.

Reported the same back with the following amendments:

Page 3, line 29, after "*including*" insert "*but not limited to*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1381, A bill for an act relating to the county of St. Louis; permitting the sale of certain tax-forfeited land.

Reported the same back with the following amendments:

Page 1, line 8, after "sell" insert "at its regular tax-forfeited land sale" and delete "tax-forfeited"

Page 1, line 11, after "quarter" insert ", less 200 feet on either side of the river from high water mark that would be exempted from the parcels for sale"

Page 1, delete lines 13 and 14

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. 898, 1101, 1144, 1268, 1272, 1324, 1353, 1379 and 1381 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 728, 346, 361, 410 and 491 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Rice; Carlson, L.; Murphy; Sieben, M., and Clawson introduced:

H. F. No. 1439, A bill for an act relating to labor relations; making collective bargaining agreements binding and enforceable upon transferee employers; defining transferee employer; creating certain exclusions; requiring the disclosure of collective bargaining agreements; providing for enforcement procedures.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Wynia and Faricy introduced:

H. F. No. 1440, A bill for an act relating to liquor; limiting sales in various places; permitting an additional wine license near a University of Minnesota campus; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Sieben, M., introduced:

H. F. No. 1441, A bill for an act relating to hospitalization and commitment; requiring committing courts to establish result oriented evaluation programs for committed persons; appointment of counsel guardians for committed persons; establishing a central agency within the department of public welfare which shall develop a program of statistical analysis relating to treatment of committed persons.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Waldorf introduced:

H. F. No. 1442, A bill for an act relating to the legislature; creating a Legislative Commission on Science and Technology and a legislative office of science and technology research; defining their powers and duties; and appropriating money.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Rose, Dempsey, Adams, Schreiber and Simoneau introduced:

H. F. No. 1443, A bill for an act relating to transportation; providing for a transportation board; providing for transfer of certain duties, powers and functions of the public service commission and the commissioner of transportation to the transportation regulation board; regulating railroads and other common carriers of persons or property for hire; providing penalties; appropriating funds; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 1; 174.02, Subdivision 4; 174.03, Subdivision 2; 174.10, Subdivisions 1, 3, 4; 218.011, Subdivision 7; 218.021; 218.025; 218.031, Subdivisions 1, 6, 8, 10; 218.041; 218.071; 219.03; 219.14; 219.23; 219.24; 219.25; 219.27; 219.28; 219.383; 219.39; 219.40; 219.41; 219.42; 219.43; 219.46, Subdivision 7; 219.47; 219.51; 219.52; 219.54; 219.55; 219.562, Subdivision 3; 219.65; 219.681; 219.70; 219.71; 219.741; 219.85; 219.86; 219.87; 221.011, Subdivisions 2b, 15, 22; 221.021; 221.031, Subdivision 1; 221.041; 221.051; 221.061; 221.071; 221.081; 221.101; 221.121; 221.131; 221.141, Subdivision 2; 221.151; 221.161; 221.171; 221.181; 221.221; 221.261; 221.271; 221.281; 221.291, Subdivision 1; 221.293; 221.295; 221.296, Subdivisions 2, 3, 4, 8; 221.55; 221.68; repealing Minnesota Statutes 1978, Section 219.742.

The bill was read for the first time and referred to the Committee on Transportation.

Nelsen, M., introduced:

H. F. No. 1444, A bill for an act relating to the city of McGregor; authorizing the issuance of bonds for the acquisition and betterment of a municipal fire hall and community center.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Vanasek, Evans, Jacobs, Kvam and Brinkman introduced:

H. F. No. 1445, A bill for an act relating to insurance; providing a deduction for health and accident benefits paid in the taxation of insurance companies; amending Minnesota Statutes 1978, Section 60A.15, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Stowell, Den Ouden, Piepho, Nelsen, B., and Kaley introduced:

H. F. No. 1446, A bill for an act relating to workers' compensation; providing the time in which actions or proceedings shall be taken; amending Minnesota Statutes 1978, Section 176.151.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Stowell, Kaley, McCarron, Den Ouden and Sviggum introduced:

H. F. No. 1447, A bill for an act relating to taxation; sales; exempting goods and services sold by certain charitable organizations; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Battaglia, Elioff, Hoberg, Murphy and Kroening introduced:

H. F. No. 1448, A bill for an act relating to retirement; teachers; authorizing purchase of certain prior service credit; amending Minnesota Statutes 1978, Section 354.51, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wynia, Kelly, Novak, Ellingson and Byrne introduced:

H. F. No. 1449, A bill for an act relating to taxation; increasing the homestead credits; increasing the maximum property tax refund; amending Minnesota Statutes 1978, Sections 273.13, Subdivisions 6, 7 and 14a; 290A.03, Subdivisions 11 and 13; 290A.04, Subdivisions 2a and 2b.

The bill was read for the first time and referred to the Committee on Taxes.

Erickson, by request, introduced:

H. F. No. 1450, A bill for an act relating to dogs; removing the urban location requirement in actions for damages against a dog owner; amending Minnesota Statutes 1978, Section 347.22.

The bill was read for the first time and referred to the Committee on Judiciary.

Vanasek, Munger, Ludeman, Ainley and Johnson, D., introduced:

H. F. No. 1451, A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks and authorizing land acquisition in relation thereto.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Schreiber; Jude; Carlson, L.; Ellingson and Heinitz introduced:

H. F. No. 1452, A bill for an act relating to Independent School District No. 279; authorizing the issuance of bonds authorized by the electors.

The bill was read for the first time and referred to the Committee on Education.

Johnson, D.; Fritz and Murphy introduced:

H. F. No. 1453, A bill for an act relating to retirement; authorizing payment of severance pay to retiring employees; validating past payments; amending Minnesota Statutes 1978, Sections 356.24 and 465.72.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ainley, Hoberg, Searle, Stoa and Pehler introduced:

H. F. No. 1454, A bill for an act relating to education; changing the requirements for membership on the state university board and on the state board for community colleges; amending Minnesota Statutes 1978, Sections 136.12, Subdivision 1; and 136.61, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Anderson, R., introduced:

H. F. No. 1455, A bill for an act relating to public safety; prohibiting scuba diving during certain hours; amending Minnesota Statutes 1978, Section 361.09, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Anderson, B.; Elioff; Kvam; Onnen and Welch introduced:

H. F. No. 1456, A bill for an act relating to retirement; authorizing retirement plans for certain ambulance drivers and attendants; providing for the financing thereof.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Anderson, B., and Welch introduced:

H. F. No. 1457, A bill for an act relating to taxation; school taxes; providing a method for determining the market value of agricultural lands by the equalization aid review committee; amending Minnesota Statutes 1978, Section 124.212, Subdivision 10.

The bill was read for the first time and referred to the Committee on Taxes.

Jennings introduced:

H. F. No. 1458, A bill for an act relating to Independent School District No. 836 (Butterfield-Odin) and Independent School District No. 840 (St. James); providing for a transfer of property between the districts.

The bill was read for the first time and referred to the Committee on Education.

Nelsen, M.; Begich; Battaglia; Anderson, I., and Minne introduced:

H. F. No. 1459, A bill for an act relating to cooperatives; providing for open cooperative meetings; amending Minnesota Statutes 1978, Section 308.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Jaros and Berkelman introduced:

H. F. No. 1460, A bill for an act relating to crimes; requiring the state to pay all costs and expenses in criminal cases where a change of venue has been ordered; appropriating money; amending Minnesota Statutes 1978, Section 627.02.

The bill was read for the first time and referred to the Committee on Judiciary.

Jaros introduced:

H. F. No. 1461, A bill for an act relating to taxation; extending the homemaker income tax credit to certain parents of handicapped children; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3e.

The bill was read for the first time and referred to the Committee on Taxes.

Jaros introduced:

H. F. No. 1462, A bill for an act relating to retirement; authorizing purchase of allowable service credit by certain members of the teachers retirement fund for prior service as non-public school teachers; amending Minnesota Statutes 1978, Chapter 354, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Greenfield, Rothenberg and Jaros introduced:

H. F. No. 1463, A bill for an act relating to taxation; providing for an additional homestead credit to be paid on earthsheltered structures used for homestead purposes; appropriating funds; amending Minnesota Statutes 1978, Section 273.13, Subdivision 15a; and Chapter 273, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Clawson introduced:

H. F. No. 1464, 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 1978, 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.

Battaglia and Begich introduced:

H. F. No. 1465, A bill for an act relating to taxation; extending the time for claiming credits against the tax on taconite and iron sulphides; amending Minnesota Statutes 1978, Section 298.24, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Clawson, Minne, Stoa, Mehrkens and Dean introduced:

H. F. No. 1466, A bill for an act relating to the collection and dissemination of data; public records; administration of the state archives and state and local public records; classifying data; providing a penalty; amending Minnesota Statutes 1978, Sections 15.17, Subdivision 1; 138.161; 138.17, Subdivisions 1, 6, and 7, and by adding subdivisions; 138.18; 138.19; 138.20; and 138.21; and Chapter 138, by adding sections; repealing Minnesota Statutes 1978, Section 16.66.

The bill was read for the first time and referred to the Committee on Judiciary.

Sieben, M.; Pehler; Knickerbocker; Ainley and Johnson, D., introduced:

H. F. No. 1467, A bill for an act relating to state employees; providing for wage and fringe benefits for certain state employees; ratifying a collective bargaining agreement; amending Minnesota Statutes 1978, Sections 43.01, Subdivision 14; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 8a, 10, 12, 14, 16, 17, 23, 24, 25, and by adding subdivisions; 43.122, Subdivision 5; 43.17, Subdivision 3; 43.43, by adding a subdivision; 43.44, Subdivision 2; 43.50, Subdivision 1; 43.51; and 645.44, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Casserly, Pehler, Vanasek, Brinkman and Jaros introduced:

H. F. No. 1468, A bill for an act relating to taxation; real property; providing reduced assessment of certain commercial property; providing reimbursement to taxing districts for revenue lost as a result of the reduced assessment; appropriating money; amending Minnesota Statutes 1978, Section 273.13, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.



Begich; Battaglia; Carlson, D.; Anderson, I., and Rose introduced:

H. F. No. 1469, A bill for an act relating to mines and mining; regulating blasting; establishing air overpressure and ground vibration standards.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stadum, Corbid and Eken introduced:

H. F. No. 1470, A bill for an act relating to Polk County; regulating fees charged for acquisition and maintenance of the Polk County law library; amending Laws 1967, Chapter 223, Section 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Stadum; Eken; Anderson, G.; Albrecht and Nelsen, B., introduced:

H. F. No. 1471, A bill for an act relating to workers' compensation; providing that certain farmers owning baling or threshing equipment may be considered as independent contractors; amending Minnesota Statutes 1978, Section 176.011, Subdivision 12.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Vanasek; Johnson, C.; Eken and Anderson, G., introduced:

H. F. No. 1472, A bill for an act relating to taxation; providing for reduction of motor vehicle excise tax when purchase price of vehicle is reduced by value of goods traded for vehicle; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

The bill was read for the first time and referred to the Committee on Taxes.

Ellingson, Evans, Norton, Rice and Pavlak introduced:

H. F. No. 1473, A bill for an act relating to fiduciaries; providing for replacement of corporate trustees; establishing guidelines for compensation of personal representatives; changing procedure for removing personal representatives; amending Minnesota Statutes 1978, Sections 524.3-611; 524.3-719; and Chapter 501, by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary.

## HOUSE ADVISORIES

The following House Advisory was introduced:

Heinitz, Heap, Norman and Elioff introduced:

H. A. No. 26, A proposal to equalize the compensation of teachers at state institutions of higher education.

The advisory was referred to the Committee on Labor-Management Relations.

REPORTS FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following bills, which bills were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
1428	Apr. 18, 1979	Taxes

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

House Concurrent Resolution No. 5, A house concurrent resolution relating to violence and vandalism in Stearns and Pope Counties along the route of a new powerline.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

HOUSE CONCURRENT RESOLUTION NO. 5

A house concurrent resolution relating to violence and vandalism in Stearns and Pope Counties along the route of a new powerline.

*Whereas*, the state of Minnesota's electrical energy supply is becoming increasingly dependent on transmission lines which transport energy from areas with abundant supplies of lignite coal; and,

*Whereas*, the state of Minnesota has enacted laws to determine the need and location of these facilities; and,

*Whereas*, United Power Association of Elk River, Minnesota, and Cooperative Power Association of Minneapolis, Minnesota, two generation and transmission rural electric cooperatives, have followed the state mandated processes for determining need and location in constructing a high voltage transmission line to serve the electrical needs of over one million rural Minnesotans; and,

*Whereas*, acts of lawlessness and violence along the route of the powerline and primarily in Pope and Stearns Counties, have resulted in the wounding of one person, heavy damage to construction equipment, and continuing destruction of utility facilities, all of which have substantially delayed the operation of the project adding millions of dollars in cost to the rural consumers; and,

*Whereas*, law enforcement authorities in the areas of continuing heavy vandalism have been unable or unwilling to prevent or curtail this lawlessness; and,

*Whereas*, to date there have been no arrests for tower or insulator destruction; and,

*Whereas*, now, therefore, the destruction of utility facilities continues at an alarming rate;

*Be it resolved* by the House of Representatives of the state of Minnesota, the Senate concurring, that it condemns these acts as senseless violence and destruction and strongly urge the Governor, the Bureau of Criminal Apprehension, and all public safety officials and law enforcement authorities in Minnesota to reaffirm the rule of law in Minnesota and bring the violence and vandalism to a halt.

Carlson, D., moved that House Concurrent Resolution No. 5 be now adopted.

A roll call was requested and properly seconded.

Pehler moved to amend House Concurrent Resolution No. 5, as follows:

Page 2, delete lines 5 through 7

A roll call was requested and properly seconded.

The question was taken on the adoption of the Pehler amendment and the roll was called. There were 40 yeas and 86 nays as follows:

## Those who voted in the affirmative were:

Anderson, B.	Corbid	Kahn	Nelsen, B.	Sieben, H.
Anderson, D.	Elioff	Kelly	Norton	Sieben, M.
Anderson, I.	Ellingson	Kempe	Osthoff	Simoneau
Battaglia	Farcy	Kostohryz	Otis	Stoa
Begich	Fjoslien	Long	Pehler	Vanasek
Berglin	Fudro	McCarron	Prahl	Waldorf
Byrne	Greenfield	Moe	Rice	Welch
Casserly	Jaros	Murphy	Sarna	Wynia

## Those who voted in the negative were:

Aasness	Eken	Kalis	Novak	Stowell
Adams	Enebo	Knickerbocker	Nysether	Sviggum
Ainley	Erickson	Kroening	Olsen	Swanson
Albrecht	Esau	Kvam	Onnen	Thiede
Anderson, G.	Evans	Laidig	Patton	Tomlinson
Anderson, R.	Ewald	Lehto	Pavlak	Valan
Berkeiman	Forsythe	Levi	Peterson	Valento
Biersdorf	Friedrich	Ludeman	Piepho	Weaver
Blatz	Fritz	Luknic	Pleasant	Welker
Brinkman	Halberg	McDonald	Redalen	Wenzel
Carlson, D.	Haukoos	McEachern	Reding	Wieser
Carlson, L.	Heap	Mehrkens	Rees	Wigley
Clawson	Hokanson	Metzen	Reif	Zubay
Crandall	Jacobs	Minne	Rose	Speaker Searle
Dean	Jennings	Munger	Rothenberg	
Dempsey	Johnson, C.	Nelsen, M.	Schreiber	
Den Ouden	Johnson, D.	Niehaus	Sherwood	
Drew	Jude	Norman	Stadum	

The motion did not prevail and the amendment was not adopted.

Wenzel moved to amend House Concurrent Resolution No. 5, as follows:

Page 2, line 6, delete "or unwilling"

The motion prevailed and the amendment was adopted.

Fjoslien moved that House Concurrent Resolution No. 5, 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 to re-refer and the roll was called. There were 20 yeas and 104 nays as follows:

## Those who voted in the affirmative were:

Anderson, B.	Corbid	Greenfield	Long	Prahl
Anderson, D.	Drew	Jaros	Moe	Reding
Anderson, I.	Fjoslien	Kahn	Niehaus	Rice
Berglin	Fritz	Kelly	Pehler	Wynia

## Those who voted in the negative were:

Aasness	Eken	Jude	Norton	Simoneau
Adams	Elioff	Kaley	Novak	Stadum
Ainley	Ellingson	Kalis	Nysether	Stoa
Anderson, G.	Enebo	Kempe	Olsen	Stowell
Anderson, R.	Erickson	Kroening	Onnen	Sviggum
Battaglia	Esau	Kvam	Osthoff	Swanson
Begich	Evans	Laidig	Otis	Thiede
Berkelman	Ewald	Levi	Patton	Tomlinson
Biersdorf	Faricy	Ludeman	Pavlak	Valento
Blatz	Forsythe	Luknic	Peterson	Vanasek
Brinkman	Friedrich	McDonald	Piepho	Voss
Byrne	Fudro	McEachern	Redalen	Waldorf
Carlson, D.	Halberg	Mehrkens	Rees	Weaver
Carlson, L.	Haukoos	Metzen	Reif	Welch
Casserly	Heap	Minne	Rose	Welker
Clark	Heinitz	Munger	Rothenberg	Wenzel
Clawson	Hokanson	Murphy	Sarna	Wieser
Crandall	Jacobs	Nelsen, B.	Schreiber	Wigley
Dean	Jennings	Nelsen, M.	Sherwood	Zubay
Dempsey	Johnson, C.	Nelson	Sieben, H.	Speaker Searle
Den Ouden	Johnson, D.	Norman	Sieben, M.	

The motion did not prevail.

The question recurred on the adoption of House Concurrent Resolution No. 5, as amended, and the roll was called. There were 110 yeas and 11 nays as follows:

## Those who voted in the affirmative were:

Aasness	Elioff	Kaley	Nelsen, M.	Sieben, M.
Adams	Ellingson	Kalis	Norman	Simoneau
Ainley	Enebo	Kelly	Norton	Stadum
Albrecht	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Battaglia	Ewald	Kroening	Onnen	Swanson
Begich	Faricy	Kvam	Osthoff	Thiede
Berkelman	Forsythe	Laidig	Otis	Tomlinson
Biersdorf	Friedrich	Lehto	Patton	Valan
Blatz	Fritz	Levi	Pavlak	Valento
Brinkman	Fudro	Ludeman	Peterson	Voss
Carlson, D.	Halberg	Luknic	Piepho	Waldorf
Carlson, L.	Haukoos	McCarron	Redalen	Weaver
Clark	Heap	McDonald	Rees	Welch
Clawson	Heinitz	McEachern	Reif	Welker
Crandall	Hokanson	Mehrkens	Rose	Wenzel
Dean	Jacobs	Metzen	Rothenberg	Wieser
Dempsey	Jennings	Minne	Sarna	Wigley
Den Ouden	Johnson, C.	Munger	Schreiber	Wynia
Drew	Johnson, D.	Murphy	Sherwood	Zubay
Eken	Jude	Nelsen, B.	Sieben, H.	Speaker Searle

## Those who voted in the negative were:

Anderson, R.	Greenfield	Long	Prahl	Rice
Berglin	Kahn	Moe	Reding	Vanasek
Byrne				

The motion prevailed and House Concurrent Resolution No. 5, as amended, was adopted.

### 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. 638, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating duplicate, redundant, conflicting and superseded provisions; amending Minnesota Statutes 1978, Sections 5.06; 15.0411, Subdivision 2; 16.723; 16A.71; 18.023, Subdivision 3a; 43.224; 52.04, Subdivision 1; 61A.245, Subdivisions 4, 7, and 12; 112.87; 122.531, Subdivision 4; 124.17, Subdivision 1; 150A.06, Subdivision 2a; 168.041, Subdivision 2; 168A.01, Subdivisions 18 and 19; 176.611, Subdivision 6a; 179.70, Subdivision 1; 192A.25, Subdivision 2; 192A.555; 221.011, Subdivision 22; 237.295, Subdivision 3; 270.01; 270.02, Subdivision 4; 270.10, Subdivision 1; 273.02, Subdivisions 2 and 3; 273.061, Subdivision 8; 274.18; 276.07; 279.03; 281.275; 282.15; 282.341, Subdivision 2; 290.01, Subdivision 20; 294.26; 326.48, Subdivision 2; 352B.11, Subdivision 2; 352D.02, Subdivision 1; 352E.01, Subdivision 2; 353.16; 354.44, Subdivisions 4 and 6; 355.56; 356.20, Subdivision 2; 356.60, Subdivision 1; 414.033, Subdivision 1; 414.035; 420.06; 422A.09, Subdivision 3; 423.076; 458A.03, Subdivision 2; 458A.06, Subdivisions 1 and 4; 462A.05, Subdivision 16; 462A.21, Subdivision 5; 507.09; 507.10; 507.13; 507.14; 518.005, Subdivisions 3 and 4; 524.3-303; 648.31, Subdivision 1; Laws 1975, Chapter 339, Section 10; repealing Minnesota Statutes 1978, Section 144.49, Subdivisions 2, 3 and 4; Laws 1977, Chapter 11, Section 8; 412, Section 2; Laws 1978, Chapters 538, Section 6; and 720, Section 5.

PATRICK E. FLAHAVER, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Jude moved that the House concur in the Senate amendments to H. F. No. 638 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 638, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating duplicate, redundant, conflicting and

superseded provisions; amending Minnesota Statutes 1978, Sections 5.06; 15.0411, Subdivision 2; 16.723; 16A.71; 18.023, Subdivision 3a; 43.224; 52.04, Subdivision 1; 61A.245, Subdivisions 4, 7, and 12; 112.87; 122.531, Subdivision 4; 124.17, Subdivision 1; 150A.06, Subdivision 2a; 168.041, Subdivision 2; 168A.01, Subdivisions 18 and 19; 176.611, Subdivision 6a; 179.70, Subdivision 1; 192A.25, Subdivision 2; 192A.555; 221.011, Subdivision 22; 237.295, Subdivision 3; 270.01; 270.02, Subdivision 4; 270.10, Subdivision 1; 273.02, Subdivisions 2 and 3; 273.061, Subdivision 8; 274.18; 276.07; 279.03; 281.275; 282.15; 282.341, Subdivision 2; 290.01, Subdivision 20; 294.26; 326.48, Subdivision 2; 352B.-11, Subdivision 2; 352D.02, Subdivision 1; 352E.01, Subdivision 2; 353.16; 354.44, Subdivisions 4 and 6; 355.56; 356.20, Subdivision 2; 356.60, Subdivision 1; 414.033, Subdivision 1; 414.035; 420.06; 422A.09, Subdivision 3; 423.076; 458A.03, Subdivision 2; 458A.06, Subdivisions 1 and 4; 462A.05, Subdivision 16; 462A.-21, Subdivision 5; 507.09; 507.10; 507.13; 507.14; 518.005, Subdivisions 3 and 4; 524.3-303; 648.31, Subdivision 1; Laws 1975, Chapter 339, Section 10; repealing Minnesota Statutes 1978, Section 144.49, Subdivisions 2, 3 and 4; Laws 1977, Chapter 11, Section 8; 412, Section 2; Laws 1978, Chapters 538, Section 6; and 720, Section 5.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Niehaus	Sieben, H.
Adams	Elioff	Kaley	Norman	Sieben, M.
Ainley	Ellingson	Kalis	Norton	Simoneau
Albrecht	Enebo	Kelly	Novak	Stadum
Anderson, B.	Erickson	Kempe	Nysether	Stoa
Anderson, D.	Esau	Knickerbocker	Olsen	Stowell
Anderson, G.	Evans	Kroening	Onnen	Sviggum
Anderson, I.	Ewald	Kvam	Osthoff	Swanson
Anderson, R.	Faricy	Laidig	Otis	Thiede
Battaglia	Fjoslien	Lehto	Patton	Tomlinson
Begich	Forsythe	Levi	Paviak	Valan
Berglin	Friedrich	Long	Pehler	Valento
Berkelman	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	McCarron	Pleasant	Waldorf
Byrne	Halberg	McDonald	Prahl	Weaver
Carlson, D.	Haukoos	McEachern	Redalen	Welch
Carlson, L.	Heap	Mehrkens	Reding	Welker
Casserly	Heinitz	Metzen	Rees	Wenzel
Clark	Hokanson	Minne	Reif	Wieser
Clawson	Jacobs	Moe	Rice	Wigley
Crandall	Jaros	Munger	Rose	Wynia
Dean	Jennings	Murphy	Rothenberg	Zubay
Dempsey	Johnson, C.	Nelsen, B.	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, M.	Schreiber	
Drew	Jude	Nelson	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. 186, A bill for an act relating to metropolitan government; providing for the debt of the metropolitan transit commission; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; and Chapter 473, by adding a section; repealing Minnesota Statutes 1978, Section 473.438, Subdivisions 5 and 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Schreiber moved that the House concur in the Senate amendments to H. F. No. 186 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 186, A bill for an act relating to metropolitan government; providing for the debt of the metropolitan transit commission; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; and Chapter 473, by adding a section; repealing Minnesota Statutes 1978, Section 473.438, Subdivisions 5 and 6.

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 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Byrne	Erickson	Jacobs	Lehto
Adams	Carlson, D.	Esau	Jaros	Levi
Ainley	Carlson, L.	Evans	Jennings	Long
Albrecht	Cassery	Ewald	Johnson, C.	Ludeman
Anderson, B.	Clark	Farcy	Johnson, D.	Luknic
Anderson, D.	Clawson	Fjoslien	Jude	McCarron
Anderson, G.	Corbid	Forsythe	Kahn	McDonald
Anderson, I.	Crandall	Friedrich	Kaley	Mehrkens
Anderson, R.	Dean	Fritz	Kalis	Metzen
Battaglia	Dempsey	Fudro	Kelly	Minne
Begich	Den Ouden	Greenfield	Kempe	Moe
Berglin	Drew	Halberg	Knickerbocker	Munger
Berkelman	Eken	Haukoos	Kostohryz	Murphy
Biersdorf	Elioff	Heap	Kroening	Nelsen, B.
Blatz	Ellingson	Hejnitz	Kvam	Nelsen, M.
Brinkman	Enebo	Hokanson	Laidig	Nelson



Niehaus	Peterson	Sarna	Swanson	Welker
Norton	Piepho	Schreiber	Thiede	Wenzel
Novak	Pleasant	Sherwood	Tomlinson	Wieser
Nysether	Prahl	Sieben, H.	Valan	Wigley
Olsen	Reding	Sieben, M.	Valento	Wynia
Onnen	Rees	Simoneau	Vanasek	Zubay
Osthoff	Reif	Stadum	Voss	Speaker Searle
Otis	Rice	Stoa	Waldorf	
Patton	Rose	Stowell	Weaver	
Pehler	Rothenberg	Sviggum	Welch	

Those who voted in the negative were:

Pavlak

The bill was repassed, as amended by the Senate, and its title agreed to.

Carlson, D., was excused for the remainder of the day.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 719.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 719, A bill for an act relating to education; permitting a school district to sell certain buildings at auction; setting conditions for the sale.

The bill was read for the first time.

Dempsey moved that S. F. No. 719 and H. F. No. 993, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

### CALENDAR

H. F. No. 361, A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means of securing full performance; amending Minnesota Statutes 1978, Sections 161.322; 162.04; 162.10; and 429.041, 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 123 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelson	Sieben, M.
Adams	Eken	Kahn	Niehaus	Simoneau
Albrecht	Elioff	Kaley	Norman	Stadum
Anderson, B.	Ellingson	Kalis	Norton	Stoa
Anderson, D.	Enebo	Kempe	Novak	Stowell
Anderson, G.	Erickson	Knickerbocker	Nysether	Sviggum
Anderson, I.	Esau	Kostohryz	Olsen	Swanson
Anderson, R.	Evans	Kroening	Onnen	Thiede
Battaglia	Ewald	Kvam	Otis	Tomlinson
Begich	Fjoslien	Laidig	Patton	Valan
Berglin	Forsythe	Lehto	Pavlak	Valento
Berkelman	Friedrich	Levi	Pehler	Vanasek
Biersdorf	Fritz	Long	Peterson	Voss
Blatz	Fudro	Ludeman	Pleasant	Waldorf
Brinkman	Greenfield	Luknic	Prahl	Weaver
Byrne	Halberg	McDonald	Redalen	Welch
Carlson, L.	Haukoos	McEachern	Reding	Welker
Casserly	Heap	Mehrkens	Rees	Wenzel
Clark	Heinitz	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Schreiber	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Sherwood	
Den Ouden	Johnson, D.	Nelsen, M.	Sieben, H.	

Those who voted in the negative were:

Faricy Kelly

The bill was passed and its title agreed to.

H. F. No. 183, A bill for an act relating to pollution control; authorizing the pollution control agency to assist small businesses; amending Minnesota Statutes 1978, Section 115.03, by adding subdivisions; and 474.03.

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:

Aasness	Biersdorf	Drew	Fritz	Jude
Adams	Blatz	Eken	Fudro	Kahn
Ainley	Brinkman	Elioff	Greenfield	Kaley
Albrecht	Byrne	Ellingson	Halberg	Kalis
Anderson, B.	Carlson, L.	Enebo	Haukoos	Kelly
Anderson, D.	Casserly	Erickson	Heap	Kempe
Anderson, G.	Clark	Esau	Heinitz	Knickerbocker
Anderson, I.	Clawson	Evans	Hokanson	Kostohryz
Anderson, R.	Corbid	Ewald	Jacobs	Kroening
Battaglia	Crandall	Faricy	Jaros	Kvam
Begich	Dean	Fjoslien	Jennings	Laidig
Berglin	Dempsey	Forsythe	Johnson, C.	Lehto
Berkelman	Den Ouden	Friedrich	Johnson, D.	Levi

Long	Niehaus	Piepho	Sieben, H.	Voss
Ludeman	Norman	Pleasant	Sieben, M.	Waldorf
Luknic	Norton	Prahl	Simoneau	Weaver
McDonald	Novak	Redalen	Stadum	Welch
McEachern	Nysether	Reding	Stoa	Welker
Mehrkens	Olsen	Rees	Stowell	Wenzel
Minne	Onnen	Reif	Sviggum	Wieser
Moe	Osthoff	Rice	Swanson	Wigley
Munger	Otis	Rose	Thiede	Wynia
Murphy	Patton	Rothenberg	Tomlinson	Zubay
Nelsen, B.	Pavlak	Sarna	Valan	Speaker Searle
Nelsen, M.	Pehler	Schreiber	Valento	
Nelson	Peterson	Sherwood	Vanasek	

The bill was passed and its title agreed to.

H. F. No. 222, A bill for an act relating to the public service commission and public service department; regulating commissioners' and employees' conflicts of interest; amending Minnesota Statutes 1978, Section 216A.035.

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:

Aasness	Drew	Jude	Nelson	Sherwood
Adams	Eken	Kahn	Niehaus	Sieben, H.
Ainley	Elioff	Kaley	Norman	Sieben, M.
Albrecht	Ellingson	Kalis	Norton	Simoneau
Anderson, B.	Enebo	Kelly	Novak	Stadum
Anderson, D.	Erickson	Kempe	Nysether	Stoa
Anderson, G.	Esau	Knickerbocker	Olsen	Stowell
Anderson, I.	Evans	Kostohryz	Onnen	Sviggum
Anderson, R.	Ewald	Kroening	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valento
Berkelman	Friedrich	Long	Pehler	Vanasek
Biersdorf	Fritz	Ludeman	Peterson	Voss
Blatz	Fudro	Luknic	Piepho	Waldorf
Brinkman	Greenfield	McCarron	Pleasant	Weaver
Byrne	Halberg	McDonald	Prahl	Welch
Carlson, L.	Haukoos	McEachern	Redalen	Welker
Casserly	Heap	Mehrkens	Reding	Wenzel
Clark	Heinitz	Metzen	Rees	Wieser
Clawson	Hokanson	Minne	Reif	Wigley
Corbid	Jacobs	Moe	Rice	Wynia
Crandall	Jaros	Munger	Rose	Zubay
Dean	Jennings	Murphy	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Sarna	
Den Ouden	Johnson, D.	Nelsen, M.	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 260 was reported to the House and given its third reading.

## UNANIMOUS CONSENT

Carlson, L., requested unanimous consent to offer an amendment. The request was granted.

Minne moved to amend H. F. No. 260 as follows:

Page 13, line 9, after "hospitals" insert ", with 100 beds or less,"

The motion prevailed and the amendment was adopted.

H. F. No. 260, A bill for an act relating to health; providing for health planning; requiring certificates of need for construction or modification of certain health care facilities and services; repealing Minnesota Statutes 1978, Sections 145.71 to 145.831.

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 116 yeas and 10 nays as follows:

## Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelson	Sieben, H.
Adams	Eken	Kahn	Norman	Sieben, M.
Albrecht	Elioff	Kaley	Norton	Simoneau
Anderson, B.	Ellingson	Kelly	Novak	Stadum
Anderson, D.	Enebo	Kempe	Nysether	Stoa
Anderson, G.	Erickson	Knickerbocker	Olsen	Stowell
Anderson, I.	Esau	Kostohryz	Onnen	Sviggum
Anderson, R.	Evans	Kroening	Osthoff	Swanson
Battaglia	Ewald	Laidig	Otis	Tomlinson
Begich	Faricy	Lehto	Patton	Valento
Berglin	Fjoslien	Levi	Pavlak	Vanasek
Berkelman	Forsythe	Long	Pehler	Voss
Biersdorf	Friedrich	Luknic	Peterson	Waldorf
Blatz	Fritz	McCarron	Pleasant	Weaver
Brinkman	Fudro	McDonald	Prahl	Welch
Byrne	Greenfield	McEachern	Redalen	Wenzel
Carlson, L.	Halberg	Mehrkens	Reding	Wigley
Casserly	Haukoos	Metzen	Rees	Wynia
Clark	Heap	Minne	Rice	Zubay
Clawson	Heinitz	Moe	Rose	Speaker Searle
Corbid	Hokanson	Munger	Rothenberg	
Crandall	Jacobs	Murphy	Sarna	
Dean	Jaros	Nelsen, B.	Schreiber	
Den Ouden	Johnson, C.	Nelsen, M.	Sherwood	

## Those who voted in the negative were:

Dempsey	Kalis	Ludeman	Piepho	Welker
Jennings	Kvam	Niehaus	Thiede	Wieser

The bill was passed, as amended, and its title agreed to.

H. F. No. 282, A bill for an act relating to game and fish; establishing a procedure for selection of applicants for licenses to take wild turkeys; providing a penalty; amending Minnesota Statutes 1978, Section 100.271.

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 125 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, B.	Sarna
Adams	Eken	Kahn	Nelsen, M.	Schreiber
Ainley	Elioff	Kaley	Nelson	Sherwood
Albrecht	Ellingson	Kalis	Niehaus	Sieben, H.
Anderson, B.	Enebo	Kelly	Norman	Sieben, M.
Anderson, D.	Erickson	Kempe	Norton	Simoneau
Anderson, G.	Esau	Knickerbocker	Novak	Stadum
Anderson, I.	Evans	Kostohryz	Nysether	Stoa
Anderson, R.	Ewald	Kroening	Olsen	Stowell
Battaglia	Fjoslien	Kvam	Onnen	Sviggum
Begich	Forsythe	Laidig	Otis	Thiede
Berglin	Friedrich	Lehto	Patton	Tomlinson
Berkelman	Fritz	Levi	Pavliak	Valento
Biersdorf	Fudro	Long	Pehler	Vanasek
Blatz	Gundorf	Ludeman	Peterson	Voss
Brinkman	Halberg	Luknie	Piepho	Waldorf
Byrne	Haukoos	McCarron	Pleasant	Weaver
Carlson, L.	Heap	McDonald	Prahl	Welch
Casserly	Heinitz	McEachern	Redalen	Welker
Clark	Hokanson	Mehrken	Reding	Wenzel
Corbid	Jacobs	Metzen	Rees	Wieser
Crandall	Jaros	Minne	Reif	Wigley
Dean	Jennings	Moe	Rice	Wynia
Dempsy	Johnson, C.	Munger	Rose	Zubay
Den Ouden	Johnson, D.	Murphy	Rothenberg	Speaker Searle

Those who voted in the negative were:

Clawson	Faricy	Swanson
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The bill was passed and its title agreed to.

H. F. No. 475, A bill for an act relating to hospitals; requiring adoption of federal medicare standards for hospital licensing; regulating hospital inspections; providing for licensing of hospitals accredited by the joint commission on hospital accreditation; amending Minnesota Statutes 1978, Sections 144.55; and Section 144.50, 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:

Aasness	Drew	Jude	Nelson	Sherwood
Adams	Eken	Kahn	Niehaus	Sieben, H.
Ainley	Elioff	Kaley	Norman	Sieben, M.
Albrecht	Ellingson	Kalis	Norton	Simoneau
Anderson, B.	Enebo	Kelly	Novak	Stadum
Anderson, D.	Erickson	Kempe	Nysether	Stoa
Anderson, G.	Esau	Knickerbocker	Olsen	Stowell
Anderson, I.	Evans	Kostohryz	Onnen	Swiggum
Anderson, R.	Ewald	Kroening	Osthoff	Swanson
Battaglia	Faricy	Kvam	Otis	Thiede
Begich	Fjoslien	Laidig	Patton	Tomlinson
Berglin	Forsythe	Lehto	Pavlak	Valento
Berkelman	Friedrich	Levi	Pehler	Vanasek
Biersdorf	Fritz	Ludeman	Peterson	Voss
Blatz	Fudro	Luknic	Piepho	Waldorf
Brinkman	Greenfield	McCarron	Pleasant	Weaver
Byrne	Halberg	McDonald	Prahl	Welch
Carlson, L.	Haukoos	McEachern	Redalen	Welker
Cassery	Heap	Mehrkens	Reding	Wenzel
Clark	Heinitz	Metzen	Rees	Wieser
Clawson	Hokanson	Minne	Reif	Wigley
Corbid	Jacobs	Moe	Rice	Wynia
Crandall	Jaros	Munger	Rose	Zubay
Dean	Jennings	Murphy	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Sarna	
Den Ouden	Johnson, D.	Nelsen, M.	Schreiber	

The bill was passed and its title agreed to.

S. F. No. 122, A bill for an act relating to life insurance; providing for advance payment of certain benefits under policies insuring persons who are absent and presumed dead; amending Minnesota Statutes 1978, Chapter 576, 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 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Cassery	Fjoslien	Kaley	Metzen
Adams	Clark	Forsythe	Kalis	Minne
Ainley	Clawson	Friedrich	Kelly	Moe
Albrecht	Corbid	Fritz	Kempe	Munger
Anderson, B.	Crandall	Fudro	Knickerbocker	Murphy
Anderson, D.	Dean	Greenfield	Kostohryz	Nelsen, B.
Anderson, G.	Dempsey	Halberg	Kroening	Nelsen, M.
Anderson, I.	Den Ouden	Haukoos	Kvam	Nelson
Anderson, R.	Drew	Heap	Laidig	Niehaus
Battaglia	Eken	Heinitz	Lehto	Norman
Begich	Elioff	Hokanson	Levi	Norton
Berglin	Ellingson	Jacobs	Long	Novak
Berkelman	Enebo	Jaros	Ludeman	Nysether
Biersdorf	Erickson	Jennings	Luknic	Olsen
Blatz	Esau	Johnson, C.	McCarron	Onnen
Brinkman	Evans	Johnson, D.	McDonald	Osthoff
Byrne	Ewald	Jude	McEachern	Otis
Carlson, L.	Faricy	Kahn	Mehrkens	Patton

Pavlak	Rees	Sieben, H.	Tomlinson	Wenzel
Pehler	Reif	Sieben, M.	Valento	Wieser
Peterson	Rice	Simoneau	Vanasek	Wigley
Piepho	Rose	Stadum	Voss	Wynia
Pleasant	Rothenberg	Stoa	Waldorf	Zubay
Prahl	Sarna	Stowell	Weaver	Speaker Searle
Redalen	Schreiber	Swanson	Welch	
Reding	Sherwood	Thiede	Welker	

Those who voted in the negative were:

Swiggum

The bill was passed and its title agreed to.

H. F. No. 644, A bill for an act relating to health; prohibiting applicants for certain dental licenses who fail a clinical examination twice from further taking the examination without additional education and training; requiring the board of dentistry to promulgate rules establishing requirements for this education and training; requiring licensed dentists, dental hygienists and registered dental assistants to inform the board of dentistry when changing addresses; setting standards for the names under which dentists may practice; authorizing the board of dentistry to promulgate rules governing advertising by dentists; authorizing the board of medical examiners to promulgate rules governing advertising by physicians; establishing penalties; amending Minnesota Statutes 1978, Chapter 147, by adding a section; Sections 150A.06, Subdivisions 1, 2 and 2a; 150A.09, Subdivision 3; and 150A.11, Subdivisions 1 and 2.

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 6 nays as follows:

Those who voted in the affirmative were:

Aasness	Clawson	Fudro	Kroening	Norman
Adams	Crandall	Greenfield	Laidig	Norton
Ainley	Dean	Halberg	Lehto	Novak
Anderson, B.	Dempsey	Haukoos	Levi	Nysether
Anderson, D.	Den Ouden	Heap	Long	Olsen
Anderson, G.	Drew	Heinitz	Luknic	Onnen
Anderson, I.	Eken	Hokanson	McCarron	Osthoff
Anderson, R.	Elioff	Jacobs	McDonald	Otis
Battaglia	Ellingson	Jaros	McEachern	Patton
Begich	Enebo	Johnson, C.	Mehrkens	Pavlak
Berglin	Erickson	Johnson, D.	Metzen	Pehler
Berkelman	Esau	Jude	Minne	Peterson
Biersdorf	Evans	Kahn	Moe	Piepho
Blatz	Ewald	Kaley	Munger	Prahl
Brinkman	Fariely	Kalis	Murphy	Redalen
Byrne	Fjoslien	Kelly	Nelsen, B.	Reding
Carlson, L.	Forsythe	Kempe	Nelsen, M.	Rees
Casserly	Friedrich	Knickerbocker	Nelson	Reif
Clark	Fritz	Kostohryz	Niehaus	Rice

Rose	Sieben, M.	Swanson	Weaver	Wynia
Rothenberg	Simoneau	Thiede	Welch	Zubay
Sarna	Stadum	Tomlinson	Welker	Speaker Searle
Schreiber	Stoa	Valento	Wenzel	
Sherwood	Stowell	Voss	Wieser	
Sieben, H.	Sviggum	Waldorf	Wigley	

Those who voted in the negative were:

Corbid	Kvam	Ludeman	Pleasant	Vanasek
Jennings				

The bill was passed and its title agreed to.

S. F. No. 52, 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 1978, Sections 336.6-107; 336.6-108; and 336.6-109; and Chapter 336 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 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kaley	Niehaus	Sieben, H.
Adams	Elioff	Kalis	Norman	Sieben, M.
Ainley	Ellingson	Kelly	Norton	Simoneau
Albrecht	Enebo	Kempe	Novak	Stadum
Anderson, B.	Erickson	Knickerbocker	Nysether	Stoa
Anderson, D.	Esau	Kostohryz	Olsen	Stowell
Anderson, G.	Evans	Kroening	Onnen	Sviggum
Anderson, I.	Ewald	Kvam	Osthoff	Swanson
Anderson, R.	Fjoslien	Laidig	Otis	Thiede
Battaglia	Forsythe	Lehto	Patton	Tomlinson
Begich	Friedrich	Levi	Pavlak	Valento
Berkelman	Fritz	Long	Pehler	Vanasek
Biersdorf	Fudro	Ludeman	Peterson	Voss
Blatz	Greenfield	Luknic	Piepho	Waldorf
Brinkman	Halberg	McCarron	Pleasant	Weaver
Byrne	Haukoos	McDonald	Prahl	Welch
Carlson, L.	Heap	McEachern	Redalen	Welker
Cassery	Heinitz	Mehrkens	Reding	Wenzel
Clark	Hokanson	Metzen	Rees	Wieser
Clawson	Jacobs	Minne	Reif	Wigley
Corbid	Jaros	Moe	Rice	Wynia
Crandall	Jennings	Munger	Rose	Zubay
Dean	Johnson, C.	Murphy	Rothenberg	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Sarna	
Den Ouden	Jude	Nelsen, M.	Schreiber	
Drew	Kahn	Nelson	Sherwood	

Those who voted in the negative were:

Berglin	Faricy
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The bill was passed and its title agreed to.



H. F. No. 815, A bill for an act relating to state lands; authorizing the sale of certain lands within Beltrami 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 69 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Jude	Minne	Reding
Ainley	Ellingson	Kalis	Moe	Rice
Anderson, D.	Enebo	Kelly	Murphy	Sarna
Anderson, I.	Ewald	Kempe	Nelsen, B.	Sieben, H.
Anderson, R.	Friedrich	Knickerbocker	Norman	Sieben, M.
Battaglia	Fritz	Kostohryz	Novak	Simoneau
Begich	Fudro	Kroening	Nysether	Tomlinson
Berglin	Greenfield	Levi	Olsen	Vanasek
Berkelman	Haukoos	Long	Osthoff	Waldorf
Blatz	Hokanson	Ludeman	Otis	Weaver
Brinkman	Jacobs	McCarron	Patton	Welch
Byrne	Jaros	McEachern	Pavlak	Wenzel
Carlson, L.	Jennings	Mehrkens	Pehler	Wynia
Drew	Johnson, C.	Metzen	Prahl	

Those who voted in the negative were:

Aasness	Esau	Lehto	Pleasant	Stowell
Albrecht	Evans	Luknic	Redalen	Sviggum
Biersdorf	Faricy	McDonald	Rees	Swanson
Corbid	Fjoslien	Munger	Reif	Thiede
Crandall	Forsythe	Nelsen, M.	Rose	Valento
Dean	Halberg	Nelson	Rothenberg	Welker
Dempsey	Heap	Niehaus	Schreiber	Wieser
Den Ouden	Heinitz	Norton	Sherwood	Wigley
Eken	Johnson, D.	Peterson	Stadum	Speaker Searle
Erickson	Kvam	Piepho	Stoa	

The bill was passed and its title agreed to.

S. F. No. 63, A bill for an act relating to civil actions; providing for the issuance of process in proceedings supplementary to execution; amending Minnesota Statutes 1978, Section 575.02.

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:

Aasness	Albrecht	Anderson, G.	Battaglia	Berkelman
Adams	Anderson, B.	Anderson, I.	Begich	Biersdorf
Ainley	Anderson, D.	Anderson, R.	Berglin	Blatz

Brinkman	Friedrich	Kvam	Onnen	Stoa
Byrne	Fritz	Lehto	Osthoff	Stowell
Carlson, L.	Fudro	Levi	Otis	Sviggunn
Casserly	Greenfield	Long	Patton	Swanson
Clark	Halberg	Ludeman	Pavlak	Thiede
Clawson	Haukoos	Luknic	Pehler	Tomlinson
Corbid	Heap	McDonald	Peterson	Valento
Crandall	Heimitz	McEachern	Piepho	Vanasek
Dean	Hokanson	Mehrkens	Pleasant	Voss
Dempsey	Jacobs	Metzen	Prahl	Waldorf
Den Ouden	Jaros	Minne	Redalen	Weaver
Drew	Jennings	Moe	Reding	Welch
Eken	Johnson, C.	Munger	Rees	Welker
Elioff	Johnson, D.	Murphy	Reif	Wenzel
Ellingson	Jude	Nelsen, B.	Rose	Wieser
Enebo	Kahn	Nelsen, M.	Rothenberg	Wigley
Erickson	Kaley	Nelson	Sarna	Wynia
Esau	Kalis	Niehaus	Schreiber	Zubay
Evans	Kelly	Norman	Sherwood	Speaker Searle
Ewald	Kempe	Norton	Sieben, H.	
Faricy	Knickerbocker	Novak	Sieben, M.	
Fjoslien	Kostohryz	Nysether	Simoneau	
Forsythe	Kroening	Olsen	Stadum	

The bill was passed and its title agreed to.

H. F. No. 198, A bill for an act relating to tort liability; requiring political subdivisions to indemnify officers and employees for certain judgments and settlements; amending Minnesota Statutes 1978, Section 466.07, 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:

Aasness	Drew	Johnson, C.	Moe	Reif
Adams	Eken	Johnson, D.	Munger	Rice
Ainley	Elioff	Jude	Murphy	Rose
Albrecht	Ellingson	Kahn	Nelsen, B.	Rothenberg
Anderson, D.	Enebo	Kaley	Nelsen, M.	Sarna
Anderson, G.	Erickson	Kalis	Nelson	Schreiber
Anderson, I.	Esau	Kelly	Niehaus	Sherwood
Anderson, R.	Evans	Kempe	Norman	Sieben, H.
Battaglia	Ewald	Knickerbocker	Norton	Sieben, M.
Begich	Faricy	Kostohryz	Novak	Simoneau
Berglin	Fjoslien	Kroening	Nysether	Stadum
Berkelman	Forsythe	Kvam	Olsen	Stoa
Biersdorf	Friedrich	Laidig	Onnen	Stowell
Blatz	Fritz	Lehto	Osthoff	Sviggunn
Brinkman	Fudro	Levi	Otis	Swanson
Byrne	Greenfield	Long	Pavlak	Thiede
Carlson, L.	Halberg	Ludeman	Pehler	Tomlinson
Casserly	Haukoos	Luknic	Peterson	Valento
Clark	Heap	McCarron	Piepho	Vanasek
Corbid	Heimitz	McDonald	Pleasant	Voss
Crandall	Hokanson	McEachern	Prahl	Waldorf
Dean	Jacobs	Mehrkens	Redalen	Weaver
Dempsey	Jaros	Metzen	Reding	Welch
Den Ouden	Jennings	Minne	Rees	Welker

Wenzel  
Wieser

Wigley

Wynia

Zubay

Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 519, A bill for an act relating to motor vehicles; limiting the authority of the registrar of motor vehicles to refuse to issue certificates of title in certain circumstances; amending Minnesota Statutes 1978, Sections 168A.23, by adding a subdivision; and 297B.06.

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:

Aasness	Eken	Jude	Nelsen, M.	Schreiber
Adams	Elioff	Kahn	Nelson	Sherwood
Ainley	Ellingson	Kalis	Niehhaus	Sieben, H.
Albrecht	Enebo	Kelly	Norman	Sieben, M.
Anderson, D.	Erickson	Kempe	Norton	Simoneau
Anderson, G.	Esau	Knickerbocker	Novak	Stadum
Anderson, I.	Evans	Kostohryz	Nysether	Stoa
Anderson, R.	Ewald	Kroening	Olsen	Stowell
Battaglia	Faricy	Kvam	Osthoff	Sviggum
Begich	Fjoslien	Laidig	Otis	Swanson
Berglin	Forsythe	Lehto	Patton	Thiede
Berkelman	Friedrich	Levi	Pavlak	Tomlinson
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	McCarron	Pleasant	Waldorf
Carlson, L.	Haukoos	McDonald	Prahl	Weaver
Casserly	Heap	McEachern	Redalen	Welch
Clark	Heinitz	Mehrkens	Reding	Welker
Corbid	Hokanson	Metzen	Rees	Wenzel
Crandall	Jacobs	Minne	Reif	Wieser
Dean	Jaros	Moe	Rice	Wynia
Dempsey	Jennings	Munger	Rose	Zubay
Den Ouden	Johnson, C.	Murphy	Rothenberg	Speaker Searle
Drew	Johnson, D.	Nelsen, B.	Sarna	

The bill was passed and its title agreed to.

H. F. No. 659, A bill for an act relating to local government; providing for facilities of the jointly owned airport of the city of Brainerd and Crow Wing County; authorizing the issuance of bonds to finance the acquisition and betterment of airport facilities; repealing Laws 1965, Chapter 152.

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:

Aasness	Drew	Jude	Nelson	Sieben, H.
Adams	Eken	Kahn	Niehaus	Sieben, M
Ainley	Elioff	Kaley	Norman	Simoneau
Albrecht	Ellingson	Kalis	Norton	Stadum
Anderson, B.	Enebo	Kelly	Novak	Stoa
Anderson, D.	Erickson	Kempe	Nysether	Stowell
Anderson, G.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, I.	Evans	Kostohryz	Onnen	Swanson
Anderson, R.	Ewald	Kroening	Osthoff	Thiede
Battaglia	Faricy	Kvam	Otis	Tomlinson
Begich	Fjoslien	Laidig	Patton	Valan
Berglin	Forsythe	Lehto	Pavliak	Valento
Berkelman	Friedrich	Levi	Pehler	Vanasek
Biersdorf	Fritz	Long	Peterson	Voss
Blatz	Fudro	Ludeman	Piepho	Waldorf
Brinkman	Greenfield	Luknic	Pleasant	Weaver
Byrne	Halberg	McCarron	Prahl	Welch
Carlson, L.	Haukoos	McDonald	Reding	Welker
Casserly	Heap	McEachern	Rees	Wenzel
Clark	Heinitz	Mehrkens	Reif	Wieser
Clawson	Hokanson	Metzen	Rice	Wigley
Corbid	Jacobs	Minne	Rose	Wynia
Crandall	Jaros	Moe	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 711, A bill for an act relating to highway traffic regulations; authorizing physician's trained mobile intensive care paramedics to withdraw blood for the purpose of determining the presence of alcohol or controlled substances under the implied consent law; amending Minnesota Statutes 1978, Section 169.123, 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 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Blatz	Elioff	Halberg	Kelly
Adams	Brinkman	Ellingson	Haukoos	Kempe
Ainley	Byrne	Enebo	Heap	Knickerbocker
Albrecht	Carlson, L.	Erickson	Heinitz	Kostohryz
Anderson, B.	Casserly	Esau	Hokanson	Kroening
Anderson, D.	Clark	Evans	Jacobs	Kvam
Anderson, G.	Clawson	Ewald	Jaros	Laidig
Anderson, I.	Corbid	Faricy	Jennings	Lehto
Anderson, R.	Crandall	Fjoslien	Johnson, C.	Long
Battaglia	Dean	Forsythe	Johnson, D.	Ludeman
Begich	Dempsey	Friedrich	Jude	Luknic
Berglin	Den Ouden	Fritz	Kahn	McCarron
Berkelman	Drew	Fudro	Kaley	McDonald
Biersdorf	Eken	Greenfield	Kalis	McEachern

Mehrkens	Olsen	Reding	Stadum	Welch
Metzen	Onnen	Rees	Stoa	Welker
Minne	Osthoff	Reif	Stowell	Wenzel
Moe	Otis	Rice	Sviggum	Wieser
Munger	Patton	Rose	Swanson	Wigley
Murphy	Pavlak	Rothenberg	Thiede	Wynia
Nelsen, B.	Pehler	Sarna	Tomlinson	Zubay
Nelson	Peterson	Schreiber	Valento	Speaker Searle
Niehaus	Piepho	Sherwood	Vanasek	
Norton	Pleasant	Sieben, H.	Voss	
Novak	Prahl	Sieben, M.	Waldorf	
Nysether	Redalen	Simoneau	Weaver	

Those who voted in the negative were:

Nelsen, M.

The bill was passed and its title agreed to.

S. F. No. 606, A bill for an act relating to the revisor of statutes; publication of the Minnesota Statutes, Supplement and Session Laws by the revisor; correcting certain obsolete provisions; clarifying certain provisions; amending Minnesota Statutes 1978, Sections 482.09, 482.11; 648.31, Subdivision 1; 648.32; 648.40; and 648.41, 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:

Aasness	Eken	Kahn	Nelson	Sieben, H.
Adams	Elihoff	Kaley	Niehaus	Sieben, M.
Ainley	Ellingson	Kalis	Norman	Simoneau
Albrecht	Enebo	Kelly	Norton	Stadum
Anderson, B.	Erickson	Kempe	Novak	Stoa
Anderson, D.	Esau	Knickerbocker	Nysether	Stowell
Anderson, G.	Evans	Kostohryz	Olsen	Sviggum
Anderson, I.	Ewald	Kroening	Onnen	Swanson
Anderson, R.	Faricy	Kvam	Osthoff	Thiede
Battaglia	Fjoslien	Laidig	Otis	Tomlinson
Begich	Forsythe	Lehto	Patton	Valento
Berglin	Friedrich	Levi	Pavlak	Vanasek
Berkelman	Fritz	Long	Pehler	Voss
Biersdorf	Fudro	Ludeman	Peterson	Waldorf
Brinkman	Greenfield	Luknic	Piepho	Weaver
Byrne	Halberg	McCarron	Prahl	Welch
Carlson, L.	Haukoos	McDonald	Redalen	Welker
Casserly	Heap	McEachern	Reding	Wenzel
Clark	Heinitz	Mehrkens	Rees	Wieser
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	
Drew	Jude	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 294, A bill for an act relating to private passenger vehicle insurance; prohibiting certain premium increases attributable to relatives living in the same household; amending Minnesota Statutes 1978, Chapter 65B, 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 102 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Aasness	Dean	Jude	Nelsen, M.	Schreiber
Adams	Eken	Kahn	Nelson	Sherwood
Anderson, B.	Elioff	Kalis	Norman	Sieben, H.
Anderson, D.	Ellingson	Kelly	Norton	Sieben, M.
Anderson, G.	Enebo	Kempe	Novak	Simoneau
Anderson, I.	Esau	Knickerbocker	Nysether	Stadum
Anderson, R.	Evans	Kostohryz	Olsen	Stoa
Battaglia	Ewald	Kroening	Onnen	Swanson
Begich	Farcy	Laidig	Osthoff	Tomlinson
Berglin	Fjoslien	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pehler	Vanasek
Biersdorf	Fritz	Long	Peterson	Voss
Blatz	Fudro	Luknic	Piepho	Waldorf
Brinkman	Greenfield	McCarron	Prahl	Welch
Byrne	Halberg	McDonald	Redalen	Wenzel
Carlson, L.	Haukoos	McEachern	Reding	Wieser
Casserly	Hokanson	Metzen	Reif	Wynia
Clark	Jacobs	Minne	Rice	Zubay
Clawson	Jaros	Moe	Rose	
Corbid	Johnson, C.	Murphy	Rothenberg	
Crandall	Johnson, D.	Nelsen, B.	Sarna	

Those who voted in the negative were:

Albrecht	Forsythe	Kvam	Rees	Wigley
Dempsey	Heap	Ludeman	Sviggum	Speaker Searle
Den Ouden	Heinritz	Niehaus	Thiede	
Drew	Jennings	Pavlak	Valento	
Erickson	Kaley	Pleasant	Welker	

The bill was passed and its title agreed to.

#### CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Sieben, H., requested immediate consideration of H. F. No. 177.

H. F. No. 177 was reported to the House.

Casserly moved to amend H. F. No. 177 as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1978, Chapter 270, is amended by adding a section to read:

[270.80] [TAXATION OF RAILROAD PROPERTY.] *Subdivision 1. "Railroad company" means any company which as a common carrier operates a railroad or a line or lines of railway situated within or partly within Minnesota.*

*Subd. 2. "Railroad property" means all property owned or used by a railroad company.*

*Subd. 3. The railroad property of every railroad company doing business in Minnesota shall be assessed and taxed as otherwise provided by law.*

Sec. 2. Minnesota Statutes 1978, Chapter 270, is amended by adding a section to read:

[270.85] [PAYMENT OF TAXES IN 1980 AND 1981 ONLY.] *Subdivision 1. For purposes of this section, "railroad property" means all property owned or used by a railroad company which was not locally assessed for the 1978 assessment. For the assessment years 1979 and 1980 only, after the assessor has determined the market value of the railroad property located within his jurisdiction, he shall compute the assessed value of the railroad property by applying the classification percentage contained in section 273.13, subdivision 9 to the market value. Only for taxes levied in 1979 payable in 1980 and for taxes levied in 1980 payable in 1981, the county auditor shall exclude the assessed value of railroad property when computing the rate of tax pursuant to section 275.09. By March 1, 1980 and 1981, the county auditor shall compute the tax due from each company by applying the countywide average mill rate for payable 1980 and 1981 times the assessed value of railroad property for assessment years 1979 and 1980 respectively and shall certify to the commissioner of revenue by company the assessed value of the railroad property and the tax due from each. The commissioner of revenue shall prepare a statement of taxes for each railroad company and shall send it to each company on or before April 1, 1980 and 1981, and shall indicate the assessed value of its railroad property, the mill rate applied in determining the taxes and the total amount of taxes due and payable. That amount shall be compared to the amount of gross earnings tax imposed under section 5. If the amount paid pursuant to section 5 is less than the amount computed in this section, the additional tax shall be payable to the commissioner and shall be deposited by him in the general fund of the state treasury. The provisions of section 279.01 pertaining to due dates and penalties for late payment*

*of taxes for nonhomestead property shall be applicable to the taxes payable under this section. If the amount paid pursuant to section 5 exceeds the amount computed in this section, the commissioner shall refund the amount of excess within 60 days. The amounts necessary to make the refunds provided in this section are appropriated to the commissioner from the general fund in the state treasury.*

*Subd. 2. The commissioner shall give a report to the legislature in March 1980 and in March 1981 which shall contain by railroad company the valuation of railroad property for payable 1980 and 1981, the taxes payable in 1980 and 1981 based upon that valuation, and the amount of gross earnings tax imposed under section 5 for each year.*

Sec. 3. Minnesota Statutes 1978, Section 272.02, Subdivision 1, is amended to read:

272.02 [EXEMPT PROPERTY.] Subdivision 1. Except as provided in other subdivisions of this section or in section 272.025, all property described in this section to the extent herein limited shall be exempt from taxation:

- (1) All public burying grounds;
- (2) All public schoolhouses;
- (3) All public hospitals;
- (4) All academies, colleges, and universities, and all seminaries of learning;
- (5) All churches, church property, and houses of worship;
- (6) Institutions of purely public charity;
- (7) All public property exclusively used for any public purpose;
- (8) All natural cheese held in storage for aging by the original Minnesota manufacturer;
- (9) (a) Class 2 property of every household of the value of \$100, maintained in the principal place of residence of the owner thereof. The county auditor shall deduct such exemption from the total valuation of such property as equalized by the revenue commissioner assessed to such household, and extend the levy of taxes upon the remainder only. The term "household" as used in this section is defined to be a domestic establishment maintained either (1) by two or more persons living together within the same house or place of abode, subsisting in common



and constituting a domestic or family relationship, or (2) by one person.

(b) During the period of his active service and for six months after his discharge therefrom, no member of the armed forces of the United States shall lose status of a householder under paragraph (a) which he had immediately prior to becoming a member of the armed forces.

In case there is an assessment against more than one member of a household the \$100 exemption shall be divided among the members assessed in the proportion that the assessed value of the Class 2 property of each bears to the total assessed value of the Class 2 property of all the members assessed. The Class 2 property of each household claimed to be exempt shall be limited to property in one taxing district, except in those cases where a single domestic establishment is maintained in two or more adjoining districts.

Bonds and certificates of indebtedness hereafter issued by the state of Minnesota, or by any county or city of the state, or any town, or any common or independent school district of the state, or any governmental board of the state, or any county or city thereof, shall hereafter be exempt from taxation; provided, that nothing herein contained shall be construed as exempting such bonds from the payment of a tax thereon, as provided for by section 291.01, when any of such bonds constitute, in whole or in part, any inheritance or bequest, taken or received by any person or corporation.

(10) Farm machinery manufactured prior to 1930, which is used only for display purposes as a collectors item;

(11) The taxpayer shall be exempted with respect to, all agricultural products, inventories, stocks of merchandise of all sorts, all materials, parts and supplies, furniture and equipment, manufacturers material, manufactured articles including the inventories of manufacturers, wholesalers, retailers and contractors; and the furnishings of a room or apartment in a hotel, rooming house, tourist court, motel or trailer camp, tools and machinery which by law are considered as personal property, and the property described in section 272.03, subdivision 1 (c), except personal property which is part of an electric generating, transmission, or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products or mains and pipes used in the distribution of steam or hot or chilled water for heating or cooling buildings and structures. *Railroad docks and wharves which are part of the operating property of a railroad company as defined in section 1 are not exempt.*

(12) Containers of a kind customarily in the possession of the consumer during the consumption of commodities, the sale of which are subject to tax under the provisions of the excise tax imposed by Extra Session Laws 1967, Chapter 32;

(13) All livestock, poultry, all horses, mules and other animals used exclusively for agricultural purposes;

(14) All agricultural tools, implements and machinery used by the owners in any agricultural pursuit.

(15) Real and personal property used primarily for the abatement and control of air, water, or land pollution to the extent that it is so used.

Any taxpayer requesting exemption of all or a portion of any equipment or device, or part thereof, operated primarily for the control or abatement of air or water pollution shall file an application with the commissioner of revenue. Any such equipment or device shall meet standards, regulations or criteria prescribed by the Minnesota Pollution Control Agency, and must be installed or operated in accordance with a permit or order issued by that agency. The Minnesota Pollution Control Agency shall upon request of the commissioner furnish information or advice to the commissioner. If the commissioner determines that property qualifies for exemption, he shall issue an order exempting such property from taxation. Any such equipment or device shall continue to be exempt from taxation as long as the permit issued by the Minnesota Pollution Control Agency remains in effect.

Sec. 4. Minnesota Statutes 1978, Section 273.061, Subdivision 8, is amended to read:

Subd. 8. [POWERS AND DUTIES.] The county assessor shall have the following powers and duties:

(1) He shall call upon and confer with the township and city assessors in his county, and advise and give them the necessary instructions and directions as to their duties under the laws of this state, to the end that a uniform assessment of all real property in the county will be attained.

(2) He shall assist and instruct the local assessors in the preparation and proper use of land maps and record cards, in the property classification of real and personal property, and in the determination of proper standards of value.

(3) He shall keep the local assessors in his county advised of all changes in assessment laws and all instructions which he receives from the commissioner of revenue relating to their duties.

(4) He shall attend all county seat instructional meetings of the local assessors of his county called by the commissioner of revenue, and shall assist the representatives of the commissioner in conducting those meetings.

(5) He shall have authority to require the attendance of groups of local assessors at sectional meetings called by him for the purpose of giving them further assistance and instruction as to their duties.

(6) He shall immediately commence the preparation of a large scale topographical land map of the county, in such form as may be prescribed by the commissioner of revenue, showing thereon the location of all railroads, highways and roads, bridges, rivers and lakes, swamp areas, wooded tracts, stony ridges and other features which might affect the value of the land. Appropriate symbols shall be used to indicate the best, the fair and the poor land of the county. For use in connection with the topographical land map, he shall prepare and keep available in his office tables showing fair average minimum and maximum market values per acre of cultivated, meadow, pasture, cut-over, timber and waste lands of each township. He shall keep the map and tables available in his office for the guidance of town assessors, boards of review, and the county board of equalization.

(7) He shall also prepare and keep available in his office for the guidance of town assessors, boards of review and the county board of equalization, a land valuation map of the county, in such form as may be prescribed by the commissioner of revenue. This map, which shall include the bordering tier of townships of each county adjoining, shall show the average market value per acre, both with and without improvements, as finally equalized in the last biennial assessment of real estate, of all land in each town or unorganized township which lies outside the corporate limits of cities.

(8) He shall regularly examine all conveyances of land outside the corporate limits of cities of the first and second class, filed with the county recorder of his county, and keep a file, by descriptions, of the considerations shown thereon. From the information obtained by comparing the considerations shown with the market values assessed, he shall make recommendations to the county board of equalization of necessary changes in individual assessments or aggregate valuations.

(9) He shall prepare annually and keep available in his office for the guidance of boards of review and the county board of equalization, a table showing the market value per capita of all personal property in each assessment district in the county as finally equalized in the last previous assessment of personal property. For the guidance of the county board of equalization, he shall also add to the table the market value per capita of all

personal property of each assessment district for the current year as equalized by the local board of review.

(10) He shall familiarize himself with the values of the different items of personal property so that he will be in a position when called upon to advise the boards of review and the county board of equalization concerning property, market values thereof.

(11) While the county board of equalization is in session, he shall give it every possible assistance to enable it to perform its duties. He shall furnish the board with all necessary charts, tables, comparisons and data which it requires in its deliberations, and shall make whatever investigations the board may desire.

(12) At the request of either the board of county commissioners or the commissioner of revenue, he shall investigate applications for reductions of valuation and abatements and settlements of taxes, examine the real or personal property involved, and submit written reports and recommendations with respect to the applications, in such form as may be prescribed by the board of county commissioners and commissioner of revenue.

(13) He shall make diligent search each year for real and personal property which has been omitted from assessment in his county, and report all such omissions to the county auditor.

(14) He shall render such other services pertaining to the assessment of real and personal property in his county as are not inconsistent with the duties set forth in this section, and as may be required of him by the board of county commissioners or by the commissioner of revenue.

*(15) He shall annually value and assess the railroad property located within his jurisdiction.*

Sec. 5. Minnesota Statutes 1978, Section 295.02, is amended to read:

295.02 [ANNUAL RETURN.] Every railroad company owning or operating any line of railroad situated within, or partly within, this state shall, annually, pay to the commissioner of revenue, in lieu of all taxes upon all property within this state owned or operated for railway purposes by such company, including equipment, appurtenances, appendages and franchises thereof, a sum of money equal to (FIVE) two percent of the gross earnings derived from the operation of such line of railway within this state.

On or before September first, annually, each such railroad company shall file a true and just return of all such gross earn-

ings for the six months ending June thirtieth, next preceding, and the tax of (FIVE) *two* percent thereon shall become due and payable to the state of Minnesota, in manner provided by law, on September first.

On or before March first, annually, each such railroad company shall file a true and just return of all such gross earnings for the six months ending December thirty-first, next preceding, and tax of (FIVE) *two* percent thereon shall become due and payable to the state of Minnesota, in manner provided by law, on March first. The payments of such sums at the times herein-before set forth shall be in full and in lieu of all other taxes upon the property and franchises so taxed.

Such returns shall be filed with the commissioner, in such form as he shall prescribe, and the provisions of chapter 294 and acts amendatory thereto, shall be applicable to such railroad companies and to the returns and the taxes submitted therewith by them.

The lands acquired by public grant shall be and remain exempt from taxation until sold or contracted to be sold or conveyed, as provided in the respective acts whereby such grants were made or recognized.

Sec. 6. [REPEALER.] *Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14 are repealed.*

Sec. 7. [EFFECTIVE DATE.] *Section 6 shall be effective beginning for taxable years after December 31, 1980. The remainder of this act shall be in effect for all years beginning after December 31, 1978."*

Further, delete the title and insert:

"A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; providing a two year extension of a reduced gross earnings tax equivalent to ad valorem tax during transition; amending Minnesota Statutes 1978, Chapter 270, by adding sections; Sections 272.02, Subdivision 1; 273.061, Subdivision 8; 295.02; and repealing Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14."

A roll call was requested and properly seconded.

#### NOTICE OF INTENTION TO MOVE RECONSIDERATION

Nysether gave notice of intention to move reconsideration of H. F. No. 815 which was passed by the House on the Calendar today.

## CALL OF THE HOUSE

On the motion of Jacobs and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Aasness	Elioff	Kaley	Norman	Sieben, H.
Adams	Ellingson	Kalis	Norton	Sieben, M.
Ainley	Enebo	Kelly	Novak	Simoneau
Albrecht	Esau	Kempe	Nysether	Stadum
Anderson, B.	Evans	Knickerbocker	Olsen	Stoa
Anderson, D.	Ewald	Kostohryz	Onnen	Stowell
Anderson, G.	Faricy	Kroening	Osthoff	Sviggum
Anderson, I.	Fjoslien	Kvam	Otis	Swanson
Anderson, R.	Forsythe	Lehto	Patton	Thiede
Battaglia	Friedrich	Levi	Pavlak	Tomlinson
Begich	Fritz	Long	Pehler	Valan
Berglin	Fudro	Ludeman	Piepho	Valento
Blatz	Greenfield	Luknic	Pleasant	Vanasek
Brinkman	Halberg	McCarron	Prahl	Voss
Byrne	Haukoos	McDonald	Redalen	Waldorf
Carlson, L.	Heap	McEachern	Reding	Weaver
Casserly	Heinitz	Mehrrens	Rees	Welch
Clark	Hokanson	Metzen	Reif	Welker
Clawson	Jacobs	Minne	Rice	Wenzel
Corbid	Jaros	Munger	Rose	Wigley
Crandall	Jennings	Murphy	Rothenberg	Wynia
Dean	Johnson, D.	Nelsen, B.	Sarna	Zubay
Dempsey	Jude	Nelsen, M.	Schreiber	Speaker Searle
Den Ouden	Kahn	Niehaus	Sherwood	

Anderson, I., 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.

The question recurred on the adoption of the Casserly amendment and the roll was called. There were 53 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Corbid	Kahn	Nelson	Simoneau
Anderson, G.	Dean	Kelly	Norman	Stoa
Anderson, I.	Eken	Kostohryz	Norton	Swanson
Battaglia	Elioff	Kroening	Novak	Tomlinson
Begich	Ellingson	Lehto	Otis	Vanasek
Berglin	Enebo	Long	Pehler	Voss
Berkelman	Faricy	McCarron	Prahl	Waldorf
Byrne	Greenfield	Minne	Rice	Welch
Carlson, L.	Hokanson	Moe	Sarna	Wynia
Casserly	Jaros	Munger	Sieben, H.	
Clark	Johnson, C.	Murphy	Sieben, M.	

Those who voted in the negative were:

Aasness	Brinkman	Evans	Haukoos	Kalis
Adams	Clawson	Ewald	Heap	Kempe
Ainley	Crandall	Fjoslien	Heinitz	Knickerbocker
Albrecht	Dempsey	Forsythe	Jacobs	Kvam
Anderson, D.	Den Ouden	Friedrich	Jennings	Laidig
Anderson, R.	Drew	Fritz	Johnson, D.	Levi
Biersdorf	Erickson	Fudro	Jude	Ludeman
Blatz	Esau	Halberg	Kaley	Luknic

McDonald	Olsen	Redalen	Stadum	Wenzel
McEachern	Onnen	Reding	Stowell	Wieser
Mehrkens	Osthoff	Rees	Sviggum	Wigley
Metzen	Patton	Reif	Thiede	Zubay
Nelsen, B.	Pavlak	Rose	Valan	Speaker Searle
Nelsen, M.	Peterson	Rothenberg	Valento	
Niehaus	Piepho	Schreiber	Weaver	
Nysether	Pleasant	Sherwood	Welker	

The motion did not prevail and the amendment was not adopted.

H. F. No. 177, A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; amending Minnesota Statutes 1978, Chapter 270, by adding sections; Sections 272.02, Subdivision 1; and 295.02; repealing Minnesota Statutes 1978, 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 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 22 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kalis	Norman	Sieben, H.
Adams	Eken	Kelly	Novak	Sieben, M.
Ainley	Erickson	Kempe	Nysether	Simoneau
Albrecht	Esau	Knickerbocker	Olsen	Stadum
Anderson, B.	Evans	Kostohryz	Onnen	Stowell
Anderson, D.	Ewald	Kvam	Osthoff	Sviggum
Anderson, G.	Fjoslien	Laidig	Otis	Thiede
Anderson, I.	Forsythe	Lehto	Patton	Tomlinson
Battaglia	Friedrich	Levi	Pavlak	Valan
Berglin	Fritz	Long	Pehler	Valento
Berkelman	Fudro	Ludeman	Peterson	Waldorf
Biersdorf	Halberg	Luknic	Piepho	Weaver
Blatz	Haukoos	McDonald	Pleasant	Welch
Brinkman	Heap	McEachern	Redalen	Welker
Byrne	Heintz	Mehrkens	Reding	Wenzel
Carlson, L.	Hokanson	Metzen	Rees	Wieser
Clark	Jacobs	Minne	Reif	Wigley
Clawson	Jennings	Munger	Rose	Wynia
Crandall	Johnson, C.	Murphy	Rothenberg	Zubay
Dean	Johnson, D.	Nelsen, B.	Sarna	Speaker Searle
Dempsey	Jude	Nelsen, M.	Schreiber	
Den Ouden	Kaley	Niehaus	Sherwood	

Those who voted in the negative were:

Anderson, R.	Ellingson	Kahn	Norton	Vanasek
Begich	Enebo	Kroening	Prahl	Voss
Cassery	Faricy	McCarron	Rice	
Corbid	Greenfield	Moe	Stoa	
Elioff	Jaros	Nelson	Swanson	

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 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:

S. F. No. 346 which it recommended to pass.

S. F. No. 410 which it recommended progress.

H. F. No. 592 which it recommended to pass with the following amendment offered by Reding:

Page 2, lines 12 and 13 after "DATE.]" delete the sentence and insert "*Section 1 of this act is effective March 1, 1980. Section 2 is effective the day following final enactment.*"

S. F. No. 384 which it recommended to pass with the following amendment to the unofficial engrossment offered by Norman:

Page 1, line 21, delete "*election judges*" and insert "*county, city or township employees during their normal work day*"

S. F. No. 361 which it recommended to pass with the following amendment offered by Heinitz:

Page 2, line 17, after the period insert:

*"All signs erected by local authorities to designate speed limits in school zones shall conform to the manual on uniform control devices."*

On the motion of Sieben, H., the report of the Committee of the Whole was adopted.

## MOTIONS AND RESOLUTIONS

Pehler moved that the name of Ewald be added as an author on H. F. No. 996. The motion prevailed.

Norman moved that his name be stricken as an author on House Advisory No. 26. The motion prevailed.



ANNOUNCEMENT BY THE SPEAKER AND THE CHAIRMAN OF THE  
COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House of Representatives to the following commissions:

*Midwestern Education Board*, pursuant to the provisions of Minnesota Statutes 1978, Section 121.844: McEachern

*Indian Affairs Intertribal Board*, pursuant to the provisions of Minnesota Statutes 1978, Section 3.922: Ainley, Drew and Wenzel

*Interstate Cooperation Commission*, pursuant to the provisions of Minnesota Statutes 1978, Section 3.29: Anderson, I.; Erickson; Johnson, C.; Nelsen, B.; and Luknic

*Citizens' Committee on Voyageurs' National Park*, pursuant to the provisions of Minnesota Statutes 1978, Section 84B.11: Anderson, I.; and Rothenberg

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 23, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 23, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

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THIRTY-NINTH DAY

SAINT PAUL, MINNESOTA, SATURDAY, APRIL 21, 1979

The Senate met on Saturday, April 21, 1979, which was the Thirty-ninth Legislative Day of the Seventy-first Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.

[The following text is extremely faint and largely illegible. It appears to be a list or a set of minutes, possibly containing names and dates. Some words like "committee" and "report" are faintly visible.]

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## FORTIETH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 23, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Simoneau
Albrecht	Ellingson	Kalis	Norman	Stadum
Anderson, B.	Enebo	Kelly	Norton	Stoa
Anderson, D.	Erickson	Kempe	Novak	Stowell
Anderson, G.	Esau	Knickerbocker	Nysether	Sviggum
Anderson, I.	Evans	Kostohryz	Olsen	Swanson
Anderson, R.	Ewald	Kroening	Onnen	Thiede
Battaglia	Faricy	Kvam	Osthoff	Tomlinson
Begich	Fjoslien	Laidig	Otis	Valan
Berglin	Forsythe	Lehto	Patton	Valento
Berkelman	Friedrich	Levi	Pavlak	Vanasek
Biersdorf	Fritz	Long	Pehler	Voss
Blatz	Fudro	Ludeman	Peterson	Waldorf
Brinkman	Greenfield	Luknic	Piepho	Weaver
Byrne	Halberg	Mann	Pleasant	Welch
Carlson, D.	Haukoos	McCarron	Prahl	Welker
Carlson, L.	Heap	McDonald	Redalen	Wenzel
Casserly	Heinitz	McEachern	Reding	Wieser
Clark	Hoberg	Mehrkens	Rees	Wigley
Clawson	Hokanson	Metzen	Reif	Wynia
Corbid	Jacobs	Minne	Rice	Zubay
Crandall	Jaros	Moe	Rose	Speaker Searle
Dean	Jennings	Munger	Rothenberg	
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

A quorum was present.

Sieben, H., and Sieben, M., were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. Minne 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.

Nysether withdrew the notice of intention to move reconsideration of the vote whereby H. F. No. 815 was passed on the Calendar on Thursday, April 19, 1979. The notice had been given on Thursday, April 19, 1979.

#### REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 941, 898, 1101, 1144, 1268, 1272, 1353, 1324, 1379, 1381, 260 and 592 and S. F. Nos. 384, 361 and 719 have been placed in the members' files.

S. F. No. 719 and H. F. No. 993, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Dempsey moved that the rules be so far suspended that S. F. No. 719 be substituted for H. F. No. 993 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  
ST. PAUL 55155

April 19, 1979

The Honorable Rod Searle  
Speaker of the House  
State of Minnesota

Dear Speaker Searle:

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. 295, relating to nursing homes; requiring notice of rate increases to residents who are not recipients of medical assistance; amending Minnesota Statutes 1978, 256B.47, by adding a subdivision.

H. F. No. 373, relating to agriculture; allowing food products grown, processed or manufactured in Minnesota to be so labeled; amending Minnesota Statutes 1978, Chapter 17, by adding a section.

H. F. No. 270, relating to education; changing definition of textbook to include certain text substitutes; amending Minnesota Statutes 1978, Section 123.932.

H. F. No. 127, relating to the Minnesota historical society; repealing Minnesota Statutes 1978, Section 138.02.

H. F. No. 259, relating to cooperative associations; providing for boards of directors; prescribing the minimum number of directors governing a cooperative apartment corporation; amending Minnesota Statutes 1978, Section 308.11.

H. F. No. 52, relating to physically handicapped persons; providing parking privileges for the physically handicapped; authorizing parking privileges for operators of vehicles used in transporting the physically handicapped; amending Minnesota Statutes 1978, Sections 169.345, Subdivisions 3 and 4; and 169.346, Subdivision 1.

Sincerely,

ALBERT H. QUIE  
Governor

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

April 23, 1979

The Honorable Rod Searle  
Speaker of the House  
State of Minnesota

Dear Speaker Searle:

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. 157, relating to labor and employment prohibiting mandatory retirement of public and private employees before the age of 70; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 1; 125.12, Subdivision 5; 181.81; 181.811; 354.44, Subdivision 1a; 354.49, Subdivision 3; 354A.05; 354A.21; 356.32, Subdivision 1; 423.076; 473.419; and Chapter 181, by adding a section.

H. F. No. 396, relating to welfare; altering the conditions under which a day care facility will be considered a single family residential use of property for zoning purposes; amending Minnesota Statutes 1978, Section 245.812, Subdivision 3.

H. F. No. 330, relating to courts, eliminating erroneous and ambiguous references relating to municipal courts outside Hennepin and Ramsey counties; amending Minnesota Statutes 1978, Sections 480.055, Subdivision 1; 487.01, Subdivision 8; 487.16; 487.38; 488A.113; 488A.282; 525.011, Subdivision 1; 525.013, Subdivisions 1 and 8; and 525.014.

Sincerely,

ALBERT H. QUIE  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

April 18, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
72		29	April 18	April 18
530		30	April 18	April 18
	52	31	April 18	April 18
	127	32	April 18	April 18
	259	33	April 18	April 18
	270	34	April 18	April 18
	295	35	April 18	April 18
	373	36	April 18	April 18
51		37	April 18	April 18

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

## REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 8, A bill for an act relating to taxation; gasoline tax; reducing the tax on grain alcohol gasoline; creating the Minnesota agricultural products industrial utilization board and the agricultural alcohol fuel tax fund; appropriating money; amending Minnesota Statutes 1978, Sections 296.01, by adding a subdivision; 296.02, by adding a subdivision; 296.18, Subdivision 8; and Chapter 24, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 296.01, is amended by adding a subdivision to read:

*Subd. 24. “Agricultural alcohol gasoline” means a gasoline blend at least ten percent of which is agricultural ethyl alcohol of at least 190 proof.*

Sec. 2. Minnesota Statutes 1978, Section 296.02, is amended by adding a subdivision to read:

*Subd. 7. The tax on gasoline imposed by subdivision 1 shall be reduced by two cents per gallon for gasoline which is agricultural alcohol gasoline as defined in section 1, which is blended by a distributor with alcohol distilled in this state from agricultural products produced in this state, and which is used in producing and generating power for propelling motor vehicles used on the public highways of this state. The tax imposed by this subdivision shall be payable at the same time, and collected in the same manner, as the tax imposed by subdivision 1. The reduction in gasoline taxes imposed by this subdivision shall expire on December 31, 1986.*

Sec. 3. Minnesota Statutes 1978, Section 296.18, Subdivision 8, is amended to read:

*Subd. 8. [APPROPRIATION.] There is hereby appropriated to the persons entitled to such refund under this section, from the fund or account in the state treasury to which the money was credit, an amount sufficient to make the refund and payment; except that the treasurer shall deduct from each payment authorized by this subdivision an amount equal to one percent of such payment, and credit the amount so deducted to the agricultural alcohol fuel tax fund created in section 4.*



Sec. 4. Minnesota Statutes 1978, Chapter 24, is amended by adding a section to read:

[24.51] *Subdivision 1. [BOARD.] There is hereby created within the department of agriculture a Minnesota agricultural products industrial utilization board to be composed of seven members, as follows:*

- (a) *one member shall be engaged in the production of potatoes;*
- (b) *one member shall be engaged in the production of corn;*
- (c) *one member shall be engaged in the production of wheat;*
- (d) *one member shall be engaged in the production of sugar beets;*
- (e) *one member shall be active in the petroleum industry;*
- (f) *two members shall be selected from the general public.*

*The members of the board shall be appointed by the commissioner of agriculture by December 31, 1980. Members shall serve for terms of four years, except that three of the initial appointments shall be for two year terms.*

*Subd. 2. The board shall have the responsibility under the supervision of the commissioner of agriculture, of developing and carrying out a program for the promotion of agricultural alcohol gasoline, as defined in section 1, using Minnesota agricultural products. Such responsibilities may include, among other things:*

- (a) *the establishment of procedures and processes necessary to the manufacture and marketing of agricultural alcohol gasoline;*
- (b) *the establishment of a procedure for entering such fuel into the marketplace;*
- (c) *analysis of the marketing process and the development marketing procedures to facilitate acceptance of such fuel and its by-products in the marketplace;*
- (d) *cooperation with private industry in the establishment of facilities in Minnesota for the manufacture of agricultural alcohol gasoline;*

*(e) encouraging and assisting in the development of uses of renewable fuels derived from agricultural and forestry products and by-products, including such demonstration projects as the board deems advisable.*

*Subd. 3. The board shall present a report of its activities to the commissioner of agriculture and the legislature before December 31 of each year.*

*Subd. 4. The commissioner is authorized to hire employees, purchase supplies, contract with consultants, rent office space and do all things necessary and convenient to carry out the purposes of this section.*

*Subd. 5. The board may hold meetings at such times and places as it deems necessary to carry out its responsibilities, and shall select a chairman, vice-chairman, and such other officers as it deems necessary, from its membership.*

*Subd. 6. The board members shall be compensated at a rate not to exceed \$35 per day and shall be allowed and paid their actual expenses necessarily incurred in the performance of their duties.*

*Subd. 7. There is hereby created in the state treasury a separate fund to be designated the agricultural alcohol fuel tax fund. Such fund shall consist of the payments made into it by the state treasurer pursuant to sections 296.18, subdivision 8. The money in the agricultural alcohol tax fuel fund is hereby appropriated annually, at the beginning of each fiscal year, to the board to carry out the purposes of this section.*

**Sec. 5. [EFFECTIVE DATE.]** *Sections 1 and 2 are effective the day following final enactment. Sections 3 and 4 are effective July 1, 1980."*

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 90, A bill for an act relating to taxation; inheritance tax; changing provisions for commissioner's certification of satisfaction of tax lien on affidavits or instruments of conveyance; amending Minnesota Statutes 1978, Section 291.14, Subdivisions 1a, 2, and by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 148, A bill for an act relating to the city of New Hope; firefighters' pension, disability and survival benefits; amending Laws 1971, Chapter 114, Sections 2, Subdivision 5; 3, Subdivisions 2, 3 and 4; 4; 5, Subdivisions 1 and 2; 6, Subdivision 2; and 7, Subdivisions 1 and 2.

Reported the same back with the following amendments:

Page 5, line 29, strike "of"

Page 5, line 30, delete the new language and after "\$60" insert "not to exceed \$120"

Page 5, line 31, delete the new language

Page 6, line 4, after the period insert "*Benefits authorized by this act may be paid retroactively to January 1, 1979.*"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 150, A bill for an act relating to public health; authorizing waiver of minimum health maintenance organization requirements for experimental and demonstration projects; amending Minnesota Statutes 1978, Chapter 62D, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 62D, is amended by adding a section to read:

[62D.30] [DEMONSTRATION PROJECTS.] *Subdivision 1. The commissioner of health may establish demonstration projects to allow health maintenance organizations to extend coverage to:*

(a) *Individuals enrolled in Part A or Part B, or both, of the medicare program, Title XVIII of the Social Security Act, 42 U.S.C. 1395 et seq.;*

(b) Groups of fewer than 50 employees where each group is covered by a single group health policy;

(c) Individuals who are not eligible for enrollment in any group health maintenance contracts; and

(d) Low income population groups.

For purposes of this section, the commissioner of health may waive compliance with minimum benefits pursuant to sections 62A.151 and 62D.02, subdivision 7, full financial risk pursuant to section 62D.04, subdivision 1, clause (f), open enrollment pursuant to section 62D.10, and to applicable rules if there is reasonable evidence that the rules prohibit the operation of the demonstration project. The commissioner shall provide for public comment before any statute or rule is waived.

Subd. 2. A demonstration project must provide health benefits equal to or exceeding the level of benefits provided in Title XVIII of the Social Security Act and an out-of-hospital prescription drug benefit.

Subd. 3. A health maintenance organization electing to participate in a demonstration project shall apply to the commissioner for approval on a form developed by the commissioner. The application shall include at least the following:

(a) A statement identifying the population that the project is designed to serve;

(b) A description of the proposed project including a statement projecting a schedule of costs and benefits for the enrollee;

(c) Reference to the sections of Minnesota Statutes and department of health rules for which waiver is requested;

(d) Evidence that application of the requirements of applicable Minnesota Statutes and department of health rules would, unless waived, prohibit the operation of the demonstration project;

(e) Evidence that another arrangement is available for assumption of full financial risk if full financial risk is waived under subdivision 1;

(f) An estimate of the number of years needed to adequately demonstrate the project's effects; and

(g) Other information the commissioner may reasonably require.

Subd. 4. The commissioner shall approve, deny, or refer back to the health maintenance organization for modification, the ap-

*plication for a demonstration project within 60 days of receipt from the health maintenance organization.*

*Subd. 5. The commissioner may approve an application for a demonstration project for a maximum of six years, with an option to renew.*

*Subd. 6. Each health maintenance organization for which a demonstration project is approved shall annually file a report with the commissioner, summarizing the project's experience at the same time it files its annual report required by section 62D.08. The report shall be on a form developed by the commissioner and shall be separate from the annual report required by section 62D.08.*

*Subd. 7. The commissioner may rescind approval of a demonstration project if the commissioner makes any of the findings listed in section 62D.15, subdivision 1, with respect to the project for which it has not been granted a specific exemption, or if the commissioner finds that the project's operation is contrary to the information contained in the approved application.*

*Sec. 2. Section 1 is effective the day following final enactment."*

Amend the title as follows:

Page 1, line 4, delete "experimental and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 184. A bill for an act relating to health; stipulating compliance with the Minnesota clean indoor air act as a requirement for restaurant licensure; establishing a penalty; amending Minnesota Statutes 1978, Sections 144.417, by adding a subdivision; and 157.09; and Chapter 157, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. No restaurant proprietor in St. Louis County and Lake County shall be granted a license or retain a license to operate a restaurant unless operation of the restaurant complies with the Minnesota clean indoor air act, Minnesota Statutes, Sections

144.411 to 144.417. This act shall be enforced by the county boards of health or any other authority charged by law with enforcement of safety or health regulations in restaurants.

Sec. 2. This act is effective for each county in section 1 upon the approval of the county board of commissioners and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title by deleting it in its entirety and insert:

"A bill for an act relating to St. Louis and Lake Counties; requiring that restaurants comply with certain health laws."

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 192, A bill for an act relating to retirement; providing pension coverage for certain firefighters in the city of Cottage Grove in the public employees police and fire fund; authorizing a purchase of prior service; specifying that the employer is a political subdivision for purposes of certain employment benefit programs.

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 Taxes to which was referred:

H. F. No. 213, A bill for an act relating to taxation; income tax; clarifying apportionment of charitable contribution deduction for certain taxpayers; amending Minnesota Statutes 1978, Section 290.21, 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. 220, A bill for an act relating to prearranged funeral plans; authorizing deposit of trust funds in credit unions; amending Minnesota Statutes 1978, Sections 149.12; and 149.13.

Reported the same back with the following amendments:

Page 1, after line 7, insert

"Section 1. Minnesota Statutes 1978, Section 52.04, Subdivision 1, is amended to read:

52.04 [POWERS.] Subdivision 1. 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) To contract with another credit union to furnish services which either could otherwise perform. Contracted services under this clause are subject to regulation and examination by the commissioner of banks like other services;

(15) 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;

(16) 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;

(17) Notwithstanding the provisions of section 52.05, to accept deposits of public funds in an amount secured by insurance or other means pursuant to chapter 118; (AND)

(18) To accept and maintain treasury tax and loan accounts of the United States and to pledge collateral to secure the treasury tax or loan accounts, in accordance with the regulations of the Department of Treasury of the United States;

*(19) To accept deposits pursuant to section 149.12, notwithstanding the provisions of section 52.05, if the deposits represent funding of prepaid funeral plans of members."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "Sections" insert "52.04, Subdivision 1;"

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. 251, A bill for an act relating to local government; permitting self insurance of health benefits; authorizing joint self insurance; amending Minnesota Statutes 1978, Section 471.616, Subdivision 1; and Chapter 471, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 60A.23, is amended by adding a subdivision to read:

*Subd. 8. [SELF INSURANCE PLAN ADMINISTRATORS; VENDORS OF RISK MANAGEMENT SERVICES.] (1) [SCOPE.] This subdivision shall apply to any vendor of risk*

management services and to any entity which administers for compensation a self insurance plan. This subdivision shall not apply (a) to an insurance company authorized to transact insurance in this state, as defined by section 60A.06, subdivision 1, clauses (4) and (5); (b) to a service plan corporation, as defined by section 62C.02, subdivision 6; (c) to a health maintenance organization, as defined by section 62D.02, subdivision 4; (d) to an employer directly operating a self insurance plan for its employees' benefits or (e) to a nonprofit insurance trust administered and operated for the benefit of employer participants and established prior to January 1, 1979.

(2) [DEFINITIONS.] For purposes of this subdivision the following terms have the meanings given them.

(a) "Administering a self insurance plan" means (i) processing, reviewing or paying claims, (ii) establishing or operating funds and accounts, or (iii) otherwise providing necessary administrative services in connection with the operation of a self insurance plan.

(b) "Employer" means an employer, as defined by section 62E.02, subdivision 2.

(c) "Entity" means any association, corporation, partnership, sole proprietorship, trust, or other business entity engaged in or transacting business in this state.

(d) "Self insurance plan" means a plan providing life, medical or hospital care, accident, sickness or disability insurance, as an employee fringe benefit, which is not directly insured or provided by a licensed insurer, service plan corporation, or health maintenance organization.

(e) "Vendor of risk management services" means an entity providing for compensation actuarial, financial management, accounting, legal or other services for the purpose of designing and establishing a self insurance plan for an employer.

(3) [LICENSE.] No vendor of risk management services or entity administering a self insurance plan may transact such business in this state unless it is licensed to do so by the commissioner. An applicant for a license shall state in writing the type of activities it seeks authorization to engage in and the type of services it seeks authorization to provide. The license shall be granted only when the commissioner is satisfied that the entity possesses the necessary organization, background, expertise, and financial integrity to supply the services sought to be offered. The commissioner may issue a license subject to restrictions or limitations upon the authorization, including the type of services which may be supplied or the activities which may be engaged in.

*The license fee shall be \$100. All licenses shall be for a period of two years.*

(4) [REGULATORY RESTRICTIONS; POWERS OF THE COMMISSIONER.] *To assure that self insurance plans are financially solvent, are administered in a fair and equitable fashion, and are processing claims and paying benefits in a prompt, fair, and honest manner, vendors of risk management services and entities administering self insurance plans are subject to the supervision and examination by the commissioner. Vendors of risk management services, entities administering self insurance plans, and self insurance plans established or operated by them shall be subject to the trade practice requirements of sections 72A.19 to 72A.30.*

(5) [RULE MAKING AUTHORITY.] *To carry out the purposes of this subdivision, the commissioner may promulgate administrative rules, including emergency rules, pursuant to sections 15.0411 to 15.052. These rules may:*

(a) *Establish reporting requirements for administrators of self insurance plans;*

(b) *Establish standards and guidelines to assure the adequacy of financing, reinsuring, and administration of self insurance plans;*

(c) *Establish bonding requirements or other provisions assuring the financial integrity of entities administering self insurance plans; or*

(d) *Establish other reasonable requirements to further the purposes of this subdivision.*

Sec. 2. Minnesota Statutes 1978, Section 471.616, Subdivision 1, is amended to read:

471.616 [GROUP INSURANCE; GOVERNMENTAL UNITS.] Subdivision 1. [BIDDING REQUIRED.] No governmental subdivision, political subdivision, or any other body corporate and politic authorized by law to purchase group insurance for its employees and providing or intending to provide such group insurance protections and benefits for 25 or more of its employees shall enter into a contract for or renew any such group insurance policy or contract without calling for bids and awarding the contract to the lowest responsible bidder by way of competitive bidding procedures similar to those for the provision of services and supplies under Minnesota Statutes 1971, Section 16.07, Subdivisions 1, 2, 4 and 5. *Any political subdivision may provide in the bid specifications that self insured health benefit plans will not be considered.* Lowest responsible bidder means the insurer (OR), service plan corporation (SUB-

MITTING THE LOWEST PREMIUM RATE OR THE LOWEST CHARGE FOR EXPENSES AND RISK TAKING IN ACCORDANCE WITH THE SPECIFICATIONS FOR THE COVERAGE AND ADMINISTRATIVE SERVICES FROM AMONG SUCH INSURERS OR SERVICE PLAN CORPORATIONS AUTHORIZED TO DO BUSINESS IN THIS STATE WHICH ARE DEEMED BY THE GOVERNMENTAL UNIT TO BE FINANCIALLY ABLE TO CARRY THE RISK PROPOSED AND ARE CAPABLE OF SATISFACTORILY PERFORMING THE ADMINISTRATION OF THE POLICY OR CONTRACT.), or self insurance plan, if allowed by the bid specifications which offers the lowest cost, is authorized to do business in this state, and is deemed by the governmental unit to be capable of satisfactorily performing the administration of the policy or contract in accordance with the bid specifications. "Cost" shall mean in the case of an insurer, the premium rate; in the case of service plan corporation, the charge for expenses and risk taking; and in the case of self insurance plans, the sum of the cost of paid claims, including provision for estimated incurred but unpaid claims at the end of the term, administrative costs, and premium for excess coverage. The cost of changing (INSURERS) plans may also be considered in determining the lowest (PREMIUM RATE OR THE LOWEST CHARGE FOR EXPENSES AND RISK TAKING) cost. The aggregate value of benefits provided by a contract entered into after July 1, 1973 shall not be less than those provided by the preexisting contract (a) unless a majority of the employees covered under the group insurance plan and voting on the question agree to a reduction in the benefits, if the employees are not represented by an exclusive representative pursuant to section 179.67, or (b) unless the public employer and the exclusive representative of the employees of an appropriate bargaining unit, certified pursuant to section 179.67, agree to a reduction in the benefits. (c) The aggregate value of benefits of any former employee who has retired shall not, in any event, be reduced pursuant to clause (a) or (b), unless he has individually agreed to the reduction.

No such contract need be submitted to bid more frequently than once every 48 months, unless for any reason whatsoever, a 50 percent or greater change in the premium under the policy contract is provided, required or indicated.

When an insurer proposes an increase in rates, it shall accompany its proposal with an aggregate claims record for the appropriate period that explains the proposed increase. When a contract is resubmitted for bids the aggregate claims record shall accompany the specifications for the contract.

Sec. 3. Minnesota Statutes 1978, Chapter 471, is amended by adding a section to read:

[471.617] *Subdivision 1. A statutory or home rule charter city or county or school district, or instrumentality thereof*

*which has more than 100 employees, may by ordinance or resolution self insure for any employee health benefits except long term disability and life benefits. Any self insurance plan shall provide all benefits which are required by law to be provided by group health insurance policies. Self insurance plans shall be certified as provided by section 62E.05. Employee wage deductions for the purpose of funding a self insured health benefit plan shall be subject to the licensing provisions of section 60A.23, subdivision 7.*

*Subd. 2. Any two or more statutory or home rule charter cities or counties or school districts or instrumentalities thereof which together have more than 100 employees may jointly self insure for any employee health benefits except long term disability and life benefits, subject to the same requirements as an individual self insurer under subdivision 1. The commissioner of insurance is authorized to promulgate administrative rules, providing standards or guidelines for the operation and administration of self insurance pools.*

*Subd. 3. Any self insurance plan covering fewer than 1,000 employees shall include excess or stop-loss coverage, provided by a licensed insurance company or service plan corporation. This excess or stop-loss coverage shall cover all eligible claims incurred during the term of the policy or contract, regardless of the time of payment of the claims, or the self insurance plan shall provide for reserving of an appropriate amount of funds to cover the estimated cost of claims incurred, but unpaid, during the term of the policy or contract. These funds shall be in addition to funds reserved to cover the claims paid during the term of the policy or contract. The excess or stop-loss coverage shall be provided at levels in excess of self insured retention which is appropriate, taking into account the number of covered persons in the group.*

*Subd. 4. No statutory or home rule charter city or county or school district or instrumentality thereof, shall adopt a self insured health benefit plan for any employees represented by an exclusive representative certified pursuant to section 179.67 without prior notification and consultation on 10 days written notice to the exclusive representative.*

*Subd. 5. No political subdivision or its employee or agent shall disclose any information about individual claims or total claims of an individual without the consent of the individual, except that the information may be disclosed to officers, employees, or agents of the political subdivision to the extent necessary to enable them to perform their duties in administering the health benefit program. This provision shall not prevent the disclosure of aggregate claims for the group without identification of any individual.*

*A parent or legal guardian of any minor is authorized to act on behalf of the minor in the disclosure of a record.*

*Subd. 6. Any statutory or home rule charter city or county or school district, or instrumentality thereof having a self-insured health benefit plan on the effective date of this statute may continue to operate that plan notwithstanding that the plan does not meet the minimum employee group size requirement of subdivision 1.*

Sec. 4. [APPROPRIATION.] *The sum of \$ . . . . . is appropriated from the general fund to the commissioner of insurance for purposes of this act.*

Sec. 5. [REPEALER.] *Minnesota Statutes 1978, Section 471.61, Subdivision 1b, is repealed.*

Sec. 6. [EFFECTIVE DATE.] *Section 1 is effective July 1, 1980."*

Delete the title and insert:

"A bill for an act relating to local government; permitting self insurance of health benefits; authorizing joint self insurance; appropriating money; amending Minnesota Statutes 1978, Section 471.616, Subdivision 1; Section 60A.23, by adding a subdivision; and Chapter 471, by adding a section; repealing Minnesota Statutes 1978, Section 471.61, Subdivision 1b."

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 Taxes to which was referred:

H. F. No. 255, A bill for an act relating to taxation; property tax; exempting certain wetlands from taxation; providing a wetlands credit; providing for state reimbursement of lost local revenues; appropriating money; amending Minnesota Statutes 1978, Section 272.02, Subdivision 1; and Chapter 273, by adding a section; repealing Minnesota Statutes 1978, Section 272.59.

Reported the same back with the following amendments:

Page 4, line 24, delete "on eligible farms"

Page 4, line 25, delete "to 3, "eligible farm" means a farm of at least"

Page 4, delete lines 26 to 30 and insert *“and 2, “wetlands” means land which is mostly under water, produces little if any income and has no use except for wildlife or water conservation purposes. “Wetlands” shall be privately owned land preserved in its natural condition, drainage of which would be lawful, feasible and practical and would provide land suitable for the production of livestock, dairy animals, poultry, fruit, vegetables, forage and grains, except wild rice. “Wetlands” shall include adjacent land which is not suitable for agricultural purposes due to the presence of the wetlands. Exemption of wetlands from taxation pursuant to this section shall not grant the public any additional or greater right of access to the wetlands or diminish any right of ownership to the wetlands.”*

Page 5, delete line 5

Page 5, line 6, delete *“pays tax on, for every acre of such”* and insert *“average level of estimated market value of tillable land in the township or municipality of the qualifying wetland multiplied by the number of acres of”*

Page 5, line 7, after *“shall”* insert *“not”*

Page 5, line 17, after *“275.29”* insert *“, provided that payment to the county for lost revenue shall not be less than the revenue which would have been received in taxes if the wetlands had an assessed value of \$20 per acre”*

With the recommendation that when so amended 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. 256, A bill for an act relating to agriculture; providing for the promotion of Minnesota agricultural products; providing for production research; appropriating money; amending Minnesota Statutes 1978, Sections 15.057; and 17.101.

Reported the same back with the following amendments:

Page 2, line 10, after *“of”* insert *“but not limited to”*

Page 2, delete clauses (a), (b), (f) and (g) and renumber remaining clauses.

Page 2, line 23, after the semicolon insert *“and”*

Page 2, line 30, delete the semicolon and insert a period

Page 2, lines 31 and 32, delete the new language

Page 3, line 3, delete "*quarantine*" and insert "*marketing*"

Page 3, line 11, delete "\$1,000,000" and insert "\$500,000"

Page 3, line 12, delete "*1 and 2*" and insert "*2 and 3*"

Page 3, line 15, after "*division*" insert a period and delete remainder of the line

Page 3, delete lines 16 to 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. 262, A bill for an act relating to local government; permitting self insurance for local governments; authorizing insurance pooling; amending Minnesota Statutes 1978, Sections 60A.02, Subdivisions 3 and 4; 79.01, Subdivisions 2 and 3; and Chapter 471, by adding sections.

Reported the same back with the following amendments:

Page 4, delete Lines 26 to 33 and renumber the remaining subdivision

Page 5, line 9, after "*submitted*" insert "*for approval*"

Page 5, line 15, after "*proposal*" insert "*and approve or disapprove*"

Page 5, line 15, delete "*30*" and insert "*60*"

Page 5, line 17, after the period delete the remainder of the line

Page 5, delete line 18

Page 5, line 19, delete "*to each participating political subdivision.*" and insert "*If the commissioner does not disapprove within 60 days after receipt of the proposal, the proposal shall be deemed approved.*"

Page 5, line 25, after the period insert "*The commissioner of insurance is authorized to promulgate administrative rules,*



*providing standards or guidelines governing the formation, operation, administration, and dissolution of self insurance pools."*

"Sec. 8. [APPROPRIATION.] *The sum of \$ . . . . . is appropriated from the general fund to the commissioner of insurance for the purposes of this act.*

"Sec. 9. [EFFECTIVE DATE.] *This act is effective July 1, 1980.*"

Further amend the title:

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 Taxes to which was referred:

H. F. No. 277, A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; appropriating money; amending Minnesota Statutes 1978, Sections 18.023, Subdivisions 1 and 3a; and 275.50, Subdivision 6.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 531, A bill for an act relating to medical assistance; clarifying availability of benefits for treatment of chemical dependency in certain residential treatment programs; amending Minnesota Statutes 1978, Section 256B.02, Subdivisions 7 and 8.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rice from the Committee on Labor-Management Relations to which was referred:

H. F. No. 547, A bill for an act relating to labor relations; changing negotiable terms of employment for certain public professional employees; amending Minnesota Statutes 1978, Section 179.63, Subdivision 18.

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. 573, A bill for an act relating to banks; authorizing certain additional facilities for banks; amending Minnesota Statutes 1978, Section 47.52.

Reported the same back with the following amendments:

Page 2, delete lines 14 to 17 and insert "*facility which may include walk-up services located between 150 to 1500 feet of the main banking house or a detached facility provided that such site of the main banking house or detached facility is so physically limited as to preclude the addition of a drive-in facility. The drive-in facility permitted by this clause is subject to clause (b) and section 47.53.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on Labor-Management Relations to which was referred:

H. F. No. 607, A bill for an act relating to public employment labor relations; permitting firefighters to use certain grievance procedures; amending Minnesota Statutes 1978, Section 179.70, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 8, after "grievances" insert "*including all disciplinary actions*"

Page 2, line 13, after "chapters" insert "*43,*" and after "*420*" insert "*;; or by provision of a home rule charter pursuant to chapter 410, or by Laws 1941, Chapter 423,*"

Page 2, line 18, after "chapters" insert "*43,*" and after "*420,*" insert "*or by provision of a home rule charter pursuant to chapter 410, or by Laws 1941, Chapter 423,*"

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. 649, A bill for an act relating to nuclear energy; providing for the storage and disposal of certain radioactive wastes; requiring licensure of radioactive waste management facilities in Minnesota.

Reported the same back with the following amendments:

Page 1, line 9, after "REQUIRED.]" insert "Subdivision 1. "Facility," as used in sections 1 to 9, means "radioactive waste management facility" as defined in Minnesota Statutes, Section 116C.71, Subdivision 7."

Page 1, line 9, before "No" insert "Subd. 2."

Page 2, line 17, after "hearing" insert "in accordance with Minnesota Statutes, Chapter 15"

Page 2, line 18, delete "proposed site is" and insert "facility is proposed to be"

Page 2, line 26, delete "waste management site" and insert "facility"

Page 2, line 30, delete "site" and insert "facility"

Page 2, line 32, delete "site" and insert "facility"

Page 3, line 2, delete "site" and insert "facility"

Page 3, delete lines 3 to 6

Page 3, line 29, after the second "a" insert "radioactive"

Page 3, line 30, delete "site for any radioactive waste" and insert "facility"

Page 4, line 2, delete "site" and insert "facility"

Page 4, line 3, delete "site" and insert "facility"

Page 4, line 5, delete "site" and insert "facility"

Page 4, line 12, delete "site" and insert "facility"

Page 4, line 13, delete "site" and insert "facility"

Page 4, line 23, delete "project" and insert "facility"

Page 4, line 27, delete "waste management site" and insert "facility"

Page 4, line 27, delete "project" and insert "construction or expansion"

Page 4, line 29, delete "site" and insert "facility"

Page 4, line 29, delete "agency" and insert "board"

Page 4, line 31, delete "sites for the storage of"

Page 4, line 32, delete "radioactive wastes" and insert "a facility"

Page 5, line 2, delete "site" and insert "facility"

Page 5, line 5, delete "site" and insert "facility"

Page 5, line 7, delete "site" and insert "facility"

With the recommendation that when so amended the bill pass.

The report was adopted.

Laidig from the Committee on Criminal Justice to which was referred:

H. F. No. 695, A bill for an act relating to juveniles; providing for secure detention and transfer of legal custody of certain juveniles to a county home school or the commissioner of corrections; amending Minnesota Statutes 1978, Sections 260.173, Subdivision 3; and 260.185, Subdivision 1.

Reported the same back with the following amendments:

On page 2, line 7 after the word "custodian." insert:

*"Provided however that no secure detention facility may be used which is not certified by the commissioner of corrections as being in full compliance with all relevant regulations of the department of corrections regarding secure detention facilities."*

On page 3, line 4 after "(d)," delete "*unless the child has previously appeared before a juvenile court on the same charge, and in the judgment of the court, community resources have been exhausted,*" and insert "*unless the child has previously been adjudicated delinquent for a violation of either section 260.015, subdivision 5, clauses (c) or (d), and in the judgment of the court, based on written findings, the community resources have been exhausted,*"

On page 3, line 14 after "(d)," delete "*unless the child has previously appeared before a juvenile court on the same charge, and in the judgment of the court, community resources have been exhausted,*" and insert "*unless the child has previously been adjudicated delinquent for a violation of either section 260.015, subdivision 5, clauses (c) or (d), and in the judgment of the court, based on written findings, the community resources have been exhausted,*"

Page 4, after line 19, add a section as follows:

"Sec. 3. Minnesota Statutes 1978, 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 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 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 beyond 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 or approved jail within the county or elsewhere in the state, or in determining suitable alternatives. The commissioner shall direct that a child detained in a jail be detained after eight days from and including the date of the original detention order in an approved juvenile detention facility with the approval of the administrative authority of the facility. If the court refers the matter to the prosecuting authority pursuant to section 260.125, notice to the commissioner shall not be required."

Amend the title as follows.

Page 1, line 5, after "corrections;" insert "restricting the secure detention facilities which may be used for certain pur-

poses and eliminating the requirements of an order for detention in certain cases;”

Page 1, line 6, after “Sections” insert “260.171, Subdivision 2;”

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on Labor-Management Relations to which was referred:

H. F. No. 699, A bill for an act relating to labor; increasing the minimum wage; reducing the time after which overtime pay is required; amending Minnesota Statutes 1978, Sections 177.24, Subdivision 1; and 177.25, Subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 177.23, Subdivision 7, is amended to read:

Subd. 7. “Employee” means any individual employed by an employer but shall not include

(1) any individual employed in agriculture on a farming unit or operation employing less than the equivalent of two full time workers and on any given day employing no more than four employees. For the purpose of this clause, equivalent of a full time worker means 40 weeks of employment in a calendar year;

(2) an individual who has not attained the age of 18 who is employed in agriculture on a farm to perform services other than corn detasseling;

(2a) for purposes of section 177.24, an individual who has not attained the age of 18 who is employed in agriculture as a corn detassler;

(3) any (INDIVIDUAL) *staff member* employed (AS A COUNSELOR TO WORK) with (PROGRAMS AND CAMPERS IN) an organized resident or day camp *licensed with the state*;

(4) any individual employed in a bona fide executive, administrative, or professional capacity, or a salesman who conducts no more than 20 percent of his sales on the premises of the employer, as such terms are defined and delimited by regulations of the department;

(5) any individual who renders service gratuitously for a nonprofit organization as such terms are defined by regulations of the department;

(6) any individual who serves as an elected official for a political subdivision or who serves on any governmental board, commission, committee or other similar body, or who renders service gratuitously for a political subdivision;

(7) any individual employed by a political subdivision to provide police or fire protection services or who is employed by an entity whose principal purpose is to provide police or fire protection services to a political subdivision;

(8) any individual employed by a political subdivision who is ineligible for membership in the public employees retirement association by reason of the provisions of section 353.01, subdivision 2b, clauses (a), (b), (d), and (i);

(9) any driver employed by an employer engaged in the business of operating taxicabs;

(10) any individual engaged in babysitting as a sole practitioner;

(11) any individual employed on a part-time basis in a carnival, circus or fair;

(12) any individual under the age of 18 employed part-time by a municipality as part of a recreational program;

(13) any individual employed by the state as a natural resource manager 1, 2, or 3 (conservation officer);

(14) any individual in a position with respect to which the U.S. Department of Transportation has power to establish qualifications and maximum hours of service pursuant to the provisions of 49 U.S. Code, Section 304.

Sec. 2. Minnesota Statutes 1978, Section 177.24, Subdivision 1, 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) rule issued pursuant thereto, every employer shall pay to each (OF HIS EMPLOYEES) employee who is 18 years of age or older wages at a rate of not less than ~~(\$2.30)~~ *\$2.90 an hour beginning January 1, 1980, \$3.10 an hour beginning January 1, 1981, and \$3.35 an hour beginning January 1, 1982,* and shall pay to each (OF HIS EMPLOYEES) employee who is under the age of 18 wages at a rate of not less than ~~(\$2.07)~~ *\$2.61 an hour beginning January 1, 1980, \$2.79 an hour beginning January 1, 1981, and \$3.02 an hour beginning January 1, 1982."*

Delete the title and insert:

"A bill for an act relating to labor; increasing the minimum wage; providing for future increases; amending Minnesota Statutes 1978, Sections 177.23, Subdivision 7; and 177.24, Subdivision 1."

With the recommendation that when so amended the bill pass.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

H. F. No. 797, A bill for an act relating to juveniles; juvenile traffic offenders; requiring prosecution of juveniles who commit minor traffic offenses under laws controlling adult offenders; amending Minnesota Statutes 1978, Sections 260.111, Subdivision 1; 260.115, Subdivision 1; 260.121, Subdivision 3; and 260.193.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 827, A bill for an act relating to welfare; limiting the family contribution to cost of care and treatment for mentally retarded, epileptic, or emotionally handicapped children; amending Minnesota Statutes 1978, Section 252.27, Subdivision 2.

Reported the same back with the following amendments:

Page 1, lines 16 to 18, delete the new language and insert "*The maximum monthly responsibility of the child for the cost of care shall be in the amount of the child's monthly income from any source including third party payments. Responsibility of the parents for the cost of care shall be up to a maximum of \$125 per month.*"

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 General Legislation and Veterans Affairs to which was referred:



H. F. No. 834, A bill for an act relating to cemeteries; providing for the preservation of burial grounds; imposing penalties; appropriating money; amending Minnesota Statutes 1978, Section 307.08.

Reported the same back with the following amendments:

Page 1, line 16, delete "*section*" and insert "*statute*"

Page 2, line 5, after "*goods*" insert "*and artifacts*"

Page 2, line 11, delete "*gross*"

Page 3, delete subdivision 7

Pages 3 and 4, delete subdivision 10

Page 4, line 7, delete "*highways*" and insert "*transportation*"

Page 4, line 17, delete "*at*" and insert "*prior to*"

Page 4, delete subdivision 13

Renumber the subdivisions as may be required by this amendment

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 Governmental Operation to which was referred:

H. F. No. 863, A bill for an act relating to retirement; St. Paul teachers retirement fund association; post retirement adjustments for certain retirees and benefit recipients; retirement annuity computation for certain coordinated members; recomputation of disability benefits; early retirement reductions; augmentation of benefits; appropriating funds.

Reported the same back with the following amendments:

Page 2, line 17, after the period insert "Authority to provide the post retirement adjustment shall expire on December 31, 1982."

Page 3, delete lines 15 to 25 and renumber remaining clause

Pages 3 and 4, delete section 2 and renumber remaining section

Amend the title as follows:

Page 1, line 7, delete "early retirement reductions;"

Page 1, line 8, delete "; appropriating funds"

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. 875, A bill for an act relating to insurance; providing for coverage of certain medical benefits under automobile insurance policies; amending Minnesota Statutes 1978, Section 65B.44, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 15, after "other" insert "reasonable"

Page 2, after line 9 insert:

"Sec. 2. *This act is effective the day following final enactment.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 915, A bill for an act relating to retirement; providing for a proportionate annuity at age 65 or older with one year of service; increasing the maximum earnings amount for a re-employed annuitant; amending Minnesota Statutes 1978, Sections 352.115, Subdivision 10; 353.37, Subdivision 1; 354.44, Subdivision 5; and 356.32, Subdivision 1.

Reported the same back with the following amendments:

Page 3, after line 13, insert a section to read:

"Sec. 3. Minnesota Statutes 1978, Section 354.44, Subdivision 1a, is amended to read:

Subd. 1a. [MANDATORY RETIREMENT.] Notwithstanding the provisions of sections 43.30 or 197.45 to 197.48, a mem-

ber shall terminate employment on August 31, 1976, or at the end of the academic year in which the member reaches the age of 65, whichever is later. For purposes of this subdivision, an academic year shall be deemed to end August 31. A member who terminates employment at any time during the academic year at the end of which such person is required to terminate employment pursuant to this subdivision shall, for the purpose of determining eligibility for a proportionate retirement annuity, be considered to have been required to terminate employment at age 65 or earlier pursuant to this subdivision. Nothing contained in this subdivision shall preclude an employer unit covered by this chapter from employing a retired teacher as a substitute or part time teacher; provided, no teacher required to terminate employment by this subdivision shall resume membership in the retirement association by virtue of employment as a substitute or part time teacher; provided further that upon having earned (\$3,000) \$4,500 in any academic year from employment as a substitute or part time teacher, any person over the age of 65 years shall terminate employment for the remainder of that academic year."

Page 3, after line 33, insert a section to read:

"Sec. 5. Minnesota Statutes 1978, Section 354A.21, is amended to read:

354A.21 [MANDATORY RETIREMENT; PROPORTIONATE ANNUITY.] Notwithstanding the provisions of sections 197.45 to 197.48 or 354A.05, a teacher subject to the provisions of this chapter shall terminate employment on August 31, 1976, or at the end of the academic year in which such teacher reaches the age of 65, whichever is later. For purposes of this section, an academic year shall be deemed to end August 31. A teacher who terminates employment at any time during the academic year at the end of which such person is required to terminate employment pursuant to this section and who has less than the minimum required number of years of service to otherwise qualify for a retirement annuity shall be entitled upon application to a proportionate retirement annuity based on service prior to termination. Nothing contained in this subdivision shall preclude a district from employing a retired teacher as a substitute teacher; provided, no teacher required to terminate employment by this section shall resume membership in the retirement association by virtue of employment as a substitute teacher; provided further that upon having earned (\$3,000) \$4,500 in any academic year from employment as a substitute teacher, any person over the age of 65 years shall terminate employment for the remainder of that academic year."

Renumber the sections

Amend the title as follows:

Page 1, line 8, delete the first "Subdivision" and insert "Subdivisions 1a and"

Page 1, line 8, after "5;" insert "354A.21;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 916, A bill for an act relating to education; establishing a program of tuition supplements and equivalency credits for the Minnesota national guard; appropriating money; amending Minnesota Statutes 1978, Chapter 136A, by adding sections.

Reported the same back with the following amendments:

Page 1, line 9, delete "136A" and insert "192"

Page 1, line 11, delete "136A.90" and insert "192.552"

Page 1, line 13, delete "136A" and insert "192"

Page 1, line 15, delete "136A.91" and insert "192.553"

Page 1, delete lines 18 and 19 and insert "*Subd. 2. "Department" means the department of military affairs."*

Page 2, line 3, after "*the*" insert "*higher education coordinating*"

Page 2, line 7 delete "*such*"

Page 2, lines 8 and 9 delete "*which, by the law of the United States, supersede rules adopted by the board*"

Page 2, line 10, delete "136A" and insert "192"

Page 2, line 12, delete "136A.92" and insert "192.554"

Page 2, line 13, delete "*and equivalency credits*"

Page 2, line 15, delete "*board*" and insert "*department*"

Page 2, line 16, delete "136A" and insert "192"

Page 2, delete lines 18 to 26 and insert:

"[192.555]. [GENERAL POWERS AND DUTIES OF DEPARTMENT.] *Subdivision 1. The department shall conduct a study on the feasibility of establishing an equivalency credit program that would provide academic credit recognition for the service school experience of members of the Minnesota national guard and report back to the legislature by October 1, 1980. In conducting the study, the department shall consult with the institutions of higher education in Minnesota and the higher education coordinating board.*"

Page 2, line 27, delete "board" and insert "department"

Page 2, line 30, delete "equivalency credit and"

Page 2, line 32, delete "board" and insert "department"

Page 3, line 1, delete "board" and insert "department"

Page 3, line 2, delete "board" and insert "department"

Page 3 lines 3 and 4, delete everything after "program."

Page 3, line 5, delete "board" and insert "department"

Page 3, lines 6 and 7, delete "programs in consultation with the adjutant general" and insert "program"

Page 3, line 11, delete "board" and insert "department"

Page 3, line 11, delete everything after "may"

Page 3, line 17, delete "136A" and insert "192"

Page 3, line 19, delete "136A.94" and insert "192.556"

Page 3, line 21, delete "board" and insert "department"

Page 5, line 20, delete "board" and insert "department"

Page 5, line 24, delete "board" and insert "department"

Page 5, line 32, delete "Higher Education Coordinating Board" and insert "department of military affairs"

Amend the title as follows:

Page 1, line 3, after "and" insert "A study of"

Page 1, line 5, delete "136A" and insert "192"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 921, A bill for an act relating to local government; extending scope of subdivision regulations; amending Minnesota Statutes 1978, Section 462.358, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Notwithstanding any law to the contrary, the governing body of the city of Ham Lake in Anoka county may adopt subdivision regulations within its corporate boundaries including minimum physical standards and design requirements as to provide for the orderly, economic and safe development of land and urban services and facilities, and to promote the public health, safety, morals and general welfare. Any subdivision regulations adopted by the city of Ham Lake shall apply within its corporate boundaries to parcels which are taken from existing parcels of record by metes and bounds descriptions, and the governing body or building authority of Ham Lake may deny the issuance of building permits to any parcels so divided, pending compliance with subdivision regulations.

Sec. 2. Except as otherwise provided in section 1, any subdivision regulations adopted by the city of Ham Lake shall comply with the provisions of Minnesota Statutes, Section 462.358.

Sec. 3. This act is effective upon approval by the governing body of the city of Ham Lake and compliance with Minnesota Statutes, Section 645.021."

Further amend the title as follows:

Page 1, line 2, delete "local government" and insert "the city of Ham Lake, Anoka county"

Page 1, line 3, before the semicolon insert "within its corporate boundaries."

Page 1, line 3, delete "; amending Minnesota"

Page 1, delete line 4.

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 Labor-Management Relations to which was referred:

H. F. No. 966, A bill for an act relating to workers' compensation; providing employer's action for recovery of insurance premiums against certain third parties; amending Minnesota Statutes 1978, Section 176.061, Subdivisions 5 and 6.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 996, A bill for an act relating to commerce; creating a business assistance center within the department of economic development; appropriating money; amending Minnesota Statutes 1978, Sections 161.321, Subdivision 1; 362.42; and Chapter 362, by adding sections; repealing Minnesota Statutes 1978, Section 16.082.

Reported the same back with the following amendments:

Page 2, line 27, delete "*Subdivision 1.*"

Page 2, line 30, delete "*The center shall be headed by an*"

Page 2, delete line 31

Page 2, line 32, delete "*commissioner.*"

Page 3, delete lines 6 to 33

Page 4, delete lines 1 and 2

Page 4, line 10, delete "*The staff of the bureau of small business*"

Page 4, delete line 11

Page 4, line 12, delete "*commissioner.*"

Page 4, line 12, delete "*director*" and insert "*bureau*"

Page 4, line 29, delete "and"

Page 5, line 1, delete the period and insert "; and"

(g) *Develop an information system, with due regard to privacy statutes, which will enable the commissioner and other state agencies to efficiently store, retrieve, analyze and exchange data regarding business development and growth in the state.*"

Page 5, line 2, delete "director shall" and insert "bureau may"

Page 5, line 3, delete "shall" and insert "may"

Page 5, delete lines 11 and 12

Page 5, line 13, delete "economic development."

Page 5, line 21, delete "shall be limited to" and insert "may include"

Page 6, line 18, delete "Subdivision 1."

Page 6, delete lines 19 to 21

Page 6, line 25, after the period insert "*The bureau shall also study applications and forms not necessarily related to licenses, which are required by state agencies to operate a business within the state.*"

Page 6, line 27, delete "report to the" and after "shall" insert "*issue a preliminary report to the appropriate standing committee of the legislature no later than January 1, 1980, and shall issue its final report to the governor and legislature by January 1, 1981.*"

Page 6, delete line 28

Page 6, line 29, delete "1981."

Page 6, line 29, after "The" insert "final"

Page 7, line 18, delete "and"

Page 7, line 20, delete the period and insert "; and"

(i) *Modifying, simplifying and combining applications and forms required to operate a business within the state.*"

Page 7, line 24, delete "on" and insert "between"



Page 7, line 25, after "1981" insert "*and July 1, 1982*"

Renumber the subdivisions as required

Page 7, delete line 33

Page 8, delete line 1

Renumber the remaining section

Amend the title as follows :

Page 1, line 7, delete " ; repealing Minnesota Statutes" and insert a period

Page 1, delete line 8

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. 1018, A bill for an act relating to no-fault automobile insurance; providing disability and income loss benefits for certain persons who lose unemployment compensation benefits as a result of accidental injury; amending Minnesota Statutes 1978, Section 65B.44, Subdivision 3.

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. 1026, A bill for an act relating to transportation; establishing a public transit capital grant assistance program to aid certain political subdivisions to meet federal matching fund requirements for certain federal grants; appropriating money; amending Minnesota Statutes 1978, Chapter 174, by adding a section.

Reported the same back with the following amendments :

Page 1, line 18, delete "*county or home rule*"

Page 1, line 19, delete "*charter or statutory city operating a publicly owned*" and insert "*political subdivision, public transit authority or other public or private nonprofit agency that operates or provides financial assistance to a*".

Page 1, line 20, delete "*and not included within an urbanized area*"

Page 1, line 21, delete "*as defined in 49 U.S.C. Section 1604*" and insert "*which is eligible to receive capital assistance grants under the Urban Mass Transportation Act of 1964, Public Law 88-365, as amended, except a public transit authority or commission that operates a public transit system in any city of the first class*"

Page 2, line 10, delete "*political subdivisions*" and insert "*recipients*"

Further amend the title as follows:

Page 1, line 4, delete "*political subdivisions*" and insert "*public transit systems*"

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 Governmental Operations to which was referred:

H. F. No. 1062, A bill for an act relating to the city of Windom; authorizing the purchase of annuity contracts for retiring firefighters.

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:

H. F. No. 1066, A bill for an act relating to agriculture; providing for corn industry promotion; appropriating money.

Reported the same back with the following amendments:

Page 1, lines 8 and 18, delete "\$30,000" and insert "\$40,000".

Page 2, after line 6, insert:

"Sec. 2. Minnesota Statutes 1978, Sections 17.58, is amended by adding a subdivision to read:

*Subd. 5. [AUDITS.] The commissioner shall annually audit the promotion councils organized under chapter 17 or any other chapter."*

Underline all the new language in the bill

Amend the title as follows:

Page 1, line 3, before the period insert, "; amending Minnesota Statutes 1978, Section 17.58, 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.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1074, A bill for an act relating to courts; tenth judicial district; authorizing the position of civil commitment referee in Washington County; amending Minnesota Statutes 1978, Section 253A.21, by adding a subdivision; and Chapter 484, by adding a section.

Reported the same back with the following amendments:

Page 1, line 14, after "*County*" insert "*with the approval of the county board of commissioners*"

Page 1, line 16, after "*court*" insert "*or until a new judge position is authorized pursuant to Section 487.01, Subdivision 5, clause 5*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1093, A bill for an act relating to bingo; changing the filing requirements for organizations conducting bingo; amending Minnesota Statutes 1978, Section 349.21, Subdivision 3.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 1119, A bill for an act relating to children; requiring that adoptive parents and the adoptive child shall be made parties to certain proceedings related to terminating adoptions; prohibiting a presumption that biological parents should be favored in such proceedings; amending Minnesota Statutes 1978, Sections 259.24, Subdivision 6; and 259.25, Subdivision 2.

Reported the same same back with the following amendments:

Page 1, line 23, after the period insert "*The proceedings shall be conducted so as to preserve the confidentiality of the adoption process.*"

Page 2, line 10, after the period insert "*The proceedings shall be conducted so as to preserve the confidentiality of the adoption process.*"

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. 1125, A bill for an act relating to agriculture; transferring certain duties and personnel involved in the sale, storage and transportation of certain agricultural products from the department of public service to the department of agriculture; amending Minnesota Statutes 1978, Sections 223.02; 229.01, Subdivision 2; 229.06; 229.07; 232.01, Subdivision 1; 233.01, Subdivision 1; 233.03; 233.24; 234.02; 234.10; 235.01; 236.01, Subdivision 5.

Reported the same back with the following amendments:

Pages 2 and 3, delete section 3

Page 6, delete section 8

Renumber the sections in sequence

Page 8, line 26, after the period insert: "*Nothing herein shall 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.*"

Amend the title as follows:

Page 1, line 8, delete "229.06;"

Page 1, line 9, delete "233.24;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1132, A bill for an act relating to retirement; providing for the merging of the Minneapolis municipal employees retirement fund into the public employees retirement association; providing an appropriation; amending Minnesota Statutes 1978, Chapters 353, by adding sections; and 355, by adding a section; repealing Minnesota Statutes 1978, Chapter 422A.

Reported the same back with the following amendments:

Page 1, after line 10, insert a new section to read:

"Section 1. Minnesota Statutes 1978, Section 353.06 is amended to read:

353.06 [STATE BOARD OF INVESTMENT TO INVEST FUNDS.] *Except as otherwise provided in section 15 of this act* The executive director shall from time to time certify to the state board of investment for investment such portions of the retirement fund as in its judgment may not be required for immediate use. Assets from the public employees retirement fund shall be transferred to the Minnesota adjustable fixed benefit fund as provided in section 11.25. The state board of investment shall thereupon invest and reinvest the sum so certified, or transferred, in such securities as are duly authorized as legal investments for state employees retirement fund and shall have authority to sell, convey, and exchange such securities and invest and reinvest the securities when it deems it desirable to do so and shall sell securities upon request of the board of trustees when such funds are needed for its purposes. All of the provi-

sions regarding accounting procedures and restrictions and conditions for the purchase and sale of securities for the state employees retirement fund shall apply to the accounting, purchase and sale of securities for the public employees retirement fund."

Renumber remaining sections

Page 3, line 1, after "422A," insert "*including benefits established on or before April 1, 1979, by rule or regulation as authorized by Minnesota Statutes, Chapter 422A,*"

Page 3, line 10, delete "*August*" and insert "*September*"

Page 4, line 4, delete "*August*" and insert "*September*"

Page 4, after line 12, insert:

*"In addition the Minneapolis municipal employees retirement fund shall certify the following to the board of directors of the public employees retirement association:*

*(a) the date of retirement or commencement of retirement annuities or benefits of and the amounts entitled to be received by all persons receiving retirement allowances or annuities, disability benefits, survivorship annuities and survivor of deceased active employee benefits from the Minneapolis municipal employees retirement fund as of the effective date of this act; and*

*(b) the amount of member or employee contributions made by, the dates of service commencement and termination of, the length of service credited to, the dates of birth of, and the salaries of all active and inactive members, retirees and benefit recipients, and deceased members of the Minneapolis municipal employees retirement fund as of the effective date of this act.*

*The Minneapolis municipal employees retirement fund shall prior to certifying the above information to the public employees retirement association provide each active and inactive member with a copy of the employee's certification. If the employee and the Minneapolis municipal employees retirement fund are unable to agree upon the accuracy of the certification, the Minneapolis municipal employees retirement fund shall certify to the public employees retirement association what it believes to be accurate. Upon request from an employee the public employees retirement association shall review the certification and determine the accuracy of the certification."*

Page 4, line 22, after the brackets insert "*Subdivision 1. The public employees retirement association shall have its approved actuary prepare an actuarial valuation as defined in Minnesota Statutes 1978, Section 365.215, Subdivision 1, for the transferred*

*Minneapolis municipal employees retirement fund program as of July 1, 1979. The assets of the Minneapolis municipal employees retirement fund shall be valued on July 1, 1979, in a manner agreeable to the Minneapolis municipal employees retirement fund board and the board of directors of the public employees retirement association in determining the value of the assets of the Minneapolis municipal employees retirement fund, the board of directors of the public employees retirement association shall utilize the state board of investment in an advisory capacity. If the two parties cannot agree on the value of the assets of the Minneapolis municipal employees retirement fund, then the board of directors of the public employees retirement fund shall specify the value of the assets. If the Minneapolis municipal employees retirement fund board contests the value of the assets as specified by the board of directors of the public employees retirement association, then the dispute shall be submitted to the district court of the second judicial district."*

Page 4, line 22, before "In" insert "Subd. 2."

Page 5, line 1, after "be" delete the remainder of the line

Page 5, delete lines 2 to 6 to the semi-colon and insert "\$2,800,000 annually"

Page 5, line 8, delete "....." and insert "30"

Page 5, line 9, after the period, insert "each employing unit shall contribute a proportional share of the \$2,800,000 based on its proportion of the Minneapolis municipal employees retirement fund unfunded liability on December 31, 1978."

Page 5, line 25, after "422A" insert "including benefits established on or before April 1, 1979 by rule or regulation as authorized by Minnesota Statutes 1978, Chapter 422A"

Page 6, line 17, after the period, delete the remainder of the line

Page 6, delete lines 18 to 28 to the period

Page 7, delete line 1

Page 7, line 2, delete "administrative costs" and insert "the difference between the level normal cost plus administrative costs and the employee contribution provided for in section 10 of this act"

Page 7, line 11, after "fund" delete the remainder of the line

Page 7, delete lines 12 to 15 to "8" and insert "prior to January 1, 1980, an amount equal to 7-1/4 percent, after December

31, 1979, but prior to January 1, 1981, an amount equal to 8-1/4 percent, after December 31, 1980, an amount equal to 9-1/4 percent of such salary, pay or compensation, except as hereinafter provided"

Page 12, after line 8, insert:

"Sec. 15. Minnesota Statutes 1978, Chapter 353, is amended by adding a section to read:

[353.312] [MINNEAPOLIS EMPLOYEES INVESTMENT BOARD.] *Subdivision 1. An investment board of seven members is hereby constituted which shall consist of the following:*

(1) *three individuals selected by the board of directors of public employees retirement association. The persons selected shall serve for staggered terms of two years from the first of the next succeeding January after their selection, and until their successors are selected. Vacancies occurring by death, resignation or removal of such members shall be filled by the board of directors of the public employees retirement association.*

(2) *four legally qualified voters of the city of Minneapolis, residents thereof for the preceding five years, to be chosen by the employees of the city of Minneapolis and special school district number one, who are members of the public employees retirement association, and employees of an employing unit who were members of the Minneapolis municipal employees retirement fund on June 30, 1979, and who are members of the public employees retirement association. The persons selected shall serve for staggered terms of two years from the first of the next succeeding January after their election, and until their successors are duly elected. Such selection shall be made by the employees during the first week of December of each year. Vacancies occurring by death, resignation, or removal of such representatives shall be filled by representatives chosen by the employees. The association established pursuant to Minnesota Statutes 1978, Section 422A.02, shall continue in existence until December 31, 1980, and shall establish the method and manner of selecting the employee representatives to serve on the Minneapolis employees investment board. Any employing unit is authorized to make payroll deductions to the association established pursuant to Minnesota Statutes 1978, Section 422A.02 until December 31, 1980.*

*Until January 1, 1980, the members of the retirement board established pursuant to Minnesota Statutes 1978, Section 422A.02 serving on July 1, 1979, shall constitute the Minneapolis employees investment board.*

*Subd. 2. The executive director of the public employees retirement association shall from time to time certify to the Minneapolis employees investment board for investment such*



portions of the retirement fund as in its judgment may not be required for immediate use and which represent the proportion of the total portion of the retirement fund which is available for investment or is invested, not including assets transferred to the Minnesota adjustable fixed benefit fund, which the covered payroll of the city of Minneapolis and special school district number one bears to the total covered payroll of the public employees retirement association. The Minneapolis employees investment board shall thereupon invest and reinvest the sum so certified, or transferred in such securities as are duly authorized as legal investments for state employees retirement fund and shall have authority to sell, convey, and exchange such securities and invest and reinvest the securities when it deems it desirable to do so and shall sell securities upon request of the board of trustees when such funds are needed for its purposes. All of the provisions regarding accounting procedures and restrictions and conditions for the purchase and sale of securities for the state employees retirement fund shall apply to the accounting, purchase and sale of securities by the Minneapolis employees investment board.

Subd. 3. The Minneapolis employees investment board may retain from the earnings on its investments an amount adequate to cover its administrative costs and to cover the costs of employee elections of members to the board, but not to exceed .004 percent of the dollar value of its investment portfolio.

Sec. 16. Minnesota Statutes 1978, Chapter 353, is amended by adding a section to read:

[353.313] [SATELLITE SERVICE CENTER.] *The public employees retirement association shall maintain within the corporate limits of the city of Minneapolis a satellite service center for members of the public employees retirement association. The satellite service center shall be equipped and staffed in a manner adequate to at a minimum provide pre-retirement and post-retirement counseling to the public employees retirement association members who reside in Hennepin County and who desire to make use of the satellite service center.*

Sec. 17. *Municipal aid funds distributed to the city of Minneapolis for calendar year 1980 pursuant to Minnesota Statutes, Section 477A.01, shall be an amount equal to the amount of aids distributed to the city in 1979 pursuant to Minnesota Statutes 1978, Section 477A.01."*

Renumber remaining sections

Page 12, delete lines 11 and 12

Page 12, line 13, delete "1981" and insert "annually the sum of \$2,500,000 until and through the fiscal year ending June 30, 2009"

Amend the title as follows:

Page 1, line 6, after the first comma, insert "Section 353.06;"

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 Labor-Management Relations to which was referred:

H. F. No. 1157, A bill for an act relating to workers' compensation; allowing certain owners and partners of farms or businesses, and their close relatives, to elect workers' compensation coverage; amending Minnesota Statutes 1978, Section 176.012.

Reported the same back with the following amendments:

Page 2, line 6, after the period insert "*The election provided in this section shall be exercised at the termination of a policy issued under this chapter where such a policy is in effect. In the case of self-insurers the election provided shall be exercised at the termination of a period of approved self-insurance.*"

Page 2, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1978, 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) *the spouse*, (PARENTS) *parent* and (CHILDREN) *child*, regardless of (THEIR) age, of a farmer employer working for him; partners engaged in any farm operation or *partners engaged in a business* and the (SPOUSES) *spouse*, (PARENTS) *parent*, and (CHILDREN) *child*, regardless of age, of any of the partners of *the farm operation or business*; an executive officer of a family farm corporation; any spouse, parent, or child, regardless of age, of an executive officer of a family farm corporation as defined in section 500.24, subdivision 2, 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. 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 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. This chapter does not apply to those persons employed by a corporation where those persons are related by blood or marriage, within the third degree of kindred according to the rules of civil law, to all of the officers of the corporation, and if the corporation files a written election with the commissioner of labor and industry to have those persons excluded from this chapter. This chapter does not apply to a nonprofit association which does not pay more than \$500 in salary or wages in a year. (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; PARTNERS ENGAGED IN ANY FARM OPERATION AND THE SPOUSES, PARENTS, AND CHILDREN, REGARDLESS OF AGE, OF ANY OF THE PARTNERS; AN EXECUTIVE OFFICER OF A FAMILY FARM CORPORATION; 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; 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. 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 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. THIS CHAPTER DOES NOT APPLY TO THOSE PERSONS EMPLOYED BY A CORPORATION WHERE THOSE PERSONS ARE RELATED BY BLOOD OR MARRIAGE, WITHIN THE THIRD DEGREE OF KINDRED ACCORDING TO THE RULES OF CIVIL LAW, TO ALL OF THE OFFICERS OF THE CORPORATION, AND IF THE CORPORATION FILES A WRITTEN ELECTION WITH THE COMMISSIONER OF LABOR AND INDUSTRY TO HAVE THOSE PERSONS EXCLUDED FROM THIS CHAPTER. THIS CHAPTER DOES NOT APPLY TO A NONPROFIT ASSOCIATION WHICH DOES NOT PAY MORE THAN \$500 IN SALARY OR WAGES IN A YEAR.)”

Amend the title as follows:

Page 1, line 5, after “coverage;” insert “excluding certain employments;”

Page 1, line 6, before the period insert “; and 176.041, Sub-division 1”

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Wigley from the Committee on Energy and Utilities to which was referred:

H. F. No. 1206, A bill for an act relating to energy; encouraging municipalities to use diseased trees as firewood.

Reported the same back with the following amendments:

Page 1, line 12, delete “as firewood”

Page 1, line 18, delete “shall”, and insert “may”

Page 1, line 21, delete “remove by” and insert “including but not limited to”

Further, amend the title, page 1, line 3, delete “as firewood”

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1212, A bill for an act relating to Ramsey County; providing for court and probation services in the county; amending Laws 1974, Chapter 435, by adding a section; repealing Minnesota Statutes 1961, Sections 636.09; 636.10; 636.11; 636.12; 636.14; 636.19; and 636.21; and Laws 1923, Chapter 289, Sections 1, as amended; 2, as amended; 3, as amended; 4, as amended; 6, as amended; 11, as amended; and 13, as amended; and Laws 1965, Chapter 469, Section 8, as amended.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1220, A bill for an act relating to retirement; metropolitan transit commission-transit operating division employees; clarifying the amortization obligation of the metropolitan transit commission to the Minnesota state retirement system; calculating service credit for certain part time transit operating division employees; clarifying the provision of the minimum disability coverage; providing a retirement annuity to certain former transit operating division employees; providing service credit for certain military service leaves of absence; amending Minnesota Statutes 1978, Sections 352.01, Subdivisions 11 and 16; 473.417; 473.418; and Laws 1978, Chapter 538, Section 21.

Reported the same back with the following amendments:

Page 6, lines 11 to 23, delete the new language and insert:

*"The metropolitan transit commission shall not be required to provide any supplementary disability benefit coverage or benefit amount to replace the amount of any reduction in any disability payable from the Minnesota state retirement system due to the receipt of benefits under the workers' compensation law unless no offset of the amount of workers' compensation benefits from the amount of a disability benefit was required pursuant to the provisions of article ten of the metropolitan transit commission-transit operating division employees retirement fund plan document in effect on December 31, 1977."*

Page 9, line 1, after "seven" insert "and payable at the minimum age specified in article eight"

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. 1243, A bill for an act relating to transportation; establishing a state policy of coordinating public and private programs providing transportation for elderly, handicapped and others with special transportation needs; establishing an inter-agency task force on coordination of special transportation programs; authorizing the commissioner of transportation to adopt and enforce operating standards for special transportation services; exempting services that meet standards from other license and permit requirements; directing the establishment of a demonstration project for coordinating special transportation service in the metropolitan area; providing for state assistance for driver training and insurance and establishing accessibility requirements for paratransit projects; authorizing medical assistance reimbursement to qualified public and private non-profit providers of special transportation service; requiring certain provisions in the medical assistance reimbursement rules of the department of public welfare; amending Minnesota Statutes 1978, Chapter 174, by adding sections; and Sections 256B.02, Subdivision 8; and 256B.04, Subdivision 12.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Chapter 174, is amended by adding a section to read:

[174.29] [COORDINATION OF SPECIAL TRANSPORTATION SERVICE.] *Subdivision 1.* [DEFINITION.] *For the purpose of sections 1 to 3 “special transportation service” means motor vehicle transportation provided on a regular basis by any public or private entity or person which is designed exclusively or primarily to serve individuals who are elderly, handicapped, disabled or economically disadvantaged and who are unable to use regular means of transportation. Special transportation service includes but is not limited to service provided by specially equipped buses, vans, taxis and volunteers driving private automobiles.*

*Subd. 2.* [DIRECTION.] *In order to provide more adequate access to transportation service for the elderly, handicapped and others with special transportation needs and to more efficiently utilize public and private funds expended for that purpose, all state agencies that assist, provide, reimburse or regulate special transportation services shall promote, support and facilitate co-*

*ordination of those services with other special services and with regular transportation services offered to the general public.*

*Subd. 3. [INTERAGENCY TASK FORCE.] The commissioner or chief administrative officer of each department, agency or board of the state that assists, provides, reimburses or regulates special transportation services shall serve or appoint a representative to serve on an interagency task force on coordination of special transportation programs. The departments of economic security, education, health, public safety, public welfare and transportation, the council on the handicapped and the board on aging shall be represented on the task force. The commissioner of transportation shall appoint members of the task force representing other departments, boards or agencies of the state that assists, provide, reimburse or regulate special transportation service and shall appoint up to five additional members representing the metropolitan council, regional development commissions and public and private entities that provide special transportation service. The commissioner of transportation shall furnish necessary administrative support for the task force and shall chair or appoint a representative to chair the task force.*

*The task force shall:*

*(a) Identify the programs administered by state departments, agencies or boards to assist, provide, reimburse or regulate special transportation service and identify for each program the amount of state and federal money spent, the types of service provided, the types of individuals served and constraints on coordination with other special or regular transportation services;*

*(b) Identify possible strategies and opportunities for coordination of programs for special transportation services and evaluate them for effectiveness in improving or expanding access to transportation for those with special transportation needs and for efficiency in use of public investments and public funds;*

*(c) Develop a continuing procedure for interagency cooperation and communication concerning special and regular transportation programs and concerning the adoption of state operating standards for providers of special transportation service;*

*(d) Develop alternative ways in which transportation programs and expenditures of those agencies required to provide or reimburse special transportation services as a component of other programs such as human services and educational programs can be coordinated with the programs and expenditures of agencies authorized to provide capital and operating assistance to operators of special and regular transportation service;*

*(e) Examine the feasibility of transportation voucher systems as a method of improving access to transportation for those*

*with special transportation needs and decreasing capital and operating costs incurred by public agencies to support or provide that transportation. Voucher systems examined shall include systems which allow or require participation by agencies providing transportation as a component of other programs;*

*(f) Recommend the adoption of policies, rules and legislation necessary to implement programs which it has identified or developed as a result of its study and evaluation; and*

*(g) Report its findings, conclusions and recommendations to the legislature, including written and oral presentations to the appropriate standing committees. The task force shall make a preliminary report to the legislature not later than November 1, 1979. The preliminary report shall include the task force's findings under clause (a) and any additional findings, conclusions and recommendations which are appropriate for action by the legislature at the 1980 session. A final report covering all items set forth in clauses (a) to (f) shall be made to the legislature not later than July 1, 1980. This subdivision shall expire on December 31, 1980.*

Sec. 2. Minnesota Statutes 1978, Chapter 174, is amended by adding a section to read:

**[174.30] [OPERATING STANDARDS FOR SPECIAL TRANSPORTATION SERVICE.]** *Subdivision 1. [SPECIAL DEFINITION.] For the purpose of this section "special transportation service" does not include transportation provided by a common carrier operating on fixed routes and schedules, a taxi, a volunteer driver using a private automobile, a school bus as defined in section 169.01, subdivision 6, or an emergency ambulance regulated under chapter 144.*

*Subd. 2. [AUTHORITY TO ADOPT; PURPOSE AND CONTENT; RULEMAKING.] The commissioner of transportation shall adopt standards for the operation of vehicles used to provide special transportation service which are reasonably necessary to protect the health and safety of individuals using that service. The commissioner, as far as practicable, consistent with the purpose of the standards, shall avoid adoption of standards that unduly restrict any public or private entity or person from providing special transportation service because of the administrative or other cost of compliance.*

*Standards adopted under this section may include but are not limited to:*

*(a) Qualifications of drivers and attendants including driver training requirements;*

*(b) Safety equipment required for vehicles;*



(c) *General requirements concerning maintenance of standard equipment of vehicles; and*

(d) *Minimum insurance requirements.*

**Subd. 3. [OTHER STANDARDS; WHEELCHAIR SECUREMENT.]** *A special transportation service that transports individuals occupying wheelchairs is subject to the provisions of sections 299A.11 to 299A.18 concerning wheelchair securement devices. The commissioners of transportation and public safety shall cooperate in the enforcement of this section and sections 299A.11 to 299A.18 so that a single inspection is sufficient to ascertain compliance with sections 299A.11 to 299A.18 and with the standards adopted under this section.*

**Subd. 4. [CERTIFICATE OF COMPLIANCE.]** *The commissioner of transportation shall issue an annual certificate of compliance for each vehicle used to provide special transportation service which complies with the standards adopted under this section. A vehicle subject to subdivision 3 shall be issued a certificate of compliance only if the vehicle also complies with sections 299A.11 to 299A.18. The commissioner shall provide procedures for determining compliance and issuing the certificates. The procedures may include inspection of vehicles and examination of drivers.*

**Subd. 5. [RULES.]** *The standards authorized under subdivision 2 and the procedures authorized by subdivision 4 shall be adopted by rule in accordance with chapter 15. Not later than November 15, 1979, and before proposing any rules under this section the commissioner shall:*

(a) *Make available a draft of the rules, a plan for enforcing the rules and a proposed budget for the necessary enforcement activities of the department for review by the standing committees on transportation in both houses of the legislature; and*

(b) *Review the draft rules, enforcement plan and proposed budget with the interagency task force on coordination of special transportation service. The commissioner shall adopt the rules necessary to implement this section and commence enforcement of those rules not later than July 1, 1980.*

**Subd. 6. [PREEMPTION OF OTHER REQUIREMENTS.]** *Notwithstanding any other law, ordinance or resolution to the contrary an operator of special transportation service that has been issued a current certificate of compliance under subdivision 4 for a vehicle used to provide that service shall not be required to obtain any other state or local permit, license or certificate as a condition of operating the vehicle for that purpose. This subdivision does not exempt any vehicle from the requirements imposed on vehicles generally as a condition of using the public streets and highways.*

*Subd. 7. [ENFORCEMENT.] After January 1, 1981, no state agency, political subdivision or other public agency shall provide any capital or operating assistance to or reimbursement for services rendered by any operator of special transportation service unless current certificates of compliance have been issued under subdivision 4 for the vehicles used by the operator to provide the service.*

Sec. 3. Minnesota Statutes 1978, Chapter 174, is amended by adding a section to read:

[174.31] [SPECIAL DEMONSTRATION PROJECT; COORDINATION OF SPECIAL TRANSPORTATION SERVICE IN THE METROPOLITAN AREA.] *Subdivision 1. [ESTABLISHMENT; OBJECTIVES.] A special demonstration project for coordination of special transportation service in the metropolitan area as defined in section 473.121, subdivision 2, shall be established and implemented by the commissioner with the following objectives:*

*(a) To provide greater access to transportation for the elderly, handicapped and others with special transportation needs in the metropolitan area and particularly to fill all unmet needs for that transportation in the transit taxing district as defined in section 473.446, subdivision 2; and*

*(b) To develop an integrated system of special transportation service providing transportation tailored to meet special individual needs in the most cost-efficient manner using existing public and private providers of service.*

*For the purpose of this section "project" means the demonstration project established under this subdivision.*

*Subd. 2. [FINANCING; IMPLEMENTATION; MANAGEMENT AND ADVISORY GROUPS.] The project shall be operated pursuant to the rules governing and funded with money available under the paratransit service demonstration grant program. The commissioner shall not operate the project but shall contract for services necessary for its operation. All transportation service provided through the project shall be provided under a contract between the commissioner and the provider which specifies the service to be provided and the rates for providing it. The commissioner shall establish a committee to set management policies for the project. The management policy committee shall include the commissioner or his designee, representatives of persons contracting to provide services for the project, a representative of the metropolitan council, a representative of the metropolitan transit commission and at least two representatives of the task force established to advise the committee. The meetings of the management policy committee shall be public and minutes of all meetings shall be taken, preserved and made avail-*

able for public inspection. The commissioner shall establish an advisory task force of individuals representing the elderly, handicapped and other users of service provided by the project to advise the management policy committee.

**Subd. 3. [DUTIES OF COMMISSIONER.]** *In implementing the project the commissioner shall:*

(a) *Encourage participation in the project by public and private providers of special transportation service currently receiving capital or operating assistance from a public agency;*

(b) *Contract with public and private providers that have demonstrated their ability to effectively provide service at a reasonable cost;*

(c) *Encourage individuals using service provided through the project to use the type of service most appropriate to their particular needs;*

(d) *Insure that all persons providing service through the project receive equitable treatment in the allocation of the ridership;*

(e) *Encourage shared rides to the greatest extent practicable;*

(f) *Insure that a full range of service is made available through the project to all parts of the metropolitan transit taxing district;*

(g) *Encourage public agencies that provide transportation to eligible individuals as a component of human services and educational programs to coordinate with the project and to allow reimbursement for services provided through the project at rates that reflect the public cost of providing those services.*

**Subd. 4. [COORDINATION REQUIRED.]** *The commissioner shall not grant any financial assistance under sections 174.24 or 174.25 to any recipient that proposes to use any part of the grant to provide special transportation service in the metropolitan area unless the program is coordinated with the project in the manner determined by the commissioner. A recipient of a grant made before the effective date of this section shall coordinate its program with the project as far as practicable but shall not be denied any additional grant for which it is otherwise qualified solely because it is not coordinated with the project.*

**Subd. 5. [COMPLIANCE WITH OPERATING STANDARDS.]** *A vehicle providing special transportation service*

which is subject to the operating standards adopted pursuant to section 2 shall not be allowed to provide service through the project after January 1, 1981, unless a current certificate of compliance has been issued to the vehicle.

*Subd. 6. [EVALUATION AND REPORTS.] The commissioner shall evaluate the project and submit a report to the legislature in January, 1981, including the following information:*

*(a) All amounts of money spent or obligated for the project by the commissioner and the persons receiving those amounts;*

*(b) The types of service provided, number of individuals served and areas covered;*

*(c) A comparison of the cost of providing different types of service;*

*(d) A review of the achievements or failures of the project, problems encountered in implementation and conclusions and recommendations concerning future action.*

*The commissioner shall submit a preliminary report to the legislature in January, 1980, covering the above information to the extent it is available at that time.*

*Subd. 7. [EXPIRATION OF PROJECT.] The project shall expire June 30, 1981, and the commissioner shall not enter a contract or make any grant the proceeds of which may be expended for the purpose of implementing or continuing the project beyond June 30, 1981.*

Sec. 4. Minnesota Statutes 1978, Section 174.23, is amended by adding a subdivision to read:

*Subd. 6. [DRIVER TRAINING.] The commissioner may make grants to any project eligible for assistance under sections 174.24 to 174.27, for the purpose of training drivers of vehicles operated by the project. The subjects of the training may include safe driving skills, techniques of assisting elderly and handicapped passengers and first aid. The commissioner may also contract with a public or private agency or institution to provide driver training to drivers of vehicles utilized by eligible projects.*

Sec. 5. Minnesota Statutes 1978, Chapter 174, is amended by adding a section to read:

[174.255] [PARATRANSIT PROGRAMS; ACCESSIBILITY; INSURANCE.] *Subdivision 1. [HANDICAPPED ACCESSIBILITY.] The commissioner shall require any paratransit project receiving assistance under section 174.24 or 174.25 which includes the operation of two or more vehicles other than automobiles or taxis to provide at least one vehicle that is ac-*

*cessible to handicapped individuals and may require additional accessible vehicles if necessary to serve handicapped individuals expected to use the project. A vehicle is accessible if it is equipped to allow transportation of an individual confined to a wheelchair or using an orthopedic device.*

*Subd. 2. [ASSISTANCE IN OBTAINING INSURANCE.] In order to reduce the expense of liability insurance required for paratransit projects eligible for assistance under sections 174.24 and 174.25 the commissioner shall investigate the causes of high liability insurance costs and shall take the appropriate administrative action to assist paratransit projects to obtain liability insurance coverage from qualified insurance carriers at the lowest available cost. Appropriate administrative action includes: (a) taking bids from and negotiating and entering into contracts with qualified carriers to provide liability insurance for eligible paratransit projects that wish to be covered; or (b) providing technical and administrative assistance to eligible paratransit projects to assist them in securing low cost liability insurance.*

Sec. 6. Minnesota Statutes 1978, Section 256B.04, Subdivision 12, is amended to read:

*Subd. 12. Place limits on the types of services covered by medical assistance, the frequency with which the same or similar services may be covered by medical assistance for an individual recipient, and the amount paid for each covered service. The state agency shall promulgate rules, including temporary rules, establishing maximum reimbursement rates for emergency and non-emergency (AMBULANCE) transportation.*

*The rules shall provide:*

*(a) An opportunity for all recognized transportation providers to be reimbursed for non-emergency transportation consistent with the maximum rates established by the agency;*

*(b) Reimbursement of public and private nonprofit providers serving the handicapped population generally at reasonable maximum rates that reflect the cost of providing the service regardless of the fare that might be charged by the provider for similar services to individuals other than those receiving medical assistance or medical care under this chapter; and*

*(c) Reimbursement for each additional passenger carried on a single trip at a substantially lower rate than the first passenger carried on that trip.*

*The commissioner shall encourage providers reimbursed under this chapter to coordinate their operation with similar services that are operating in the same community. To the extent*

*practicable, the commissioner shall encourage eligible individuals to utilize less expensive providers capable of serving their needs.*

*For the purpose of this subdivision and section 256B.02, subdivision 8, and effective on January 1, 1981, "recognized providers of transportation services" means any operator of special transportation service as defined in section 1 that has been issued a current certificate of compliance with operating standards of the department of transportation or, if those standards do not apply to an operator, that the agency finds is able to provide the required transportation in a safe and reliable manner. Until January 1, 1981, "recognized transportation providers" includes any operator of special transportation service that the agency finds is able to provide the required transportation in a safe and reliable manner.*

Sec. 7. [EFFECTIVE DATE.] *This act is effective the day following final enactment.*"

Amend the title as follows:

Line 24, delete "256B.02, Subdivision"

Line 25, delete "8" and insert "174.23, by adding a subdivision"

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 General Legislation and Veterans Affairs to which was referred:

H. F. No. 1244, A bill for an act memorializing the Federal Republic of Germany to repeal the statute of limitations for Nazi crimes.

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. 1246, A bill for an act relating to insurance; providing for changes in the operation and funding of the comprehensive health association; requiring identification of certain insurers; setting premium standards; amending Minnesota Stat-

utes 1978, Sections 62E.02, Subdivision 10, and by adding a subdivision; 62E.04, Subdivision 4; 62E.08; 62E.10; 62E.11; 62E.13, Subdivision 2; 62E.14, Subdivision 1; and Chapter 62E, by adding a section.

Reported the same back with the following amendments:

Page 2, line 33, after "of" insert "*the offer of*"

Page 3, line 9, delete "*maximum*"

Page 3, line 10, after "be" insert "*up to a maximum of*"

Page 3, line 14, delete "*maximum*"

Page 3, line 15, after "be" insert "*up to a maximum of*"

Page 3, line 19, delete "*maximum*"

Page 3, line 20, after "be" insert "*up to a maximum of*"

Page 4, line 1, delete "*such*"

Page 4, line 5, after the period insert "*Subject to this subdivision, the commissioner shall include any insurer operating pursuant to chapter 62C in establishing the premium.*"

Page 6, delete the new language and reinstate the stricken language

Page 8, line 1, delete "7" and insert "8"

Page 10, line 29, after the period insert "*The commissioner shall annually, on or before January 15, report to the chairmen of the senate finance, house appropriations, senate commerce and house financial institutions and insurance committees as to the total amount of premium tax offset claimed by contributing members during the preceding calendar year.*"

Page 12, after line 10, insert a new section to read:

"Sec. 10. [REPEALER.] *Minnesota Statutes 1978, Section 62E.10, Subdivision 5, is repealed.*"

Renumber the subsequent section

Amend the title as follows:

Page 1, line 10, before the period insert "; repealing Minnesota Statutes 1978, Section 62E.10, Subdivision 5"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1251, A bill for an act relating to public welfare; prohibiting denial or reduction of benefits under certain private health care plans to public assistance recipients; providing subrogation rights for counties to recover costs of services provided; amending Minnesota Statutes 1978, Sections 62A.045; 62C.141; 62E.04, Subdivision 8; 64A.221; and Chapter 393, 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.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1256, A bill for an act relating to fire insurance; repealing certain requirements for examination and appraisal of insured structures; repealing Minnesota Statutes 1978, Section 65A.08, Subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 1289, A bill for an act relating to public welfare; requiring certain recipients of state aid for medical care to authorize the commissioner of public welfare to have access to their medical records for certain purposes; authorizing the commissioner to promulgate certain rules related to investigation of fraud perpetrated by health care vendors; authorizing certain sanctions against fraudulent vendors; authorizing the commissioner to institute an action to recover moneys wrongfully paid; amending Minnesota Statutes 1978, Sections 62E.53, by adding a subdivision; 62E.54, Subdivision 1; 256.01, by adding a subdivision; 256B.04, Subdivision 10; 256B.064, Subdivision 2, and by adding subdivisions; 256B.27, Subdivisions 3 and 4; 256D.-03, Subdivision 3; and 256D.05, by adding a subdivision.



Reported the same back with the following amendments:

Page 2, line 8, after the period insert "*The vendor of medical care shall receive notification from the commissioner at least 24 hours before the commissioner gains access to the records.*"

Page 3, delete lines 3 to 33

Page 4, delete line 1

Page 4, after line 14, insert a new section to read:

"Sec. 5. Minnesota Statutes 1978, Section 256B.04, is amended by adding a subdivision to read:

*Subd. 13. Each person appointed by the commissioner to participate in decisions whether medical care to be provided to eligible recipients is medically necessary shall abstain from participation in those cases in which he (a) has issued treatment orders in the care of the patient or participated in the formulation or execution of the patient's treatment plan or (b) has, or a member of his family has, an ownership interest of five percent or more in the institution that provided or proposed to provide the services being reviewed."*

Page 4, line 22, after "determine" insert "*monetary amounts to be recovered and*"

Page 4, line 24, delete "for" and insert "upon"

Page 4, line 25, delete "*improper conduct by*" and after "*care*" insert "*for conduct described by subdivision 1a of section 6*"

Page 4, line 25, strike "No vendor of"

Page 4, line 26, strike the old language and delete the new language and insert "*Neither a monetary recovery nor a sanction will be sought by the*"

Page 4, line 30, after "*care*" insert "*, except a nursing home or convalescent care facility,*"

Page 5, line 2, after "*may*" insert "*seek monetary recovery and*"

Page 5, line 6, before "*presentment*" insert "*a pattern of*"

Page 5, line 7, after the semicolon delete "*false statement*" and insert "*a pattern of making false statements*"

Page 5, line 11, after "access" insert "*during regular business hours*"

Page 5, line 13, after the period insert "*No sanction may be imposed or monetary recovery obtained against any vendor of nursing home or convalescent care for providing services not medically necessary when the services provided were ordered by a licensed health professional not an employee of such vendor. The determination of abuse or services not medically necessary shall be made by the commissioner in consultation with a review organization as defined in section 145.61 or other provider advisory committees as appointed by the commissioner on the recommendation of appropriate professional organizations.*"

Page 5, delete line 18

Page 5, line 19, delete "*from future payments any moneys erroneously paid,*"

Page 5, after line 20, insert

*"Subd. 1c. The commissioner may obtain monetary recovery for the conduct described in subdivision 1a by the following methods: assessing and recovering moneys erroneously paid and debiting from future payments any moneys erroneously paid except that patterns of false claims, duplicate claims, claims for services not medically necessary, and false statements need not be proven as a precondition to monetary recovery"*

Page 5, line 32, after the period insert "*The vendor of medical care shall receive notification from the commissioner at least 24 hours before the commissioner gains access to the records.*"

Page 6, line 18, delete "No" and insert "A"

Page 6, line 20, after "records" insert "*unless the vendor already has received written authorization*"

Page 8, line 10, delete "No" and insert "*The vendor of medical care shall receive notification from the commissioner at least 24 hours before the commissioner gains access to the records. A*"

Page 8, line 12, after "records" insert "*unless the vendor already has received written authorization*"

Renumber sections in sequence

Further, amend the title:

Line 14, delete "256.01, by adding a subdivision;"

Line 15, after "10" insert ", and by adding a subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1295, A bill for an act memorializing the President and Secretary of State of the United States to urge the German Federal Republic to abolish or extend the statute of limitations on Nazi war crimes.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 1300, A bill for an act relating to human services; eliminating certain minimum population requirements related to human services boards; authorizing county boards to be human services boards; amending Minnesota Statutes 1978, Sections 402.01, Subdivision 1; and 402.02.

Reported the same back with the following amendments:

Page 2, line 3, delete "*in counties in which*"

Page 2, lines 4 and 5, delete all the new language

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 1308, A bill for an act relating to children; requiring reports of neglect and sexual abuse of children; amending Minnesota Statutes 1978, Section 626.556, Subdivision 2.

Reported the same back with the following amendments:

Page 1, lines 21 and 22, delete the new language

Page 1, line 21, after "care" insert "*or failure to protect a child from conditions or actions which seriously endanger the child's health or welfare*"

Page 2, line 1, delete the new language

With the recommendation that when so amended the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 1313, A bill for an act relating to commerce; setting a time limit on requests for hearings on orders denying, revoking or suspending franchises; amending Minnesota Statutes 1978, Section 80C.12, Subdivision 2.

Reported the same back with the following amendments:

Page 2, after line 6, insert:

"Sec. 2. Minnesota Statutes 1978, Section 82.21, Subdivision 1, is amended to read:

82.21 [FEES.] Subdivision 1. [AMOUNTS.] The following fees shall be paid to the commissioner:

(a) A fee of \$50 for each initial individual broker's license, and a fee of \$25 for each annual renewal thereof;

(b) A fee of \$25 for each initial salesperson's license, and a fee of \$10 for each annual renewal thereof;

(c) A fee of \$50 for each initial corporate or partnership license, and a fee of \$25 for each annual renewal thereof;

((D) A FEE OF \$10 FOR EACH EXAMINATION TAKEN TO SATISFY THE REQUIREMENTS OF THIS CHAPTER;)

((E)) (d) A fee not to exceed \$20 per year for payment to the education, research and recovery fund in accordance with section 82.34;

((F)) (e) A fee of \$10 for each transfer.

Sec. 3. Minnesota Statutes 1978, Section 82.22, Subdivision 1, is amended to read:

82.22 [EXAMINATIONS.] Subdivision 1. [GENERALLY.] Each applicant for a license must pass an examination conducted by the commissioner. The examinations shall be of sufficient scope to establish the competency of the applicant to act as a real estate broker or as a real estate salesperson. (ANY APPLICANT WHO FAILS TO PASS THE EXAMINATION FOR A REAL ESTATE SALESPERSON'S LICENSE AFTER TWO ATTEMPTS MAY NOT TAKE ANOTHER EXAMINATION PRIOR TO THE EXPIRATION OF SIX MONTHS FROM THE TIME THE APPLICANT TOOK THE LAST EXAMINATION.)

Sec. 4. Minnesota Statutes 1978, Section 332.311, is amended to read:

332.311 [TRANSFER OF ADMINISTRATIVE FUNCTIONS.] The powers, duties, and responsibilities of the (DEPARTMENT OF LABOR AND INDUSTRY) *consumer services section* under sections 332.31 to 332.45 relating to collection agencies are hereby transferred to and imposed upon the (SECTION OF CONSUMER SERVICES) *commissioner of securities* in the department of commerce.

Sec. 5. Minnesota Statutes 1978, Section 332.43, Subdivision 1, is amended to read:

332.43 [DELINQUENT COLLECTION AGENCIES.] Subdivision 1. If the (CONSUMER SERVICES SECTION) *commissioner* shall determine that a licensee is insolvent or that he has collected accounts but has failed to remit money due to any claimant (OR FORWARDER) within (60) 45 days from the end of the month in which collection was made, or when the license of a collection agency has expired or terminated for any reason whatsoever, the (CONSUMER SERVICES SECTION) *commissioner*, if (IT) *he* shall determine such action necessary to protect the public interest, may apply to the district court for the county in which the main office of such agency is located for (AN ORDER AUTHORIZING IT TO TAKE POSSESSION OF THE ASSETS AND THE BOOKS AND RECORDS) *appointment of a receiver to receive the assets* of the licensee for the purpose of liquidating or rehabilitating its business and or for such other relief as the nature of the case and the interest of the claimants (OR FORWARDERS) may require. (THE COURT, AFTER CITING THE LICENSEE TO SHOW CAUSE WHY THE CONSUMER SERVICES SECTION SHOULD NOT BE AUTHORIZED TO TAKE POSSESSION OF THE ASSETS AND BOOKS OF ACCOUNT AND RECORDS FOR THE PURPOSE OF LIQUIDATING OR REHABILITATING THE BUSINESS OF THE LICENSEE, AND AFTER HEARING THE ALLEGATIONS AND PROOFS OF THE PARTIES AND DETERMINING THE FACTS, MAY UPON THE MERITS DISMISS THE APPLICATION, ORDER THE CONSUMER SERVICES SECTION TO ACT AS TRUSTEE

FOR THE REHABILITATION OF SUCH AGENCY, OR, IF IT SHALL FIND SUCH ACTION NECESSARY FOR THE PROTECTION OF THE PUBLIC, ISSUE ITS ORDER AUTHORIZING THE CONSUMER SERVICES SECTION TO TAKE POSSESSION OF THE SAID BOOKS AND RECORDS AND OR TO LIQUIDATE THE BUSINESS AND OR GRANTING SUCH OTHER RELIEF AS IT MAY DEEM NECESSARY UNDER THE CIRCUMSTANCES.) *The reasonable and necessary expenses of the receivership shall constitute the first claim on the bond.*

Sec. 6. *In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall make such changes in terminology as may be required to record the powers, duties and responsibilities which are transferred by section 4.*

Sec. 7. *Minnesota Statutes 1978, Sections 332.31, Subdivisions 4 and 5; and 332.43, Subdivisions 2 and 3, are repealed."*

Renumber the remaining sections

Delete the title in its entirety and insert:

"A bill for an act relating to commerce; making a variety of changes in the administrative duties of the department of commerce; setting a time limit on requests for hearings on orders denying, revoking or suspending franchises; eliminating certain real estate license examination requirements; transferring and amending certain administrative powers relating to collection agencies; amending Minnesota Statutes 1978, Sections 80C.12, Subdivision 2; 82.21, Subdivision 1; 82.22, Subdivision 1; 332.311; 332.43, Subdivision 1; repealing Minnesota Statutes 1978, Sections 332.31, Subdivisions 4 and 5; 332.43, Subdivisions 2 and 3."

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1329, A bill for an act relating to aeronautics; providing representation for affected communities on airport zoning boards; regulating the process of airport zoning; amending Minnesota Statutes 1978, Sections 360.061, Subdivision 3; 360.063, Subdivision 3; and 360.065.

Reported the same back with the following amendments:

Page 2, line 11, before the period insert "*except as provided in clause (5) for a request by a metropolitan airports commission*"

Page 3, line 5, after "*refuse*" insert "*after notice by certified mail*"

Page 3, line 30, after "*commission*" insert "*, including the metropolitan airport commission operating under chapter 473,*"

Page 3, line 30, strike "*may*" and insert "*shall*"

Page 3, line 32, strike "*or for the entire system of airports*"

Page 4, line 12, before "*Notice*" insert "*The authority shall publish*"

Page 4, line 13, strike "*shall be published*"

Page 4, line 25, after the period insert:

*"At least 15 days notice of each hearing shall be given personally or by mail by the authority to persons or municipalities who own land any portion of which is located within an area proposed to be included in a safety zone A or B as described by rules of the commissioner or as proposed by the zoning authority and to persons and municipalities who have previously requested to receive such notice from the authority."*

Page 5, after line 17, insert

"Sec. 4. Minnesota Statutes 1978, Section 473.608, is amended by adding a subdivision to read:

*Subd. 21. The corporation shall establish one joint airport zoning board for each airport operated under its authority in accordance with section 360.063, subdivision 3, clause (5).*

*Sec. 5. In assessing the need for the establishment of a new airport in the metropolitan area, as defined in section 473.121, the metropolitan airports commission shall consider the city of St. Cloud municipal airport as a possible site and shall report to the metropolitan council any amendments to the aviation chapter of the metropolitan development guide which would be necessary to implement the St. Cloud site."*

Renumber the remaining section

Amend the title as follows:

Page 1, line 4, after the semicolon insert "*directing the metropolitan airports commission to consider a certain alternative;*"

Page 1, line 6, delete "and", and after "360.065" insert "; and 473.608, 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.

Wigley from the Committee on Energy and Utilities to which was referred:

H. F. No. 1331, A bill for an act relating to energy; establishing and empowering a commission on nuclear power; appropriating funds.

Reported the same back with the following amendments:

Page 1, line 10, delete "19" and insert "22"

Page 1, line 18, after "housing" insert "or his designee"

Page 1, line 20, delete "public"

Page 1, line 20, after "utilities" insert "or his designee"

Page 2, line 1, after "resources" insert "or his designee"

Page 2, line 3, after "resources" insert "or his designee"

Page 2, line 4, delete "scientists" and insert "faculty members"

Page 2, line 4, after "from" insert "colleges and universities in Minnesota, including"

Page 2, line 10, delete the period and insert "; and"

Page 2, after line 10, insert "(10) Three representatives of the utility industry who are knowledgeable about nuclear power, appointed by the governor."

Page 2, line 20, delete "until such time as"

Page 2, delete line 21

Page 2, line 22, delete everything before the semicolon

Page 2, line 26, after "the" insert "President's Blue Ribbon Commission and the"

Page 3, line 9, delete "January" and insert "February"



Page 3, line 19, delete "1" and insert "30"

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. 1377, A bill for an act relating to financial institutions; providing intervals for examination of institutions by state or federal agencies; amending Minnesota Statutes 1978, Section 46.04.

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 Labor-Management Relations to which was referred:

H. F. No. 1392, A bill for an act relating to labor; requiring operators of motor vehicles to stop and proceed with caution at certain entrances and exits.

Reported the same back with the following amendments:

Page 1, line 11, after the period insert:

"Sec. 2. This act is effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1411, A bill for an act relating to Beltrami County; providing for disposition of the proceeds from the sale or rental of tax forfeited lands or from the sale of their products; increasing the amount that may be spent for promotion of tourist, agricultural and industrial developments; amending Laws 1967, Chapter 558, Section 1, Subdivision 5.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1436, A bill for an act relating to the city of Currie in Murray County; authorizing the city to convey lands to a private individual, group or corporation.

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 General Legislation and Veterans Affairs to which was referred:

S. F. No. 61, A bill for an act relating to elections; further prescribing conditions for automatic recounts in certain election contests; amending Minnesota Statutes 1978, Sections 204A.51, Subdivisions 2 and 3; and 204A.53, 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. 8, 90, 148, 150, 184, 192, 213, 220, 531, 547, 573, 607, 649, 695, 699, 797, 863, 875, 915, 921, 966, 1018, 1062, 1074, 1093, 1119, 1157, 1206, 1212, 1220, 1244, 1251, 1256, 1289, 1295, 1300, 1308, 1313, 1329, 1377, 1392, 1411 and 1436 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 719 and 61 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Onnen; Nelsen, M.; Redalen, Patton and Valento introduced:

H. F. No. 1474, A bill for an act relating to taxation; providing a tax credit to certain utilities for the cost of criminal damage to property; amending Minnesota Statutes 1978, Chapter 273, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Enebo, Battaglia, Patton and Wenzel introduced:

H. F. No. 1475, A bill for an act relating to occupational licensing; expanding the membership of the board of barbers; expanding the membership of the board of cosmetology; providing for the use of apprentice barbers; eliminating prohibition against unfair trade practices; providing for a study of state regulatory practices; appropriating money; amending Minnesota Statutes 1978, Sections 154.03; 154.22; 155.04; and 155.05; repealing Minnesota Statutes 1978, Chapter 186.

The bill was read for the first time and referred to the Committee on Governmental Operations.

McEachern, Tomlinson, and Reding introduced:

H. F. No. 1476, A bill for an act relating to education; providing for computer based education for certain schools; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

McEachern, Ainley, Thiede, Fjoslien and Jennings introduced:

H. F. No. 1477, A bill for an act relating to towns; providing for the date and notice of town meetings; amending Minnesota Statutes 1978, Section 365.51.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Greenfield, Long, Clark, Kahn and Berglin introduced:

H. F. No. 1478, A bill for an act relating to health; requiring physicians to give certain advice to their pregnant patients who are 40 years old or older; amending Minnesota Statutes 1978, Chapter 145, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Niehaus, Hokanson, Esau, Berglin and Blatz introduced:

H. F. No. 1479, A bill for an act relating to general assistance; eliminating the notarizing requirement for general assistance applications; amending Minnesota Statutes 1978, Section 256D.07.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Otis, Levi, Norton, Nelson and Sieben, M., introduced:

H. F. No. 1480, A bill for an act relating to education; providing for pilot programs to reduce sexual stereotyping in education and discrimination on the basis of sex in education; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Sieben, H.; Rose; Norton; Patton and Heap introduced:

H. F. No. 1481, A bill for an act relating to courts; providing for judicial salaries; amending Minnesota Statutes 1978, Section 15A.083, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Haukoos, McDonald, Osthoff, Swanson and Jennings introduced:

H. F. No. 1482, A bill for an act relating to elections; regulating public financing of election campaigns; requiring loan repayments in an election year to be counted against certain contributions and approved expenditure limits; removing obsolete provisions; amending Minnesota Statutes 1978, Section 10A.32, Subdivision 3.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Pavlak introduced:

H. F. No. 1483, A bill for an act relating to landlords and tenants; specifying certain notice provisions related to termination of estates at will; amending Minnesota Statutes 1978, Section 504.06.

The bill was read for the first time and referred to the Committee on Judiciary.

Pavlak introduced:

H. F. No. 1484, A bill for an act relating to metropolitan government; providing for the management of metropolitan transit facilities; amending Minnesota Statutes 1978, Section 473.405, Subdivision 1; repealing Minnesota Statutes 1978, Section 473.405, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Olsen, Kelly, Heap, Swanson and Metzen introduced:

H. F. No. 1485, A bill for an act relating to education; establishing a loan forgiveness program for certain students; eliminating a restriction on the student loan program; appropriating money; repealing Minnesota Statutes 1978, Section 136A.17, Subdivision 11.

The bill was read for the first time and referred to the Committee on Education.

Voss and Simoneau introduced:

H. F. No. 1486, A bill for an act relating to administrative rules; providing for the effect of the failure of the legislature to enact a bill repealing a suspended rule; amending Minnesota Statutes 1978, Section 3.965, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Lehto, Jaros, Berkelman and Munger introduced:

H. F. No. 1487, A bill for an act relating to local government; regulating elections in the city of Duluth and Independent School District 709; setting the filing dates in local primary elections back four weeks to allow the city additional time to prepare.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Minne, Elioff, Jaros and Lehto introduced:

H. F. No. 1488, A bill for an act relating to St. Louis County; providing authority to negotiate public employees wages; amending Laws 1941, Chapter 423, Section 5, as amended.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Laidig, by request, introduced:

H. F. No. 1489, A bill for an act relating to pollution; providing state funds to the department of natural resources for a certain pilot study project and water control project in Washington County; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Pavlak introduced:

H. F. No. 1490, A bill for an act relating to public employees; protecting civil service personnel disclosing certain information; providing duties for the legislative auditor and state auditor; amending Minnesota Statutes 1978, Sections 3.971, Subdivision 1; 3.972; 3.974; 3.975; 43.24, Subdivision 1; Chapters 6, by adding a section; 43, by adding a section; 44, by adding a section; 125, by adding a section; 375, by adding a section; 419, by adding a section; and 420, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Clark, Jacobs, Clawson, Rose and Kaley introduced:

H. F. No. 1491, A bill for an act relating to health; regulating the occupations of physical therapist and physical therapist assistant; amending Minnesota Statutes 1978, Sections 148.65; 148.67; 148.70; 148.71; 148.72; 148.73; 148.74; 148.75; 148.76; 148.77; 148.78; and Chapter 148, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Kahn, Forsythe, Crandall, Byrne and Jude introduced:

H. F. No. 1492, A bill for an act relating to guardianship; establishing criteria for the selection of guardians and conservators; amending Minnesota Statutes 1978, Section 525.544.

The bill was read for the first time and referred to the Committee on Judiciary.

Pehler introduced:

H. F. No. 1493, A bill for an act relating to taxation; income; providing for annual adjustments of income brackets for individuals, estates and trusts according to the impact of inflation at different levels of income; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Lehto, Jaros and Berkelman introduced:

H. F. No. 1494, A bill for an act relating to the city of Duluth; defining construction powers of the Spirit Mountain Area Authority; amending Laws 1973, Chapter 327, Section 5, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Sieben, H., introduced:

H. F. No. 1495, A bill for an act relating to taxation; assigning administration and enforcement of the Minnesota unfair cigarette sales act to the commissioner of revenue; amending Minnesota Statutes 1978, Section 270.06.

The bill was read for the first time and referred to the Committee on Taxes.

Kempe, by request, introduced:

H. F. No. 1496, A bill for an act relating to education; providing for scholarships for certain American students of Mexican, Puerto Rican, Cuban or Spanish ancestry; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Jacobs introduced:

H. F. No. 1497, A bill for an act relating to taxation; income tax; increasing the standard deduction; amending Minnesota Statutes 1978, Section 290.09, Subdivision 15.

The bill was read for the first time and referred to the Committee on Taxes.

Kempe, McDonald, Wieser, Nysether and Wenzel introduced:

H. F. No. 1498, A bill for an act relating to health; prescribing procedures for notification of parents, guardians, and conservators prior to performing abortions on certain persons; providing a penalty; amending Minnesota Statutes 1978, Section 144.343.

The bill was read for the first time and 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 Files, herewith returned:

H. F. No. 103, A bill for an act relating to highway traffic regulations; allowing loads of round baled hay with a width of 11-1/2 feet to be transported pursuant to permit; amending Minnesota Statutes 1978, Chapter 169, by adding a section.

H. F. No. 843, A bill for an act relating to housing and redevelopment authorities; providing that by agreement a housing and redevelopment authority may exercise powers in a county or municipality which has no active housing and redevelopment authority; amending Minnesota Statutes 1978, Section 462.445, Subdivision 5.

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. 167, A bill for an act relating to the city of Virginia; extending an eligibility deadline for special funding for the improvement of a segment of a certain municipal state-aid street within the city.

H. F. No. 297, A bill for an act relating to the city of Chisholm; exempting volunteer firefighters from civil service commission jurisdiction.

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. 523, A bill for an act relating to public health; prescribing fees for diagnostic laboratory services provided by the department of health; providing exemptions for charging fees; authorizing the commissioner of health to promulgate rules; amending Minnesota Statutes 1978, Chapter 144, 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. 486, A bill for an act relating to usury; removing the expiration date from the law authorizing flexible interest rates on home loans; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 4, 6 and 9.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Adams moved that the House concur in the Senate amendments to H. F. No. 486 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 486, A bill for an act relating to usury; extending the expiration date on the law authorizing flexible interest rates on home loans; regulating assumptions of certain mortgages; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 4, 6 and 9.

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 117 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Jennings	Metzen	Rees
Adams	Drew	Johnson, C.	Moe	Reif
Ainley	Eken	Johnson, D.	Munger	Rose
Albrecht	Ellingson	Jude	Murphy	Rothenberg
Anderson, B.	Erickson	Kahn	Nelsen, B.	Sarna
Anderson, D.	Esau	Kaley	Nelson	Searles
Anderson, G.	Evans	Kalis	Niehaus	Sherwood
Anderson, I.	Ewald	Kelly	Norman	Simoneau
Anderson, R.	Faricy	Kempe	Norton	Stadum
Berglin	Fjoslien	Knickerbocker	Novak	Stoa
Berkelman	Forsythe	Kostohryz	Nysether	Stowell
Biersdorf	Friedrich	Kvam	Olsen	Swiggum
Blatz	Fritz	Laidig	Onnen	Swanson
Brinkman	Fudro	Lehto	Otis	Thiede
Carlson, D.	Greenfield	Levi	Patton	Tomlinson
Carlson, L.	Halberg	Long	Pavlak	Valan
Casserly	Haukoos	Ludeman	Pehler	Valento
Clark	Heinitz	Luknic	Peterson	Vanasek
Clawson	Hoberg	McCarron	Piepho	Voss
Crandall	Hokanson	McDonald	Pleasant	Waldorf
Dean	Jacobs	McEachern	Redalen	Weaver
Dempsey	Jaros	Mehrkens	Reding	Welch

Welker	Wieser	Wynia	Zubay	Speaker Searle
Wenzel	Wigley			

Those who voted in the negative were:

Battaglia	Byrne	Kroening	Nelsen, M.	Prahl
Begich	Enebo	Minne	Osthoff	Rice

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 572, A bill for an act relating to the city of Bloomington; authorizing additional on-sale liquor licenses.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Bang, Spear and Solon 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

Peterson moved that the House accede to the request of the Senate for the appointment of a Conference Committee except that the Speaker shall appoint 2 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 2 members to a Conference Committee to meet with the committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 572. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 668

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. 919.

**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. 263 and 1149.

**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. 27 and 119.

**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. 687, 757 and 779.

**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. 618 and 1245.

**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. 683, 737 and 807.

**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. 799, 801, 856 and 920.

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. 364.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 668, A bill for an act relating to Blue Earth, Redwood, Kandiyohi, and Renville Counties; authorizing the counties to enter into various agreements for acquisition of property; amending Laws 1973, Chapter 38, Section 1.

The bill was read for the first time.

Piepho moved that S. F. No. 668 and H. F. No. 579, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 919, A bill for an act relating to the town of Winona; providing for the employment of building officials by the town of Winona.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 263, A bill for an act relating to transportation; authorizing the commissioner to grant variances from county state-aid highway and municipal state-aid street rules and engineering standards subject to contested case procedures; amending Minnesota Statutes 1978, Sections 162.02, by adding a subdivision; 162.07, Subdivision 2; 162.09, by adding a subdivision; and 162.13, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 1149, A bill for an act relating to workers' compensation; allowing certain owners and partners of farms or businesses, and their close relatives, to elect workers' compensation coverage; amending Minnesota Statutes 1978, Sections 176.012; and 176.041, Subdivision 1.

The bill was read for the first time.

Kalis moved that S. F. No. 1149 and H. F. No. 1157, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 27, A bill for an act relating to financial institutions; defining reverse mortgage loans; authorizing investments in reverse mortgage loans by certain financial institutions and insurance companies; providing tax deductions for accrued interest on reverse mortgage loans; allowing lenders to include accrued earned interest on such loans in their yearly earned income under certain circumstances; amending Minnesota Statutes 1978, Section 290.09, Subdivision 3; and Chapters 47, by adding a section; and 290, 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. 119, A bill for an act relating to crimes; providing increased penalties for the receipt of stolen goods from a minor; amending Minnesota Statutes 1978, Section 609.53, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 687, A bill for an act relating to banks and banking; regulating interest rates charged by state banks; amending Minnesota Statutes 1978, Chapter 48, 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. 757, A bill for an act relating to medical assistance; clarifying availability of benefits for treatment of chemical dependency in certain residential treatment programs; amending Minnesota Statutes 1978, Section 256B.02, Subdivisions 7 and 8.

The bill was read for the first time.

Heinitz moved that S. F. No. 757 and H. F. No. 531, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 779, A bill for an act relating to commerce; regulating building movers; providing for penalties; amending Minnesota Statutes 1978, Chapter 221, by adding a section.

The bill was read for the first time.

Blatz moved that S. F. No. 779 and H. F. No. 307, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 618, A bill for an act relating to education; transferring certain functions of teacher licensing from the state board of education, the department of education and the commissioner of education to the board of teaching; eliminating the authority of the state board to require that superintendents have teaching experience; eliminating the requirement that certain rules of the board of teaching be approved by the board of education; reducing the membership of the board of teaching; requiring that the board of teaching adopt certain rules pursuant to chapter 15; eliminating certain requirements for rulemaking; providing that the expense of administering certain sections be paid for solely from appropriations made to the board of teaching; amending Minnesota Statutes 1978, Sections 125.05, Subdivisions 1 and 2; 125.08; 125.182, Subdivision 2; 125.183, Subdivisions 1 and 3; 125.185, Subdivisions 4, 4a, 6 and 9; and 179.63, Subdivisions 13 and 14; repealing Minnesota Statutes 1978, Section 125.182, Subdivision 4.

The bill was read for the first time and referred to the Committee on Education.

S. F. No. 1245, A bill for an act relating to city of Duluth; providing for the management of the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Sections 2, Subdivision 2; 5, Subdivision 4; 7, as amended; and 8.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 683, A bill for an act relating to the department of administration; requiring the commissioner of administration to prepare a budget for computer services; requiring a report prior to execution of a contract; amending Minnesota Statutes 1978, Section 16.90; repealing Minnesota Statutes 1978, Section 16.07, Subdivision 14.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 737, A bill for an act relating to game and fish; prohibiting removal or tampering with legally set traps; providing a penalty; amending Minnesota Statutes 1978, Section 100.29, by adding a subdivision.

The bill was read for the first time.

Reding moved that S. F. No. 737 and H. F. No. 592, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 807, A bill for an act relating to intoxicating liquor; authorizing Washington County to issue an off-sale license in Denmark township.

The bill was read for the first time.

Anderson, I., moved that S. F. No. 807 and H. F. No. 710, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 799, A bill for an act relating to game and fish; revocation of and ineligibility for game and fish licenses upon conviction for game and fish law violations; amending Minnesota Statutes 1978, Section 98.52, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 801, A bill for an act relating to non-alcoholic beverages; requiring laboratory examination of certain beverages; deleting registration exemption for identified beverages; amending Minnesota Statutes 1978, Section 34.05, Subdivision 1; repealing Minnesota Statutes 1978, Section 34.05, Subdivision 2.

The bill was read for the first time.

Carlson, D., moved that S. F. No. 801 and H. F. No. 716, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 856, A bill for an act relating to public health; authorizing waiver of minimum health maintenance organization requirements for demonstration projects; amending Minnesota Statutes 1978, Chapter 62D, by adding a section.

The bill was read for the first time.

Carlson, L., moved that S. F. No. 856 and H. F. No. 150, now on the technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 920, A bill for an act relating to health; changing provisions related to compensation of members of local boards of health; amending Minnesota Statutes 1978, Section 145.52, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 364, A bill for an act relating to peace officers; requiring uniform colors and identification for law enforcement motor vehicles and uniforms of peace officers and security guards; amending Minnesota Statutes 1978, Section 169.98.

The bill was read for the first time and referred to the Committee on Criminal Justice.

### CONSENT CALENDAR

H. F. No. 313, A bill for an act relating to public employees; reimbursing university systems for expenses of certain athletic leaves of absence; amending Minnesota Statutes 1978, Section 15.62, Subdivision 3.

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:

Aasness	Den Ouden	Johnson, D.	Murphy	Sarna
Adams	Drew	Jude	Nelsen, B.	Schreiber
Ainley	Eken	Kahn	Nelsen, M.	Searles
Albrecht	Elioff	Kaley	Nelson	Sherwood
Anderson, B.	Ellingson	Kalis	Niehaus	Simoneau
Anderson, D.	Enebo	Kelly	Norman	Stadum
Anderson, G.	Erickson	Kempe	Norton	Stoa
Anderson, I.	Esau	Knickerbocker	Novak	Stowell
Anderson, R.	Evans	Kostohryz	Nysether	Sviggun
Battaglia	Ewald	Kroening	Olsen	Swanson
Begich	Farcy	Kvam	Onnen	Thiede
Berglin	Fjoslien	Laidig	Osthoff	Tomlinson
Berkelman	Forsythe	Lehto	Otis	Valan
Biersdorf	Friedrich	Levi	Patton	Valento
Blatz	Fritz	Long	Paviak	Vanasek
Brinkman	Fudro	Ludeman	Pehler	Voss
Byrne	Greenfield	Luknic	Peterson	Waldorf
Carlson, D.	Halberg	Mann	Piepho	Weaver
Carlson, L.	Haukoos	McCarron	Pleasant	Welch
Casserly	Heap	McDonald	Prahl	Welker
Clark	Henitz	McEachern	Redalen	Wenzel
Clawson	Hoberg	Mehrkens	Reding	Wieser
Corbid	Hokanson	Metzen	Rees	Wigley
Crandall	Jacobs	Minne	Reif	Wynia
Dean	Jennings	Moe	Rose	Zubay
Dempsey	Johnson, C.	Munger	Rothenberg	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 386, A bill for an act relating to the range association of municipalities and schools; providing for the court standing of the association; amending Minnesota Statutes 1978, Section 471.58.



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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, C.	Murphy	Sarna
Adams	Drew	Johnson, D.	Nelsen, B.	Schreiber
Ainley	Eken	Jude	Nelsen, M.	Sherwood
Albrecht	Elioff	Kahn	Nelson	Simoneau
Anderson, B.	Ellingson	Kaley	Niehaus	Stadum
Anderson, D.	Enebo	Kelly	Norman	Stoa
Anderson, G.	Erickson	Kempe	Norton	Stowell
Anderson, I.	Esau	Knickerbocker	Novak	Swiggum
Anderson, R.	Evans	Kostohryz	Nysether	Swanson
Battaglia	Ewald	Kroening	Olsen	Thiede
Begich	Faricy	Kvam	Onnen	Tomlinson
Berglin	Fjoslien	Laidig	Osthoff	Valan
Berkelman	Forsythe	Lehto	Otis	Valento
Biersdorf	Friedrich	Levi	Patton	Vanasek
Blatz	Fritz	Long	Pavlak	Voss
Brinkman	Fudro	Ludeman	Pehler	Waldorf
Byrne	Greenfield	Luknic	Peterson	Weaver
Carlson, D.	Halberg	Mann	Piepho	Welch
Carlson, L.	Haukoos	McCarron	Pleasant	Welker
Casserly	Heap	McDonald	Prahl	Wenzel
Clark	Heinitz	McEachern	Redalen	Wieser
Clawson	Hoberg	Mehrken	Reding	Wigley
Corbid	Hokanson	Metzen	Rees	Wynia
Crandall	Jacobs	Minne	Reif	Zubay
Dean	Jaros	Moe	Rose	Speaker Searle
Dempsey	Jennings	Munger	Rothenberg	

The bill was passed and its title agreed to.

H. F. No. 508, A bill for an act relating to unemployment compensation; exempting family corporation shareholder's income from contribution rate; amending Minnesota Statutes 1978, Section 268.04, 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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Begich	Casserly	Eken	Fjoslien
Adams	Berglin	Clark	Elioff	Forsythe
Ainley	Berkelman	Clawson	Ellingson	Friedrich
Albrecht	Biersdorf	Corbid	Enebo	Fritz
Anderson, B.	Blatz	Crandall	Erickson	Fudro
Anderson, D.	Brinkman	Dean	Esau	Greenfield
Anderson, G.	Byrne	Dempsey	Evans	Halberg
Anderson, R.	Carlson, D.	Den Ouden	Ewald	Haukoos
Battaglia	Carlson, L.	Drew	Faricy	Heap

Heinitz	Lehto	Nelson	Redalen	Tomlinson
Hoberg	Levi	Niehaus	Reding	Valan
Hokanson	Long	Norman	Rees	Valento
Jacobs	Ludeman	Norton	Reif	Vanasek
Jaros	Luknic	Novak	Rose	Voss
Jennings	Mann	Nysether	Rothenberg	Waldorf
Johnson, C.	McCarron	Olsen	Sarna	Weaver
Johnson, D.	McDonald	Onnen	Schreiber	Welch
Jude	McEachern	Osthoff	Searles	Welker
Kahn	Mehrkens	Otis	Sherwood	Wenzel
Kaley	Metzen	Patton	Simoneau	Wieser
Kelly	Minne	Pavlak	Stadum	Wigley
Kempe	Moe	Pehler	Stoa	Wynia
Knickerbocker	Munger	Peterson	Stowell	Zubay
Kostohryz	Murphy	Piepho	Sviggum	Speaker Searle
Kvam	Nelsen, B.	Pleasant	Swanson	
Laidig	Nelsen, M.	Prahl	Thiede	

The bill was passed and its title agreed to.

H. F. No. 747, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1978, Sections 353.01, Subdivisions 2b, 10, 16, and 27; 353.017, Subdivision 2; 353.03, Subdivision 3; 353.29, Subdivisions 2 and 8; 353.31, Subdivision 1; 353.32, Subdivisions 1, 3, and 9; 353.33, Subdivision 1; 353.34, Subdivision 3; 353.35; 353.64, Subdivision 1; 353.65, Subdivision 2; 353.656, Subdivision 2; 353.71, 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Dean	Hokanson	McDonald	Piepho
Adams	Dempsey	Jacobs	McEachern	Pleasant
Ainley	Den Ouden	Jaros	Mehrkens	Prahl
Albrecht	Drew	Jennings	Metzen	Redalen
Anderson, B.	Eken	Johnson, C.	Minne	Reding
Anderson, D.	Elioff	Johnson, D.	Moe	Rees
Anderson, G.	Ellingson	Jude	Munger	Reif
Anderson, I.	Enebo	Kahn	Murphy	Rose
Anderson, R.	Erickson	Kaley	Nelsen, B.	Rothenberg
Battaglia	Esau	Kalis	Nelsen, M.	Sarna
Begich	Evans	Kelly	Nelson	Schreiber
Berglin	Ewald	Kempe	Niehaus	Searles
Berkelman	Faricy	Knickerbocker	Norman	Sherwood
Biersdorf	Fjoslien	Kostohryz	Norton	Simoneau
Blatz	Forsythe	Kroening	Novak	Stadum
Brinkman	Friedrich	Kvam	Nysether	Stoa
Byrne	Fritz	Laidig	Olsen	Stowell
Carlson, D.	Fudro	Lehto	Onnen	Sviggum
Carlson, L.	Greenfield	Levi	Osthoff	Swanson
Casserly	Halberg	Long	Otis	Thiede
Clark	Haukoos	Ludeman	Patton	Tomlinson
Clawson	Heap	Luknic	Pavlak	Valan
Corbid	Heinitz	Mann	Pehler	Valento
Crandall	Hoberg	McCarron	Peterson	Vanasek

Voss	Welch	Wieser	Zubay	Speaker Searle
Waldorf	Welker	Wigley		
Weaver	Wenzel	Wynia		

The bill was passed and its title agreed to.

H. F. No. 882, A bill for an act relating to pollution control; establishing processing procedures for outstanding unpaid charges for solid waste management; providing for certification of certain charges to county auditors for collection of taxes upon the lands served; amending Minnesota Statutes 1978, Section 400.08.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Simoneau
Ainley	Elioff	Kaley	Niehaus	Stadum
Albrecht	Ellingson	Kalis	Norman	Stoa
Anderson, B.	Enebo	Kelly	Norton	Stowell
Anderson, D.	Erickson	Kempe	Novak	Sviggum
Anderson, G.	Esau	Knickerbocker	Nysether	Swanson
Anderson, I.	Evans	Kostohryz	Olsen	Thiede
Anderson, R.	Ewald	Kroening	Onnen	Tomlinson
Battaglia	Faricy	Kvam	Osthoff	Valan
Begich	Fjoslien	Laidig	Otis	Valento
Berglin	Forsythe	Lehto	Patton	Vanasek
Berkelman	Friedrich	Levi	Pavlak	Voss
Biersdorf	Fritz	Long	Pehler	Waldorf
Blatz	Fudro	Ludeman	Peterson	Weaver
Brinkman	Greenfield	Luknic	Piepho	Welch
Byrne	Halberg	Mann	Pleasant	Welker
Carlson, D.	Haukoos	McCarron	Prahl	Wenzel
Carlson, L.	Heap	McDonald	Redalen	Wieser
Casserly	Heinitz	McEachern	Reding	Wigley
Clark	Hoberg	Mehrkens	Rees	Wynia
Clawson	Hokanson	Metzen	Reif	Zubay
Corbid	Jacobs	Minne	Rose	Speaker Searle
Crandall	Jaros	Moe	Rothenberg	
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	

The bill was passed and its title agreed to.

H. F. No. 954, A bill for an act relating to counties; providing for the time for certain welfare board activities; amending Minnesota Statutes 1978, Sections 393.04; and 393.08.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, C.	Munger	Rothenberg
Adams	Drew	Johnson, D.	Murphy	Sarna
Ainley	Eken	Jude	Nelsen, B.	Schreiber
Albrecht	Elioff	Kahn	Nelsen, M.	Searles
Anderson, B.	Ellingson	Kaley	Nelson	Sherwood
Anderson, D.	Enebo	Kalis	Niehaus	Simoneau
Anderson, G.	Erickson	Kelly	Norman	Stadum
Anderson, I.	Esau	Kempe	Norton	Stoa
Anderson, R.	Evans	Knickerbocker	Novak	Stowell
Battaglia	Ewald	Kostohryz	Nysether	Sviggum
Begich	Faricy	Kroening	Olsen	Swanson
Berglin	Fjoslien	Kvam	Onnen	Thiede
Berkelman	Forsythe	Laidig	Osthoff	Tomlinson
Biersdorf	Friedrich	Lehto	Otis	Valan
Blatz	Fritz	Levi	Patton	Valento
Brinkman	Fudro	Long	Pavlak	Vanasek
Byrne	Greenfield	Ludeman	Pehler	Voss
Carlson, D.	Halberg	Luknic	Peterson	Waldorf
Carlson, L.	Haukoos	Mann	Piepho	Welch
Casserly	Heap	McCarron	Pleasant	Welker
Clark	Heinitz	McDonald	Prahl	Wenzel
Clawson	Hoberg	McEachern	Redalen	Wieser
Corbid	Hokanson	Mehrkens	Reding	Wigley
Crandall	Jacobs	Metzen	Rees	Wynia
Dean	Jaros	Minne	Reif	Zubay
Dempsey	Jennings	Moe	Rose	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 1011, A bill for an act relating to labor; master and apprentice; identifying the ex officio member of the advisory council; authorizing equal opportunity in employment standards; providing for reciprocity recognition of certain programs; changing the terms of apprenticeships; changing the range in apprenticeship committee membership; amending Minnesota Statutes 1978, Sections 178.02, Subdivision 1; 178.03, Subdivision 3, and by adding a subdivision; 178.05, Subdivision 2; and 178.06.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, I.	Blatz	Clawson	Eken
Adams	Anderson, R.	Brinkman	Corbid	Elioff
Ainley	Battaglia	Byrne	Crandall	Ellingson
Albrecht	Begich	Carlson, D.	Dean	Enebo
Anderson, B.	Berglin	Carlson, L.	Dempsey	Erickson
Anderson, D.	Berkelman	Casserly	Den Ouden	Esau
Anderson, G.	Biersdorf	Clark	Drew	Evans

Ewald	Kaley	Metzen	Peterson	Swanson
Faricy	Kalis	Minne	Piepho	Thiede
Fjoslien	Kelly	Moe	Pleasant	Tomlinson
Forsythe	Kempe	Munger	Prahl	Valan
Fritz	Knickerbocker	Murphy	Redalen	Valento
Fudro	Kostohryz	Nelsen, B.	Reding	Vanasek
Greenfield	Kroening	Nelsen, M.	Rees	Voss
Halberg	Kvam	Nelson	Reif	Waldorf
Haukoos	Laidig	Niehaus	Rose	Weaver
Heap	Lehto	Norman	Rothenberg	Welch
Heinitz	Levi	Norton	Sarna	Welker
Hoberg	Long	Novak	Schreiber	Wenzel
Hokanson	Ludeman	Nysether	Searles	Wieser
Jacobs	Luknic	Olsen	Sherwood	Wigley
Jaros	Mann	Onnen	Simoneau	Wynia
Jennings	McCarron	Osthoff	Stadum	Zubay
Johnson, C.	McDonald	Otis	Stoa	Speaker Searle
Johnson, D.	McEachern	Pavlak	Stowell	
Jude	Mehrkens	Pehler	Sviggum	

The bill was passed and its title agreed to.

H. F. No. 1023, A bill for an act relating to Independent School District No. 911 ; providing for the sale of certain land.

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:

Aasness	Drew	Jude	Nelsen, B.	Schreiber
Adams	Eken	Kahn	Nelsen, M.	Searles
Ainley	Elioff	Kaley	Nelson	Sherwood
Albrecht	Ellingson	Kalis	Niehaus	Simoneau
Anderson, B.	Enebo	Kelly	Norman	Stadum
Anderson, D.	Erickson	Kempe	Norton	Stoa
Anderson, G.	Esau	Knickerbocker	Novak	Stowell
Anderson, I.	Evans	Kostohryz	Nysether	Sviggum
Anderson, R.	Ewald	Kroening	Olsen	Swanson
Battaglia	Faricy	Kvam	Onnen	Thiede
Begich	Fjoslien	Laidig	Osthoff	Tomlinson
Berglin	Forsythe	Lehto	Otis	Valento
Berkelman	Fritz	Levi	Patton	Vanasek
Biersdorf	Fudro	Long	Pavlak	Voss
Blatz	Greenfield	Ludeman	Pehler	Waldorf
Brinkman	Halberg	Luknic	Peterson	Weaver
Byrne	Haukoos	Mann	Piepho	Welch
Carlson, D.	Heap	McCarron	Pleasant	Welker
Carlson, L.	Heinitz	McDonald	Prahl	Wenzel
Casserly	Hoberg	McEachern	Redalen	Wieser
Clark	Hokanson	Mehrkens	Reding	Wigley
Clawson	Jacobs	Metzen	Rees	Wynia
Crandall	Jaros	Minne	Reif	Zubay
Dean	Jennings	Moe	Rose	Speaker Searle
Dempsey	Johnson, C.	Munger	Rothenberg	
Den Ouden	Johnson, D.	Murphy	Sarna	

Those who voted in the negative were:

Corbid

The bill was passed and its title agreed to.

H. F. No. 1063, A bill for an act relating to the city of Duluth; increasing the number of directors on the Duluth Transit Authority and permitting representation of the city of Superior, Wisconsin; amending Laws 1969, Chapter 720, Sections 1, as amended, and 11, 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelson	Sherwood
Adams	Eken	Kaley	Niehaus	Simoneau
Ainley	Elioff	Kalis	Norman	Stadum
Albrecht	Ellingson	Kelly	Norton	Stoa
Anderson, B.	Enebo	Kempe	Novak	Stowell
Anderson, D.	Erickson	Knickerbocker	Nysether	Sviggum
Anderson, G.	Esau	Kostohryz	Olsen	Swanson
Anderson, I.	Evans	Kroening	Onnen	Thiede
Anderson, R.	Ewald	Kvam	Osthoff	Tomlinson
Battaglia	Faricy	Laidig	Otis	Valan
Begich	Fjoslien	Lehto	Patton	Valento
Berglin	Forsythe	Levi	Pavlak	Vanasek
Berkelman	Fritz	Long	Pehler	Voss
Biersdorf	Fudro	Ludeman	Peterson	Waldorf
Blatz	Greenfield	Luknic	Piepho	Weaver
Brinkman	Halberg	Mann	Pleasant	Welch
Byrne	Haukoos	McCarron	Prahl	Welker
Carlson, D.	Heap	McDonald	Redalen	Wenzel
Carlson, L.	Heinitz	McEachern	Reding	Wieser
Casserly	Hoberg	Mehrkens	Rees	Wigley
Clark	Hokanson	Metzen	Reif	Wynia
Clawson	Jacobs	Minne	Rice	Zubay
Corbid	Jaros	Moe	Rose	Speaker Searle
Crandall	Jennings	Munger	Rothenberg	
Dean	Johnson, C.	Murphy	Sarna	
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	

The bill was passed and its title agreed to.

H. F. No. 898, A bill for an act relating to traffic regulation; allowing an authorized emergency vehicle to use an oscillating white light; amending Minnesota Statutes 1978, Section 169.55, 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:

Aasness	Den Ouden	Johnson, D.	Murphy	Sarna
Adams	Drew	Jude	Nelsen, B.	Schreiber
Ainley	Eken	Kahn	Nelsen, M.	Searles
Albrecht	Elioff	Kaley	Nelson	Sherwood
Anderson, B.	Ellingson	Kalis	Niehau	Simoneau
Anderson, D.	Enebo	Kelly	Norman	Stadum
Anderson, G.	Erickson	Kempe	Novak	Stoa
Anderson, I.	Esau	Knickerbocker	Nysether	Stowell
Anderson, R.	Evans	Kostohryz	Olsen	Sviggum
Battaglia	Ewald	Kroening	Onnen	Swanson
Begich	Faricy	Kvam	Osthoff	Thiede
Berglin	Fjoslien	Laidig	Otis	Tomlinson
Berkelman	Forsythe	Lehto	Patton	Valan
Biersdorf	Fritz	Levi	Pavlak	Valento
Blatz	Fudro	Long	Pepler	Vanasek
Brinkman	Greenfield	Ludeman	Peterson	Voss
Byrne	Halberg	Luknic	Piepho	Weaver
Carlson, D.	Haukoos	Mann	Pleasant	Welch
Carlson, L.	Heap	McCarron	Prahl	Welker
Casserly	Heinitz	McDonald	Redalen	Wenzel
Clark	Hoberg	McEachern	Reding	Wieser
Clawson	Hokanson	Mehrkens	Rees	Wigley
Corbid	Jacobs	Metzen	Reif	Wynia
Crandall	Jaros	Minne	Rice	Zubay
Dean	Jennings	Moe	Rose	Speaker Searle
Dempsey	Johnson, C.	Munger	Rothenberg	

The bill was passed and its title agreed to.

H. F. No. 1101, A bill for an act relating to motor vehicles; providing for the issuance of handicapped license plates; amending Minnesota Statutes 1978, Section 168.021, 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:

Aasness	Blatz	Eken	Haukoos	Kelly
Adams	Brinkman	Elioff	Heap	Kempe
Ainley	Byrne	Ellingson	Heinitz	Knickerbocker
Albrecht	Carlson, D.	Enebo	Hoberg	Kostohryz
Anderson, B.	Carlson, L.	Erickson	Hokanson	Kroening
Anderson, D.	Casserly	Evans	Jacobs	Kvam
Anderson, G.	Clark	Ewald	Jaros	Laidig
Anderson, I.	Clawson	Faricy	Jennings	Lehto
Anderson, R.	Corbid	Fjoslien	Johnson, C.	Levi
Battaglia	Crandall	Forsythe	Johnson, D.	Long
Begich	Dean	Fritz	Jude	Ludeman
Berglin	Dempsey	Fudro	Kahn	Luknic
Berkelman	Den Ouden	Greenfield	Kaley	Mann
Biersdorf	Drew	Halberg	Kalis	McCarron

McDonald	Novak	Redalen	Stadum	Weaver
McEachern	Nysether	Reding	Stoa	Welch
Mehrkens	Olsen	Rees	Stowell	Welker
Metzen	Onnen	Reif	Sviggum	Wenzel
Minne	Osthoff	Rice	Swanson	Wieser
Moe	Otis	Rose	Thiede	Wigley
Murphy	Patton	Rothenberg	Tomlinson	Wynia
Nelsen, M.	Pavlak	Sarna	Valan	Zubay
Nelson	Pehler	Schreiber	Valento	Speaker Searle
Niehaus	Peterson	Searles	Vanasek	
Norman	Piepho	Sherwood	Voss	
Norton	Prahl	Simoneau	Waldorf	

The bill was passed and its title agreed to.

H. F. No. 1268, A bill for an act relating to state lands; authorizing the conveyance of certain lands in Otter Tail County to the city of Fergus Falls.

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:

Aasness	Den Ouden	Johnson, D.	Nelsen, B.	Sarna
Adams	Drew	Jude	Nelsen, M.	Schreiber
Ainley	Eken	Kahn	Nelson	Searles
Albrecht	Elioff	Kaley	Niehaus	Sherwood
Anderson, B.	Ellingson	Kalis	Norman	Simoneau
Anderson, D.	Enebo	Kelly	Norton	Stadum
Anderson, G.	Erickson	Kempe	Novak	Stoa
Anderson, I.	Esau	Knickerbocker	Nysether	Stowell
Anderson, R.	Evans	Kostohryz	Olsen	Sviggum
Battaglia	Ewald	Kroening	Onnen	Swanson
Begich	Faricy	Kvam	Osthoff	Thiede
Berglin	Fjoslien	Laidig	Otis	Tomlinson
Berkelman	Forsythe	Lehto	Patton	Valan
Biersdorf	Fritz	Levi	Pavlak	Valento
Blatz	Fudro	Long	Pehler	Vanasek
Brinkman	Greenfield	Ludeman	Peterson	Voss
Byrne	Halberg	Luknic	Piepho	Waldorf
Carlson, D.	Haukoos	Mann	Pleasant	Weaver
Carlson, L.	Heap	McCarron	Prahl	Welch
Casserly	Heinitz	McDonald	Redalen	Welker
Clark	Hoberg	McEachern	Reding	Wenzel
Clawson	Hokanson	Mehrkens	Rees	Wieser
Corbid	Jacobs	Metzen	Reif	Wigley
Crandall	Jaros	Moe	Rice	Wynia
Dean	Jennings	Munger	Rose	Zubay
Dempsey	Johnson, C.	Murphy	Rothenberg	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 1353 was reported to the House.

There being no objection, H. F. No. 1353 was continued on the Consent Calendar one day.



H. F. No. 1381, A bill for an act relating to the county of St. Louis; permitting the sale of certain tax-forfeited land.

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 43 nays as follows:

Those who voted in the affirmative were:

Adams	Clawson	Jacobs	McCarron	Piepho
Ainley	Crandall	Jaros	McEachern	Prahl
Anderson, B.	Dempsey	Jennings	Mehrrens	Rees
Anderson, D.	Elioff	Johnson, C.	Metzen	Reif
Anderson, I.	Ellingson	Jude	Minne	Rice
Anderson, R.	Enebo	Kaley	Moe	Sarna
Battaglia	Esau	Kalis	Murphy	Searles
Begich	Ewald	Kempe	Nelsen, M.	Simoneau
Berglin	Fjoslien	Kostohryz	Norman	Tomlinson
Berkelman	Fritz	Kroening	Norton	Valan
Biersdorf	Fudro	Laidig	Nysether	Voss
Brinkman	Greenfield	Levi	Onnen	Waldorf
Byrne	Halberg	Long	Osthoff	Welch
Carlson, D.	Heap	Ludeman	Otis	Welker
Carlson, L.	Hoberg	Luknic	Pavlak	Wenzel
Clark	Hokanson	Mann	Peher	Zubay

Those who voted in the negative were:

Aasness	Erickson	McDonald	Rose	Thiede
Albrecht	Faricy	Munger	Rothenberg	Valento
Anderson, G.	Haukoos	Nelsen, B.	Schreiber	Weaver
Blatz	Heinitz	Niehaus	Sherwood	Wieser
Corbid	Johnson, D.	Novak	Stadum	Wigley
Dean	Kahn	Olsen	Stoa	Wynia
Den Ouden	Knickerbocker	Peterson	Stowell	Speaker Searle
Drew	Kvam	Pleasant	Sviggum	
Eken	Lehto	Redalen	Swanson	

The bill was passed and its title agreed to.

## CALENDAR

S. F. No. 346, A bill for an act relating to Hennepin county; authorizing the county board to self insure against claims and losses; allowing conditions of commercial insurance; repealing Laws 1971, Chapter 330.

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:

Aasness	Den Ouden	Johnson, D.	Murphy	Rothenberg
Adams	Drew	Jude	Nelsen, B.	Sarna
Ainley	Eken	Kahn	Nelsen, M.	Schreiber
Albrecht	Elioff	Kaley	Nelson	Searles
Anderson, B.	Ellingson	Kalis	Niehaus	Sherwood
Anderson, D.	Enebo	Kelly	Norman	Simoneau
Anderson, G.	Erickson	Kempe	Norton	Stadum
Anderson, I.	Esau	Knickerbocker	Novak	Stoa
Anderson, R.	Ewald	Kostohryz	Nysether	Stowell
Battaglia	Faricy	Kroening	Olsen	Svigum
Begich	Fjoslien	Kvam	Onnen	Swanson
Berglin	Forsythe	Laidig	Osthoff	Tiede
Berkelman	Friedrich	Lehto	Otis	Tomlinson
Biersdorf	Fritz	Levi	Patton	Valento
Blatz	Fudro	Long	Pavlak	Vanasek
Brinkman	Greenfield	Ludeman	Pehler	Voss
Byrne	Halberg	Luknic	Peterson	Waldorf
Carlson, D.	Haukoos	Mann	Piepho	Weaver
Carlson, L.	Heap	McCarron	Pleasant	Welch
Casserly	Heinitz	McDonald	Prahl	Welker
Clark	Hoberg	McEachern	Redalen	Wenzel
Clawson	Hokanson	Mehrkens	Reding	Wieser
Corbid	Jacobs	Metzen	Rees	Wigley
Crandall	Jaros	Minne	Reif	Wynia
Dean	Jennings	Moe	Rice	Zubay
Dempsey	Johnson, C.	Munger	Rose	Speaker Searle

The bill was passed and its title agreed to.

S. F. No. 384, A bill for an act relating to elections; providing additional compensation for election judges who travel to pick up election supplies or deliver ballots; authorizing town boards to fix the compensation of town election judges; amending Minnesota Statutes 1978, Section 204A.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 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Carlson, D.	Evans	Jennings	Ludeman
Adams	Carlson, L.	Ewald	Johnson, C.	Luknic
Ainley	Casserly	Faricy	Johnson, D.	Mann
Albrecht	Clark	Fjoslien	Jude	McCarron
Anderson, B.	Clawson	Forsythe	Kahn	McDonald
Anderson, D.	Corbid	Friedrich	Kaley	McEachern
Anderson, G.	Crandall	Fritz	Kalis	Mehrkens
Anderson, I.	Dean	Fudro	Kelly	Metzen
Anderson, R.	Dempsey	Greenfield	Kempe	Moe
Battaglia	Den Ouden	Halberg	Knickerbocker	Munger
Begich	Drew	Haukoos	Kostohryz	Murphy
Berglin	Eken	Heap	Kroening	Nelsen, B.
Berkelman	Elioff	Heinitz	Kvam	Nelsen, M.
Biersdorf	Ellingson	Hoberg	Laidig	Nelson
Blatz	Enebo	Hokanson	Lehto	Niehaus
Brinkman	Erickson	Jacobs	Levi	Norman
Byrne	Esau	Jaros	Long	Norton

Novak	Piepho	Schreiber	Thiede	Wenzel
Nysether	Pleasant	Searles	Tomlinson	Wieser
Olsen	Redalen	Sherwood	Valento	Wigley
Osthoff	Reding	Simoneau	Vanasek	Wynia
Otis	Rees	Stadum	Voss	Zubay
Patton	Reif	Stoa	Waldorf	Speaker Searle
Pavlak	Rose	Stowell	Weaver	
Pehler	Rothenberg	Sviggum	Welch	
Peterson	Sarna	Swanson	Welker	

Those who voted in the negative were:

Rice

The bill was passed and its title agreed to.

S. F. No. 361, A bill for an act relating to highway traffic regulations; regulating speed limits within school zones; prescribing penalties; amending Minnesota Statutes 1978, Section 169.14, Subdivision 5a.

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:

Aasness	Drew	Johnson, D.	Murphy	Rothenberg
Adams	Eken	Jude	Nelsen, B.	Sarna
Ainley	Elioff	Kahn	Nelsen, M.	Schreiber
Albrecht	Ellingson	Kaley	Nelson	Searles
Anderson, B.	Enebo	Kalis	Niehhaus	Sherwood
Anderson, D.	Erickson	Kelly	Norman	Simoneau
Anderson, G.	Esau	Kempe	Norton	Stadum
Anderson, I.	Evans	Knickerbocker	Novak	Stoa
Anderson, R.	Ewald	Kostohryz	Nysether	Stowell
Battaglia	Faricy	Kroening	Olsen	Sviggum
Begich	Fjoslien	Kvam	Onnen	Swanson
Berglin	Forsythe	Laidig	Osthoff	Thiede
Berkelman	Friedrich	Lehto	Otis	Tomlinson
Biersdorf	Fritz	Levi	Patton	Valento
Blatz	Fudro	Long	Pavlak	Vanasek
Brinkman	Greenfield	Ludeman	Pehler	Voss
Byrne	Halberg	Luknic	Peterson	Waldorf
Carlson, D.	Haukoos	Mann	Piepho	Weaver
Carlson, L.	Heap	McCarron	Pleasant	Welch
Casserly	Heinitz	McDonald	Prahl	Welker
Clark	Hoberg	McEachern	Redalen	Wenzel
Clawson	Hokanson	Mehrkens	Reding	Wieser
Corbid	Jacobs	Metzen	Rees	Wigley
Crandall	Jaros	Minne	Reif	Wynia
Dean	Jennings	Moe	Rice	Zubay
Dempsey	Johnson, C.	Munger	Rose	Speaker Searle

The bill was passed and its title agreed to.

Olsen 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 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. 227, 317, 614, 969, 998, 792, 912, 430, 581, 774, 900, 913 and 1214 which it recommended to pass.

S. F. Nos. 340, 728 and 219 which it recommended to pass.

H. F. Nos. 261, 944, 859, 500, 1097 and 870 which it recommended progress.

S. F. No. 118 which it recommended progress.

S. F. No. 410 which it recommended progress with the following amendment offered by McCarron:

Page 1, lines 20, 21, 22 and 23, delete the new language

Page 2, lines 1 and 2, delete the new language

Page 2, line 2, reinstate the stricken language

Further amend the title:

Line 4, delete everything after the semicolon

Line 5, delete the line

H. F. No. 564 which it recommended to pass with the following amendment offered by Voss:

Page 5, line 27, delete "(9a)" and insert "(10)"

Page 5, line 32, delete "(10)" and insert "(11)"

Page 6, line 2, delete "(11)" and insert "(12)"

Page 11, line 12, after "commitment," insert "issued on or before November 30, 1982,"

Page 11, line 24, after "her" insert "primary"

Page 11, line 24, delete "no" and insert "the"

Page 11, line 24, delete "disapprove" and insert "consent to"

Page 11, line 25, delete "sale or" and insert "subsequent"

Page 11, line 25, delete "where" and insert "if"

Page 11, line 26, delete "sale or"

Page 11, line 26, delete "directly" and insert "obligated"

Page 11, line 27, delete "liable with the purchaser"

Page 11, line 27, after "entire" insert "remaining"

Page 11, line 28, delete "may establish, as the only" and insert "shall"

Page 11, line 29, delete "condition for denying"

Page 11, line 29, delete "of"

Page 11, line 30, delete "that the person" and insert "if the transferee (1)"

Page 11, delete line 31

Page 11, line 32, delete "not meet" and insert "meets"

Page 11, line 32, delete "creditworthiness" and insert "credit worthiness"

Page 11, line 33, after "loans" insert a comma

Page 12, line 1, delete "purchaser" and insert "transferee"

Page 12, line 3, after "collateral" delete the period and insert ", and (2) executes an agreement in writing with the lender whereby the transferee assumes the obligations of the existing borrower under the loan instruments. Any such agreement shall not affect the priority, validity or enforceability of any loan instrument. A lender may charge a fee not in excess of one-tenth of one percent of the remaining unpaid principal balance in the event the loan or advance of credit is assumed by the transferee and the existing borrower continues after the transfer to be obligated for repayment of the entire assumed indebtedness. A lender may charge a fee not in excess of one percent of the re-

*maining unpaid principal balance in the event the remaining indebtedness is assumed by the transferee and the existing borrower is released from all obligations under the loan instruments."*

Page 12, line 3, strike "No conventional loan"

Page 12, line 4, strike "made on or after the"

Page 12, line 5, strike "effective date of"

Page 12, line 5, delete "*this act*"

Page 12, line 5, strike "shall"

Page 12, strike lines 6 through 8

Page 12, lines 9 to 18, strike the existing language and delete the new language

Further amend the title:

Page 1, line 3, after "loans;" insert "regulating mortgage assumptions;"

Page 1, line 7, after "adding" insert "a"

Page 1, line 7, delete "subdivisions" and insert "subdivision"

S. F. No. 493 which it recommended to pass with the following amendment offered by Swanson:

Page 1, delete lines 11 to 15 and insert:

*"Subd. 3a. When the ballot cards arrive at a counting center where votes are counted by a multiple use computer, they shall be given to the counting center election judges. If the election judges at the precinct have determined that any group of ballot cards are not defective by reason of improper write-in votes, that group of ballot cards may be counted by the automatic tabulating equipment before"*

Page 1, after line 19 insert:

*"For purposes of this subdivision, a multiple use computer is a type of automatic tabulating equipment which can perform functions other than counting votes."*

Page 2, line 9, after "votes" delete the comma.

H. F. No. 686 which it recommended to pass with the following amendment offered by Ainley:

Page 1, line 17, after "*Jackson*," delete "*and Cottonwood*" insert "*Cottonwood and Hubbard*"

H. F. No. 123 which it recommended to pass with the following amendment offered by Nelson:

Page 7, after line 17, insert:

"Sec. 8. Minnesota Statutes 1978, 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 609.342, 609.343, 609.344, or 609.345. Sexual abuse also includes any act which involves a minor which constitutes a violation of (SECTION 609.32) sections 1 to 7.

(b) "Neglect" means failure by a parent, guardian or other person responsible for a child's care to supply a child with necessary food, clothing, shelter or medical care when reasonably able to do so. 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 a parent, guardian or other person responsible for the child's care.

(d) "Report" means any report received by the local welfare agency, police department or county sheriff pursuant to this section.

Sec. 9. Minnesota Statutes 1978, Section 626A.05, Subdivision 2, is amended to read:

Subd. 2. [OFFENSES FOR WHICH INTERCEPTION OF WIRE OR ORAL COMMUNICATION MAY BE AUTHORIZED.] A warrant authorizing interception of wire or oral

communications by investigative or law enforcement officers may only be issued when such interception may provide evidence of the commission of any criminal felony offense involving murder, manslaughter, aggravated assault, aggravated robbery, kidnapping, aggravated rape, prostitution, bribery, perjury, escape from custody, theft, receiving stolen property, embezzlement, burglary, forgery, aggravated forgery, gambling, and offenses relating to controlled substances, or an attempt or conspiracy to commit any such offense or said offenses, as punishable under sections 609.185, 609.19, 609.195, 609.20, 609.225, 609.245, 609.25, 609.291, (609.32, SUBDIVISIONS 1, 2, AND 3) 1 to 7, 609.42, 609.48, 609.485, subdivision 4, clause (1), 609.52, 609.53, 609.54, 609.58, 609.625, 609.63, 609.76, 609.825, and chapter 152."

Renumber the sections

Underscore all new language in the bill

Further, amend the title as follows:

Page 1, line 9, after the second semi-colon, insert "amending Minnesota Statutes 1978, Sections 626.556, Subdivision 2; and 626A.05, Subdivision 2;"

On the motion of Sieben, H., 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:

McCarron moved to amend S. F. No. 410, as follows:

Page 1, lines 20, 21, 22 and 23, delete the new language

Page 2, lines 1 and 2, delete the new language

Page 2, line 2, reinstate the stricken language

Further amend the title:

Line 4, delete everything after the semicolon

Line 5, delete the line

The question was taken on the adoption of the amendment and the roll was called. There were 68 yeas and 58 nays as follows:



Those who voted in the affirmative were:

Aasness	Clawson	Kaley	Munger	Stowell
Adams	Corbid	Kalis	Murphy	Swanson
Anderson, B.	Eken	Kelly	Nelson	Tomlinson
Anderson, G.	Elioff	Kempe	Novak	Valan
Anderson, I.	Ellingson	Kostohryz	Osthoff	Vanasek
Battaglia	Enebo	Kroening	Patton	Voss
Begich	Friedrich	Lehto	Pehler	Waldorf
Berglin	Fudro	Long	Prahl	Welch
Berkelman	Greenfield	Ludeman	Reding	Welker
Brinkman	Hokanson	Mann	Rice	Wenzel
Byrne	Jacobs	McCarron	Sarna	Wynia
Carlson, D.	Jaros	McEachern	Simoneau	Zubay
Carlson, L.	Johnson, C.	Minne	Stadum	
Clark	Kahn	Moe	Stoa	

Those who voted in the negative were:

Ainley	Esau	Jude	Norton	Rothenberg
Albrecht	Evans	Knickerbocker	Nysether	Schreiber
Anderson, D.	Ewald	Kvam	Oisen	Searles
Anderson, R.	Fjoslien	Levi	Onnen	Sherwood
Biersdorf	Forsythe	Luknic	Otis	Svigum
Blatz	Fritz	McDonald	Pavlak	Thiede
Casserly	Halberg	Mehrkens	Peterson	Valento
Crandall	Haukoos	Metzen	Piepho	Weaver
Dean	Heap	Nelsen, B.	Pleasant	Wieser
Dempsey	Heinitz	Nelsen, M.	Redalen	Wigley
Den Ouden	Jennings	Niehaus	Rees	
Drew	Johnson, D.	Norman	Reif	

The motion prevailed and the amendment was adopted.

## MOTIONS AND RESOLUTIONS

Nelson moved that the names of Crandall, Otis, Clark and Levi be added as authors on H. F. No. 123. The motion prevailed.

Pehler moved that the name of Welch be added as an author on H. F. No. 1493. The motion prevailed.

Pavlak moved that H. F. No. 695, now on Technical General Orders, be referred to the Committee on Appropriations. The motion prevailed.

Pavlak moved that the name of Nelson be added as an author on H. F. No. 1483. The motion prevailed.

## ADJOURNMENT

Berglin moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, April 25, 1979. The motion prevailed.

Berglin moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, April 25, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## FORTY-FIRST DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 25, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Cassery	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Hokanson 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. 90, 192, 213, 531, 547, 797, 966, 1018, 1062, 1093, 1212, 1244, 1251, 1256, 1295, 1377, 1411, 1436, 8, 150, 184, 607, 863, 921, 1074, 1220, 1300, 1308, 1392, 686, 1119, 915, 1313, 1289, 1329, 649, 875, 1206, 573, 148, 220, 699, 123, 564 and 1157 and S. F. Nos. 668, 919, 263, 1149, 27, 119, 757, 779, 618, 1245, 683, 737, 807, 799, 801, 856, 687, 920, 364, 493 and 410 have been placed in the members' files.

S. F. No. 801 and H. F. No. 716, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Carlson, D., moved that S. F. No. 801 be substituted for H. F. No. 716 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 757 and H. F. No. 531, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Heinitz moved that S. F. No. 757 be substituted for H. F. No. 531 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 737 and H. F. No. 592, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Reding moved that the rules be so far suspended that S. F. No. 737 be substituted for H. F. No. 592 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1149 and H. F. No. 1157, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Kalis moved that the rules be so far suspended that S. F. No. 1149 be substituted for H. F. No. 1157 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 779 and H. F. No. 307, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Blatz moved that the rules be so far suspended that S. F. No. 779 be substituted for H. F. No. 307 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 668 and H. F. No. 579, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Piepho moved that the rules be so far suspended that S. F. No. 668 be substituted for H. F. No. 579 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 807 and H. F. No. 710, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Sieben, M., moved that the rules be so far suspended that S. F. No. 807 be substituted for H. F. No. 710 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 23, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
307		38	April 23	April 23
603		39	April 23	April 23
	157	40	April 23	April 23
	330	41	April 23	April 23
	396	42	April 23	April 23

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

#### REPORTS OF STANDING COMMITTEES

Rice from the Committee on Labor-Management Relations to which was referred:

H. F. No. 28, A bill for an act relating to migrant labor; establishing a study commission on migrant labor; appropriating money.

Reported the same back with the following amendments:

Page 1, line 12, after "workers" insert "and make appropriate legislative recommendations to the governor and the legislature"

Page 1, line 13, delete "three" and insert "four"

Page 1, line 15, delete "three" and insert "four"

Page 1, line 16, delete "three" and insert "four"

Page 1, line 17, delete "three" and insert "four"

Page 1, line 19, delete everything after the comma

Page 1, delete lines 20 and 21

Page 2, delete lines 1 and 2

Page 2, line 3, delete "the expiration of their legislative term" and insert "and the director of the Spanish speaking council"

Page 2, line 6, after the period insert "The commission shall have the advice and cooperation of the commissioners of labor and industry, economic security, health, and public welfare as necessary to the accomplishment of the purposes of this act."

Page 2, line 7, after "and" insert "legislative"

Page 2, line 12, delete "June 30" and insert "January 1"

Page 2, line 29, delete "\$18,000" and insert "\$25,000"

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 Labor-Management Relations to which was referred:

H. F. No. 29, A bill for an act relating to labor; providing for full employment and economic equity; creating an advisory council on full employment and economic equity; creating a joint full employment and economic equity committee of the legislature; prescribing certain duties and responsibilities of the governor, the legislature and executive state agencies; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [FULL EMPLOYMENT AND ECONOMIC EQUITY STUDY COMMISSION.] A study commission is created to study and report on plans and procedures which would:

(a) Implement the right of all persons who are able, willing and seeking work to have full opportunity to obtain useful paid employment at fair rates of compensation;

(b) Assert the responsibility of the state to use all practicable programs and policies designed to promote and maintain full employment, production and real income;

(c) Improve the coordination of policy making and programs within the state which affects employment;

(d) Assess the employment data needs of state and local governmental units, private groups and individuals and the capability of meeting these data needs through existing, supplementation of existing, and new data;



(e) Provide an open process under which employment goals and policies are proposed, reviewed and established, utilizing an annual report prepared by the governor and reviewed by the legislature and regular participation by a citizen advisory body;

(f) Use all practicable means which are consistent with the needs and obligations of the state, to coordinate and utilize state plans, functions and resources for the purpose of creating and maintaining full employment and the general welfare in a manner calculated to foster and promote free competitive enterprise;

(g) Ensure that certain labor force groups such as racial minorities, women, handicapped, rural workers, veterans, and the economically disadvantaged enjoy full employment to the same extent as the overall labor force of the state and to eliminate any disparities in employment among such groups; and

(h) Identify barriers to employment faced by those with employment problems, including the unemployed, underemployed and the discouraged worker.

In conducting its study, the commission shall receive full cooperation from any state department or agency from which it seeks assistance or information.

Subd. 2. The commission shall consist of four members of the house of representatives appointed in the same manner as other statutory commissions and boards, four members of the senate appointed by the subcommittee on committees, the commissioner of economic security or his designee, the commissioner of economic development or his designee, the director of the state planning agency or his designee, two representatives of labor appointed by the governor, and one representative of each of the following groups to be appointed by the governor:

- (a) Industry;
- (b) Blacks;
- (c) American Indians;
- (d) Latinos;
- (e) Women;
- (f) Agriculture;
- (g) Veterans;
- (h) Youths;

- (i) Handicapped;
- (j) Local government; and
- (k) Recipients of Public Assistance.

Members shall serve until the expiration date of this section. The compensation of non-legislator members, their removal and filling of vacancies shall be as provided in section 15.059.

Subd. 3. The commission shall report its findings and recommendations to the governor and legislature not later than September 15, 1980.

Subd. 4. The commission shall hold meetings and hearings at the times and places it designates in order to accomplish the purposes set forth in this section. It shall select a chairman and other officers from its membership as it deems necessary.

The commission shall make use of existing legislative facilities and staff but may also request that the legislative coordinating commission supply it with additional necessary staff, office space, and administrative services. All such additional personnel shall be used to assist and supplement the work of the existing legislative staff and shall as much as is practical, be integrated with existing legislative staff.

Sec. 2. [APPROPRIATION.] There is appropriated from the general fund to the legislative coordinating commission the sum of \$30,000 for the period ending December 31, 1980, to pay the expenses incurred by the study commission.

Sec. 3. Section 1 is effective the day following final enactment and shall expire December 31, 1980."

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete lines 3 to 8 and insert "creating a full employment and economic equity study commission;"

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 Labor-Management Relations to which was referred:

H. F. No. 323, A bill for an act relating to labor; requiring certain employers to provide employees with annual chest x-rays and hearing tests.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 182.653, is amended by adding a subdivision to read:

*Subd. 2A. Each employer shall provide free periodic chest x-ray examinations, audio-metric tests and pulsonary function tests to each employee engaged in an occupation for which such tests are appropriate to the purposes of subdivision 2, as determined by the commissioner of labor and industry, in consultation with the Commissioner of Health, at such intervals as he shall determine by rule. The tested employee shall be given a copy of the results of each such test conducted and shall have access to any of his medical records maintained by the firm or by any health provider in that firm's employ. The employee shall have the right to decline any chest x-ray examination without waiver of his right to subsequent chest x-ray examinations.*

Sec. 2. [EFFECTIVE DATE.] *This act is effective the day following final enactment."*

Amend the title as follows:

Page 1, line 3, delete "annual" and "and" and insert a comma after "x-rays"

Page 1, line 4, after "tests" insert "and lung tests; amending Minnesota Statutes 1978, Section 182.653, by adding a subdivision"

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. 406, A bill for an act relating to agriculture; changing the eligibility requirements for a family farm security loan; amending Minnesota Statutes 1978, Section 41.55.

Reported the same back with the following amendments:

Page 1, line 13, strike everything after "Minnesota"

Page 1, line 14, strike everything before the semi-colon

Page 1, line 21, delete "\$85,000" and insert "\$75,000"

Page 2, after line 7, insert:

"Sec. 2. Minnesota Statutes 1978, Section 41.56, is amended by adding a subdivision to read:

*Subd. 6. [SECONDARY MARKET GUARANTEES WITHOUT RECOURSE.] In the case of all family farm loan guarantees, except seller-sponsored loan guarantees, the commissioner is authorized, in his sole discretion, to extend said guarantees to a bona fide purchaser of the guaranteed portion of the note and mortgage executed by an original lender and borrower without recourse by the state of Minnesota against said bona fide purchaser of said guaranteed portion, provided the state of Minnesota is made the named beneficiary of a title insurance policy insuring marketable title to the farm land in question and the state of Minnesota is given the written opinion of original lender's counsel that the original loan transaction was fully closed, that disbursements were made correctly, that lender's security was properly perfected and constitutes a valid first lien upon the property, that original borrower's note is a valid and binding obligation, and that all conditions deemed desirable to assure the validity and legal enforceability of the note and mortgage and all agreements delivered to the original lender in connection with the original loan have been complied with satisfactorily. In the event title insurance is, as a practical matter, unavailable or an undue hardship, the commissioner is authorized, in his sole discretion, to provide said guarantee without recourse by the state of Minnesota against said bona fide purchaser provided the state of Minnesota is given the written opinion of competent local counsel concerning marketable title and the written opinion of original lender's counsel that the original loan transaction was fully closed, that disbursements were made correctly, that lender's security was properly perfected and constitutes a valid first lien upon the property, that original borrower's note is a valid and binding obligation, and that all conditions deemed desirable to assure the validity and legal enforceability of the note and mortgage and all agreements delivered to the original lender in connection with the original loan have been complied with satisfactorily. The making of such a guarantee without recourse shall not affect the rights the state of Minnesota may have with respect to the original lender, mortgagor, or any other party.*

Sec. 3. Minnesota Statutes 1978, Section 41.57, Subdivision 3, is amended to read:

*Subd. 3. [ANNUAL REVIEW OF NET WORTH.] The applicant, his dependents and spouse shall annually submit to*

the commissioner a statement of their net worth. If their net worth in any year exceeds the sum of (\$100,000) \$135,000, the applicant shall be ineligible for a payment adjustment in that year.

Sec. 4. Minnesota Statutes 1978, Chapter 41, is amended by adding a section to read:

[41.62] [INTEREST PAYMENTS: EXCLUSION FROM INCOME.] *If the seller of property is 62 years of age or older, the interest earned by the seller from a buyer who is approved by the council in meeting the eligibility criteria in section 41.55 shall be subtracted from federal adjusted gross income for purposes of chapter 290 for the year in which the interest is received. The interest earned by the seller must be paid pursuant to a contract for deed for the sale of farmland by the seller to the buyer. No family farm security loan, as defined by section 41.52, subdivision 2, need be made for the seller to qualify for the exclusion."*

Delete the title and insert:

"A bill for an act relating to agriculture; changing the eligibility requirements for a family farm security loan; changing the eligibility standards for payment adjustment received pursuant to a family farm security loan; allowing guarantees to purchasers of the mortgage executed by an original lender; providing for an exclusion from gross income for tax purposes for qualifying sellers; amending Minnesota Statutes 1978, Sections 41.55; 41.56, by adding a subdivision; 41.57, Subdivision 3; and Chapter 41, by adding a section."

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 Labor-Management Relations to which was referred:

H. F. No. 450, A bill for an act relating to public employment labor relations; removing legislative authority to modify certain agreements; amending Minnesota Statutes 1978, Section 179.74, Subdivision 5.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 703, A bill for an act relating to accountancy; providing for licensing of public accountants; prohibiting certain practices; appropriating money; providing penalties; amending Minnesota Statutes 1978, Sections 326.17; 326.18; 326.20, Subdivisions 1 and 2; and Chapter 326, by adding sections.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Chapter 326, is amended by adding a section to read:

[326.165] [BOARD OF ACCOUNTANCY.] *Subdivision 1. [PURPOSE.] It is the policy of this state to promote the dependability of information which is used for guidance in financial transactions or for accounting for or assessing the status or performance of commercial and noncommercial enterprises, whether public, private or governmental. The public interest requires that persons engaged in the practice of public accounting be qualified; that a public authority competent to prescribe and assess the qualifications of public accountants be established; that the expression of opinions on financial statements be reserved to persons who demonstrate their ability and fitness to observe and apply the standards of the accounting profession; and that the use of accounting titles likely to confuse the public be prohibited.*

*Subd. 2. [PRACTICE OF PUBLIC ACCOUNTING.] The “practice of public accounting” is: holding one’s self out to the public as skilled in the knowledge, science, and practice of accounting; or, expressing opinions on financial statements, schedules, reports, or exhibits to be used for publication, for credit purposes, for use in courts; or for other purposes involving use by third parties.*

*Subd. 3. [OPINIONS ON FINANCIAL STATEMENTS.] “Opinions expressed in accordance with generally accepted auditing standards on financial statements” are any opinions as to the fairness of presentation of information which is used for guidance in financial transactions or for accounting for or assessing the status or performance of commercial and noncommercial enterprises, whether public, private, or governmental.*

Sec. 2. Minnesota Statutes 1978, Section 326.17, is amended to read:

326.17 [BOARD OF ACCOUNTANCY.] A board of accountancy is hereby created to carry out the purposes and enforce the provisions of section 1 of this act and sections 326.17 to 326.23. It shall consist of between seven and nine citizens of this state to be appointed by the governor (, TWO OF WHOM)

*as provided in this section. Two shall be public members as defined by section 214.02 (AND), five (OF WHOM) shall be (THE HOLDERS OF CERTIFICATES ISSUED UNDER THE PROVISIONS OF SECTIONS 326.17 TO 326.23) licensed certified public accountants, and two shall be licensed public accountants under the provisions of sections 326.17 to 326.23. When the number of licensed public accountants in this state drops below 100, their representation on the board of accountancy shall drop to one and the board shall consist of two public members, five certified public accountants, and one licensed public accountant. At the time when the number of licensed public accountants in this state drops below 25, the licensed public accountants shall lose their representation on the board, except that the licensed public accountant then serving on the board shall be allowed to complete his term of office and the board shall consist of two public members and five certified public accountants. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, administrative services and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations shall be as provided in chapter 214 and (LAWS 1976, CHAPTER 222, SECTIONS 2 TO 7) sections 326.17 to 326.23.*

Sec. 3. Minnesota Statutes 1978, Section 326.18, is amended to read:

**326.18 [BOARD, DUTIES, OFFICERS, EXAMINATIONS.]**  
A majority of the board shall constitute a quorum. The board shall elect one of its number as chairman, another as vice-chairman, and another as secretary and treasurer, who shall hold their respective offices for a term of one year and until their successors are elected. The affirmative vote of four members of the board shall be considered as the action of the board. The board shall enforce the standard of general education; the standard of special education in the science and art of accounting; the standard of moral character and general public experience, as prescribed in sections 326.17 to 326.23, in all examinations conducted thereunder. The board shall make rules (AND REGULATIONS) for the conduct of applicants' examinations and the character and scope of such examinations, the method and time of filing applications for examinations and their form and contents, and all other rules and regulations proper to carry into effect the purposes of sections 326.17 to 326.23. All such examinations shall be conducted by the board of accountancy. The time and place of holding examinations shall be advertised for not less than three consecutive days in one daily newspaper published in each of the counties where the examinations are to be held, and not less than (20) 60 days prior to the date of each examination. The examinations shall take place as often as may be convenient in the opinion of the board. The board may make (FURTHER) rules (AND REGULATIONS) *necessary to implement*

*and enforce sections 326.17 to 326.23, and 214.12, including but not limited to rules of professional conduct, pertaining to individuals, partnerships and corporations practicing public accounting which it deems consistent with or required by the public welfare and rules of continuing education to be met by persons licensed under sections 326.17 to 326.23.*

The board shall keep records of its proceedings, an accurate list of all applications made, licenses *and permits* issued, and licenses *and permits* revoked, and shall keep proper financial records in which there shall be entered a complete statement of the cash receipts and disbursements. The board shall issue to each person who meets the examination and experience requirements of a certified public accountant a certificate to that effect, and shall maintain a record of that issuance. It shall adopt and provide itself with a seal with a band inscribed "Certified Public Accountant, State of Minnesota," with the coat of arms of Minnesota in the center, which seal shall be affixed to each certificate of certified public accountant issued under sections 326.17 to 326.23. *The board shall issue to each person who qualifies for a license under sections 326.17 to 326.23 as a licensed public accountant a certificate as a licensed public accountant and shall maintain a record of that issuance. It shall adopt and provide itself with a seal with a band inscribed "Licensed Public Accountant, State of Minnesota," with the coat of arms of Minnesota in the center, which seal shall be affixed to each certificate of the licensed public accountant, issued under sections 326.17 to 326.23.* All records of the board shall be open to the inspection of the public at the office of its secretary.

Sec. 4. Minnesota Statutes 1978, Chapter 326, is amended by adding a section to read:

[326.191] [PUBLIC ACCOUNTANTS; LICENSING.] *Any person: (i) who is a resident of this state or has a place of business in this state; (ii) who has attained the age of 18 years; (iii) who is of good moral character; and (iv) who meets the requirements of clause (a), (b), (c), or (d) below shall so certify to the board on or before the first day of January, 1980, and shall thereafter be licensed by the board as a licensed public accountant:*

(a) *Persons who held themselves out to the public as public accountants and who were engaged within this state for a minimum of one year as of July 1, 1979 in the practice of public accounting as their principal occupation;*

(b) *Persons who for at least one year immediately prior to July 1, 1979 have been employees whose principal duty has been the practice of accounting for a certified public accountant or a public accountant engaged within this state in the practice of public accounting as his principal occupation;*



(c) *Persons who, for a minimum of one year as of July 1, 1979, held senior level accounting or auditing positions in government which are equivalent, as determined by the board, to the practice of public accounting, and were required to successfully complete an examination in accountancy or obtain specific accounting experience or accounting education as a prerequisite for the position; or*

(d) *Persons serving in the armed forces of the United States of America on January 1, 1980, who for a minimum of one year immediately prior to entering the service held themselves out to the public as public accountants and were engaged within this state in the practice of public accounting as their principal occupation. In that case, the time for application for licensure shall be extended for a period of 12 months from the time the person is separated from active duty.*

*The board may license an applicant who does not meet the requirements of clause (a), (b), (c), or (d), but intends to practice full-time public accounting in this state, if the applicant is the holder of a license or registration as a public accountant issued by another state before July 1, 1979, which is, in the opinion of the board, equivalent to the licensure requirements for a public accountant in this state. A license under this paragraph may be issued only if the other state provides for similar recognition of public accountants of this state.*

*The board may, in its discretion, license applicants who do not, for reasons of individual hardships, meet the minimum experience requirement.*

*The board shall charge an initial licensure fee to be determined by rule, to license a public accountant.*

*The board shall in each case determine whether the applicant is eligible for a license. Any individual who is so licensed and who holds a permit issued under this section shall be styled and known as a "licensed public accountant."*

Sec. 5. Minnesota Statutes 1978, Section 326.20, Subdivision 1, is amended to read:

**326.20 [RENEWAL.] Subdivision 1. [LICENSE RENEWAL OF CERTIFIED PUBLIC ACCOUNTANTS AND LICENSED PUBLIC ACCOUNTANTS.]** Every holder of a certified public accountant license or a licensed public accountant license issued by the board, if he is engaged, or intends to be engaged, in public practice within this state at any time during a calendar year shall renew his license as prescribed by the board by rule.

The board shall, (IN DECEMBER OF EACH YEAR,) upon application made by any holder of an unrevoked Minnesota (CERTIFICATE OR) license as a certified public accountant or license as a licensed public accountant, renew the license which shall be good for a period prescribed by the board, unless the said certificate or license shall sooner be revoked. Interim licenses shall be issued to individuals who have satisfied the provisions of sections 326.17 to 326.23 within the year.

Sec. 6. Minnesota Statutes 1978, Section 326.20, Subdivision 2, is amended to read:

Subd. 2. [LICENSURE OF PARTNERSHIPS AND CORPORATIONS.] Every partnership or corporation in which one or more certified public accounts or licensed public accountants of this state is a partner or shareholder, if it is engaged, or intends to be engaged, in public practice within this state at any time (DURING A CALENDAR YEAR) shall (REGISTER WITH) be licensed by the state board of accountancy for (SUCH YEAR) that period. Upon application made upon the affidavit of a general partner of (SUCH) the partnership or secretary of the corporation who is a certified public accountant or a licensed public accountant of this state in good standing, the board shall (, IN DECEMBER OF EACH YEAR,) issue a license which shall be good for a period prescribed by the board, unless the (SAID) license shall sooner be revoked. Interim licenses shall be issued to partnerships (WHO) or corporations which have satisfied the provisions of this subdivision. The application shall confer upon the board the consent of the partnership or corporation, and of the general partner or secretary making the application, to the board's jurisdiction over the acts of the partnership and its partners or agents or of the corporation and its shareholders or agents within the state.

No partnership or corporation shall style itself as a firm of certified public accountants unless (a) all partners or shareholders resident in this state are certified public accountants of this state, (b) all managers in charge of offices maintained in this state are certified public accountants of this state, (c) all partners or shareholders, wherever situated, are certified public accountants of one of the states or territories or of the District of Columbia and (d) the partnership or corporation is duly licensed under section 326.20.

No partnership or corporation shall style itself as a firm of licensed public accountants unless (a) all partners or shareholders resident in this state are licensed public accountants or certified public accountants of this state, (b) all managers in charge of offices maintained in this state are licensed public accountants or certified public accountants of this state, (c) all partners or shareholders, wherever situated, are licensed public accountants of this state or certified public accountants of one of the states or territories or the District of Columbia and (d)

*the partnership or corporation is duly licensed under section 326.20.*

*Any cooperative auditing organization organized under chapter 308 (a) which for a minimum of one year prior to July 1, 1979, has been rendering auditing, accounting or business analysis services to its members only, and (b) whose managers in charge of offices maintained in this state are certified public accountants or licensed public accountants of this state, shall be deemed to be qualified for a cooperative auditing service license and may style itself as a licensed cooperative auditing service.*

Sec. 7. Minnesota Statutes 1978, Chapter 326, is amended by adding a section to read:

[326.211] [PROHIBITED ACTS.] *Subdivision 1. Except as permitted by the board, no person shall assume or use the title or designation "certified public accountant," or the abbreviation "C.P.A." or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the person is a certified public accountant, unless the person has received a certificate as a certified public accountant under sections 326.17 to 326.23, holds a license issued under sections 326.17 to 326.23 which is not revoked or suspended, and has all of his offices in this state for the practice of public accounting maintained and licensed as required under section 326.20.*

*Subd. 2. No partnership or corporation shall assume or use the title or designation "certified public accountant," or the abbreviation "C.P.A.," or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the partnership or corporation is composed of certified public accountants, unless the partnership or corporation is licensed as a partnership or corporation of certified public accountants under section 326.20 and all offices of the partnership or corporation in this state for the practice of public accounting are maintained and licensed as required under section 326.20.*

*Subd. 3. No person shall assume or use the title or designation "licensed public accountant" or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the person is a licensed public accountant, unless the person is licensed as a licensed public accountant under section 4 of this act, and all of the person's offices in this state for the practice of public accounting are maintained and licensed as required under section 326.20, or unless the person has received a certificate as a certified public accountant under section 326.18, holds a license issued under section 326.20, and all of the person's offices in this state for the practice of public accounting are maintained and licensed as required under section 326.20.*

Subd. 4. No partnership or corporation shall assume or use the title or designation "licensed public accountant" or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the partnership or corporation is composed of licensed public accountants, unless the partnership or corporation is licensed as a partnership of licensed public accountants under section 326.20, and all offices of the partnership or corporation in this state for the practice of public accounting are maintained and licensed as required under section 326.20.

Subd. 5. No person, partnership, or corporation shall assume or use the title or designation "certified accountant," "chartered accountant," "enrolled accountant," "licensed accountant," "public accountant," "accredited accountant," "accounting practitioner," or any other title or designation likely to be confused with "certified public accountant," or "licensed public accountant, or any of the abbreviations "C.A.," "L.A.," "P.A.," "R.A.," "A.A.," "A.P.," or similar abbreviations likely to be confused with "C.P.A." or "L.P.A." Anyone who holds a current license issued under section 326.20 and section 3 of this act and all of whose offices in this state for the practice of public accounting are maintained and licensed as required under section 326.20 may hold himself out to the public as an "auditor."

Subd. 6. No person shall sign or affix his name or any trade or assumed name used by him in his profession or business to any opinion or certificate attesting in any way to the reliability of any representation or estimate in regard to any person or organization embracing (1) financial information or (2) facts respecting compliance with conditions established by law or contract, including, but not limited to, statutes, ordinances, regulations, grants, loans, and appropriations, together with any wording accompanying or contained in the opinion or certificate, which indicates (a) that he is an accountant or auditor or (b) that he has expert knowledge in accounting or auditing, unless he holds a current license issued under section 326.20 and all of his offices in this state for the practice of public accounting are maintained and licensed under section 326.20. The provisions of this subdivision shall not prohibit any officer, employee, partner, or principal of any organization from affixing his signature to any statement or report in reference to the affairs of the organization with any wording designating the position, title, or office which he holds in the organization, nor shall the provisions of this subdivision prohibit any act of a public official or public employee in the performance of his duties.

Subd. 7. No person shall sign or affix a partnership or corporate name to any opinion or certificate attesting in any way to the reliability of any representation or estimate in regard to any person or organization embracing (a) financial information or (b) facts respecting compliance with conditions established

by law or contract, including, but not limited to, statutes, ordinances, regulations, grants, loans, and appropriations, together with any wording accompanying or contained in the opinion or certificate which indicates that the partnership or corporation is composed of or employs (1) accountants or auditors or (2) persons having expert knowledge in accounting or auditing, unless the partnership or corporation is licensed under sections 326.17 to 326.23.

*Subd. 8. No person, partnership or corporation not licensed under section 3 of this act shall assume or use the title "auditor" on any sign, card, letterhead, or in any advertisement or directory without indicating thereon or therein that the person, partnership or corporation does not hold such a license, provided that this subdivision shall not prohibit any officer, employee, partner, or principal of any organization from describing himself by the position, title, or office he holds in the organization, nor shall this subdivision prohibit any act of a public official or public employee in the performance of his duties.*

*Subd. 9. No person shall assume or use the title or designation "certified public accountant" or "licensed public accountant" in conjunction with names indicating or implying that there is a partnership, or in conjunction with the designation "and Company" or "and Co." or a similar designation if, in any such case, there is in fact no bona fide partnership licensed under section 326.20. A sole proprietor or partnership lawfully using such title or designation in conjunction with such names or designation on the effective date of this act may continue to do so if he or it otherwise complies with the provisions of sections 1 to 12 of this act and 327.17 to 327.23.*

*Subd. 10. No corporation, other than one licensed under sections 326.17 to 326.23, and in compliance with the rules of the board, shall style itself as certified public accountants or licensed public accountants, or use the abbreviation "C.P.A." or "L.P.A." in connection with its corporate name.*

**Sec. 8. Minnesota Statutes 1978, Chapter 326, is amended by adding a section to read:**

**[326.212] [PERMITTED ACTS.] Subdivision 1. Nothing contained in sections 326.17 to 326.23 shall prohibit any person not a certified public accountant or licensed public accountant from serving as an employee of, or an assistant to, a certified public accountant or licensed public accountant, or partnership or corporation composed of certified public accountants or licensed public accountants, provided that the employee or assistant shall not issue any accounting or financial statement over his name.**

*Subd. 2. The board, by rule, may permit persons holding a certificate issued pursuant to section 326.18, but who do not*

hold a current license, to assume or use the title or designation "certified public accountant" or "licensed public accountant," or the abbreviation "C.P.A.," "L.P.A.," or other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the person is a certified public accountant or licensed public accountant, provided (a) that the board has not revoked, suspended, or refused to renew a license previously issued to the person; (b) that the assumption or use is not incident to the practice of public accountancy; and (c) that the assumption or use is not in conjunction with or incident to any opinion or certificate within the purview of section 6.

*Subd. 3. Nothing contained in sections 1 to 12 of this act shall prohibit any corporation from performing accounting services incident to a commercial relationship with another corporation, cooperative association, or cooperative corporation involving either the extension of credit or the performance of sales, purchasing, or marketing functions if any financial reports prepared incident thereto are marked "Unaudited" and disclose the identity of the preparer and its lack of independence.*

*Subd. 4. Nothing contained in sections 1 to 12 shall prohibit any person, partnership or corporation, not licensed under sections 1 to 12, from preparing and presenting unaudited financial statements and unaudited schedules on printed forms or the letterheads of the preparer if they are clearly marked on each page, "Unaudited".*

*Subd. 5. Nothing contained in sections 1 to 12 shall prohibit any person, partnership or corporation, not licensed under sections 1 to 12, from preparing tax returns.*

**Sec. 9. Minnesota Statutes 1978, Chapter 326, is amended by adding a section to read:**

**[326.223] [EQUIVALENCY.]** *Whenever any statute or rule specifically requires professional services to be performed by a certified public accountant, the requirement shall be construed to mean certified public accountant or licensed public accountant.*

**Sec. 10. Minnesota Statutes 1978, Chapter 326, is amended by adding a section to read:**

**[326.224] [SINGLE ACT EVIDENCE OF PRACTICE.]** *Displaying or presenting a card, sign, advertisement, or other printed, engraved, or written instrument or device bearing a person's name in conjunction with the words "certified public accountant" or any abbreviation thereof, or "licensed public accountant" or any abbreviation thereof, except as permitted by sections 1 to 12 of this act, shall be prima facie evidence in any action brought under sections 326.17 to 326.23 and sections*

*1 to 11 of this act that the person whose name is so displayed caused or procured the displaying or presenting of such card, sign, advertisement, or other printed, engraved, or written instrument or device, and that the person is holding himself out to be a certified public accountant or a licensed public accountant. In any action evidence of the commission of a single act prohibited by sections 1 to 12 of this act and sections 326.17 to 326.23 shall be sufficient to justify an injunction or a conviction without evidence of a general course of conduct.*

Sec. 11. Minnesota Statutes 1978, Chapter 326, is amended by adding a section to read:

[326.231] [VIOLATIONS; PENALTY.] *Any violation of the provisions of sections 326.17 to 326.23 shall be a gross misdemeanor.*

Sec. 12. [PRIOR CERTIFICATES.] *Persons who on the effective date of this act held certified public accountant certificates issued under the laws of this state shall not be required to obtain additional certificates under sections 326.17 to 326.23, but shall otherwise be subject to all provisions of those sections.*

Sec. 13. *There is appropriated to the state board of accountancy the sum of \$ . . . . . from the general fund in the state treasury for the biennium ending July 1, 1981 to implement sections 1 to 12 of this act.*

Sec. 14. [EFFECTIVE DATE.] *Section 7 is effective July 1, 1980. The remaining sections are 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.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 709, A bill for an act relating to the state civil service; including veterans in the protected group for the purpose of the statewide affirmative action program; amending Minnesota Statutes 1978, Section 43.15, 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.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 738, 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 1978, Sections 15.1642, Subdivision 5; 15.165; Chapter 15, by adding sections; and Chapter 138, by adding a section; repealing Minnesota Statutes 1978, Sections 15.162; 15.163; 15.1641; 15.1642, Subdivision 4; 15.166; 15.167; 15.1671; 15.169; 15.17; 15.171; 15.172; 15.173; 15.174; 138.161; 138.163; 138.17; 138.18; 138.19; 138.20; 138.21; and 138.22.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, 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 sections 1 to 7 and sections 15.1642, 15.1643 and 15.165.*

*Subd. 2. Sections 1 to 7 and sections 15.1642, 15.1643 and 15.165 may be cited as the “Minnesota government data practices act.”*

Sec. 2. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1613] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 7 and sections 15.1642, 15.1643 and 15.165, the following terms have the meanings given them in this section.*

*Subd. 2. “Commissioner” means the commissioner of administration.*

*Subd. 3. “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. 4. “Data on individuals” means government data in which an individual is or can be identified.*

*Subd. 5. “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. 6. *“Individual” means a natural person. In the case of a minor or an individual under guardianship status, “individual” includes a parent or guardian, except that the responsible authority may withhold data from a parent or guardian if the responsible authority determines that withholding the data would be in the best interest of the minor.*

Subd. 7. *“Person” means any individual, partnership, corporation, association, business trust, or a legal representative of an organization.*

Subd. 8. *“Political subdivision” means any county, statutory city, home rule charter city, town, school district, special district and any board, commission, district, or authority created pursuant to law, local ordinance or charter provision.*

Subd. 9. *“Private data on individuals” means data on individuals which by statute or federal law is made not public.*

Subd. 10. *“Responsible authority” in a state agency or statewide system means the state official designated by law or by the commissioner as the individual responsible for the collection, use, and dissemination of any set of data on individuals or summary data. “Responsible authority” in any political subdivision means the individual designated by the governing body of that political subdivision as the individual responsible for the collection, use, and dissemination of any set of data on individuals or summary data, unless otherwise provided by state law.*

Subd. 11. *“Designee” means any person designated by a responsible authority to be in charge of individual files or systems containing data on individuals.*

Subd. 12. *“State agency” means any office, officer, department, division, bureau, board, commission, authority, district, or agency in the executive branch of the state, including 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 1978, Chapter 15, is amended by adding a section to read:

[15.1614] [ACCESS TO GOVERNMENT DATA.] *Subdivision 1. [PUBLIC DATA.] 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. [STANDARDS FOR COLLECTION AND STORAGE.] Collection, storage, use, and dissemination of data on individuals by political subdivisions, statewide systems and state agencies is limited to that necessary for the administration and management of programs specifically authorized by the legislature or local governing body, or mandated by federal law.*

*Subd. 3. [COLLECTION AND USE OF DATA; GENERAL RULE.] Private or confidential data on an individual shall not be collected, stored, used or disseminated by political subdivisions, statewide systems or state agencies for any purposes other than those stated to the individual at the time of collection in accordance with section 15.165, except as provided in this subdivision.*

*(a) Data collected prior to August 1, 1975, may be used and disseminated for the purposes for which the data was originally collected or for purposes which are specifically approved by the commissioner as necessary to public health, safety, or welfare, or historical research purposes.*

*(b) Private or confidential data may be used and disseminated to individuals or agencies specifically authorized access to that data by state or federal law subsequent to the collection of the data.*

*(c) Private or confidential data may be used and disseminated to individuals or agencies subsequent to the collection of the data when specifically approved by the commissioner as necessary to carry out a function assigned by law.*

*(d) Private data may be used by and disseminated to any person or agency if the individual subject or subjects of the data have given their informed consent. Whether a data subject has given informed consent shall be determined by rules of the commissioner.*

*Subd. 4. [DATA PROTECTION.] The responsible authority shall (1) establish procedures to assure that all data on individuals is accurate, complete, and current for the purposes for which it was collected; and (2) establish appropriate security safeguards for all records containing data on individuals.*

*Subd. 5. [CONTRACTS.] Except as provided in section 5, in any contract between a governmental unit subject to sec-*

tions 1 to 7 and sections 15.1642, 15.1643 and 15.165 and any person, when the contract requires that data on individuals be made available to the contracting parties by the governmental unit, that data shall be administered consistent with sections 1 to 7 and sections 15.1642, 15.1643 and 15.165. A contracting party shall maintain the data on individuals which it received according to the statutory provisions applicable to the data.

Subd. 6. [PROCEDURES.] The responsible authority in every state agency, political subdivision, and statewide system shall establish procedures, consistent with sections 1 to 7 and sections 15.1642, 15.1643 and 15.165, to insure that requests for government data are received and complied with in an appropriate and prompt manner. A responsible authority may designate one or more designees to be in charge of each file or system containing data on individuals, and to receive and comply with requests for government data.

Subd. 7. [REQUEST FOR DATA.] 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 copies of government data upon request. The responsible authority may require the requesting person to pay the actual costs of making and compiling the copies. 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. 8. [SUMMARY OF 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. Summary data is public.

Subd. 9. [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 or federal law. An agency that supplies government data under this subdivision may require the requesting agency to pay the actual cost of supplying the data.

Sec. 4. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1655] [JUDICIAL REMEDY.] *Subdivision 1. [APPEAL.] Any person aggrieved by the decision or inaction of a responsible authority or his designee under section 3 or section 15.165 may file an action against the responsible authority in district court. The matter shall be heard as soon as possible. In an action involving a request for government data under section 3 or section 15.165, the court shall inspect in camera the government data in dispute, but shall conduct its hearing in public and in a manner that protects the security of data classified as not public. The court shall base its decision on the manner in which the data is classified by statute or federal law, and, on the basis of its determination, the court shall order the responsible authority to comply with or not comply with the request for access.*

*Subd. 2. [CIVIL ACTION.] 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 reasonable costs, witness fees, and attorney fees to the person who filed the action. If the court determines that a request for government data is frivolous and without merit and a basis in fact, it may award reasonable costs and attorney fees to the responsible authority. If the court determines that the responsible authority has willfully violated any provisions of sections 1 to 7 and sections 15.1642, 15.1643 and 15.165 the responsible authority shall be liable for exemplary damages of from \$100 to \$1,000 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 sections 1 to 7 and sections 15.1642, 15.1643 and 15.165 is guilty of a misdemeanor.*

Sec. 5 Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1691] [WELFARE DATA.] *Subdivision 1. [DEFINITIONS.] (a) "Individual" means an individual pursuant to section 2, subdivision 6, but does not include a vendor of services.*

(b) "Program" includes all programs for which authority is vested in a component of the welfare system pursuant to statute or federal law.

(c) "Welfare system" includes the department of public welfare, county welfare boards, human services boards, community mental health boards, state hospitals, state nursing homes, and persons, agencies, institutions, organizations and other entities under contract to any of the above agencies to the extent specified in the contract.

Subd. 2. [GENERAL.] Unless the data is summary data or a statute specifically provides a different classification, data on individuals collected, maintained, used or disseminated by the welfare system is private data on individuals, and shall not be disclosed except:

(a) Pursuant to a valid court order;

(b) Pursuant to a statute specifically authorizing access to the private data;

(c) To an agent of the welfare system who is acting on behalf of the welfare system in an investigation, prosecution, criminal or civil proceeding relating to the administration of a program;

(d) To those additional personnel of the welfare system who require the data to determine eligibility, amount of assistance, and the need to provide services of additional programs to the individual;

(e) To administer federal funds or programs; or

(f) Between personnel of the welfare system working in the same program.

Subd. 3. [MEDICAL DATA.] Access to medical data by the individual who is the subject of the data is subject to the provisions of section 144.335.

Subd. 4. [INVESTIGATIVE DATA.] Data collected, maintained, used or disseminated by the welfare system in an investigation, authorized by statute and relating to the enforcement of rules or law, is confidential pursuant to section 2, subdivision 3, and shall not be disclosed except:

(a) Pursuant to statute or valid court order;

(b) To a party named in a civil or criminal proceeding, administrative or judicial, for preparation of defense.

*After presentation in evidence at any public hearing, the data shall be public data on individuals.*

*Subd. 5. [LICENSING DATA.] The names and addresses of persons licensed or registered under the authority of the commissioner of welfare, and the status of the license or registration, is public data on individuals.*

*Subd. 6. [MEDICAL DATA; CONTRACTS.] Data relating to the medical, psychiatric or mental health of any person, including diagnosis, progress charts, treatment received, case histories, and opinions of health care providers, which is collected, maintained, used or disseminated by a private health care provider under contract to any agency of the welfare system is private data on individuals, and is subject to the provisions of sections 1 to 7 and sections 15.1642, 15.1643 and 15.165 except that the provisions of section 15.165, subdivision 3, shall not apply.*

*Subd. 7. [PUBLIC HOSPITALS; DIRECTORY INFORMATION.] If a person is a patient in a state hospital pursuant to legal commitment, directory information is public data. If a person is a patient other than pursuant to commitment in a hospital controlled by a state agency or political subdivision, directory information is public data unless the patient requests otherwise, in which case it is private data on individuals.*

*Subd. 8. [OTHER DATA.] Data collected, used, maintained or disseminated by the welfare system that is not data on individuals is public pursuant to section 15.17.*

Sec. 6. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1692] [PERSONNEL DATA.] *Subdivision 1. As used in this section, "personnel data" means data on individuals collected because the individual is or was an employee of or an applicant for employment by a state agency, statewide system or political subdivision.*

*Subd. 2. Except for employees described in subdivision 5, the following personnel data on current and former employees of a state agency, statewide system or political subdivision is public: name; actual gross salary; salary range; actual gross pension; the value and nature of employer paid fringe benefits; the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary; job title; job description; education and training background; previous work experience; date of first and last employment; the status of any complaints or charges against the employee, whether or not the complaint or charge resulted in a disciplinary action;*

and the final disposition of any disciplinary action and supporting documentation.

*Subd. 3. Except for applicants described in subdivision 5, the following personnel data on current and former applicants for employment by a state agency, statewide system or political subdivision is public: veteran status; relevant test scores; rank on eligible list; job history; education and training; and work availability. Names of applicants shall be private data except when certified as eligible for appointment to a vacancy.*

*Subd. 4. All other personnel data is private data on individuals, except pursuant to a court order.*

*Subd. 5. All personnel data maintained by any state agency, statewide system or political subdivision relating to an individual employed as or an applicant for employment as an undercover law enforcement officer is private data on individuals.*

Sec. 7. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1693] [EDUCATIONAL DATA.] *Subdivision 1. (a) "Educational data" means data on individuals maintained by a public educational agency or institution or by a person acting for the agency or institution which relates to a student, but does not include:*

*(1) Records of instructional personnel which are in the sole possession of the maker thereof and are not accessible or revealed to any other individual except a substitute teacher, and are destroyed at the end of the school year, which are confidential;*

*(2) Records of a law enforcement unit of a public educational agency or institution which are maintained apart from the records described in clause (a) and are maintained solely for law enforcement purposes, and are not disclosed to individuals other than law enforcement officials of the jurisdiction, which are confidential; provided, that education records maintained by the educational agency or institution are not disclosed to the personnel of the law enforcement unit; or*

*(3) Records relating to a student who is employed by a public educational agency or institution which are made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee, and are not available for use for any other purpose, which are handled pursuant to section 6.*

*(b) "Student" includes a person currently or formerly enrolled or registered, and applicants for enrollment or registration at a public educational agency or institution.*

(c) "Substitute teacher" means an individual who performs on a temporary basis the duties of the individual who made the record, but does not include an individual who permanently succeeds the maker of the record in his position.

Subd. 2. Except as provided in subdivision 4, educational data is private data on individuals and shall not be disclosed except as follows:

(a) Pursuant to a valid court order;

(b) Pursuant to a statute specifically authorizing access to the private data;

(c) To disclose information in health and safety emergencies pursuant to the provisions of 20 U.S.C. Sec. 1232g(b)(1)(I) and 45 C.F.R. Sec. 99.36 which are in effect on the effective date of this section; or

(d) Pursuant to the provisions of 20 U.S.C. 1232g(b)(1), (b)(4)(A), (b)(4)(B), (b)(3) and 45 C.F.R. Sec. 99.31, Sec. 99.32, Sec. 99.33, Sec. 99.34 and Sec. 99.35 which are in effect on the effective date of this section.

Subd. 3. A student shall not have the right of access to private data provided in section 15.165, subdivision 3, as to financial records and statements of his parents or any information contained therein.

Subd. 4. Information designated as directory information pursuant to the provisions of 20 U.S.C. Sec. 1232g and regulations adopted pursuant thereto which are in effect on the effective date of this section is public data on individuals.

Sec. 8. Minnesota Statutes 1978, Section 15.1642, Subdivision 3, is amended to read:

Subd. 3. [DETERMINATION.] The commissioner shall either grant or disapprove the application for emergency classification within 30 days after it is filed. If the commissioner disapproves the application, he shall set forth in detail his reasons for the disapproval, and shall include a statement of what classification he believes is appropriate for the data which is the subject of the application. (TEN) Twenty days after the date of the commissioner's disapproval of an application, the data which is the subject of the application shall become public data on individuals, unless the responsible authority submits an amended application for emergency classification which requests the classification deemed appropriate by the commissioner in his statement of disapproval or which sets forth additional information relating to the original proposed classification. Upon the filing of an amended application, the data which is the



subject of the amended application shall be deemed to be classified as set forth in the amended application for a period of 15 days or until the amended application is granted or disapproved by the commissioner, whichever is earlier. The commissioner shall either grant or disapprove the amended application within 15 days after it is filed. Five working days after the date of the commissioner's disapproval of the amended application, the data which is the subject of the application shall become public data on individuals. No more than one amended application may be submitted for any single file or system which contains data on individuals.

If the commissioner grants an application for emergency classification, it shall become effective immediately, and the complete record relating to the application shall be submitted to the attorney general, who shall review the classification as to form and legality. Within 20 days, the attorney general shall approve the classification, disapprove a classification as confidential but approve a classification as private, or disapprove the classification. If the attorney general disapproves a classification, the data which is the subject of the classification shall become public data five working days after the date of the attorney general's disapproval.

Sec. 9. Minnesota Statutes 1978, Section 15.1642, Subdivision 5, is amended to read:

Subd. 5. [EXPIRATION OF EMERGENCY CLASSIFICATION.] All emergency classifications granted under this section and still in effect shall expire on July 31, (1979) 1980. No emergency classifications shall be granted after July 31, (1979) 1980.

Sec. 10. Minnesota Statutes 1978, Section 15.165, is amended to read:

15.165 [DATA ON INDIVIDUALS; RIGHTS OF SUBJECTS OF DATA.] *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 sections 1 to 7 and sections 15.1642, 15.1643 and 15.165.*

*Subd. 2. Data on individuals classified as confidential shall be not public and shall not be disclosed to the subject of the data.*

(SUBDIVISION 1) *Subd. 3. The rights of individuals on whom the data is stored or to be stored and the duties of responsible authorities shall be as set forth in this section.*

Subd. (2) 4. An individual asked to supply private (OR CONFIDENTIAL) data concerning himself shall be informed

of: (a) the purpose and intended use of the requested data within the collecting state agency, political subdivision, or statewide system; (b) whether he may refuse or is legally required to supply the requested data; (c) any known consequence arising from his supplying or refusing to supply private or confidential data; and (d) the identity of other persons or entities authorized by state or federal law to receive the data.

Subd. (3) 5. Upon request to a responsible authority, an individual shall be informed whether he is the subject of stored data on individuals, and whether it is classified as public, private, or confidential. Upon his further request, an individual who is the subject of stored private data on individuals shall be shown the data without any charge to him and, if he desires, shall be informed of the content and meaning of that data. After an individual has been shown the private 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 shall provide copies of the private data upon request by the individual subject of the data. The cost of providing copies shall be borne by the individual.

The responsible authority shall comply immediately, if possible, with any request made pursuant to this subdivision, or within five days of the date of the request, excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible. If he cannot comply with the request within that time, he shall so inform the individual, and may have an additional five days within which to comply with the request, excluding Saturdays, Sundays and legal holidays.

Subd. (4) 6. 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 authority describing the nature of the disagreement. The responsible authority shall within 30 days either: (a) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or (b) notify the individual that he believes the data to be correct. Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.

The determination of the responsible authority may be appealed pursuant to the provisions of the administrative procedure act relating to contested cases.

Sec. 11. *Notwithstanding any other provision in this act, from April 1, 1979, until July 1, 1980, 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 sections 1 to 7 and sections 15.1642, 15.1643 and 15.165, 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, 1980.*

Sec. 12. [REPEALER.] *Minnesota Statutes 1978, Sections 15.162; 15.163; 15.1641; 15.1642, Subdivision 4; 15.166; 15.167; 15.1671; and 15.169 are repealed.*

Sec. 13. [EFFECTIVE DATE.] *This act is effective July 1, 1979."*

Delete the title and insert:

"A bill for an act relating to the collection and dissemination of data; classifying data; clarifying information practices; extending the period of time during which the emergency classifications of data may be made; defining terms; clarifying the duties of the responsible authority; providing remedies; prescribing penalties; amending Minnesota Statutes 1978, Sections 15.1642, Subdivisions 3 and 5; 15.165; and Chapter 15, by adding sections; repealing Minnesota Statutes 1978, Sections 15.162; 15.163; 15.1641; 15.1642, Subdivision 4; 15.166; 15.167; 15.1671; and 15.169."

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 785, A bill for an act relating to health; requiring counties to establish local nursing home pre-admission screening teams; prescribing duties of the teams and the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1978, Chapter 256B, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 256B, is amended by adding a section to read:

[256B.091] [NURSING HOME PRE-ADMISSION SCREENING; PILOT PROGRAM.] *Subdivision 1. [PURPOSE.] It is the purpose of this section to study how to prevent inappropriate nursing home placement by establishing a pilot program of pre-admission screening teams for all medical assistance recipients and any individual who would become eligible for medical assistance within 90 days of admission to a licensed nursing home participating in the pilot program. Further, it is the purpose of this section and the pilot program to gain further information about how to contain costs associated with inappropriate nursing home admissions.*

*Subd. 2. [SCREENING TEAMS; ESTABLISHMENT.] Each county agency designated by the commissioner of public welfare to participate in the pilot program shall contract with the local board of health organized under Minnesota Statutes, Section 145.911 to 145.922 or other public or non-profit agency to establish a screening team to assess, prior to admission to a nursing home licensed under section 144A.02, the health and social needs of medical assistance recipients and individuals who would become eligible for medical assistance within 90 days of nursing home admission. Each local screening team shall be composed of a staff member from the local public health nursing service and a social worker from the local community welfare agency. Each screening team shall have a physician available for consultation and shall utilize individuals' attending physicians' physical assessment forms, if any, in assessing needs. The individual's physician shall be included on the screening team if the physician chooses to participate. Other personnel as deemed appropriate by the county agency may be included on the team, such as physical therapists or psychologists. No member of a screening team shall have a direct or indirect financial or self-serving interest in a nursing home or non-institutional referral such that it would not be possible for the member to consider each case objectively.*

*Subd. 3. [SCREENING TEAM; DUTIES.] Local screening teams shall seek cooperation from other public and private agencies in the community which offer services to the disabled and elderly. The responsibilities of the agency responsible for screening shall include:*

*(a) Provision of information and education to the general public regarding availability of the screening program;*

*(b) Acceptance of referrals from individuals, families, human service professionals and nursing home personnel of the community agencies;*

*(c) Assessment of health and social needs of referred individuals and identification of services needed to maintain these persons in the least restrictive environments;*

(d) Identification of available noninstitutional services to meet the needs of individuals referred;

(e) Recommendations for individuals screened regarding:

(1) Nursing home admission; and

(2) Maintenance in the community with specific service plans and referrals and designation of a lead agency to implement each individual's plan of care;

(f) Provision of follow up services as needed; and

(g) Preparation of reports which may be required by the commissioner of public welfare.

*Subd. 4. [SCREENING OF PERSONS.] Prior to nursing home admission, screening teams shall assess the needs of all persons receiving medical assistance and of all persons who would be eligible for medical assistance within 90 days of admission to a nursing home, except patients from acute care facilities or transfers from other nursing homes. Any other interested person may be assessed by a screening team upon payment of a fee based upon a sliding fee scale.*

*Subd. 5. [APPEALS.] Appeals from the screening team's determination shall be made pursuant to the procedures set forth in Minnesota Statutes, Section 256.045, Subdivisions 2 and 3. An appeal shall be automatic if the individual's physician does not agree with the recommendation of the screening team.*

*Subd. 6. [TEAM REIMBURSEMENT.] The commissioner of public welfare shall amend the Minnesota medical assistance plan to include reimbursement for the local screening teams. Reimbursement shall not be provided for any recipient placed in a nursing home in opposition to the screening team's recommendation; provided, however, the commissioner shall not deny reimbursement for (1) an individual admitted to a nursing home who is assessed to need long-term supportive services if long-term supportive services other than nursing home care are not available in that community; or (2) any eligible individual placed in the nursing home pending an appeal of the pre-admission screening team's decision; or (3) any eligible individual placed in the nursing home by a physician in an emergency situation and where the screening team has not made a decision within five working days of its initial contract.*

*Subd. 7. [REPORT.] The commissioner of public welfare, in consultation with the commissioner of health, shall evaluate the screening program established pursuant to this section and provide a report to the legislature by January 1, 1981, which shall include a description of:*

- (a) *The cost effectiveness of the program;*
- (b) *The unmet needs in the community;*
- (c) *Methods to improve the program.*

Sec. 2. [APPROPRIATIONS.] *For the biennium ending June 30, 1981, there is appropriated from the general fund to the department of public welfare the sum of \$..... for the purposes of section 1."*

Further, amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete lines 3 to 5 and insert "providing for a pilot program for nursing home pre-admission screening;"

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 Governmental Operations to which was referred:

H. F. No. 874, A bill for an act relating to state government; changing certain administrative procedures; amending Minnesota Statutes 1978, Sections 15.0411, Subdivision 2; 15.0412, Subdivisions 2, 4, 5, and by adding subdivisions; 15.0413, Subdivisions 1 and 2; 15.0418; 15.0419, Subdivisions 1, 2, and 4; 15.0421; 15.0422; 15.0424, Subdivisions 1, 2, and 6; 15.0425; 15.0426; and 15.052, Subdivisions 1, 2, 3, 4, 5, 7, 8 and 9; repealing Minnesota Statutes 1978, Sections 5.21, and 15.0423.

Reported the same back with the following amendments:

Page 2, delete section 2

Page 7, line 6, delete "If an agency, in"

Page 7, delete lines 7 to 11

Page 7, line 12, delete "hearing."

Page 8, lines 1 and 11, delete "5" and insert "4"

Page 9, line 31, before the period insert: "*, and it shall report to the appropriate committees of the legislature and to the governor its failure to adopt rules and the reasons for that failure*"

Page 12, delete section 14

Page 13, delete section 16

Pages 14 to 17, delete sections 18 and 19

Pages 17 and 18, delete sections 21 and 22

Pages 19 to 21, delete sections 25 and 26

Page 21, line 24, after the period insert "*notwithstanding the provisions of section 15.17, subdivision 4, copies of transcriptions of hearings conducted pursuant to this section may be obtained only through the office of administrative hearings.*"

Page 22, lines 32 and 33, delete "*Section 2 shall be effective on August 1, 1980.*"

Page 22, line 33, delete "5" and insert "4"

Page 23, line 1, delete "6" and insert "5"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "2,"

Page 1, line 8, delete "15.0421;" and delete "Subdivisions 1, 2, and" and insert "Subdivision"

Page 1, line 9, delete "15.0425; 15.0426;"

Page 1, line 10, delete "3, 4,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 897, A bill for an act relating to taxation; income tax and property tax refund; clarifying political checkoff provisions; providing that farm loss modification is adjustment to gross income; clarifying elections and filing dates; allowing the commissioner to publish lists; providing penalties; clarifying

audit procedures; amending Minnesota Statutes 1978, Sections 10A.31, Subdivision 1; 290.01, Subdivision 20; 290.032, Subdivision 4; 290.17, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.49, Subdivision 10; 290.56, Subdivision 2; 290.61; 290.92, Subdivision 23; 290A.03, Subdivisions 3, 8, and 13; 290A.06; and 290A.11, Subdivision 2.

Reported the same back with the following amendments:

Page 11, delete section 3

Pages 16 to 18, delete section 9

Pages 23 to 25, delete sections 12 and 13

Page 26, line 13, strike "of six percent per"

Page 26, line 14, strike "annum" and insert "*specified in section 270.75*"

Page 26, after line 23, insert:

"Sec. 12. Minnesota Statutes 1978, Section 290A.11, Subdivision 4, is amended to read:

Subd. 4. [INTEREST.] Amounts to be repaid to the state shall bear interest at (SIX PERCENT PER ANNUM) *the rate specified in section 270.75* from the date the state paid the claim until the date of repayment by the claimant."

Page 26, line 24, delete "4" and insert "3"

Page 26, line 26, delete "5 to 7, 9, 10 and 15" and insert "4 to 6, 8, 11 and 12"

Page 26, line 27, delete "8" and insert "7"

Page 26, line 29, delete "Sections 11 to 13" and insert "Section 9"

Page 26, line 32, delete "14" and insert "10"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "elections"

Page 1, line 6, delete "and"



Page 1, line 6, delete "allowing the commissioner to"

Page 1, line 7, delete "publish lists;"

Page 1, line 10, delete "290.032, Subdivision 4;"

Page 1, line 13, delete "290.61;"

Page 1, line 14, delete "Subdivisions" and insert "Subdivision"

Page 1, line 14, after "3" delete ", 8, and 13"

Page 1, line 15, delete "Subdivision" and insert "Subdivisions"

Page 1, line 15, after "2" insert "and 4"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 907, A bill for an act relating to retirements; transferring the obligations and assets of the county and probate court judges survivors' account to the judges retirement fund; repealing Minnesota Statutes 1978, Section 490.12, Subdivisions 7 and 8.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1978, Section 490.121, Subdivision 2, is amended to read:

Subd. 2. "Court" means any court of this state established by the Minnesota Constitution and any municipal, county or probate court of record, and shall include the conciliation court of the city of Duluth.

Sec. 2. Minnesota Statutes 1978, Section 490.124, Subdivision 8, is amended to read:

Subd. 8. [EXCLUSIVE NORMAL RETIREMENT BENEFITS.] Any judge who retires after December 31, 1973, shall be entitled to a retirement pension, retirement compensation or other retirement payment under statutes applicable solely to judges pursuant to this section only, except that any such judge in office prior to January 1, 1974, who retires at or after normal

retirement age may then elect to receive during his lifetime a normal retirement annuity computed on the basis of retirement compensation provided for such judge under statutes in effect on December 31, 1973, in lieu of the amount of normal retirement annuity otherwise computed under sections 490.121 to 490.132. *For purposes of this subdivision, the conciliation court of the city of Duluth shall be deemed to have been a court of record by the statutes in effect on December 31, 1973.*"

Renumber the sections in sequence

Underline all new language in the bill

Amend the title as follows:

Page 1, line 2, after "retirement;" insert "judges retirement fund; including the conciliation court of the city of Duluth in certain provisions governing judicial retirement;"

Page 1, line 5, after "fund;" insert "amending Minnesota Statutes 1978, Sections 490.121, Subdivision 2; and 490.124, Subdivision 8;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 980, A bill for an act relating to barbers; providing penalties for barbers who violate certain statutes and rules; authorizing issuance of citations; amending Minnesota Statutes 1978, Chapter 154, 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.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 995, 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; amending Laws 1977, Chapter 142, Sections 1; 2, Subdivision 1; and 3, Subdivision 1, and by adding a subdivision.

Reported the same back with the following amendments:

Page 3, lines 10, 11 and 12, reinstate the stricken language

Page 3, line 12, strike "\$6,000,000" and insert "\$12,000,000"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1002, A bill for an act relating to retirement; reductions in Minnesota state retirement system annuities for early retirement; refund applications; disability benefits for covered correctional employees; amending Minnesota Statutes 1978, Sections 352.116, Subdivision 1; 352.22, Subdivisions 1 and 10; and 352.95; repealing Minnesota Statutes 1978, Section 352.22, Subdivision 11.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 1 and renumber the sections in sequence

Page 2, line 31, delete "*fund*" and insert "*association*"

Amend the title as follows:

Page 1, line 7, delete "352.116, Subdivision 1;"

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. 1037, A bill for an act relating to interim claims against the state; appropriating money for the payment thereof.

Reported the same back with the following amendments:

Page 2, line 15, delete "the" and insert "World War II, Korean conflict, and"

Page 2, delete lines 16 and 17 and insert:

"Subd. 2. [WORLD WAR II.] Richard H. Janssen, 560 Simpson Street, St. Paul, Minnesota 55104 ..... \$270.00

Corbett W. Coil, 608 South Stevens, No. 207, Spokane, Washington 99204 ..... \$375.00

William J. Sullivan, 911 Park Avenue South, Box 9, Minneapolis, Minnesota 55404 ..... \$90.00

Thomas C. Sweeney, c/o Mrs. John Sadowski, 534 Ninth Avenue South, South St. Paul, Minnesota 55075 ..... \$210.00

Thomas J. Hansen, 152 Lincoln, No. 9, Redwood City, California 94061 ..... \$270.00

Subd. 3. [KOREAN CONFLICT.] Martin J. Fierro, 760 Edmund, St. Paul, Minnesota 55104 ..... \$127.50

Harold L. Fischer, P. O. Box 174, Good Thunder, Minnesota 56037 ..... \$60.00

Adrian L. Warren, 766 South Syndicate, St. Paul, Minnesota 55104 ..... \$37.50

Francis W. Benson, 108 West Old Mill Road, Corona, California 91720 ..... \$60.00

Blaine G. Austad, Lot No. 11, Edgewood Acres, Plainview, Minnesota 55964 ..... \$127.50

Bennie Boness, Box 722, Nett Lake, Minnesota 55772 ..... \$232.50

Subd. 4. [VIETNAM.] Gerald W. Kunz, 311 West Lombard, Davenport, Iowa 52806 ..... \$600.00

James A. Wiebusch, 1204 West Fourth Street, Red Wing, Minnesota 55066 ..... \$180.00

Keith J. Gilmore, 784 Edmund, St. Paul, Minnesota 55104 ..... \$600.00

George R. Shepard, Box 173, RD 1, Skillman, New Jersey 08558 ..... \$300.00

James L. Ross, 1632 West Naranja Avenue, Mesa, Arizona 85202 ..... \$540.00

Alvin R. Boyd, Jr., 2214 Fourth Avenue South, Minneapolis, Minnesota 55404 ..... \$600.00

Steven M. Hanson, 700 Irene Avenue, Willmar, Minnesota  
56201 ..... \$600.00

Jerome C. Girling, 2134 East Fourth Street, St. Paul, Min-  
nesota 55119 ..... \$100.00

Timothy L. Nelson, Route 2, Isanti, Minnesota 55040  
..... \$105.00

Bradley J. Prozinski, 1225-14th, North, No. 105, St. Cloud,  
Minnesota 56301 ..... \$300.00

Larry J. Hager, 501 Mill Street, Columbia Heights, Minnesota  
55421 ..... \$100.00

Russel A. Van Vickle, Route 2, Box 152, Embarrass, Minnesota  
55732 ..... \$75.00

John R. Arens, RFD 1, Box 67, Arco, Minnesota 56113  
..... \$555.00

Morris N. Bindler, 1700-A Maplewood Drive, Columbia, South  
Carolina 29205 ..... \$300.00

Daniel C. Brausen, 11 Edge Drive, Circle Pines, Minnesota  
55113 ..... \$600.00

Melvin J. Fischer, 2100 East Cliff Road, Burnsville, Minnesota  
55337 ..... \$600.00

Robin J. Gondeck, 16474 Athol Avenue, Fontana, California  
92335 ..... \$600.00

Blaze E. Savage, 5741 West Fleming Road, Atwater, Cali-  
fornia 95301 ..... \$300.00

Hal D. Meling, P. O. Box 94, Rose Creek, Minnesota 55970  
..... \$240.00

Lawrence F. Carpenter, R.R. 1, Box 7C, Suisun, California  
94585 ..... \$600.00

James M. Scurrah, 223 Fairchild Circle, Offutt AFB, Ne-  
braska 68113 ..... \$585.00

William R. Lindquist, 1727 West Second Street, Duluth, Min-  
nesota 55806 ..... \$600.00

Oscar P. Krieg, 9101 Vancouver Drive, Sacramento, California  
95826 ..... \$600.00

James L. Radman, 1433 East Seventh Street, No. 106, St. Paul,  
Minnesota 55106.....\$165.00

Darrell J. Glomski, 818 West Fourth Street, Wabasha, Minne-  
sota 55981.....\$300.00

Clare A. Keith, 619 Vine Street, Eau Claire, Wisconsin 54701  
.....\$135.00

Donald L. McIvor, P. O. Box 55, Stillwater, Minnesota 55082  
.....\$600.00

Dale J. Wawracz, 9108 Upton Avenue South, Minneapolis,  
Minnesota 55431.....\$180.00

Robert G. Hoffman, 3653 - 33rd Avenue South, Minneapolis,  
Minnesota 55406.....\$100.00

Vernon J. Marlin, 2420 "B" Avenue, No. 9, National City,  
California 92050.....\$600.00

Stephen J. Greenwood, 3641 Portland Avenue, Minneapolis,  
Minnesota 55407.....\$105.00

Richard J. Purdes, 8201 Lad Parkway, Brooklyn Park, Minne-  
sota 55443.....\$600.00

Ronald L. Schorn, 2456 Elkhart Lane, St. Paul, Minnesota  
55119.....\$300.00

Joseph A. Reich, Route 4, Aitkin, Minnesota 56431.....  
\$105.00

Jimmy D. Hines, 3020 Emerson Avenue North, Minneapolis,  
Minnesota 55411.....\$300.00

William A. Schoenke III, 14750 West Burnsville Parkway,  
Burnsville, Minnesota 55337.....\$100.00

Walter L. Freiberg, 104 Second Street, Madison, Minnesota  
56256.....\$100.00

Albert W. Lidmark, 1012-1/2 East Seventh Street, Duluth,  
Minnesota 55805.....\$300.00

Gerald F. Koehler, 23 Third Street, Elk River, Minnesota  
55330.....\$100.00

Martin E. Lyons, 3133 Hampshire Avenue South, St. Louis  
Park, Minnesota 55426.....\$600.00

Michael A. Nihart, 901 Second Avenue, N.E., Austin, Minnesota 55912. . . . . \$100.00

Robert L. Hince, PSC Box 1257, APO San Francisco, California 96328. . . . . \$600.00

David B. Eckholdt, 4440 Edmund Boulevard, Minneapolis, Minnesota 55406. . . . . \$100.00

Harold L. Paddock, 508 North High Street, Lake City, Minnesota 55041. . . . . \$100.00

Loren G. Coalwell, 311 Eighth Street, Devils Lake, North Dakota 58301. . . . . \$150.00

Bruce E. Harms, 5 North Sixth Street, Buffalo, Minnesota 55313. . . . . \$100.00

Arthur A. Stangel, 502 Sixth Avenue, N.W., Grand Rapids, Minnesota 55744. . . . . \$600.00

Randy G. Lahti, Box 322, New York Mills, Minnesota 56537. . . . . \$100.00

James B. Grabow, 10748 Seventh Street, N.E., Blaine, Minnesota 55434. . . . . \$210.00

David W. Juntunen, 1290 N.E. Cheri Lane, No. 8, Minneapolis, Minnesota 55421. . . . . \$100.00

Patrick J. Boffa, 45 Fern Court, Babbitt, Minnesota 55706. . . . . \$600.00

Emma A. Larson—Beneficiary, Route 2, Hanska, Minnesota 56041. . . . . \$1,000.00

Burton L. Smith, 717 Third Avenue, Mendota Heights, Minnesota 55118. . . . . \$300.00

Jerome E. Kellerman, 3950 Mount Albertine Way, San Diego, California 92111. . . . . \$300.00

John C. Olson, 923 Baxter Avenue, Superior, Wisconsin 54880. . . . . \$300.00

David E. Asmus, 3 EMS PSC No. 1, Box 2931, APO San Francisco, California 96286. . . . . \$600.00

Randy L. Baxter, 619 Fourth Street South, Breckenridge, Minnesota 56520. . . . . \$285.00

Roger G. Pederson, 1858 South Crescent Heights Boulevard,  
Los Angeles, California 90035.....\$600.00

Philip A. Justin, 25 Worden Avenue, North Kingstown, Rhode  
Island 02852.....\$300.00

Dennis G. Leary, Route 3, Paynesville, Minnesota 56352  
.....\$300.00

Gene E. Snowberg, 720 North Aurdal, Fergus Falls, Minne-  
sota 56537.....\$300.00

Francis J. Lamote, 1390 Rudy Lane, R.R. 2, Box 81D, Windom,  
Minnesota 56101.....\$300.00

Nancy L. Campbell, 564 Esther Lane, Woodbury, Minnesota  
55119.....\$195.00

John S. Koshuba, 751 - 58th Avenue, N.E., Fridley, Minne-  
sota 55432.....\$100.00

William J. Schiebler, 4300 Linden Hills Boulevard, Minne-  
apolis, Minnesota 55410.....\$600.00

Keith M. Moldenhauer, 541 - 105th Lane, N.W., Coon Rapids,  
Minnesota 55433.....\$100.00

Donald J. Phillips, 2409 Aldrich Avenue North, Minneapolis,  
Minnesota 55411.....\$100.00

Vincent C. Thellin, Route 2, Box 50, Big Lake, Minnesota  
55309.....\$225.00

Kathryn M. Capone, 1032 Cedarwood Drive, Woodbury, Min-  
nesota 55119.....\$120.00

James M. Kellner, 1204 Second Avenue East, International  
Falls, Minnesota 56649.....\$100.00

Richard M. Koskie, 12815 Linde Lane, Minnetonka, Minne-  
sota 55343.....\$100.00

Jerry D. Hinrichs, 3260 Rowena, Barberton, Ohio 44203  
.....\$300.00

Sandra S. Heredia, 6502 - 37th Avenue North, Minneapolis,  
Minnesota 55427.....\$100.00

Daniel H. Stenquist, 508 Cartway Road, Champlin, Minne-  
sota 55316.....\$600.00



- Margaret A. Herron, 729 Roseneath, Jackson, Missouri 39203  
..... \$1,000.00
- Andrea L. Ciulla, 12196 North Mississippi Drive, Champlin,  
Minnesota 55316 ..... \$100.00
- Tom E. Johnson, 2082 Pleasant Hill Road, Marion, Ohio  
48302 ..... \$300.00
- Richard D. Monte, 945 Margaret Street, St. Paul, Minnesota  
55106 ..... \$600.00
- Royal Mittendorff, 8260 Westwood Hills Curve, St. Louis  
Park, Minnesota 55426 ..... \$120.00
- Ronald L. Brevig, 4045 Hodgson Road, No. 102, Shoreview,  
Minnesota 55112 ..... \$195.00
- Ronald D. Gallmeier, 122 Monroe Street North, Prescott, Wis-  
consin 54021 ..... \$300.00
- Dennis E. Gagnon, Route 3, Box 140, Bagley, Minnesota 56621  
..... \$300.00
- Roger A. Tucker, 416 North Hickory, No. 7, Escondido, Cali-  
fornia 92025 ..... \$100.00
- Dennis C. Platz, R.R. 2, Springfield, Minnesota 56087 .....  
\$100.00
- Ralph A. Wise, 311 South Oak, Lake City, Minnesota 55041  
..... \$100.00
- Anthony A. Barnes, Hillcrest Park, c/o Pat Frank, Lot 23,  
Blue Earth, Minnesota 56013 ..... \$120.00
- Claude D. Schultze, 26 Bradford Street, Hutchinson, Minne-  
sota 55350 ..... \$600.00
- William T. Theel, Route 2, Box 3998, Paynesville, Minnesota  
56362 ..... \$600.00
- Alvin R. Boyd, Jr., Box 395, Squaw Lake, Minnesota 56681  
..... \$600.00
- Scott A. Miller, 608 East Maryland Avenue, St. Paul, Minne-  
sota 55101 ..... \$100.00
- James Kingbird, Box 304, Redby, Minnesota 56670 .....  
\$300.00

John T. Woodman, P. O. Box 13, Madison Lake, Minnesota  
56001 ..... \$165.00

Charles W. Winger, P. O. Box 339, Drayton, North Dakota  
58225 ..... \$600.00

Lloyd F. LaFave, Jr., 3956 17th Avenue South, Minneapolis,  
Minnesota 55407 ..... \$585.00

Kenneth R. Johnson, 8127 - 49th Avenue South, Seattle, Wash-  
ington 98118 ..... \$300.00

Tony E. Oak, P. O. Box 251, Sandstone, Minnesota 55072  
..... \$135.00

Gerald L. Phillips, 1519 Nunaka Drive, Anchorage, Alaska  
99504 ..... \$600.00

Robert R. Kelm, Route 4, Box 40, Austin, Minnesota 55912  
..... \$210.00

Kenneth K. Hanson, 13245 Ardis Avenue, Downey, California  
90242 ..... \$600.00

Edward O. Holman, 18210 East Mission, Greenacres, Wash-  
ington 99016 ..... \$300.00

Patricia K. Hansen, 1406 Fifth Street North, No. 202, Fargo,  
North Dakota 58102 ..... \$300.00

Gerald D. Waage, 710 North Main, Roseau, Minnesota 56751  
..... \$270.00

Gary F. Nowacki, P. O. Box 756, Alvarado, Minnesota 56710  
..... \$600.00

Richard L. Werner, c/o Leonard Pelland, Guardian, Route 7,  
Box 65, International Falls, Minnesota 56649 ..... \$600.00

Allen M. Jostock, 7710 Penn Avenue South, Richfield, Minne-  
sota 55423 ..... \$300.00

Bennie R. Thompson, 1568 East Cottage Avenue, St. Paul,  
Minnesota 55106 ..... \$300.00

Randall M. Cummings, 117 - 91st Lane, N.E., Blaine, Minne-  
sota 55434 ..... \$100.00

Craig W. Bahr, Box 3265, St. Paul, Minnesota 55165 .....  
\$270.00

Synneva T. Durre, 2938 - 142nd Lane, N.W., Anoka, Minnesota 55303 .....\$120.00

Richard H. Kjenstad, 1727 - 207th Lane, N.E., Cedar, Minnesota 55011 .....\$300.00

Gerald H. Johnson, 5301 North 45th Street, Tacoma, Washington 98407 .....\$210.00

David J. Ridgeway, 3844 Minnehaha Avenue South, Minneapolis, Minnesota 55406 .....\$600.00

James D. Hanson, 26437 Finley Avenue, Wyoming, Minnesota 55092 .....\$180.00

Robert A. Vickstrom, Box 243, Route 1, Bethel, Minnesota 55005 .....\$100.00

Gregory D. Lewis, Route 4, Box 5B, Austin, Minnesota 55912 .....\$180.00

Richard J. McSorley, P. O. Box 64, Battle Lake, Minnesota 56515 .....\$100.00

Randall L. Eggen, 1406 Ninth Street North, Fargo, North Dakota 58102 .....\$100.00

John A. Rodrigue, 12120 - 238th Street North, Scandia, Minnesota 55073 .....\$195.00

Bruce W. Farmer, 16515 Temple Drive, Minnetonka, Minnesota 55343 .....\$300.00"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1052, A bill for an act relating to retirement; Eveleth joint retired police and firefighters retirement trust fund; providing for a post retirement adjustment.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1077, A bill for an act relating to retirement; Minneapolis municipal employees retirement fund; increasing the employee contribution rate; amending Minnesota Statutes 1978, Section 422A.10, Subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1978, Chapter 355, is amended by adding a section to read:

[355.311] [SECOND SOCIAL SECURITY REFERENDUM.] *Subdivision 1. [PAYMENT OF RETROACTIVE SOCIAL SECURITY EMPLOYEE AND EMPLOYER TAXES.] Effective retroactively with respect to any employment after the date of retroactive coverage by municipal employees who are employed on the date of the agreement or modification of the agreement with the secretary of health, education and welfare, the executive secretary of the Minneapolis municipal employees retirement fund shall cause to be paid out of the fund an amount for each municipal employee retroactively included equal to the employee and employer taxes which would have been imposed by the federal insurance contribution act if the service by the employee constituted employment within the meaning of that act. This payment shall be computed from the date of retroactive coverage to the date that deductions are first taken from the wages of each municipal employee pursuant to section 355.309. Amounts paid to meet the required employee contribution shall first be deducted from the accumulated deductions of the municipal employee and then from the remaining assets of the fund.*

*Subd. 2. [APPROPRIATION.] The amounts required by this section are hereby appropriated from the Minneapolis municipal employees retirement fund and the executive secretary of the fund is authorized to make any necessary disbursements and transfers. The amounts so required shall be paid to the contribution fund provided for in the enabling act.*

*Subd. 3. [BALANCES DUE AFTER PAYMENT OF RETROACTIVE SOCIAL SECURITY EMPLOYEE AND EMPLOYER TAXES.] Any municipal employee who elects social security coverage from and after January 1, 1979 and thereby transfers from the basic program of the Minneapolis municipal employees fund to the coordinated program of the Minneapolis municipal employees fund and from whose account retroactive social security employee taxes are paid by the board of the Minneapolis municipal employees fund shall be required to reimburse the fund in an amount equal to the difference between employee contributions at the rate of eight percent of his total salary for the period of retroactive social security coverage and the aggregate of four percent of his total salary for the period of retroactive social security coverage plus the rate of retroactive social*

*security employee taxes paid on the salary of the municipal employee restricted to the earnings limitations imposed by the federal insurance contribution act covering service as a municipal employee rendered from and after July 1, 1978. In the event that a municipal employee does not reimburse the Minneapolis municipal employees retirement fund within 30 days following notification by the executive secretary of the amount of reimbursement which is due, interest at the rate of six percent per annum compounded annually from the date the amount was first payable following notification until the date payment is made shall accrue. The city or the public corporation which employs a municipal employee electing social security coverage from and after January 1, 1979, for service on which retroactive social security employer taxes are paid from the Minneapolis municipal employees retirement fund shall reimburse the fund in an amount equal to the reimbursement amount payable by the municipal employee. The employer reimbursement may be paid from the proceeds of a tax levy made for this purpose or from any other funds available to the employer.*

Sec. 2. Minnesota Statutes 1978, 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,) plus an amount necessary to (REDUCE) amortize on a level annual dollar basis the principal amount of the actuarial deficit (IN EQUAL INSTALLMENTS) by the year 2017 using an interest rate of five percent, compounded annually, 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."

Renumber the remaining sections in sequence

Amend the title as follows:

Page 1, line 5, delete "Section" and insert "Sections 422A.08, Subdivision 2; and"

Page 1, line 5, after "1" insert "; and Chapter 355, 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.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 1113, A bill for an act relating to intoxicating liquor; permitting the sale of certain intoxicating malt liquors by certain wine licensees; amending Minnesota Statutes 1978, Section 340.11, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 340.11, Subdivision 20, is amended to read:

Subd. 20. [ON-SALE WINE LICENSES.] (a) “On-sale wine licenses” shall mean licenses authorizing the sale of wine not exceeding 14 percent alcohol by volume, *and any beer not exceeding seven percent alcohol by weight* for consumption on the licensed premises only, in conjunction with the sale of food.

(b) For purposes of this subdivision “restaurant” shall mean an establishment, under the control of a single proprietor or manager, having appropriate facilities for serving meals, and where, in consideration of payment therefor, meals are regularly served at tables to the general public, and which employs an adequate staff to provide the usual and suitable service to its guests.

(c) Any municipality which maintains a municipal liquor store or any municipality or county authorized to issue “on-sale” licenses for the sale of intoxicating liquor may issue on-sale wine *and beer* licenses to any restaurant having facilities for seating not fewer than 25 guests at one time. The licenses shall be in addition to the number of on-sale licenses for the sale of intoxicating liquor authorized by the intoxicating liquors act. The fee for on-sale wine *and beer* licenses shall be set by the issuing authority, but shall not exceed one-half of the license fee charged by the issuing authority for an on-sale license, or \$2,000, whichever is less. Licenses issued pursuant to this subdivision shall not be effective until approved by the commissioner. The licenses shall authorize the sale of wine *and beer* as herein provided on all days of the week unless the issuing authority restricts the license’s authorization to the sale of wine *and beer* on all days other than Sunday.”

Further, amend the title by deleting it in its entirety and inserting:

“A bill for an act relating to intoxicating liquor; authorizing on-sale wine licensees to sell certain beer; amending Minnesota Statutes 1978, Section 340.11, Subdivision 20.”

With the recommendation that when so amended the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 1182, A bill for an act relating to the Minnesota housing finance agency; establishing a veterans' homeownership assistance program; providing for an increase in the authorization for agency bonds and notes; appropriating money; amending Minnesota Statutes 1978, Sections 462A.03, by adding subdivisions; 462A.05, by adding a subdivision; and 462A.22, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 19, delete "*or a*" and insert a period.

Page 1, delete lines 20 to 23

Page 2, line 9, delete "*veteran's*" and insert "*veterans*"

Page 3, lines 8 to 9, delete "*the veterans' housing assistance payment program*" and insert "*eligible veterans or veterans' dependents*"

Page 3, line 12, delete "*one*" and insert "\_\_\_\_\_"

Page 3, line 13, delete "*\$1*" and insert "\$\_\_\_\_\_"

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 Governmental Operations to which was referred:

H. F. No. 1221, A bill for an act relating to retirement; state employees; miscellaneous amendments to the state employees and unclassified employees retirement plans; amending Minnesota Statutes 1978, Sections 352.03, Subdivisions 1 and 6; 352.113, Subdivisions 1, 4 and 6; 352.115, Subdivisions 8 and 9; 352.12, Subdivision 2; 352.15, Subdivision 1; 352.23; 352D.02, Subdivision 1; 352D.04, Subdivision 2; and 352D.05, Subdivisions 3 and 4; repealing Minnesota Statutes 1978, Sections 352.115, Subdivision 13; 352B.29; 352D.03; and 352D.10.

Reported the same back with the following amendments:

Page 1, after line 14, insert:



"Section 1. Minnesota Statutes 1978, Section 43.051, Subdivision 4, is amended to read:

Subd. 4. (1) Notwithstanding any provisions of chapters 352A and 352B or any other law to the contrary, conservation officers and crime bureau officers who are first employed on or after July 1, 1973 and are members of the highway patrolmen's retirement association by reason of their employment, shall not continue employment after attaining the age of 60 years, except for such fractional portion of one year as will enable the employee to complete his next full year of allowable service.

(2) Notwithstanding any provisions of chapters 352A and 352B or any other law to the contrary, conservation officers and crime bureau officers who are first employed and are members of the highway patrolmen's retirement association by reason of their employment before July 1, 1973, shall (BE GOVERNED BY THE SAME MANDATORY RETIREMENT REGULATIONS APPLIED TO OTHER STATE EMPLOYEES WHO ARE COVERED BY THE MINNESOTA STATE RETIREMENT SYSTEM) *not continue employment after attaining the age of 65 years.*"

Renumber the sections in sequence

Page 7, line 7, delete the new language and reinstate the stricken language

Page 7, line 8, strike "to" and insert "*unless the director, with the concurrence of the medical advisor, determines based on the medical evidence in his possession that the degree of injury or illness which is the cause of the disability is so severe that the chance of the employee recovering to a nondisabled status within the period prior to the next scheduled medical examination is negligible. The medical examination shall*"

Page 9, line 12, after "above" insert "specified"

Page 12, line 18, strike ", revisor of statutes"

Page 12, line 19, strike "the"

Page 15, after line 6, insert:

"Sec. 16. Laws 1975, Chapter 388, Section 1, as amended by Laws 1977, Chapter 429, Section 53, is amended by adding a subdivision to read:

*Subd. 2a. A state employee who prior to attaining that status in 1972 was employed by the house of representatives between January 1, 1963, and August 1, 1969, shall be entitled to obtain*

*allowable service credit for that period of employment by the house of representatives by paying to the Minnesota state retirement system an amount equal to the employee contribution rates in effect for the Minnesota state retirement system and on salaries in effect during that period of prior employment plus interest at the rate of six percent per annum compounded annually from the date the contributions would otherwise have been made to the date the payment is made. Proof of employment by the legislature and the duration thereof shall be established by certification of the committee on rules and legislative administration of the house of representatives. Certification to the director of the Minnesota state retirement system shall include the exact periods of employment for which the employee is entitled to obtain service credit. The service credit shall be computed and granted on the basis of full time employment.*

Sec. 17. Laws 1975, Chapter 388, Section 1, Subdivision 3, as amended by Laws 1977, Chapter 429, Section 53, is amended to read:

Subd. 3. The payments shall be made either in lump sum or payroll deductions made on or before July 1, (1978) 1980. The payments permitted herein, by a person who is a senate employee on the date of payment shall be matched by the senate employer, and for a house employee or a former house employee by the house employer and such sums as are necessary therefor are hereby appropriated from the respective legislative expense funds and transferred to the Minnesota state retirement system. If the employee at the time of payment is a participant in the unclassified program, the payment by the employee and employer shall be used to purchase shares in the Minnesota supplemental fund."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "employees" insert ", highway patrol officers"

Page 1, line 5, after "Sections" insert "43.051, Subdivision 4;"

Page 1, line 10, after "4;" insert "Laws 1975, Chapter 388, Section 1, Subdivision 3, as amended; and by adding a subdivision;"

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. 1241, A bill for an act relating to natural resources; reducing local match required for dam repair and reconstruction grants; authorizing loans for local share of project costs; authorizing sale of bonds for loan program; appropriating money; amending Minnesota Statutes 1978, Section 105.482, Subdivisions 3 and 5, and by adding a subdivision.

Reported the same back with the following amendments:

Page 3, line 7, delete the comma

Page 3, line 8, delete "*including a reasonable reserve for bad debts*"

Page 3, line 25, after "SMALL" insert "STATE AND LOCAL DAM"

Page 3, line 28, delete "dam"

Page 3, line 29, delete "*projects that do not require legislative approval*" and insert "*of state dams pursuant to section 105.482, subdivision 3, where the expenditures do not require legislative approval under section 105.482, subdivision 5*"

Page 4, line 12, after "*indicated*" insert "*in this subdivision*"

Page 4, line 22, delete "*for up to 90 percent of*"

Page 4, delete line 23

Page 4, line 24, delete "*subdivision 3*" and insert "*to local government units approved and made pursuant to section 105.482, subdivision 5a, for the dam repair and reconstruction projects designated in subdivision 3 of this section*"

Page 4, line 26, after "*appropriated*" insert "*from the state building fund*"

Page 4, line 27, delete "*may*" and insert "*shall*"

Page 4, line 29, delete "*and*" and insert a comma

Page 4, line 29, after "*terms*" insert "*, and with the effect*"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1257, A bill for an act relating to public transit; authorizing the acquisition, betterment, operation and maintenance of a people mover system in St. Paul; authorizing financial participation in its construction and operation by the metropolitan transit commission; providing for assistance by the state; appropriating money; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; repealing Laws 1977, Chapter 454, Section 45.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

*"Section 1. [DEFINITIONS.] Subdivision 1. "City" means the city of St. Paul in Ramsey County acting through the city council or any agency, authority or corporation established by or with the approval of the city, acting through its governing body, to implement any of the provisions of this act.*

*Subd. 2. "Commission" means the metropolitan transit commission created by Minnesota Statutes, Section 473.404, having jurisdiction over the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.*

*Subd. 3. "People mover system" or "system" means all property, real and personal, and all contract rights, determined to be necessary or desirable for the acquisition, betterment, operation and maintenance of a transit system, including a fixed guideway, designed to serve the main commercial area of the city of St. Paul and the area of the city surrounding it, as determined by the city council.*

*Subd. 4. "Transit system" has the meaning given in Minnesota Statutes, Section 473.121.*

*Subd. 5. "Acquisition" and "betterment" have the meanings given in Minnesota Statutes, Section 475.51.*

*Subd. 6. "Vehicle system" means the transit cars, the guideway, the guideway columns, the guideway electrification, the control system, the communication system, the platform doors, the maintenance and control center equipment, and other similar necessary components of the selected vehicle system.*

*Subd. 7. "Capitol area" has the meaning given in Minnesota Statutes, Section 15.50.*

*Subd. 8. The "joint management board" or "board" means the board created under section 2.*

Sec. 2. [JOINT MANAGEMENT BOARD; IMPLEMENTATION AUTHORITY.] *The city and the commission shall enter into a written joint powers agreement establishing a joint management board to supervise the people mover project. The board shall have the powers and responsibilities provided for in this act and in the agreement. The board shall be composed of two members of the commission appointed by the chairman of the commission with the approval of the commission, two members representing the city appointed by the mayor and confirmed by the council, and two members representing property owners in the area served by the people mover appointed by the mayor and confirmed by the council. The seventh member and chairman of the board shall be the chairman of the commission. The city and the commission acting together pursuant to written agreement, or the city or the commission acting pursuant to the joint powers agreement and with the approval of the board, may exercise all powers conferred upon them by law or charter, to provide for the acquisition and betterment of a people mover system. By December 15, 1980, the board shall report to the legislature on the joint powers agreement, the activities conducted pursuant to it and to this act, and any additional legislation that may be necessary or appropriate. Beginning with revenue operation, the board shall honor the terms of the existing labor protective agreement or subsequent amendment thereto for the people mover system entered into by the commission and Local 1005, Amalgamated Transit Union pursuant to section 13(c), Urban Mass Transportation Act of 1964, as amended. Commencing with revenue operation of the people mover system, the commission shall own, operate, manage and maintain the system.*

Sec. 3. [METROPOLITAN COUNCIL REVIEW AND RECOMMENDATION.] *The metropolitan council established by Minnesota Statutes, Section 473.123, in making its review under Minnesota Statutes, Section 473.171, of the application for federal grant in connection with the people mover system as a matter of metropolitan significance, shall conduct a public hearing upon such application and the program proposed thereby within 30 days of submission of the application to the council. Not less than 14 days before the hearing the council shall publish notice thereof in a newspaper having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the application may be examined by any interested person. Within 14 days after the hearing the council shall make its recommendation upon the application and cause notice of the same to be published in the same manner as the hearing notice.*

Sec. 4. [EQUIPMENT PURCHASE.] *Subdivision 1. [REQUEST FOR PROPOSALS.] Notwithstanding the provisions of Minnesota Statutes, Sections 471.345 and 471.35 or any other provision of law or charter, a contract for purchase of a vehicle system comprising part of the people mover system shall*

be awarded to the bidder whose proposal is determined to be most favorable on the basis of specifications which shall include the following considerations: the cost of the vehicle system; its cost consequence for other system elements; the operating and maintenance cost of the vehicle system; its visual, aesthetic, social, noise and energy impact; the supplier's plan for winter operation; the capacity of the vehicle system to meet the functional and physical specifications of the contract documents: the ability of the bidder to perform design, furnishing, installing and testing services for all system elements and for construction coordination; and the ability of the bidder to meet requirements imposed as contract conditions in any grant contract entered into with the federal government. The board shall approve the functional and physical specifications proposed for the vehicle system purchase contract before bids are solicited. Eligible bidders shall be limited to suppliers who have provided people mover systems which have successfully served the public.

**Subd. 2. [CONTRACT AWARD.]** The board shall approve all contracts for equipment purchase and for construction. The purchase contract for the vehicle system shall require the supplier to operate and maintain the vehicle system for a five year period of revenue operation at a fixed base price with escalation clauses. The contract shall permit termination by the board at the end of any year of revenue operation.

**Subd. 3. [CERTIFICATION.]** No revenue operation of the people mover system shall begin without federal certification of operating acceptability, signed by the administrator of the urban mass transportation administration, stating that the system has been fully tested and is ready for year-around revenue operation. The purchase contract for the vehicle system shall so provide.

**Sec. 5. [SYSTEM COSTS; SPECIAL ASSESSMENT.]** The people mover system and related access facilities are determined to be local improvements within the meaning of the Minnesota Constitution, Article X, the city's charter, and Minnesota Statutes, Chapters 429 and 430. Accordingly, the costs of acquisition, construction, reconstruction, extension, operation, maintenance and promotion of the people mover system and such facilities whether paid or to be paid by the city or the commission, may be specially assessed against property determined to be specially benefited thereby, to the extent of and in proportion to the benefits. The special assessment shall be levied by the city pursuant to its charter, chapter 429 or 430, and the collections thereof may be pledged to the payment of the costs. After the first year of revenue operation the cost of operation and maintenance to be assessed shall be increased annually at a rate equal to the rate of inflation in the cost of operating and maintaining the people mover system.

Sec. 6. [ACCESS FACILITIES.] *By December 15, 1980 the commission and the city shall report to the legislature on their plans for improving and facilitating access to the people mover system from other modes of transportation. The commissioner shall produce a plan for managing the relationship between buses and the people mover to enhance ridership and patron satisfaction on both systems. The city shall produce parking, traffic and pedestrian management plans, including plans for the construction of fringe parking ramps or lots and skyways. The pedestrian management plan shall include an assessment of the aesthetic and social impact of the people mover system, which has been developed with the participation of the city's district planning councils. The parking plans shall identify the specific locations and capacities of the proposed facilities, along with preliminary design, engineering, and traffic management studies. The plans shall include a development program with a schedule for the development of such facilities and a detailed financial plan demonstrating financial capability for a prospective five year period to support the capital, operating, and maintenance costs of the parking and other access facilities and shall request any additional bonding or financing authority necessary to complete the planned development of such facilities.*

Sec. 7. [OPERATING SUBSIDY.] *Subdivision 1. [LEGISLATIVE DETERMINATION.] The legislature finds and determines that the revenues to be derived from the operation of the people mover system are not likely to be sufficient to pay the cost of operating and maintaining it; that it will be necessary to provide public money for the purpose.*

*Subd. 2. [BOARD REPORT.] The board shall prepare and submit to the commissioner of transportation no later than November 15, 1980, a report containing recommendations of the procedures for the operation and maintenance of the system and for paying the costs of operation and maintenance of the system.*

*Subd. 3. [EVALUATION BY COMMISSIONER OF TRANSPORTATION.] The commissioner of transportation shall independently evaluate the board report upon its completion. The commissioner shall submit a report of his findings to the legislature and to the board no later than January 15, 1981. In preparation of the report, the commissioner shall give particular attention to costs and benefits to the state of Minnesota of the system if the board report recommends that a portion of the money needed for the operation of the system should be provided by the commission.*

Sec. 8. [STATE ASSISTANCE.] *Subdivision 1. The legislature determines that it is necessary and in the best interests of the state and its residents for the state to provide assistance to the city and the commission with respect to the people mover system. For this purpose, notwithstanding the provisions*

of any other law, the acts and statutory exemptions provided for in this section are authorized.

Subd. 2. Construction of the people mover system within the capitol area shall be exempt from the provision of Minnesota Statutes 1978, Section 15.50, Subdivision 2, Clause (e), requiring design competition except that capitol station west shall be subject to an invited competition as defined in part II, 6, c(2) of the american institute of architecture document number 6-J332, issued November, 1976, sponsored and conducted by the capitol area architectural and planning board upon guidelines and criteria as determined by agreement of the joint management board and the capitol area architectural and planning board. System improvements within the capitol area shall be in conformity with the comprehensive use plan for the capitol area and subject to the approval of the board.

Subd. 3. The commissioner of administration on behalf of the state may grant to the city or the commission without compensation, easements for the construction, location and operation of the people mover system upon state owned property. The commissioner of administration and the urban mass transportation administration shall establish the value of easements and related access facilities in the capitol area which will be required for the people mover and which are eligible in lieu of cash as local contributions to the capital cost of the people mover project.

Subd. 4. In lieu of the special assessment by the city of state owned property specially benefited by the location or operation of the people mover system, the commissioner of administration on behalf of the state may enter into an agreement with the city or the commission assuming responsibility for the payment of the annual cost of operation and maintenance of any people mover system station and related access facilities located in the capitol area or a state owned office building.

Subd. 5. There is annually appropriated to the commissioner of administration for the fiscal year ending June 30, 1984 and each fiscal year thereafter, from the general fund, a sum sufficient to pay all costs of the people mover system agreed to be paid by the commissioner pursuant to subdivision 4.

Subd. 6. There is annually appropriated from the general fund to the commissioner of transportation, for reappropriation to the commission, the amounts necessary to finance the commission's share of the cost of acquisition and betterment of the people mover system, not to exceed a total aggregate amount of \$9,000,000 or one-half of the local contribution, whichever is less. By January 1 of each year, the commission shall by resolution notify the commissioner of transportation of the amounts required to pay such costs during the succeeding fiscal year. The commissioner shall include the amount in the department's budget or supplementary budget request to the legislature.



Sec. 9. [REPEALER.] *Laws 1977, Chapter 454, Section 45, is repealed.*

Sec. 10. [EFFECTIVE DATE.] *This act is effective upon approval by resolution of the St. Paul city council and by resolution of the metropolitan transit commission. The resolutions shall be adopted after published notice to the public and public hearing.*

Remove all underscoring from bill.

Further, amend the title as follows:

Page 1, line 8, delete everything after the semicolon

Page 1, line 9, delete everything before "repealing"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1271, A bill for an act relating to the city of Brooklyn Center; authorizing housing and rehabilitation loan and grant program.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 462.445, Subdivision 9, is amended to read:

Subd. 9. [REHABILITATION LOANS AND GRANTS.] (AN AUTHORITY IS AUTHORIZED TO MAKE REHABILITATION LOANS AND GRANTS IN THE SAME MANNER AND UNDER THE SAME CONDITIONS AS ARE NOW PROVIDED BY THE FEDERAL GOVERNMENT PURSUANT TO SECTION 115 OF THE HOUSING ACT OF 1949 AS AMENDED, 42 U.S.C. SECTION 1466, AND SECTION 312 OF THE HOUSING ACT OF 1964 AS AMENDED, 42 U.S.C. SECTION 1452 B, AND IN MAKING SUCH LOANS OR GRANTS TO MAKE SUCH DETERMINATIONS AS ARE PROVIDED BY FEDERAL LAW TO BE MADE BY THE UNITED STATES SECRETARY OF HOUSING AND URBAN DEVELOPMENT. AN AUTHORITY MAY MAKE SUCH LOANS AND GRANTS WITH RESPECT TO PROPERTY LOCATED ANYWHERE WITHIN ITS AREA OF OPERA-

TION WHETHER WITHIN OR WITHOUT THE BOUNDARIES OF AN URBAN RENEWAL AREA AND TO THAT END NEITHER THE PROVISIONS OF SECTION 312 (A) (1) OF THE HOUSING ACT OF 1964 AS AMENDED NOR THE PROVISIONS OF SUBSECTION (B) AND THE LAST SENTENCE OF SUBSECTION (A) OF SECTION 115 OF TITLE I OF THE HOUSING ACT OF 1949 AS AMENDED SHALL BE APPLICABLE, BUT THE REHABILITATION MUST BE NECESSARY TO MAKE THE PROPERTY CONFORM TO APPLICABLE CODE REQUIREMENTS OR, IF THE PROPERTY IS IN AN URBAN RENEWAL AREA, TO CARRY OUT THE OBJECTIVES OF THE URBAN RENEWAL PLAN FOR THE AREA) *An authority may develop and administer a housing rehabilitation loan and grant program with respect to property located anywhere within its boundaries, which property is owned by persons of low and moderate income, on such terms and conditions as it determines.*

Sec. 2. Minnesota Statutes 1978, Section 462.581, is amended to read:

**462.581 [MUNICIPALITY, POWERS AS TO PROJECTS.]**  
For the purpose of aiding and cooperating in the planning, undertaking, construction, or operation of projects of authorities located within the area in which an authority is authorized to act, any state public body may upon such terms, with or without consideration, as it may determine:

(1) Dedicate, sell, convey, or lease any of its interests in any property, or grant easements, licenses, or any other rights or privileges therein to an authority. Except in cities of the first class having a population of less than 200,000, the public body may pay the bonds of or make loans or contributions for redevelopment projects, and the receipt or expenditure of any moneys expended hereunder by such state public body shall not be included within the definition of any limitation imposed on per capita taxing or spending in the charter of such state public body; provided that no state public body may use any revenues or money of that state public body to pay the bonds of or make any loans or contributions to any public housing project; except that,

(i) This proviso shall not be applicable to any public low-rent housing project for which financial assistance is provided by the federal government or any agency or instrumentality thereof which requires a municipality or other local public body to use its revenues or money for a direct loan or grant to such project as a condition for federal financial assistance where such local financial assistance for such project is authorized by resolution of the governing body of the municipality.

(2) Cause parks, playgrounds, recreational, community, education, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with such projects;

(3) Approve (through its governing body or through an agency designated by it for the purpose) redevelopment plans, plan or replan, zone or rezone its parks; in the case of a city or town, make changes in its map; the governing body of any municipality may waive any building code requirements in connection with the development of projects;

(4) Cause services to be furnished to the authority of the character which it is otherwise empowered to furnish;

(5) Enter into agreements with respect to the exercise by it of its powers relating to the repair, closing, or demolition of unsafe, unsanitary or unfit buildings;

(6) Do any and all things necessary or convenient to aid and cooperate in the planning, undertaking, construction, or operation of such projects;

(7) Incur the entire expense of any public improvements made by it in exercising the powers granted in sections 462.415 to 462.711;

(8) Enter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary) with an authority respecting action to be taken by the state public body pursuant to any of the powers granted by sections 462.415 to 462.711; and

(9) Furnish funds available to it from any source, including the proceeds of bonds, to an authority to pay all or any part of the cost to the authority of the activities authorized by section 462.445, subdivision 1, clause (7) (OR SUBDIVISION 9).

*Sec. 3. This act is effective 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 housing rehabilitation; expanding housing rehabilitation loan and grant programs; amending Minnesota Statutes 1978, Sections 462.445, Subdivision 9; and 462.581."

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1274, A bill for an act relating to retirement; payment of teachers' annuities; refunds of accumulated contributions; amending Minnesota Statutes 1978, Sections 354.44, by adding a subdivision; and 354.47, Subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1978, Section 354.05, Subdivision 2, is amended to read:

Subd. 2. [TEACHER.] The word "teacher" includes any person who has rendered, is rendering, or shall hereafter render, service as a teacher, supervisor, principal, superintendent, or librarian in the public schools of the state, located outside of the corporate limits of the cities of the first class, in the state universities, or in any charitable or state institution including penal and corrective institutions supported, in whole or in part, by public funds, or who has been engaged, is engaged, or shall hereafter be engaged, in educational administration in connection with the state public school system, including the state university system and state community college system, but excluding the university of Minnesota, whether the position be a public office or an employment, not including members of any general governing or managing board or body connected with such systems, or the officers of common, independent, special, or associated school districts, or unorganized territory. The term shall also include an employee of the teachers retirement association employed subsequent to July 1, 1969, and any nurse, counselor, social worker or psychologist who has rendered, is rendering or shall hereafter render service in the public schools as defined above or in state universities. The term shall also include any person who renders teaching service on a part time basis and who also renders other services for a school district. In such cases, the teachers retirement association shall have the authority to determine whether all or none of such combined employment will be covered by the teachers retirement association. The term does not mean any person who works for such school or institution as an independent contractor. (DURING ANY FISCAL YEAR,) the term also does not mean a person who works for a school or institution on a part time basis (WHERE) *provided: (1) the person was not required to make contributions to the fund during the current fiscal year; (2) the person has certified that he has established and is contributing to an individual retirement account ( ; PROVIDED THAT) based on non-teaching employment; and (3) the certification is made annually,*

(AND IS MADE) on a form prescribed by the executive director. The term shall not include any person employed in subsidized on-the-job training, work experience or public service employment as an enrollee under the federal comprehensive employment and training act from and after March 30, 1978, unless the person has as of the later of March 30, 1978 or the date of employment sufficient service credit in the retirement fund to meet the minimum vesting requirements for a deferred retirement annuity, or the employer agrees in writing on forms prescribed by the executive director to make the required employer contributions, including any employer additional contributions, on account of that person from revenue sources other than funds provided under the federal comprehensive training and employment act, or the person agrees in writing on forms prescribed by the executive director to make the required employer contribution in addition to the required employee contribution.

Sec. 2. Minnesota Statutes 1978, Section 354.06, Subdivision 2, is amended to read:

Subd. 2. [OFFICERS; EMPLOYEES; EXPENSES OF FUND.] The board shall annually elect one of its members as president (,). It shall elect an executive director, and fix his salary (, WHO). *The executive director 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) this chapter shall be paid by the fund. The executive director shall be appointed by the board on the basis of fitness, experience in the retirement field and leadership ability. The executive director shall have had at least five years of experience on the administrative staff of a major retirement system.*

Sec. 3. Minnesota Statutes 1978, Section 354.44, Subdivision 1a, is amended to read:

Subd. 1a. [MANDATORY RETIREMENT.] Notwithstanding the provisions of sections 43.30 or 197.45 to 197.48, a member shall terminate employment on August 31, 1976, or at the end of the academic year in which the member reaches the age of 65, whichever is later. For purposes of this subdivision, an academic year shall be deemed to end August 31. A member who terminates employment at any time during the academic year at the end of which such person is (REQUIRED TO TERMINATE EMPLOYMENT PURSUANT TO THIS SUBDIVISION) *age 65 or older* 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) *older* pursuant to (THIS SUBDIVISION) *section 356.32*. Nothing contained in this subdivision shall preclude an employer unit

covered by this chapter from employing a retired teacher as a substitute or part time teacher; provided, no teacher required to terminate employment by this subdivision shall resume membership in the retirement association by virtue of employment as a substitute or part time teacher; provided further that upon having earned \$3,000 in any academic year from employment as a substitute or part time teacher, any person over the age of 65 years shall terminate employment for the remainder of that academic year."

Renumber remaining sections

Page 1, line 15, after "*evidence*" insert "*of receipt form*"

Page 1, line 17, after "*withheld*" insert "*until the form is submitted*"

Amend the title as follows:

Page 1, line 2, after the semicolon insert "teachers retirement association; qualifications for executive director; definition of teacher; application of proportionate annuity;"

Page 1, line 4, after "Sections" insert "354.05, Subdivision 2; 354.06, Subdivision 2;"

Page 1, line 4, after "354.44," insert "Subdivision 1a, and"

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 Governmental Operations to which was referred:

H. F. No. 1307, A bill for an act relating to cable communications; regulating the franchising and operating of cable communications systems; amending Minnesota Statutes 1978, Sections 238.01; 238.02, Subdivisions 3, 6 and 8; 238.04, Subdivision 2; 238.05, Subdivisions 2, 7, 10, 11, 16 and 17; 238.06, Subdivision 6; 238.07; 238.08; 238.09, Subdivisions 6 and 7; 238.11, Subdivision 2; 238.12; and 238.17, Subdivisions 2 and 3; repealing Minnesota Statutes 1978, Sections 238.09, Subdivision 10; and 238.17, Subdivision 5.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 238.02, Subdivision 3, is amended to read:

Subd. 3. "Cable communications system" shall mean any system which operates for hire the service of receiving and amplifying programs broadcast by one or more television or radio stations and any other programs originated by a cable communications company or by another party, and distributing such programs by wire, cable, microwave or other means, whether such means are owned or leased, to persons who subscribe to such service. Such definition does not include:

(a) any system which serves fewer than (50) 1,000 subscribers;

(b) any master antenna television system;

(c) any specialized closed-circuit system which does not use the public rights-of-way for the construction of its physical plant; and

(d) any translator system which receives and rebroadcasts over-the-air signals.

Sec. 2. Minnesota Statutes 1978, Section 238.02, Subdivision 6, is amended to read:

Subd. 6. "Gross annual receipts" shall mean all compensation received directly or indirectly by a cable communications company from its operations within the state, limited to (SUMS) *the regular payments* received from subscribers in payment for (PROGRAMS RECEIVED) *basic cable television services and programming.*

Gross annual receipts shall not include any taxes, or fees, including copyright fees, on services furnished by a cable communications company imposed (DIRECTLY ON ANY SUBSCRIBER OR USER) by any municipality, state, or other governmental unit and collected by the company for such governmental unit.

Sec. 3. Minnesota Statutes 1978, Section 238.02, Subdivision 8, is amended to read:

Subd. 8. "Municipality" shall mean (ANY ORGANIZED) *an incorporated town (,) or city, (OR COUNTY) and shall mean, at the option of the cable operator, either a township or county,* with respect to the unorganized territory within its boundaries.

Sec. 4. Minnesota Statutes 1978, Section 238.05, Subdivision 17, is amended to read:

Subd. 17. The board (SHALL) *may* also promulgate rules pertaining to cable transmission line extension by cable communications companies.

Sec. 5. Minnesota Statutes 1978, Section 238.07, is amended to read:

238.07 [COSTS AND EXPENSES OF THE BOARD.] On or before December 1 of each year, the board shall estimate the total costs and expenses, including compensation for personal services necessary to operate and administer the board for the next ensuing state fiscal year. The board shall, at such time or times and pursuant to such procedure as it shall determine by regulation, bill and collect from each franchised cable communication company funds to carry on the work of the board, according to an equitable formula established by the board; provided that the amount billed to or collected from any operating cable communications company pursuant to this section shall never exceed one percent of the gross annual receipts of such company during the 12 month period designated by the board, and further provided that (IN NO CASE SHALL THE AMOUNT COLLECTED PURSUANT TO THIS SECTION DIMINISH THE AMOUNT COLLECTED BY THE MUNICIPALITY FROM THE CABLE COMMUNICATIONS COMPANY) *the total amount collected from the cable communications company from all governmental entities shall not exceed three percent of the gross annual receipts of such company during that year, unless the municipality petitions the board for approval of a total fee not exceeding five percent of gross annual receipts. The board shall approve a total fee of not exceeding five percent of gross annual receipts upon a showing by the franchising authority that the municipal franchise fee is necessary to cover municipal expenses incurred in the regulation of the cable communications system or to promote public, governmental or educational access programming or both.* The proceeds collected pursuant to this section shall be annually appropriated to the general fund of the state treasury.

Sec. 6. Minnesota Statutes 1978, Section 238.08, Subdivision 4, is amended to read:

Subd. 4. Nothing in Laws 1973, Chapter 568 shall be construed to limit the power of any municipality to impose upon any cable communications company a fee, tax or charge, *provided that the total amount collected from the cable communications company from all governmental entities shall not exceed three or five percent of the gross annual receipts of the cable company during a 12 month period, as provided pursuant to section 238.07.*

Sec. 7. Minnesota Statutes 1978, Section 238.09, Subdivision 6, is amended to read:



Subd. 6. Except as provided in subdivision 3, every cable communications company shall be required to secure a certificate of confirmation from the board before becoming operational. Except as provided in subdivisions 3, 4, 5 and 9, such certificate may be granted after full board proceedings and shall be for (A PERIOD OF TEN YEARS) *the same number of years as the initial franchise period.* A renewal certificate of confirmation may be issued prior to the expiration of any existing certificate.

Sec. 8. Minnesota Statutes 1978, Section 238.09, Subdivision 7, is amended to read:

Subd. 7. Any renewal of a certificate of confirmation shall be for (A PERIOD OF TEN YEARS) *the same number of years as the renewal franchise period.* A renewal certificate of confirmation may be issued prior to the expiration of any existing certificate.

Sec. 9. Minnesota Statutes 1978, Section 238.11, Subdivision 2, is amended to read:

Subd. 2. No cable communications company may prohibit or limit any program or class or type of program presented over a leased channel or any channel made available for public access, governmental or educational purposes, *provided the cable operator is not deemed liable for the broadcast of obscene or defamatory programming.*

Sec. 10. Minnesota Statutes 1978, Section 238.12, Subdivision 1, is amended to read:

238.12 [RATES.] Subdivision 1. (EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE RATES CHARGED BY A CABLE COMMUNICATIONS COMPANY SHALL BE THOSE SPECIFIED IN THE FRANCHISE, WHICH MAY ESTABLISH, OR PROVIDE FOR THE ESTABLISHMENT OF) *Rates charged by a cable communications company may be established in the franchise by the municipality. A franchise may provide for reasonable classifications of service and categories of subscribers, or specify different rates for differing services or for subscribers in different categories.*

Sec. 11. Minnesota Statutes 1978, Section 238.12, Subdivision 2, is amended to read:

Subd. 2. (SUCH RATES MAY NOT BE CHANGED EXCEPT AS PROVIDED FOR IN THE APPROVED FRANCHISE.) *Procedures for rate changes may be established in the approved franchise by the municipality."*

Delete the title in its entirety and insert:

"A bill for an act relating to cable communications; regulating the franchising and operating of cable communications systems; amending Minnesota Statutes 1978, Sections 238.02, Subdivisions 3, 6 and 8; 238.05, Subdivision 17; 238.07; 238.08, Subdivision 4; 238.09, Subdivisions 6 and 7; 238.11, Subdivision 2; and 238.12, Subdivisions 1 and 2."

With the recommendation that when so amended the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 1309, A bill for an act relating to mobile homes; regulating space and lot rentals and leases; prohibiting unreasonable park rules and regulations; requiring notice; specifying grounds for eviction and access; prohibiting retaliatory conduct; amending Minnesota Statutes 1978, Sections 327.42, Subdivisions 1 and 2; 327.43, Subdivision 2, and by adding a subdivision; 327.44; and Chapter 327, by adding sections.

Reported the same back with the following amendments:

Page 2, line 6, delete ";" and reinstate the period

Page 2, delete lines 7 to 33

Page 3, delete lines 1 to 25

Page 4, line 1, delete "or impose undue"

Page 4, line 2, delete "hardship on the tenant"

Page 4, after line 2, insert new sections to read:

"Sec. 3. Minnesota Statutes 1978, Section 327.42, is amended by adding a subdivision to read:

*Subd. 3. Entry into an agreement pursuant to this section shall not be deemed a waiver of any rights or privileges guaranteed by law to the mobile home park owner or tenant.*

Sec. 4. Minnesota Statutes 1978, Section 327.42, is amended by adding a subdivision to read:

*Subd. 4. The following notice printed verbatim in boldface type of a minimum size of ten points shall be provided to prospective tenants before they sign leases or rental agreements:*

*“IMPORTANT NOTICE*

*Your lease or rental agreement will set forth your rights and duties as well as the rights and duties of this mobile home park.*

*You may stay in the park as long as it is in operation and you meet your financial obligations, obey state and local laws regarding mobile home parks, abide by reasonable park rules or regulations and meet any other obligations in the agreement.*

*You cannot be evicted until you have received written notice for the eviction and have been given:*

*(a) the time the ordinance, law or regulation provides to comply with a local ordinance, state law or regulation relating to mobile homes or 90 days if the ordinance, law or regulation provides no time,*

*(b) 30 days to comply with the terms and conditions of the lease or rental agreement, except for nonpayment of rent, or*

*(c) seven days to correct conduct on the mobile home park premises which substantially annoys other tenants.*

*If you have been served with an eviction notice and you refuse to vacate the mobile home park, the park owner may commence a legal proceeding against you. If the judge or jury decides in your favor, you may stay within the park. However, if the judge or jury decides in favor of the park owner, a sheriff may move you and your belongings out of the park within 24 hours.*

*The mobile home park must give you 60 days written notice of any change in the terms or conditions of the agreement.*

*Rules or regulations of the park must not be unreasonable.*

*Changes made in rules or regulations after you enter into this agreement will not apply to you if they substantially change your agreement.*

*The mobile home park may not charge you more for utilities than the rate which is charged to single-family dwellings in the same utility service area for comparable service or more than the rate which you could pay directly for the same utility service from some other comparable source in the same market area.*

*The park may charge you no fee for a space or lot except rent plus reasonable charges for goods and services furnished you at the expense of the park in setting up your home on the space or lot.*

*Security deposits for damage to property or for default in the agreement may not exceed two months' rent.*

*If you decide to sell your mobile home and it is more than 15 years old if manufactured prior to July 1, 1972, or more than 25 years old if manufactured after July 1, 1972, the park owner may insist that you move your home from the park after its sale.*

*You may not be evicted or have your rent increased or your services decreased for reporting to the Minnesota department of health, the Minnesota attorney general or other appropriate governmental agency any violation of law or health or building code.*

*You must receive written notice six months in advance if the park voluntarily ceases operation.*

*State laws governing mobile home park rentals and leases are enforceable by the Minnesota attorney general." Park owners also shall provide the notice to persons who are park tenants on August 1, 1979."*

Renumber the remaining sections in sequence

Page 5, line 1, before "90 days" insert "the time the ordinance, law or regulation provides or, if no time is provided, within"

Page 5, line 4, after "agreement" insert ", except for nonpayment of rent,"

Page 5, line 5, delete "by certified"

Page 5, line 6, delete "mail" and after the semicolon delete "or"

Page 5, line 4, after "operation" insert "; or" and insert a clause to read:

*"(d) The tenant conducts himself upon the mobile home park premises in a manner which substantially annoys other tenants and does not cease such conduct within seven days after the tenant has received written notice."*

Further, amend the title as follows:

Page 1, line 8, after "2" and before the semicolon insert ", and by adding subdivisions"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1350, A bill for an act relating to unemployment compensation; providing for conformity with federal requirements; altering certain definitions; altering certain provisions as to employer contributions; altering provisions as to deductions from benefits; altering provisions as to between term denial of benefits to certain educational employees; altering certain provisions for disqualification from benefits; altering certain appeal provisions; removing limitation on certain reciprocal benefit arrangements; amending Minnesota Statutes 1978, Sections 268.04, Subdivisions 10, 12 and 23; 268.06, Subdivisions 5, 8, 21, 22, and by adding a subdivision; 268.08, Subdivisions 3, 4 and 6; 268.09, Subdivisions 1, 2 and 3; 268.10, Subdivision 2; 268.12, Subdivision 13; 268.13, Subdivision 2; and 268.18, Subdivisions 1 and 2.

Reported the same back with the following amendments:

Page 26, after line 24, add a new section:

"Sec. 9. Minnesota Statutes 1978, Section 268.08, Subdivision 1, is amended to read:

268.08 [PERSONS ELIGIBLE TO RECEIVE BENEFITS.] Subdivision 1. [ELIGIBILITY CONDITIONS.] An individual shall be eligible to receive benefits with respect to any week of unemployment only if the commissioner finds that:

(1) He has registered for work at and thereafter has continued to report to an employment office, or agent of such office, in accordance with such regulations as the commissioner may prescribe; except that the commissioner may by regulation waive or alter either or both of the requirements of this clause as to types of cases or situations with respect to which he finds that compliance with such requirements would be oppressive or would be inconsistent with the purposes of sections 268.03 to 268.24;

(2) He has made a claim for benefits in accordance with such regulations as the commissioner may prescribe; and

(3) He was able to work and was available for work, and was actively seeking work, provided that individual's weekly benefit amount shall be reduced one-fifth for each day such individual is unable to work or unavailable for work; provided further that benefits after December 31, 1971, shall not be denied by application of this clause to an individual who is in training with the approval of the commissioner;

An individual shall be deemed unavailable for work with respect to any week which occurs in a period when his principal oc-

cupation is that of a student in attendance at, or on vacation from an established school, college or university unless a majority of the credit weeks earned in his base period were for services performed during weeks in which he was attending school.

((4) HE HAS BEEN UNEMPLOYED FOR A WAITING PERIOD OF ONE WEEK DURING WHICH HE IS OTHERWISE ELIGIBLE FOR BENEFITS UNDER SECTIONS 268.03 TO 268.24, PROVIDED, HOWEVER, PAYMENT FOR THE WAITING WEEK SHALL BE MADE TO SUCH INDIVIDUAL AFTER HE HAS QUALIFIED FOR AND BEEN PAID BENEFITS FOR FOUR WEEKS OF UNEMPLOYMENT IN A BENEFIT YEAR WHICH PERIOD OF UNEMPLOYMENT IS TERMINATED BECAUSE OF SUCH INDIVIDUAL'S RETURN TO EMPLOYMENT. NO INDIVIDUAL SHALL BE REQUIRED TO SERVE A WAITING PERIOD OF MORE THAN ONE WEEK WITHIN THE ONE YEAR PERIOD SUBSEQUENT TO FILING A VALID CLAIM AND COMMENCING WITH THE WEEK WITHIN WHICH SUCH VALID CLAIM WAS FILED.)"

Page 29, line 31, delete "*in a public or nonpublic school*"

Page 30, line 24, delete "*in a public or nonpublic school*"

Page 32, line 19, strike "or"

Page 32, line 31, after "*amount*" insert "; or"

Page 32, after line 31, add a new clause to read:

*"(f) The individual is separated from his employment due to his completion of an apprenticeship program, or segment thereof, approved pursuant to chapter 178."*

Page 47, after line 17, insert:

"Sec. 20. [EFFECTIVE DATES.] *Subdivision 1. Sections 1, 2 and 3 shall be effective January 1, 1979.*

*Subd. 2. Sections 5 and 6 shall be effective January 1, 1980.*

*Subd. 3. Sections 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 shall be effective the day following final enactment."*

Re-number the remaining sections in sequence.

Amend the title as follows:

Page 1, line 15, after "Subdivisions" insert "1,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 1364, A bill for an act relating to the regulation of securities; exempting certain securities from certain registration and filing requirements; amending Minnesota Statutes 1978, Section 80A.15, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 26, A bill for an act relating to the city of Moorhead; authorizing a housing finance program and providing for the issuance of revenue bonds to finance the program.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

S. F. No. 54, A bill for an act relating to profit and nonprofit corporations; simplifying certain requirements governing formation and management of nonprofit corporations; resolving certain inconsistencies between profit and nonprofit corporations; removing certain ambiguities and deficiencies; amending Minnesota Statutes 1978, Sections 301.30, Subdivision 1; 317.02, Subdivision 5; 317.07; 317.08, Subdivisions 1 and 3; 317.20, Subdivision 1; and 317.21, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

S. F. No. 186, A bill for an act relating to crimes; limiting a perpetrator's right to commercially exploit the crime; providing

for the payment of crime victims; appropriating money; amending Minnesota Statutes 1978, Chapter 299B, by adding a section.

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:

S. F. No. 218, A bill for an act relating to game and fish; authorizing exporting of leeches; time for possession of certain equipment usable in taking fish; amending Minnesota Statutes 1978, Sections 97.45, Subdivision 15; and 101.42, Subdivision 18.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

S. F. No. 228, A bill for an act relating to intoxicating liquor; places where sales are forbidden; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3.

Reported the same back with the following amendments:

Page 2, line 23, strike "1,200" and insert "1,500"

Page 2, line 24, after the first "*university*" insert "*except for one wine and two off-sale licenses only*"

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. 233, A bill for an act relating to the city of Faribault; authorizing subletting of certain property leased from the state; directing disposition of rentals therefrom; amending Laws 1977, Chapter 245, Section 1, Subdivision 1.

Reported the same back with the recommendation that the bill pass.



The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

S. F. No. 427, A bill for an act relating to warehouses; excepting persons storing certain items on a seasonal basis from requirements applied to warehousemen; amending Minnesota Statutes 1978, Section 231.01, Subdivision 5.

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:

S. F. No. 466, A bill for an act relating to counties; providing for the use of certain tax-forfeited lands; regulating the terms of small timber sales; amending Minnesota Statutes 1978, Section 282.04, 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:

S. F. No. 538, A bill for an act relating to state lands; authorizing the lease of certain state lands in Itasca County for use by the Itasca Ski and Outing Club, Inc.

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:

S. F. No. 709, A bill for an act relating to game and fish; affording protection to the badger; authorizing a season thereon; amending Minnesota Statutes 1978, Sections 100.26, Subdivision 1; and 100.27, Subdivision 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

### SECOND READING OF HOUSE BILLS

H. F. Nos. 323, 450, 738, 874, 897, 907, 980, 995, 1002, 1037, 1052, 1113, 1221, 1271, 1274, 1307, 1309, 1350 and 1364 were read for the second time.

### SECOND READING OF SENATE BILLS

S. F. Nos. 801, 757, 737, 1149, 779, 668, 807, 26, 54, 186, 218, 228, 233, 427, 466, 538 and 709 were read for the second time.

### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced :

Begich and Battaglia introduced :

H. F. No. 1499, A bill for an act relating to minerals; providing for notice and opportunity for hearing prior to forfeiture for failure to file a statement of severed mineral interest, and amending certain laws related thereto; validating certain statements; amending Minnesota Statutes 1978, Sections 93.55; 273.13, Subdivision 2a; and Chapter 93, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jacobs introduced :

H. F. No. 1500, A bill for an act relating to taxation; income tax; changing amount and removing certain limitations on dependent care credit; amending Minnesota Statutes 1978, Section 290.067, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Taxes.

Jacobs introduced :

H. F. No. 1501, A bill for an act relating to taxation; income tax; increasing the standard deduction; amending Minnesota Statutes 1978, Section 290.09, Subdivision 15.

The bill was read for the first time and referred to the Committee on Taxes.

Brinkman, Peterson, Greenfield, Adams and Ainley introduced:

H. F. No. 1502, A bill for an act relating to intoxicating liquor; permitting persons to hold more than one liquor license; amending Minnesota Statutes 1978, Section 340.11, Subdivision 7a; repealing Minnesota Statutes 1978, Section 340.13, Subdivision 3.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Jude introduced:

H. F. No. 1503, A bill for an act relating to the city of Mound; authorizing a housing finance program and providing for the issuance of revenue bonds to finance the program.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Laidig introduced:

H. F. No. 1504, A bill for an act relating to corporations; eliminating the filing fee for active status reports; amending Minnesota Statutes 1978, Section 301.511, Subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Piepho, Jennings and Nysether introduced:

H. F. No. 1505, A bill for an act relating to elections; prohibiting persons from being in polling places in anticipation of voting; amending Minnesota Statutes 1978, Section 204A.37.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Piepho and Wigley introduced:

H. F. No. 1506, A bill for an act relating to state government; extending the contract preference for United States materials to include Mexican and Canadian made materials; amending Minnesota Statutes 1978, Section 16.073.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Laidig; Welker; Anderson, D.; Voss and Norton introduced:

H. F. No. 1507, A bill for an act relating to appropriations; converting certain standing appropriations to direct appropriations; abolishing other standing appropriations; appropriating money; amending Minnesota Statutes 1978, Sections 9.061, Subdivision 5; 97.482, Subdivision 2; and 638.08; repealing Minnesota Statutes 1978, Section 7.07.

The bill was read for the first time and referred to the Committee on Appropriations.

Fjoslien; Aasness; Anderson, D.; Niehaus and Pehler introduced:

H. F. No. 1508, A bill for an act relating to eminent domain; exempting certain payments to certain landowners from assignment; amending Minnesota Statutes 1978, Chapter 116C, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Tomlinson, Casserly and Kvam introduced:

H. F. No. 1509, A bill for an act relating to taxation; altering the penalty to be imposed upon assessment districts having large coefficients of dispersion; delaying the effective date of imposition of the penalty; amending Minnesota Statutes 1978, Section 477A.04, Subdivisions 1, 2, and 3.

The bill was read for the first time and referred to the Committee on Taxes.

Tomlinson, Blatz, Jacobs, Luknic and Otis introduced:

H. F. No. 1510, A bill for an act relating to taxation; income; conforming the credit for political contributions to the federal credit; conforming individual deductions for business expenses, taxes, casualty losses, medical expenses and charitable contributions to federal deductions; removing certain limitations on the dependent care credit; changing the deduction of federal income tax to accrual basis; standardizing the personal and homemakers credits; increasing the standard deduction; increasing the income levels at which individuals are required to file returns; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.06, Subdivisions 3c, 3e and 11; 290.067, Subdivisions 1 and 2; 290.09, Subdivisions 2, 4, 5, 10 and 15; 290.10; 290.18, Subdivision 2; 290.21, Subdivision 3; 290.37, Subdivision 1, and by adding a subdivision; and Chapter 290, by adding a section; repealing Minnesota Statutes 1978, Sections 290.09, Subdivision 27; and 290.21, Subdivision 3a.

The bill was read for the first time and referred to the Committee on Taxes.

Sherwood, Nysether, Reding and Lehto introduced:

H. F. No. 1511, A bill for an act relating to natural resources; authorizing the commissioner to utilize volunteer services; amending Minnesota Statutes 1978, Chapter 84, by adding a section; and Section 176.011, Subdivision 9; repealing Minnesota Statutes 1978, Section 85.041.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kelly; Nelson; Carlson, L.; McEachern and Kostohryz introduced:

H. F. No. 1512, A bill for an act relating to education; imposing a duty on school districts; modifying the pupil unit formula; increasing foundation aid and aid for education of the handicapped; providing an integration aid and an aid for reduced class size; authorizing additional transportation aid; requiring reimbursement of teachers placed on unrequested leaves of absence for certain retraining costs; regulating the payment of the teachers' early retirement incentive and providing for state reimbursement of the school district for part of the payment; providing for state payment of the social security taxes and the employer's retirement contribution for school district employees who are members of the public employees retirement association; appropriating money; amending Minnesota Statutes 1978, Sections 120.17, Subdivision 3a; 124.17, Subdivisions 1 and 2; 124.212, Subdivisions 6c and 7c; 124.223; 124.32, Subdivision 1; 125.61, Subdivision 4; 355.41, Subdivision 4; 355.46, Subdivision 3; 355.49; Chapter 124, by adding sections; and Chapter 353, by adding a section.

The bill was read for the first time and referred to the Committee on Education.

Munger, Peterson, Pahl, Dean and Kostohryz introduced:

H. F. No. 1513, A bill for an act relating to the environment; regulating activities of drillers of exploratory borings; specifying the powers and duties of public officers and agencies; providing penalties; amending Minnesota Statutes 1978, Sections 156A.01; 156A.02, Subdivision 1, and by adding subdivisions; 156A.03, Subdivision 1; 156A.04; 156A.08; and Chapter 156A, by adding a section.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Dempsey introduced:

H. F. No. 1514, A bill for an act relating to eminent domain; attorney's fees on appeal; amending Minnesota Statutes 1978, Section 117.175, Subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Swanson, Niehaus, Byrne, Johnson, D., and Wenzel introduced:

H. F. No. 1515, A bill for an act relating to public welfare; providing for the payment of benefits by the commissioner of public welfare to certain women who agree to place an unborn child for adoption in lieu of undergoing an abortion; requiring physicians who perform abortions to notify women of their opportunity to contract for benefits with the commissioner; providing a penalty.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Anderson, I.; Begich and Battaglia introduced:

H. F. No. 1516, A bill for an act relating to retirement; distribution of police state aid; amending Minnesota Statutes 1978, Sections 69.021, Subdivisions 5, 6 and 7; and 69.031, Subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Metzen introduced:

H. F. No. 1517, A bill for an act relating to transportation; establishing the location of certain portions of certain interstate highways in Dakota County, and directing the early construction thereof.

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. 1518, A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes with certain conditions; providing appropriations for the departments of public welfare, economic security, corrections, corrections ombudsman, health, health related boards; amending Minnesota Statutes 1978, Sections 145.917, by adding a subdivision; and 145.921, by adding subdivisions; repealing Minnesota Statutes 1978, Section 145.921, Subdivisions 2 and 4.

The bill was read for the first time and laid over one day.

Norton, for the Committee on Appropriations, introduced:

H. F. No. 1519, A bill for an act relating to transportation; appropriating money for highway development.

The bill was read for the first time and laid over one day.

Osthoff, Carlson, L., and Swanson introduced:

H. F. No. 1520, A bill for an act relating to elections; allowing post-election challenges to absent voters; changing election contest notice procedures and bond requirement; allowing county and municipal court judges to hear election contests; amending Minnesota Statutes 1978, Sections 204A.32, Subdivision 4; 209.02, Subdivisions 4 and 4a; and 209.06, Subdivision 2.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Wenzel introduced:

H. F. No. 1521, A bill for an act relating to real property; providing for certifications of taxes paid before recording instruments; amending Minnesota Statutes 1978, Sections 272.12; 272.14; and Chapter 272, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Berglin and Casserly introduced:

H. F. No. 1522, 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 1978, Sections 62A.041; 62C.14, Subdivision 5a; 64A.22, Subdivision 1; 144.215, Subdivision 3; 257.025; 257.175; 257.28; 257.33; 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivision 1; 259.29, Subdivision 1; 260.111, Subdivision 2; 260.221; and 260.231, Subdivision 3; repealing Minnesota Statutes 1978, Sections 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 Judiciary.

Clawson, Onnen and Niehaus introduced:

H. F. No. 1523, A bill for an act relating to health; promoting health maintenance organizations by eliminating certain regulations; promoting competition in health care delivery; amending Minnesota Statutes 1978, Sections 62D.01, Subdivision 2; 62D.03; 62D.04, Subdivision 1; 62D.05; 62D.06, Subdivision 1; 62D.08; 62D.12, Subdivision 9; 62D.20; 62D.22, Subdivisions 2, 3, 7, and by adding a subdivision; repealing Minnesota Statutes 1978, Sections 62D.09; and 62D.10, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Carlson, L.; Berkelman; Reif; Kvam and Niehaus introduced:

H. F. No. 1524, A bill for an act relating to tax deductions for employee health benefits; providing tax incentives for employers to offer competitive and cost effective health care benefits; providing for tax deductions; amending Minnesota Statutes 1978, Sections 62E.17, Subdivision 1; and 290.09, Subdivision 2, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.



Carlson, L.; Berkelman; Crandall and Niehaus introduced:

H. F. No. 1525, A bill for an act relating to health; promoting health care cost savings by encouraging competition; prescribing certain duties for the commissioners of health, public welfare, and insurance; appropriating money; amending Minnesota Statutes 1978, Sections 144.703, by adding subdivisions; 145.75; 145.751; and Chapter 145, by adding a section.

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. 1526, 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 1978, Sections 120.81, Subdivision 2; and 124.572, by adding a subdivision.

The bill was read for the first time and laid over one day.

#### HOUSE ADVISORIES

The following House Advisories were introduced:

Fjoslien, Clark, Niehaus, Anderson, D., and Wynia introduced:

H. A. No. 27, A proposal to study United Power Association high voltage transmission line conflict.

The advisory was referred to the Committee on Rules and Legislative Administration.

Kelly, Swanson, Greenfield, Wynia and Brinkman introduced:

H. A. No. 28, A proposal to study the comprehensive health insurance plan.

The advisory was referred to the Committee on Financial Institutions and Insurance.

Kelly, Swanson, Greenfield, Wynia and Brinkman introduced:

H. A. No. 29, A proposal to study catastrophic health expense protection.

The advisory was referred to the Committee on Financial Institutions and Insurance.

Clawson, Greenfield, Brinkman and Halberg introduced:

H. A. No. 30, A proposal to study and revise statutes pertaining to conciliation courts.

The advisory was referred to the Committee on Judiciary.

### 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. 768, A bill for an act relating to agriculture; changing certain fees and expenses; eliminating certain bonding requirements; adopting certain federal food regulations; amending Minnesota Statutes 1978, Sections 17B.13, Subdivision 1; 21.54, Subdivisions 2 and 3; 24.25, Subdivision 2; and 31.101, Subdivision 8; repealing Minnesota Statutes 1978, Sections 17B.08; 17B.09; and 21.114.

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Ludeman moved that the House concur in the Senate amendments to H. F. No. 768 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 768, A bill for an act relating to agriculture; changing certain fees and expenses; eliminating certain bonding requirements; revising antifreeze registration procedures; adopting certain federal food regulations; amending Minnesota Statutes 1978, Sections 17B.13, Subdivision 1; 21.54, Subdivisions 2 and 3; 24.25, Subdivision 2; and 31.101, Subdivision 8; repealing Minnesota Statutes 1978, Sections 17B.08; 17B.09; and 21.114.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Jude	Nelsen, B.	Sarna
Adams	Drew	Kahn	Nelsen, M.	Schreiber
Ainley	Eken	Kaley	Nelson	Sherwood
Albrecht	Elioff	Kalis	Niehaus	Sieben, H.
Anderson, B.	Ellingson	Kelly	Norman	Sieben, M.
Anderson, D.	Esau	Kempe	Norton	Simoneau
Anderson, G.	Evans	Knickerbocker	Novak	Stadum
Anderson, I.	Ewald	Kostohryz	Nysether	Stoa
Anderson, R.	Faricy	Kroening	Olsen	Stowell
Battaglia	Fjoslien	Kvam	Onnen	Sviggum
Begich	Forsythe	Laidig	Osthoff	Swanson
Berglin	Friedrich	Lehto	Otis	Thiede
Berkelman	Fritz	Levi	Patton	Tomlinson
Biersdorf	Fudro	Long	Pavlak	Valento
Blatz	Greenfield	Ludeman	Pehler	Vanasek
Brinkman	Halberg	Luknic	Peterson	Voss
Byrne	Haukoos	Mann	Piepho	Waldorf
Carlson, D.	Heap	McCarron	Pleasant	Weaver
Carlson, L.	Heinitz	McDonald	Prahl	Welch
Casserly	Hoberg	McEachern	Redalen	Welker
Clark	Hokanson	Mehrkens	Reding	Wenzel
Clawson	Jacobs	Metzen	Rees	Wigley
Corbid	Jaros	Minne	Reif	Wynia
Crandall	Jennings	Moe	Rice	Zubay
Dean	Johnson, C.	Munger	Rose	Speaker Searle
Dempsey	Johnson, D.	Murphy	Rothenberg	

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. 299, A bill for an act relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarifying the term "civil defense"; amending Minnesota Statutes 1978, Sections 12.03, Subdivision 4; and 12.31; repealing Minnesota Statutes 1978, Section 12.25, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Hoberg moved that the House concur in the Senate amendments to H. F. No. 299 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 299, A bill for an act relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarify-

ing the term "civil defense"; amending Minnesota Statutes 1978, Sections 12.03, Subdivision 4; and 12.31; repealing Minnesota Statutes 1978, Section 12.25, Subdivision 4.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, C.	Nelsen, B.	Searles
Adams	Drew	Johnson, D.	Nelsen, M.	Sherwood
Ainley	Eken	Jude	Nelson	Sieben, H.
Albrecht	Elioff	Kahn	Niehaus	Sieben, M.
Anderson, B.	Ellingson	Kaley	Norman	Simoneau
Anderson, D.	Enebo	Kalis	Norton	Stadum
Anderson, G.	Erickson	Kelly	Novak	Stoa
Anderson, I.	Esau	Kempe	Olsen	Stowell
Anderson, R.	Evans	Knickerbocker	Onnen	Svigum
Battaglia	Ewald	Kostohryz	Osthoff	Swanson
Begich	Faricy	Kroening	Otis	Thiede
Berglin	Fjoslien	Kvam	Patton	Tomlinson
Berkelman	Forsythe	Laidig	Pavlak	Valan
Biersdorf	Friedrich	Lehto	Pehler	Valento
Blatz	Fritz	Levi	Peterson	Vanasek
Brinkman	Fudro	Long	Piepho	Voss
Byrne	Greenfield	Ludeman	Pleasant	Waldorf
Carlson, D.	Halberg	Luknic	Prahl	Weaver
Carlson, L.	Haukoos	Mann	Redalen	Welch
Cassery	Heap	McDonald	Reding	Welker
Clark	Heinitz	McEachern	Rees	Wenzel
Clawson	Hoberg	Mehrkens	Reif	Wieser
Corbid	Hokanson	Metzen	Rose	Wigley
Crandall	Jacobs	Minne	Rothenberg	Wynia
Dean	Jaros	Munger	Sarna	Zubay
Dempsey	Jennings	Murphy	Schreiber	Speaker 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, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 610, A bill for an act relating to marriage; setting out requirements and effect of antenuptial contracts; repealing Minnesota Statutes 1978, Section 519.08.

PATRICK E. FLAHAVEN, Secretary of the Senate

## CONCURRENCE AND REPASSAGE

Crandall moved that the House concur in the Senate amendments to H. F. No. 610 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 610, A bill for an act relating to marriage; setting out requirements and effect of antenuptial contracts; repealing Minnesota Statutes 1978, Section 519.08.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelson	Sieben, M.
Adams	Eken	Kahn	Niehaus	Simoneau
Ainley	Elioff	Kaley	Norman	Stadum
Albrecht	Ellingson	Kalis	Norton	Stoa
Anderson, B.	Enebo	Kelly	Novak	Stowell
Anderson, D.	Erickson	Kempe	Olsen	Sviggum
Anderson, G.	Esau	Knickerbocker	Onnen	Swanson
Anderson, I.	Evans	Kostohryz	Osthoff	Thiede
Anderson, R.	Ewald	Kroening	Otis	Tomlinson
Battaglia	Faricy	Kvam	Patton	Valan
Begich	Fjoslien	Laidig	Paviak	Valento
Berglin	Forsythe	Lehto	Pehler	Vanasek
Berkelman	Friedrich	Levi	Peterson	Voss
Biersdorf	Fritz	Long	Piepho	Waldorf
Blatz	Fudro	Ludeman	Pleasant	Weaver
Brinkman	Greenfield	Luknic	Prahl	Welch
Byrne	Halberg	Mann	Redalen	Welker
Carlson, D.	Haukoos	McCarron	Reding	Wenzel
Carlson, L.	Heap	McDonald	Rees	Wieser
Casserly	Heinitz	McEachern	Reif	Wigley
Clark	Hoberg	Mehrkens	Rose	Wynia
Clawson	Hokanson	Metzen	Rothenberg	Zubay
Corbid	Jacobs	Minne	Sarna	Speaker Searle
Crandall	Jaros	Munger	Schreiber	
Dean	Jennings	Murphy	Searles	
Dempsey	Johnson, C.	Nelsen, B.	Sherwood	
Den Ouden	Johnson, D.	Nelsen, M.	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. 116, A bill for an act relating to banks and banking; extending the period for activation of detached facilities after

issuance of certificates of authorization; amending Minnesota Statutes 1978, Section 47.54, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Ewald moved that the House concur in the Senate amendments to H. F. No. 116 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 116, A bill for an act relating to banks and banking; extending the period for activation of detached facilities after issuance of certificates of authorization; amending Minnesota Statutes 1978, Section 47.54, Subdivision 4.

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 6 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kaley	Nelson	Sieben, M.
Adams	Eken	Kalis	Niehaus	Simoneau
Ainley	Ellingson	Kelly	Norman	Stadum
Albrecht	Enebo	Kempe	Norton	Stoa
Anderson, B.	Erickson	Knickerbocker	Novak	Stowell
Anderson, D.	Evans	Kostohryz	Olsen	Sviggum
Anderson, G.	Ewald	Kroening	Onnen	Swanson
Anderson, I.	Faricy	Kvam	Otis	Thiede
Anderson, R.	Fjoslien	Laidig	Patton	Tomlinson
Battaglia	Forsythe	Lehto	Pavlak	Valan
Berglin	Friedrich	Levi	Pehler	Valento
Berkelman	Fudro	Long	Peterson	Vanasek
Biersdorf	Greenfield	Ludeman	Piepho	Voss
Blatz	Halberg	Luknic	Pleasant	Waldorf
Brinkman	Haukoos	Mann	Prahl	Weaver
Byrne	Heap	McCarron	Redalen	Welch
Carlson, D.	Heinitz	McDonald	Reding	Welker
Carlson, L.	Hoberg	McEachern	Rees	Wenzel
Casserly	Hokanson	Mehrken	Reif	Wieser
Clark	Jacobs	Metzen	Rose	Wigley
Clawson	Jaros	Minne	Rothenberg	Wynia
Corbid	Jennings	Moe	Sarna	Zubay
Crandall	Johnson, C.	Munger	Schreiber	Speaker Searle
Dean	Johnson, D.	Murphy	Searles	
Dempsey	Jude	Nelsen, B.	Sherwood	
Den Ouden	Kahn	Nelsen, M.	Sieben, H.	

Those who voted in the negative were:

Begich	Fritz	Nysether	Osthoff	Rice
Elioff				

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. 384, A bill for an act relating to game and fish; authorizing certain non-resident minors and spouses to be treated as Minnesota residents for the purpose of taking wild game; amending Minnesota Statutes 1978, Section 98.45, Subdivision 6.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Crandall moved that the House concur in the Senate amendments to H. F. No. 384 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 384, A bill for an act relating to game and fish; authorizing certain non-resident minors to be treated as Minnesota residents for the purpose of taking wild game; amending Minnesota Statutes 1978, Section 98.45, Subdivision 6.

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 6 nays as follows:

Those who voted in the affirmative were:

Aasness	Crandall	Hokanson	Mann	Patton
Adams	Dean	Jacobs	McCarron	Pavlak
Ainley	Dempsey	Jaros	McDonald	Pehler
Albrecht	Eken	Jennings	McEachern	Peterson
Anderson, B.	Elioff	Johnson, C.	Mehrkens	Piepho
Anderson, D.	Ellingson	Johnson, D.	Metzen	Pleasant
Anderson, G.	Enebo	Jude	Minne	Prahl
Anderson, I.	Erickson	Kahn	Moe	Redalen
Anderson, R.	Evans	Kaley	Munger	Reding
Battaglia	Ewald	Kalis	Murphy	Rees
Begich	Farley	Kelly	Nelsen, B.	Reif
Berglin	Fjoslien	Kempe	Nelsen, M.	Rose
Berkelman	Forsythe	Knickerbocker	Nelson	Rothenberg
Biersdorf	Friedrich	Kostohryz	Niehaus	Sarna
Blatz	Fritz	Kroening	Norman	Schreiber
Brinkman	Fudro	Kvam	Norton	Searles
Byrne	Greenfield	Laidig	Novak	Sieben, H.
Carlson, D.	Halberg	Lehto	Nysether	Sieben, M.
Carlson, L.	Haukoos	Levi	Olsen	Simoneau
Casserly	Heap	Long	Onnen	Stadum
Clark	Heinitz	Ludeman	Osthoff	Stoa
Clawson	Hoberg	Luknic	Otis	Stowell

Swanson	Vanasek	Welch	Wigley	Zubay
Tomlinson	Voss	Welker	Wynia	Speaker Searle
Valan	Waldorf	Wenzel		
Valento	Weaver	Wieser		

Those who voted in the negative were:

Corbid	Drew	Sherwood	Sviggum	Thiede
Den Ouden				

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. 13, 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Sherwood moved that the House refuse to concur in the Senate amendments to H. F. No. 13, that the Speaker shall appoint 2 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 2 members to a conference committee, and that the House requests that a conference 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. 843.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 843, A bill for an act relating to intoxicating liquor; authorizing on-sale wine licensees to sell certain beer; amending Minnesota Statutes 1978, Section 340.11, Subdivision 20.

The bill was read for the first time.



Jaros moved that S. F. No. 843 and H. F. No. 1113, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

### CONSENT CALENDAR

H. F. No. 1353 was reported to the House.

Nelsen, B., moved to amend H. F. No. 1353, as follows:

Page 1, after line 8 insert:

“Section 1. Minnesota Statutes 1978, Section 169.223, Subdivision 1, is amended to read:

169.223 [MOTORIZED BICYCLES.] Subdivision 1. Except as provided in this section the provisions of section (169.-221) 169.222 relating to the operation of bicycles on roadways are applicable to the operation *and the parking* of motorized bicycles.”

Renumber remaining sections in sequence

Amend the title as follows:

Page 1, line 5, after “Sections” insert “169.223, Subdivision 1;”

The motion prevailed and the amendment was adopted.

H. F. No. 1353, A bill for an act relating to motor vehicles; establishing fees for motorized bicycle operator permits; excepting motorized bicycles from seat belt requirements; amending Minnesota Statutes 1978, Sections 169.223, Subdivision 1; 169.-685, Subdivision 1; and 171.02, Subdivision 3.

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:

Aasness	Begich	Clark	Ellingson	Fritz
Adams	Berglin	Clawson	Enebo	Fudro
Ainley	Berkelman	Corbid	Erickson	Greenfield
Albrecht	Biersdorf	Crandall	Esau	Halberg
Anderson, B.	Blatz	Dean	Evans	Haukoos
Anderson, D.	Brinkman	Dempsey	Ewald	Heap
Anderson, G.	Byrne	Den Ouden	Faricy	Heinitz
Anderson, I.	Carlson, D.	Drew	Fjoslien	Hoberg
Anderson, R.	Carlson, L.	Eken	Forsythe	Hokanson
Battaglia	Casserly	Elioff	Friedrich	Jacobs

Jaros	Levi	Norman	Reif	Tomlinson
Jennings	Long	Norton	Rice	Valan
Johnson, C.	Ludeman	Novak	Rose	Valento
Johnson, D.	Luknic	Nysether	Rothenberg	Vanasek
Jude	Mann	Olsen	Sarna	Voss
Kahn	McDonald	Onnen	Schreiber	Waldorf
Kaley	Mehrkens	Otis	Searles	Weaver
Kalis	Metzen	Patton	Sherwood	Welch
Kelly	Minne	Pavlak	Sieben, H.	Welker
Kempe	Moe	Pehler	Sieben, M.	Wenzel
Knickerbocker	Munger	Peterson	Simoneau	Wieser
Kostohryz	Murphy	Piepho	Stadum	Wigley
Kroening	Nelsen, B.	Prahl	Stoa	Wynia
Kvam	Nelsen, M.	Redalen	Sviggum	Zubay
Laidig	Nelson	Reding	Swanson	Speaker Searle
Lehto	Niehaus	Rees	Thiede	

The bill was passed, as amended, and its title agreed to.

H. F. No. 148, A bill for an act relating to the city of New Hope; firefighters' pension, disability and survival benefits; amending Laws 1971, Chapter 114, Sections 2, Subdivision 5; 3, Subdivisions 2, 3 and 4; 4; 5, Subdivisions 1 and 2; 6, Subdivision 2; and 7, Subdivisions 1 and 2.

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:

Aasness	Drew	Jude	Nelsen, M.	Sieben, H.
Adams	Eken	Kahn	Nelson	Sieben, M.
Ainley	Elioff	Kaley	Niehaus	Simoneau
Albrecht	Ellingson	Kalis	Norman	Stadum
Anderson, B.	Enebo	Kelly	Norton	Stoa
Anderson, D.	Erickson	Kempe	Novak	Sviggum
Anderson, G.	Esau	Knickerbocker	Nysether	Swanson
Anderson, I.	Evans	Kostohryz	Onnen	Thiede
Anderson, R.	Ewald	Kroening	Osthoff	Tomlinson
Battaglia	Farcy	Kvam	Otis	Valan
Begich	Fjoslien	Laidig	Patton	Valento
Berglin	Forsythe	Lehto	Pavlak	Vanasek
Berkelman	Friedrich	Levi	Pehler	Voss
Biersdorf	Fritz	Long	Peterson	Waldorf
Blatz	Fudro	Ludeman	Piepho	Weaver
Brinkman	Greenfield	Luknic	Prahl	Welch
Byrne	Halberg	Mann	Redalen	Welker
Carlson, D.	Haukoos	McCarron	Reding	Wenzel
Carlson, L.	Heap	McDonald	Rees	Wieser
Casserly	Heinitz	McEachern	Reif	Wigley
Clark	Hoberg	Mehrkens	Rice	Wynia
Clawson	Hokanson	Metzen	Rose	Zubay
Corbid	Jacobs	Minne	Rothenberg	Speaker Searle
Crandall	Jaros	Moe	Sarna	
Dean	Jennings	Munger	Schreiber	
Dempsey	Johnson, C.	Murphy	Searles	
Den Ouden	Johnson, D.	Nelsen, B.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 192, A bill for an act relating to retirement; providing pension coverage for certain firefighters in the city of Cottage Grove in the public employees police and fire fund; authorizing a purchase of prior service; specifying that the employer is a political subdivision for purposes of certain employment benefit programs.

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:

Aasness	Den Ouden	Johnson, C.	Murphy	Sarna
Adams	Drew	Johnson, D.	Nelsen, B.	Schreiber
Ainley	Eken	Jude	Nelsen, M.	Sherwood
Albrecht	Elioff	Kahn	Nelson	Sieben, H.
Anderson, B.	Ellingson	Kaley	Niehaus	Sieben, M.
Anderson, D.	Enebo	Kalis	Norman	Simoneau
Anderson, G.	Erickson	Kelly	Norton	Stadum
Anderson, I.	Esau	Kempe	Novak	Stoa
Anderson, R.	Evans	Knickerbocker	Nysether	Sviggum
Battaglia	Ewald	Kroening	Olsen	Swanson
Begich	Fariy	Kvam	Onnen	Thiede
Berglin	Fjoslien	Laidig	Osthoff	Tomlinson
Berkelman	Forsythe	Lehto	Otis	Valan
Biersdorf	Friedrich	Levi	Patton	Valento
Blatz	Fritz	Long	Pavlak	Vanasek
Brinkman	Fudro	Ludeman	Pehler	Voss
Byrne	Greenfield	Luknic	Peterson	Waldorf
Carlson, D.	Halberg	Mann	Piepho	Weaver
Carlson, L.	Haukoos	McCarron	Prahl	Welch
Casserly	Heap	McDonald	Redalen	Welker
Clark	Heinitz	McEachern	Reding	Wenzel
Clawson	Hoberg	Mehrkens	Rees	Wieser
Corbid	Hokanson	Metzen	Reif	Wigley
Crandall	Jacobs	Minne	Rice	Wynia
Dean	Jaros	Moe	Rose	Zubay
Dempsey	Jennings	Munger	Rothenberg	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 220, A bill for an act relating to prearranged funeral plans; authorizing deposit of trust funds in credit unions; amending Minnesota Statutes 1978, Sections 52.04, Subdivision 1; 149.12; and 149.13.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Johnson, D.	Nelsen, B.	Schreiber
Adams	Eken	Jude	Nelsen, M.	Searles
Ainley	Elioff	Kahn	Nelson	Sherwood
Albrecht	Ellingson	Kaley	Niehau	Sieben, H.
Anderson, B.	Enebo	Kalis	Norman	Sieben, M.
Anderson, D.	Erickson	Kelly	Norton	Simoneau
Anderson, G.	Esau	Kempe	Novak	Stadum
Anderson, I.	Evans	Knickerbocker	Nysether	Stoa
Anderson, R.	Ewald	Kroening	Olsen	Svigum
Battaglia	Fariy	Kvam	Onnen	Swanson
Begich	Fjoslien	Laidig	Osthoff	Thiede
Berglin	Forsythe	Lehto	Otis	Tomlinson
Berkelman	Friedrich	Levi	Patton	Valento
Blatz	Fritz	Long	Pavlak	Vanasek
Brinkman	Fudro	Ludeman	Pehler	Voss
Byrne	Greenfield	Luknic	Peterson	Waldorf
Carlson, D.	Halberg	Mann	Piepho	Weaver
Carlson, L.	Haukoos	McCarron	Pleasant	Welch
Casserly	Heap	McDonald	Redalen	Welker
Clark	Heinitz	McEachern	Reding	Wenzel
Clawson	Hoberg	Mehrrens	Rees	Wieser
Corbid	Hokanson	Metzen	Reif	Wigley
Crandall	Jacobs	Minne	Rice	Wynia
Dean	Jaros	Moe	Rose	Zubay
Dempsey	Jennings	Munger	Rothenberg	Speaker Searle
Den Ouden	Johnson, C.	Murphy	Sarna	

The bill was passed and its title agreed to.

H. F. No. 607, A bill for an act relating to public employment labor relations; permitting firefighters to use certain grievance procedures; amending Minnesota Statutes 1978, Section 179.70, 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Carlson, L.	Ewald	Johnson, G.	Luknic
Adams	Casserly	Fariy	Johnson, D.	Mann
Ainley	Clark	Fjoslien	Jude	McCarron
Albrecht	Clawson	Forsythe	Kahn	McDonald
Anderson, B.	Corbid	Friedrich	Kaley	McEachern
Anderson, D.	Crandall	Fritz	Kalis	Mehrrens
Anderson, G.	Dean	Fudro	Kelly	Metzen
Anderson, I.	Dempsey	Greenfield	Kempe	Minne
Anderson, R.	Den Ouden	Halberg	Knickerbocker	Moe
Battaglia	Drew	Haukoos	Kostohryz	Munger
Begich	Eken	Heap	Kroening	Murphy
Berkelman	Elioff	Heinitz	Kvam	Nelsen, B.
Biersdorf	Ellingson	Hoberg	Laidig	Nelsen, M.
Blatz	Enebo	Hokanson	Lehto	Nelson
Brinkman	Erickson	Jacobs	Levi	Niehau
Byrne	Esau	Jaros	Long	Norman
Carlson, D.	Evans	Jennings	Ludeman	Norton

Novak	Piepho	Sarna	Thiede	Wenzel
Nysether	Pleasant	Schreiber	Tomlinson	Wieser
Olsen	Prahl	Searles	Valan	Wigley
Onnen	Redalen	Sherwood	Valento	Wynia
Osthoff	Reding	Sieben, M.	Vanasek	Zubay
Otis	Rees	Simoneau	Voss	Speaker Searle
Patton	Reif	Stadum	Waldorf	
Pavlak	Rice	Stoa	Weaver	
Pehler	Rose	Sviggum	Welch	
Peterson	Rothenberg	Swanson	Welker	

The bill was passed and its title agreed to.

H. F. No. 921, A bill for an act relating to the city of Ham Lake, Anoka County; extending scope of subdivision regulations within its corporate boundaries.

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:

Aasness	Den Ouden	Jude	Nelsen, M.	Schreiber
Adams	Drew	Kaley	Nelson	Searles
Ainley	Eken	Kalis	Niehaus	Sherwood
Albrecht	Elioff	Kelly	Norman	Sieben, M.
Anderson, B.	Enebo	Kempe	Norton	Simoneau
Anderson, D.	Erickson	Knickerbocker	Novak	Stadum
Anderson, G.	Esau	Kostohryz	Nysether	Stoa
Anderson, I.	Evans	Kroening	Olsen	Sviggum
Anderson, R.	Ewald	Kvam	Onnen	Swanson
Battaglia	Faricy	Laidig	Osthoff	Thiede
Begich	Fjoslien	Lehto	Otis	Tomlinson
Berglin	Forsythe	Levi	Patton	Valan
Berkelman	Friedrich	Long	Pavlak	Valento
Biersdorf	Fritz	Ludeman	Pehler	Vanasek
Blatz	Fudro	Luknic	Peterson	Voss
Brinkman	Greenfield	Mann	Piepho	Waldorf
Byrne	Halberg	McCarron	Pleasant	Weaver
Carlson, D.	Haukoos	McDonald	Prahl	Welch
Carlson, L.	Heap	McEachern	Redalen	Welker
Casserly	Hoberg	Mehrkens	Reding	Wenzel
Clark	Hokanson	Metzen	Rees	Wieser
Clawson	Jacobs	Minne	Reif	Wigley
Corbid	Jaros	Moe	Rice	Wynia
Crandall	Jennings	Munger	Rose	Zubay
Dean	Johnson, C.	Murphy	Rothenberg	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Sarna	

The bill was passed and its title agreed to.

H. F. No. 966, A bill for an act relating to workers' compensation; providing employer's action for recovery of insurance premiums against certain third parties; amending Minnesota Statutes 1978, Section 176.061, Subdivisions 5 and 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelson	Sieben, H.
Adams	Eken	Kaley	Niehaus	Sieben, M.
Ainley	Elioff	Kalis	Norman	Simoneau
Albrecht	Ellingson	Kelly	Norton	Stadum
Anderson, B.	Enebo	Kempe	Novak	Stoa
Anderson, D.	Erickson	Knickerbocker	Nysether	Sviggum
Anderson, G.	Esau	Kostohryz	Olsen	Swanson
Anderson, I.	Evans	Kroening	Onnen	Thiede
Anderson, R.	Ewald	Kvam	Osthoff	Tomlinson
Battaglia	Farcy	Laidig	Otis	Valan
Begich	Fjoslien	Lehto	Patton	Valento
Berglin	Forsythe	Levi	Pavlak	Vanasek
Berkelman	Friedrich	Long	Pehler	Voss
Biersdorf	Fritz	Ludeman	Peterson	Waldorf
Blatz	Fudro	Luknic	Piepho	Weaver
Brinkman	Greenfield	Mann	Pleasant	Welch
Byrne	Halberg	McCarron	Prahl	Welker
Carlson, D.	Haukoos	McDonald	Redalen	Wenzel
Carlson, L.	Heap	McEachern	Reding	Wieser
Casserly	Heinitz	Mehrkens	Rees	Wigley
Clark	Hoberg	Metzen	Reif	Wynia
Clawson	Hokanson	Minne	Rice	Zubay
Corbid	Jacobs	Moe	Rose	Speaker Searle
Crandall	Jaros	Munger	Rothenberg	
Dean	Jennings	Murphy	Sarna	
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1018, A bill for an act relating to no-fault automobile insurance; providing disability and income loss benefits for certain persons who lose unemployment compensation benefits as a result of accidental injury; amending Minnesota Statutes 1978, Section 65B.44, Subdivision 3.

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:

Aasness	Anderson, I.	Blatz	Clawson	Elioff
Adams	Anderson, R.	Brinkman	Corbid	Ellingson
Ainley	Battaglia	Byrne	Dean	Enebo
Albrecht	Begich	Carlson, D.	Dempsey	Erickson
Anderson, B.	Berglin	Carlson, L.	Den Ouden	Esau
Anderson, D.	Berkelman	Casserly	Drew	Evans
Anderson, G.	Biersdorf	Clark	Eken	Ewald

Faricy	Kaley	Minne	Piepho	Swanson
Fjoslien	Kalis	Moe	Pleasant	Thiede
Forsythe	Kelly	Munger	Prahl	Tomlinson
Friedrich	Kempe	Murphy	Redalen	Valan
Fritz	Knickerbocker	Nelsen, B.	Reding	Valento
Fudro	Kostohryz	Nelsen, M.	Rees	Vanasek
Greenfield	Kroening	Nelson	Reif	Voss
Halberg	Kvam	Niehaus	Rice	Waldorf
Haukoos	Laidig	Norman	Rose	Weaver
Heap	Lehto	Norton	Rothenberg	Welch
Heinitz	Levi	Novak	Sarna	Welker
Hoberg	Long	Nysether	Schreiber	Wenzel
Hokanson	Ludeman	Olsen	Searles	Wieser
Jacobs	Luknic	Onnen	Sherwood	Wigley
Jaros	Mann	Osthoff	Sieben, H.	Wynia
Jennings	McCarron	Otis	Sieben, M.	Zubay
Johnson, C.	McDonald	Patton	Simoneau	Speaker Searle
Johnson, D.	McEachern	Pavlak	Stadum	
Jude	Mehrkens	Pehler	Stoa	
Kahn	Metzen	Peterson	Svigium	

The bill was passed and its title agreed to.

H. F. No. 1062, A bill for an act relating to the city of Windom; authorizing the purchase of annuity contracts for retiring firefighters.

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Svigium
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pavlak	Valento
Biersdorf	Fritz	Long	Pehler	Vanasek
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Waldorf
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wieser
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 1093, A bill for an act relating to bingo; changing the filing requirements for organizations conducting bingo; amending Minnesota Statutes 1978, Section 349.21, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pavlak	Valento
Biersdorf	Fritz	Long	Pehler	Vanasek
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Waldorf
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wieser
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 1220, A bill for an act relating to retirement; metropolitan transit commission-transit operating division employees; clarifying the amortization obligation of the metropolitan transit commission to the Minnesota state retirement system; calculating service credit for certain part time transit operating division employees; clarifying the provision of the minimum disability coverage; providing a retirement annuity to certain former transit operating division employees; providing service credit for certain military service leaves of absence; amending Minnesota Statutes 1978, Sections 352.01, Subdivisions 11 and 16; 473.417; 473.418; and Laws 1978, Chapter 538, Section 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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Nelson	Sherwood
Adams	Elioff	Kaley	Niehaus	Sieben, H.
Ainley	Ellingson	Kalis	Norman	Sieben, M.
Albrecht	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welker
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wieser
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	
Drew	Jude	Nelsen, M.	Searles	

The bill was passed and its title agreed to.

H. F. No. 1251, A bill for an act relating to public welfare; prohibiting denial or reduction of benefits under certain private health care plans to public assistance recipients; providing subrogation rights for counties to recover costs of services provided; amending Minnesota Statutes 1978, Sections 62A.045; 62C.141; 62E.04, Subdivision 8; 64A.221; and Chapter 393, 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 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, B.	Anderson, R.	Berkelman	Byrne
Adams	Anderson, D.	Battaglia	Biersdorf	Carlson, D.
Ainley	Anderson, G.	Begich	Blatz	Carlson, L.
Albrecht	Anderson, I.	Berglin	Brinkman	Casserly

Clark	Halberg	Levi	Onnen	Simoneau
Clawson	Haukoos	Long	Osthoff	Stadum
Corbid	Heap	Ludeman	Otis	Stoa
Crandall	Heinitz	Luknic	Patton	Stowell
Dean	Hoberg	Mann	Pavlak	Sviggum
Dempsey	Hokanson	McCarron	Pehler	Swanson
Den Ouden	Jacobs	McDonald	Peterson	Thiede
Drew	Jaros	McEachern	Piepho	Tomlinson
Eken	Jennings	Mehrkens	Pleasant	Valan
Elioff	Johnson, C.	Metzen	Prahl	Valento
Ellingson	Johnson, D.	Minne	Redalen	Vanasek
Enebo	Jude	Moe	Reding	Voss
Erickson	Kahn	Munger	Rees	Waldorf
Esau	Kaley	Murphy	Reif	Weaver
Evans	Kalis	Nelsen, B.	Rice	Welch
Ewald	Kelly	Nelsen, M.	Rose	Welker
Faricy	Kempe	Nelson	Rothenberg	Wenzel
Fjoslien	Knickerbocker	Niehaus	Sarna	Wieser
Forsythe	Kostohryz	Norman	Schreiber	Wigley
Friedrich	Kroening	Norton	Searles	Wynia
Fritz	Kvam	Novak	Sherwood	Zubay
Fudro	Laidig	Nysether	Sieben, H.	Speaker Searle
Greenfield	Lehto	Olsen	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 1256, A bill for an act relating to fire insurance; repealing certain requirements for examination and appraisal of insured structures; repealing Minnesota Statutes 1978, Section 65A.08, 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Dean	Hoberg	Mann	Pavlak
Adams	Dempsey	Hokanson	McCarron	Pehler
Ainley	Den Ouden	Jacobs	McDonald	Peterson
Albrecht	Drew	Jaros	McEachern	Piepho
Anderson, B.	Eken	Jennings	Mehrkens	Pleasant
Anderson, D.	Elioff	Johnson, C.	Metzen	Prahl
Anderson, G.	Ellingson	Johnson, D.	Minne	Redalen
Anderson, I.	Enebo	Jude	Moe	Reding
Anderson, R.	Erickson	Kahn	Munger	Rees
Battaglia	Esau	Kaley	Murphy	Reif
Begich	Evans	Kalis	Nelsen, B.	Rice
Berglin	Ewald	Kelly	Nelsen, M.	Rose
Berkelman	Faricy	Kempe	Nelson	Rothenberg
Biersdorf	Fjoslien	Knickerbocker	Niehaus	Sarna
Blatz	Forsythe	Kostohryz	Norman	Schreiber
Brinkman	Friedrich	Kroening	Norton	Searles
Byrne	Fritz	Kvam	Novak	Sherwood
Carlson, D.	Fudro	Laidig	Nysether	Sieben, H.
Carlson, L.	Greenfield	Lehto	Olsen	Sieben, M.
Casserly	Halberg	Levi	Onnen	Simoneau
Clark	Haukoos	Long	Osthoff	Stadum
Clawson	Heap	Ludeman	Otis	Stoa
Crandall	Heinitz	Luknic	Patton	Stowell

Swanson.	Vanasek	Welch	Wigley	Zubay
Thiede	Voss	Welker	Wynia	Speaker Searle
Tomlinson	Waldorf	Wenzel		
Valento	Weaver	Wieser		

The bill was passed and its title agreed to.

H. F. No. 1329, A bill for an act relating to aeronautics; providing representation for affected communities on airport zoning boards; regulating the process of airport zoning; directing the metropolitan airports commission to consider a certain alternative; amending Minnesota Statutes 1978, Sections 360.061, Subdivision 3; 360.063, Subdivision 3; 360.065; and 473.608, 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Eloff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valento
Berkelman	Friedrich	Levi	Pavlak	Vanasek
Biersdorf	Fritz	Long	Pehler	Voss
Blatz	Fudro	Ludeman	Peterson	Waldorf
Brinkman	Greenfield	Luknic	Piepho	Weaver
Byrne	Halberg	Mann	Prahl	Welch
Carlson, D.	Haukoos	McCarron	Redalen	Wenzel
Carlson, L.	Heap	McDonald	Reding	Wieser
Casserly	Heinitz	McEachern	Rees	Wigley
Clark	Hoberg	Mehrkens	Reif	Wynia
Clawson	Hokanson	Metzen	Rice	Zubay
Corbid	Jacobs	Minne	Rose	Speaker Searle
Crandall	Jaros	Moe	Rothenberg	
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	

The bill was passed and its title agreed to.

H. F. No. 1377, A bill for an act relating to financial institutions; providing intervals for examination of institutions by state or federal agencies; amending Minnesota Statutes 1978, Section 46.04.

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 3 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, C.	Nelsen, B.	Sieben, M.
Adams	Drew	Johnson, D.	Nelson	Simoneau
Ainley	Eken	Jude	Niehaus	Stadum
Albrecht	Elioff	Kaley	Norman	Stoa
Anderson, B.	Ellingson	Kalis	Norton	Stowell
Anderson, D.	Enebo	Kelly	Novak	Sviggum
Anderson, G.	Erickson	Kempe	Nysether	Swanson
Anderson, I.	Esau	Knickerbocker	Olsen	Thiede
Anderson, R.	Evans	Kostohryz	Onnen	Tomlinson
Battaglia	Ewald	Kvam	Otis	Valan
Begich	Faricy	Laidig	Patton	Valento
Berglin	Fjoslien	Lehto	Pavlak	Vanasek
Berkelman	Forsythe	Levi	Pehler	Voss
Biersdorf	Friedrich	Long	Peterson	Waldorf
Blatz	Fritz	Ludeman	Piepho	Weaver
Brinkman	Fudro	Luknic	Prahl	Weich
Byrne	Greenfield	Mann	Redalen	Welker
Carlson, D.	Halberg	McCarron	Reding	Wenzel
Carlson, L.	Haukoos	McDonald	Rees	Wieser
Casserly	Heap	McEachern	Reif	Wigley
Clark	Heinitz	Mehrkens	Rose	Wynla
Clawson	Hoberg	Metzen	Rothenberg	Zubay
Corbid	Hokanson	Minne	Sarna	Speaker Searle
Crandall	Jacobs	Moe	Schreiber	
Dean	Jaros	Munger	Sherwood	
Dempsey	Jennings	Murphy	Sieben, H.	

Those who voted in the negative were:

Kroening      Osthoff      Rice

The bill was passed and its title agreed to.

H. F. No. 1411, A bill for an act relating to Beltrami County; providing for disposition of the proceeds from the sale or rental of tax forfeited lands or from the sale of their products; increasing the amount that may be spent for promotion of tourist, agricultural and industrial developments; amending Laws 1967, Chapter 558, Section 1, 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 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Eken	Jude	Nelsen, B.	Searles
Adams	Elioff	Kahn	Nelson	Sherwood
Ainley	Ellingson	Kaley	Niehaus	Sieben, H.
Albrecht	Enebo	Kalis	Norman	Sieben, M.
Anderson, B.	Erickson	Kelly	Norton	Simoneau
Anderson, D.	Esau	Kempe	Novak	Stadum
Anderson, G.	Evans	Knickerbocker	Nysether	Stoa
Anderson, I.	Ewald	Kostohryz	Olsen	Stowell
Anderson, R.	Faricy	Kroening	Onnen	Sviggum
Battaglia	Fjoslien	Kvam	Osthoff	Swanson
Begich	Forsythe	Laidig	Otis	Thiede
Berkelman	Friedrich	Lehto	Patton	Tomlinson
Biersdorf	Fritz	Levi	Pavlak	Valan
Blatz	Fudro	Long	Pepler	Valento
Byrne	Greenfield	Ludeman	Peterson	Vanasek
Carlson, D.	Halberg	Luknic	Piepho	Voss
Carlson, L.	Haukoos	Mann	Prahl	Waldorf
Casserly	Heap	McCarron	Redalen	Weaver
Clark	Heinitz	McDonald	Reding	Welch
Clawson	Hoberg	McEachern	Rees	Welker
Corbid	Hokanson	Mehrkens	Reif	Wenzel
Crandall	Jacobs	Metzen	Rice	Wieser
Dean	Jaros	Minne	Rose	Wigley
Dempsey	Jennings	Moe	Rothenberg	Wynia
Den Ouden	Johnson, C.	Munger	Sarna	Zubay
Drew	Johnson, D.	Murphy	Schreiber	Speaker Searle

Those who voted in the negative were:

Brinkman

The bill was passed and its title agreed to.

H. F. No. 1436, A bill for an act relating to the city of Currie in Murray County; authorizing the city to convey lands to a private individual, group or corporation.

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:

Aasness	Biersdorf	Den Ouden	Friedrich	Johnson, C.
Adams	Blatz	Drew	Fritz	Johnson, D.
Ainley	Brinkman	Eken	Fudro	Jude
Albrecht	Byrne	Elioff	Greenfield	Kahn
Anderson, B.	Carlson, D.	Ellingson	Halberg	Kaley
Anderson, D.	Carlson, L.	Enebo	Haukoos	Kalis
Anderson, G.	Casserly	Erickson	Heap	Kelly
Anderson, I.	Clark	Esau	Heinitz	Kempe
Anderson, R.	Clawson	Evans	Hoberg	Knickerbocker
Battaglia	Corbid	Ewald	Hokanson	Kostohryz
Begich	Crandall	Faricy	Jacobs	Kroening
Berglin	Dean	Fjoslien	Jaros	Kvam
Berkelman	Dempsey	Forsythe	Jennings	Laidig

Lehto	Nelsen, B.	Pehler	Sherwood	Waldorf
Levi	Nelsen, M.	Peterson	Sieben, H.	Weaver
Long	Nelson	Piepho	Sieben, M.	Welch
Ludeman	Niehaus	Pleasant	Simoneau	Welker
Luknic	Norman	Prahl	Stadum	Wenzel
Mann	Norton	Redalen	Stoa	Wieser
McCarron	Novak	Reding	Stowell	Wigley
McDonald	Nysether	Rees	Sviggum	Wynia
McEachern	Olsen	Reif	Swanson	Zubay
Mehrkens	Onnen	Rose	Thiede	Speaker Searle
Metzen	Osthoff	Rothenberg	Tomlinson	
Minne	Otis	Sarna	Valento	
Moe	Patton	Schreiber	Vanasek	
Murphy	Pavlak	Searles	Voss	

The bill was passed and its title agreed to.

S. F. No. 61, A bill for an act relating to elections; further prescribing conditions for automatic recounts in certain election contests; amending Minnesota Statutes 1978, Sections 204A.51, Subdivisions 2 and 3; and 204A.53, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelson	Sherwood
Adams	Eken	Kaley	Niehaus	Sieben, H.
Ainley	Elioff	Kalis	Norman	Sieben, M.
Albrecht	Ellingson	Kelly	Norton	Simoneau
Anderson, B.	Enebo	Kempe	Novak	Stadum
Anderson, D.	Erickson	Knickerbocker	Nysether	Stoa
Anderson, G.	Esau	Kostohryz	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	Mann	Pleasant	Waldorf
Byrne	Halberg	McCarron	Prahl	Weaver
Carlson, D.	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Casserly	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	

The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 227, A bill for an act relating to insurance; regulating homeowner's insurance; requiring insurers to disclose and file information; prescribing certain procedures for an insurer's refusal to renew or to write homeowner's insurance; prohibiting redlining; amending Minnesota Statutes 1978, Section 72A.20, Subdivision 1; and Chapter 65A, 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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kaley	Niehaus	Sieben, H.
Adams	Elioff	Kalis	Norman	Sieben, M.
Ainley	Ellingson	Kelly	Norton	Simoneau
Albrecht	Enebo	Kempe	Novak	Stadum
Anderson, B.	Erickson	Knickerbocker	Nysether	Stoa
Anderson, D.	Esau	Kostohryz	Olsen	Stowell
Anderson, G.	Evans	Kroening	Onnen	Sviggum
Anderson, I.	Ewald	Kvam	Osthoff	Swanson
Anderson, R.	Faricy	Laidig	Otis	Thiede
Battaglia	Fjoslien	Lehto	Patton	Tomlinson
Begich	Forsythe	Levi	Pavlak	Valan
Berglin	Friedrich	Long	Pehler	Valento
Berkelman	Fudro	Ludeman	Peterson	Vanasek
Biersdorf	Greenfield	Luknic	Piepho	Voss
Blatz	Halberg	Mann	Pleasant	Waldorf
Brinkman	Haukoos	McCarron	Prahl	Weaver
Byrne	Heap	McDonald	Redalen	Welch
Carlson, D.	Heinitz	McEachern	Reding	Welker
Carlson, L.	Hoberg	Mehrkens	Rees	Wenzel
Casserly	Hokanson	Metzen	Reif	Wieser
Clark	Jacobs	Minne	Rice	Wigley
Clawson	Jaros	Moe	Rose	Wynia
Corbid	Jennings	Munger	Rothenberg	Zubay
Crandall	Johnson, C.	Murphy	Sarna	Speaker Searle
Dean	Johnson, D.	Nelsen, B.	Schreiber	
Dempsey	Jude	Nelsen, M.	Searles	
Den Ouden	Kahn	Nelson	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 317, A bill for an act relating to highway traffic regulations; passing a stopped school bus displaying stop arm signals; providing remedies; prescribing penalties; amending Minnesota Statutes 1978, Section 169.44, 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 130 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Jude	Nelsen, M.	Searles
Adams	Elioff	Kahn	Nelson	Sherwood
Ainley	Ellingson	Kaley	Niehaus	Sieben, H.
Albrecht	Enebo	Kalis	Norman	Sieben, M.
Anderson, B.	Erickson	Kelly	Norton	Simoneau
Anderson, D.	Esau	Kempe	Novak	Stadum
Anderson, G.	Evans	Knickerbocker	Nysether	Stoa
Anderson, I.	Ewald	Kroening	Olsen	Stowell
Anderson, R.	Faricy	Kvam	Onnen	Swiggum
Battaglia	Fjoslien	Laidig	Osthoff	Swanson
Begich	Forsythe	Lehto	Otis	Thiede
Berglin	Friedrich	Levi	Pavlak	Tomlinson
Berkelman	Fritz	Long	Pehler	Valan
Biersdorf	Fudro	Ludeman	Peterson	Valento
Blatz	Greenfield	Luknic	Piepho	Vanasek
Brinkman	Halberg	Mann	Pleasant	Voss
Byrne	Haukoos	McCarron	Prahl	Waldorf
Carlson, D.	Heap	McDonald	Redalen	Weaver
Carlson, L.	Heinitz	McEachern	Reding	Welch
Cassery	Hoberg	Mehrkens	Rees	Welker
Clawson	Hokanson	Metzen	Reif	Wenzel
Crandall	Jacobs	Minne	Rice	Wieser
Dean	Jaros	Moe	Rose	Wigley
Dempsey	Jennings	Munger	Rothenberg	Wynia
Den Ouden	Johnson, C.	Murphy	Sarna	Zubay
Drew	Johnson, D.	Nelsen, B.	Schreiber	Speaker Searle

Those who voted in the negative were:

Corbid Kostohryz

The bill was passed and its title agreed to.

H. F. No. 564 was reported to the House and given its third reading.

#### UNANIMOUS CONSENT

Voss requested unanimous consent to offer an amendment. The request was granted.

Voss moved to amend H. F. No. 564, as follows:

Page 8, line 31, restore the stricken language and strike "1979" and insert "1983"

Page 9, line 4, restore the stricken language and strike "1979" and insert "1983"

Page 13, line 26, after "4a" insert "as applicable"

The motion prevailed and the amendment was adopted.

H. F. No. 564, A bill for an act relating to financial institutions; providing a new interest index for conventional home loans; regulating mortgage assumptions; regulating private



mortgage insurance; regulating various interest rates; amending Minnesota Statutes 1978, Sections 47.20, Subdivisions 2, 3, 4, 6, 7, and 13, 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 118 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Kaley	Nelson	Simoneau
Adams	Drew	Kalis	Niehaus	Stadum
Albrecht	Eken	Kelly	Norman	Stoa
Anderson, B.	Elioff	Kempe	Norton	Stowell
Anderson, D.	Ellingson	Knickerbocker	Novak	Sviggum
Anderson, G.	Erickson	Kostohryz	Nysether	Swanson
Anderson, I.	Esau	Kvam	Olsen	Thiede
Anderson, R.	Evans	Laidig	Onnen	Tomlinson
Battaglia	Ewald	Lehto	Otis	Valan
Begich	Fjoslien	Levi	Patton	Valento
Berglin	Forsythe	Long	Pavlak	Vanasek
Berkelman	Friedrich	Ludeman	Pehler	Voss
Biersdorf	Greenfield	Luknic	Peterson	Waldorf
Blatz	Halberg	Mann	Piepho	Weaver
Brinkman	Haukoos	McCarron	Pleasant	Welch
Byrne	Heinitz	McDonald	Redalen	Welker
Carlson, D.	Hoberg	Mehrrens	Reding	Wenzel
Carlson, L.	Hokanson	Metzen	Rees	Wieser
Casserly	Jacobs	Minne	Reif	Wigley
Clark	Jennings	Moe	Rothenberg	Wynia
Clawson	Johnson, C.	Munger	Searles	Zubay
Crandall	Johnson, D.	Murphy	Sherwood	Speaker Searle
Dean	Jude	Nelsen, B.	Sieben, H.	
Dempsey	Kahn	Nelsen, M.	Sieben, M.	

Those who voted in the negative were:

Ainley	Fritz	McEachern	Prahl	Rose
Enebo	Fudro	Osthoff	Rice	Sarna
Farcy	Kroening			

The bill was passed, as amended, and its title agreed to.

H. F. No. 614, A bill for an act relating to civil actions; statutes of limitations; providing for limits on time certain real estate actions accrue; amending Minnesota Statutes 1978, Section 541.051, Subdivisions 1, 2, and 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 122 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Kahn	Nelsen, M.	Simoneau
Adams	Drew	Kaley	Nelson	Stadum
Ainley	Eken	Kalis	Niehaus	Stoa
Albrecht	Elioff	Kelly	Norman	Stowell
Anderson, B.	Ellingson	Kempe	Norton	Sviggum
Anderson, D.	Enebo	Knickerbocker	Novak	Swanson
Anderson, G.	Erickson	Kostohryz	Nysether	Thiede
Anderson, I.	Esau	Kvam	Olsen	Tomlinson
Anderson, R.	Evans	Laidig	Onnen	Valan
Battaglia	Ewald	Lehto	Osthoff	Valento
Begich	Faricy	Levi	Otis	Vanasek
Berglin	Fjoslien	Long	Patton	Voss
Berkelman	Forsythe	Ludeman	Paylak	Waldorf
Biersdorf	Friedrich	Luknic	Pehler	Weaver
Blatz	Fudro	Mann	Peterson	Welch
Brinkman	Haukoos	McCarron	Piepho	Welker
Byrne	Heinitz	McDonald	Pleasant	Wenzel
Carlson, D.	Hoberg	McEachern	Prahl	Wieser
Carlson, L.	Hokanson	Mehrkens	Redalen	Wigley
Casserly	Jacobs	Metzen	Rees	Wynia
Clark	Jaros	Minne	Reif	Zubay
Clawson	Jennings	Moe	Rose	Speaker Searle
Corbid	Johnson, C.	Munger	Sarna	
Dean	Johnson, D.	Murphy	Searles	
Dempsey	Jude	Nelsen, B.	Sherwood	

Those who voted in the negative were:

Fritz	Reding	Rice	Sieben, H.	Sieben, M.
Greenfield				

The bill was passed and its title agreed to.

S. F. No. 493, A bill for an act relating to elections; providing for the tabulation and announcement of votes cast on electronic voting systems; amending Minnesota Statutes 1978, Section 206.185, Subdivision 5, 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 128 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Aasness	Berkelman	Dean	Faricy	Jaros
Adams	Biersdorf	Dempsey	Fjoslien	Jennings
Ainley	Blatz	Den Ouden	Forsythe	Johnson, C.
Albrecht	Brinkman	Drew	Fudro	Johnson, D.
Anderson, B.	Byrne	Eken	Greenfield	Jude
Anderson, D.	Carlson, D.	Elioff	Halberg	Kahn
Anderson, G.	Carlson, L.	Ellingson	Haukoos	Kaley
Anderson, I.	Casserly	Enebo	Heap	Kalis
Anderson, R.	Clark	Erickson	Heinitz	Kelly
Battaglia	Clawson	Esau	Hoberg	Kempe
Begich	Corbid	Evans	Hokanson	Knickerbocker
Berglin	Crandall	Ewald	Jacobs	Kostohryz

Kroening	Murphy	Pavlak	Searles	Vanasek
Kvam	Nelsen, B.	Pehler	Sherwood	Voss
Laidig	Nelsen, M.	Peterson	Sieben, H.	Waldorf
Lehto	Nelson	Piepho	Sieben, M.	Weaver
Levi	Niehaus	Pleasant	Simoneau	Welch
Long	Norman	Prahl	Stadum	Welker
Ludeman	Norton	Redalen	Stoa	Wenzel
Luknic	Novak	Reding	Stowell	Wieser
Mann	Nysether	Rees	Sviggum	Wigley
McDonald	Olsen	Reif	Swanson	Wynia
McEachern	Onnen	Rose	Thiede	Zubay
Mehrkens	Osthoff	Rothenberg	Tomlinson	Speaker Searle
Metzen	Otis	Sarna	Valan	
Munger	Patton	Schreiber	Valento	

Those who voted in the negative were:

Fritz                      McCarron                      Rice

The bill was passed and its title agreed to.

H. F. No. 969, A bill for an act relating to corrections; institutions under the control of the commissioner of corrections; designating them as correctional facilities according to geographical location; prescribing the title for the chief executive officer of each institution; authorizing the temporary detention of persons who trespass upon institution grounds; prescribing penalties; amending Minnesota Statutes 1978, Sections 242.41; 242.51; 243.21; 243.40; 243.48; 243.55; 243.56; 243.59; 243.75; and 243.90; repealing Minnesota Statutes 1978, Sections 243.54 and 243.92.

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 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Clark	Fritz	Kostohryz	Nelsen, M.
Adams	Clawson	Fudro	Kroening	Nelson
Ainley	Corbid	Greenfield	Kvam	Niehaus
Albrecht	Crandall	Halberg	Laidig	Norman
Anderson, B.	Dean	Haukoos	Lehto	Norton
Anderson, D.	Dempsey	Heinitz	Levi	Novak
Anderson, G.	Den Ouden	Hoberg	Long	Nysether
Anderson, I.	Drew	Hokanson	Ludeman	Olsen
Anderson, R.	Eken	Jacobs	Luknic	Onnen
Battaglia	Elihoff	Jaros	Mann	Osthoff
Begich	Ellingson	Jennings	McCarron	Otis
Berglin	Enebo	Johnson, C.	McDonald	Patton
Berkelman	Erickson	Johnson, D.	McEachern	Pavlak
Biersdorf	Esau	Jude	Mehrkens	Pehler
Blatz	Evans	Kahn	Metzen	Piepho
Brinkman	Ewald	Kaley	Minne	Pleasant
Byrne	Faricy	Kalis	Moe	Prahl
Carlson, D.	Fjoslien	Kelly	Munger	Redalen
Carlson, L.	Forsythe	Kempe	Murphy	Reding
Cassery	Friedrich	Knickerbocker	Nelsen, B.	Rees

Reif	Sieben, H.	Sviggum	Vanasek	Wenzel
Rose	Sieben, M.	Swanson	Voss	Wieser
Rothenberg	Simoneau	Thiede	Waldorf	Wigley
Sarna	Stadum	Tomlinson	Weaver	Wynia
Schreiber	Stoa	Valan	Welch	Zubay
Sherwood	Stowell	Valento	Welker	Speaker Searle

Those who voted in the negative were:

Peterson      Rice

The bill was passed and its title agreed to.

H. F. No. 998, A bill for an act relating to corrections; providing for vocational training of the inmates of state correctional facilities; reorganizing and harmonizing the various laws relating to the industrial activities conducted at such facilities; amending Minnesota Statutes 1978, Sections 241.26, Subdivision 7; and 241.27; repealing Minnesota Statutes 1978, Sections 243.19; 243.41; 243.42; 243.43; 243.44; 243.45; 243.46; 243.47; 243.63; 243.66; 243.67; 243.68; 243.80; 243.84; 243.85; 325.45; 325.46; and 325.47.

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

The bill was passed and its title agreed to.

S. F. No. 340, A bill for an act relating to ethics in government; defining administrative action; clarifying campaign report filing dates; providing for the registration of political committees and political funds; defining candidate to include candidates for certain judicial offices and excluding those candidates from reporting under the Fair Campaign Practices Act; amending Minnesota Statutes 1978, Sections 10A.01, Subdivisions 2 and 5; 10A.14, Subdivision 1; 10A.20, Subdivision 2; 210A.01, Subdivision 3; and 290.06, Subdivision 11.

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:

Aasness	Elioff	Kaley	Nelson	Sherwood
Adams	Ellingson	Kalis	Niehaus	Sieben, H.
Ainley	Enebo	Kelly	Norman	Sieben, M.
Albrecht	Erickson	Kempe	Norton	Simoneau
Anderson, B.	Esau	Knickerbocker	Novak	Stadum
Anderson, D.	Evans	Kostohryz	Nysether	Stoa
Anderson, G.	Ewald	Kroening	Olsen	Stowell
Anderson, I.	Faricy	Kvam	Onnen	Sviggum
Anderson, R.	Fjoslien	Laidig	Osthoff	Swanson
Battaglia	Forsythe	Lehto	Otis	Thiede
Begich	Fritz	Levi	Patton	Tomlinson
Berglin	Fudro	Long	Pavlak	Valan
Berkelman	Greenfield	Ludeman	Pehler	Valento
Biersdorf	Halberg	Luknic	Peterson	Vanasek
Blatz	Haukoos	Mann	Piepho	Voss
Byrne	Heap	McCarron	Pleasant	Waldorf
Carlson, L.	Heinitz	McDonald	Prahl	Weaver
Cassery	Hoberg	McEachern	Redalen	Welch
Clark	Hokanson	Mehrkens	Reding	Welker
Clawson	Jacobs	Metzen	Rees	Wenzel
Corbid	Jaros	Minne	Reif	Wieser
Dean	Jennings	Moe	Rice	Wigley
Dempsey	Johnson, C.	Munger	Rose	Wynia
Den Ouden	Johnson, D.	Murphy	Rothenberg	Zubay
Drew	Jude	Nelsen, B.	Sarna	Speaker Searle
Eken	Kahn	Nelsen, M.	Searles	

Those who voted in the negative were:

Carlson, D.

The bill was passed and its title agreed to.

H. F. No. 686, A bill for an act relating to public health; permitting use of plastic water well casings in additional counties; amending Minnesota Statutes 1978, Section 156A.031, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelson	Sherwood
Adams	Eken	Kaley	Niehaus	Sieben, H.
Ainley	Elioff	Kalis	Norman	Sieben, M.
Albrecht	Ellingson	Kelly	Norton	Simoneau
Anderson, B.	Enebo	Kempe	Novak	Stadum
Anderson, D.	Erickson	Knickerbocker	Nysether	Stoa
Anderson, G.	Esau	Kostohryz	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	Mann	Pleasant	Waldorf
Byrne	Halberg	McCarron	Prahl	Weaver
Carlson, D.	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Casserly	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	

The bill was passed and its title agreed to.

H. F. No. 792, A bill for an act relating to claims against the state; providing for claims arising out of various restitution programs to be heard by the legislature; amending Minnesota Statutes 1978, Section 3.738, 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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Berkelman	Dempsey	Fjoslien	Jaros
Adams	Blatz	Den Ouden	Forsythe	Jennings
Ainley	Brinkman	Drew	Friedrich	Johnson, C.
Albrecht	Byrne	Eken	Fritz	Johnson, D.
Anderson, B.	Carlson, D.	Elioff	Fudro	Jude
Anderson, D.	Carlson, L.	Ellingson	Greenfield	Kahn
Anderson, G.	Casserly	Enebo	Halberg	Kaley
Anderson, I.	Clark	Erickson	Haukoos	Kalis
Anderson, R.	Clawson	Esau	Heap	Kelly
Battaglia	Corbid	Evans	Heinitz	Kempe
Begich	Crandall	Ewald	Hoberg	Knickerbocker
Berglin	Dean	Faricy	Jacobs	Kostohryz

Kroening	Moe	Patton	Schreiber	Vanasek
Kvam	Munger	Pavlak	Searles	Voss
Laidig	Murphy	Pehler	Sherwood	Waldorf
Lehto	Nelsen, B.	Peterson	Sieben, H.	Weaver
Levi	Nelsen, M.	Piepho	Sieben, M.	Welch
Long	Nelson	Pleasant	Simoneau	Welker
Ludeman	Niehaus	Prahl	Stadum	Wenzel
Luknic	Norman	Redalen	Stoa	Wieser
Mann	Norton	Reding	Stowell	Wigley
McCarron	Novak	Rees	Sviggum	Wynia
McDonald	Nysether	Reif	Swanson	Zubay
McEachern	Olsen	Rice	Thiede	Speaker Searle
Mehrkens	Onnen	Rose	Tomlinson	
Metzen	Osthoff	Rothenberg	Valan	
Minne	Otis	Sarna	Valento	

The bill was passed and its title agreed to.

H. F. No. 912, A bill for an act relating to juries; requiring the department of public safety to provide jury commissioners with drivers' license lists at a reasonable fee; amending Minnesota Statutes 1978, Section 593.37, 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Johnson, D.	Nelsen, B.	Schreiber
Adams	Eken	Jude	Nelsen, M.	Searles
Ainley	Elioff	Kahn	Nelson	Sherwood
Albrecht	Ellingson	Kaley	Niehaus	Sieben, H.
Anderson, B.	Enebo	Kalis	Norman	Sieben, M.
Anderson, D.	Erickson	Kelly	Norton	Simoneau
Anderson, G.	Esau	Kempe	Novak	Stadum
Anderson, I.	Evans	Knickerbocker	Nysether	Stoa
Anderson, R.	Ewald	Kroening	Olsen	Stowell
Battaglia	Faricy	Kvam	Onnen	Sviggum
Begich	Fjoslien	Laidig	Osthoff	Swanson
Berglin	Forsythe	Lehto	Otis	Thiede
Berkelman	Friedrich	Levi	Patton	Tomlinson
Biersdorf	Fritz	Long	Pavlak	Valan
Blatz	Fudro	Ludeman	Pehler	Valento
Byrne	Greenfield	Luknic	Peterson	Vanasek
Carlson, D.	Halberg	Mann	Piepho	Voss
Carlson, L.	Haukoos	McCarron	Pleasant	Waldorf
Casserly	Heap	McDonald	Prahl	Weaver
Clark	Heintz	McEachern	Redalen	Welch
Clawson	Hoberg	Mehrkens	Reding	Welker
Corbid	Hokanson	Metzen	Rees	Wenzel
Crandall	Jacobs	Minne	Reif	Wieser
Dean	Jaros	Moe	Rose	Wynia
Dempsey	Jennings	Munger	Rothenberg	Zubay
Den Ouden	Johnson, C.	Murphy	Sarna	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 123, A bill for an act relating to crimes; prohibiting solicitation or inducement concerning prostitution; promoting the prostitution of a person, receiving profit derived from prostitution, engaging in prostitution, and patronizing a prostitute; limiting defenses to prosecution; establishing rules of evidence; establishing immunity from prosecution for certain testimony; providing penalties; amending Minnesota Statutes 1978, Sections 626.556, Subdivision 2; and 626A.05, Subdivision 2; repealing Minnesota Statutes 1978, Section 609.32.

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:

Aasness	Drew	Jude	Nelson	Sieben, H.
Adams	Eken	Kahn	Niehaus	Sieben, M.
Ainley	Elioff	Kaley	Norman	Simoneau
Albrecht	Ellingson	Kalis	Norton	Stadum
Anderson, B.	Enebo	Kelly	Novak	Stoa
Anderson, D.	Erickson	Kempe	Nysether	Stowell
Anderson, G.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, I.	Evans	Kostohryz	Onnen	Swanson
Anderson, R.	Ewald	Kvam	Osthoff	Thiede
Battaglia	Faricy	Laidig	Otis	Tomlinson
Begich	Fjoslien	Lehto	Patton	Valan
Berglin	Forsythe	Levi	Pavlak	Valento
Berkelman	Friedrich	Long	Pehler	Vanasek
Biersdorf	Fritz	Ludeman	Peterson	Voss
Blatz	Fudro	Luknic	Piepho	Waldorf
Brinkman	Greenfield	Mann	Pleasant	Weaver
Byrne	Halberg	McCarron	Prahl	Welch
Carlson, D.	Haukoos	McDonald	Redalen	Welker
Carlson, L.	Heap	McEachern	Reding	Wenzel
Casserly	Heinitz	Mehrkens	Rees	Wieser
Clark	Hoberg	Metzen	Reif	Wigley
Clawson	Hokanson	Minne	Rose	Wynia
Corbid	Jacobs	Moe	Rothenberg	Zubay
Crandall	Jaros	Munger	Sarna	Speaker Searle
Dean	Jennings	Murphy	Schreiber	
Dempsey	Johnson, C.	Nelsen, B.	Searles	
Den Ouden	Johnson, D.	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 430, A bill for an act relating to elections; allowing employees of the state or its political subdivisions to serve as election judges; amending Minnesota Statutes 1978, Section 204A.18, Subdivision 3; repealing Minnesota Statutes 1978, 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 117 yeas and 13 nays as follows:

Those who voted in the affirmative were:

Aasness	Elioff	Kaley	Niehaus	Sieben, H.
Adams	Ellingson	Kalis	Norman	Sieben, M.
Ainley	Enebo	Kelly	Norton	Simoneau
Anderson, B.	Esau	Kempe	Novak	Stadum
Anderson, G.	Evans	Knickerbocker	Nysether	Stoa
Anderson, I.	Ewald	Kostohryz	Onnen	Stowell
Anderson, R.	Faricy	Kroening	Osthoff	Sviggum
Battaglia	Fjoslien	Kvam	Otis	Swanson
Begich	Forsythe	Laidig	Patton	Tomlinson
Berglin	Friedrich	Lehto	Pavlak	Vanasek
Berkelman	Fudro	Levi	Pehler	Voss
Biersdorf	Greenfield	Long	Peterson	Waldorf
Blatz	Haukoos	Ludeman	Pleasant	Weaver
Brinkman	Heap	Luknic	Prahl	Welch
Byrne	Heinitz	Mann	Redalen	Welker
Carlson, D.	Hoberg	McCarron	Reding	Wenzel
Carlson, L.	Hokanson	McEachern	Reif	Wieser
Casserly	Jacobs	Metzen	Rice	Wigley
Clark	Jaros	Moe	Rose	Wynia
Clawson	Jennings	Munger	Rothenberg	Zubay
Corbid	Johnson, C.	Murphy	Sarna	Speaker Searle
Dean	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	
Eken	Kahn	Nelson	Sherwood	

Those who voted in the negative were:

Albrecht	Dempsey	Fritz	Olsen	Rees
Anderson, D.	Drew	McDonald	Piepho	Thiede
Crandall	Erickson	Mehrkens		

The bill was passed and its title agreed to.

H. F. No. 581, A bill for an act relating to education; authorizing certain school districts to make a certain levy; correcting a section reference; amending Minnesota Statutes 1978, Section 122.531, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, I.	Blatz	Clawson	Eken
Adams	Anderson, R.	Brinkman	Corbid	Elioff
Ainley	Battaglia	Byrne	Crandall	Ellingson
Albrecht	Begich	Carlson, D.	Dean	Enebo
Anderson, B.	Berglin	Carlson, L.	Dempsey	Erickson
Anderson, D.	Berkelman	Casserly	Den Ouden	Esau
Anderson, G.	Biersdorf	Clark	Drew	Evans

Ewald	Kahn	Minne	Piepho	Sviggum
Faricy	Kaley	Moe	Pleasant	Swanson
Fjoslien	Kalis	Munger	Prahl	Thiede
Forsythe	Kelly	Murphy	Redalen	Tomlinson
Friedrich	Kempe	Nelsen, B.	Reding	Valan
Fritz	Knickerbocker	Nelsen, M.	Rees	Valento
Fudro	Kostohryz	Nelson	Reif	Vanasek
Greenfield	Kroening	Niehaus	Rice	Voss
Halberg	Kvam	Norman	Rose	Waldorf
Haukoos	Lehto	Norton	Rothenberg	Weaver
Heap	Levi	Novak	Sarna	Welch
Heinitz	Long	Nysether	Schreiber	Welker
Hoberg	Ludeman	Olsen	Searles	Wenzel
Hokanson	Luknic	Onnen	Sherwood	Wieser
Jacobs	Mann	Osthoff	Sieben, H.	Wigley
Jaros	McCarron	Otis	Sieben, M.	Wynia
Jennings	McDonald	Patton	Simoneau	Zubay
Johnson, C.	McEachern	Pavlak	Stadum	Speaker Searle
Johnson, D.	Mehrkens	Pehler	Stoa	
Jude	Metzen	Peterson	Stowell	

The bill was passed and its title agreed to.

S. F. No. 728, A bill for an act relating to crimes; controlling telephone communications with certain offenders; allowing police to prevent unauthorized communications; 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelson	Sherwood
Adams	Eken	Kaley	Niehaus	Sieben, H.
Ainley	Elioff	Kalis	Norman	Sieben, M.
Albrecht	Ellingson	Kelly	Norton	Simoneau
Anderson, B.	Enebo	Kempe	Novak	Stadum
Anderson, D.	Erickson	Knickerbocker	Nysether	Stoa
Anderson, G.	Esau	Kostohryz	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fudro	Ludeman	Peterson	Vanasek
Blatz	Greenfield	Luknic	Piepho	Voss
Brinkman	Halberg	Mann	Pleasant	Waldorf
Byrne	Haukoos	McCarron	Prahl	Weaver
Carlson, D.	Heap	McDonald	Redalen	Welch
Carlson, L.	Heinitz	McEachern	Reding	Welker
Casserly	Hoberg	Mehrkens	Rees	Wenzel
Clark	Hokanson	Metzen	Reif	Wieser
Clawson	Jacobs	Minne	Rice	Wigley
Corbid	Jaros	Moe	Rose	Wynia
Crandall	Jennings	Munger	Rothenberg	Zubay
Dean	Johnson, C.	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	

The bill was passed and its title agreed to.

H. F. No. 774, A bill for an act relating to state government; prohibiting certain expense accounts expenditures for alcoholic beverages; amending Minnesota Statutes 1978, Section 16A.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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelsen, M.	Searles
Adams	Eken	Kaley	Nelson	Sherwood
Ainley	Elioff	Kalis	Niehous	Sieben, H.
Albrecht	Ellingson	Kelly	Norman	Sieben, M.
Anderson, B.	Enebo	Kempe	Norton	Simoneau
Anderson, D.	Erickson	Knickerbocker	Novak	Stadum
Anderson, G.	Esau	Kostohryz	Nysether	Stoa
Anderson, I.	Evans	Kroening	Olsen	Stowell
Anderson, R.	Ewald	Kvam	Onnen	Sviggum
Battaglia	Faricy	Laidig	Osthoff	Swanson
Begich	Fjoslien	Lehto	Otis	Thiede
Berglin	Forsythe	Levi	Patton	Tomlinson
Berkelman	Fritz	Long	Pavlak	Valan
Biersdorf	Fudro	Ludeman	Pehler	Valento
Blatz	Halberg	Luknic	Peterson	Vanasek
Brinkman	Haukoos	Mann	Piepho	Voss
Byrne	Heap	McCarron	Pleasant	Waldorf
Carlson, L.	Heinitz	McDonald	Prahl	Weaver
Casserly	Hoberg	McEachern	Reding	Welch
Clark	Hokanson	Mehrkens	Rees	Welker
Clawson	Jacobs	Metzen	Reif	Wenzel
Corbid	Jaros	Minne	Rice	Wieser
Crandall	Jennings	Moe	Rose	Wigley
Dean	Johnson, C.	Munger	Rothenberg	Wynia
Dempsey	Johnson, D.	Murphy	Sarna	Zubay
Den Ouden	Jude	Nelsen, B.	Schreiber	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 900, 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 1978, Chapter 444, 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:

Aasness	Drew	Johnson, D.	Nelsen, M.	Searles
Adams	Eken	Jude	Nelson	Sherwood
Ainley	Elioff	Kahn	Niehaus	Sieben, H.
Albrecht	Ellingson	Kaley	Norman	Sieben, M.
Anderson, B.	Enebo	Kalis	Norton	Simoneau
Anderson, D.	Erickson	Kelly	Novak	Stadum
Anderson, G.	Esau	Kempe	Nysether	Stoa
Anderson, R.	Evans	Knickerbocker	Olsen	Stowell
Battaglia	Ewald	Kostohryz	Onnen	Sviggum
Begich	Faricy	Kroening	Osthoff	Swanson
Berglin	Fjoslien	Kvam	Otis	Thiede
Berkelman	Forsythe	Laidig	Patton	Tomlinson
Biersdorf	Friedrich	Lehto	Pavlak	Valan
Blatz	Fritz	Levi	Pehler	Valento
Brinkman	Fudro	Long	Peterson	Vanasek
Byrne	Greenfield	Ludeman	Piepho	Voss
Carlson, D.	Halberg	Luknic	Prahl	Waldorf
Carlson, L.	Haukoos	Mann	Redalen	Weaver
Casserly	Heap	McCarron	Reding	Welch
Clark	Heinitz	McDonald	Rees	Welker
Clawson	Hoberg	McEachern	Reif	Wenzel
Corbid	Hokanson	Metzen	Rice	Wieser
Crandall	Jacobs	Minne	Rose	Wigley
Dean	Jaros	Moe	Rothenberg	Wynia
Dempsey	Jennings	Munger	Sarna	Zubay
Den Ouden	Johnson, C.	Nelsen, B.	Schreiber	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 913, A bill for an act relating to small businesses; increasing state procurement from small businesses; amending Minnesota Statutes 1978, Section 16.083, Subdivisions 1 and 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Carlson, L.	Fjoslien	Kahn	McEachern
Adams	Casserly	Forsythe	Kaley	Mehrkens
Ainley	Clark	Friedrich	Kalis	Metzen
Albrecht	Clawson	Fritz	Kelly	Minne
Anderson, B.	Corbid	Fudro	Kempe	Moe
Anderson, D.	Crandall	Greenfield	Knickerbocker	Munger
Anderson, G.	Dean	Halberg	Kostohryz	Murphy
Anderson, I.	Dempsey	Haukoos	Kroening	Nelsen, B.
Anderson, R.	Den Ouden	Heap	Kvam	Nelsen, M.
Battaglia	Drew	Heinitz	Laidig	Nelson
Begich	Eken	Hoberg	Lehto	Niehaus
Berglin	Elioff	Hokanson	Levi	Norman
Berkelman	Enebo	Jacobs	Long	Norton
Biersdorf	Erickson	Jaros	Ludeman	Novak
Blatz	Esau	Jennings	Luknic	Nysether
Brinkman	Evans	Johnson, C.	Mann	Olsen
Byrne	Ewald	Johnson, D.	McCarron	Onnen
Carlson, D.	Faricy	Jude	McDonald	Osthoff

Otis	Reding	Sherwood	Thiede	Welker
Patton	Rees	Sieben, H.	Tomlinson	Wenzel
Pavlak	Reif	Sieben, M.	Valan	Wieser
Pehler	Rice	Simoneau	Valento	Wigley
Peterson	Rose	Stadum	Vanasek	Wynia
Piepho	Rothenberg	Stoa	Voss	Zubay
Pleasant	Sarna	Stowell	Waldorf	Speaker Searle
Prahl	Schreiber	Sviggum	Weaver	
Redalen	Searles	Swanson	Welch	

The bill was passed and its title agreed to.

H. F. No. 1214, A bill for an act relating to Independent School District No. 786, Bertha-Hewitt; exempting it from certain requirements for obtaining one capital loan from the equalization aid review committee; setting a limit for that loan.

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

The bill was passed and its title agreed to.

S. F. No. 219, A bill for an act relating to state government; abolishing achievement awards for commissioners and deputy constitutional officers; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 6; 43.062, Subdivision 3; and 43.067,

Subdivision 4; repealing Minnesota Statutes 1978, Section 43-069.

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:

Aasness	Den Ouden	Johnson, D.	Murphy	Schreiber
Adams	Drew	Jude	Nelsen, B.	Searles
Ainley	Eken	Kahn	Nelsen, M.	Sherwood
Albrecht	Elioff	Kaley	Nelson	Sieben, M.
Anderson, B.	Ellingson	Kalis	Niehaus	Simoneau
Anderson, D.	Erickson	Kelly	Norman	Stadum
Anderson, G.	Esau	Kempe	Novak	Stoa
Anderson, I.	Ewald	Knickerbocker	Nysether	Stowell
Anderson, R.	Faricy	Kostohryz	Olsen	Sviggum
Battaglia	Fjoslien	Kroening	Onnen	Swanson
Begich	Forsythe	Kvam	Osthoff	Thiede
Berglin	Friedrich	Laidig	Patton	Tomlinson
Berkelman	Fritz	Lehto	Pavlak	Valan
Biersdorf	Fudro	Levi	Pehler	Valento
Blatz	Greenfield	Long	Peterson	Vanasek
Brinkman	Halberg	Ludeman	Piepho	Waldorf
Byrne	Haukoos	Luknic	Pleasant	Weaver
Carlson, L.	Heap	Mann	Prahl	Welch
Casserly	Heinitz	McCarron	Redalen	Welker
Clark	Hoberg	McDonald	Reding	Wenzel
Clawson	Hokanson	McEachern	Reif	Wigley
Corbid	Jacobs	Mehrkens	Rice	Wynia
Crandall	Jaros	Metzen	Rose	Zubay
Dean	Jennings	Minne	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Munger	Sarna	

Those who voted in the negative were:

Enebo	Norton	Rees	Voss	Wieser
Evans	Otis	Sieben, H.		

The bill was passed and its title agreed to.

### GENERAL ORDERS

Sieben, H., moved that the bills on General Orders for today be continued one day. The motion prevailed.

### MOTIONS AND RESOLUTIONS

Laidig moved that the names of Sieben, M.; and Kostohryz be added as authors on H. F. No. 1489. The motion prevailed.

Clawson moved that the names of Anderson, B., and Welch be added as authors on H. F. No. 1523. The motion prevailed.

Corbid moved that the name of Nysether be added as an author on H. F. No. 1154. The motion prevailed.

Begich moved that the name of Patton be added as an author on H. F. No. 1054. The motion prevailed.

Metzen moved that the name of Halberg be added as an author on H. F. No. 1517. The motion prevailed.

Zubay moved that his name be stricken as an author on House Advisory No. 22. The motion prevailed.

Clawson moved that the name of Jude be added as an author on House Advisory No. 30. The motion prevailed.

Heinitz moved that the name of Peterson be added as an author on House Advisory No. 26. The motion prevailed.

Long, Tomlinson, Lehto, Weaver and Piepho introduced:

House Concurrent Resolution No. 6, A House Concurrent Resolution requesting the state personnel department to study means to recognize and provide incentives for job-related professional, educational achievement of certified professional secretaries.

The resolution was referred to the Committee on Governmental Operations.

Anderson, I., and Searle introduced:

House Resolution No. 20, A House Resolution expressing condolences to the family of the late Senator B. Robert Lewis.

#### SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that House Resolution No. 20 be now considered and be placed upon its adoption. The motion prevailed.

#### HOUSE RESOLUTION NO. 20

A house resolution expressing condolences to the family of the late Senator B. Robert Lewis.

*Whereas*, the House of Representatives has been informed of the death of the Honorable B. Robert Lewis, Senator, District 41, State of Minnesota; *Now, Therefore*,

*Be It Resolved* that the House of Representatives, in session assembled this 25th day of April, 1979, does hereby express to the family of B. Robert Lewis its appreciation for his leadership and dedication to the welfare of Minnesotans and extends its heartfelt sympathy in their bereavement; and,

*Be It Further Resolved* that a committee of ten members of the House shall be appointed to represent the House of Representatives at the funeral of the Honorable B. Robert Lewis, Senator, District 41, State of Minnesota.

Anderson, I., moved that House Resolution No. 20 be now adopted. The motion prevailed and House Resolution No. 20 was adopted.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 572:

Peterson, Schreiber, Pehler, and Casserly

#### ANNOUNCEMENT BY THE CHAIRMAN OF THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The chairman announced the appointment of the following member of the House to the following commission:

*Saint Paul Downtown People Mover*, pursuant to Laws of Minnesota 1977, Chapter 454, Section 45: Waldorf

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, April 26, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, April 26, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives





## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## FORTY-SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 26, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Simoneau
Ainley	Elioff	Kaley	Niehaus	Stadum
Albrecht	Ellingson	Kalis	Norman	Stoa
Anderson, B.	Enebo	Kelly	Norton	Stowell
Anderson, D.	Erickson	Kempe	Novak	Swiggum
Anderson, G.	Esau	Knickerbocker	Nysether	Swanson
Anderson, I.	Evans	Kostohryz	Olsen	Thiede
Anderson, R.	Ewald	Kroening	Onnen	Tomlinson
Battaglia	Faricy	Kvam	Osthoff	Valan
Begich	Fjoslien	Laidig	Otis	Valento
Berglin	Forsythe	Lehto	Paviak	Vanasek
Berkelman	Friedrich	Levi	Pehler	Voss
Biersdorf	Fritz	Long	Peterson	Waldorf
Blatz	Fudro	Ludeman	Piepho	Weaver
Brinkman	Greenfield	Luknic	Pleasant	Welch
Byrne	Halberg	Mann	Prahl	Welker
Carlson, D.	Haukoos	McCarron	Redalen	Wenzel
Carlson, L.	Heap	McDonald	Reding	Wieser
Casserly	Heinitz	McEachern	Rees	Wigley
Clark	Hoberg	Mehrrens	Reif	Wynia
Clawson	Hokanson	Metzen	Rice	Zubay
Corbid	Jacobs	Minne	Rose	Speaker Searle
Crandall	Jaros	Moe	Rothenberg	
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	

A quorum was present.

Sieben, H.; Sieben, M.; and Patton were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Levi 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. 450, 980, 1052, 1364, 323, 907, 995, 1002, 1037, 1113, 150, 1274, 1353, 1350, 1307, 874, 564, 738, 897, 1309, 1221 and 1271 and S. F. Nos. 843 and 228 have been placed in the members' files.

S. F. No. 856 and H. F. No. 150, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Carlson, L., moved that the rules be so far suspended that S. F. No. 856 be substituted for H. F. No. 150 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 843 and H. F. No. 1113, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Jaros moved that the rules be so far suspended that S. F. No. 843 be substituted for H. F. No. 1113 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 935, A bill for an act relating to local government; authorizing a housing finance program and the issuance of bonds to finance the program in Mankato and North Mankato.

Reported the same back with the following amendments:

Page 2, line 28, after the semicolon delete "and"

Page 2, line 32, after "construction" delete the period and insert a semicolon

Page 2, after line 32 insert:

"(g) The financing program or programs to be included in the plan;

(h) The estimated amount of mortgage loans to be purchased in the program or programs and the estimated amounts and timing of the sale of revenue bonds or obligations required

to finance such loans, fund appropriate reserves, and pay costs of issuance; and

(i) The cost to the city, including administrative costs.

Subd. 2. The city council may, by resolution, adopt the program authorized by this act after a public hearing is held thereon after one publication in a newspaper circulating generally in the city at least 30 days before the hearing.

Subd. 3. For the program, limits on gross income for persons and families to be served shall be established. The gross income limit may not exceed 150 percent of the non-metropolitan area median family income as estimated by the United States Department of Housing and Urban Development; provided that one half of the proceeds available for loans from the sale of bonds be used to serve persons or families below the adjusted median family income. For the purpose of these limits adjustment of gross income for family size shall be permitted in the same manner as the Minnesota Housing Finance Agency."

Renumber remaining subdivisions

Page 3, line 18, after the period insert "The total amount of revenue bonds authorized to be issued for the purpose of this act shall jointly not exceed \$10,000,000."

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1005, A bill for an act relating to the city of Waseca; authorizing a housing finance program; providing for the issuance of revenue bonds to finance the program.

Reported the same back with the following amendments:

Page 2, line 22, after the semicolon delete "and"

Page 2, line 26, after "construction" delete the period and insert a semicolon

Page 2, after line 26 insert:

"(g) The financing program or programs to be included in the plan;

(h) The estimated amount of mortgage loans to be purchased in the program or programs and the estimated amounts and timing of the sale of revenue bonds or obligations required to finance such loans, fund appropriate reserves, and pay costs of issuance; and

(i) The cost to the city, including administrative costs.

Subd. 2. The city council may, by resolution, adopt the program authorized by this act after a public hearing is held thereon after one publication in a newspaper circulating generally in the city at least 30 days before the hearing.

Subd. 3. For the program, limits on gross income for persons and families to be served shall be established. The gross income limit may not exceed 150 percent of the non-metropolitan area median family income as estimated by the United States Department of Housing and Urban Development; provided that one half of the proceeds available for loans from the sale of bonds be used to serve persons or families below the adjusted median family income. For the purpose of these limits adjustment of gross income for family size shall be permitted in the same manner as the Minnesota Housing Finance Agency."

Renumber remaining subdivisions

Page 3, line 7, delete "\$20,000,000 and insert "\$10,000,000"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1249, A bill for an act relating to town roads; providing for the establishment of certain cartways, and authorizing the expenditure of town road and bridge funds under certain conditions; amending Minnesota Statutes 1978, Section 164.08, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 22, delete "Except for"

Page 1, delete line 23

Page 2, line 1, delete "cartway,"

Page 2, line 8, delete the period, and insert ", subject to the provisions of section 164.10. After the cartway has been con-

*structured the town board, or the county board in the case of unorganized territory, may by resolution designate the cartway as a private driveway with the written consent of the affected landowner in which case from the effective date of the resolution no town road and bridge funds shall be expended for maintenance of the driveway."*

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1386, A bill for an act relating to the city of St. Paul; fixing the rate of the franchise fee for utility supplies to residential dwellings.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Notwithstanding any provision of law, franchise, or charter to the contrary, the city of St. Paul shall not impose on nor collect from a public utility a franchise fee based upon the sale of gas or electricity to residential customers, for the public utility's billing months of January, February, March, April, November and December, greater than an amount equal to the corresponding percentage of the public utility's gross operating revenue from such residential customers for such billing months in the following years:

1980	7.2 percent
1981	5.8 percent
1982	4.3 percent
1983	2.9 percent
1984	1.4 percent

1985 and all years thereafter, zero percent.

Sec. 2. For the purposes of this act, "residential customer" means a customer classified by the public utility as a residential heating or residential non-heating customer of the public utility within the city of St. Paul and "gross operating revenue" means all sums received by the public utility from the sale of gas or electricity, excluding any amounts received which result from

a surcharge on the public utility's rate schedule for the purpose of collecting the franchise fee.

Sec. 3. This act becomes effective upon approval by a majority of the governing body of the city of St. Paul and compliance with Minnesota Statutes, Section 645.021, except that section 1 shall not become effective prior to January 1, 1980."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1431, A bill for an act relating to Hennepin County; establishing an unclassified civil service position of chief civil deputy sheriff; amending Laws 1965, Chapter 855, Section 7, Subdivision 2, as amended.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 117, 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 1978, Sections 645.021 and 645.023, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 236, A bill for an act relating to the state auditor; providing for the examination of municipal records pursuant to petition; requiring signatures of 20 percent of the number of voters in the last presidential election for a petition to examine municipal records; establishing certain other requirements for petitions for examination of towns and school districts; requiring that the city, town and school district as well as county auditor be notified when the petition is certified; amending Minnesota Statutes 1978, Section 6.54.

Reported the same back with the following amendments:

Page 2, line 17, strike "Likewise"

Page 2, line 18, reinstate stricken language and delete "*registered voters in a*"

Page 2, line 19, strike "in the same manner"

Page 2, line 22, restore the stricken language and delete "*registered voters*"

Page 2, line 32, restore the stricken language and delete "*registered voters*"

Page 3, line 10, after "*voters*" insert "*or freeholders as the case may be*"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 362, A bill for an act relating to Hennepin County; providing for the appointment, compensation, and duties of the medical examiners; amending Laws 1963, Chapter 848, Section 1, Subdivision 2; Section 5; repealing Laws 1963, Chapter 848, Section 1, Subdivision 4.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 521, A bill for an act relating to the city of St. Cloud; authorizing sale of liquor at the Municipal Sports Complex.

Reported the same back with the following amendments:

Page 2, delete section 2 and add the following sections:

"Sec. 2. Notwithstanding any law to the contrary, the city of Bloomington may issue without referendum one on-sale license



for the sale of intoxicating liquor in addition to those authorized by law as of January 1, 1979.

Sec. 3. Minnesota Statutes 1978, Section 340.14, Subdivision 3, is amended to read:

Subd. 3. [SALES; WHERE FORBIDDEN.] No intoxicating liquors shall be sold in any of the following places:

(1) Within the capitol or upon the grounds thereof;

(2) Upon the state fairgrounds or at any place in a city of the first class within one-half mile of such fairgrounds except as hereinafter otherwise provided by charter;

(3) Upon the campus of the (SCHOOL) *institute* of agriculture of the University of Minnesota or at any place in a city of the first class within one-half mile of such campus except as hereinafter otherwise provided by charter. *The city may issue one on-sale wine license to a vendor in the territory described in this clause that is not also included in the territory described in clause (2). The license is in addition to any others permitted in the city by other law or charter;*

(4) Within 1,000 feet of any state hospital, training school, reformatory, prison, or other institution under the supervision and control, in whole or in part, of the commissioner of public welfare or the commissioner of corrections. Whoever sells or otherwise disposes of intoxicating liquor at retail at a place prohibited by this clause is guilty of a gross misdemeanor;

(5) In any town or municipality in which a majority of votes at the last election at which the question of license was voted upon shall not have been in favor of license, or within one-half mile of any such municipality, except that any intoxicating liquor, manufactured within any such district, may be sold to be consumed outside of such district;

(6) At any place on the east side of the Mississippi river within one-tenth mile of the main building of the University of Minnesota unless the licensed establishment is on property owned or operated by a nonprofit corporation organized prior to January 1, 1940 for and by former students of the University of Minnesota; a license may be issued under this clause notwithstanding any local law to the contrary;

(7) Within 1,500 feet of any state university, except as hereinafter provided, or, when the place of sale is not within a municipality, within 1,500 feet of any public school outside of a municipality; within 1,200 feet at Winona state university, and at Southwest state university and in determining the distance, the measurement shall be along the most direct line from the nearest

corner of the administration building of the university to the main entrance of the licensed premises; as to Mankato state university in the city of Mankato when the place of sale is within 1,500 feet as measured from the front door of the student union of the Highland campus;

(8) At more than five places on any one side of a block with-in and fronting upon the patrol limits of cities of the first class;

(9) The restrictions imposed by this subdivision shall not apply to any manufacturer or wholesaler of intoxicating liquors or to a drug store or to any person lawfully licensed to sell intoxicating liquor immediately prior to the enactment of this subdivision.

Sec. 4. Section 1 is effective upon approval of the city council of the city of St. Cloud and upon compliance with Minnesota Statutes 1978, Section 645.021. Section 2 is effective upon approval of the city council of the city of Bloomington and upon compliance with Minnesota Statutes, Section 645.021. Section 3 is effective the day following final enactment."

Underscore all new language

Further delete the title and insert:

"A bill for an act relating to intoxicating liquor; authorizing sale of liquor at certain facilities; authorizing issuance of additional liquor licenses; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 622, A bill for an act relating to the county of Hennepin; creating the office of county administrator; providing financial procedures; providing for the operation of county government; providing bonding limits; creating a corrections facility; providing for central purchasing; establishing set aside contracts; providing a penalty; amending Laws 1965, Chapter 533, Section 1, as amended; Extra Session Laws 1967, Chapter 24, Section 1, Subdivision 1; Extra Session Laws 1967, Chapter 24, Section 1, Subdivision 2, as amended; Extra Session Laws 1967, Chapter 47, Section 1, as amended; Extra Session Laws 1967, Chapter 47, Section 3, as amended; Laws 1969, Chapter 476, Section 1, as amended; repealing Laws 1951, Chapter 556; Laws 1951, Chapter 598; Laws 1951, Chapter 636, Section 4; Laws

1951, Chapter 702; Laws 1953, Chapter 270; Laws 1953, Chapter 703, Section 1; Laws 1953, Chapter 753; Laws 1955, Chapter 875; Laws 1957, Chapter 671, Section 7; Laws 1957, Chapter 950; Laws 1959, Chapter 200; Laws 1959, Chapter 297; Extra Session Laws 1959, Chapter 17; Extra Session Laws 1961, Chapter 45; Extra Session Laws 1961, Chapter 47; Laws 1963, Chapter 857; Laws 1965, Chapter 294; Laws 1965, Chapter 633; Laws 1965, Chapter 850; Laws 1967, Chapter 441; Laws 1967, Chapter 588; Laws 1967, Chapter 599, Section 4; Laws 1967, Chapter 796; Laws 1969, Chapter 473; Laws 1969, Chapter 692; Laws 1969, Chapter 918; Laws 1969, Chapter 1053; Laws 1971, Chapter 495; Laws 1971, Chapter 744, Section 2; Laws 1973, Chapter 261.

Reported the same back with the following amendments:

Page 11, delete lines 7 to 22 and insert:

*"Subd. 3. [PUBLICATION AND DISTRIBUTION.] The board of commissioners shall publish the annual financial statements in accordance with the requirements of Minnesota Statutes, Section 375.17. The annual audited financial statements shall be made available for public inspection upon request, and a copy shall be filed with the state auditor."*

Page 22, line 2, before the period insert "or designee"

Page 30, line 22, delete "375.17;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 876, A bill for an act relating to local government; permitting units in Fillmore County to spend money to assist blood collection.

Reported the same back with the following amendments:

Page 1, line 12 after "by" insert "a majority"

Page 1, line 13 delete "meeting" and insert "electors at the annual town meeting or special meeting called for that purpose"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1245, A bill for an act relating to city of Duluth; providing for the management of the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Sections 2, Subdivision 2; 5, Subdivision 4; 7, as amended; and 8.

Reported the same back with the following amendments:

Page 1, line 16, after "city council." insert "*In selection of directors preference shall be given to persons having knowledge and background in business, finance and management.*"

Page 2, line 20, after "appoint" insert "*and dismiss*"

Page 2, line 24, after "directors." insert "*The executive director shall report to the chairman of the board of directors at the times and about the matters the chairman requires.*"

Page 3, line 26, strike the semicolon and insert a new period

Page 3, lines 27 to 33, delete the new language and strike the old

Page 4, strike line 1

Page 4, after line 1, insert:

*"The directors of the authority may also*

*(a) prescribe or provide for a policy or policies of insurance for the defense and indemnification of the city of Duluth, its officers and employees, and the directors, executive director, executive and administrative officers of the authority, and other employees of the authority against claims arising against them out of the performance of duty, whether the claims are groundless, or otherwise. Premiums for any policies of insurance required by this subdivision shall be paid for out of the operating funds of the Spirit Mountain recreation area authority;*

*(b) authorize and direct the city treasurer to invest, in the manner provided by law, any funds held in reserve, or sinking funds, or any funds not required for immediate disbursement; and*

*(c) review, approve and amend the budget for the authority and approve expenditures within the budget."*

Further, amend the title as follows:

Page 1, line 3, after "management" insert "and operation"

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. 1518, 1519, 1526, 935, 1005, 1249, 1386 and 1431 were read for the second time.

### SECOND READING OF SENATE BILLS

S. F. Nos. 856, 843, 117, 236, 362, 521, 622, 876 and 1245 were read for the second time.

### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Carlson, D., and Rose introduced:

H. F. No. 1527, A bill for an act relating to agriculture; establishing a system for collection of disease incidence, morbidity and mortality; appropriating money.

The bill was read for the first time and referred to the Committee on Agriculture.

Casserly, Pleasant and Johnson, C., introduced:

H. F. No. 1528, A bill for an act relating to taxation; increasing state share of general assistance and aid to families with dependent children; providing local government aid payments; increasing certain county government's amount of local government aid; appropriating money for cost of care of emotionally disturbed and mentally retarded children; amending Minnesota Statutes 1978, Sections 256.82; 256D.03, Subdivision 2; and 477A.01.

The bill was read for the first time and referred to the Committee on Taxes.

Voss, Jacobs and Pavlak introduced:

H. F. No. 1529, A bill for an act relating to crimes; prescribing penalties for the possession of controlled substances on school premises; amending Minnesota Statutes 1978, Section 152.15, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Heinitz, Knickerbocker, Searle and Patton introduced:

H. F. No. 1530, A bill for an act relating to the operation of state government; raising salaries and salary ranges for certain executive branch employees, metropolitan agency officers, judges and judicial branch employees; eliminating achievement awards for commissioners and deputy commissioners; amending Minnesota Statutes 1978, Sections 15A.081; 15A.083, Subdivisions 1, 2 and 4; 43.062, Subdivision 3; and 43.067, Subdivision 4; repealing Minnesota Statutes 1978, Sections 15A.083, Subdivision 4a; and 43.069.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Evans introduced:

H. F. No. 1531, A bill for an act relating to retirement; judges; providing for the extension of terms in certain instances; amending Minnesota Statutes 1978, Section 490.124, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Murphy, Elioff and Clark introduced:

H. F. No. 1532, A bill for an act relating to welfare; medical expenses; providing assistance for certain kidney disease patients; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Murphy and Carlson, D., introduced:

H. F. No. 1533, A bill for an act relating to county recorders; requiring erroneous entries against real estate to be corrected without charge.

The bill was read for the first time and referred to the Committee on Judiciary.

Weaver; Sieben, H.; Casserly; Heinitz and Pavlak introduced:

H. F. No. 1534, A bill for an act relating to real estate; increasing certain fees charged by the county recorder and registrar of titles; amending Minnesota Statutes 1978, Sections 357.18, Subdivision 1; and 508.82.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Norman, Drew, Mehrkens, Valan and Hoberg introduced:

H. F. No. 1535, A bill for an act relating to retirement; increasing the vesting period required for legislator's retirement; amending Minnesota Statutes 1978, Section 3A.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wigley, Wieser, Elioff, Battaglia and Begich introduced:

H. F. No. 1536, A bill for an act relating to state parks; abolishing the annual permit fee for motor vehicles; repealing Minnesota Statutes 1978, Section 85.05, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Murphy, Hoberg and Jaros introduced:

H. F. No. 1537, A bill for an act relating to taxation; providing that the reduced property tax classification for homesteads of disabled veterans be continued for their surviving spouses; amending Minnesota Statutes 1978, Section 273.13, Subdivision 7.

The bill was read for the first time and referred to the Committee on Taxes.

Redalen, Munger, Wigley, Minne and Clark introduced:

H. F. No. 1538, A resolution memorializing the President of the United States, the Congress, the United States Department of Energy and the Nuclear Regulatory Commission to adopt legislation providing for the disposal or recovery processing of spent nuclear fuel.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Mann and Patton introduced:

H. F. No. 1539, A bill for an act relating to the city of Heron Lake; legalizing proceedings precedent to the issuance of certain general obligation bonds and excluding the bonds from the computation of net debt.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Corbid and Nysether introduced:

H. F. No. 1540, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey certain lands in Kittson County, under certain conditions, to the Galilee Bible Camp.

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:

H. F. No. 1158, A bill for an act relating to Independent School District No. 275; providing for the consolidation of Independent School District No. 275.

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. 444, A bill for an act relating to intoxicating liquor; authorizing the city of Spring Lake Park to issue an on-sale intoxicating liquor license to a club in existence for less than 15 years.

PATRICK E. FLAHAVEN, Secretary of the Senate



McCarron moved that the House refuse to concur in the Senate amendments to H. F. No. 444, that the Speaker shall appoint 2 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 2 members to a conference committee, and that the House requests that a conference 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 Files, herewith transmitted:

S. F. Nos. 766, 1341, 1388 and 1392.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 766, A bill for an act relating to banks; authorizing the making of loans at detached facilities; amending Minnesota Statutes 1978, Section 47.53.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1341, A bill for an act relating to the city of Waterville; clarifying its governing statutes.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 1388, A bill for an act relating to Hennepin County; establishing an unclassified civil service position of chief civil deputy sheriff; amending Laws 1965, Chapter 855, Section 7, Subdivision 2, as amended.

The bill was read for the first time.

Heinitz moved that S. F. No. 1388 and H. F. No. 1431, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed

S. F. No. 1392, A bill for an act relating to local government; providing for fire protection services in various local units in Cass and Morrison counties.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

## CONSENT CALENDAR

S. F. No. 668 was reported to the House.

Piepho moved that S. F. No. 668 be continued on the Consent Calendar for one day. The motion prevailed.

S. F. No. 1149 was reported to the House.

Kalis moved to amend S. F. No. 1149 as follows:

Page 1, line 16, after "subdivision" strike "1" and insert "2"

Page 2, after line 7, insert "*The election provided in this section shall be exercised at the termination of a policy issued under this chapter where such a policy is in effect. In the case of self-insurers the election provided shall be exercised at the termination of a period of approved self-insurance.*"

Page 2, line 22, after "(SPOUSES)" insert "the"

The motion prevailed and the amendment was adopted.

S. F. No. 1149, A bill for an act relating to workers' compensation; allowing certain owners and partners of farms or businesses, and their close relatives, to elect workers' compensation coverage; amending Minnesota Statutes 1978, Sections 176.012; and 176.041, 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Carlson, L.	Faricy	Jude	McEachern
Adams	Casserly	Fjoslien	Kahn	Mehrrens
Ainley	Clark	Forsythe	Kaley	Metzen
Albrecht	Clawson	Friedrich	Kalis	Minne
Anderson, B.	Corbid	Fritz	Kelly	Moe
Anderson, D.	Crandall	Fudro	Kempe	Munger
Anderson, G.	Dean	Greenfield	Knickerbocker	Murphy
Anderson, I.	Dempsey	Halberg	Kostohryz	Nelsen, B.
Anderson, R.	Den Ouden	Haukoos	Kroening	Nelsen, M.
Battaglia	Drew	Heap	Laidig	Nelson
Begich	Eken	Heinitz	Lehto	Niehaus
Berglin	Elioff	Hoberg	Levi	Norman
Berkelman	Ellingson	Hokanson	Long	Norton
Biersdorf	Enebo	Jacobs	Ludeman	Novak
Blatz	Erickson	Jaros	Luknic	Nysether
Brinkman	Esau	Jennings	Mann	Olsen
Byrne	Evans	Johnson, C.	McCarron	Onnen
Carlson, D.	Ewald	Johnson, D.	McDonald	Osthoff

Otis	Reding	Searles	Thiede	Welch
Pavlak	Rees	Sherwood	Tomlinson	Welker
Pehler	Reif	Simoneau	Valan	Wenzel
Peterson	Rice	Stadum	Valento	Wieser
Piepho	Rose	Stoa	Vanasek	Wigley
Pleasant	Rothenberg	Stowell	Voss	Wynia
Prahl	Sarna	Sviggum	Waldorf	Zubay
Redalen	Schreiber	Swanson	Weaver	Speaker Searle

The bill was passed, as amended, and its title agreed to.

### CALENDAR

S. F. No. 737 was reported to the House and given its third reading.

### UNANIMOUS CONSENT

Reding requested unanimous consent to offer an amendment. The request was granted.

Reding moved to amend S. F. No. 737 as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 98.46, Subdivision 14, is amended to read:

Subd. 14. Fees for the following licenses, to be issued to non-residents, shall be:

(1) To take small game and unprotected quadrupeds with firearms and bow and arrows, \$25;

(2) To take deer and bear during the period in which the licensee may take deer, and unprotected quadrupeds with firearms and bow and arrows, \$60;

(3) To take deer and bear during the period in which the licensee may take deer, and unprotected quadrupeds with a bow and arrows only, \$25;

(4) To take bear, \$25.25;

(5) To take turkeys, \$30, in addition to a small game license;

(6) To hunt raccoon, (\$50) \$100, in addition to nonresident small game license.

Sec. 2. Minnesota Statutes 1978, Section 100.29, is amended by adding a subdivision to read:

*Subd. 33. It shall be unlawful for any person, other than the trapper or his agent or landowner or lessee of the land or an agent of the commissioner, to remove or tamper with any trap legally set for the purpose of taking fur bearing animals or unprotected wild animals. A violation of this subdivision shall be a misdemeanor.*

**Sec. 3. [EFFECTIVE DATE.]** *Section 1 of this act is effective March 1, 1980. Section 2 is effective the day following final enactment."*

Further amend by striking the title and inserting:

"A bill for an act relating to game and fish; fees for nonresident licenses to hunt racoon; prohibiting removal or tampering with legally set traps; providing a penalty; amending Minnesota Statutes 1978, Sections 98.46, Subdivision 14; and 100.29, by adding a subdivision."

The motion prevailed and the amendment was adopted.

S. F. No. 737, A bill for an act relating to game and fish; prohibiting removal or tampering with legally set traps; providing a penalty; amending Minnesota Statutes 1978, Section 100.29, 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:

Aasness	Corbid	Heap	Ludeman	Osthoff
Adams	Crandall	Heinitz	Luknic	Otis
Ainley	Dean	Hoberg	Mann	Pavlak
Albrecht	Dempsey	Hokanson	McCarron	Pehler
Anderson, B.	Drew	Jacobs	McDonald	Peterson
Anderson, D.	Eken	Jaros	McEachern	Piepho
Anderson, G.	Elioff	Jennings	Mehrkens	Pleasant
Anderson, I.	Eilingson	Johnson, C.	Metzen	Prahl
Anderson, R.	Enebo	Johnson, D.	Minne	Redalen
Battaglia	Erickson	Jude	Moe	Reding
Begich	Esau	Kahn	Munger	Rees
Berglin	Evans	Kaley	Murphy	Reif
Berkelman	Ewald	Kalis	Nelsen, B.	Rice
Biersdorf	Faricy	Kelly	Nelsen, M.	Rose
Blatz	Fjoslien	Kempe	Nelson	Rothenberg
Brinkman	Forsythe	Knickerbocker	Niehaus	Sarna
Byrne	Friedrich	Kostohryz	Norman	Schreiber
Carlson, D.	Fritz	Kroening	Norton	Searles
Carlson, L.	Fudro	Laidig	Novak	Sherwood
Casserly	Greenfield	Lehto	Nysether	Simoneau
Clark	Halberg	Levi	Olsen	Stadum
Clawson	Haukoos	Long	Onnen	Stoa

Stowell	Tomlinson	Voss	Welker	Wynia
Sviggum	Valan	Waldorf	Wenzel	Zubay
Swanson	Valento	Weaver	Wieser	Speaker Searle
Thiede	Vanasek	Welch	Wigley	

The bill was passed, as amended, and its title agreed to.

Johnson, C., 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 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:

S. F. No. 410 which it recommended progress retaining its place until Thursday, May 3, 1979.

H. F. No. 261 which it recommended to pass with the following amendments:

Offered by Schreiber:

Page 3, line 6, after "homes" strike the comma

Page 3, line 17, after "units" insert "*intended and designed for rental to a person or family as a permanent residence and not for sale*"

Page 3, line 24, after "*amended.*" insert "*The revenue agreement with respect to any multi-unit rental housing project shall include a provision that the project shall not be converted to condominium ownership within ten years from the date of completion of construction of the project, and that in the event of conversion to condominium ownership thereafter the bonds or other obligations issued to finance the project must be prepaid or otherwise retired.*"

Offered by Olsen and as amended by Berglin:

In the Schreiber amendment to page 3, line 24, after the first "*project*" insert "*or non-profit elderly cooperative housing project or for non-profit housing projects for people of low and*

*moderate incomes as defined in the rules of the Minnesota housing finance agency"*

Offered by Casserly :

As previously amended, page 3, after line 24, insert :

"Sec. 5. Minnesota Statutes 1978, Section 474.12, is amended to read :

474.12 [EXCLUSION OF INTEREST ON BONDS FROM GROSS INCOME.] *Subdivision 1.* Interest paid on bonds issued under authority of this chapter shall not be included in gross income for the purpose of computing any tax imposed by or under the provisions of chapter 290, or any act amendatory thereof or supplemental thereto.

*Subd. 2.* Notwithstanding subdivision 1, the interest paid on bonds issued under authority of this chapter after June 30, 1979 shall be exempt only as provided under section 290.08, subdivision 7, for obligations of the issuing municipality."

Page 3, line 25, delete "5" and insert "6"

Page 3, line 26, delete "This act does" and insert "Sections 1 to 4 do"

Further amend the title as follows :

Line 6, after the semicolon delete "and"

Line 7, after "subdivision" insert "; and 474.12"

Offered by Olsen :

As previously amended, page 3, line 15, after "include" insert "*non-profit elderly cooperative housing, or non-profit housing projects for people of low and moderate incomes as defined in the rules of the Minnesota housing finance agency, or*

Page 3, line 17, delete "is" and insert "are"

Offered by Rice ;

As previously amended, at the end of the Schreiber amendment after "retired." insert "*The term project shall not include properties of financial institutions.*"

On the motion of Berglin 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:

Schreiber moved to amend H. F. No. 261, as follows:

Page 3, line 6, after "homes" strike the comma

Page 3, line 17, after "units" insert "*intended and designed for rental to a person or family as a permanent residence and not for sale*"

Page 3, line 24, after "*amended.*" insert "*The revenue agreement with respect to any multi-unit rental housing project shall include a provision that the project shall not be converted to condominium ownership within ten years from the date of completion of construction of the project, and that in the event of conversion to condominium ownership thereafter the bonds or other obligations issued to finance the project must be prepaid or otherwise retired.*"

The question was taken on the adoption of the amendment and the roll was called. There were 99 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Jude	Norman	Sherwood
Adams	Drew	Kaley	Norton	Simoneau
Ainley	Eken	Kalis	Novak	Stadum
Albrecht	Elioff	Knickerbocker	Nysether	Stowell
Anderson, B.	Ellingson	Kostohryz	Olsen	Sviggum
Anderson, D.	Enebo	Laidig	Onnen	Swanson
Anderson, G.	Erickson	Lehto	Osthoff	Thiede
Battaglia	Esau	Levi	Pavlak	Tomlinson
Berkelman	Evans	Long	Pehler	Valan
Biersdorf	Ewald	Ludeman	Peterson	Valento
Blatz	Faricy	Luknic	Piepho	Vanasek
Brinkman	Fjoslien	Mann	Pleasant	Voss
Carlson, D.	Forsythe	McCarron	Prahl	Weaver
Carlson, L.	Friedrich	McDonald	Redalen	Welch
Casserly	Fudro	Mehrkens	Reding	Welker
Clawson	Heap	Metzen	Rees	Wenzel
Corbid	Heinitz	Munger	Rose	Wigley
Crandall	Hoberg	Nelsen, B.	Rothenberg	Zubay
Dean	Jacobs	Nelsen, M.	Schreiber	Speaker Searle
Dempsey	Johnson, D.	Niehaus	Searles	

Those who voted in the negative were:

Anderson, I.	Fritz	Kahn	Murphy	Waldorf
Anderson, R.	Greenfield	Kempe	Nelson	Wieser
Begich	Halberg	Kroening	Reif	Wynia
Berglin	Haukoos	McEachern	Rice	
Byrne	Hokanson	Minne	Sarna	
Clark	Jennings	Moe	Stoa	

The motion prevailed and the amendment was adopted.

Olsen offered the following amendment to H. F. No. 261, as amended by the Schreiber amendment to page 3, line 24:

After the first "project" insert "or non-profit elderly cooperative housing project"

Kempe moved to amend the Olsen amendment, as follows:

After "housing project" insert ", or non-profit elderly housing projects or condominiums"

The question was taken on the adoption of the Kempe amendment to the Olsen amendment and the roll was called. There were 23 yeas and 85 nays as follows:

Those who voted in the affirmative were:

Battaglia	Ellingson	Kahn	Reif	Welch
Begich	Enebo	Kempe	Rice	Wenzel
Berglin	Fritz	Kostohryz	Stoa	Wynia
Clark	Greenfield	Kroening	Swanson	
Elioff	Halberg	Nelson	Waldorf	

Those who voted in the negative were:

Aasness	Crandall	Hokanson	Metzen	Rose
Adams	Dean	Jennings	Minne	Sarna
Albrecht	Dempsey	Johnson, D.	Murphy	Schreiber
Anderson, B.	Den Ouden	Jude	Nelsen, B.	Searles
Anderson, G.	Drew	Kaley	Nelsen, M.	Sherwood
Anderson, I.	Eken	Kalis	Niehaus	Simoneau
Anderson, R.	Erickson	Knickerbocker	Nysether	Stadum
Berkelman	Esau	Kvam	Olsen	Stowell
Biersdorf	Evans	Laidig	Onnen	Sviggum
Blatz	Faricy	Lehto	Otis	Thiede
Brinkman	Fjoslien	Levi	Pavlak	Tomlinson
Byrne	Forsythe	Long	Pehler	Valento
Carlson, D.	Friedrich	Ludeman	Peterson	Vanasek
Carlson, L.	Fudro	Luknic	Piepho	Weaver
Casserly	Haukoos	McDonald	Pleasant	Welker
Clawson	Heap	McEachern	Redalen	Wigley
Corbid	Hoberg	Mehrkens	Rees	Zubay

The motion did not prevail and the amendment to the amendment was not adopted.

Rice moved to amend H. F. No. 261, as amended, as follows:

Page 3, after line 33, insert:

"Sec. 6. *Minnesota Statutes 1978, Section 474.02, Subdivision 1a, is hereby repealed.*"

Further amend the title as follows:



Line 7, before the period insert “; repealing Minnesota Statutes 1978, Section 474.02, Subdivision 1a”

The question was taken on the adoption of the amendment and the roll was called. There were 34 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Clark	Hokanson	Murphy	Simoneau
Anderson, I.	Elioff	Jaros	Nelsen, M.	Stoa
Battaglia	Ellingson	Kahn	Nelson	Tomlinson
Begich	Enebo	Kroening	Otis	Voss
Berglin	Fritz	Lehto	Prahl	Welch
Berkelman	Fudro	Long	Reding	Wynia
Blatz	Greenfield	Minne	Rice	

Those who voted in the negative were:

Aasness	Eken	Kempe	Nysether	Stadum
Adams	Erickson	Knickerbocker	Olsen	Sviggum
Ainley	Esau	Kostohryz	Onnen	Swanson
Albrecht	Evans	Kvam	Osthoff	Thiede
Anderson, B.	Ewald	Laidig	Pavlak	Valan
Anderson, R.	Forsythe	Levi	Pehler	Valento
Biersdorf	Friedrich	Ludeman	Peterson	Vanasek
Brinkman	Halberg	Luknic	Piepho	Weaver
Byrne	Haukoos	Mann	Pleasant	Welker
Carlson, D.	Heap	McDonald	Redalen	Wenzel
Carlson, L.	Hoberg	McEachern	Rees	Wieser
Casserly	Jacobs	Mehrkens	Reif	Wigley
Corbid	Jennings	Metzen	Rose	Zubay
Crandall	Johnson, D.	Nelsen, B.	Sarna	Speaker Searle
Dean	Jude	Niehaus	Schreiber	
Dempsey	Kaley	Norton	Searles	
Den Ouden	Kalis	Novak	Sherwood	

The motion did not prevail and the amendment was not adopted.

Waldorf moved to amend H. F. No. 261, as amended, as follows:

Line 13, delete the comma insert a period

Delete lines 14 to 24

Further amend the title:

Line 6, delete the comma after “1c”

Line 7 delete everything before the period

The question was taken on the adoption of the amendment and the roll was called. There were 48 yeas and 73 nays as follows:

## Those who voted in the affirmative were:

Ainley	Clawson	Jacobs	Ludeman	Sarna
Anderson, B.	Den Ouden	Jennings	McEachern	Sviggum
Anderson, G.	Eken	Johnson, D.	Minne	Thiede
Anderson, I.	Elioff	Kahn	Moe	Voss
Battaglia	Ellingson	Kaley	Murphy	Waldorf
Begich	Faricy	Kelly	Nelson	Welker
Berglin	Fjoslien	Kostohryz	Nysether	Wieser
Berkelman	Friedrich	Kroening	Prahl	Wynia
Byrne	Fritz	Lehto	Rice	
Clark	Greenfield	Long	Rothenberg	

## Those who voted in the negative were:

Aasness	Enebo	Kvam	Otis	Stoa
Adams	Erickson	Laidig	Pavlak	Stowell
Albrecht	Esau	Levi	Pehler	Swanson
Anderson, D.	Evans	Luknic	Peterson	Tomlinson
Anderson, R.	Ewald	Mann	Piepho	Valan
Biersdorf	Forsythe	McDonald	Pleasant	Valento
Blatz	Fudro	Mehrkens	Redalen	Vanasek
Brinkman	Haukoos	Metzen	Reding	Weaver
Carlson, D.	Heap	Nelsen, B.	Rees	Welch
Carlson, L.	Heinritz	Nelsen, M.	Reif	Wenzel
Casserly	Hoberg	Niehaus	Rose	Wigley
Corbid	Hokanson	Novak	Schreiber	Zubay
Dean	Jude	Olsen	Searles	Speaker Searle
Dempsey	Kempe	Onnen	Sherwood	
Drew	Knickerbocker	Osthoff	Stadum	

The motion did not prevail and the amendment was not adopted.

Rice moved to amend H. F. No. 261, as amended by the Schreiber amendment, as follows:

At the end of the Schreiber amendment after "retired." insert "The term project shall not include properties of financial institutions."

The question was taken on the adoption of the amendment and the roll was called. There were 72 yeas and 50 nays as follows:

## Those who voted in the affirmative were:

Adams	Corbid	Kahn	Norman	Stoa
Anderson, B.	Dean	Kelly	Norton	Stowell
Anderson, D.	Drew	Kempe	Novak	Swanson
Anderson, G.	Eken	Kostohryz	Nysether	Tomlinson
Anderson, I.	Elioff	Kroening	Onnen	Valento
Battaglia	Ellingson	Lehto	Osthoff	Vanasek
Begich	Enebo	Long	Otis	Voss
Berglin	Faricy	Luknic	Pehler	Waldorf
Berkelman	Fjoslien	McDonald	Prahl	Welch
Blatz	Fudro	McEachern	Reding	Wieser
Byrne	Greenfield	Minne	Rees	Wynia
Carlson, L.	Hokanson	Moe	Reif	Speaker Searle
Casserly	Jacobs	Murphy	Rice	
Clark	Johnson, D.	Nelsen, M.	Sarna	
Clawson	Jude	Nelson	Simoneau	

Those who voted in the negative were:

Aasness	Evans	Jennings	Nelsen, B.	Sherwood
Ainley	Ewald	Kaley	Niehhaus	Stadum
Albrecht	Forsythe	Knickerbocker	Pavlak	Sviggum
Biersdorf	Friedrich	Kvam	Peterson	Thiede
Carlson, D.	Fritz	Laidig	Piepho	Valan
Crandall	Halberg	Levi	Pleasant	Weaver
Dempsey	Haukoos	Ludeman	Redalen	Welker
Den Ouden	Heap	Mann	Rose	Wenzel
Erickson	Heinitz	Mehrkens	Rothenberg	Wigley
Esau	Hoberg	Metzen	Schreiber	Zubay

The motion prevailed and the amendment was adopted.

The question was taken on the motion to recommend passage of H. F. No. 261, as amended, and the roll was called. There were 120 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Jude	Murphy	Rothenberg
Adams	Drew	Kahn	Nelsen, B.	Sarna
Ainley	Eken	Kaley	Nelsen, M.	Schreiber
Albrecht	Elioff	Kalis	Nelson	Searles
Anderson, B.	Ellingson	Kelly	Niehhaus	Sherwood
Anderson, D.	Enebo	Kempe	Norman	Simoneau
Anderson, G.	Erickson	Knickerbocker	Norton	Stadum
Anderson, I.	Esau	Kostohryz	Novak	Stoa
Battaglia	Evans	Kroening	Nysether	Stowell
Begich	Ewald	Kvam	Olsen	Sviggum
Berglin	Faricy	Laidig	Osthoff	Swanson
Berkelman	Fjoslien	Lehto	Otis	Thiede
Biersdorf	Forsythe	Levi	Pavlak	Tomlinson
Blatz	Friedrich	Long	Pehler	Valan
Brinkman	Fudro	Ludeman	Peterson	Valento
Byrne	Greenfield	Luknic	Piepho	Vanasek
Carlson, D.	Haukoos	Mann	Pleasant	Voss
Carlson, L.	Heap	McCarron	Prahl	Weaver
Casserly	Heinitz	McDonald	Redalen	Welch
Clark	Hoberg	Mehrkens	Reding	Wenzel
Clawson	Hokanson	Metzen	Rees	Wigley
Corbid	Jacobs	Minne	Reif	Wynia
Crandall	Jaros	Moe	Rice	Zubay
Dean	Johnson, D.	Munger	Rose	Speaker Searle

Those who voted in the negative were:

Anderson, R.	Fritz	Jennings	Onnen	Welker
Dempsey	Halberg	McEachern	Waldorf	Wieser

The motion prevailed.

## MOTIONS AND RESOLUTIONS

Murphy moved that the name of Berkelman be added as an author on H. F. No. 1537. The motion prevailed.

Anderson, I., moved that the name of Sieben, M., be stricken and the name of Kelly be added as chief author on H. F. No. 584. The motion prevailed.

Murphy moved that the name of Drew be added as an author on H. F. No. 1532. The motion prevailed.

Welker moved that H. F. No. 937 be returned to its author. The motion prevailed.

Anderson, I., and Searle introduced:

House Resolution No. 21, A house resolution relating to the Minnesota Highway Patrol; extending congratulations upon the 50th Anniversary of its establishment.

#### SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that House Resolution No. 21 be now considered and be placed upon its adoption. The motion prevailed.

#### HOUSE RESOLUTION NO. 21

A House Resolution relating to the Minnesota Highway Patrol; extending congratulations upon the 50th anniversary of its establishment.

*Whereas*, during the Forty-sixth Legislature in 1929, House File No. 447 was introduced, considered and adopted; and,

*Whereas*, House File No. 447 authorized the Commissioner of Highways "to employ . . . 35 persons to enforce the provisions of the laws relating to the use and operation of motor vehicles upon trunk highways . . . and . . . have the power of peace officers."; and,

*Whereas*, House File No. 447 was signed by the governor and became effective on April 24, 1929; and,

*Whereas*, in the 50 years since its founding, the Minnesota Highway Patrol has consistently rendered efficient and effective law enforcement consistent with the highest traditions of the profession of law enforcement; *Now, Therefore*,

*Be it Resolved* by the House of Representatives of the State of Minnesota:

(1) Its congratulations are extended to all present and former members of the Minnesota Highway Patrol as well as to their

families and friends upon the 50th anniversary of its establishment. The members of the House of Representatives join with them in commemoration of this important event and in the desire that the tradition that has been established may be carried forward and commemorated by future generations of Minnesotans.

(2) The Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution and to transmit it to the Chief of the Minnesota Highway Patrol.

Anderson, I., moved that House Resolution No. 21 be now adopted. The motion prevailed and House Resolution No. 21 was adopted.

Albrecht introduced:

House Resolution No. 22, A house resolution congratulating Louis C. Maass upon the occasion of the celebration of his 104th birthday anniversary.

#### SUSPENSION OF RULES

Albrecht moved that the Rules be so far suspended that House Resolution No. 22 be now considered and be placed upon its adoption. The motion prevailed.

#### HOUSE RESOLUTION NO. 22

A house resolution congratulating Louis C. Maass upon the occasion of the celebration of his 104th birthday anniversary.

*Whereas*, Louis C. Maass was born in Penn Township, McLeod County, Minnesota, on April 26, 1875; and,

*Whereas*, Mr. Maass for many years owned and operated a farm in Penn Township, in McLeod County, which is now owned and operated by his son; and,

*Whereas*, Mr. Maass is widely known to be a good farmer, a dedicated church member, and a civic leader; and,

*Whereas*, on the occasion of his 104th birthday anniversary, it is appropriate to join with his many friends and family to celebrate; *Now, Therefore*,

*Be it Resolved*, by the House of Representatives of the State of Minnesota:

(1) Its congratulations are extended to Louis C. Maass along with a wish that he may continue to have a healthy and happy life.

(2) The Chief Clerk of the House of Representatives is directed to enroll a copy of this resolution and present it to Louis C. Maass.

Albrecht moved that House Resolution No. 22 be now adopted. The motion prevailed and House Resolution No. 22 was adopted.

**ANNOUNCEMENTS BY THE SPEAKER AND THE CHAIRMAN OF THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION**

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members to represent the House of Representatives at the funeral services for Senator Lewis, Friday morning, April 27, 1979, in the Capitol rotunda:

Anderson, I.; McCarron; Nelson; Swanson; Searle; Knickerbocker; Nelsen, B., and Carlson, D.

The Speaker and Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members to represent the House of Representatives at the funeral services for Senator Lewis, Friday afternoon, April 27, 1979, in Minneapolis:

Olsen; Rothenberg; Heinitz; Pleasant; Knickerbocker; Anderson, I.; McCarron; Swanson; Nelson and Clark.

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members to represent the House of Representatives at the Harry Sieben, Sr., funeral on Saturday, April 28, 1979:

Anderson, I.; Mann; Metzen; Voss; Wenzel; Searle; Zubay; Pavlak; Halberg and Mehrkens.

**ADJOURNMENT**

Berglin moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 30, 1979. The motion prevailed.

Berglin moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 30, 1979.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**



STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

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FORTY-THIRD DAY

SAINT PAUL, MINNESOTA, FRIDAY, APRIL 27, 1979

The Senate met on Friday, April 27, 1979, which was the Forty-Third Legislative Day of the Seventy-first Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.





## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## FORTY-FOURTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 30, 1979

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:

Aasness	Drew	Kahn	Niehaus	Sieben, H.
Adams	Eken	Kaley	Norman	Sieben, M.
Ainley	Elioff	Kalis	Norton	Simoneau
Albrecht	Enebo	Kelly	Novak	Stoa
Anderson, B.	Erickson	Kempe	Nysether	Stowell
Anderson, D.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, G.	Evans	Kroening	Ommen	Swanson
Anderson, I.	Ewald	Kvam	Osthoff	Thiede
Anderson, R.	Faricy	Laidig	Otis	Tomlinson
Battaglia	Fjoslien	Lehto	Patton	Valan
Begich	Forsythe	Levi	Pavlak	Valento
Berglin	Friedrich	Long	Pehler	Vanasek
Berkelman	Fritz	Ludeman	Peterson	Voss
Biersdorf	Fudro	Luknic	Piepho	Waldorf
Blatz	Greenfield	Mann	Pleasant	Weaver
Brinkman	Halberg	McCarron	Prahl	Welch
Byrne	Haukoos	McDonald	Redalen	Welker
Carlson, D.	Heap	McEachern	Reding	Wenzel
Carlson, L.	Heinitz	Mehrrens	Rees	Wieser
Casserly	Hoberg	Metzen	Reif	Wigley
Clark	Hokanson	Minne	Rice	Wynia
Clawson	Jacobs	Moe	Rose	Zubay
Corbid	Jaros	Munger	Rothenberg	Speaker Searle
Crandall	Jennings	Murphy	Sarna	
Dean	Johnson, C.	Nelsen, B.	Schreiber	
Dempsey	Johnson, D.	Nelsen, M.	Searles	
Den Ouden	Jude	Nelson	Sherwood	

A quorum was present.

Stadum was excused. Ellingson was excused until 2:40 p.m. Kostohryz was excused until 3:40 p.m.

The Chief Clerk proceeded to read the Journals of the preceding days. Kelly 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. 1518, 1519, 1526, 1431, 935, 1005, 1249, 1386 and 261 and S. F. Nos. 766, 1341, 1388, 1392, 236, 521, 622, 876 and 1245 have been placed in the members' files.

S. F. No. 1388 and H. F. No. 1431, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Heinitz moved that S. F. No. 1388 be substituted for H. F. No. 1431 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  
ST. PAUL 55155

April 30, 1979

The Honorable Rod Searle  
Speaker of the House  
State of Minnesota

Dear Speaker Searle:

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. 843, relating to housing and redevelopment authorities; providing that by agreement a housing and redevelopment authority may exercise powers in a county or municipality which has no active housing and redevelopment authority; amending Minnesota Statutes 1978, Section 462.445, Subdivision 5.

H. F. No. 486, relating to usury; extending the expiration date on the law authorizing flexible interest rates on home loans; regulating assumptions of certain mortgages; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 4, 6 and 9.

H. F. No. 523, relating to public health; prescribing fees for diagnostic laboratory services provided by the department of health; providing exemptions for charging fees; authorizing

the commissioner of health to promulgate rules; amending Minnesota Statutes 1978, Chapter 144, by adding a section.

H. F. No. 103, relating to highway traffic regulations; allowing loads of round baled hay with a width of 11-1/2 feet to be transported pursuant to permit; amending Minnesota Statutes 1978, Chapter 169, by adding a section.

H. F. No. 167, relating to the city of Virginia; extending an eligibility deadline for special funding for the improvement of a segment of a certain municipal state-aid street within the city.

H. F. No. 297, relating to the city of Chisholm; exempting volunteer firefighters from civil service commission jurisdiction.

H. F. No. 638, relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating duplicate, redundant, conflicting and superseded provisions; amending Minnesota Statutes 1978, Sections 5.06; 15.0411, Subdivision 2; 16.723; 16A.71; 18.023, Subdivision 3a; 43.224; 52.04, Subdivision 1; 61A.245, Subdivisions 4, 7, and 12; 112.87; 122.531, Subdivision 4; 124.17, Subdivision 1; 150A.06 Subdivision 2a; 168.041, Subdivision 2; 168A.01, Subdivisions 18 and 19; 176.611, Subdivision 6a; 179.70, Subdivision 1; 192A.25, Subdivision 2; 192A.555; 221.011, Subdivision 22; 237.295, Subdivision 3; 270.01; 270.02, Subdivision 4; 270.10, Subdivision 1; 273.02, Subdivisions 2 and 3; 273.061, Subdivision 8; 274.18; 276.07; 279.03; 281.275; 282.341, Subdivision 2; 290.01, Subdivision 20; 294.26; 326.48, Subdivision 2; 352B.11, Subdivision 2; 352D.02, Subdivision 1; 352E.01, Subdivision 2; 353.16; 354.44, Subdivisions 4 and 6; 355.56; 356.20, Subdivision 2; 356.60, Subdivision 1; 414.033, Subdivision 1; 414.035; 420.06; 422A.09, Subdivision 3; 423.076; 458A.03, Subdivision 2; 458A.06, Subdivisions 1 and 4; 462A.05, Subdivision 16; 462A.21, Subdivision 5; 507.09; 507.10; 507.13; 507.14; 518.005, Subdivisions 3 and 4; 524.3-303; 648.31, Subdivision 1; Laws 1975, Chapter 339, Section 10; repealing Minnesota Statutes 1978, Section 144.49, Subdivisions 2, 3 and 4; Laws 1977, Chapter 11, Section 8; 412, Section 2; Laws 1978, Chapters 538, Section 6; and 720, Section 5.

H. F. No. 186, relating to metropolitan government; providing for the debt of the metropolitan transit commission; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; and Chapter 473, by adding a section; repealing Minnesota Statutes 1978, Section 473.438, Subdivisions 5 and 6.

Sincerely,

**ALBERT H. QUIE**  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

April 27, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
322		43	April 27	April 27

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

### REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 990, A bill for an act relating to energy; clarifying the procedures for declaring an energy emergency; prescribing the powers of the governor and executive council in an emergency; providing for the issuance of emergency rules by the director of the energy agency; prescribing additional elements of the energy emergency conservation and allocation plan; providing for earth sheltered construction zoning variances; prohibiting local governments from banning earth sheltered construction; requiring certain building energy reports and audits; providing for an adult and post-secondary energy education plan; limiting the time for application for certain variances; providing a method for determining certain efficiencies for air conditioners; providing partial funding to school districts, private nonsectarian schools, post-secondary schools, townships, municipalities and counties for energy audits and energy conservation measures; requiring the commissioner of administration to prepare plans for new buildings that utilize alternative energy sources; establishing a state building solar demonstration pro-

gram; requiring notice to the Minnesota energy agency of the proposed discontinuance of municipal steam heat systems; appropriating funds to the energy agency for various energy related purposes; prescribing a penalty; authorizing a weatherization program for low-income persons; amending Minnesota Statutes 1978, Sections 12.02, Subdivision 1; 12.03, Subdivision 4, and by adding a subdivision; 12.21, Subdivisions 1 and 3, and by adding a subdivision; 12.28; 12.32; 16.32, by adding a subdivision; 116H.02, Subdivisions 3 and 5, and by adding subdivisions; 116H.08; 116H.09, Subdivisions 1, 4, and 5; 116H.11; 116H.12, Subdivisions 1a, 1b, 3a, 3b, and 10; 116H.122; 116H.123; 116H.124; 116H.126; 116H.13; 116H.15; 120.78, Subdivision 1; 325.989, by adding a subdivision; 394.25, Subdivision 3; 394.27, Subdivision 7; 451.09; 462.357, Subdivisions 1 and 6; 462A.02, by adding a subdivision; and Chapter 116H, by adding sections; and Chapter 268, by adding a section; repealing Minnesota Statutes 1978, Section 116H.125.

Reported the same back with the following amendments:

Page 2, line 16, after "earthquake" insert "*, nuclear accident*"

Page 9, line 11, after "regulations" insert "*, shall be based on reasonable energy savings or transfers from scarce energy resources*"

Page 19, delete lines 9 to 33

Page 20, delete lines 1 to 3

Page 23, line 3, delete "*conditioners*" and insert "*conditioner models*"

Page 32, line 2, before "On" insert "*Prior to the start of construction of the facility*"

Renumber preceding sections in the article

Page 34, delete lines 26 to 30 and insert the following:

"Sec. 17. *The agency shall make known to the public by public meeting, seminars, the toll free telephone number, and public service announcements prepared for radio, television stations, and print media, not only suggestions as to the advisability of various kinds and methods of home insulation, ventilation, and construction but the potential hazards, if any, of such kinds and methods.*

#### ARTICLE IV: RESIDENTIAL WEATHERIZATION"

Page 34, line 31, delete "19" and insert "1"

Page 35, line 11, delete "*Grant applications shall*"

Page 35, delete lines 12 to 14 and insert "*Grants made with state appropriations shall be only for employing supervisory personnel, except that if federal funds for other personnel are not available or are totally expended, the remaining state appropriations may be used for other personnel.*"

Page 35, line 15, delete "*all*" and insert "*temporary*" and after "*rules*" insert "*by July 1, 1979 and shall promulgate permanent rules by July 1, 1980*"

Page 35, line 16, delete "*by July 1,*"

Page 35, line 17, delete "*1979*"

Page 36, line 4, delete "*20*" and insert "*2*"

Page 36, line 6, delete "*\$4,800,000*" and insert "*\$2,000,000*"

Page 36, line 6, delete "*biennium*" and insert "*year*"

Page 36, line 6, delete "*1981*" and insert "*1980*"

Page 36, line 7, delete "*19*" and insert "*1. No more than 10 percent of these moneys shall be available to the department for administrative purposes*"

Page 36, line 8, delete "*21*" and insert "*3*"

Page 37, line 30, delete "*12 and 13*" and insert "*11 and 12*"

Page 38, line 23, delete "*\$692,017*" and insert "*\$713,737*"

Page 40, line 25, delete "*\$160,000*" and insert "*\$64,000*"

Renumber articles accordingly

Further amend the title as follows:

Page 1, line 18, delete "*private nonsectarian schools,*"

Page 1, line 19, delete "*post-secondary schools, townships,*"

Page 2, line 4, delete "*sections*" and insert "*a section*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Farey from the Committee on Judiciary to which was referred:

H. F. No. 1473, A bill for an act relating to fiduciaries; providing for replacement of corporate trustees; establishing guidelines for compensation of personal representatives; changing procedure for removing personal representatives; amending Minnesota Statutes 1978, Sections 524.3-611; 524.3-719; and Chapter 501, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 501.43, is amended to read:

501.43 [REMOVAL OF TRUSTEE.] (UPON THE COMPLAINT OF ANY PERSON INTERESTED IN THE EXECUTION OF AN EXPRESS TRUST, AND UNDER SUCH REGULATIONS AS SHALL BE ESTABLISHED BY THE COURT FOR THAT PURPOSE, IT MAY REMOVE ANY TRUSTEE WHO HAS VIOLATED OR THREATENED TO VIOLATE HIS TRUST, OR WHO IS INSOLVENT, OR WHOSE INSOLVENCY IS APPREHENDED, OR WHO FOR ANY OTHER CAUSE IS DEEMED AN UNSUITABLE PERSON TO EXECUTE THE TRUST.) *Any person interested in an express trust may petition the district or county court wherein a trustee resides or has his place of business for the removal of that trustee for cause at any time. Upon filing of the petition the court shall fix a time and place for hearing. Notice shall be given to the trustee and other interested parties pursuant to the provisions of section 501.35 or as the court shall otherwise order.*

*Cause for removal exists when removal is in the best interests of the trust estate, when the trustee has violated his trust, has become incapable of discharging the duties of his office, or has mismanaged the trust estate. In determining the best interests of the trust estate, the trustee's compensation and fees, and administrative expenses, shall also be considered.*

Sec. 2. Minnesota Statutes 1978, Section 524.3-611, is amended to read:

524.3-611 [TERMINATION OF APPOINTMENT BY REMOVAL; CAUSE; PROCEDURE.] (a) A person interested in the estate may petition for removal of a personal representative for cause at any time. Upon filing of the petition, the court shall fix a time and place for hearing. Notice shall be given by the petitioner to the personal representative, and to other persons as the court may order. Except as otherwise ordered as provided in section 524.3-607, after receipt of notice of removal proceedings, the personal representative shall not act except to account, to correct maladministration or preserve the estate. If



removal is ordered, the court also shall direct by order the disposition of the assets remaining in the name of, or under the control of, the personal representative being removed.

(b) Cause for removal exists when removal (WOULD BE) is in the best interests of the estate, or if it is shown that a personal representative or the person seeking his appointment intentionally misrepresented material facts in the proceedings leading to his appointment, or that the personal representative has disregarded an order of the court, has become incapable of discharging the duties of his office, or has mismanaged the estate or failed to perform any duty pertaining to the office. *In determining the best interests of the estate, the personal representative's compensation and fees, and administrative expenses, shall also be considered.* Unless the decedent's will directs otherwise, a personal representative appointed at the decedent's domicile, incidental to securing appointment of himself or his nominee as ancillary personal representative, may obtain removal of another who was appointed personal representative in this state to administer local assets.

Sec. 3. Minnesota Statutes 1978, Section 524.3-719, is amended to read:

524.3-719 [COMPENSATION OF PERSONAL REPRESENTATIVE.] (a) A personal representative is entitled to reasonable compensation for his services. If a will provides for compensation of the personal representative and there is no contract with the decedent regarding compensation, he may renounce the provision before qualifying and be entitled to reasonable compensation. A personal representative also may renounce his right to all or any part of the compensation. A written renunciation of fee may be filed with the court.

(b) *In determining what is reasonable compensation, the court shall give consideration to the following factors:*

- (1) *The time and labor required;*
- (2) *The complexity and novelty of problems involved; and*
- (3) *The extent of the responsibilities assumed and the results obtained."*

Delete the title and insert:

"A bill for an act relating to fiduciaries; providing for replacement of trustees; establishing guidelines for compensation of personal representatives; providing that cost considerations are a factor in the removal of trustees and personal representatives; amending Minnesota Statutes 1978, Sections 501.43; 524.3-611, and 524.3-719."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 450, A bill for an act relating to probate; clarifying the form for a self-proved will; amending Minnesota Statutes 1978, Section 524.2-504.

Reported the same back with the following amendments:

Page 1, line 6, after the enacting clause insert:

“Section 1. Minnesota Statutes 1978, Section 484.70, Subdivision 3, is amended to read:

Subd. 3. (NO) *A full-time referee sitting in juvenile court may hear a contested trial (ON ANY PETITION,), hearing, or (ANY) motion (MADE PURSUANT TO SECTION 260.125) unless either party or his attorney objects orally on the record or in writing prior to or at the time of commencement of the trial, hearing, or motion.*”

Renumber the remaining section.

Delete the title and insert:

“A bill for an act relating to courts; authorizing juvenile court referees to hear contested trials, hearings, or motions unless objection is made; clarifying the form for a self-proved will; amending Minnesota Statutes 1978, Sections 484.70, Subdivision 3; and 524.2-504.”

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. 990 and 1473 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1388 and 450 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced :

Patton, Berkelman, Laidig and Searle introduced :

H. F. No. 1541, A bill for an act relating to elections ; authorizing corporations to establish political funds under certain conditions ; exempting certain political funds from prohibitions against corporate political contributions ; limiting solicitations by political funds established by corporations ; requiring certain approval for transfer of union dues to a union political fund ; establishing requirements for a negative checkoff ; imposing criminal and civil penalties ; amending Minnesota Statutes 1978, Sections 10A.12, by adding a subdivision ; 10A.22, Subdivision 7 ; 210A.34, by adding a subdivision ; and 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.

Stowell, Lehto, Voss, Mehrkens and Biersdorf introduced :

H. F. No. 1542, A bill for an act relating to real property ; providing that certain contracts and purchase agreements for the conveyance of real property are voidable within a specified time.

The bill was read for the first time and referred to the Committee on Judiciary.

Lehto, Munger, Jaros, Berkelman and Battaglia introduced :

H. F. No. 1543, A bill for an act relating to the state planning agency ; providing assistance for the environmental and economic development of the Duluth harbor ; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

Elioff, Battaglia and Begich introduced :

H. F. No. 1544, A bill for an act relating to state lands ; providing for a conveyance to the city of Buhl.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Peterson; Searles; Anderson, D.; Begich and Brinkman introduced:

H. F. No. 1545, A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, adding a section; providing constitutional limits on state spending.

The bill was read for the first time and referred to the Committee on Appropriations.

Pehler and Corbid introduced:

H. F. No. 1546, A bill for an act relating to taxation; sales; allowing carriers transporting certain goods in interstate commerce to make direct payment of taxes to the commissioner of revenue for certain purchases; amending Minnesota Statutes 1978, Section 297A.211, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Laidig introduced:

H. F. No. 1547, A bill for an act relating to the town of Baytown; providing for its legal status in certain consolidation proceedings.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Luknic and Vanasek introduced:

H. F. No. 1548, A bill for an act relating to the city of Waterville; clarifying its governing statutes.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Clawson, Welch, Clark, Crandall and Onnen introduced:

H. F. No. 1549, A bill for an act relating to health care; requiring certain optional and mandatory benefits under certain health care plans; providing increased flexibility in benefit levels; modifying certain benefit requirements under the Minnesota comprehensive health insurance act of 1976; amending Minnesota Statutes 1978, Section 62E.06, Subdivision 1; and Chapter 62A, by adding a section; repealing Minnesota Statutes 1978, Sections 62A.043; 62A.149; 62A.15; 62A.151; 62A.152; and 62A.153.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Carlson, L.; Swanson and Otis introduced:

H. F. No. 1550, A bill for an act relating to elections; regulating the financing of political campaigns and disclosure of economic interests by certain candidates and elected officials in Hennepin county and certain adjoining municipalities and school districts; imposing duties on the ethical practices board, county election officials, city clerks and school district administrators; superseding other special laws, home rule charters and local ordinances; imposing late filing fees and criminal penalties; repealing Laws 1977, Chapter 131.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Sarna, Biersdorf, Patton and Enebo introduced:

H. F. No. 1551, A bill for an act relating to insurance; requiring certain property owners to file reports; providing for a late report penalty; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Norton, for the Committee on Appropriations, introduced:

H. F. No. 1552, 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 with certain conditions; authorizing basic life insurance and health benefits coverage for employees of semi-state agencies; amending Minnesota Statutes 1978, Sections 43.43, Subdivision 2; 138.01, by adding a subdivision; 139.17, Subdivision 2; and 139.18, Subdivisions 1 and 2.

The bill was read for the first time and laid over one day.

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 the general administrative and judicial expenses of state government with certain conditions; 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; cancelling certain appropriations; amending Minnesota Statutes 1978, Sections 4.12, by adding a subdivi-

sion; 4.26, Subdivision 1; 5.08, Subdivision 2; 15.015, Subdivision 1; 15.191, Subdivision 1; 16.02, by adding a subdivision; 16.822, Subdivision 3; 16.825, Subdivision 1; 16.826, Subdivision 4; 16.97; 16A.126; 21.115; 21.116; 21.55; 43.067, Subdivision 1; 85A.03, Subdivisions 4 and 5; 85A.04, Subdivisions 1 and 2; 85A.05, Subdivisions 3, 4 and 6; 168.54, Subdivisions 4 and 5; 179.04; 179.72, Subdivision 1; 197.16; 270.051, Subdivision 2; 271.06, Subdivision 4; 341.10; 362.20; 403.11, Subdivision 3; 472.11, Subdivision 9; 484.54, Subdivision 1; 546.27; Chapters 3, by adding a section; and 86, by adding a section; and Laws 1976, Chapter 233, Section 14; repealing Minnesota Statutes 1978, Sections 85A.02, Subdivision 12; 85A.04, Subdivisions 1a and 1b; 168.54, Subdivisions 2 and 3; and 345.48, Subdivision 2.

The bill was read for the first time and laid over one day.

#### HOUSE ADVISORIES

The following House Advisory was introduced:

Sarna, Biersdorf, Rice, Metzen, and Anderson, I., introduced:

H. A. No. 31, A proposal for a study relating to labor, of the job-impact of container legislation.

The advisory was referred to the Committee on Labor-Management Relations.

#### 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 preceding General Orders for today, Monday, April 30, 1979:

H. F. Nos. 870, 546, 1394, 772, 852, 1126, 797, 1212 and 450.

#### 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. 145, A bill for an act relating to health; changing requirements for school employee tuberculosis examinations; amending Minnesota Statutes 1978, Section 123.69, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Carlson, L., moved that the House refuse to concur in the Senate amendments to H. F. No. 145, that the Speaker shall appoint 2 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 2 members to a conference committee, and that the House requests that a conference 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 Files, herewith transmitted:

S. F. Nos. 30, 478 and 681.

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. 935.

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. 1047.

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. 704.

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. 188 and 285.

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. 579.

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. 273 and 1215.

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. 756 and 923.

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. 107 and 732.

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. 303, 682 and 951.

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. 971 and 1002.

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. 436, 486 and 506.

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. 133 and 722.

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. 332 and 1312.

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. 1144, 1243 and 1273.

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. 895, 947 and 1051.

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. 333, 1210 and 1288.

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. 1328 and 1338.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 30, A bill for an act relating to administrative rules ; providing for the effect of the failure of the legislature to enact a bill repealing a suspended rule ; amending Minnesota Statutes 1978, Section 3.965, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 478, A bill for an act relating to town roads ; providing for the establishment of certain cartways, and authorizing the expenditure of town road and bridge funds under certain conditions ; amending Minnesota Statutes 1978, Section 164.08, Subdivision 2.

The bill was read for the first time.

Fjoslien moved that S. F. No. 478 and H. F. No. 1249, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 681, A bill for an act relating to game and fish; providing for the licensing and regulation of commercial fishing in inland waters; contracts for removal of rough fish; amending Minnesota Statutes 1978, Section 98.46, by adding a subdivision; and Chapter 102, by adding a section; repealing Minnesota Statutes 1978, Section 97.4861.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 935, A bill for an act relating to the University of Minnesota; requiring establishment of a small business set aside program for certain university procurements.

The bill was read for the first time and referred to the Committee on Education.

S. F. No. 1047, A bill for an act relating to workers' compensation; providing for settlement of claims; amending Minnesota Statutes 1978, Section 176.521, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

S. F. No. 704, A bill for an act relating to savings banks; authorizing service corporations and also authorizing certain detached facilities; amending Minnesota Statutes 1978, Chapter 50, by adding sections.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 188, A bill for an act relating to noise pollution; exempting skeet, trap and shooting sports clubs from noise standards of any state agency; amending Minnesota Statutes 1978, 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.

S. F. No. 285, A bill for an act relating to interest rates; increasing permissible finance charges for open end credit sales; providing for calculation of finance charges on open end credit sales; amending Minnesota Statutes 1978, Section 334.16, Subdivision 1, and by adding a subdivision.

The bill was read for the first time.

Friedrich moved that S. F. No. 285 and H. F. No. 500, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 579, A bill for an act relating to workers' compensation; requiring employer to provide certain podiatric treatment and orthotics; permitting change of podiatrists; amending Minnesota Statutes 1978, Section 176.135, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

S. F. No. 273, A bill for an act relating to commerce; providing a floating usury rate for contracts for deed on residential property; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 2 and 4, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1215, A bill for an act relating to public safety; prohibiting scuba or skin diving during certain hours and under certain conditions; amending Minnesota Statutes 1978, Section 361.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 756, A bill for an act relating to taxation; providing income tax credit for contributions to candidates for federal and local public offices; clarifying application of the tax credit in certain special elections; amending Minnesota Statutes 1978, Section 290.06, Subdivision 11.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 923, A bill for an act relating to the city of Duluth; authorizing the issuance of bonds in connection with the municipal steam utility plant; authorizing the governing body to transfer money from the steam division account of the public utility fund to the general fund; authorizing the governing body to delegate the power to make certain purchases for the municipal steam utility to a private management organization.

The bill was read for the first time.

Munger moved that S. F. No. 923 and H. F. No. 971, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 107, A bill for an act relating to state government; extending the contract preference for United States materials to include Mexican and Canadian made materials; amending Minnesota Statutes 1978, Section 16.073.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 732, A bill for an act relating to game and fish; modifying the definitions of rough fish and minnows; amending Minnesota Statutes 1978, Section 97.40, Subdivisions 11 and 12.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 303, A bill for an act relating to littering; imposing civil liability on the owner of a vehicle from which certain articles and materials are thrown, deposited, or dumped; prescribing procedures, civil damages, and penalties; amending Minnesota Statutes 1978, Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Criminal Justice.

S. F. No. 682, A bill for an act relating to game and fish; authorizing the use of handguns in taking small game; amending Minnesota Statutes 1978, Section 100.29, Subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 951, A bill for an act relating to small businesses; establishing a uniform definition of small business; amending Minnesota Statutes 1978, Section 161.321, Subdivisions 1 and 3; and Chapter 645, by adding a section; repealing Minnesota Statutes 1978, Section 16.082, Subdivisions 2, 3, 4 and 5.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

S. F. No. 971, A bill for an act relating to creditor's remedies; defining property exempt from legal process; amending Minnesota Statutes 1978, Section 550.37, Subdivisions 4 and 19, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1002, A bill for an act relating to the city of Duluth; defining construction powers of the Spirit Mountain Area Authority; amending Laws 1973, Chapter 327, Section 5, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

S. F. No. 436, A bill for an act relating to financial institutions; permitting graduated payment home mortgages; amending Minnesota Statutes 1978, Chapters 47, by adding a section; and 52, 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. 486, A bill for an act relating to education; changing the requirements for membership on the state university board and on the state board for community colleges; amending Minnesota Statutes 1978, Sections 136.12, Subdivision 1; and 136.61, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

S. F. No. 506, A bill for an act relating to alcoholic beverages; prohibiting consumption or possession in certain highway facilities where appropriate signs are posted; providing a penalty; amending Minnesota Statutes 1978, Section 160.27, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 133, A bill for an act relating to partnerships; enacting the 1976 uniform limited partnership act.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 722, 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. 332, A bill for an act relating to pipelines; limiting negotiation and acquisition of easements; requiring public meetings and information books for affected landowners; requiring minimum depth of cover on cultivated land; authorizing adoption of local ordinances to protect public roads and drainage facilities; authorizing counties to adopt ordinances to establish pipeline construction standards; requiring pipelines to pay inspection fees; providing for a county inspector; limiting liability for certain unintentional damage to pipelines; establishing a pipeline property tax credit; providing for reversion of certain easements and recording of survey points; imposing duties on

the environmental quality board and certain county boards; providing for enforcement by injunctive relief; imposing criminal and civil penalties; appropriating money.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 1312, A bill for an act relating to unemployment compensation; providing for conformity with federal requirements; altering certain definitions; altering certain provisions as to employer contributions; altering provisions as to deductions from benefits; altering provisions as to between term denial of benefits to certain educational employees; altering certain provisions for disqualification from benefits; altering certain appeal provisions; removing limitation on certain reciprocal benefit arrangements; amending Minnesota Statutes 1978, Sections 268.04, Subdivisions 10, 12 and 23; 268.06, Subdivisions 5, 8, 21, 22, and by adding a subdivision; 268.08, Subdivisions 3 and 4, and 6, as amended; 268.09, Subdivisions 1, 2 and 3; 268.10, Subdivision 2; 268.12, Subdivision 13; 268.13, Subdivision 2; and 268.18, Subdivisions 1 and 2.

The bill was read for the first time.

Kaley moved that S. F. No. 1312 and H. F. No. 1350, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1144, A bill for an act relating to public drainage systems; increasing repair authority; providing for abandonment of systems; increasing repair funds; amending Minnesota Statutes 1978, Sections 106.011, by adding a subdivision; 106.471, Subdivisions 2 and 6; 106.651; 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. 1243, A bill for an act relating to waters; limiting the rule making power of the commissioner of natural resources in regard to flood plain management; amending Minnesota Statutes 1978, Section 104.05.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 1273, A bill for an act relating to natural resources; authorizing the commissioner to utilize volunteer services; amending Minnesota Statutes 1978, Chapter 84, by adding a section; and Section 176.011, Subdivision 9; repealing Minnesota Statutes 1978, Section 85.041.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 895, A bill for an act relating to intoxicating liquor; permitting earlier hours for Sunday sale; amending Minnesota Statutes 1978, Section 340.14, Subdivision 5.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

S. F. No. 947, A bill for an act relating to the city of Duluth; fixing the expiration of a city sales tax; removing a report requirement; amending Laws 1977, Chapter 438, Section 2; repealing Laws 1977, Chapter 438, Section 1, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 1051, A bill for an act relating to welfare; excluding educational grants and loans from income when determining the amount of assistance granted under aid to families with dependent children; amending Minnesota Statutes 1978, Section 256.74, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 333, A bill for an act relating to education; providing for nonpublic school administrative unit representation at organizational meetings of educational cooperative service units, for participation in their programs, the composition of their governing boards and advisory councils and for their annual reports; changing the name of the advisory task force on nonpublic schools and extending its term; amending Minnesota Statutes 1978, Section 123.58, Subdivisions 2, 4, 5, 6, 7, and 8; and Laws 1976, Chapter 271, Section 8, Subdivision 1, as amended.

The bill was read for the first time and referred to the Committee on Education.

S. F. No. 1210, A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in Beltrami County.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1288, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey certain lands in Kittson County, under certain conditions, to the Galilee Bible Camp.



The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1328, A bill for an act relating to labor; authorizing commissioner of labor and industry to seek restraining orders against certain violators of child labor laws; amending Minnesota Statutes 1978, Section 181A.08, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

S. F. No. 1338, A bill for an act relating to workers' compensation; providing fact finding powers to compensation judges; amending Minnesota Statutes 1978, Chapter 176, by adding a section.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

#### CONSENT CALENDAR

S. F. No. 668 was reported to the House.

Piepho moved to amend S. F. No. 668 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Laws 1973, Chapter 38, Section 1, is amended to read:

Section 1. Notwithstanding the provisions of any other law to the contrary, Blue Earth county may enter into rental purchase agreements (OR), conditional sales agreements or *installment purchase agreements* for the acquisition of (ROAD EQUIPMENT) *personal property*, provided that under such agreements the seller is limited to the remedy of recovery of the property in case of nonpayment of all or part of the purchase price. (THE PURCHASE PRICE SHALL BE PAYABLE OVER A PERIOD NOT TO EXCEED FIVE YEARS.)

Sec. 2. *This act is effective upon approval by the board of county commissioners of Blue Earth County and upon compliance with Minnesota Statutes, Section 645.021."*

Further amend by deleting the title and inserting:

"A bill for an act relating to Blue Earth County; authorizing the county to enter into various agreements for acquisition of property; amending Laws 1973, Chapter 38, Section 1."

The motion prevailed and the amendment was adopted.

Den Ouden moved to amend S. F. No. 668, as amended, as follows:

Page 1, line 11, strike "county" and insert ", Redwood, Kandiyohi, and Renville counties"

Page 1, line 19, delete section 2 and insert:

"Sec. 2. This act is effective for each county named in section 1 upon its approval by the board of county commissioners of the county and upon compliance with Minnesota Statutes, Section 645.021."

Further amend the title:

Line 2, delete "County" and insert ", Redwood, Kandiyohi, and Renville Counties"

Line 3, delete "county" and insert "counties"

The motion prevailed and the amendment was adopted.

S. F. No. 668, A bill for an an act relating to Blue Earth, Redwood, Kandiyohi, and Renville Counties; authorizing the counties to enter into various agreements for acquisition of property; amending Laws 1973, Chapter 38, Section 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 127 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Jude	Niehaus	Sieben, H.
Adams	Drew	Kaley	Norman	Sieben, M.
Ainley	Eken	Kalis	Norton	Simoneau
Albrecht	Elioff	Kelly	Novak	Stoa
Anderson, B.	Erickson	Kempe	Nysether	Stowell
Anderson, D.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, G.	Evans	Kroening	Onnen	Swanson
Anderson, I.	Ewald	Kvam	Osthoff	Thiede
Anderson, R.	Faricy	Lehto	Patton	Tomlinson
Battaglia	Fjoslien	Levi	Pavlak	Valan
Begich	Forsythe	Long	Pehler	Valento
Berglin	Friedrich	Ludeman	Peterson	Vanasek
Berkelman	Fritz	Luknic	Piepho	Voss
Biersdorf	Fudro	Mann	Pleasant	Waldorf
Blatz	Greenfield	McCarron	Prahl	Weaver
Brinkman	Halberg	McDonald	Redalen	Welch
Byrne	Haukoos	McEachern	Reding	Welker
Carlson, D.	Heap	Mehrkens	Rees	Wenzel
Carlson, L.	Heinitz	Metzen	Reif	Wieser
Casserly	Hoberg	Minne	Rice	Wigley
Clark	Hokanson	Moe	Rose	Wynia
Clawson	Jacobs	Munger	Rothenberg	Zubay
Corbid	Jaros	Murphy	Sarna	Speaker Searle
Crandall	Jennings	Nelsen, B.	Schreiber	
Dean	Johnson, C.	Nelsen, M.	Searles	
Dempsey	Johnson, D.	Nelson	Sherwood	

Those who voted in the negative were:

Enebo            Kahn

The bill was passed, as amended, and its title agreed to.

H. F. No. 980 was reported to the House.

There being no objection, H. F. No. 980 was returned to General Orders.

H. F. No. 1052, A bill for an act relating to retirement; Eveleth joint retired police and firefighters retirement trust fund; providing for a post retirement adjustment.

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:

Aasness	Den Ouden	Jude	Nelsen, M.	Sherwood
Adams	Drew	Kahn	Nelson	Sieben, H.
Ainley	Eken	Kaley	Niehaus	Sieben, M.
Albrecht	Elioff	Kalis	Norman	Simoneau
Anderson, B.	Erickson	Kelly	Norton	Stoa
Anderson, D.	Esau	Kempe	Novak	Stowell
Anderson, G.	Evans	Knickerbocker	Nysether	Sviggum
Anderson, I.	Ewald	Kroening	Olsen	Swanson
Anderson, R.	Farjcy	Kvam	Onnen	Thiede
Battaglia	Fjoslien	Laidig	Osthoff	Tomlinson
Begich	Forsythe	Lehto	Patton	Valan
Berglin	Friedrich	Levi	Pavlak	Valento
Berkelman	Fritz	Long	Pehler	Vanasek
Biersdorf	Fudro	Ludeman	Peterson	Voss
Blatz	Greenfield	Luknic	Piepho	Waldorf
Brinkman	Halberg	Mann	Pleasant	Welch
Byrne	Haukoos	McCarron	Prahl	Welker
Carlson, D.	Heap	McDonald	Redalen	Wenzel
Carlson, L.	Heinitz	McEachern	Reding	Wieser
Casserly	Hoberg	Mehrkens	Rees	Wigley
Clark	Hokanson	Metzen	Reif	Wynia
Clawson	Jacobs	Minne	Rice	Zubay
Corbid	Jaros	Moe	Rose	Speaker Searle
Crandall	Jennings	Munger	Rothenberg	
Dean	Johnson, C.	Murphy	Sarna	
Dempsey	Johnson, D.	Nelsen, B.	Searles	

The bill was passed and its title agreed to.

H. F. No. 1274 was reported to the House.

Moe moved to amend H. F. No. 1274, as follows:

Page 5, after line 27, add a new section to read: "Sec. 6. *This act is effective the day following final enactment.*"

The motion prevailed and the amendment was adopted.

H. F. No. 1274, A bill for an act relating to retirement; teachers retirement association; qualifications for executive director; definition of teacher; application of proportionate annuity; payment of teachers' annuities; refunds of accumulated contributions; amending Minnesota Statutes 1978, Sections 354.05, Subdivision 2; 354.06, Subdivision 2; 354.44, Subdivision 1a, and by adding a subdivision; and 354.47, 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, D.	Nelsen, B.	Schreiber
Adams	Drew	Jude	Nelsen, M.	Searles
Ainley	Eken	Kahn	Nelson	Sherwood
Albrecht	Eloff	Kaley	Niehaus	Sieben, H.
Anderson, B.	Enebo	Kalis	Norman	Sieben, M.
Anderson, D.	Erickson	Kelly	Norton	Simoneau
Anderson, G.	Esau	Kempe	Novak	Stoa
Anderson, I.	Evans	Knickerbocker	Nysether	Stowell
Anderson, R.	Ewald	Kroening	Olsen	Sviggum
Battaglia	Faricy	Kvam	Onnen	Swanson
Begich	Fjoslien	Laidig	Osthoff	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Paviak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle

The bill was passed, as amended, and its title agreed to.

S. F. No. 218, A bill for an act relating to game and fish; authorizing exporting of leeches; time for possession of certain equipment usable in taking fish; amending Minnesota Statutes 1978, Sections 97.45, Subdivision 15; and 101.42, 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 129 yeas and 0 nays as follows.

Those who voted in the affirmative were:

Aasness	Den Ouden	Jude	Nelsen, M.	Searles
Adams	Drew	Kahn	Nelson	Sherwood
Ainley	Eken	Kaley	Niehaus	Sieben, H.
Albrecht	Elioff	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kroening	Olsen	Sviggum
Anderson, R.	Ewald	Kvam	Onnen	Swanson
Battaglia	Faricy	Laidig	Osthoff	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	Mann	Pleasant	Waldorf
Byrne	Halberg	McCarron	Prahl	Weaver
Carlson, D.	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Casserly	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hokanson	Metzen	Reif	Wieser
Clawson	Jacobs	Minne	Rice	Wigley
Corbid	Jaros	Moe	Rose	Wynia
Crandall	Jennings	Munger	Rothenberg	Zubay
Dean	Johnson, C.	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	

The bill was passed and its title agreed to.

S. F. No. 466 was reported to the House.

There being no objection, S. F. No. 466 was continued on the Consent Calendar for one day.

S. F. No. 538, A bill for an act relating to state lands; authorizing the lease of certain state lands in Itasca County for use by the Itasca Ski and Outing Club, 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Begich	Clark	Enebo	Fudro
Adams	Berglin	Clawson	Erickson	Greenfield
Ainley	Berkelman	Corbid	Esau	Halberg
Albrecht	Biersdorf	Crandall	Evans	Haukoos
Anderson, B.	Blatz	Dean	Ewald	Heap
Anderson, D.	Brinkman	Dempsey	Faricy	Heinitz
Anderson, G.	Byrne	Drew	Fjoslien	Hoberg
Anderson, I.	Carlson, D.	Eken	Forsythe	Hokanson
Anderson, R.	Carlson, L.	Elioff	Friedrich	Jacobs
Battaglia	Casserly	Ellingson	Fritz	Jaros

Jennings	Ludeman	Norman	Reif	Tomlinson
Johnson, C.	Luknic	Norton	Rice	Valan
Johnson, D.	Mann	Novak	Rose	Valento
Jude	McCarron	Nysether	Rothenberg	Vanasek
Kahn	McDonald	Olsen	Sarna	Voss
Kaley	McEachern	Onnen	Schreiber	Waldorf
Kalis	Mehrkens	Osthoff	Searles	Weaver
Kelly	Metzen	Patton	Sherwood	Welch
Kempe	Minne	Pavlak	Sieben, H.	Welker
Knickerbocker	Moe	Pehler	Sieben, M.	Wenzel
Kroening	Munger	Peterson	Simoneau	Wieser
Kvam	Murphy	Piepho	Stoa	Wigley
Laidig	Nelsen, B.	Prahl	Stowell	Wynia
Lehto	Nelsen, M.	Redalen	Sviggum	Zubay
Levi	Nelson	Reding	Swanson	Speaker Searle
Long	Niehaus	Rees	Thiede	

The bill was passed and its title agreed to.

H. F. No. 1386, A bill for an act relating to the city of St. Paul; fixing the rate of the franchise fee for utility supplies to residential dwellings.

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:

Aasness	Drew	Jude	Nelson	Sieben, H.
Adams	Eken	Kahn	Niehaus	Sieben, M.
Ainley	Elioff	Kaley	Norman	Simoneau
Albrecht	Ellingson	Kalis	Norton	Stoa
Anderson, B.	Enebo	Kelly	Novak	Stowell
Anderson, D.	Erickson	Kempe	Nysether	Sviggum
Anderson, G.	Esau	Knickerbocker	Olsen	Swanson
Anderson, I.	Evans	Kroening	Onnen	Thiede
Anderson, R.	Ewald	Kvam	Osthoff	Tomlinson
Battaglia	Faricy	Laidig	Patton	Valan
Begich	Fjoslien	Lehto	Pavlak	Valento
Berglin	Forsythe	Levi	Pehler	Vanasek
Berkelman	Friedrich	Long	Peterson	Voss
Biersdorf	Fritz	Ludeman	Piepho	Waldorf
Blatz	Fudro	Luknic	Plasant	Weaver
Brinkman	Greenfield	Mann	Prahl	Welch
Byrne	Halberg	McCarron	Redalen	Welker
Carlson, D.	Haukoos	McDonald	Reding	Wenzel
Carlson, L.	Heap	McEachern	Rees	Wieser
Casserly	Heinitz	Mehrkens	Reif	Wigley
Clark	Hoberg	Metzen	Rice	Wynia
Clawson	Hokanson	Minne	Rose	Zubay
Corbid	Jacobs	Moe	Rothenberg	Speaker Searle
Crandall	Jaros	Munger	Sarna	
Dean	Jennings	Murphy	Schreiber	
Dempsey	Johnson, C.	Nelsen, B.	Searles	
Den Ouden	Johnson, D.	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 236, A bill for an act relating to the state auditor; providing for the examination of municipal records pursuant to petition; requiring signatures of 20 percent of the number of voters in the last presidential election for a petition to examine municipal records; establishing certain other requirements for petitions for examination of towns and school districts; requiring that the city, town and school district as well as county auditor be notified when the petition is certified; amending Minnesota Statutes 1978, Section 6.54.

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 122 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Aasness	Erickson	Kalis	Norman	Sieben, M.
Adams	Esau	Kempe	Norton	Simoneau
Albrecht	Evans	Knickerbocker	Novak	Stoa
Anderson, B.	Ewald	Kroening	Nysether	Stowell
Anderson, D.	Faricy	Kvam	Olsen	Swiggum
Anderson, I.	Fjoslien	Laidig	Onnen	Swanson
Battaglia	Forsythe	Lehto	Patton	Thiede
Begich	Friedrich	Levi	Pavlak	Tomlinson
Berkelman	Fritz	Long	Pehler	Valan
Biersdorf	Fudro	Ludeman	Peterson	Valento
Brinkman	Greenfield	Luknic	Piepho	Vanasek
Byrne	Halberg	Mann	Pleasant	Voss
Carlson, D.	Haukoos	McCarron	Prahl	Waldorf
Carlson, L.	Heap	McDonald	Redalen	Weaver
Casserly	Heinitz	McEachern	Reding	Welch
Clark	Hoberg	Mehrrens	Rees	Welker
Clawson	Hokanson	Metzen	Reif	Wenzel
Dean	Jacobs	Minne	Rice	Wieser
Dempsey	Jaros	Moe	Rose	Wigley
Den Ouden	Jennings	Munger	Rothenberg	Wynia
Drew	Johnson, C.	Murphy	Sarna	Zubay
Eken	Johnson, D.	Nelsen, B.	Schreiber	Speaker Searle
Elioff	Jude	Nelsen, M.	Searles	
Ellingson	Kahn	Nelson	Sherwood	
Enebo	Kaley	Niehaus	Sieben, H.	

Those who voted in the negative were:

Anderson, G.	Berglin	Corbid	Osthoff
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The bill was passed and its title agreed to.

S. F. No. 362, A bill for an act relating to Hennepin County; providing for the appointment, compensation, and duties of the medical examiner; amending Laws 1963, Chapter 848, Section 1, Subdivision 2; Section 5; repealing Laws 1963, Chapter 848, Section 1, 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 123 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Johnson, C.	Nelsen, B.	Schreiber
Adams	Eken	Johnson, D.	Nelsen, M.	Searles
Ainley	Elioff	Jude	Nelson	Sherwood
Anderson, B.	Ellingson	Kahn	Niehaus	Sieben, H.
Anderson, D.	Enebo	Kaley	Norman	Sieben, M.
Anderson, G.	Erickson	Kalis	Norton	Simoneau
Anderson, I.	Esau	Kelly	Novak	Stowell
Anderson, R.	Evans	Kempe	Nysether	Sviggum
Battaglia	Ewald	Knickerbocker	Olsen	Swanson
Begich	Faricy	Kvam	Onnen	Thiede
Berglin	Fjoslien	Lehto	Osthoff	Tomlinson
Berkelman	Forsythe	Levi	Patton	Valan
Biersdorf	Friedrich	Long	Pavlak	Valento
Blatz	Fritz	Ludeman	Pehler	Voss
Brinkman	Fudro	Luknic	Peterson	Weaver
Byrne	Greenfield	Mann	Piepho	Weich
Carlson, D.	Halberg	McCarron	Pleasant	Welker
Carlson, L.	Haukoos	McDonald	Prahl	Wenzel
Casserly	Heap	McEachern	Redalen	Wieser
Clark	Heinitz	Mehrkens	Reding	Wigley
Clawson	Hoberg	Metzen	Rees	Wynia
Corbid	Hokanson	Minne	Reif	Zubay
Dean	Jacobs	Moe	Rose	Speaker Searle
Dempsey	Jaros	Munger	Rothenberg	
Den Ouden	Jennings	Murphy	Sarna	

Those who voted in the negative were:

Kroening      Stoa

The bill was passed and its title agreed to

S. F. No. 521, A bill for an act relating to the city of St. Cloud; authorizing sale of liquor at the Municipal Sports Complex.

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 22 nays as follows:

Those who voted in the affirmative were:

Adams	Berglin	Clark	Evans	Heinitz
Ainley	Berkelman	Dean	Ewald	Hoberg
Anderson, B.	Biersdorf	Dempsey	Faricy	Hokanson
Anderson, G.	Blatz	Drew	Friedrich	Jacobs
Anderson, I.	Brinkman	Eken	Fudro	Jaros
Anderson, R.	Byrne	Elioff	Greenfield	Jennings
Battaglia	Carlson, L.	Ellingson	Haukoos	Johnson, C.
Begich	Casserly	Enebo	Heap	Johnson, D.



Jude	Mann	Norton	Rice	Valan
Kahn	McCarron	Novak	Rose	Valento
Kaley	McEachern	Olsen	Rothenberg	Vanasek
Kalis	Mehrkens	Patton	Sarna	Voss
Kelly	Metzen	Pavlak	Schreiber	Waldorf
Knickerbocker	Minne	Pehler	Searles	Weaver
Kvam	Moe	Peterson	Sieben, H.	Welch
Laidig	Munger	Piepho	Sieben, M.	Welker
Lehto	Murphy	Pleasant	Simoneau	Wenzel
Levi	Nelsen, M.	Prahl	Stoa	Wieser
Long	Nelson	Redalen	Stowell	Wigley
Ludeman	Niehaus	Reding	Swanson	Wynia
Luknic	Norman	Reif	Tomlinson	Speaker Searle

Those who voted in the negative were:

Aasness	Crandall	Fritz	Nysether	Sviggum
Anderson, D.	Den Ouden	Kempe	Onnen	Thiede
Carlson, D.	Erickson	Kroening	Osthoff	
Clawson	Esau	McDonald	Rees	
Corbid	Fjoslien	Nelsen, B.	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 876 was reported to the House.

There being no objection, S. F. No. 876 was continued on the Consent Calendar until Wednesday, May 2, 1979.

S. F. No. 1245, A bill for an act relating to city of Duluth; providing for the management of the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Sections 2, Subdivision 2; 5, Subdivision 4; 7, as amended; 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Byrne	Erickson	Hokanson	Lehto
Adams	Carlson, D.	Esau	Jacobs	Levi
Ainley	Carlson, L.	Evans	Jaros	Long
Albrecht	Casserly	Ewald	Jennings	Ludeman
Anderson, B.	Clark	Farcy	Johnson, C.	Luknic
Anderson, D.	Clawson	Fjoslien	Johnson, D.	Mann
Anderson, G.	Corbid	Forsythe	Jude	McCarron
Anderson, I.	Crandall	Friedrich	Kahn	McDonald
Anderson, R.	Dean	Fritz	Kaley	McEachern
Battaglia	Dempsey	Fudro	Kalis	Mehrkens
Begich	Den Ouden	Greenfield	Kelly	Metzen
Berglin	Drew	Halberg	Kempe	Minne
Berkelman	Eken	Haukoos	Knickerbocker	Moe
Biersdorf	Elioff	Heap	Kroening	Munger
Blatz	Ellingson	Heinitz	Kvam	Murphy
Brinkman	Enebo	Hoberg	Laidig	Nelsen, B.

Nelsen, M.	Patton	Rice	Stoa	Weaver
Nelson	Pavlak	Rose	Stowell	Welch
Niehaus	Pehler	Rothenberg	Sviggum	Welker
Norman	Peterson	Sarna	Swanson	Wenzel
Norton	Piepho	Schreiber	Tomlinson	Wieser
Novak	Prahl	Searles	Valan	Wigley
Nysether	Redalen	Sherwood	Valento	Wynia
Olsen	Reding	Sieben, H.	Vanasek	Zubay
Onnen	Rees	Sieben, M.	Voss	Speaker Searle
Osthoff	Reif	Simoneau	Waldorf	

The bill was passed and its title agreed to.

### CALENDAR

H. F. No. 261, A bill for an act relating to municipal industrial development; amending the definition of project; requiring a notice and hearing; amending Minnesota Statutes 1978, Sections 474.01, Subdivision 7a, and by adding a subdivision; and 474.02, Subdivision 1c, and by adding a subdivision; and 474.12.

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 117 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Johnson, D.	Nelsen, B.	Schreiber
Adams	Eken	Jude	Nelsen, M.	Searles
Ainley	Elioff	Kahn	Nelson	Sherwood
Albrecht	Ellingson	Kalis	Niehaus	Sieben, H.
Anderson, B.	Enebo	Kelly	Norman	Sieben, M.
Anderson, D.	Erickson	Kempe	Norton	Simoneau
Anderson, G.	Esau	Knickerbocker	Novak	Stoa
Anderson, R.	Evans	Kroening	Nysether	Stowell
Battaglia	Ewald	Kvam	Olsen	Sviggum
Begich	Faricy	Laidig	Osthoff	Swanson
Berglin	Fjoslien	Lehto	Patton	Thiede
Berkelman	Forsythe	Levi	Pavlak	Tomlinson
Biersdorf	Friedrich	Long	Pehler	Valan
Blatz	Fudro	Ludeman	Peterson	Vanale
Brinkman	Greenfield	Luknic	Pleasant	Vanasek
Byrne	Halberg	Mann	Prahl	Voss
Carlson, D.	Haukoos	McCarron	Redalen	Weaver
Carlson, L.	Heap	McDonald	Reding	Welch
Casserly	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wigley
Clawson	Hokanson	Minne	Rice	Wynia
Corbid	Jacobs	Moe	Rose	
Crandall	Jaros	Munger	Rothenberg	
Dean	Johnson, C.	Murphy	Sarna	

Those who voted in the negative were:

Dempsey	Jennings	Onnen	Waldorf	Wieser
Den Ouden	Kaley	Piepho	Welker	Speaker Searle
Fritz	McEachern			

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. Nos. 1526, 1518 and 1519.

H. F. No. 1526 was reported to the House.

Speaker pro tem Heinitz was called to the Chair.

H. F. No. 1526, 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 1978, Sections 120.81, Subdivision 2; and 124.572, 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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelson	Sherwood
Adams	Eken	Kahn	Niehaus	Sieben, H.
Ainley	Elioff	Kaley	Norman	Sieben, M.
Albrecht	Ellingson	Kalis	Norton	Simoneau
Anderson, B.	Enebo	Kelly	Novak	Stoa
Anderson, D.	Erickson	Kempe	Nysether	Stowell
Anderson, G.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, I.	Evans	Kroening	Onnen	Swanson
Anderson, R.	Ewald	Kvam	Osthoff	Thiede
Battaglia	Faricy	Laidig	Otis	Tomlinson
Begich	Fjoslien	Lehto	Patton	Valan
Berglin	Forsythe	Levi	Pavlak	Valento
Berkelman	Friedrich	Long	Pehler	Vanasek
Biersdorf	Fritz	Ludeman	Peterson	Voss
Blatz	Fudro	Luknic	Piepho	Waldorf
Brinkman	Greenfield	Mann	Pleasant	Weaver
Byrne	Halberg	McCarron	Prahl	Welch
Carlson, D.	Haukoos	McDonald	Redalen	Welker
Carlson, L.	Heap	McEachern	Reding	Wenzel
Cassery	Heinitz	Mehrkens	Rees	Wieser
Clark	Hoberg	Metzen	Reif	Wigley
Clawson	Hokanson	Minne	Rice	Wynia
Corbid	Jacobs	Moe	Rose	Zubay
Crandall	Jaros	Munger	Rothenberg	Speaker Searle
Dean	Jennings	Murphy	Sarma	
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	

The bill was passed and its title agreed to.

H. F. No. 1518 was reported to the House.

CALL OF THE HOUSE

On the motion of Kempe and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Aasness	Drew	Kahn	Nelson	Sherwood
Adams	Eken	Kaley	Niehaus	Sieben, H.
Ainley	Ellingson	Kalis	Norman	Sieben, M.
Albrecht	Enebo	Kelly	Norton	Simoneau
Anderson, B.	Erickson	Kempe	Novak	Stoa
Anderson, D.	Esau	Knickerbocker	Olsen	Stowell
Anderson, G.	Evans	Kostohryz	Onnen	Swiggum
Anderson, I.	Ewald	Kroening	Osthoff	Swanson
Anderson, R.	Farcy	Kvam	Otis	Thiede
Battaglia	Fjoslien	Laidig	Patton	Tomlinson
Begich	Forsythe	Lehto	Pavlak	Valan
Berglin	Friedrich	Levi	Pehler	Valento
Berkelman	Fritz	Long	Peterson	Vanasek
Biersdorf	Fudro	Ludeman	Pleasant	Voss
Blatz	Greenfield	Luknic	Prahl	Waldorf
Brinkman	Halberg	Mann	Redalen	Weaver
Byrne	Haukoos	McDonald	Reding	Wenzel
Carlson, D.	Heap	McEachern	Rees	Wieser
Carlson, L.	Hoberg	Mehrkens	Reif	Wigley
Clark	Hokanson	Metzen	Rice	Wynia
Clawson	Jacobs	Minne	Rose	Zubay
Crandall	Jaros	Moe	Rothenberg	
Dean	Johnson, C.	Murphy	Sarna	
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	

Kempe 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.

Kempe offered an amendment to H. F. No. 1518.

POINT OF ORDER

Norton raised a point of order pursuant to Section 401, Subdivision 4, of "Mason's Manual of Legislative Procedure" that the amendment offered by Kempe was not in order. The Speaker pro tem ruled the point of order well taken and the amendment out of order.

Kempe appealed the decision of the Chair.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Chair stand as the judgment of the House?" The roll was called and there were 91 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Ainley	Ellingson	Kahn	Olsen	Simoneau
Anderson, B.	Enebo	Kaley	Otis	Stoa
Anderson, D.	Erickson	Kalis	Patton	Stowell
Anderson, G.	Evans	Knickerbocker	Pavlak	Swanson
Anderson, R.	Ewald	Kvam	Pehler	Tomlinson
Berglin	Faricy	Laidig	Peterson	Valan
Berkelman	Forsythe	Lehto	Piepho	Vanasek
Biersdorf	Friedrich	Levi	Pleasant	Voss
Blatz	Greenfield	Long	Prahl	Weaver
Byrne	Halberg	Ludeman	Redalen	Welker
Carlson, D.	Haukoos	Mann	Reding	Wieser
Carlson, L.	Heap	McCarron	Rees	Wigley
Casserly	Heinitz	Mehrkens	Reif	Wynia
Clark	Hoberg	Minne	Rose	Zubay
Clawson	Hokanson	Moe	Rothenberg	Speaker Searle
Crandall	Jaros	Munger	Schreiber	
Dean	Jennings	Nelson	Searles	
Den Ouden	Johnson, C.	Norton	Sieben, H.	
Eken	Johnson, D.	Novak	Sieben, M.	

Those who voted in the negative were:

Aasness	Drew	Kempe	Nelsen, M.	Sviggum
Adams	Elioff	Kostohryz	Niehaus	Thiede
Albrecht	Esau	Kroening	Norman	Valento
Anderson, I.	Fjoslien	Luknic	Nysether	Waldorf
Battaglia	Fritz	McDonald	Onnen	Welch
Begich	Fudro	McEachern	Osthoff	Wenzel
Brinkman	Jacobs	Metzen	Rice	
Corbid	Jude	Murphy	Sarna	
Dempsey	Kelly	Nelsen, B.	Sherwood	

So it was the judgment of the House that the decision of the Chair should stand.

Wenzel moved to amend H. F. No. 1518 as follows:

Page 8, after line 52, insert

"Energy Assistance

\$5,000,000      \$5,000,000

This appropriation includes funds to provide financial assistance for the payment of utility, or fuel bills to households with incomes less than 125% of the federal poverty level. If the appropriation is insufficient for either year, priority for assistance shall be given to senior citizens. The commissioner of public welfare shall determine the amount of assistance per household based on probable costs of essential energy purchases and shall promulgate temporary rules necessary to administer the assistance payments by September 1, 1979. The departments of welfare and economic security shall share records regarding applicants and recipients of energy assistance programs to avoid duplicative payments. Any unexpended balance remaining in the first year shall be available for the second year of the biennium."

A roll call was requested and properly seconded.

## POINT OF ORDER

Carlson, D., raised a point of order pursuant to rule 3.10 that the amendment offered by Wenzel was not in order. The Speaker pro tem ruled the point of order not well taken.

## CALL OF THE HOUSE LIFTED

Knickerbocker moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

The question recurred on the Wenzel amendment to H. F. No. 1518 and the roll was called. There were 38 yeas and 88 nays as follows:

Those who voted in the affirmative were:

Adams	Clawson	Kelly	Nelsen, M.	Rice
Battaglia	Elioff	Kostohryz	Nelson	Sarna
Begich	Enebo	Kroening	Novak	Sieben, M.
Berglin	Fjoslien	Lehto	Osthoff	Tomlinson
Brinkman	Fudro	McEachern	Patton	Welch
Byrne	Greenfield	Metzen	Pehler	Wenzel
Carlson, L.	Jaros	Moe	Prahl	
Clark	Jude	Murphy	Reding	

Those who voted in the negative were:

Aasness	Ellingson	Johnson, D.	Norton	Stoa
Ainley	Erickson	Kahn	Nysether	Stowell
Albrecht	Esau	Kaley	Olsen	Sviggum
Anderson, D.	Evans	Kalis	Onnen	Swanson
Anderson, G.	Ewald	Knickerbocker	Otis	Thiede
Anderson, R.	Faricy	Kvam	Pavlak	Valan
Berkelman	Forsythe	Laidig	Peterson	Valento
Biersdorf	Friedrich	Levi	Piepho	Vanasek
Blatz	Fritz	Ludeman	Pleasant	Voss
Carlson, D.	Halberg	Luknic	Redalen	Waldorf
Casserly	Haukoos	Mann	Rees	Weaver
Corbid	Heap	McCarron	Reif	Welker
Crandall	Heinitz	McDonald	Rose	Wieser
Dean	Hoberg	Mehrkens	Rothenberg	Wigley
Dempsey	Hokanson	Minne	Schreiber	Zubay
Den Ouden	Jacobs	Nelsen, B.	Searles	Speaker Searle
Drew	Jennings	Niehaus	Sherwood	
Eken	Johnson, C.	Norman	Simoneau	

The motion did not prevail and the amendment was not adopted.

Rice and Moe moved to amend H. F. No. 1518 as follows:

Page 15, line 40, delete "credit" and insert "grant"

Page 15, delete lines 41 to 49

Page 16, delete lines 1 to 38 and insert "participating in the Community Corrections Act that retain in the community those

offenders for which the penalty of imprisonment provided by law is five years or less. The amount of the grant to each county shall be determined by the commissioner who shall annually project the number of offenders who are retained in the community by participating counties. The commissioner shall allocate this appropriation based on the proportion of offenders retained in all participating counties. The commissioner shall make necessary adjustments to the grants at the end of each fiscal year to reflect the actual number of these offenders retained in participating counties."

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 49 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Adams	Clark	Jennings	Moe	Sarna
Anderson, G.	Eken	Kelly	Munger	Sieben, M.
Anderson, R.	Elloff	Kempe	Murphy	Simoneau
Battaglia	Ellingson	Kostohryz	Nelsen, M.	Swanson
Begich	Enebo	Kroening	Nelson	Tomlinson
Berglin	Fudro	Laidig	Norton	Vanasek
Berkelman	Greenfield	Lehto	Novak	Voss
Blatz	Hokanson	Long	Otis	Welch
Byrne	Jacobs	McCarron	Pehler	Wenzel
Carlson, L.	Jaros	Minne	Rice	

Those who voted in the negative were:

Aasness	Esau	Kahn	Olsen	Sherwood
Ainley	Evans	Kaley	Onnen	Sieben, H.
Albrecht	Ewald	Kalis	Osthoff	Stoa
Anderson, D.	Fariely	Kvam	Patton	Stowell
Biersdorf	Fjoslien	Levi	Pavlak	Sviggum
Brinkman	Forsythe	Ludeman	Peterson	Thiede
Carlson, D.	Friedrich	Luknic	Piepho	Valan
Casserly	Fritz	Mann	Pleasant	Valento
Clawson	Halberg	McDonald	Prahl	Waldorf
Corbid	Haukoos	McEachern	Redalen	Weaver
Crandall	Heap	Mehrkens	Reding	Welker
Dean	Heinitz	Metzen	Rees	Wieser
Dempsey	Hoberg	Nelsen, B.	Reif	Wigley
Den Ouden	Johnson, C.	Niehaus	Rose	Wynia
Drew	Johnson, D.	Norman	Rothenberg	Zubay
Erickson	Jude	Nysether	Searles	Speaker Searle

The motion did not prevail and the amendment was not adopted.

H. F. No. 1518, A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes with certain conditions; providing appropriations for the departments of public welfare, economic security, corrections, corrections ombudsman, health, health related boards; amending Minnesota Statutes 1978, Sections 145.917, by adding a subdivision; and 145.921, by

adding subdivisions; repealing Minnesota Statutes 1978, Section 145.921, Subdivisions 2 and 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 123 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, D.	Nelson	Searles
Adams	Drew	Jude	Norman	Sieben, H.
Ainley	Eken	Kahn	Norton	Sieben, M.
Anderson, B.	Elioff	Kaley	Novak	Simoneau
Anderson, D.	Ellingson	Kalis	Nysether	Stoa
Anderson, G.	Enebo	Kelly	Olsen	Stowell
Anderson, I.	Erickson	Knickerbocker	Onnen	Sviggum
Anderson, R.	Esau	Kostohryz	Osthoff	Swanson
Battaglia	Evans	Kroening	Otis	Thiede
Begich	Ewald	Kvam	Patton	Tomlinson
Berglin	Faricy	Lehto	Pavlak	Valan
Berkelman	Fjoslien	Levi	Pehler	Valento
Biersdorf	Forsythe	Long	Peterson	Vanasek
Blatz	Friedrich	Ludeman	Piepho	Voss
Brinkman	Fudro	Luknic	Pleasant	Weaver
Byrne	Greenfield	Mann	Prahl	Welch
Carlson, D.	Halberg	McCarron	Redalen	Welker
Carlson, L.	Haukoos	McEachern	Reding	Wenzel
Casserly	Heinitz	Mehrkens	Rees	Wieser
Clark	Hoberg	Metzen	Reif	Wigley
Clawson	Hokanson	Minne	Rice	Wynia
Corbid	Jacobs	Munger	Rose	Zubay
Crandall	Jaros	Murphy	Rothenberg	Speaker Searle
Dean	Jennings	Nelsen, B.	Sarna	
Dempsey	Johnson, C.	Nelsen, M.	Schreiber	

Those who voted in the negative were:

Albrecht	Kempe	Niehaus	Sherwood	Waldorf
Fritz	McDonald			

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

H. F. No. 1519, A bill for an act relating to transportation; appropriating money for highway development.

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:

Aasness	Adams	Ainley	Albrecht	Anderson, B.
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Anderson, D.	Erickson	Kelly	Norton	Sieben, M.
Anderson, G.	Esau	Kempe	Novak	Simoneau
Anderson, I.	Evans	Knickerbocker	Nysether	Stoa
Battaglia	Ewald	Kostohryz	Olsen	Stowell
Begich	Faricy	Kroening	Onnen	Sviggum
Berglin	Fjoslien	Laidig	Osthoff	Swanson
Berkelman	Forsythe	Lehto	Otis	Thiede
Biersdorf	Friedrich	Levi	Patton	Tomlinson
Blatz	Fritz	Long	Pavlak	Valan
Brinkman	Fudro	Ludeman	Pehler	Valento
Byrne	Greenfield	Luknic	Peterson	Vanasek
Carlson, D.	Halberg	Mann	Piepho	Voss
Carlson, L.	Haukoos	McCarron	Pleasant	Waldorf
Casserly	Heap	McDonald	Prahl	Weaver
Clark	Heinitz	McEachern	Redalen	Welch
Clawson	Hoberg	Mehrkens	Reding	Welker
Corbid	Hokanson	Metzen	Rees	Wenzel
Crandall	Jacobs	Minne	Reif	Wieser
Dean	Jaros	Moe	Rice	Wigley
Dempsey	Jennings	Munger	Rose	Wynia
Den Ouden	Johnson, C.	Murphy	Rothenberg	Zubay
Drew	Johnson, D.	Nelsen, B.	Sarna	Speaker Searle
Eken	Jude	Nelsen, M.	Schreiber	
Elioff	Kahn	Nelson	Searles	
Ellingson	Kaley	Niehaus	Sherwood	
Enebo	Kalis	Norman	Sieben, H.	

The bill was passed and its title agreed to.

### SPECIAL ORDERS

Sieben, H., moved that the bills on Special Orders for today be continued for one day. The motion prevailed.

### GENERAL ORDERS

Sieben, H., moved that the bills on General Orders for today be continued for one day. The motion prevailed.

### MOTIONS AND RESOLUTIONS

Murphy moved that the name of Haukoos be added as an author on H. F. No. 1537. The motion prevailed.

Piepho moved that the name of Den Ouden be added as an author on H. F. No. 579. The motion prevailed.

Sarna moved that the name of Minne be added as an author on H. F. No. 1551. The motion prevailed.

Den Ouden moved that his name be stricken as an author on H. F. No. 91. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER AND THE CHAIRMAN OF THE  
COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on H. F. No. 13: Sherwood, Thiede, Battaglia, and Sieben, M.

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on H. F. No. 444: McCarron, Sarna, Pavlak, and Biersdorf.

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on H. F. No. 145: Carlson, L.; Swanson; Heinitz; and Crandall.

ADJOURNMENT

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, May 1, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## FORTY-FIFTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 1, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehhaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pavlak	Valento
Biersdorf	Fritz	Long	Pehler	Vanasek
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Waldorf
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wieser
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

A quorum was present.

Stadum was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Stowell 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. 1552, 1553, 990, 1473 and 1274 and S. F. Nos. 579, 704, 1047, 935, 273, 1215, 188, 285, 107, 681, 732, 303, 682, 951, 478, 30, 756, 923, 971, 1002, 133, 722, 332, 1312, 436, 486, 506, 1328, 1338, 333, 1210, 1288, 895, 947, 1051, 1144, 1243 and 1273 have been placed in the members' files.

S. F. No. 923 and H. F. No. 971, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Munger moved that S. F. No. 923 be substituted for H. F. No. 971 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 478 and H. F. No. 1249, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Fjoslien moved that the rules be so far suspended that S. F. No. 478 be substituted for H. F. No. 1249 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1312 and H. F. No. 1350, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Kaley moved that the rules be so far suspended that S. F. No. 1312 be substituted for H. F. No. 1350 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 285 and H. F. No. 500, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Friedrich moved that the rules be so far suspended that S. F. No. 285 be substituted for H. F. No. 500 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  
ST. PAUL 55155

April 26, 1979

The Honorable Rodney Searle  
Speaker of the House  
3rd Floor State Office Building

Dear Sir:

The following appointment to the State Ethical Practices Board is hereby respectfully submitted to the House for confirmation as required by law:

Robyn Lee Hansen, 1735 Princeton Avenue, St. Paul, Ramsey County, has been appointed by me, effective April 26, 1979, for a term expiring the first Monday in January, 1983.

Sincerely,

ALBERT H. QUIE  
Governor

The communication from the Governor relating to an appointment to the Ethical Practices Board was referred to the Committee on General Legislation and Veterans Affairs.

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

April 30, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
	103	44	April 30	April 30
	167	45	April 30	April 30
	186	46	April 30	April 30
	297	47	April 30	April 30
	486	48	April 30	April 30
	523	49	April 30	April 30
	638	50	April 30	April 30
	843	51	April 30	April 30
52		52	April 30	April 30
63		53	April 30	April 30
122		54	April 30	April 30
346		55	April 30	April 30
606		56	April 30	April 30

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

### REPORTS OF STANDING COMMITTEES

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 223, A bill for an act relating to education; providing that the early retirement incentive be paid at the time and in the manner agreed upon by a teacher and the board of the employing school district; amending Minnesota Statutes 1978, Section 125.61, Subdivision 4.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

**"ARTICLE I  
FOUNDATION AID**

Section 1. [3.861] [LEGISLATIVE SCHOOL FINANCE STUDY COMMISSION.] *Subdivision 1. [CREATION.] There is hereby created a commission to study school finance.*

*Subd. 2. [NAME, DUTIES.] The name of the commission is the legislative school finance study commission. The commission shall:*

*(a) Study federal, state and local financing of state elementary, middle school, secondary, adult and vocational education;*

*(b) Analyze the revenues, expenditures and financial status of Minnesota school districts;*

*(c) Consider the future revenue needs and resources of Minnesota school districts and plans for meeting the needs;*

*(d) Study power equalization financing for Minnesota school districts;*

*(e) Evaluate the state school aid system;*

*(f) Study other areas relating to the financing of schools in Minnesota including school enrollment, school construction, interdistrict cooperation, staff salaries, administration, and disparities between districts in costs, revenues and taxes;*

*(g) Study, analyze and prepare reports on subjects which the commission is requested to study by the education committees of the legislature;*

*(h) Gather, study, organize and present data on Minnesota schools in a manner that will facilitate comparisons between school districts;*

*(i) Make recommendations to the legislature within the scope of its study, including recommendations on methods and plans for financing education, and file a report of its activities and recommendations with the governor and the legislature by January 15, 1981 and biennially by the same date thereafter.*

*Subd. 3. [MEMBERSHIP.] The commission shall consist of five members of the senate to be appointed by the subcommittee on committees and five members of the house of representatives to be appointed by the speaker. The first members of the commission shall be selected to serve for a term expiring on January 15, 1981. Subsequent members shall be appointed at the commencement of a biennial session of the legislature for a two*



*year term beginning January 16 of the year of the appointment. Vacancies on the commission occurring while the legislature is in session shall be filled in the same manner as original appointments to the commission. If the legislature is not in session, vacancies in the membership of the commission shall be filled by the last senate subcommittee on committees or other appointing authority designated by the senate rules in case of a senate vacancy, and by the last speaker of the house, or if he is not available, by the last chairman of the house rules and legislative administration committee in case of a house vacancy.*

**Subd. 4. [OFFICE, MEETINGS, OFFICERS.]** *The commission shall maintain an office in the capitol group of buildings in space which the commissioner of administration shall provide. The commission shall hold meetings at the times and places it designates. It shall select a chairman, a vice chairman and other officers from its membership as it deems necessary.*

**Subd. 5. [STAFF.]** *The commission may employ the professional, clerical, and technical assistants it deems necessary in order to perform its duties.*

**Subd. 6. [ASSISTANCE OF OTHER AGENCIES.]** *The commission may request information from a state officer or agency to assist it in carrying out its duties and the officer or agency shall promptly furnish the data requested.*

**Subd. 7. [LEGISLATIVE BILLS FURNISHED.]** *The secretary of the senate and the chief clerk of the house shall provide the commission with a copy of each bill introduced in the legislature concerning school finance.*

**Sec. 2.** Minnesota Statutes 1978, Section 120.075, is amended to read:

**120.075. [ATTENDANCE; PREVIOUS ENROLLMENT; FAMILIES.]** Any pupil who, pursuant to the provisions of Minnesota Statutes 1976, Section 120.065, or Minnesota Statutes, 1977 Supplement, Section 123.39, Subdivision 5a, was enrolled on January 1, 1978, in a school district of which he was not a resident may continue in enrollment in that district. *This provision shall also apply to any child who was under school age on January 1, 1978, but who otherwise would have qualified pursuant to those sections on January 1, 1978, for enrollment in a school district of which he was not a resident.* This provision shall also apply to any brother or sister of (THAT ENROLLED PUPIL) a qualified pupil who is related to that pupil by blood, adoption or marriage and to any foster child of that pupil's parents. The enrollment of (THAT) any pupil (OR OF THE OTHER QUALIFIED MEMBERS OF HIS FAMILY) pursuant to this section shall remain subject to the provisions of those sections as they read on January 1, 1978. Any district which had a pupil enrolled on January 1, 1978, pursuant to the provi-

sions of Minnesota Statutes 1976, Section 120.065, or Minnesota Statutes, 1977 Supplement, Section 123.39, Subdivision 5a, shall report this fact to the commissioner prior to August 15, 1978.

Sec. 3. Minnesota Statutes 1978, Section 124.01, is amended to read:

124.01 [DEFINITIONS.] *Subdivision 1.* For purposes of this chapter, the words defined in section 120.02 have the same meaning and the terms defined in this section have the meanings attributed to them in this section.

*Subd. 2.* "Foundation aid formula allowance" or "formula allowance" means the amount of revenue per pupil unit specified for use in the computation of foundation aid for a particular school year pursuant to section 124.212 and in the computation of permissible levies for use in that school year. For foundation aid for the 1979-1980 school year, the formula allowance shall be \$1,182. For 1979 payable 1980 levies and for foundation aid for the 1980-1981 school year, the formula allowance shall be \$1,265. For 1980 payable 1981 levies and for foundation aid for the 1981-1982 school year, the formula allowance shall be \$1,354.

*Subd. 3.* "Basic maintenance mill rate" means the maximum permissible mill rate applicable to the adjusted assessed valuation of a district, specified for use in the computation of foundation aid for a particular school year pursuant to section 124.212 and of permissible levies for use in that school year pursuant to section 275.125, subdivision 2a, clause (1) or (2). For 1979 payable 1980 levies and for foundation aid for the 1980-1981 school year, the basic maintenance mill rate shall be .023. For 1980 payable 1981 levies and for foundation aid for the 1981-1982 school year, the basic maintenance mill rate shall be .021.

*Subd. 4.* "Equalizing factor" means the ratio of the formula allowance for a particular school year to the basic maintenance mill rate for that school year. For 1979 payable 1980 levies and for foundation aid for the 1980-1981 school year, the equalizing factor shall be \$55,000. For 1980 payable 1981 levies and for foundation aid for the 1981-1982 school year, the equalizing factor shall be \$64,476.

Sec. 4. Minnesota Statutes 1978, Section 124.11, Subdivision 4, is amended to read:

*Subd. 4.* Estimated elementary and secondary foundation aids shall be paid out on the basis of the latest available information. *Except as provided in section 124.212*, estimated elementary and secondary foundation aids shall be computed on the basis of all pupil units identified in section 124.17, subdivision 1. An October enrollment count shall be obtained from all school districts. Adjustment for final elementary and secondary

pupil unit figures shall be made in the final foundation aid distribution in October of the following school year.

Sec. 5. Minnesota Statutes 1978, 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:
  - (a) For each handicapped pre-kindergarten (PUPILS) pupil and each handicapped kindergarten pupil, as defined in section 120.03, enrolled in (PROGRAMS) a program approved by the commissioner, (ONE-HALF PUPIL UNIT) a number of pupil units equal to the ratio of the number of hours of education services required in the school year by the pupil's individual education program plan, developed pursuant to the rules of the state board, to 875, but not more than one pupil unit;
  - (b) For kindergarten pupils enrolled in one-half day sessions throughout the school year or the equivalent thereof, one-half pupil unit; and
  - (c) For 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.
- (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 who is enrolled in the school district on October 1 shall be counted as an additional five-tenths pupil unit. By March 1 of each year the department of public welfare 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 who were enrolled in the school district on the preceding October 1 which is necessary to calculate pupil units. 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 the actual number of pupil units has decreased from the prior year, the number of pupil units shall equal the greater of (a) the quotient obtained when the sum of the numbers of actual pupil units in the district for the (TWO) *three* prior years and the current year (AND ONE QUARTER OF THE NUMBER OF ACTUAL PUPIL UNITS IN THE DISTRICT FOR THE THIRD PRIOR YEAR), is divided by (3.25) *four* 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 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. *This clause shall expire June 30, 1980.*

(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. *This clause shall expire June 30, 1980.*

(8) Only pupil units in clauses (1) and (2) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 6. Minnesota Statutes 1978, 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 (1977-1978) 1979-1980 and (1978-1979) 1980-1981 shall be governed by the terms and provisions of this section.

Sec. 7. Minnesota Statutes 1978, Section 124.212, Subdivision 6c, is amended to read:

Subd. 6c. For the 1979-1980 school year a district shall receive in foundation aid (\$1,155) \$1,182 per pupil unit less 27 mills times the 1977 adjusted assessed valuation of the district, plus the amount of the agricultural tax credit by which 1978 payable 1979 property taxes in the district are reduced pursuant to section 273.132.

Sec. 8. Minnesota Statutes 1978, Section 124.212, Subdivision 7c, is amended to read:

Subd. 7c. For the 1980-1981 school year a district shall receive in foundation aid: (\$1,220)

(1) \$1,265 per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), less (27) 23 mills times the 1978 adjusted assessed valuation of the district (.); plus

(2) the amount of the agricultural tax credit by which 1979 payable 1980 property taxes in the district are reduced pursuant to section 273.132 (.); plus

(3) an amount equal to the product obtained by multiplying the ratio of the district's actual levy to its permitted levy in 1979 payable 1980 pursuant to section 18 of this article, times the difference between

(a) the product obtained by multiplying the amount per pupil unit which the district was permitted to levy in 1978 pursuant to Minnesota Statutes 1978, Section 275.125, Subdivisions 6 and 7, times the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (6) and (7), in the district in 1979-1980, and

(b) the product obtained by multiplying the amount derived in (a) times the lesser of

(i) one or

(ii) *the ratio of the district's 1978 adjusted assessed valuation per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in 1979-1980, to the state average 1978 adjusted assessed valuation per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the state in 1979-1980; plus*

(4) *an amount equal to the product obtained by multiplying the ratio of the district's actual levy to its permitted levy in 1979 payable 1980 pursuant to section 19 of this article, times the difference between*

(a) *the sum of the additional amounts the district would receive if pupil units identified in section 124.17, subdivision 1, clauses (6) and (7) were used in addition to the pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the computation in clause (1) of this subdivision and if section 11 of this article were effective in the 1980-1981 school year, and*

(b) *the product obtained by multiplying*

(i) *the ratio of the quotient obtained by dividing the amount derived in part (a) of this clause by the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in 1979-1980, to \$55,000, times*

(ii) *the district's 1978 adjusted assessed valuation; plus*

(5) *an amount equal to the difference between*

(a) *the product obtained by multiplying the mill rate levied by the district on its adjusted assessed valuation in 1979 payable 1980 pursuant to section 20 of this article, times \$55,000, times the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in 1979-1980, and*

(b) *the product obtained by multiplying the mill rate levied by the district on its adjusted assessed valuation in 1979 payable 1980 pursuant to section 20 of this article, times the district's 1978 adjusted assessed valuation.*

(6) *No district where the assessed valuation of agricultural land identified in section 273.13, subdivisions 4, 6 and 6a, comprises 60 percent or more of the assessed valuation of the district shall receive an amount of foundation aid pursuant to clause (1) which is less than the following difference:*

(a) *\$600 times the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), less*

(b) the sum of

(i) the amount of the agricultural tax credit by which 1979 payable 1980 property taxes in the district are reduced pursuant to section 273.132, plus

(ii) the amount by which 1979 payable 1980 property taxes in the district are reduced pursuant to section 273.13, subdivisions 6, 7 and 14a, plus

(iii) the amount by which 1979 payable 1980 property taxes in the district are reduced pursuant to section 273.135, plus

(iv) the amount by which 1979 payable 1980 taxes in the district are reduced pursuant to section 273.138, subdivision 6.

Sec. 9. Minnesota Statutes 1978, Section 124.212, is amended by adding a subdivision to read:

Subd. 7d. For the 1981-1982 school year a district shall receive in foundation aid:

(1) \$1,354 per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), less 21 mills times the 1979 adjusted assessed valuation of the district; plus

(2) the amount of the agricultural tax credit by which 1980 payable 1981 property taxes in the district are reduced pursuant to section 273.132; plus

(3) an amount equal to the product obtained by multiplying the ratio of the district's actual levy to its permitted levy in 1980 payable 1981 pursuant to section 18 of this article, times the difference between

(a) the greater of

(i) the amount derived in subdivision 7c, clause (3), part (a), or

(ii) the product obtained by multiplying the number of pupil units identified in section 124.17, subdivision 1, clauses (1) and (2), in the district in 1980-1981, times the quotient obtained by dividing the amount derived in subdivision 7c, clause (3), part (a), by the number of pupil units identified in section 124.17, subdivision 1, clauses (1) and (2) in the district in 1979-1980, and

(b) the product obtained by multiplying the amount derived in part (a) of this clause times the lesser of

(i) one or

(ii) the ratio of the district's 1979 adjusted assessed valuation per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5) in the district in 1980-1981, to the state average 1979 adjusted assessed valuation per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the state in 1980-1981; plus

(4) an amount equal to the ratio of the district's actual levy to its permitted levy in 1980 payable 1981 pursuant to section 19 of this article, times the difference between

(a) the product obtained by multiplying

(i) the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5) in the district in 1980-1981 times

(ii) 107 percent of the quotient obtained by dividing the amount derived in subdivision 7c, clause (4), part (a), by the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5) in the district in 1979-1980, and

(b) the product obtained by multiplying the ratio of the amount derived in part (a) (ii) of this clause to \$64,476, times the district's 1979 adjusted assessed valuation; plus

(5) an amount equal to the difference between

(a) the product obtained by multiplying the mill rate levied by the district on its adjusted assessed valuation in 1980 payable 1981 pursuant to section 20 of this article, times \$64,476, times the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in 1980-1981; and

(b) the product obtained by multiplying the mill rate levied by the district on its adjusted assessed valuation in 1980 payable 1981 pursuant to section 20 of this article, times the district's 1979 adjusted assessed valuation.

(6) No district where the assessed valuation of agricultural land identified in section 273.13, subdivisions 4, 6 and 6a, comprises 60 percent or more of the assessed valuation of the district shall receive an amount of foundation aid pursuant to clause (1) which is less than the following difference:

(a) \$600 times the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), less

(b) the sum of



(i) *the amount of the agricultural tax credit by which 1980 payable 1981 property taxes in the district are reduced pursuant to section 273.132, plus*

(ii) *the amount by which 1980 payable 1981 property taxes in the district are reduced pursuant to section 273.13, subdivisions 6, 7 and 14a, plus*

(iii) *the amount by which 1980 payable 1981 property taxes in the district are reduced pursuant to section 273.135, plus*

(iv) *the amount by which 1980 payable 1981 taxes in the district are reduced pursuant to section 273.138, subdivision 6.*

Sec. 10. Minnesota Statutes 1978, Section 124.212, Subdivision 11, is amended to read:

Subd. 11. (a) *In the calculation of adjusted assessed valuations for 1979 and each year thereafter, 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 any (SUBSEQUENT YEAR IN ANY) school district over the adjusted assessed valuation established and filed with the commissioner of education for the immediately preceding year by more than (EIGHT PERCENT OVER) the greater of (1) 19 percent of the certified adjusted assessed valuation established and filed with the commissioner of education for the year immediately preceding, or (2) 40 percent of the difference between the district's total adjusted assessed valuation for the current year calculated without the application of this subdivision and the district's certified adjusted assessed valuation established and filed with the commissioner of education for the immediately preceding year.*

(b) The sales ratio studies published by the department of revenue, 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 shall not be admissible in evidence in any proceeding, except that the sales ratio studies shall be admissible as a public record without the laying of a foundation in (1) actions under chapter 278 in the case of property described in section 273.13, subdivisions 6, 6a, 7, 7b, 10 or 12; (2) actions brought in the small claims division of the tax court; or (3) in actions for review of the determination of the school aids payable under this section.

Sec. 11. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.224] [SPARSITY AID.] *Subdivision 1. The sparsity aid program for the 1979-1980 school year shall be governed by the provisions of this section.*

*Subd. 2. [DEFINITIONS.] As used in this section, the terms defined in this subdivision have the meanings given them.*

(a) *"High school" means a secondary school, as defined in Minnesota Statutes, Section 120.05, Subdivision 2, Clause (3), which enrolls pupils in each of grades ten, eleven and twelve. If a district is paired with another district according to the provisions of Minnesota Statutes, Section 122.85, and if there is no secondary school in the district which enrolls pupils in each of grades ten, eleven and twelve, then the commissioner of education shall designate one school in the district as a high school for the purposes of this section.*

(b)(i) *In a school district with only one high school, "secondary average daily membership" means the average daily membership of resident pupils in grades seven through twelve, as defined in section 124.17, subdivision 2;*

(ii) *In a school district with more than one high school, "secondary average daily membership" for a particular high school means the product of the number of resident pupils enrolled in grades seven through twelve in average daily membership in that high school, as defined in section 124.17, subdivision 2, times the ratio of six to the number of grades in that high school.*

(c) *"Attendance area" means the quotient of the total surface area of a district divided by the number of high schools in the district.*

(d) *"Isolation index" means the sum of*

(i) *the distance by the most direct paved roads between a particular high school in a district and the nearest other high school, plus*

(ii) *the square root of one-half the attendance area.*

(e) *"Qualifying high school" means a high school with an isolation index of greater than 18 and with secondary average daily membership of less than 500 in the year for which the aid is to be paid.*

*Subd. 3. [QUALIFICATION.] To qualify for aid under this section in any year, a district must have at least one qualifying high school in the year for which the aid is to be paid.*

*Subd. 4. [COMPUTATION.] A district which qualifies for aid under subdivision 3 shall receive an amount of aid equal to*

*the sum of the amounts determined by computing the following product for each qualifying high school in the district:*

*(a) the foundation aid formula allowance for the school year, multiplied by*

*(b) the secondary average daily membership, multiplied by*

*(c) the quotient obtained by dividing (1) the remainder of 500 minus the secondary average daily membership by (2) the sum of 500 plus the secondary average daily membership, multiplied by*

*(d) the quotient obtained by dividing (1) the remainder of the isolation index minus 18 by (2) the isolation index.*

*Subd. 5. [PAYMENT SCHEDULE.] Except as may otherwise be authorized by the commissioner of education to accommodate a flexible school year program, the state shall pay to a qualifying school district 90 percent of its estimated aid for the fiscal year under this section on or before August 31. The final aid distribution shall be made on or before October 31 of the following fiscal year.*

*Subd. 6. [DEPARTMENT OF EDUCATION.] All sparsity aid shall be computed and distributed by the state aids section of the department of education.*

*Subd. 7. This section shall expire June 30, 1980.*

*Sec. 12. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:*

*[124.228.] [BASIC SKILLS PROGRAM.] Subdivision 1. [PURPOSE.] The legislature finds that (1) all children have the right to achieve their full educational potential, and (2) children from all socio-economic backgrounds deserve the opportunity to receive instruction in the basic skills of listening, speaking, reading, writing and computation in order to be able to function politically, economically and socially in a democratic society. Therefore, the purpose of this section is to establish a program providing leadership, technical assistance, and training in basic skills instruction on a regional basis to school districts and nonpublic schools.*

*Subd. 2. [DEFINITION.] For purposes of this section "basic skills" means the abilities to listen, speak, read, write and compute.*

*Subd. 3. [PARTICIPATION.] Any district or nonpublic school may participate in the state basic skills program if its governing board adopts a resolution affirming basic skills as*

a priority, designating a local basic skills director, allowing the designated local basic skills director to attend a program of training in the development and maintenance of a high quality basic skills program, agreeing to develop a comprehensive basic skills program in accordance with this training, and designating a curriculum advisory committee established pursuant to section 123.741, subdivision 3, or an equivalent committee in a nonpublic school, as the basic skills program advisory committee. If more districts or nonpublic schools apply than can be served in a particular year, the commissioner shall select participating districts and nonpublic schools.

*Subd. 4. [REGIONAL DIRECTORS.] The commissioner shall establish a basic skills section in the department which shall employ 11 regional basic skills directors assigned as he sees fit to serve the various educational cooperative service units or portions of those units. These regional directors, in cooperation with the educational cooperative service units, shall provide at least 30 days of training to each local basic skills director in the development and maintenance of high quality basic skills programs according to predetermined criteria of excellence. This training shall cover at least the following subjects: assessment of local basic skills programs, planning a comprehensive basic skills program based on methodologies proven successful through research, and alternative methods of implementing a local basic skills program through inservice training of staff. The department shall reimburse local basic skills directors for any expenses incurred for travel, lodging and meals in order to participate in basic skills training and shall reimburse school districts for 50 percent of any wages paid to substitute teachers employed to replace local basic skills directors while they attend basic skills training.*

*Subd. 5. [IN-SERVICE TRAINING.] Each participating district or nonpublic school shall provide a minimum of 20 hours of inservice training in the instructional process for the basic skills to all teachers who volunteer to participate in the training.*

Sec. 13. Minnesota Statutes 1978, Section 124.245, Subdivision 2, is amended to read:

*Subd. 2 As used in this section, pupil units shall include only those units identified in section 124.17, subdivision 1, clauses (1), (2), (4), (5), (6) and (7). Beginning in the 1980-1981 school year, pupil units shall include only those units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5).*

Sec. 14. Minnesota Statutes 1978, Section 275.125, Subdivision 1, is amended to read:

275.125 [TAX LEVY, SCHOOL DISTRICTS.] Subdivision 1. Except as may otherwise be provided in this section, the words and phrases defined in (SECTION) sections 124.212 and

124.01 when used in this section shall have the meanings ascribed to them in (SECTION 124.212) *those sections*.

Sec. 15. Minnesota Statutes 1978, Section 275.125, Subdivision 2a, is amended to read:

Subd. 2a. (1) In (1977) 1979, a school district may levy for all general and special school purposes, an amount equal to the amount raised by (28) 23 mills times the (1976) 1978 adjusted assessed valuation of the district.

(2) In (1978) 1980, a school district may levy for all general and special school purposes, an amount equal to the amount raised by (27) 21 mills times the (1977) 1979 adjusted assessed valuation of the district.

(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 1978, payable in 1979, the foundation aid to the district for the 1979-1980 school year, and for subsequent levies, foundation aid for subsequent school years, calculated pursuant to section 124.212, shall be reduced to an amount equal to the ratio between the actual levy and the maximum levy allowable under clauses (1) and (2) times the foundation aid to which the district is otherwise entitled for that year. For purposes of computations pursuant to this clause, the maximum levy allowable and the actual levy under clauses (1) and (2) shall be increased by any reduction of this levy which is required by section 275.125, subdivision 9 or any other law.

(4) (a) 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 to approve a levy increase which will commence in a specific school year. The question on the ballot shall state the maximum amount of the increased levy in mills, the amount that will be raised by that millage in the first year it is to be levied, and that the millage shall be used to finance school operations. The question may designate a specific number of years for which the referendum authorization shall apply. If approved, the amount provided by the approved millage applied to each year's taxable valuation shall be authorized for certification for the number of years approved, if applicable, or until revoked by the voters of the district at a subsequent referendum.

(b) A referendum on the question of revoking the increased levy amount authorized pursuant to clause (a) of this clause may be called by the school board and shall be called by the school board upon the written petition of qualified voters of the dis-

trict. The amount approved by the voters of the district pursuant to clause (a) of this clause must be levied at least once before it is subject to a referendum on its revocation for subsequent years. Only one such revocation election may be held to revoke a levy for any specific year and for years thereafter.

(c) A petition authorized by clauses (a) or (b) of 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.

(d) 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.

(e) 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. 16. Minnesota Statutes 1978, Section 275.125, Subdivision 2b, is amended to read:

Subd. 2b. (1) (BEGINNING) In 1978, (IN ANY YEAR WHEN) *if* the amount of the maximum levy allowed for any district by subdivision 2a, clause ((1) OR) (2), exceeds the product of the district's foundation aid formula allowance under section 124.212 for the (CORRESPONDING) 1979-1980 school year times the number of pupil units computed for that district under section 124.17 for (THAT) *the* 1979-1980 school year, the levy permitted that district by subdivision 2a, clause ((1) OR) (2) shall be limited to the greater of the dollar amount of the levy the district certified in 1977 under subdivision 2a, clause (1) or 107 percent of the sum of the following, but not to exceed the amount raised by the number of mills permitted under subdivision 2a, clause ((1) OR) (2):

(a) the product of the district's foundation aid formula allowance under section 124.212 for the 1978-1979 school year (IN WHICH THE LEVY IS CERTIFIED) times the number of pupil units computed for that district under (SECTIONS) *section* 124.17 for the 1978-1979 school year (IN WHICH THE LEVY IS CERTIFIED); plus

(b) the district's estimated aid entitlement pursuant to section 124.20 for the 1978 summer school (WHICH BEGINS IN THE SCHOOL YEAR IN WHICH THE LEVY IS CERTIFIED); plus

(c) that district's entitlement, for the 1978-1979 school year (IN WHICH THE LEVY IS CERTIFIED), for transportation

aid pursuant to section 124.222, special education aid pursuant to section 124.32, secondary vocational aid pursuant to section 124.573 and secondary vocational aid for handicapped children pursuant to section 124.574.

(2) If a district levies the full 107 percent of its entitlement under clause (1) for (A) *the 1979-1980 school year* and that amount is less than the amount to which the district would actually have been entitled under sections 124.20, 124.212, 124.222, 124.32, 124.573 and 124.574, for the *1979-1980 school year (TO WHICH THE LEVY IS ATTRIBUTABLE, THE DISTRICT MAY ADJUST ITS LEVIES IN THE SUCCEEDING YEARS TO MAKE UP THIS DIFFERENCE. THE AMOUNT BY WHICH THE DISTRICT IS ALLOWED TO ADJUST ITS LEVIES IN THE SUCCEEDING YEARS PURSUANT TO THIS CLAUSE SHALL BE RECORDED AS A RECEIVABLE IN THE SCHOOL YEAR TO WHICH THE AIDS ARE ATTRIBUTABLE)*, *the state shall pay to the district the difference between the amount actually levied pursuant to clause (1) of this subdivision and the amount equal to the district's aid entitlements pursuant to the enumerated aid sections.*

(3) If a district levies pursuant to clause (1) for (A) *the 1979-1980 school year* and the amount levied is greater than the amount to which the district would actually have been entitled under sections 124.20, 124.212, 124.222, 124.32, 124.573 and 124.574, for the *1979-1980 school year (TO WHICH THE LEVY IS ATTRIBUTABLE)*, the district shall reduce its (LEVIES) *levy made pursuant to subdivision 2a of this section in (THE SUCCEEDING YEARS) the first year when the amount of the aid entitlement for 1979-1980 is known* by the amount of this difference.

(4) However, if the amount of the difference in clause (2), when calculated as an addition to the original levy for (THAT YEAR) 1978, would have exceeded the amount raised by the millage limitation in subdivision 2a, clause ((1) OR) (2) for (THAT YEAR) 1978, the state shall pay the amount to which the district is entitled under sections 124.20, 124.212, 124.222, 124.32, 124.573 and 124.574, for (THAT) *the 1979-1980 school year*, which exceeds the amount raised by that millage limitation.

(5) If the district is unable to levy the full 107 percent of its entitlement for (A) *the 1979-1980 school year* because of the millage limitation in subdivision 2a, clause ((1) OR) (2), the state shall pay the amount under sections 124.20, 124.212, 124.222, 124.32, 124.573 or 124.574 to which the district is entitled for (THAT) *the 1979-1980 school year* which exceeds the amount raised by that millage limitation.

(6) Prior to the certification of levies *in 1978*, the commissioner of education shall notify an applicable district that it is subject to the levy limitation of this subdivision and of its

estimated entitlements pursuant to sections 124.20, 124.212, 124.222, 124.32, 124.573 and 124.574. The commissioner shall decide that a district is subject to this levy limitation if it appears reasonably certain that the maximum levy allowed that district pursuant to subdivision 2a, clause ((1 OR) (2) will exceed the district's foundation aid formula allowance times the number of pupil units computed for that district under section 124.17 for (THAT CORRESPONDING) *the 1979-1980 school year*. If, upon the order of the commissioner, the district levies pursuant to this subdivision but the maximum levy allowed that district pursuant to subdivision 2a, clause ((1 OR) (2) would not actually have exceeded the district's foundation aid formula allowance times the number of pupil units computed for that district under section 124.17 for (THAT CORRESPONDING) *the 1979-1980 school year*, the district shall reduce its levy (FOR THE NEXT YEAR) *in the first year when the actual data for the 1979-1980 school year is known* by the amount by which the levy certified pursuant to this subdivision exceeded the amount the district could have levied under subdivision 2a, clause ((1 OR) (2). Also in that case, the district shall receive all aids from the state pursuant to sections 124.20, 124.212, 124.222, 124.32, 124.573 and 124.574 to which it would otherwise have been entitled if its permitted levy had not been computed pursuant to this subdivision.

(7) Any district which is required to compute its permitted levy under this subdivision shall not be eligible to receive aid under sections 124.20, 124.212, 124.222, 124.32, 124.573 and 124.574 for the (CORRESPONDING) *1979-1980 school year* except as authorized by this subdivision.

(8) Nothing within the provisions of this subdivision shall be construed to affect any other levy under this section, including levies made pursuant to subdivision 2a, clause (4), to which a district is otherwise entitled.

(9) A levy made by a district pursuant to the provisions of this subdivision shall be construed to be the levy made by that district *in 1978* pursuant to subdivision 2a, clause ((1 AND) (2), for purposes of statutory cross-reference.

Sec. 17. Minnesota Statutes 1978, Section 275.125, is amended by adding a subdivision to read:

*Subd. 2c. (1) Beginning in 1979, in any year when the amount of the maximum levy limitation for any district under subdivision 2a, clause (1) or (2), exceeds the product of the district's foundation aid formula allowance for the year in which the levy is recognized as revenue times the estimated number of pupil units for that district under section 124.17 for that school year, the levy limitation for that district under subdivision 2a, clause (1) or (2), shall be limited to the greater of the dollar amount of the levy the district certified in 1977 under*



*Minnesota Statutes 1978, Section 275.125, subdivision 2a, clause (1), or the following difference but not to exceed the levy limitation under subdivision 2a, clause (1) or (2):*

*(a) the product of the district's foundation aid formula allowance under section 124.212 for the school year in which the levy is recognized as revenue, times the estimated number of pupil units for that district under section 124.17 for that school year, less*

*(b) the estimated amount of any payments which would reduce the district's foundation aid entitlement as provided in section 124.212, subdivision 5a in the school year in which the levy is recognized as revenue.*

*(2) If as a result of using estimates for the computations in clause (1), the levy pursuant to this subdivision is different from the amount which could actually have been levied if actual data had been available, levy limitations in the first year when the actual data is known shall be adjusted to reflect for this difference. The amount of any adjustment to levy limitations pursuant to this clause shall be recognized as revenue in the school year when the levy for which the levy limitation is so adjusted is recognized as revenue.*

*(3) A levy made by a district pursuant to this subdivision shall be construed to be the levy made by that district pursuant to subdivision 2a, clause (1) or (2), for purposes of statutory cross-reference.*

Sec. 18. Minnesota Statutes 1978, Section 275.125, is amended by adding a subdivision to read:

*Subd. 6b. (1) In 1979 any district which qualified in 1978 for an excess levy under Minnesota Statutes 1978, Section 275.125, Subdivisions 6 or 7, may levy an amount equal to the product obtained by multiplying*

*(a) the lesser of*

*(i) one or*

*(ii) the ratio of the district's 1978 adjusted assessed valuation per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in 1979-1980, to the state average 1978 adjusted assessed valuation per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the state in 1979-1980, times*

*(b) the product obtained by multiplying*

(i) the amount per pupil unit which the district was permitted to levy in 1978 under Minnesota Statutes 1978, Section 275.125, Subdivisions 6 and 7, times

(ii) the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (6), and (7), in the district in 1979-1980.

(2) in 1980 and each year thereafter, any district which qualified in 1979 for an excess levy under clause (1), shall be allowed to levy an amount equal to the product obtained by multiplying

(a) the lesser of

(i) one or

(ii) the ratio of the district's adjusted assessed valuation in the preceding year per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the school year when the levy is certified, to the state average adjusted assessed valuation in the preceding year per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4), and (5), in the school year when the levy is certified, times

(b) the greater of

(i) the amount derived in clause (1), part (b), or

(ii) the product obtained by multiplying the number of pupil units identified in section 124.17, subdivision 1, clauses (1) and (2) in the district in the school year when the levy is certified, times the quotient obtained by dividing the amount derived in clause (1), part (b), by the number of pupil units identified in section 124.17, subdivision 1, clauses (1) and (2), in the district in 1979-1980.

Sec. 19. Minnesota Statutes 1978, Section 275.125, is amended by adding a subdivision to read:

Subd. 6c. (1) In 1979 any district may levy an amount equal to the product obtained by multiplying

(a) the ratio of

(i) the quotient obtained by dividing the sum of the additional amounts of aid the district would receive if pupil units identified in section 124.17, subdivision 1, clauses (6) and (7) were used in addition to the pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the computation pursuant to section 124.212, subdivision 7c, clause (1), and if section 11 of this article were effective in the 1980-1981

*school year, by the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in 1979-1980, to*

*(ii) \$55,000, times*

*(b) the district's 1978 adjusted assessed valuation.*

*(2) In 1980 and each year thereafter, any district which qualified for a levy under clause (1) may levy an amount equal to the product obtained by multiplying*

*(a) the ratio of the foundation aid formula allowance for the school year to which the levy is attributable pursuant to section 121.904, subdivision 4, to \$1,265, times*

*(b) the ratio of the amount derived in clause (1), part (a) (i), to the equalizing factor for the school year to which the levy is attributable, times*

*(c) the district's adjusted assessed valuation for the preceding year.*

Sec. 20. Minnesota Statutes 1978, Section 275.125, is amended by adding a subdivision to read:

*Subd. 7a. (1) In 1979 each district which levies the maximum permissible amount pursuant to subdivision 2a, clauses (1), (2) and (4), section 18 of this article, and section 19 of this article, may levy an additional amount which shall not exceed the lesser of (a) an amount equal to one mill times the district's 1978 adjusted assessed valuation or (b) the product obtained by multiplying \$55 times the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in 1979-1980.*

*(2) In 1980 and each year thereafter, each district which levies the maximum permissible amount pursuant to subdivision 2a, clauses (1), (2) and (4), section 18 of this article, and section 19 of this article, may levy an additional amount which shall not exceed the lesser of (a) an amount equal to two mills times the district's adjusted assessed valuation for the preceding year or (b) the product obtained by multiplying (i) two, times (ii) the ratio of the equalizing factor to 1,000, times (iii) the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in the school year when the levy is certified.*

*(3) By the July 1 before a district certifies any levy pursuant to this subdivision in 1979, in 1980, in any even-numbered year thereafter, or in any odd-numbered year thereafter when the district has not certified a levy pursuant to this subdivision in the*

*preceding year, the board of the district shall hold a public hearing on the need for the proposed levy pursuant to this subdivision. At least three weeks published notice of the hearing in 10 point type, on 12 point body, with a larger headline, shall be given in the legal newspaper with the largest circulation in the district. The notice shall state the amount of the proposed levy in dollars and mills, the net unappropriated fund balance in the district's operating funds as of the June 30 before the levy is certified, and the tax impact of the proposed levy on homesteads with market values of \$30,000 and \$50,000. At the hearing, the district shall present its proposed revenue and expenditure budgets for the next two school years and the net unappropriated fund balances in all district funds as of the June 30 before the levy is certified, and the board shall hear all parties requesting to give testimony for and against the proposed levy. Upon petition within 20 days after the hearing of five percent of the number of voters who voted in the district at the preceding statewide general election, the board shall call a referendum on a reduction of the proposed levy. The petition shall state the number of mills on the district's adjusted assessed valuation by which it proposes to reduce the proposed levy. No petition or referendum shall provide for a reduction of a proposed levy pursuant to this subdivision to a rate less than one mill on the district's adjusted assessed valuation below the rate levied by the district pursuant to this subdivision in the preceding year. The referendum shall be held on a date set by the school board, but no later than the August 20 before the levy is certified. The question on the ballot shall state the maximum amount of the proposed levy, the amount of the proposed reduction of the levy and the amount of the levy if the reduction is approved, in mills on the district's adjusted assessed valuation and in dollars in the first year of the proposed levy. The district may levy the amount provided by the millage proposed by the school board, reduced by any reduction in millage approved at a referendum pursuant to this clause, applied to the preceding year's adjusted assessed valuation until the next even-numbered year. The district is not required to hold a public hearing or call a referendum on a levy pursuant to this subdivision in any odd-numbered year after 1979 which succeeds a year in which a levy is certified pursuant to this subdivision.*

Sec. 21. Minnesota Statutes 1978, Section 275.125, is amended by adding a subdivision to read:

*Subd. 7b. (1) It is the intention of the legislature that the revenue provided by the discretionary levy authorized in section 20 of this article and by the corresponding portion of foundation aid provided in section 8, clause (5), of this article and section 9, clause (5), of this article be used to improve instructional programs in grades kindergarten through 12. If the board of any district with a reasonable general fund balance determines that all or part of this revenue is not needed for this purpose and if this determination is demonstrated by an increase in the district's general fund balance in any fiscal year starting in fiscal*

year 1981, the mill rate used to calculate the authorized discretionary levy and the corresponding portion of foundation aid shall be reduced as provided in this subdivision. For purposes of this subdivision, a "reasonable general fund balance" shall mean \$150 per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5).

(2) In any district where the maximum permissible levy pursuant to section 20 of this article in 1981 or in any year thereafter is determined according to clause (2), part (a), of that section, and where the net unappropriated general fund balance has increased between the second June 30 before the levy is certified, and the June 30 before the levy is certified, the maximum permissible levy pursuant to section 20 of this article in that year shall be reduced by an amount equal to the product obtained by multiplying

(a) the ratio of

(i) the quotient obtained by dividing the amount of that increase in the general fund balance by the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in the year when the levy is certified, to

(ii) the equalizing factor, times

(b) the district's adjusted assessed valuation for the preceding year.

No levy reduction pursuant to this clause, however, shall exceed an amount equal to the product obtained by multiplying

(a) the ratio of

(i) the difference obtained by subtracting \$150 from the quotient obtained by dividing the amount of the net unappropriated general fund balance in the district as of the June 30 before the levy is certified, by the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in the year when the levy is certified, to

(ii) the equalizing factor, times

(b) the district's adjusted assessed valuation for the preceding year.

(3) In any district where the maximum permissible levy pursuant to section 20 of this article in 1981 or in any year thereafter is determined according to clause (2), part (b), of that section, and where the net unappropriated general fund balance has increased between the second June 30 before the

*levy is certified and the June 30 before the levy is certified, the maximum permissible levy pursuant to section 20 of this article in that year shall be reduced by the amount of that increase in the general fund. No levy reduction pursuant to this clause, however, shall exceed an amount equal to the difference obtained by subtracting*

*(a) the product obtained by multiplying \$150 times the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in the year when the levy is certified, from*

*(b) the amount of the net unappropriated general fund balance in the district as of the June 30 before the levy is certified.*

Sec 22. Minnesota Statutes 1978, Section 275.125, is amended by adding a subdivision to read:

*Subd. 19. (1) Beginning with the 1979 payable 1980 levy, any district which it is estimated will receive an amount of minimum foundation aid pursuant to section 8, clause (6) of this article or its successor provision in the year to which the levy is attributable, shall reduce its levy limitation pursuant to subdivision 2a, clause (1) or (2), by the amount of minimum foundation aid which it is estimated that the district will receive in the year to which the levy is attributable.*

*(2) If as a result of using estimates for the computation in clause (1), a district's levy pursuant to subdivision 2a, clause (1) or (2), is different from the amount which could actually have been levied if actual data had been available, levy limitations pursuant to subdivision 2a, clause (1) or (2), shall be adjusted to reflect for this difference in the first year when the actual amount of minimum foundation aid paid to a district is known. The amount of any adjustment to levy limitations pursuant to this clause shall be recognized as revenue in the school year when the levy for which the levy limitation is so adjusted is recognized as revenue.*

Sec. 23. [DEFICIENCY APPROPRIATION.] *The sum of \$1,160,000 is appropriated from the general fund to the department of education for the year ending June 30, 1979 for the payment of a deficiency in funds available for the payment of foundation aid for 1978 summer school programs. This appropriation shall be added to the amount appropriated and allocated for foundation aid for 1978 summer school programs in Laws 1977, Chapter 447, Article 1, Section 23, Subdivision 2.*

Sec. 24. [APPROPRIATION; SCHOOL FINANCE STUDY COMMISSION.] *There is appropriated from the general fund to the legislative school finance study commission established in section 1 of this article the sum of \$50,000 for each year of*

*the biennium ending June 30, 1981, to pay the expenses incurred by the commission. Any unexpended balance remaining from the appropriation in this section shall not cancel but shall be available for the second year of the biennium.*

**Sec. 25. [REPEALER.]** *Minnesota Statutes 1978, Sections 124.212, Subdivisions 6b and 7b; and 275.125, Subdivisions 6 and 7, are repealed.*

**Sec. 26. [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. [FOUNDATION AID.]** *For foundation aid pursuant to section 124.212 there is appropriated:*

*\$648,200,000 . . . . . 1980,*

*\$674,000,000 . . . . . 1981.*

*(a) The appropriation in this subdivision for fiscal year 1980 includes the amount necessary for the payment of the final foundation aid distribution for fiscal year 1979, of which not to exceed \$10,759,100 is for foundation aid for 1979 summer school programs.*

*(b) The appropriation in this subdivision for fiscal year 1981 includes the amount necessary for the payment of the final foundation aid distribution for fiscal year 1980 of which not to exceed \$11,619,900 is for foundation aid for 1980 summer school programs.*

*(c) Any unexpended balance remaining from the appropriation in this subdivision for 1980 shall not cancel but shall be available for the second year of the biennium.*

**Subd. 3. [SPARSITY AID.]** *For sparsity aid pursuant to section 11 of this article there is appropriated:*

*\$1,642,000 . . . . . 1980,*

*\$182,000 . . . . . 1981.*

*If the appropriation amount for this purpose 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 appropriation in this subdivision for this purpose.*

*Subd. 4. [BASIC SKILLS PROGRAM.] For the basic skills program pursuant to section 12 of this article there is appropriated:*

\$650,000 ..... 1980.

\$650,000 ..... 1981.

*Sec. 27. [EFFECTIVE DATE.] Section 23 of this article shall be effective the day following final enactment.*

ARTICLE II

TRANSPORTATION AID

Section 1. Minnesota Statutes 1978, Section 124.222, Subdivision 1a, is amended to read:

**Subd. 1a. [COMPUTATION.]** For the (1977-1978) 1979-1980 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 (1978) 1980 fiscal year times the number of eligible pupils transported during the (1978) 1980 fiscal year; or

(b) One hundred (SEVENTEEN) *twenty* percent of the actual net operating cost per eligible pupil transported during the (1976) 1978 fiscal year, times the number of eligible pupils transported during the (1978) 1980 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 (1977) 1979;

(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;

(4) Plus, the amount of depreciation for one year on school buses reconditioned by the department of corrections. This depreciation shall be computed by the department of education on a straight line basis at the rate of 33 1/3 percent per year of the cost to the district of the reconditioning.



Sec. 2. Minnesota Statutes 1978, Section 124.222, Subdivision 1b, is amended to read:

Subd. 1b. [COMPUTATION.] For the (1978-1979) 1980-1981 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 (1979) 1981 fiscal year times the number of eligible pupils transported during the (1979) 1981 fiscal year; or

(b) One hundred (TWENTY-SEVEN) *thirty-one* percent of the actual net operating cost per eligible pupil transported during the (1976) 1978 fiscal year, times the number of eligible pupils transported during the (1979) 1981 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 (1978) 1980;

(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;

(4) Plus, the amount of depreciation for one year on school buses reconditioned by the department of corrections. This depreciation shall be computed by the department of education on a straight line basis at the rate of 33 1/3 percent per year of the cost to the district of the reconditioning.

Sec. 3. Minnesota Statutes 1978, 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 (1978) 1980 fiscal year exceeds (127) 130 percent of the actual net operating cost per eligible handicapped pupil transported during the (1976) 1978 fiscal year, the state shall pay to the district 80 percent of the cost for this handicapped transportation in excess of this (127) 130 percent.

(2) In addition to the amounts authorized in subdivision 1b, if the actual net operating cost per eligible handicapped pupil transported during the (1979) 1981 fiscal year exceeds (137) 141 percent of the actual net operating cost per eligible handi-

capped pupil transported during the (1976) 1978 fiscal year, the state shall pay to the district 80 percent of the costs for this handicapped transportation in excess of this (137) 141 percent.

Sec. 4. Minnesota Statutes 1978, Section 124.222, Subdivision 2b, is amended to read:

Subd. 2b. [TRANSPORTATION BETWEEN DISTRICTS.] (FOR THE 1978-1979 SCHOOL YEAR AND THEREAFTER,) The state shall pay 50 percent of the cost of the transportation authorized pursuant to section 124.223, clause (9), but not to exceed a cost of \$100 per pupil. Transportation which receives aid pursuant to this subdivision shall not also receive aid pursuant to subdivisions 1a, 1b or 2a.

Sec. 5. Minnesota Statutes 1978, Section 124.222, Subdivision 6, is amended to read:

Subd. 6. [BASE COST ADJUSTMENTS.] For the purposes of payment of transportation aids in the (1978) 1980 and 1981 fiscal (YEAR AND THEREAFTER) years, the commissioner of education may adjust the base cost per eligible pupil transported during the (1976) 1978 fiscal year to reflect changes in costs resulting from the following:

(a) Alterations in school district boundaries if application is made prior to December 15 of the school year following the year in which the alterations are made;

((B) OMISSIONS IN SCHOOL DISTRICT REPORTS IF APPLICATION IS MADE PRIOR TO DECEMBER 15, 1977;)

((C)) (b) The addition by the district of an authorized transportation aid category if that category of transportation was not provided during the (1976) 1978 fiscal year if application is made prior to December 15 of the school year following the year in which the additional transportation is provided;

((D)) (c) Omissions in school district reports determined by the legislative auditor;

((E)) (d) Increased costs resulting from changes in transportation patterns required by a schoolhouse closing provided that (1) the cost increases can be demonstrated to be a direct result of the closing; (2) the increases result in costs above the formula limitation; and (3) application is made prior to December 15 of the school year following the last school year in which the schoolhouse is open;

((F)) (e) Increased costs resulting from changes in transportation patterns caused by a schoolhouse opening provided that (1) the cost increases can be demonstrated to be a direct result

of the opening; (2) the increases result in costs above the formula limitation; and (3) application is made prior to (DECEMBER 15, 1978 OR) December 15 of the school year following the first school year in which the schoolhouse is open (, WHICHEVER IS LATER).

(IN THE 1978 FISCAL YEAR AND THEREAFTER,) The commissioner shall appropriately adjust the base cost per eligible pupil transported during the (1976) 1978 fiscal year to reflect changes in the treatment of depreciation and qualification for depreciation aid resulting from changes in school bus fleet ownership from district owned and managed to privately owned and contracted or from privately owned and contracted to district owned and managed. Districts shall report any such changes to the commissioner within 60 days of the date the changes are made.

Prior to making any base cost change pursuant to this subdivision, the department shall examine the appropriate factors that relate to the determination of the authorized transportation costs and aid for that district.

Sec. 6. Minnesota Statutes 1978, Section 124.223, is amended to read:

124.223 [TRANSPORTATION AID AUTHORIZATION.]  
(FOR THE 1978-1979 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 to and from a state board approved secondary vocational center for secondary vocational classes for resident pupils of any of the districts who are members of or participating in programs at that center;

(4) Transportation or board and lodging of a handicapped pupil when that pupil cannot be transported on a regular school bus, the conveying of handicapped pupils between home and

school and within the school plant, and necessary transportation for resident handicapped pupils required by section 120.17, subdivision 4a;

(5) When necessary, board and lodging for nonresident handicapped pupils in a district maintaining special classes;

(6) 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, and necessary transportation required by section 120.17, subdivision 9 for resident handicapped pupils who are provided special instruction and services on a shared time basis;

(7) Transportation for residents to and from the Minnesota school for the deaf or the Minnesota braille and sight-saving school;

(8) Services described in clauses (1) to (7) and clause (10) when provided in conjunction with a state board approved summer school program;

(9) Transportation to, from or between educational facilities located in any of two or more school districts jointly offering academic classes approved by the commissioner or secondary vocational classes not provided at a secondary vocational center which are approved by the commissioner for resident pupils of any of these districts; and

(10) Necessary transportation within district boundaries between a nonpublic school and a public school or a neutral site for nonpublic school pupils who are provided pupil support services pursuant to section 123.935.

Sec. 7. Minnesota Statutes 1978, Section 169.44, Subdivision 1, is amended to read:

169.44 [SCHOOL BUSES; STOP SIGNALS; CONDUCT OF OTHER VEHICLES.] Subdivision 1. [MEETING OR OVERTAKING BUSES; STOP SIGNALS; STOPPING.] The driver of a vehicle upon a street or highway, upon meeting or overtaking from front or rear any school bus which has stopped on the street or highway for the purpose of receiving or discharging any school child or children, shall stop the vehicle not less than 20 feet from the bus when the bus is stopped and is displaying an extended stop signal arm and flashing red signals and shall remain stopped until the school bus driver retracts the stop signal arm and extinguishes the flashing red signals. A failure to stop as required by this subdivision is a misdemeanor. (EVERY SCHOOL BUS WITH A SEATING CAPACITY IN EXCESS OF 16 PERSONS SHALL BE EQUIPPED WITH A STOP SIGNAL ARM, PRE-WARNING FLASHING AMBER SIGNALS AND FLASHING RED SIGNALS.) The stop signal arm of a

*vehicle outwardly equipped and identified as a school bus shall be used in conjunction with the flashing red signals only when the school bus is stopped on a street or highway for the purpose of receiving or discharging any school child or children.*

*Subd. 1a. Every school bus with a seating capacity in excess of 16 persons and every vehicle purchased for delivery after April 1, 1977 for use in the state of Minnesota as a school bus with a seating capacity in excess of ten persons, including the driver, shall be equipped with a stop signal arm, pre-warning flashing amber signals and flashing red signals. Every new school bus purchased for delivery after June 1, 1973, for use in the state of Minnesota as a school bus with a seating capacity in excess of 16 persons and every new vehicle purchased for delivery after April 1, 1977 for use in the state of Minnesota as a school bus with a seating capacity in excess of ten persons, including the driver, shall be of a uniform color, national school bus glossy yellow. Any school bus substantially repainted after June 1, 1973 shall be painted national school bus glossy yellow. Any school bus or vehicle which satisfies these equipment and color requirements and which bears signs containing the words "school bus" as provided in subdivision 3 shall be deemed to be outwardly equipped and identified as a school bus for purposes of this section.*

*Subd. 1b. Vehicles district owned or under contract (HAVING A SEATING CAPACITY OF 16 OR FEWER PERSONS) transporting school children to or from school which are not required to be outwardly equipped and identified as school buses pursuant to subdivision 1a shall comply with state board of education rules and regulations relating to, but not limited to, construction, design, equipment, color, identification, and operation.*

Sec. 8. Minnesota Statutes 1978, Section 169.44, Subdivision 2, is amended to read:

Subd. 2. [LOADING AND UNLOADING PASSENGERS; USE OF SIGNALS.] (a) Drivers of a (SCHOOL BUS WITH A CAPACITY OF MORE THAN 16 PERSONS) *vehicle outwardly equipped and identified as a school bus* shall actuate the pre-warning flashing amber signals of the bus before stopping to load or unload a school child or children at least 300 feet when operating outside an incorporated municipality and at least 100 feet when operating within an incorporated municipality and, upon stopping for such purpose, such drivers shall extend the stop signal arm and actuate the flashing red signals and shall not retract the stop signal arm and extinguish the flashing red signals until loading or unloading is completed and persons who must cross the street or highway are safely across.

(b) School bus drivers shall not actuate the pre-warning flashing amber signals or flashing red signals:

(1) in special school bus loading areas where the bus is entirely off the traveled portion of the road;

(2) in residence or business districts of cities except when directed by the local school administrator;

(3) when a school bus is being used on a highway for purposes other than the actual transportation of school children to or from school or a school approved activity, in which event the words "school bus" on the front and rear of the bus shall be removed or completely concealed; and

(4) at railroad grade crossings.

(c) Where school children must cross the road before boarding or after being discharged from the bus, the driver of a school bus or a school bus patrol may supervise such crossings making use of the standard school patrol flag or signal as approved and prescribed by the commissioner of public safety. When children are alighting from a school bus, and not crossing the road, the driver shall visually ascertain that alighting children shall be a safe distance from the bus before moving the bus.

(d) Vehicles (HAVING A SEATING CAPACITY OF 16 OR FEWER PERSONS) *not outwardly equipped and identified as school buses* shall load or unload school children only from the right hand side of the vehicle, except on a one way street such vehicle shall load or unload school children only from the curb side of the vehicle.

Sec. 9. Minnesota Statutes 1978, Section 169.44, is amended by adding a subdivision to read:

*Subd. 12. [AISLE AND EXIT.] The driver of a school bus shall keep the aisle and emergency exit of a school bus unobstructed and free of objects at all times when children are being transported.*

Sec. 10. Minnesota Statutes 1978, Section 169.44, is amended by adding a subdivision to read:

*Subd. 13. [TRAILER BEHIND A SCHOOL BUS.] A school bus may pull a trailer as defined by section 169.01, subdivision 10, only when traveling to or from co-curricular or extra curricular activities, as defined in section 123.38.*

Sec. 11. Minnesota Statutes 1978, Section 169.44, Subdivisions 5 and 7 are repealed.

Sec. 12. [TRANSPORTATION 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 transportation aid there is appropriated:*

\$87,759,000 . . . . . 1980.

\$91,707,000 . . . . . 1981.

(a) *The appropriation in this subdivision for fiscal year 1980 includes the amount necessary for the payment of the final transportation aid distribution to each district for fiscal year 1979.*

(b) *The appropriation in this subdivision for fiscal year 1981 includes the amount necessary for the payment of the final transportation aid distribution to each district for fiscal year 1980.*

(c) *The appropriations in this subdivision also include not to exceed \$500,000 in each year indicated for transportation aid pursuant to section 124.222, subdivision 2a. These amounts are the total appropriations for this purpose for each year.*

(d) *The appropriations in this subdivision also include not to exceed \$125,000 in 1980 and \$150,000 in 1981 for transportation aid pursuant to section 124.223, clause (9). These amounts are the total appropriations for this purpose for each year.*

*Subd. 3. Any unexpended balance remaining from the appropriations in this section for 1980 shall not cancel but shall be available for the second year of the biennium. If the appropriation amount indicated for either year in subdivision 2, clause (c) or (d) of this section 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 that purpose.*

### ARTICLE III

#### SPECIAL AND COMPENSATORY EDUCATION AID

Section 1. *Notwithstanding the provisions of Minnesota Statutes, Section 120.17, Subdivision 7a, for the 1978-1979 school year, the tuition charged a child's district of residence by the state board of education for providing a program for the child at the Minnesota school for the deaf or the Minnesota braille and sight-saving school shall not exceed \$2,000 for an entire school year or a pro-rated amount based on the portion of the school year for which the child is a resident of the district or is actually in membership in the program.*

Sec. 2. Minnesota Statutes 1978, Section 120.17, Subdivision 3b, is amended to read:

Subd. 3b. [PROCEDURES FOR DECISIONS.] Every district shall utilize at least the following procedures for decisions involving identification, assessment and educational placement of handicapped children:

(a) Parents and guardians shall receive prior written notice of: (1) any proposed formal educational assessment or proposed denial of a formal educational assessment of their child; (2) a proposed placement of their child in, transfer from or to or denial of placement in a special education program; or (3) the proposed provision, addition, denial or removal of special education services for their child;

(b) *The district shall not proceed with the initial formal assessment of a child, the initial placement of a child in a special education program or the initial provision of special education services for a child without the prior written consent of the child's parent or guardian; provided the refusal of a parent or guardian to provide this consent may be overridden by the decision in a hearing held pursuant to clause (d) at the district's initiative after at least one attempt to obtain this consent through a conciliation conference held pursuant to clause (c);*

((B)) (c) Parents and guardians shall have an opportunity to meet with appropriate district staff in at least one conciliation conference if they object to any proposal of which they are notified pursuant to clause (a);

((C)) (d) Parents (AND), guardians and the district shall have an opportunity to obtain an (INFORMAL) impartial due process hearing initiated and conducted in the school district where the child resides, if after at least one conciliation conference the parent or guardian continues to object to: (1) a proposed formal educational assessment or proposed denial of a formal educational assessment of their child; (2) the proposed placement of their child in, or transfer of their child to a special education program; (3) the proposed denial of placement of their child in a special education program or the transfer of their child from a special education program; (4) the proposed provision or addition of special education services for their child; or (5) the proposed denial or removal of special education services for their child.

(AT THE OPTION OF THE SCHOOL BOARD,) The hearing shall take place (EITHER) before (THE SCHOOL BOARD; OR (1) ITS DESIGNEE, (2) A PERSON) *an impartial hearing officer* mutually agreed to by the school board and the parent or guardian (, OR (3) A PERSON APPOINTED BY THE COMMISSIONER. A DECISION PURSUANT TO (1), (2), OR (3) SHALL BE SUBJECT TO REVIEW BY THE SCHOOL



BOARD WITHIN TEN DAYS AT ITS OPTION.) *If the school board and the parent or guardian are unable to agree on a hearing officer, the school board shall request the commissioner to appoint a hearing officer. The hearing officer shall not be a school board member or employee of the school district where the child resides or of the child's school district of residence, an employee of any other public agency involved in the education or care of the child, or any person with a personal or professional interest which would conflict with his objectivity at the hearing. A person who otherwise qualifies as a hearing officer is not an employee of the district solely because the person is paid by the district to serve as a hearing officer. If the hearing officer requests an independent educational assessment of a child, the cost of the assessment shall be at district expense. The proceedings shall be recorded and preserved, at the expense of the school district, pending ultimate disposition of the action.*

**((D)) (e) (WITHIN FIVE DAYS OF A HEARING OR REVIEW)** *The decision of the hearing officer pursuant to clause ((C) , THE PERSON OR PERSONS CONDUCTING THE HEARING OR REVIEW) (d) shall (ISSUE A) be rendered not more than 45 calendar days from the date of the receipt of the request for the hearing. A hearing officer may grant specific extensions of time beyond the 45 day period at the request of either party. The (LOCAL) decision (WHICH) of the hearing officer shall be binding on all parties unless appealed to the commissioner by the parent (OR), guardian, or the school board of the district where the child resides pursuant to clause (e).*

The local decision shall:

(1) be in writing;

(2) state the controlling facts upon which the decision is made in sufficient detail to apprise the parties and the commissioner of the basis and reason for the decision;

(3) state whether the special education program or special education services appropriate to the child's needs can be reasonably provided within the resources available to the responsible district or districts;

(4) state the amount and source of any additional district expenditure necessary to implement the decision; and

(5) be based on the standards set forth in subdivision 3a and the rules of the state board.

**((E)) (f)** Any local decision issued pursuant to clauses ((C) AND) (d) and (e) may be appealed to the commissioner within 15 calendar days of receipt of that written decision, by the parent (OR), guardian, or the school board of the district

*where the child resides. (THE SCHOOL BOARD SHALL BE A PARTY TO ANY APPEAL.)*

If the decision is appealed, a written transcript of the hearing shall be made by the school district and shall be accessible to the parties involved within five *calendar* days of the filing of the appeal. (HOWEVER, FOR APPEALS OF LOCAL DECISIONS ISSUED BY SCHOOL BOARDS OR THEIR DESIGNEES CONCERNING PROPOSALS SET FORTH IN CLAUSE (C) (1), (2), AND (4), NO WRITTEN TRANSCRIPT SHALL BE MADE IF THE PARENT OR GUARDIAN REQUESTS A CHAPTER 15 DUE PROCESS HEARING PURSUANT TO THIS CLAUSE AT THE TIME THE APPEAL IS FILED.) The commissioner shall issue a final decision based on (A) *an impartial* review of the local decision and the entire record within 30 *calendar* days after (RECEIPT OF THE LOCAL DECISION AND THE TRANSCRIPT) *the filing of the appeal.* (HOWEVER, IN APPEALS OF LOCAL DECISIONS ISSUED BY SCHOOL BOARDS OR THEIR DESIGNEES CONCERNING PROPOSALS SET FORTH IN CLAUSE (C) (1), (2) AND (4), A PARENT OR GUARDIAN MAY, AT THE TIME THE APPEAL IS FILED, REQUEST A DUE PROCESS HEARING CONDUCTED PURSUANT TO THE PROVISIONS OF CHAPTER 15. IN THAT CASE THE COMMISSIONER SHALL ISSUE A FINAL DECISION WITHIN 30 DAYS AFTER THAT HEARING AND THE FINAL DECISION SHALL BE BASED ON THE REPORT OF THE HEARING EXAMINER.) *The commissioner shall seek additional evidence if necessary and may afford the parties an opportunity for written or oral argument; provided any hearing held to seek additional evidence shall be an impartial due process hearing but shall be deemed not to be a contested case hearing for purposes of chapter 15. The commissioner may grant specific extensions of time beyond the 30 day period at the request of any party.*

The final decision shall:

- (1) be in writing;
- (2) include findings and conclusions; and
- (3) be based upon the standards set forth in subdivision 3a and in the rules of the state board.

((F)) (g) The decision of the commissioner shall be final unless appealed by the parent or guardian or school board to the district court of the county in which the school district in whole or in part is located. The scope of judicial review shall be as provided in chapter 15.

(h) *Pending the completion of proceedings pursuant to this subdivision, unless the district and the parent or guardian of the child agree otherwise, the child shall remain in his current*

*educational placement and shall not be denied initial admission to school.*

((G)) (i) The child's school district of residence, if different from the district where the child actually resides, shall receive notice of and may be a party to any hearings or appeals pursuant to this subdivision.

(j) *This subdivision shall expire on June 30, 1981. The department of education shall report to the education committees of the legislature on or before January 1, 1981, on the impact of the amendments made in this subdivision by this act and on the advisability of amending this subdivision to read as it reads in Minnesota Statutes 1978.*

Sec. 3. Minnesota Statutes 1978, Section 120.17, Subdivision 7a, is amended to read:

Subd. 7a. [ATTENDANCE AT SCHOOL FOR THE HANDICAPPED.] Responsibility for special instruction and services for a visually disabled or hearing impaired child attending the Minnesota school for the deaf or the Minnesota braille and sight-saving school shall be determined in the following manner:

(a) The legal residence of the child shall be the school district in which his parent or guardian resides.

(b) When it is determined pursuant to section 128A.05, subdivisions 1 or 2 that the child is entitled to attend either school, the state board shall provide the appropriate educational program for the child. The state board shall make a tuition charge to the child's district of residence for the actual cost of providing the program; provided, however, that *effective for the 1979-1980 school year and thereafter*, the amount of tuition charged shall not exceed (\$2,000) *two times the foundation aid formula allowance of the district for that child for (ANY) an entire school year, or a pro-rated amount based on the portion of the school year for which the child is a resident of the district or is actually in membership in the program. For purposes of this subdivision, "foundation aid formula allowance" shall have the meaning attributed to it in section 124.32, subdivision 1a.* The district of the child's residence shall pay the tuition and may claim foundation aid for the child. All tuition so received shall be deposited in the state treasury.

(c) When it is determined that the child can benefit from public school enrollment but that the child should also remain in attendance at the applicable school, the school district where the institution is located shall provide an appropriate educational program for the child and shall make a tuition charge to the state board for the actual cost of providing the program, less any amount of aid received pursuant to section 124.32. The state

board shall pay the tuition and other program costs including the unreimbursed transportation costs. Aids for handicapped children shall be paid to the district providing the special instruction and services. Special transportation shall be provided by the district providing the educational program and the state shall reimburse such district within the limits provided by law;

(d) Notwithstanding the provisions of clauses (b) and (c), the state board may agree to make a tuition charge for less than the amount specified in clause (b) for pupils attending the applicable school who are residents of the district where the institution is located and who do not board at the institution, if that district agrees to make a tuition charge to the state board for less than the amount specified in clause (c) for providing appropriate educational programs to pupils attending the applicable school.

(e) Notwithstanding the provisions of clauses (b) and (c), the state board may agree to supply staff from the Minnesota School for the Deaf and the Minnesota Braille and Sight-Saving School to participate in the programs provided by the district where the institutions are located when the programs are provided to students in attendance at the state schools.

Sec. 4. Minnesota Statutes 1978, Section 124.212, Subdivision 20, is amended to read:

Subd. 20. No adjustments to foundation aid payments resulting from omissions in school district reports, except those adjustments determined by the legislative auditor, shall be made for any school year after December 15 of the next school year. Any school district educating children who are residents of another school district shall notify the district of residence within 60 days of the date the child is determined by the district to be a nonresident, but not later than October 1 following the end of the school year in which the child is educated. If the district of residence does not receive a notification from the providing district pursuant to this subdivision, it shall not be liable to that district for any tuition billing received after October 1 of the next school year. (IF A COMMISSIONER OF A STATE AGENCY, OR HIS REPRESENTATIVE OR AGENT, OR A COURT OF THE STATE OF MINNESOTA DESIRES TO PLACE A CHILD IN A SCHOOL DISTRICT WHICH IS NOT HIS DISTRICT OF RESIDENCE, THAT COMMISSIONER OR COURT SHALL, PRIOR TO PLACEMENT IF POSSIBLE, NOTIFY THE DISTRICT OF ATTENDANCE, THE DISTRICT OF RESIDENCE, AND THE COMMISSIONER OF EDUCATION OF ITS INTENTION.)

Sec. 5. Minnesota Statutes 1978, Section 124.212, is amended by adding a subdivision to read:

*Subd. 20a. If a state agency or a court of the state desires to place a child in a school district which is not the child's district of residence, that agency or court shall, prior to placement, allow*

*the district of residence an opportunity to participate in the placement decision and notify the district of residence, the district of attendance and the commissioner of education of the placement decision. When a state agency or court determines that an immediate emergency placement is necessary and that time does not permit district participation in the placement decision or notice to the districts of the placement decision prior to the placement, the agency or court may make the decision and placement without that participation or prior notice. The agency or court shall notify the district of residence, the district of attendance and the commissioner of education of an emergency placement within 15 days of the placement.*

Sec. 6. Minnesota Statutes 1978, Section 124.32, Subdivision 1, 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, (60 PERCENT OF THE SALARY OF ESSENTIAL PERSONNEL IN 1977-1978 AND) 69 percent of the salary of essential personnel (IN 1978-1979), but this amount shall not exceed (\$11,500 IN 1977-1978 OR \$12,000 IN 1978-1979) \$15,000 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 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.

Sec. 7. Minnesota Statutes 1978, Section 124.32, Subdivision 1a, is amended to read:

Subd. 1a. For purposes of this section, (FOR THE 1977-1978 SCHOOL YEAR, THE FOUNDATION AID FORMULA ALLOWANCE PER PUPIL UNIT SHALL BE THE LESSER OF \$1,030 OR THE GREATER SUM COMPUTED PURSUANT TO SECTION 124.212, SUBDIVISION 6B, CLAUSE (2). THE) *the* foundation aid formula allowance per pupil unit shall be (\$1,095 FOR THE 1978-1979 SCHOOL YEAR, \$1,155) \$1,182 for the 1979-1980 school year, and (\$1,220) \$1,265 for the 1980-1981 school year. (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).

Sec. 8. Minnesota Statutes 1978, Section 124.32, Subdivision 5, is amended to read:

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 60 percent of the difference between the instructional costs charged to the resident district and the foundation aid formula allowance in the resident district, for each handicapped child placed in a residential facility. Not more than (\$550,000 FOR 1977-1978 AND \$600,000) \$700,000 for (1978-1979) *each school year* shall be paid for the purposes of this subdivision. 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 the state or a public school district and designed to serve the low incidence handicapped, the multiple handicapped, or the most severely handicapped children within the state.

(b) A private, nonsectarian residential facility designed to provide educational services for handicapped children within the state.

(c) A state hospital or private nonsectarian residential center designed to provide care and treatment for handicapped children.

Sec. 9. Minnesota Statutes 1978, Section 124.32, Subdivision 7, is amended to read:

Subd. 7. Before May 1 of each year, 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 proposed as eligible for state aid pursuant to this section and of the estimated number and grade level of handicapped children in the district who will receive special instruction and services 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 for the evaluation of the necessity of the program, the necessity of the personnel to be employed in the program, the amount which the program will receive from grants from federal funds, or special grants from other

state sources, and the program's compliance with the rules and standards of the state board. The commissioner shall review each application in order to determine whether the program and the personnel to be employed in the program are actually necessary and essential to meet the district's obligation to provide special instruction and services to handicapped children pursuant to section 120.17. The commissioner shall not approve aid pursuant to this section for any program or for the salary of any personnel he determines to be unnecessary or unessential on the basis of this review. The commissioner may also withhold all or any portion of the aid for programs which receive grants from federal funds, or special grants from other state sources. On or before July 1 of each year, the commissioner shall approve, disapprove or modify each application, and notify each applying district of his action and of the estimated amount of aid for the programs. 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. *Notwithstanding the provisions of section 124.15, the commissioner may modify or withdraw his program or aid approval and withhold aid pursuant to this section at any time when he determines that the program does not comply with the rules and standards of the state board or that any facts concerning the program or its budget differ from the facts presented in the district's approved application.*

Sec. 10. Minnesota Statutes 1978, Section 124.32, Subdivision 10, is amended to read:

Subd. 10. (THE STATE SHALL PAY AID FOR 1977 SUMMER SCHOOL PROGRAMS FOR HANDICAPPED CHILDREN ON THE BASIS OF THE FORMULA APPLICABLE TO THE 1977-1978 SCHOOL YEAR. BEGINNING WITH THE SUMMER OF 1978, THE) *The state shall pay aid for summer school programs 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 of each year, districts shall submit separate applications for program and budget approval for summer school programs. The review of these applications shall be as provided in subdivision 7. By May 1 of each year, the commissioner shall approve, disapprove or modify the applications and notify the districts of his action and of the estimated amount 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.*

Sec. 11. Minnesota Statutes 1978, Section 126.39, Subdivision 10, is amended to read:

Subd. 10. [REPORT.] The state board shall make a report to the legislature, the governor and the public on or before

(SEPTEMBER 1, 1979) *February 1, 1980.* 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 legislation including any need for expansion and accompanying plans and cost estimates in the areas of bilingual education.

Sec. 12. Minnesota Statutes 1978, Section 126.40, Subdivision 3, is amended to read:

Subd. 3. [TERMS.] (THE ADVISORY TASK FORCE SHALL EXPIRE AND) The terms, compensation, and removal of members of *the advisory task force* shall be as provided for in section 15.059, subdivision 6. *Notwithstanding the provisions of section 15.059, subdivision 6, the advisory task force shall expire June 30, 1980.*

Sec. 13. Minnesota Statutes 1978, Section 126.41, Subdivision 1, is amended to read:

126.41 [PILOT PROGRAMS.] Subdivision 1. [GRANTS, PROCEDURES.] For fiscal years 1978, (AND) 1979, and 1980, as part of the needs assessment effort, the state board of education shall make grants to no fewer than three transitional bilingual education programs. At least one pilot bilingual program 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 126.31 to 126.42. (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.

Sec. 14. Minnesota Statutes 1978, Section 126.52, Subdivision 10, is amended to read:



Subd. 10. [REPORT.] The state board shall make a report to the legislature, the governor and the public on or before (SEPTEMBER 1, 1979) *February 1, 1980*. 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.

Sec. 15. Minnesota Statutes 1978, Section 126.53, Subdivision 3, is amended to read:

Subd. 3. (THE ADVISORY TASK FORCE SHALL EXPIRE AND) The terms, compensation, and removal of members of the advisory task force shall be as provided for in section 15.059, subdivision 6. *Notwithstanding the provisions of section 15.059, subdivision 6, the advisory task force shall expire June 30, 1980.*

Sec. 16. Minnesota Statutes 1978, Section 126.54, Subdivision 1, is amended to read:

126.54 [PILOT PROGRAMS.] Subdivision 1. [GRANTS; PROCEDURES.] For fiscal years 1978, (AND) 1979, and 1980 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 nonpublic, 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 126.45 to 126.55. (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.

Sec. 17. Minnesota Statutes 1978, Section 128A.02, Subdivision 6, is amended to read:

Subd. 6. The rules of the state board pursuant to this section shall establish procedures for admission to and discharge from the schools, for decisions on a child's program at the schools and for evaluation of the progress of children enrolled in the schools. These procedures shall guarantee children and their parents appropriate procedural safeguards, including a review of the place-

ment determination made pursuant to sections 120.17 and 128A.05, and the right to participate in educational program decisions. *Notwithstanding the provisions of section 15.0411, proceedings concerning admission to and discharge from the schools, a child's program at the schools and a child's progress at the schools shall not be deemed to be contested cases subject to sections 15.041 to 15.052 but shall be governed instead by the rules of the state board pursuant to this section.*

Sec. 18. *The state board of education may adopt temporary rules effective for up to 300 days pursuant to section 2 of this article.*

Sec. 19. [REPEALER.] *Minnesota Statutes 1978, Section 120.171, is repealed.*

Sec. 20. [SPECIAL AND COMPENSATORY EDUCATION 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 special education aid there is appropriated:*

\$88,982,300	.....	1980,
\$96,959,200	.....	1981.

(a) *The appropriation in this subdivision for fiscal year 1980 includes not to exceed \$11,484,000 for the payment of the final special education aid distribution to each district for fiscal year 1979, of which not to exceed \$4,206,000 is for special education aid for 1979 summer school programs.*

(b) *The appropriation in this subdivision for fiscal year 1981 includes not to exceed \$13,627,700 for the payment of the final special education aid distribution to each district for fiscal year 1980, of which not to exceed \$4,978,000 is for special education aid for 1980 summer school programs.*

(c) *The appropriations in this subdivision include not to exceed \$700,000 in each year for aid pursuant to section 124.32, subdivision 5. These amounts are the total appropriations for this purpose for each year.*

(d) *Any unexpended balance remaining from the appropriations in this subdivision for 1980 shall not cancel but shall be available for the second year of the biennium. If the appropriation amount attributable to either year for the purpose indicated is insufficient, the aid for that year shall be prorated among the qualifying districts and the state shall not be obligated for any*

amount in excess of the appropriations in this section for these purposes.

*Subd. 3. For grants to pilot bilingual education programs pursuant to section 126.41, subdivision 1, there is appropriated:*

\$400,000.....1980.

*Subd. 4. For grants to pilot American Indian language and culture education programs pursuant to section 126.54, subdivision 1, there is appropriated:*

\$600,000.....1980.

**Sec. 21. [EFFECTIVE DATE.]** Sections 1, 9, 12, 15, and 18 of this article shall be effective the day following final enactment.

#### ARTICLE IV

#### COMMUNITY AND ADULT EDUCATION AID PROGRAMS

**Section 1.** Minnesota Statutes 1978, Section 124.26, Subdivision 3, is amended to read:

**Subd. 3.** The state department of education shall reimburse each G.E.D. testing center the sum of (\$10) \$12 for each battery of G.E.D. tests or (\$2) \$2.40 for each individual test administered by that center.

**Sec. 2.** Minnesota Statutes 1978, Section 124.271, Subdivision 2, is amended to read:

**Subd. 2.** In fiscal year (1978 AND EACH YEAR THEREAFTER) 1980, the state shall pay the greater of 50 cents per capita or \$5,000 to each school district which is operating a community school program in compliance with the rules promulgated 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. 3.** Minnesota Statutes 1978, Section 124.271, is amended by adding a subdivision to read:

**Subd. 2a.** In fiscal year 1981 and each year thereafter, the state shall pay the greater of 75 cents per capita or \$5,000 to each school district which is operating a community school program in compliance with the rules promulgated 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 1978, 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).

Sec. 5. Minnesota Statutes 1978, Section 275.125, Subdivision 8, is amended to read:

Subd. 8. (1) In (1977) 1979, and each year thereafter, a district 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) \$3 per capita, or (B) the amount certified pursuant to this subdivision in 1976. These levies shall be used for community services including nonvocational adult programs, recreation and leisure time activity programs, and programs contemplated by sections 121.85 to 121.88. For purposes of computing the levy limitation pursuant to this subdivision, the amount certified pursuant to this subdivision in 1976 shall not reflect reductions pursuant to subdivision 9.

(2) 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. The certificate of compliance shall certify that the governing boards of the county, municipality and township in which the school district or any part thereof is located have been sent 15 working days written notice of a meeting and that a meeting has been held to discuss methods of increasing mutual cooperation between such bodies and the school board. The failure of a governing board of a county, municipality or township to attend the meeting shall not affect the authority of the school district to make a levy pursuant to this subdivision.

(3) 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. [DEFICIENCY APPROPRIATION; ADULT EDUCATION AID.] *The sum of \$200,000 is appropriated from the general fund to the department of education for the fiscal year ending June 30, 1979 for the payment of a deficiency in funds available for adult education aid pursuant to section 124.26 in that fiscal year. This appropriation shall be added to the sum appropriated for fiscal year 1979 for adult education aid in Laws 1977, Chapter 447, Article IV, Section 7, Subdivision 2.*

Sec. 7. [APPROPRIATIONS.] *Subdivision 1. There is appropriated from the general fund to the department of educa-*

*tion the sums indicated in this section 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, subdivision 1, there is appropriated:*

\$829,000 ..... 1980,

\$971,000 ..... 1981.

*(a) The appropriation in this subdivision for fiscal year 1980 includes not to exceed \$65,000 for the payment of the final adult education aid distribution to the districts for fiscal year 1979.*

*(b) The appropriation in this subdivision for fiscal year 1981 includes not to exceed \$76,000 for the payment of the final adult education aid distribution to the districts for fiscal year 1980.*

*Subd. 3. [G.E.D. REIMBURSEMENT AID.] For G.E.D. reimbursement aid pursuant to section 124.26, subdivision 3, there is appropriated:*

\$88,000 ..... 1980,

\$96,800 ..... 1981.

*Subd. 4. [COMMUNITY EDUCATION AID.] For community education aid pursuant to section 124.271, there is appropriated:*

\$2,533,500 ..... 1980,

\$3,443,000 ..... 1981.

*Subd. 5. Any unexpended balance remaining from the appropriations in this section for 1980 shall not cancel but shall be available for the second year of the biennium. 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.*

## ARTICLE V

## VOCATIONAL EDUCATION

Section 1. *Subdivision 1. [PURPOSE.] It is the policy of the state of Minnesota to encourage new and expanding businesses and industries that provide for the employment of its citizens. When industry is considering expansion or relocation an important factor is the availability of a trained labor supply. The purpose of this section is to ensure that Minnesota is competitive with other states in providing training for the expansion of businesses and industries.*

*Subd. 2. [PROCEDURE.] The commissioner of education, in cooperation with the departments of economic development and economic security, shall provide a mechanism whereby businesses and industries that are expanding or relocating shall be assured short term training of needed employees. The department of economic development shall be responsible to attract and to assist industries interested in locating or expanding in Minnesota. The department of economic security shall assist both employers and state citizens toward maximum employment in suitable jobs and shall utilize Comprehensive Employment and Training Act funds whenever appropriate to assist in accomplishing the objective.*

*The division of vocational-technical education of the department of education, in conjunction with the area vocational-technical institutes, shall provide training. A business or industry shall be eligible for employee training programs if it increases its work force by at least ten full-time positions. All programs shall be approved by the commissioner of education within the limits of the funds available for this purpose.*

Sec. 2. Minnesota Statutes 1978, Section 124.561, Subdivision 3a, is amended to read:

*Subd. 3a. [HEARING.] The consolidated public hearing held by the state board pursuant to subdivision 3 shall take place with at least six board members present and shall continue until all interested persons, representatives, and organizations have had an opportunity to be heard. Notice of intention to hold the hearing shall be given at least 20 days prior to the date set for the hearing by United States mail to each district submitting a post-secondary vocational school budget, to other interested persons, representatives, and organizations who register their names with the commissioner of education for that purpose, and in the state register. The department of education shall make available at least one free copy of the proposed disposition of budgets to any person requesting it. Unless the commissioner determines that the use of an audio magnetic recording device is more appropriate, a court reporter shall keep a record at*

every hearing. A transcript of the hearing record shall be made available upon the request of any person, provided that the request is in writing and the cost of preparing the transcript is borne by the requesting person. After allowing written material to be submitted and added to the hearing record for five days after the public hearing ends, the commissioner of education shall proceed as promptly as possible to write a report containing the proposed final disposition of budgets. This report shall contain findings and conclusions based on substantial evidence from the hearing record to support the proposed final disposition. *The report shall state the amount the commissioner assumes each district will expend in the following fiscal year out of any net positive unappropriated balance in its post-secondary vocational-technical general fund.* The report shall be available to all affected school districts upon request for at least 15 days before the state board takes final action on the budgets. Any district which is adversely affected by the proposed final disposition of budgets may demand and shall be given an opportunity to be heard in support of modification of the proposed disposition at the meeting at which the state board takes final action on the budgets; provided, the state board may place reasonable restrictions on the length of time allowed for testimony.

Sec. 3. Minnesota Statutes 1978, Section 124.562, Subdivision 1, is amended to read:

124.562 [POST-SECONDARY VOCATIONAL FOUNDATION AID.] Subdivision 1. A district shall receive post-secondary vocational foundation aid in the amount of (\$2,120) \$2,400 for fiscal year (1978) 1980 and (\$2,240) \$2,565 for fiscal year (1979) 1981, 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, including application fees but not including student activity fees allowed pursuant to section 121.216, and (2) the amount raised by the discretionary levy allowed by section 275.125, subdivision 13, for collection in the calendar year ending in that fiscal year.

Sec. 4. Minnesota Statutes 1978, Section 124.562, Subdivision 2, is amended to read:

Subd. 2. Membership for pupils in post-secondary vocational-technical schools 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) a pupil completes his program and permanently leaves the school, or (THE DATE IT IS OFFICIALLY KNOWN THAT HE HAS LEFT OR HAS BEEN LEGALLY EXCUSED) for a pupil who permanently leaves the school after the fifteenth school day of a quarter without completing his program, the day he is scheduled to complete his program, the day when the school fills the vacancy created by his leaving, or the last day of the quarter dur-

*ing which he permanently leaves the school, whichever occurs first; 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) deemed to have permanently left the school; provided further that a pupil who permanently leaves the school on or before the fifteenth school day of a quarter shall be deemed not to have entered the school during that quarter. No pupil who is counted in average daily membership pursuant to this section shall be counted in average daily membership in any district pursuant to section 124.17, subdivision 2, unless he is eligible to earn foundation aid pursuant to section 120.80 or is attending a post-secondary vocational-technical school course on a part time basis in addition to spending six hours per day in a secondary program. Average daily membership for pupils who are enrolled in post-secondary vocational-technical schools, but not including adult vocational pupils, shall equal (a) the sum for all pupils of the number of days of the school year each pupil is enrolled in a post-secondary vocational-technical school in the district, counted from the date of entry until the date of withdrawal as defined in this subdivision, times the number of hours per day each student is enrolled divided by six (b) divided by 175 (; PROVIDED). The number of hours which are counted for average daily membership for any pupil in any one program shall (IN NO EVENT) not exceed the number of hours approved by the state board for completion of the program, except that the commissioner may grant a district permission to count additional hours for membership, not to exceed ten percent of the approved number of hours for the program, if additional hours are necessary for a pupil who is identified by the district as disadvantaged or handicapped to complete the program. For a post-secondary vocational-technical school, the normal school year shall be at least the number of session days required by section 124.19, subdivision 1. In all post-secondary vocational-technical schools, the minimum length of the school day for each pupil, exclusive of the noon intermission, shall be six hours. Exceptions may be made by the local school administration for approved programs provided on a part time or extended day basis to meet (INDIVIDUAL STUDENT) the needs of individual students or classes.*

Sec. 5. Minnesota Statutes 1978, Section 124.563, Subdivision 1, is amended to read:

**124.563 [POST-SECONDARY VOCATIONAL CATEGORICAL AND CAPITAL EXPENDITURE AID.]** Subdivision 1. "Post-secondary vocational categorical aid" means all state and federal funds, exclusive of post-secondary vocational foundation, capital expenditure and debt service aid, apportioned by the state board for vocational education to local school districts for the purpose of assisting in the conduct of post-secondary vocational-technical training. This aid shall be given to districts conducting high cost programs which require funds in addition



to the post-secondary vocational foundation aid provided, including vocational education programs for handicapped or disadvantaged persons and support services necessary to provide vocational education in the least restrictive setting possible. Post-secondary vocational categorical aid shall not be allocated by the state board or expended by a district for any of the purposes for which post-secondary vocational capital expenditure aid is allocated or expended. *In allocating post-secondary vocational categorical aid, the state board shall consider the amount of each district's net positive unappropriated balance in its post-secondary vocational-technical general fund which exceeds 15 percent of the district's post-secondary vocational-technical operational budget for the fiscal year during which allocations are made. For purposes of this computation, the post-secondary vocational-technical general fund balance as of June 30, 1979 and as of June 30 of succeeding years shall be increased by any amount which has been permanently transferred after May 1, 1979, from the post-secondary vocational-technical general fund to the post-secondary vocational-technical capital expenditure fund. The state board shall base its consideration on the amount of the balance which existed as of June 30 of the fiscal year preceding the fiscal year during which allocations are made.*

**Sec. 6. Minnesota Statutes 1978, Section 124.565, Subdivision 3, is amended to read:**

*Subd. 3. Tuition at a post-secondary vocational-technical school for a Minnesota resident pupil shall be (TWO DOLLARS) \$128 per (DAY) quarter in fiscal year 1980 and \$137 per quarter in fiscal year 1981 for each (SCHOOL DAY) quarter the pupil is enrolled; except that there shall be no charge for tuition for a person who, prior to July 1, 1978, entered active military service in a branch of the armed forces of the United States and who, under the laws in effect at the time of his induction into the armed forces, would be eligible to attend a post-secondary vocational-technical school without payment of tuition.*

**Sec. 7. Minnesota Statutes 1978, Section 124.565, Subdivision 4, is amended to read:**

*Subd. 4. Unless covered by a higher education reciprocity agreement relating to nonresident tuition, entered into by the Minnesota higher education coordinating board and approved by the state board for vocational education, tuition at a post-secondary vocational-technical school for a pupil who is not a resident of Minnesota shall be (FIVE DOLLARS) \$320 per (DAY) quarter in fiscal year 1980 and \$343 per quarter in fiscal year 1981 for each (SCHOOL DAY) quarter the pupil is enrolled.*

**Sec. 8. Minnesota Statutes 1978, Section 124.565, is amended by adding a subdivision to read:**

*Subd. 6. For purposes of the tuition charges established in this section, a quarter shall consist of 60 school days. The state board for vocational education shall adopt rules governing tuition refunds for pupils who withdraw from a post-secondary vocational-technical school before completing a quarter and providing for proportionate tuition charges for quarters which are shorter or longer than 60 days and for pupils enrolled on a part time or extended day basis.*

Sec. 9. Minnesota Statutes 1978, Section 124.572, Subdivision 2, is amended to read:

Subd. 2. (IN THE 1977-1978) *Each* school year (AND THEREAFTER), the state shall pay to any district or cooperative vocational center 75 percent of the salaries paid to essential, licensed 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 75 percent of the salaries paid to unlicensed specialists, guest speakers and resource persons for services rendered in an adult vocational education program upon the request and under the supervision of a licensed adult vocational education teacher; provided, no district or center shall receive this aid for more than five appearances per school year per unlicensed person.* In addition, the state shall pay 50 percent of the costs of necessary travel between instructional sites by adult vocational education teachers. The commissioner may withhold all or any portion of this aid for an adult vocational education program which receives funds from any other source, and in no event shall a district or center receive a total amount of state aid for salaries and travel pursuant to this section which, when added to funds from other sources, will provide the program an amount for salaries and travel which exceeds 100 percent of the amount of its expenditures for salaries and travel in the program.

Sec. 10. Minnesota Statutes 1978, Section 124.574, Subdivision 2, is amended to read:

Subd. 2. (IN THE 1978-1979 SCHOOL YEAR AND THEREAFTER,) The state shall pay to any district or cooperative center the greater of:

(a) 50 percent of the salaries paid to essential licensed personnel in that school year for services rendered in that district or center's secondary vocational education programs for handicapped children; or

(b) 69 percent of the salaries paid to essential licensed personnel in that school year for services rendered in that district or center's secondary vocational education programs for handicapped children, but not to exceed (\$12,000) \$15,000 for the normal school year for each such full time person employed, or

a pro rata amount for a part time person or a person employed for a limited time; plus an additional five percent of the salaries paid such essential licensed personnel.

**Sec. 11. [DEFICIENCY APPROPRIATION; SECONDARY VOCATIONAL EDUCATION AID.]** *The sum of \$1,500,000 is appropriated from the general fund to the department of education for the fiscal year ending June 30, 1979, for the payment of a deficiency in funds available for secondary vocational education aid pursuant to section 124.573 in that fiscal year. The appropriation shall be added to the sum appropriated for fiscal year 1979 in Laws 1977, Chapter 447, Article V, Section 20, Subdivision 9.*

**Sec. 12. [APPROPRIATION FOR NEW JOBS.]** *There is appropriated from the general fund in the state treasury to the department of education the sum of \$500,000, or so much of that amount as is necessary, for the purpose of providing short term training programs pursuant to section 1, for the biennium ending June 30, 1981. Of that amount, \$100,000 is immediately available for expenditure; when that amount is spent, and each time an additional amount is spent, the commissioner of education shall report on those expenditures to the legislative advisory commission and the governor. The governor, after consultation with the legislative advisory commission in the manner provided in section 3.30, may make additional amounts, up to \$100,000 at a time, available for expenditure as needed until the total appropriation has been spent.*

**Sec. 13. [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. [POST-SECONDARY VOCATIONAL FOUNDATION AID.]** *For post-secondary vocational foundation aid pursuant to section 124.562, there is appropriated:*

\$61,735,300	1980,
\$71,708,300	1981.

*The department may not expend for any purpose an amount of the appropriation in this subdivision for fiscal year 1981 which is equal to the amount of the sum of any amounts levied in 1979, payable 1980, by districts for post-secondary vocational-technical purposes pursuant to section 275.125, subdivision 13.*

**Subd. 3. [POST-SECONDARY VOCATIONAL CATEGORICAL AID.]** *For post-secondary vocational categorical aid pursuant to section 124.563, subdivision 1, there is appropriated:*

\$5,569,800 ..... 1980,

\$4,668,100 ..... 1981.

*These appropriations are based on the assumption that the state will spend for post-secondary vocational categorical aid an amount equal to \$6,254,900 in fiscal year 1980 and \$6,886,400 in fiscal year 1981 of federal money received for vocational education programs pursuant to the Vocational Education Act of 1963, as amended.*

**Subd. 4. [POST-SECONDARY VOCATIONAL CAPITAL EXPENDITURE AID.]** *For post-secondary vocational capital expenditure aid pursuant to section 124.563, subdivision 2, there is appropriated:*

\$9,500,000 ..... 1980,

\$8,500,000 ..... 1981.

**Subd. 5. [POST-SECONDARY VOCATIONAL DEBT SERVICE AID.]** *For post-secondary vocational debt service aid pursuant to section 124.564, there is appropriated:*

\$7,733,800 ..... 1980,

\$7,737,600 ..... 1981.

**Subd. 6. [ADULT VOCATIONAL EDUCATION AID.]** *For adult vocational educational aid pursuant to section 124.572, there is appropriated:*

\$6,578,900 ..... 1980,

\$7,015,700 ..... 1981.

*(a) The appropriation in this subdivision for fiscal year 1980 includes not to exceed \$600,630 for the payment of the final adult vocational education aid distribution to each district for fiscal year 1979.*

*(b) The appropriation in this subdivision for fiscal year 1981 includes not to exceed \$664,255 for the payment of the final adult vocational education aid distribution to each district for fiscal year 1980.*

**Subd. 7. [VETERAN FARMER COOPERATIVE TRAINING PROGRAMS.]** *For veteran farmer cooperative training programs there is appropriated:*

\$1,050,000 ..... 1980,

\$975,000 . . . . . 1981.

*These appropriations are for state reimbursement for the veteran farmer cooperative training program established under the Veterans Readjustment Benefits Act of 1966, as amended.*

*Subd. 8. [SECONDARY VOCATIONAL EDUCATION AID.] For secondary vocational education aid pursuant to section 124.573 there is appropriated:*

\$21,174,300 . . . . . 1980,

\$22,789,500 . . . . . 1981.

*(a) The appropriation in this subdivision for fiscal year 1980 includes not to exceed \$1,800,000 for the payment of the final secondary vocational education aid distribution to each district for fiscal year 1979.*

*(b) The appropriation in this subdivision for fiscal year 1981 includes not to exceed \$2,152,700 for the payment of the final secondary vocational education aid distribution to each district for fiscal year 1980.*

*Subd. 9. [AID FOR SECONDARY VOCATIONAL EDUCATION PROGRAMS FOR HANDICAPPED CHILDREN.] For aid for secondary vocational education programs for handicapped children pursuant to section 124.574 there is appropriated:*

\$1,829,300 . . . . . 1980,

\$2,012,200 . . . . . 1981.

*(a) The appropriation in this subdivision for fiscal year 1980 includes not to exceed \$160,000 for the payment of the final aid distribution to each district pursuant to section 124.574 for fiscal year 1979.*

*(b) The appropriation in this subdivision for fiscal year 1981 includes not to exceed \$185,000 for the payment of the final aid distribution to each district pursuant to section 124.574 for fiscal year 1980.*

*(c) These appropriations are based on the assumption that the state will spend for this purpose an amount at least equal to \$280,340 each year of federal money received for vocational education programs pursuant to the vocational education act of 1963, as amended.*

*Subd. 10. Any unexpended balance remaining from the appropriations in this section for 1980 shall not cancel but shall*

be available for the second year of the biennium. 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. 14. [EFFECTIVE DATE.] Sections 2, 5, 8, and 11 of this article shall be effective the day following final enactment.

## ARTICLE VI

### OTHER AIDS AND LEVIES

Section 1. Minnesota Statutes 1978, Section 123.58, is amended by adding a subdivision to read:

*Subd. 8a. Insofar as possible, educational cooperative service units shall make technical assistance for long-range planning available to school districts upon request and shall establish a common data base for local and regional decision making.*

Sec. 2. Minnesota Statutes 1978, Section 123.937, is amended to read:

123.937 [APPROPRIATION.] There is appropriated annually to the department of education from the general fund of the state treasury the sum of (\$2,479,200) *\$3,250,000* for the purposes of sections 123.931 to 123.937. *If this amount is not sufficient to make the payments required pursuant to sections 123.931 to 123.937, the amount necessary to make these payments is appropriated from the general fund to the department of education.*

Sec. 3. Minnesota Statutes 1978, Section 124.245, Subdivision 1, is amended to read:

124.245 [CAPITAL EXPENDITURE EQUALIZATION AID.] Subdivision 1. The state shall pay a school district the difference by which an amount equal to (\$75) *\$80* per pupil unit in that school year or, in districts where the pupil unit count is increased pursuant to section 124.17, subdivision 1, clause (7), (\$80) *\$85* per pupil unit in that school year, exceeds the amount raised by 10 mills times the adjusted assessed valuation of the taxable property in the district for the preceding year. In order to qualify for aid pursuant to this section in any year, a district must have levied the full 10 EARC mills for use for capital expenditures in that year pursuant to (SECTIONS 124.04 OR) *section 275.125, subdivision 11a.*

Sec. 4. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.247] [PROGRAM FOR THE GIFTED AND TALENTED.] *Subdivision 1. [CITATION.] This section may be cited as the "Education for the Gifted and Talented Act."*

*Subd. 2. [DEFINITIONS.] For the purpose of this section, "gifted and talented" means an elementary or secondary school student who is intellectually gifted or outstanding in school achievement as evidenced by either a score at the 95th percentile or above on a standardized measure of general intelligence or a score at the 95th percentile or above on one or more academic areas on a standardized measure of achievement or by a teacher's recommendation when available tests are, in the opinion of the board of the school district, an inadequate measure of the student's ability.*

*Subd. 3. [AUTHORIZATION.] There is hereby established a program of state aid for gifted and talented students.*

*Subd. 4. [AID COMPUTATION.] A district which establishes a program for gifted and talented students shall receive for this purpose an amount equal to \$30 times the number of gifted and talented students in the district. No more than five percent of the funds received by a district pursuant to this subdivision may be expended for the purpose of administration of the program for gifted and talented students.*

*Subd. 5. [ACCOUNTS.] A district which receives funds under this section shall maintain a separate account for the receipt and disbursement of funds allocated to the district for the purpose of this section, and the funds shall be spent only for the purpose of the program for gifted and talented students.*

*Subd. 6. [AUDIT AND REPORT.] The department of education shall audit annually, on a randomly selected basis, at least five percent of the programs funded pursuant to this section. The department shall submit a report to the 1981 legislature evaluating the effectiveness of the education for the gifted and talented act.*

Sec. 5. Minnesota Statutes 1978, Section 124.646, Subdivision 1, is amended to read:

124.646 [SCHOOL LUNCH AID.] *Subdivision 1. School districts shall be paid by the state in the amount of (FOUR) 4.9 cents in 1979-1980 and 5.3 cents in 1980-1981 for each full paid student type "A" lunch served to students in the district.*

Sec. 6. Minnesota Statutes 1978, Section 275.125, Subdivision 11a, is amended to read:

*Subd. 11a. (a) A school district may levy an amount not to exceed the amount equal to (\$75) \$80 per pupil unit or, in districts where the pupil unit count is increased pursuant to section 124.17, subdivision 1, clause (7), (\$80) \$85 per pupil*

unit. For purposes of computing allowable levies under section 275.125, pupil units shall include only those units identified in section 124.17, subdivision 1, clauses (1), (2), (4) (,) and (5) (, (6) AND (7)). No levy under this subdivision shall exceed 10 mills times the adjusted assessed valuation of the taxable property in the district for the preceding year, notwithstanding the provisions of sections 272.64 and 275.49.

(b) The proceeds of the tax may be used only to acquire land, to equip and reequip buildings and permanent attached fixtures, and to pay leasing fees for computer systems hardware, computer terminals and telecommunications equipment, and related proprietary software. The proceeds of the tax may also be used for capital improvement and repair of school sites, buildings and permanent attached fixtures, energy assessments as required pursuant to section 116H.126, and for the payment of any special assessments levied against the property of the district authorized pursuant to section 435.19 or any other law or charter provision authorizing assessments against publicly owned property; provided that a district may not levy amounts to pay assessments for service charges, including but not limited to those described in section 429.101, whether levied pursuant to that section or pursuant to any other law or home rule provision. The proceeds of the tax may also be used for capital expenditures for the purpose of reducing or eliminating barriers to or increasing access to school facilities by handicapped individuals.

(c) Subject to the commissioner's approval, the tax proceeds may also be used to rent or lease buildings for school purposes and to acquire or construct buildings. The state board shall promulgate rules establishing the criteria to be used by the commissioner in approving and disapproving district applications requesting the use of capital expenditure tax proceeds for the renting or leasing of buildings for school purposes and the acquisition or construction of buildings. The approval criteria for purposes of building acquisition and construction shall include: the appropriateness of the proposal with respect to the district's long term needs; the availability of adequate existing facilities; and the economic feasibility of bonding because of the proposed building's size or cost.

(d) The board shall establish a fund in which the proceeds of this tax shall be accumulated until expended.

(e) The proceeds of the tax shall not be used for custodial or other maintenance services.

*Sec. 7. The amount of any advance made to a school district pursuant to Minnesota Statutes 1978, Section 124.241, before the effective date of this section and still outstanding on June 30, 1979, shall be subtracted from the district's October final*



*adjustment payment of foundation aid for the 1978-1979 school year to the extent that it is less than or equal to that payment. Any remaining amount of any advance made under section 124.741 shall be remitted by the district to the department of education on or before December 31, 1979 and shall be deposited in the state treasury.*

**Sec. 8. [REPEALER.]** *Minnesota Statutes 1978, Section 124.241, is repealed.*

**Sec. 9. [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. [ABATEMENT AID.]** *For abatement aid pursuant to section 124.214, subdivision 2, there is appropriated:*

\$3,562,500 ..... 1980,

\$3,750,000 ..... 1981.

**Subd. 3. [EMERGENCY AID.]** *For emergency aid pursuant to section 124.24, there is appropriated:*

\$400,000 ..... 1980.

**Subd. 4. [CAPITAL EXPENDITURE EQUALIZATION AID.]** *For capital expenditure equalization aid pursuant to section 124.245, there is appropriated:*

\$194,900 ..... 1980,

\$167,000 ..... 1981.

**Subd. 5. [EDUCATIONAL COOPERATIVE SERVICE UNITS.]** *For educational cooperative service units, there is appropriated:*

\$977,000 ..... 1980,

\$1,015,000 ..... 1981.

**(a)** *Funds from this appropriation shall be transmitted to ECSU boards of directors for general operations in the amount of \$48,800 per ECSU as defined in section 123.58 in fiscal year 1980 and \$52,250 per ECSU in fiscal year 1981; provided however that the ECSU whose boundaries coincide with the boundaries of development region 11 and the ECSU whose boundaries encompass development regions six and eight shall receive*

*\$97,600 in fiscal year 1980 and \$104,500 in fiscal year 1981 for general operations.*

*(b) Each year, funds from this appropriation shall be transmitted to ECSU boards of directors for technical assistance for long-range planning and data base development pursuant to section 1 of this article and technical assistance for program planning and evaluation pursuant to section 123.742, in the amount of \$40,000 per ECSU; provided however that the ECSU whose boundaries coincide with the boundaries of development region 11 and the ECSU whose boundaries encompass development regions six and eight shall receive \$80,000 each year for these purposes.*

*Subd. 6. [SCHOOL LUNCH AID.] For school lunch aid pursuant to section 124.646 there is appropriated:*

*\$3,415,000 . . . . . 1980,*

*\$3,667,800 . . . . . 1981.*

*Any unexpended balance from the appropriations in this subdivision may be expended, in addition to the amounts appropriated in subdivision 7, for food storage and transportation costs for U.S.D.A. donated commodities.*

*Subd. 7. [FOOD STORAGE AND TRANSPORTATION.] For food storage and transportation costs for U.S.D.A. donated commodities there is appropriated:*

*\$578,800 . . . . . 1980,*

*\$665,500 . . . . . 1981.*

*Subd. 8. [GIFTED AND TALENTED STUDENTS.] For programs for the gifted and talented pursuant to section 4 of this article there is appropriated:*

*\$600,000 . . . . . 1980,*

*\$600,000 . . . . . 1981.*

*Subd. 9. Any unexpended balance remaining from the appropriations in this section for 1980 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. 10. [EFFECTIVE DATE.] *Sections 7 and 8 of this article shall be effective the day following final enactment. Section 3 of this article is effective July 1, 1980.*

## ARTICLE VII

### MISCELLANEOUS PROVISIONS

Section 1. Minnesota Statutes 1978, Section 121.912, is amended by adding a subdivision to read:

*Subd. 3. A district in statutory operating debt, as defined in section 121.914, subdivision 2, may transfer annually any positive amount of the general fund account entitled "unappropriated fund balance account from July 1, 1977" to the "appropriated fund balance reserve account for purposes of reducing statutory operating debt," as defined in section 275.125, subdivision 9a, clause (2).*

Sec. 2. Minnesota Statutes 1978, Section 123.34, Subdivision 8, is amended to read:

Subd. 8. The clerk shall keep a record of all meetings of the district and the board in books provided by the district for that purpose. He shall, within three days after an election notify all persons elected of their election. On or before August (1) 15 of each year he shall file with the board a report of the revenues, expenditures and balances in each fund for the preceding fiscal year. The report together with vouchers and supporting documents shall subsequently be examined by a public accountant or the state auditor, either of whom shall be paid by the school district, as provided in section 121.908, subdivision 3. The board shall by resolution approve the report or require a further or amended report. On or before August 15 of each year, he shall make and transmit to the commissioner certified reports, showing:

- (1) The condition and value of school property;
- (2) The revenues and expenditures in detail, and such other financial information required by law, rule, or as may be called for by the commissioner;
- (3) The length of school term and the enrollment and attendance by grades; and
- (4) Such other items of information as may be called for by the commissioner.

He shall enter in his record book copies of all his reports and of the teachers' term reports, as they appear in the registers, and of the proceedings of any meeting as furnished him by the clerk pro tem, and keep an itemized account of all the expenses of the district. He shall furnish to the auditor of the proper county, on or before October 10 of each year, an attested copy of his record, showing the amount of money voted by the district or the board for school purposes; draw and sign all orders upon the treasurer for the payment of money for bills allowed by the board for salaries of officers and for teachers' wages and all claims, to be countersigned by the chairman. Such orders shall state the consideration, payee, and the fund and the clerk shall take a receipt therefor. Teachers' wages shall have preference in the order in which they become due, and no money applicable for teachers' wages shall be used for any other purpose, nor shall teachers' wages be paid from any fund except that raised or apportioned for that purpose.

Sec. 3. Minnesota Statutes 1978, Section 123.35, is amended by adding a subdivision to read:

*Subd. 15. When payment of a claim cannot be deferred until the next board meeting without loss to the district of a discount privilege or operational effectiveness, the claim may be paid prior to board approval, providing that the board:*

*(a) Has delegated authority to the clerk or a designated business administrator to make a payment prior to board approval and*

*(b) Requires that payment made prior to board approval be acted upon at the next board meeting. Payment prior to board approval shall not affect the right of the district or a taxpayer to challenge the validity of a claim.*

Sec. 4. Minnesota Statutes 1978, Section 123.58, Subdivision 6, is amended to read:

Subd. 6. [DUTIES AND POWERS OF ECSU BOARD OF DIRECTORS.] The board of directors shall have authority to maintain and operate an ECSU. Subject to the availability of necessary resources, the powers and duties of this board shall include the following:

(a) The board of directors shall submit within 90 days after the filing of the initial petition with the state board of education and by June 1 of each year thereafter to the state board of education and to each participating school district an annual plan which describes the objectives and procedures to be implemented in assisting in resolution of the educational needs of the ECSU. *In formulating the plan the board is encouraged to consider among other things: (1) the number of dropouts of school age*

*in the ECSU area and the reasons for the dropouts; (2) existing programs within participating districts for dropouts and the dropout prone; (3) existing programs of the ECSU for dropouts and the dropout prone and (4) program needs of dropouts and the dropout prone in the area served by the ECSU.*

(b) The ECSU board of directors may provide adequate office, service center, and administrative facilities by lease, purchase, gift, or otherwise, subject to the review of the state board of education as to the adequacy of the facilities proposed.

(c) The ECSU board of directors may employ a central administrative staff and other personnel as necessary to provide and support the agreed upon programs and services. The board may discharge staff and personnel pursuant to provisions of law applicable to independent school districts. ECSU staff and personnel may participate in retirement programs and any other programs available to public school staff and personnel.

(d) The ECSU board of directors may appoint special advisory committees composed of superintendents, central office personnel, building principals, teachers, parents and lay persons.

(e) The ECSU board of directors may employ service area personnel pursuant to licensure standards developed by the state board of education and the board of teaching.

(f) The ECSU board of directors may enter into contracts with school boards of local districts including school districts outside the ECSU area.

(g) The ECSU board of directors may enter into contracts with other public and private agencies and institutions which may include, but are not limited to, contracts with Minnesota institutions of higher education to provide administrative staff and other personnel as necessary to furnish and support the agreed upon programs and services.

(h) The ECSU board of directors shall exercise all powers and carry out all duties delegated to it by participating local school districts under provisions of the ECSU bylaws. The ECSU board of directors shall be governed, when not otherwise provided, by the provisions of law applicable to independent school districts of the state.

(i) The ECSU board of directors shall submit an annual evaluation report of the effectiveness of programs and services to the school districts within the ECSU and the state board of education by September 1 of each year following the school year in which the program and services were provided.

(j) The ECSU board is encouraged to establish cooperative, working relationships with post-secondary educational institutions in the state.

Sec. 5. Minnesota Statutes, 1978, Section 123.741, Subdivision 1, is amended to read:

123.741 [EDUCATIONAL POLICY; CURRICULUM ADVISORY COMMITTEES.] Subdivision 1. The school board of each school district in the state shall develop and adopt a written educational policy which establishes educational goals for the district, a process for achieving these goals, and procedures for evaluating and reporting progress toward the goals. The school board shall review this policy each year and adopt revisions which it deems desirable. School boards are encouraged to develop this school district policy and any revisions after consultation with the staff of each school building. *In formulating the policy, the school board of a district is encouraged to consider among other things: (a) the number of dropouts of school age in the district and the reasons for the dropouts; (b) existing programs within the district for dropouts and the dropout prone and (c) program needs of dropouts and the dropout prone.*

Sec. 6. [126.56] [PROGRAM FOR DROPOUTS AND THE DROPOUT PRONE.] Subdivision 1. *The legislature finds that a high school dropout is likely to be unable to function adequately in our complex society and is likely to become a burden to our society. It also finds that certain pupils may be encouraged to remain in school or to return to school and obtain a high school diploma if resources are directed specifically at meeting the needs of those pupils.*

Subd. 2. *There is hereby created a dropout prevention unit in the division of special services within the department of education to conduct activities aimed at reducing the number of high school dropouts. The unit shall:*

(a) *Collect data on dropouts and school dropout programs in Minnesota and the United States;*

(b) *Make data on school dropout programs available to school districts, combinations of districts or ECSU's interested in implementing school dropout prevention programs;*

(c) *Provide technical assistance to districts, combinations of districts or ECSU's interested in implementing school dropout prevention programs;*

(d) *Assist local districts, combinations of districts or ECSU's to obtain federal funds to implement school dropout prevention programs;*

(e) *Submit a report evaluating current school dropout prevention programs and recommending one or more statewide approaches to dropout prevention to the education committees of the legislature by January 15, 1981.*

*Subd. 3. The dropout unit shall call upon staff of local school districts implementing school dropout prevention programs, social agency personnel who work with dropouts and dropout-prone youth, and parents of school dropouts or dropout-prone youth to provide consultation and advice in developing recommendations for statewide school dropout prevention programs.*

Sec. 7. Minnesota Statutes 1978, Section 471.61, Subdivision 1b, is amended to read:

Subd. 1b. [SELF INSURANCE; SCHOOL DISTRICTS.] Any school district which has entered into a self insurance plan or program prior to March 31, 1978 may elect to continue to provide the benefits authorized by subdivision 1, excluding life and long term disability insurance benefits, through a self insurance plan or program. Any plan or program of self insurance, adopted by a school district, shall provide for the purchase of excess of loss coverage from an insurance company, as defined in section 60A.02, subdivision 4, or a service plan corporation, as defined in section 62C.02, subdivision 6, covering any claims or losses incurred during the period covered by the self insurance plan aggregating in excess of \$500,000, or a lesser amount at the district's option.

This subdivision shall not operate to invalidate any contract providing self insured employee life and long term disability insurance benefits, if the school district entered into the contract prior to March 31, 1978.

This subdivision shall not authorize any school district to provide the benefits authorized by subdivision 1 through a self insurance plan or program after July 1, (1980) 1981.

Sec. 8. [REPEALER.] *Minnesota Statutes 1978, Sections 126.16 and 126.18, are repealed.*

Sec. 9. [APPROPRIATION.] *There is appropriated from the general fund to the department of education the sum of \$50,000 for the fiscal year ending June 30, 1981, for the dropout prevention unit established in section 6 of this article. This appropriation may be used to hire one professional and one clerical employee beyond the existing complement of the department for this purpose.*

Sec. 10. [EFFECTIVE DATE.] *Sections 6 and 9 of this article shall be effective July 1, 1980.*

## ARTICLE VIII

## TEACHER MOBILITY

Section 1. Minnesota Statutes 1978, Section 125.60, Subdivision 1, is amended to read:

125.60 [EXTENDED LEAVES OF ABSENCE.] Subdivision 1. As used in this section, the term "teachers" shall have the meaning given it in section 125.03, subdivision 1 (, BUT SHALL NOT INCLUDE SUPERINTENDENTS).

Sec. 2. Minnesota Statutes 1978, Section 125.60, Subdivision 2, is amended to read:

Subd. 2. The board of any district may grant an extended leave of absence without salary to any full time elementary (OR), secondary or area vocational-technical school teacher who has been employed by the district for at least five years and has at least ten years of allowable service, as defined in section 354.05, subdivision 13, or the by-laws of the appropriate retirement association or ten years of full time teaching service in Minnesota public elementary, secondary and area vocational-technical schools. The maximum duration of an extended leave of absence pursuant to this section shall be determined by mutual agreement of the board and the teacher at the time the leave is granted and shall be at least three but no more than five years. 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.

Sec. 3. Minnesota Statutes 1978, Section 125.60, Subdivision 3, is amended to read:

Subd. 3. Except as provided in subdivision 6a, 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 licensed at the beginning of any school year which immediately follows a year of the extended leave of absence, unless he is discharged or placed on unrequested leave of absence or his contract is terminated pursuant to section 125.12 or 125.17 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. The board shall notify the commissioner within 30 days of being notified that a teacher intends to return from an extended leave.

Sec. 4. Minnesota Statutes 1978, Section 125.60, Subdivision 4, is amended to read:



Subd. 4. 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; *provided, however, this subdivision shall not be construed to require a board to reinstate a teacher to any particular position or, to include the years spent on the extended leave of absence in the determination of a teacher's salary upon his return to teaching in this district.*

Sec. 5. Minnesota Statutes 1978, Section 125.60, is amended by adding a subdivision to read:

*Subd. 6a. No school board shall be obligated to reinstate a teacher who takes a full time or part time position as a teacher in another Minnesota school district while he is on an extended leave of absence pursuant to this section. This subdivision shall not apply to a teacher who is employed as a substitute teacher.*

Sec. 6. Minnesota Statutes 1978, Section 125.60, is amended by adding a subdivision to read:

*Subd. 8. After June 30, 1986, the provisions of this section shall not apply to employees of area vocational-technical schools.*

Sec. 7. Minnesota Statutes 1978, Section 125.61, Subdivision 1, is amended to read:

125.61 [TEACHER EARLY RETIREMENT INCENTIVE PROGRAM.] Subdivision 1. For purposes of this section, "teacher" means a teacher as defined in section 125.03, subdivision 1, who is employed in the public elementary (OR), secondary or area vocational-technical schools in the state, who has not less than 15 total years of full time teaching service in elementary (AND), secondary and area vocational-technical schools, and who has or will have attained the age of 55 years but less than 65 years as of the June 30 in the school year during which an application for an early retirement incentive is made.

Sec. 8. Minnesota Statutes 1978, Section 125.61, Subdivision 2, is amended to read:

Subd. 2. A teacher meeting the requirements of subdivision 1 may be offered a contract for termination of services in the employing school district, withdrawal from active teaching service, and payment of an early retirement incentive by the employing school district. An offer may be accepted by the teacher by submitting a written resignation to the school board of the employing district. Applications shall be submitted (PRIOR TO MARCH 1, 1978 IN THE CASE OF A TEACHER RETIRING AT THE END OF THE 1976-1977 SCHOOL YEAR, PRIOR TO MAY 1, 1978 IN THE CASE OF A TEACHER RETIRING AT

THE END OF THE 1977-1978 SCHOOL YEAR, OR, THEREAFTER,) prior to (MAY 1) *June 30* of the school year at the end of which the teacher wishes to retire.

Sec. 9 Minnesota Statutes 1978, Section 125.61, Subdivision 3, is amended to read:

Subd. 3. An eligible teacher who is or will be 55 years of age as of the end of the school year during which an application for an early retirement incentive is made and accepted shall receive an early retirement incentive in the amount of (\$7,500) *\$10,000*. This amount shall be reduced by (\$375) *\$500* for each year that a teacher is over the age of 55 years to a maximum age of 60 years and by an additional (\$1,125) *\$1,500* for each year that a teacher is over the age of 60 years. The age of the teacher shall be determined as of the June 30 in the school year during which the application for the early retirement incentive is made.

Sec. 10. Minnesota Statutes 1978, Section 125.61, is amended by adding a subdivision to read:

*Subd. 3a. Notwithstanding the provisions of subdivision 3, an eligible teacher who wishes to retire at the end of the 1978-1979 or 1979-1980 school year, who is employed by a school district which is implementing a desegregation plan ordered by a federal court or approved by the state board, and who is offered and accepts an early retirement incentive contract pursuant to subdivision 2, shall receive an early retirement incentive in the amount of \$15,000. This amount shall be reduced by \$750 for each year that a teacher is over the age of 55 years to a maximum age of 60 years and by an additional \$2,250 for each year that a teacher is over the age of 60 years. The age of the teacher shall be determined as of the June 30 in the school year during which the application for the early retirement incentive is made.*

Sec. 11. Minnesota Statutes 1978, Section 125.61, Subdivision 4, is amended to read:

Subd. 4. The early retirement incentive shall be paid by the employing school district (IN FOUR EQUAL SUCCESSIVE MONTHLY INSTALLMENTS COMMENCING ON NOVEMBER 1 OF THE YEAR OF RETIREMENT) *at the time and in the manner mutually agreed upon by a teacher and the board*. The state shall reimburse the district for (25) *50* percent of any amount or amounts paid out as an early retirement incentive pursuant to this section, according to the provisions of subdivision 6. An early retirement incentive shall not be paid to any teacher who is discharged by a school district.

Sec. 12. Minnesota Statutes 1978, Section 125.61, is amended by adding a subdivision to read:

*Subd. 4a. Notwithstanding the provisions of subdivisions 1a and 2, a teacher who has entered into an agreement for termination of services and withdrawal from active teaching service with an early retirement incentive may be employed as a substitute teacher after his retirement.*

Sec. 13. Minnesota Statutes 1978, Section 125.61, is amended by adding a subdivision to read:

*Subd. 4b. Any amount of unemployment insurance which the teacher receives and for which the district is required to pay into the unemployment compensation fund pursuant to section 268.06, subdivision 25, at any time after the teacher has entered into an agreement pursuant to subdivision 2, may be deducted by the district from the amount of the teacher's early retirement incentive or recovered by the district from the teacher up to the amount of the early retirement incentive. The district shall pay 50 percent of any amount so deducted or recovered to the department of education and any amount so received by the department shall be deposited in the state treasury.*

Sec. 14. Minnesota Statutes 1978, Section 125.61, is amended by adding a subdivision to read:

*Subd. 7. After June 30, 1986, the provisions of this section shall not apply to employees of area vocational-technical schools.*

Sec. 15. Minnesota Statutes 1978, Section 354.094, Subdivision 3, is amended to read:

*Subd. 3. A member on extended leave of absence pursuant to section 125.60 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 this chapter and may not pay employee contributions into the fund in any subsequent year of the leave. Nonpayment of employee contributions into the fund shall not affect the rights or obligations of the teacher or his employing school district under section 125.60.*

Sec. 16. Minnesota Statutes 1978, Section 354.094, Subdivision 6, is amended to read:

*Subd. 6. A member 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. This subdivision shall not be construed to prohibit a member who pays employee contributions and receives allowable service credit in the fund pursuant to this section in any year from being employed as a substitute teacher by any school district during that*

*year. Notwithstanding the provisions of sections 354.091 and 354.42, a teacher may not pay retirement contributions or receive allowable service credit in the fund for teaching service rendered for any part of any year for which he pays retirement contributions or receives allowable service credit pursuant to sections 354.094 or 354A.091 while on an extended leave of absence pursuant to section 125.60.*

Sec. 17. Minnesota Statutes 1978, Section 354.66, Subdivision 1, is amended to read:

**354.66 [QUALIFIED PART TIME TEACHERS; PARTICIPATION IN FUND.]** Subdivision 1. As used in this section, the term "teachers" shall have the meaning given it in section 125.03, subdivision 1 (, BUT SHALL NOT INCLUDE SUPERINTENDENTS).

Sec. 18. Minnesota Statutes 1978, Section 354.66, Subdivision 2, is amended to read:

Subd. 2. A teacher in the public elementary (OR), secondary or area vocational-technical schools of the state who has 20 years or more of allowable service or 20 years or more of full time teaching service in Minnesota public elementary, secondary and area vocational-technical schools may, by agreement with the board of the employing district, be assigned to teaching service within the district in a part time teaching position.

Sec. 19. Minnesota Statutes 1978, Section 354.66, Subdivision 3, is amended to read:

Subd. 3. 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) in an amount not exceeding 60 percent of the compensation established by the board for a full time teacher of identical education and experience within the district.

Sec. 20. Minnesota Statutes 1978, Section 354.66, Subdivision 8, is amended to read:

Subd. 8. No teacher shall qualify for the continuation of contributions and accrual of service credit pursuant to subdivision 4 of this section or section 354A.22, subdivision 4, in more than one district at one time. *No teacher shall qualify for the continuation of contributions and accrual of service credit during part time employment in a district pursuant to this section in any year when he also takes a full time or part time teaching position in another Minnesota school district.*

Sec. 21. Minnesota Statutes 1978, Section 354.66, is amended by adding a subdivision to read:

*Subd. 11. After June 30, 1986, the provisions of this section shall not apply to employees of area vocational-technical schools.*

Sec. 22. Minnesota Statutes 1978, Section 354.66, is amended by adding a subdivision to read:

*Subd. 12. Neither subdivision 5 nor subdivision 8 shall be construed to prohibit a teacher who qualifies for the continuation of contributions and accrual of service credit pursuant to this section in any year from being employed as a substitute teacher by any school district during that year. Notwithstanding the provisions of sections 354.091 and 354.42, a teacher may not pay retirement contributions or receive allowable service credit in the fund for teaching service rendered for any part of any year for which he qualifies for continuation of contributions and accrual of service credit pursuant to sections 354.66 or 354A.22.*

Sec. 23. Minnesota Statutes 1978, Section 354A.091, Subdivision 1, is amended to read:

**354A.091 [TEACHERS ON EXTENDED LEAVE.]** Subdivision 1. Notwithstanding any provision of this chapter or the bylaws of an association relating to salary for contribution purposes or accrual of service credit to the contrary, an elementary (OR), secondary or area vocational-technical school teacher in the public schools of a city of the first class who is granted an extended leave of absence pursuant to section 125.60 may receive allowable service credit toward annuities and other benefits under this chapter 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 state 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.

Sec. 24. Minnesota Statutes 1978, Section 354A.091, Subdivision 3, is amended to read:

Subd. 3. A member on extended leave of absence pursuant to section 125.60 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 this chapter and

the bylaws of the retirement association, and may not pay employee contributions into the fund in any subsequent year of the leave. Nonpayment of employee contributions into the fund shall not affect the rights or obligations of the teacher or his employing school district under section 125.60.

Sec. 25. Minnesota Statutes 1978, Section 354A.091, Subdivision 6, is amended to read:

Subd. 6. A member 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. *This subdivision shall not be construed to prohibit a member who pays employee contributions and receives allowable service credit in the fund pursuant to this section in any year from being employed as a substitute teacher by any school district during that year. Notwithstanding the provisions of this chapter or the by-laws of a retirement association, a teacher may not pay retirement contributions or receive allowable service credit in the fund for teaching service rendered for any part of any year for which he pays retirement contributions or receives allowable service credit pursuant to sections 354.094 or 354A.091 while on an extended leave of absence pursuant to section 125.60.*

Sec. 26. Minnesota Statutes 1978, Section 354A.091, is amended by adding a subdivision to read:

*Subd. 7. After June 30, 1986, the provisions of this section shall not apply to employees of area vocational-technical schools.*

Sec. 27. Minnesota Statutes 1978, Section 354A.22, Subdivision 1, is amended to read:

**354A.22 [QUALIFIED PART TIME TEACHERS; PARTICIPATION IN FUND.]** Subdivision 1. As used in this section, the term "teachers" shall have the meaning given it in section 125.03, subdivision 1 (, BUT SHALL NOT INCLUDE SUPERINTENDENTS).

Sec. 28. Minnesota Statutes 1978, Section 354A.22, Subdivision 2, is amended to read:

Subd. 2. A teacher in the public schools of a city of the first class who has 20 years or more of allowable service or 20 years or more of full time teaching service in Minnesota public elementary, secondary and area vocational-technical schools may, by agreement with the board of the employing district, be assigned to teaching service within the district in a part time teaching position.

Sec. 29. Minnesota Statutes 1978, Section 354A.22, Subdivision 3, is amended to read:

Subd. 3. 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 by-laws of the retirement associations covered by chapter 354A, and for which the teacher is compensated (AT A RATE) *in an amount* not exceeding 60 percent of the compensation established by the board for a full time teacher of identical education and experience within the district.

Sec. 30. Minnesota Statutes 1978, Section 354A.22, Subdivision 8, is amended to read:

Subd. 8. No teacher shall qualify for the continuation of contributions and accrual of service credit pursuant to subdivision 4 of this section or section 354.66, subdivision 4, in more than one district at one time. *No teacher shall qualify for the continuation of contributions and accrual of service credit during part time employment in a district pursuant to this section in any year when he also takes a full time or part time teaching position in another Minnesota school district.*

Sec. 31. Minnesota Statutes 1978, Section 354A.22, is amended by adding a subdivision to read:

*Subd. 11. Neither subdivision 5 nor subdivision 8 shall be construed to prohibit a teacher who qualifies for the continuation of contributions and accrual of service credit pursuant to this section in any year from being employed as a substitute teacher by any school district during that year. Notwithstanding the provisions of this chapter or the by-laws of a retirement association, a teacher may not pay retirement contributions or receive allowable service credit in the funds for teaching service rendered for any part of any year for which he qualifies for continuation of contributions and accrual of service credit pursuant to sections 354.66 or 354A.22.*

Sec. 32. Minnesota Statutes 1978, Section 354A.22, is amended by adding a subdivision to read:

*Subd. 12. After June 30, 1986, the provisions of this section shall not apply to employees of area vocational-technical schools.*

Sec. 33. *Notwithstanding Minnesota Statutes 1978, Section 125.60, Subdivision 7, the commissioner of education shall approve applications of districts for extended leaves of absence which were to begin between June 30, 1978 and the effective date of this section for teachers employed in area vocational-technical schools.*

Sec. 34. *Notwithstanding section 354.094, subdivision 1, payments for the first year of extended leaves of absence granted pursuant to section 33 shall be made on or before June 30, 1979 or on or before two months after the effective date of this section, whichever is later.*

Sec. 35. [APPROPRIATION.] *To meet the state's obligation prescribed in Minnesota Statutes, Sections 125.61, 354.094, 354.66, 354A.091 and 354A.22, there is appropriated from the general fund to the department of education the sum of \$1,247,000 for the fiscal year ending June 30, 1980, and the sum of \$1,532,800 for the fiscal year ending June 30, 1981.*

(a) *Any unexpended balance remaining from the appropriation in this section for fiscal year 1980 shall not cancel but shall be available for the second year of the biennium. If the appropriation amount attributable to either year for the purposes 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 Minnesota Statutes, Sections 354.094, 354.66, 354A.091 and 354A.22 shall not be financed out of standing appropriations for the state's obligations pursuant to chapter 354 or 354A.*

Sec. 36. [EFFECTIVE DATE.] *The provisions of this article shall be effective the day following final enactment; except that sections 20 and 30 shall be effective July 1, 1979, and section 5 shall not apply until June 30, 1980, to any teacher who prior to the day following final enactment has taken a full time or part time position as a teacher in a Minnesota school district while on an extended leave of absence. Any school board which approves an early retirement incentive contract and payment pursuant to Minnesota Statutes 1978, Section 125.61, prior to June 30, 1979, may elect to make this payment and receive state reimbursement either pursuant to Minnesota Statutes 1978, Section 125.61, Subdivision 3, or pursuant to section 9 of this article.*

## ARTICLE IX

### COUNCIL ON QUALITY EDUCATION; EARLY CHILDHOOD AND FAMILY EDUCATION PROGRAMS; PRESCHOOL HEALTH AND DEVELOPMENTAL SCREENING PROGRAMS

Section 1. Minnesota Statutes 1978, Section 3.9271, Subdivision 1, is amended to read:

3.9271 [EARLY CHILDHOOD AND FAMILY EDUCATION PROGRAMS.] Subdivision 1. For the (1977-1978)



1979-1980 and (1978-1979) 1980-1981 school years, the council on quality education shall make grants to no fewer than 22 pilot early childhood and family education programs. Early childhood and family education programs are programs for children before kindergarten and below age six which may include the following: identification of potential barriers to learning, education of parents on child development, libraries of educational materials, family services, education for parenthood programs in secondary schools, in-center activity, home-based programs, and referral services.

Notwithstanding section 3.926, subdivision 2, every early childhood and family education program proposal shall be submitted to the council on quality education not less than six weeks before the planned commencement of the program. These programs or grants shall be as equally distributed as possible among districts in cities of the first class, in suburbs, and outside the seven county metropolitan area. (NO MORE THAN TWO OF THESE PROGRAMS SHALL RECEIVE THESE GRANTS IN ANY ONE SCHOOL DISTRICT.) Each pilot program shall serve one elementary school attendance area in the local school district or (A COMBINATION OF ATTENDANCE AREAS IF DEEMED APPROPRIATE BY THE COUNCIL) *an area within a school district which the council deems appropriate.*

The council on quality education shall prescribe the form and manner of application and shall determine the participating pilot programs. In the determination of pilot programs, programs shall be given preference for their ability to coordinate their services with existing programs and other governmental and nonprofit agencies. The council on quality education shall report on the programs annually to the committees on education of the senate and house of representatives.

Sec. 2. Minnesota Statutes 1978, Section 3.9271, is amended by adding a subdivision to read:

*Subd. 5. Any district which has submitted a proposal to the council on quality education for a pilot early childhood and family education program and has been denied funding for the program is encouraged to apply to the department of education for a grant for the program pursuant to the elementary and secondary education act of 1965, title 4C, as amended.*

Sec. 3. Minnesota Statutes 1978, Section 3.9272, is amended to read:

3.9272 [ADVISORY TASK FORCE ON EARLY CHILDHOOD AND FAMILY EDUCATION PROGRAMS.] The council on quality education shall appoint an advisory task force on early childhood and family education programs. The advisory task force shall be composed of parents of young children

and persons knowledgeable in the fields of health, education and welfare. A majority of the task force shall be parents of young children. The advisory task force shall advise the council in the administration of the early childhood and family education programs. The terms, compensation and removal of members shall be governed by the provisions of section 15.059, subdivision 6. The task force shall expire June 30, (1979) 1981.

Sec. 4. Minnesota Statutes 1978, Section 123.702, Subdivision 1, is amended to read:

123.702 [SCHOOL BOARD RESPONSIBILITIES.] Subdivision 1. Every school board shall provide for a voluntary health and developmental screening program for children once before entering kindergarten (; PROVIDED, THIS SECTION SHALL NOT BE CONSTRUED TO REQUIRE SCHOOL BOARDS TO SCREEN CHILDREN WHO ENTER KINDERGARTEN DURING FISCAL YEAR 1978). This screening program shall be established either by one board, by two or more boards acting in cooperation, by educational cooperative service units, by early childhood and family education programs, or by other existing programs. No school board may make this screening examination a mandatory prerequisite to enroll a student. (IN FISCAL YEARS 1978 AND 1979,) The screening programs shall include at least the following components to the extent the school board determines they 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 THEY ARE FINANCIALLY FEASIBLE:), laboratory tests and nutritional and physical assessments. All screening components shall be consistent with the standards of the state commissioner of health for early and periodic screening programs. No child shall be required to submit to any component of this screening program to be eligible for any other component. *No preschool screening program shall provide laboratory tests, a health history or a physical examination to any child who has been provided with those laboratory tests or a health history or physical examination within the previous 12 months. The school district shall request the results of any laboratory test, health history or physical examination within the 12 months preceding a scheduled preschool screening clinic.*

Sec. 5. Minnesota Statutes 1978, Section 123.702, is amended by adding a subdivision to read:

*Subd. 7. In selecting personnel to implement the preschool screening program, the school district shall give priority first to volunteers and second to persons possessing the minimum quali-*

*fications required by the rules adopted by the state board of education and the commissioner of health.*

Sec. 6. Minnesota Statutes 1978, Section 123.703, Subdivision 1, is amended to read:

123.703 [STATE BOARD OF EDUCATION AND STATE COMMISSIONER OF HEALTH; RESPONSIBILITIES.] Subdivision 1. School boards shall administer the screening programs pursuant to rules adopted by the state board of education. (IN ORDER TO IMPLEMENT THE PROGRAMS FOR THE 1977-1978 SCHOOL YEAR, THE STATE BOARD SHALL, NO LATER THAN AUGUST 15, 1977, ADOPT EMERGENCY RULES IN ACCORDANCE WITH SECTION 15.0412, SUBDIVISION 5.) Prior to the adoption of the rules (AND EMERGENCY RULES), the state board shall solicit information or opinions pursuant to section 15.0412, subdivision 6. (THE NOTICE OF PROPOSED RULE MAKING SHALL BE PUBLISHED IN THE STATE REGISTER NO LATER THAN AUGUST 1, 1977, AND) Copies of the proposed rules (AND EMERGENCY RULES) shall be sent to the state commissioner of health and each school board in the state on or before the date of publication. The state board of education shall consider the standards employed by the state commissioner of health for early and periodic screening programs in drafting the proposed rules. *The rules adopted by the state board of education and the commissioner of health to govern the pre-school screening program shall unconditionally permit registered nurses to perform those components of the screening program that can be performed by a nurse.*

Sec. 7 Minnesota Statutes 1978, Section 123.703, Subdivision 3, is amended to read:

Subd. 3. The state board of education, in cooperation with the state commissioner of health, shall report to the legislature by February 1, (1979) 1980, on the results of the screening programs in accomplishing the purposes specified in section 123.701. *The report shall include information on the rates of children's participation in screening programs, on districts' costs for implementing the various components of the screening program, and on any exemptions granted from screening requirements because of financial infeasibility.*

Sec. 8. Minnesota Statutes 1978, Section 123.705, is amended to read:

123.705 [STATE AID.] The department of education shall pay each school district for the cost of screening services provided pursuant to sections 123.701 to 123.705. The payment shall not exceed (\$13) \$25 per child screened in fiscal year (1978) 1980 and (\$23) \$30 per child screened in fiscal year (1979) 1981.

Any district may request and receive an advance payment equal to 50 percent of its estimated payment for screening eligible children.

Sec. 9. [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. [PILOT EARLY CHILDHOOD AND FAMILY EDUCATION PROGRAMS.] For pilot early childhood and family education programs pursuant to section 3.9271 there is appropriated:*

\$880,000 ..... 1980,

\$880,000 ..... 1981.

*Subd. 3. [COUNCIL ON QUALITY EDUCATION VENTURE FUND.] For the venture fund of the council on quality education established pursuant to section 3.925 there is appropriated:*

\$650,000 ..... 1980,

\$650,000 ..... 1981.

*Subd. 4. [PRESCHOOL HEALTH AND DEVELOPMENTAL SCREENING PROGRAMS.] For preschool health and developmental screening programs pursuant to sections 123.701 to 123.705 there is appropriated:*

\$1,375,000 ..... 1980,

\$1,790,000 ..... 1981.

*Subd. 5. Any unexpended balance remaining from the appropriations in this section for 1980 shall not cancel but shall be available for the second year of the biennium. 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.*

## ARTICLE X

### MANAGEMENT INFORMATION SYSTEMS

Section 1. Minnesota Statutes 1978, Section 16.93, is amended to read:

16.93 *Subdivision 1.* [SCHOOL DISTRICTS' PLANS AND BUDGETS.] A school district may expend funds for computerization of administrative, instructional, or other activities only after (FILING ANNUALLY WITH THE STATE DEPARTMENT OF EDUCATION A PLAN AND BUDGET COVERING SUCH ACTIVITIES AND ONLY UPON APPROVAL THEREOF BY THE STATE DEPARTMENT. CRITERIA TO BE USED BY THE DEPARTMENT IN MAKING ITS DETERMINATIONS MUST INCLUDE, BUT ARE NOT LIMITED TO, THE STATE PLAN AS PREPARED BY THE COMMISSIONER OF ADMINISTRATION; POLICIES AND PROGRAMS OF THE INTERGOVERNMENTAL INFORMATION SYSTEMS ADVISORY COUNCIL; AND COST EFFECTIVENESS CONSIDERATIONS OF THE DEPARTMENT. ALL RESULTING DECISIONS OF THE DEPARTMENT ARE TO BE REPORTED PROMPTLY TO THE COMMISSIONER OF ADMINISTRATION AND THE INTERGOVERNMENTAL COUNCIL) *a regional management information center of which the district is a member submits and obtains approval of an annual plan and budget on behalf of its member districts as provided in subdivision 2. Every school district shall become a member of a regional management information center.*

*Subd. 2.* [REGIONAL PLANS AND BUDGETS.] *Any group of two or more school districts may with the approval of the state board of education and the Minnesota educational computing consortium create a regional management information center pursuant to section 471.59 to provide computer services to the member districts. No regional management information center may expend funds for computer activities unless it files an annual plan and budget for its activities with the department of education and the Minnesota educational computing consortium and receives approval of the plan and budget from the department of education and the Minnesota educational computing consortium. Criteria for approving the creation of a regional management information center and the plan and budget of a regional management information center shall include: the provisions of the state computing plan prepared by the Minnesota educational computing consortium; the cost effectiveness of the plan and budget; the effect on existing regional management information centers; the ability of the center in a timely manner to provide information required by the annual data acquisition calendar or by the rules of the state board of education on computer tape which is machine readable using the software designed by the department of education; the ability of the center within 15 calendar days to respond to requests for information based on the data elements in the data element dictionary on computer tape which is machine readable using the software designed by the department of education; and the ability of the center to operate the uniform financial management accounting system using multidimensional accounts and records, as required by the uniform financial accounting and reporting standards for Minnesota school districts adopted by the state board pursuant*

to sections 121.90 to 121.92. Every regional center shall make available to its member districts the opportunity to participate fully in the statewide financial reporting, personnel payroll reporting and student reporting information system of the department of education and the Minnesota educational consortium. A regional management information center which is not in existence on the effective date of this section shall not come into existence until the first July 1 of an odd-numbered year after its creation is approved pursuant to this subdivision or until it can be accommodated by state appropriations, whichever occurs first.

*Subd. 3. [REGIONAL SUBSIDIES.] In any year when a regional management information center's plan and budget are approved pursuant to subdivision 2, the center shall receive a regional reporting subsidy grant from the department of education. The grant shall be in an amount determined in accordance with the formula filed by the department of education with the committees on education and finance of the senate and the committees on education and appropriations of the house of representatives.*

*Subd. 4. [STATE BOARD OF EDUCATIONAL DUTIES.] The state board of education and the Minnesota educational computing consortium shall adopt rules prescribing the criteria for approval of regional plans and budgets and specifying the criteria and the process for determining which data and data elements are included in the data element dictionary and the data acquisition calendar developed pursuant to subdivisions 5 and 6. To the extent permitted by available resources, the commissioner of administration may furnish staff and other assistance to the department of education and the Minnesota educational computing consortium in conjunction with (ITS) their performance of the duties imposed by this section.*

*Subd. 5. [DATA ELEMENT DICTIONARY.] By January 1, 1980, the department of education shall develop a data element dictionary defining all data elements included in the financial reporting, personnel payroll and student reporting information system of the department of education. Except as provided in subdivision 4, the development and modification of the data element dictionary shall be exempt from the rule-making procedures specified in chapter 15.*

*Subd. 6. [DATA ACQUISITION CALENDAR.] By January 1, 1980, the department of education shall develop an annual data acquisition calendar specifying the reports which school districts are required to submit to the department of education and the dates when these reports are due. Except as provided in subdivision 4, the development and modification of the annual data acquisition calendar shall be exempt from the rule-making procedures specified in chapter 15.*

Sec. 2. Minnesota Statutes 1978, Section 121.92, Subdivision 2, is amended to read:

Subd. 2. After July 1, 1980, participation in a computer based financial management accounting and reporting system shall be mandatory. The form of this participation shall be (**APPEALABLE TO THE COMMISSIONER**) *determined as provided in section 16.93.*

Sec. 3. *The state board of education and the Minnesota educational computing consortium may adopt temporary rules as provided in section 15.0412, subdivision 5, pursuant to section 1.*

Sec. 4. [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. [CONVERSION AID.] *For reimbursement of the costs of converting to the regional management informations system, there is appropriated:*

\$940,000 ..... 1980,

\$410,000 ..... 1981.

Subd. 3. [REGIONAL SUPPORT.] *For support grants for regional management information centers there is appropriated:*

\$2,000,000 ..... 1980.

Subd. 4. [TELECOMMUNICATIONS.] *For reimbursement of telecommunications costs of the regional management information system there is appropriated:*

\$ 800,000 ..... 1980,

\$1,100,000 ..... 1981.

Subd. 5. [MINNESOTA EDUCATIONAL COMPUTING CONSORTIUM.] *For development and support of the management information system of the Minnesota educational computing consortium there is appropriated:*

\$790,500 ..... 1980.

\$776,500 ..... 1981.

Subd. 6. *Any unexpended balance remaining from the appropriations in this section for 1980 shall not cancel but shall be available for the second year of the biennium.*

Sec. 5. [CONTINGENCY APPROPRIATIONS.] *Subdivision 1. [CONVERSION.] There is appropriated from the general fund to the general contingent account the sum of \$300,000 which shall be available until June 30, 1981 and which may be used to fund the additional cost of converting to the regional management information system.*

*Subd. 2. [REGIONAL SUPPORT.] There is appropriated from the general fund to the general contingent account the sum of \$400,000 which shall be available until June 30, 1981, and the sum of \$2,600,000 for the year ending June 30, 1981, for the purpose of support grants for regional management information centers. The appropriation for fiscal year 1981 shall be available for expenditure only with the approval of the governor after consultation with the legislative advisory commission in the manner provided in section 3.30 and only after the legislature has reviewed the formation, structure and functions of the regional management information centers and has determined procedures for funding support grants for regional management information centers for fiscal year 1981.*

## ARTICLE XI

### LIBRARIES

Section 1. Minnesota Statutes 1978, Section 134.30, is amended by adding a subdivision to read:

*Subd. 6. "Multi-county, multi-type library system" means a cooperative network composed of any combination of public libraries, regional public library systems, public school libraries, public or private college or university libraries and any other libraries which share services and resources within a multi-county area.*

Sec. 2. Minnesota Statutes 1978, Section 134.32, Subdivision 5, is amended to read:

*Subd. 5. It may provide grants for interlibrary exchange of books, periodicals, resource material, reference information and the expenses incident to the sharing of library resources and materials including planning, development and operating grants to multi-county, multi-type library systems.*

Sec. 3. Minnesota Statutes 1978, Section 134.33, Subdivision 1, is amended to read:

**134.33 [ESTABLISHMENT GRANTS.]** Subdivision 1. An establishment grant as described in section 134.32, subdivision 2, shall be made to any regional public library system for the first two state fiscal years after a board of county commissioners has contracted to join that system and has agreed that



the county will provide the levels of support for public library service specified in this section. In the first year of participation, the county shall provide an amount of support equivalent to (.2) .3 mill times the adjusted assessed valuation of the taxable property of the county as determined by the equalization aid review committee for the second year preceding that calendar year ( ; IN THE SECOND YEAR OF PARTICIPATION, AN AMOUNT EQUIVALENT TO .3 MILL TIMES THE ADJUSTED ASSESSED VALUATION OF THE TAXABLE PROPERTY OF THE COUNTY AS DETERMINED BY THE EQUALIZATION AID REVIEW COMMITTEE FOR THE SECOND YEAR PRECEDING THAT CALENDAR YEAR; AND,) or two-thirds of the per capita amount established under provisions of section 134.34, subdivision 1, whichever amount is less. In the (THIRD) second year of participation and in each year thereafter, the county shall provide an amount equivalent to .4 mill times the adjusted assessed valuation of the taxable property of the county as determined by the equalization aid review committee for the second year preceding that calendar year or the per capita amount established under provisions of section 134.34, subdivision 1, whichever is less. The minimum level of support shall be certified annually to the county by the department of education. In no event shall the department of education require any county to provide a higher level of support than the level of support specified in this section in order for a system to qualify for an establishment grant. This section shall not be construed to prohibit any county from providing a higher level of support for public libraries than the level of support specified in this section.

Sec. 4. Minnesota Statutes 1978, Section 134.34, Subdivision 1, is amended to read:

134.34 [REGIONAL LIBRARY BASIC SYSTEM SUPPORT GRANTS; REQUIREMENTS.] Subdivision 1. A regional library basic system support grant shall be made to any regional public library system where there are at least three participating counties and where each participating city and county, except in the first (AND SECOND YEARS) year of participation as provided in section 134.33, is providing for public library service support (IN) the lesser of (a) an amount equivalent to .4 mill times the adjusted assessed valuation of the taxable property of that city or county, as determined by the equalization aid review committee for the second year preceding that calendar year or (b) a per capita amount calculated under provisions of this subdivision. The per capita amount is established for calendar year 1980 as \$3.00. In succeeding calendar years, the per capita amount shall be increased by a percentage equal to one-half of the percentage by which the total state adjusted assessed valuation of property as determined by the equalization aid review committee for the second year preceding that calendar year increases over that total adjusted assessed valuation for the third year preceding that calendar year. The minimum level of support

shall be certified annually to the participating cities and counties by the department of education. A city which is a part of a regional public library system shall not be required to provide this level of support if the property of that city is already taxable by the county for the support of that regional public library system. In no event shall the department of education require any city or county to provide a higher level of support than the level of support specified in this section in order for a system to qualify for a regional library basic system support grant. This section shall not be construed to prohibit a city or county from providing a higher level of support for public libraries than the level of support specified in this section.

Sec. 5. Minnesota Statutes 1978, Section 134.34, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding the provisions of section 134.33 and subdivision 1 of this section, after the (THIRD) *second* year of participation by a city or county, the dollar amount of the minimum level of support for that city or county shall not be required to increase by more than ten percent over the dollar amount of the minimum level of support required of it in the previous year. If a participating city or county which has been providing for public library service support in an amount equivalent to .67 mill times the assessed valuation of the taxable property of that city or county for the year preceding that calendar year would be required to increase the dollar amount of such support by more than ten percent to reach the equivalent of .4 mill times the adjusted assessed valuation of the taxable property of that participating city or county as determined by the equalization aid review committee for the second year preceding that calendar year *or the per capita amount calculated under provisions of section 134.34, subdivision 1*, it shall only be required to increase the dollar amount of such support by ten percent per year until such time as it reaches an amount equivalent to .4 mill times the adjusted assessed valuation of that taxable property as determined by the equalization aid review committee for the second year preceding that calendar year *or the per capita amount calculated under provisions of section 134.34, subdivision 1*.

Sec. 6. Minnesota Statutes 1978, Section 134.35, Subdivision 1, is amended to read:

134.35 [REGIONAL LIBRARY BASIC SYSTEM SUPPORT GRANTS; DISTRIBUTION FORMULA.] Subdivision 1. Any regional public library system which qualifies according to the provisions of section 134.34 may apply for an annual grant for regional library basic system support. The amount of each grant for fiscal year (1979) 1980 and each fiscal year thereafter shall be calculated as provided in this section.

Sec. 7. Minnesota Statutes 1978, Section 134.35, Subdivision 2, is amended to read:

Subd. 2. (SIXTY) *Fifty-five* percent of the available grant funds shall be distributed to provide all qualifying systems an equal amount per capita. Each system's allocation pursuant to this subdivision shall be based on the population it serves.

Sec. 8. Minnesota Statutes 1978, Chapter 134, is amended by adding a section to read:

[134.351] [MULTI-COUNTY, MULTI-TYPE LIBRARY SYSTEMS.] *Subdivision 1. [ESTABLISHMENT.] The state board of education, upon the advice of the advisory council to the office of public libraries and interlibrary cooperation, may approve the establishment of multi-county, multi-type library systems and the geographic boundaries of those systems.*

*Subd. 2. [SERVICES.] Each multi-county, multi-type library system is encouraged to develop services including, but not limited to the following: referral of users, intrasystem reciprocal borrowing, cooperative collection development, cooperative reference services, staff development, research and development, cooperative storage facilities, publicity and community relations.*

*Subd. 3. [AGREEMENT.] In order for a multi-county, multi-type library system to qualify for a planning, development or operating grant pursuant to sections 9 and 10 of this article, each participating library in the system shall adopt an organizational agreement providing for the following:*

- (a) *Sharing of resources among all participating libraries;*
- (b) *Long-range planning for cooperative programs;*
- (c) *The development of a delivery system for services and programs;*
- (d) *The development of a bibliographic data base; and*
- (e) *A communications system among all cooperating libraries.*

*Subd. 4. [GOVERNANCE.] In any area where the boundaries of a proposed multi-county, multi-type library system coincide with the boundaries of the regional library system, the regional library system board shall be designated as the governing board for the multi-county, multi-type library system. In any area where a proposed multi-county, multi-type library system encompasses more than one regional library system, the governing board of the multi-county, multi-type library system shall*

consist of nine members appointed by the cooperating regional library system boards from their own membership in proportion to the population served by each cooperating regional library system. In each multi-county, multi-type library system there shall be established an advisory committee consisting of two representatives of public libraries, two representatives of school media services, one representative of special libraries, one representative of public supported academic libraries, and one representative of private academic libraries. The advisory committee shall recommend needed policy to the system governing board.

Subd. 5. [REPORTS.] Each multi-county, multi-type system receiving a grant pursuant to section 9 or 10 of this article shall provide an annual progress report to the department of education. The department shall report annually to the legislature on all projects funded under sections 9 and 10 of this article.

Sec. 9. Minnesota Statutes 1978, Chapter 134, is amended by adding a section to read:

[134.352] [MULTI-COUNTY, MULTI-TYPE LIBRARY SYSTEM; PLANNING GRANTS.] The state board of education may award a one-year planning grant to a multi-county, multi-type library system, to be available during the first year of operation of each system. In awarding a planning grant, the state board shall consider the extra costs incurred in systems located in sparsely populated and large geographic areas.

Sec. 10. Minnesota Statutes 1978, Chapter 134, is amended by adding a section to read:

[134.353] [MULTI-COUNTY, MULTI-TYPE LIBRARY SYSTEM DEVELOPMENT GRANT.] The state board of education may provide development and operating grants to multi-county, multi-type library systems in their second and subsequent years of operation. In awarding a development and operating grant, the state board shall consider the extra costs incurred in systems located in sparsely populated and large geographic regions.

Sec. 11. [REPEALER.] Minnesota Statutes 1978, Section 134.33, Subdivision 2, is repealed.

Sec. 12. [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 grants pursuant to sections 134.30 to 134.36 for the provision of library services, there is appropriated:

\$3,591,300 . . . . . 1980,

\$3,614,300 . . . . . 1981.

*Subd. 3. For grants pursuant to sections 9 and 10 of this article to multi-county, multi-type library systems, there is appropriated:*

\$125,000 . . . . . 1980,

\$125,00 . . . . . 1981.

*Subd. 4. Any unexpended balance remaining from the appropriations in this section for 1980 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."*

Further, strike the title and insert:

"A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies and the distribution of tax revenues; granting certain powers and duties to teachers, school bus drivers, school boards, school districts, educational cooperative service units, the Minnesota educational computing consortium, courts, the commissioner of education, the commissioner of health, the department of education, the state board of education and the state board for vocational education and other state agencies; creating a legislative school finance study commission; changing the method of computing foundation aid and levy limitations; providing aid for sparsely populated school districts, basic skills programs, new jobs programs and programs for gifted and talented students; changing procedures for decisions concerning the education of handicapped children; increasing tuition at area vocational-technical institutes; appropriating money; amending Minnesota Statutes 1978, Sections 3.9271, Subdivision 1, and by adding a subdivision; 3.9272; 16.93; 120.075; 120.17, Subdivisions 3b and 7a; 121.912, by adding a subdivision; 121.92, Subdivision 2; 123.34, Subdivision 8; 123.35, by adding a subdivision; 123.58, Subdivision 6, and by adding a subdivision; 123.702, Subdivision 1, and by adding a subdivision; 123.703, Subdivisions 1 and 3; 123.705; 123.741, Subdivision 1; 123.937; 124.01; 124.11, Subdivision 4; 124.17, Subdivision 1; 124.212, Subdivisions 1, 6c, 7c, 11, 20, and by adding subdivisions; 124.222, Subdivisions 1a, 1b, 2a, 2b and 6; 124.223; 124.245, Subdivisions 1 and 2; 124.26, Subdivision 3; 124.271, Subdivisions 2, 5, and by adding a subdivision; 124.32, Subdivisions 1, 1a, 5, 7 and 10; 124.561, Subdivision 3a; 124.562, Subdivisions 1 and 2; 124.563, Subdivision 1; 124.565, Subdivisions 3, 4, and by adding a subdivision; 124.572, Subdivision 2; 124.574, Subdivision 2; 124.646, Subdivision 1; 125.60, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 125.61, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 126.39, Subdivision 10; 126.40, Subdivision 3;

126.41, Subdivision 1; 126.52, Subdivision 10; 126.53, Subdivision 3; 126.54, Subdivision 1; 128A.02, Subdivision 6; 134.30, by adding a subdivision; 134.32, Subdivision 5; 134.33, Subdivision 1; 134.34, Subdivisions 1 and 2; 134.35, Subdivisions 1 and 2; 169.44, Subdivisions 1, 2, and by adding subdivisions; 275.125, Subdivisions 1, 2a, 2b, 8, 11a, and by adding subdivisions; 354.094, Subdivisions 3 and 6; 354.66, Subdivisions 1, 2, 3, 8, and by adding subdivisions; 354A.091, Subdivisions 1, 3, 6, and by adding a subdivision; 354A.22, Subdivisions 1, 2, 3, 8, and by adding subdivisions; 471.61, Subdivision 1b; and Chapters 124, by adding sections; and 134, by adding sections; repealing Minnesota Statutes 1978, Sections 120.171; 124.212, Subdivisions 6b and 7b; 124.241; 126.16; 126.18; 134.33, Subdivision 2; 169.44, Subdivisions 5 and 7; and 275.125, Subdivisions 6 and 7."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

S. F. No. 363, A bill for an act relating to crimes; requiring reporting of firearm discharges by security guards.

Reported the same back with the following amendments:

Page 2, line 10, after "employment" insert ", other than for training purposes,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

S. F. No. 607, A bill for an act relating to crimes; prescribing penalties for the possession of controlled substances on school premises; amending Minnesota Statutes 1978, Section 152.15, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1552 and 1553 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 923, 478, 1312, 285, 363 and 607 were read for the second time.

INTRODUCTION AND FIRST READING  
OF HOUSE BILLS

The following House Files were introduced:

Enebo; Sieben, H.; Anderson, I; Norton and Voss introduced:

H. F. No. 1554, A bill for an act relating to the operation of state government; raising salaries and salary ranges for certain executive branch employees, metropolitan agency officers, judges and judicial branch employees; eliminating achievement awards for commissioners and deputy commissioners; amending Minnesota Statutes 1978, Sections 15A.081; 15A.083, Subdivisions 1, 2 and 4; 43.062, Subdivision 3; and 43.067, Subdivision 4; repealing Minnesota Statutes 1978, Sections 15A.083, Subdivision 4a; and 43.069.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Schreiber introduced:

H. F. No. 1555, A bill for an act relating to taxation; repealing limited market valuation of real property for property tax purposes over a two year period; providing that the flexible homestead base value be related to average home construction costs; changing class 3b, 3c and 3cc classification ratios; changing determination and amount of state paid agricultural credit; providing state paid environmental credit; amending Minnesota Statutes 1978, Sections 273.11, Subdivision 2; 273.122; 273.13, Subdivisions 4, 6, 6a and 7; 273.132; and 273.17, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Heinitz; Carlson, L.; Kalis and Onnen introduced:

H. F. No. 1556, A bill for an act relating to health; changing provisions related to depreciation allowances for certain nursing homes; altering the definition of the term net asset value; removing certain restrictions on the recognition of interest expenses related to capital indebtedness of nursing homes; amending Minnesota Statutes 1978, Sections 256B.42, Subdivision 5; 256B.43, Subdivision 1; and 256B.44.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Osthoff, Tomlinson and Carlson, L., introduced:

H. F. No. 1557, A bill for an act relating to elections; requiring disclosure of campaign financing information for all county, city and school district elections; requiring disclosure of economic interests by candidates and elected officials of all counties and certain cities and school districts; requiring candidates to form a principal campaign committee; imposing duties on the ethical practices board, county auditors, municipal clerks and chief administrative officers of certain school districts; superseding other general or special laws, charter provisions and local ordinances; imposing late filing fees and criminal penalties; amending Minnesota Statutes 1978, Sections 210A.01, Subdivisions 1, 3, 8 and 9; 210A.05, Subdivision 1; 210A.16; 210A.37; 290.09, Subdivision 2; and Chapter 210A, by adding sections; repealing Minnesota Statutes 1978, Sections 210A.01, Subdivisions 5 and 6; 210A.22 to 210A.33; and Laws 1977, Chapter 131.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Ewald, Adams, Ainley, Sarna and Biersdorf introduced:

H. F. No. 1558, A bill for an act relating to economic development; creating a small business finance agency with authority to borrow to provide loans for pollution control projects; appropriating money.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Voss, Anderson, D., and Kahn introduced:

H. F. No. 1559, A bill for an act relating to the department of administration; requiring the commissioner of administration to prepare a budget for computer services; requiring that competitive bids be solicited for the development or operation for computer systems; repealing Minnesota Statutes 1978, Section 16.07, Subdivision 14.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Peterson; Anderson, G.; Carlson, D.; Nelsen, B., and Mann introduced:

H. F. No. 1560, A bill for an act relating to agriculture; regulating wholesale produce dealers; amending Minnesota Statutes 1978, Sections 27.001; 27.01; 27.03; 27.04; 27.041; 27.05; 27.06; and Chapter 27, by adding a section.

The bill was read for the first time and referred to the Committee on Agriculture.



Casserly, Novak, Berglin, Blatz and Halberg introduced:

H. F. No. 1561, 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.

### 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. 1351.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 1351, A bill for an act relating to metropolitan government; providing for financing of metropolitan sports facilities; authorizing a revised site determination and establishing conditions for issuance of bonds; providing for appointment of members of the metropolitan sports facilities commission; exempting events sponsored at the metropolitan sports center from the three percent admission tax; appropriating money; amending Minnesota Statutes 1978, Sections 473.553, Subdivisions 2 and 4; 473.581, Subdivisions 2, 3, as amended, 4, as amended, and 5, as amended; 473.595, Subdivision 1; and Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Section 473.568.

The bill was read for the first time and referred to the Committee on Taxes.

### CONSENT CALENDAR

S. F. No. 466, A bill for an act relating to counties; providing for the use of certain tax-forfeited lands; regulating the terms of small timber sales; amending Minnesota Statutes 1978, Section 282.04, 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:

Aasness	Elioff	Kaley	Nelson	Sherwood
Adams	Ellingson	Kalis	Niehaus	Sieben, H.
Ainley	Enebo	Kelly	Norman	Sieben, M.
Albrecht	Erickson	Kempe	Norton	Simoneau
Anderson, B.	Esau	Knickerbocker	Novak	Stoa
Anderson, D.	Evans	Kostohryz	Nysether	Stowell
Anderson, G.	Ewald	Kroening	Olsen	Sviggum
Anderson, I.	Faricy	Kvam	Onnen	Swanson
Anderson, R.	Forsythe	Laidig	Osthoff	Thiede
Battaglia	Friedrich	Lehto	Otis	Tomlinson
Begich	Fritz	Levi	Patton	Valan
Berglin	Fudro	Long	Pavlak	Valento
Berkelman	Greenfield	Ludeman	Pehler	Voss
Biersdorf	Halberg	Luknic	Peterson	Waldorf
Blatz	Haukoos	Mann	Piepho	Weaver
Brinkman	Heap	McCarron	Pleasant	Welch
Byrne	Heinitz	McDonald	Prahl	Welker
Carlson, L.	Hoberg	McEachern	Redalen	Wenzel
Casserly	Hokanson	Mehrkens	Reding	Wieser
Clark	Jacobs	Metzen	Rees	Wynia
Clawson	Jaros	Minne	Reif	Zubay
Corbid	Jennings	Moe	Rose	Speaker Searle
Crandall	Johnson, C.	Munger	Rothenberg	
Den Ouden	Johnson, D.	Murphy	Sarna	
Drew	Jude	Nelsen, B.	Schreiber	
Eken	Kahn	Nelsen, M.	Searles	

The bill was passed and its title agreed to.

S. F. No. 1388, A bill for an act relating to Hennepin County; establishing an unclassified civil service position of chief civil deputy sheriff; amending Laws 1965, Chapter 855, Section 7, Subdivision 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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Battaglia	Casserly	Enebo	Fritz
Adams	Begich	Clark	Erickson	Fudro
Ainley	Berglin	Clawson	Esau	Greenfield
Albrecht	Berkelman	Corbid	Evans	Halberg
Anderson, B.	Biersdorf	Crandall	Ewald	Haukoos
Anderson, D.	Blatz	Den Ouden	Faricy	Heap
Anderson, G.	Brinkman	Drew	Fjoslien	Heinitz
Anderson, I.	Byrne	Eken	Forsythe	Hoberg
Anderson, R.	Carlson, L.	Elioff	Friedrich	Hokanson

Jacobs	Long	Niehaus	Redalen	Swanson
Jaros	Ludeman	Norman	Reding	Thiede
Jennings	Luknic	Norton	Rees	Tomlinson
Johnson, D.	Mann	Novak	Reif	Valan
Jude	McCarron	Nysether	Rose	Valento
Kahn	McDonald	Olsen	Rothenberg	Voss
Kaley	McEachern	Onnen	Sarna	Waldorf
Kalis	Mehrkens	Osthoff	Schreiber	Weaver
Kempe	Metzen	Otis	Searles	Welch
Knickerbocker	Minne	Patton	Sherwood	Welker
Kostohryz	Moe	Pavlak	Sieben, H.	Wenzel
Kroening	Munger	Pehler	Sieben, M.	Wieser
Kvam	Murphy	Peterson	Simoneau	Wigley
Laidig	Nelsen, B.	Piepho	Stoa	Wynia
Lehto	Nelsen, M.	Pleasant	Stowell	Zubay
Levi	Nelson	Prahl	Sviggum	Speaker Searle

The bill was passed and its title agreed to.

### SPECIAL ORDERS

H. F. No. 870, A bill for an act relating to education; requiring that certain schools provide a prospective student with a school catalog before accepting the student; providing in certain cases for tuition refunds from private business, trade, and correspondence schools that do not use written contracts; providing for certain exemptions under the private business, trade and correspondence school act; amending Minnesota Statutes 1978, Sections 141.25, Subdivision 9; 141.271, Subdivision 3, and by adding a subdivision; and 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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Corbid	Heap	Long	Olsen
Adams	Crandall	Heinitz	Ludeman	Onnen
Ainley	Dempsey	Hoberg	Luknic	Osthoff
Albrecht	Den Ouden	Hokanson	Mann	Otis
Anderson, B.	Drew	Jacobs	McCarron	Patton
Anderson, D.	Eken	Jaros	McDonald	Paylak
Anderson, G.	Elioff	Jennings	McEachern	Pehler
Anderson, I.	Enebo	Johnson, D.	Mehrkens	Peterson
Anderson, R.	Erickson	Jude	Metzen	Piepho
Battaglia	Esau	Kahn	Minne	Pleasant
Begich	Evans	Kaley	Moe	Prahl
Berglin	Ewald	Kalis	Munger	Redalen
Berkelman	Faricy	Kelly	Murphy	Reding
Biersdorf	Fjoslien	Kempe	Nelsen, B.	Rees
Blatz	Forsythe	Knickerbocker	Nelsen, M.	Reif
Brinkman	Friedrich	Kostohryz	Nelson	Rose
Byrne	Fritz	Kroening	Niehaus	Rothenberg
Carlson, L.	Fudro	Kvam	Norman	Sarna
Cassarly	Greenfield	Laidig	Norton	Schreiber
Clark	Halberg	Lehto	Novak	Searles
Clawson	Haukoos	Levi	Nysether	Sherwood

Sieben, H.	Sviggum	Valento	Welker	Zubay
Sieben, M.	Swanson	Voss	Wenzel	Speaker Searle
Simoneau	Thiede	Waldorf	Wieser	
Stoa	Tomlinson	Weaver	Wigley	
Stowell	Valan	Welch	Wynia	

The bill was passed and its title agreed to.

H. F. No. 546, A bill for an act relating to insurance; prohibiting discrimination in the sale of automobile insurance solely on the basis of a disability; amending Minnesota Statutes 1978, Section 65B.13; repealing Minnesota Statutes 1978, Section 65B.131.

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:

Aasness	Elioff	Kahn	Nelsen, M.	Searles
Adams	Ellingson	Kaley	Nelson	Sherwood
Ainley	Enebo	Kalis	Niehaus	Sieben, H.
Albrecht	Erickson	Kelly	Norman	Sieben, M.
Anderson, B.	Esau	Kempe	Norton	Simoneau
Anderson, D.	Evans	Knickerbocker	Novak	Stoa
Anderson, G.	Ewald	Kostohryz	Nysether	Sviggum
Anderson, I.	Faricy	Kroening	Olsen	Swanson
Anderson, R.	Fjoslien	Kvam	Onnen	Thiede
Battaglia	Forsythe	Laidig	Osthoff	Tomlinson
Begich	Friedrich	Lehto	Otis	Valan
Berglin	Fritz	Levi	Patton	Valento
Berkelman	Fudro	Long	Pavlak	Vanasek
Blatz	Greenfield	Ludeman	Pehler	Voss
Brinkman	Halberg	Luknic	Petersón	Waldorf
Byrne	Haukoos	Mann	Piepho	Weaver
Carlson, L.	Heap	McCarron	Pleasant	Welch
Casserly	Heinitz	McDonald	Prahl	Welker
Clark	Hoberg	McEachern	Redalen	Wenzel
Clawson	Hokanson	Mehrkens	Reding	Wieser
Corbid	Jacobs	Metzen	Rees	Wigley
Crandall	Jaros	Minne	Reif	Wynia
Dempsey	Jennings	Moe	Rose	Zubay
Den Ouden	Johnson, C.	Munger	Rothenberg	Speaker Searle
Drew	Johnson, D.	Murphy	Sarna	
Eken	Jude	Nelsen, B.	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 1394, A resolution memorializing the Legislature and Governor of the state of Wisconsin to amend the Wisconsin statute governing tuition reciprocity 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Nelson	Sieben, H.
Adams	Elihoff	Kaley	Niehaus	Sieben, M.
Ainley	Ellingson	Kalis	Norman	Simoneau
Albrecht	Enebo	Kelly	Norton	Stoa
Anderson, B.	Erickson	Kempe	Novak	Stowell
Anderson, D.	Esau	Knickerbocker	Nysether	Sviggum
Anderson, G.	Evans	Kostohryz	Olsen	Swanson
Anderson, I.	Ewald	Kroening	Onnen	Thiede
Anderson, R.	Faricy	Kvam	Osthoff	Tomlinson
Battaglia	Fjoslien	Laidig	Otis	Valan
Begich	Forsythe	Lehto	Patton	Valento
Berglin	Friedrich	Levi	Pavlak	Vanasek
Berkelman	Fritz	Long	Pehler	Voss
Biersdorf	Fudro	Ludeman	Peterson	Waldorf
Blatz	Greenfield	Luknic	Piepho	Weaver
Brinkman	Halberg	Mann	Pleasant	Welch
Byrne	Haukoos	McCarron	Prahl	Welker
Carlson, L.	Heap	McDonald	Redalen	Wenzel
Casserly	Heinitz	McEachern	Reding	Wieser
Clark	Hoberg	Mehrkens	Rees	Wigley
Clawson	Hokanson	Metzen	Reif	Wynia
Corbid	Jacobs	Minne	Rose	Zubay
Crandall	Jaros	Moe	Rothenberg	Speaker Searle
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	
Drew	Jude	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

Ewald was excused between the hours of 2:25 p.m. and 3:25 p.m.

H. F. No. 772, A bill for an act relating to highways; allowing private landowners to install drainage tiles in highway right-of-way; amending Minnesota Statutes 1978, Section 160.20, by adding a subdivision.

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 28 nays as follows:

Those who voted in the affirmative were:

Aasness	Brinkman	Esau	Jacobs	Ludeman
Adams	Byrne	Evans	Jennings	Luknic
Ainley	Carlson, D.	Fjoslien	Johnson, C.	Mann
Albrecht	Carlson, L.	Forsythe	Johnson, D.	McCarron
Anderson, B.	Clark	Friedrich	Jude	McDonald
Anderson, D.	Crandall	Fritz	Kaley	McEachern
Anderson, G.	Dean	Fudro	Kalis	Mehrkens
Anderson, R.	Dempsey	Halberg	Kelly	Metzen
Battaglia	Den Ouden	Haukoos	Knickerbocker	Moe
Begich	Drew	Heap	Kroening	Murphy
Berkelman	Eken	Heinitz	Kvam	Nelsen, B.
Biersdorf	Elihoff	Hoberg	Laidig	Nelsen, M.
Blatz	Erickson	Hokanson	Levi	Nelson

Niehaus	Pavlak	Rose	Swanson	Welker
Norman	Pehler	Sarna	Thiede	Wenzel
Norton	Piepho	Schreiber	Valan	Wieser
Olsen	Prahl	Searles	Valento	Wigley
Onnen	Redalen	Sieben, H.	Voss	Zubay
Osthoff	Rees	Sieben, M.	Waldorf	Speaker Searle
Otis	Reif	Simoneau	Weaver	
Patton	Rice	Sviggum	Welch	

Those who voted in the negative were:

Anderson, I.	Enebo	Kostohryz	Nysether	Stowell
Berglin	Faricy	Lehto	Peterson	Tomlinson
Casserly	Greenfield	Long	Reding	Vanasek
Clawson	Jaros	Minne	Rothenberg	Wynia
Corbid	Kahn	Munger	Sherwood	
Ellingson	Kempe	Novak	Stoa	

The bill was passed and its title agreed to.

H. F. No. 852, A bill for an act relating to schools; requiring school boards to allow official representatives of military forces reasonable access to certain school facilities for recruitment presentations; amending Minnesota Statutes 1978, Section 123.36, 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 101 yeas and 31 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Johnson, D.	Nelsen, M.	Sieben, M.
Adams	Eken	Jude	Niehaus	Simoneau
Ainley	Elioff	Kaley	Norman	Stoa
Albrecht	Enebo	Kalis	Olsen	Stowell
Anderson, B.	Erickson	Knickerbocker	Onnen	Sviggum
Anderson, D.	Esau	Kostohryz	Otis	Swanson
Anderson, G.	Evans	Kroening	Patton	Thiede
Anderson, I.	Fjoslien	Kvam	Pavlak	Tomlinson
Battaglia	Forsythe	Laidig	Pehler	Valan
Begich	Friedrich	Lehto	Peterson	Valento
Berkelman	Fritz	Levi	Piepho	Voss
Biersdorf	Fudro	Long	Prahl	Weaver
Blatz	Halberg	Ludeman	Redalen	Wenzel
Brinkman	Haukoos	Luknic	Reding	Wieser
Carlson, D.	Heap	Mann	Rees	Wigley
Carlson, L.	Heintz	McCarron	Reif	Zubay
Clawson	Hoberg	McEachern	Rothenberg	Speaker Searle
Crandall	Hokanson	Mehrkens	Sarna	
Dean	Jacobs	Metzen	Schreiber	
Dempsey	Jennings	Minne	Searles	
Den Ouden	Johnson, C.	Nelsen, B.	Sieben, H.	

Those who voted in the negative were:

Anderson, R.	Byrne	Clark	Ellingson	Greenfield
Berglin	Casserly	Corbid	Faricy	Jaros

Kahn	Munger	Nysether	Sherwood	Wynia
Kelly	Murphy	Osthoff	Vanasek	
Kempe	Nelson	Pleasant	Waldorf	
McDonald	Norton	Rice	Welch	
Moe	Novak	Rose	Welker	

The bill was passed and its title agreed to.

H. F. No. 1126, A bill for an act relating to state parks; authorizing the acquisition of certain lands for Afton State Park by eminent domain.

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:

Adams	Ellingson	Kempe	Olsen	Sieben, M.
Anderson, B.	Enebo	Knickerbocker	Onnen	Simoneau
Anderson, D.	Faricy	Kostohryz	Osthoff	Stoa
Anderson, I.	Fjoslien	Kroening	Otis	Stowell
Battaglia	Forsythe	Kvam	Patton	Swanson
Begich	Fritz	Laidig	Pavlak	Tomlinson
Berglin	Fudro	Lehto	Pehler	Valan
Berkelman	Greenfield	Levi	Peterson	Valento
Biersdorf	Halberg	Long	Piepho	Vanasek
Blatz	Heap	Luknic	Prahl	Voss
Brinkman	Heinitz	McCarron	Reding	Waldorf
Byrne	Hoberg	McEachern	Rees	Weaver
Carlson, L.	Hokanson	Mehrkens	Reif	Welch
Casserly	Jacobs	Minne	Rice	Wenzel
Clark	Jaros	Munger	Rose	Wieser
Clawson	Johnson, C.	Murphy	Rothenberg	Wigley
Crandall	Jude	Nelson	Sarna	Wynia
Dean	Kahn	Niehaus	Schreiber	Zubay
Dempsey	Kaley	Norman	Searles	Speaker Searle
Drew	Kalis	Norton	Sherwood	
Eken	Kelly	Novak	Sieben, H.	

Those who voted in the negative were:

Aasness	Corbid	Evans	Mann	Nysether
Ainley	Den Ouden	Haukoos	McDonald	Redalen
Albrecht	Elioff	Jennings	Moe	Sviggum
Anderson, R.	Erickson	Johnson, D.	Nelsen, B.	Thiede
Carlson, D.	Esau	Ludeman	Neisen, M.	Welker

The bill was passed and its title agreed to.

H. F. No. 797 was reported to the House.

Clawson moved to amend H. F. No. 797, as follows:

Page 3, line 2, delete "means a" and insert "includes any"

Page 3, line 4, delete "involving any of" and insert "not included within the provisions of clause (c)."

Page 3, delete lines 5 through 18

Page 3, line 19, delete "includes any" and insert "means a"

Page 3, line 21, delete "not included" and insert "constituting a petty misdemeanor as defined in section 609.02, subdivision 4a."

Page 3, delete line 22

The motion prevailed and the amendment was adopted.

H. F. No. 797, A bill for an act relating to juveniles; juvenile traffic offenders; requiring prosecution of juveniles who commit minor traffic offenses under laws controlling adult offenders; amending Minnesota Statutes 1978, Sections 260.111, Subdivision 1; 260.115, Subdivision 1; 260.121, Subdivision 3; and 260.193.

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 0 nays as follows:

Those who voted in the affirmative were:

Adams	Eken	Kahn	Niehaus	Sieben, M.
Ainley	Elioff	Kaley	Norman	Simoneau
Albrecht	Ellingson	Kalis	Norton	Stoa
Anderson, B.	Enebo	Kelly	Novak	Stowell
Anderson, D.	Erickson	Kempe	Nysether	Swiggum
Anderson, G.	Esau	Knickerbocker	Olsen	Swanson
Anderson, I.	Evans	Kostohryz	Onnen	Thiede
Anderson, R.	Faricy	Kroening	Osthoff	Tomlinson
Battaglia	Fjoslien	Kvam	Otis	Valan
Begich	Forsythe	Laidig	Patton	Valento
Berglin	Friedrich	Lehto	Pavlak	Vanasek
Berkelman	Fritz	Levi	Pehler	Voss
Biersdorf	Fudro	Long	Peterson	Waldorf
Blatz	Greenfield	Ludeman	Piepho	Weaver
Brinkman	Halberg	Luknic	Prahl	Welch
Byrne	Haukoos	Mann	Redalen	Welker
Carlson, D.	Heap	McCarron	Reding	Wenzel
Carlson, L.	Heinitz	McEachern	Rees	Wieser
Casserly	Hoberg	Mehrkens	Reif	Wigley
Clark	Hokanson	Metzen	Rice	Wynia
Clawson	Jacobs	Minne	Rose	Zubay
Corbid	Jaros	Munger	Rothenberg	Speaker Searle
Crandall	Jennings	Murphy	Schreiber	
Dean	Johnson, C.	Nelsen, B.	Searles	
Dempsey	Johnson, D.	Nelsen, M.	Sherwood	
Drew	Jude	Nelson	Sieben, H.	

The bill was passed, as amended, and its title agreed to.



H. F. No. 1212, A bill for an act relating to Ramsey County; providing for court and probation services in the county; amending Laws 1974, Chapter 435, by adding a section; repealing Minnesota Statutes 1961, Sections 636.09; 636.10; 636.11; 636.12; 636.14; 636.19; and 636.21; and Laws 1923, Chapter 289, Sections 1, as amended; 2, as amended; 3, as amended; 4, as amended; 6, as amended; 11, as amended; and 13, as amended; and Laws 1965, Chapter 469, Section 8, 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 126 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Kaley	Niehaus	Sieben, H.
Adams	Drew	Kalis	Norman	Sieben, M.
Ainley	Elioff	Kelly	Norton	Simoneau
Albrecht	Ellingson	Kempe	Novak	Stoa
Anderson, B.	Enebo	Knickerbocker	Nysether	Stowell
Anderson, D.	Erickson	Kostohryz	Olsen	Sviggum
Anderson, G.	Esau	Kroening	Onnen	Swanson
Anderson, I.	Evans	Kvam	Osthoff	Tomlinson
Anderson, R.	Fjoslien	Laidig	Otis	Valan
Battaglia	Forsythe	Lehto	Patton	Valento
Begich	Friedrich	Levi	Pavlak	Vanasek
Berglin	Fudro	Long	Pehler	Voss
Berkelman	Greenfield	Ludeman	Peterson	Waldorf
Biersdorf	Halberg	Mann	Piepho	Weaver
Blatz	Haukoos	McCarron	Pleasant	Welch
Brinkman	Heap	McDonald	Prahl	Welker
Byrne	Heinitz	McEachern	Redalen	Wenzel
Carlson, D.	Hoberg	Mehrkens	Reding	Wieser
Carlson, L.	Hokanson	Metzen	Rees	Wigley
Casserly	Jacobs	Minne	Reif	Wynia
Clark	Jaros	Moe	Rice	Zubay
Clawson	Jennings	Munger	Rose	Speaker Searle
Corbid	Johnson, C.	Murphy	Rothenberg	
Crandall	Johnson, D.	Nelsen, B.	Schreiber	
Dean	Jude	Nelsen, M.	Searles	
Dempsey	Kahn	Nelson	Sherwood	

Those who voted in the negative were:

Faricy                      Fritz

The bill was passed and its title agreed to.

H. F. No. 450 was reported to the House.

#### POINT OF ORDER

Voss raised a point of order pursuant to rule 5.7 that H. F. No. 450 be re-referred to the Committee on Appropriations. The Speaker ruled the point of order not well taken.

## POINT OF ORDER

Eken raised a point of order pursuant to rule 5.8 that H. F. No. 450 be re-referred to the Committee on Governmental Operations. The Speaker ruled the point of order well taken and that H. F. No. 450 be re-referred to the Committee on Governmental Operations.

Biersdorf and Sarna were excused at 3:50 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. No. 458 which it recommended be placed at the bottom of General Orders.

H. F. No. 944 which it recommended to pass with the following amendments:

Offered by Heinitz:

Page 22, line 25, after "of" insert "*the*" and after "state" strike "employees"

Offered by Heinitz:

Page 14, line 13, delete "*Eligible lists*" and insert "*Where the vacancy to be filled is in a position covered by a collective bargaining agreement, the appointment list*"

Offered by Anderson, G.:

Page 22, after line 31, insert:

"Sec. 26. Minnesota Statutes 1978, Section 223.02, is amended to read:

223.02 [LICENSE; BOND.] No person shall sell, or receive, or solicit shipments of such commodities for sale, without first obtaining a license from the department of (PUBLIC SERVICE) *agriculture* to carry on the business of a commission

merchant, and filing with the department a corporate surety bond to the state for the benefit of such consignors, approved by the department, and conditioned for the faithful discharge of his duties as such commission merchant and full compliance with all the laws of the state and rules of the department relative thereto. If the license authorizes the sale of grain the bond shall not be for a less sum than \$25,000 for each separate municipality in which the commission merchant maintains an office for the conduct of such business. If the license only authorizes the sale of hay and straw the bond shall be not less than \$8,000. In either case the department may at any time require such an additional amount of bond as it may deem necessary to protect the consignors.

Sec. 27. Minnesota Statutes 1978, Section 229.01, Subdivision 2, is amended to read:

Subd. 2. [PUBLIC HAY TRACKS.] The department of (PUBLIC SERVICE) *agriculture* shall designate at convenient places on the several lines of railway entering terminal points in this state, tracks to be known as public hay tracks. The different railway companies either separately or jointly are hereby required to provide suitable tracks to meet the requirements of this chapter. Such public hay tracks may be established on each individual line of railway, or they may be so established as to serve for two or more railways.

Sec. 28. Minnesota Statutes 1978, Section 229.07, is amended to read:

229.07 [WEIGHERS AND INSPECTORS; APPEALS; RE-INSPECTION AND FINAL REVIEW.] The department of (PUBLIC SERVICE) *agriculture* shall appoint a suitable number of persons to perform such weighing and inspecting of hay and straw. Such weighers and inspectors shall be under the immediate supervision of the department. In case of dissatisfaction of any interested person with the official acts of any inspector, reinspection may be had upon application to the department. A final appeal from the decision of the department may be made to the board of final review, to be provided for by the department under the rules it shall establish. The decision of such board of review shall be final, provided the department may provide suitable rules for the cancelation of any certificate of inspection issued upon original inspection, reinspection or upon final review when it appears that owing to the manner in which cars of hay or straw were loaded it was impossible for the inspector to obtain a fair sample.

Sec. 29. Minnesota Statutes 1978, Section 232.01, Subdivision 1, is amended to read:

232.01 [LOCAL GRAIN WAREHOUSES.] Subdivision 1. All elevators, flour, cereal and feed mills, malhousers or warehouses in which grain belonging to persons other than the warehouseman is received for storage, situate at any location other than Minneapolis, St. Paul or Duluth, shall be known as public local grain warehouses and shall be under the supervision and subject to the inspection of the department of (PUBLIC SERVICE) *agriculture*. Provided, however, that nothing herein contained shall be construed as applying to public terminal warehouses as defined in section 233.01, subdivision 3.

Sec. 30. Minnesota Statutes 1978, Section 233.01, Subdivision 1, is amended to read:

233.01 [DEFINITIONS.] Subdivision 1. [DEPARTMENT.] Wherever the term "department" is used in this chapter it shall be construed to mean the department of (PUBLIC SERVICE) *agriculture* of the state of Minnesota.

Sec. 31. Minnesota Statutes 1978, Section 233.03, is amended to read:

233.03 [DUTIES OF WAREHOUSEMEN.] Every warehouseman shall receive for storage and shipment as far as the capacity of his warehouse will permit, all grain in suitable condition for storage, tendered him in the usual course of business, without discrimination of any kind. All grain shall be inspected on receipt and stored with other grain of the same grade except as herein otherwise provided. At the time of the receipt of the grain, the warehouseman shall issue and deliver to the owner or consignee a warehouse receipt in the following form:

Warehouse Receipt No. .... Elevator Co.  
 ....., Minn., 19 .....

The ..... Elevator  
 Company has received in store in its elevator known as .....  
 situated at .....

Minnesota, for storage from ..... bushels of  
 owner, ..... which has been duly  
 inspected by a duly authorized inspector of grain appointed by  
 the department of (PUBLIC SERVICE) *agriculture* of Minne-  
 sota, or licensed by the Secretary of Agriculture of the United  
 States, and has been graded by the inspector as No. ....  
 and is that grade. This grain, or an equal amount of grain of the  
 same kind and grade, is deliverable upon the return of this re-  
 ceipt properly endorsed by the owner above named and the pay-  
 ment of all lawful charges; in case of grain stored separately in  
 a special bin, at the request of the owner or consignee, the  
 identity of such grain will be preserved while in store and the

grain will be delivered as such separate lot or parcel, in accordance with the law, upon surrender of the receipt. Loss by fire, heating or the elements is at the owner's risk.

Countersigned by

Secretary

The ..... Elevator Company conducts this elevator as a public terminal warehouse and receives and stores therein grain of others for hire.

..... bushels ..... grade.

By

STUB RECORD

Initial Car No. Bushels

Receipt No. .... 19 .....

Received in store from

Bushels ..... Lbs. .... Grade .....

Car No.      Bushels      Car No.      Bushels

The receipts shall be consecutively numbered and delivered to the owner immediately upon receipt of each lot or parcel of grain, giving the true and correct grade and weight thereof. The manner of receipt of such grain shall be stated in the receipt, and with the number and distinctive mark of each car, and the name of each barge or other vessel. The failure to issue such receipt as directed or the issuance of any warehouse receipt differing in form or language from that prescribed shall be a misdemeanor; provided that such warehouse receipt at the request of the owner or consignee, may provide for delivery of the grain represented thereby to the depositor, or any other specified person, and may have printed or stamped thereon the words "non-negotiable."

Sec. 32. Minnesota Statutes 1978, Section 234.02, is amended to read:

234.02 [CONSTRUCTION OF TERMS.] As used in this chapter, unless the context clearly evidences a contrary intention, the following terms shall be construed, respectively:

(1) Any local supervisory board of individual producers appointed by the department of (PUBLIC SERVICE) *agriculture* under the provisions of this chapter;

(2) Any person whose duty it shall be under the provisions of this chapter to inspect, measure, and seal any granary, crib, bin, or other receptacle for the storage of grain;

(3) Any certificate or receipt evidencing the storage of grain under the provisions of this chapter and any rules or regulations promulgated thereunder shall be considered to be used herein in the same connection as the words "document of title," as defined in the uniform commercial code, section 336.1-201(15);

(4) Any person or persons (whether individuals, corporations, partners or copartners) who shall have title to and possession of any grain stored under the provisions of this chapter shall be construed to have been used herein in the same connection as the word "warehouseman," as defined in the uniform commercial code, section 336.7-102(1) (h).

Sec. 33. Minnesota Statutes 1978, Section 234.10, is amended to read:

234.10 [SEALS.] Seals employed hereunder shall be furnished by the department and shall contain the following language:

"Sealed by authority State of Minnesota, Department of (PUBLIC SERVICE) *Agriculture*.

Any person tampering with this seal or removing any grain herein shall be subject to a fine and imprisonment as provided by law.

Consecutive No. .... "

Sec. 34. Minnesota Statutes 1978, Section 235.01, is amended to read:

235.01 [SUPERVISION OVER GRAIN.] The department of (PUBLIC SERVICE) *agriculture* shall exercise general supervision over the grain interests of the state and of buying, selling, handling, and storage of grain, and of the management of public warehouses and public grain markets, including chambers of commerce, boards of trade, and grain exchanges; investigate, on complaint or upon its own motion, all cases of fraud and in-

justice in the grain trade, unfair practices, or unfair discrimination in the buying or selling of grain; have the power to compel the discontinuance of such unfair practices or unfair discrimination; and make all proper rules and regulations for carrying out and enforcing the provisions of all laws of the state relating to such subjects.

Sec. 35. Minnesota Statutes 1978, Section 236.01, Subdivision 5, is amended to read:

Subd. 5. "Department" means the Minnesota department of (PUBLIC SERVICE) agriculture.

Sec. 36. *The duties, personnel complement of six persons, and appropriation involved in discharging the duties of the department of public service under Minnesota Statutes, Chapters 223, 229, 232, 233, 234, 235, and 236 are transferred to the department of agriculture as of July 1, 1979. Nothing herein shall 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.*

Renumber the remaining sections

Further, amend the title, as follows:

Page 1, line 31, after ";" insert "transferring certain duties and personnel involved in the sale, storage, and transportation of certain agricultural products from the department of public service to the department of agriculture;"

Page 2, line 1, after "Subdivision 4;" insert "223.02; 229.01, Subdivision 2; 229.07; 232.01, Subdivision 1; 233.01, Subdivision 1; 233.03; 234.02; 234.10; 235.01; 236.01, Subdivision 5;"

H. F. No. 859 which it recommended to pass with the following amendments:

Offered by Heinitz:

Page 2, after line 15, insert:

Sec. 3. Minnesota Statutes 1978, Section 48.185 is amended by adding a subdivision to read:

*"Subd. 4. Any bank or savings bank that operates a bank credit card program providing for a periodic finance charge not to exceed one and one-half percent per month with no additional annual charge shall also have available to the debtor a plan providing for a periodic finance charge not to exceed one percent per month with an additional annual charge of up to \$15 per*

*year. Any bank or savings bank that operates more than one bank credit card program may comply with this subdivision by having available to the debtor under at least one bank credit card program a plan providing for a periodic finance charge not to exceed one percent per month and an additional charge of up to \$15 per year and under at least one other bank credit card program a plan providing for a periodic charge not to exceed one and one-half percent per month with no additional annual charge."*

Renumber subsequent sections accordingly.

Amend the title as follows:

Line 6, after "3" insert "and by adding a subdivision"

Offered by Heinitz:

Strike the first Heinitz amendment

Page 2, line 21, delete "national"

Page 2, line 27, delete "national"

Page 2, line 29, delete "national"

Page 2, line 33, delete "national"

S. F. No. 779 which it recommended to pass with the following amendment offered by Blatz and Johnson, C.:

Strike everything after the enacting clause and inserting in lieu thereof:

"Section 1. Minnesota Statutes 1978, Chapter 221, is amended by adding a section to read:

[221.81] [BUILDING MOVER REGULATIONS.] *Subdivision 1. [DEFINITION.] "Building mover" means any person, corporation, or other entity engaged in the business of raising, supporting off the foundation, and moving buildings, excluding mobile homes.*

*Subd. 2. [LICENSE.] All building movers operating in Minnesota shall be licensed by the commission.*

*Subd. 3. [LICENSE APPLICATION.] To obtain a license to operate as a building mover an applicant shall file a petition with the commission specifying the name and address of its officers and other information as the commission may reasonably require. The commission shall issue the license upon compliance*



by the applicant with bonding and insuring requirements set by rule of the department and payment of a fee. A license once granted shall continue in full force and effect, subject to annual renewal fees and compliance with bonding and insuring requirements, unless revoked or suspended.

Subd. 4. [LICENSE REVOCATION, SUSPENSION, DENIAL.] *The commission, after notice and a hearing, may revoke, suspend or deny a license for:*

- (a) *failure to pay application or renewal fees;*
- (b) *failure to comply with bonding and insuring requirements;*
- (c) *conduct of the applicant or license holder which impairs useage of public highways, roads, streets, or utilities;*
- (d) *conduct of the applicant or license holders which endangers the health and safety of users of the public highways, roads, streets or utilities; or*
- (e) *a course of conduct of the applicant or license holder which demonstrates unsafe or hazardous operation of the business.*

Subd. 5. [RULES.] *The department shall promulgate rules establishing bonding and insuring requirements.*

Subd. 6. [LOCAL REGULATION.] *No license to move buildings, bond or insurance coverage shall be required by a political subdivision of the state other than the license, bond and insurance coverage issued or required by the commission or department. A political subdivision or the department may require a permit which reasonably regulates the routing, movement, parking or speed limit for a building mover operating on streets or roads within the jurisdiction of the political subdivision or highways within the jurisdiction of the department. Neither the state nor a political subdivision may regulate rates charged by building movers."*

Further amend the title:

Line 3, delete "providing for penalties;"

Offered by McCarron:

As previously amended, in subdivision 6, after "regulates the" and before "routing" insert "hours,"

On the motion of Sieben, H., 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. 859, as amended, and the roll was called. There were 73 yeas and 54 nays as follows:

Those who voted in the affirmative were:

Adams	Ellingson	Kalis	Otis	Swanson
Ainley	Erickson	Knickerbocker	Patton	Thiede
Albrecht	Esau	Kvam	Pavlak	Tomlinson
Anderson, B.	Evans	Levi	Peterson	Valan
Anderson, G.	Ewald	Ludeman	Piepho	Valento
Anderson, R.	Fjoslien	Luknic	Pleasant	Vanasek
Berkelman	Forsythe	Mann	Redalen	Welch
Biersdorf	Friedrich	Mehrkens	Reif	Welker
Blatz	Haukoos	Metzen	Rothenberg	Wenzel
Brinkman	Heap	Nelsen, B.	Schreiber	Wieser
Casserly	Heinitz	Niehaus	Searles	Wigley
Corbid	Hoberg	Norman	Sherwood	Zubay
Crandall	Jennings	Norton	Stoa	Speaker Searle
Dean	Johnson, D.	Olsen	Stowell	
Den Ouden	Kaley	Onnen	Sviggum	

Those who voted in the negative were:

Anderson, I.	Elioff	Kahn	Moe	Rice
Battaglia	Enebo	Kelly	Murphy	Rose
Begich	Faricy	Kempe	Nelsen, M.	Sarna
Berglin	Fritz	Kostohryz	Nelson	Sieben, H.
Byrne	Fudro	Kroening	Novak	Sieben, M.
Carlson, D.	Greenfield	Laidig	Nysether	Simoneau
Carlson, L.	Halberg	Lehto	Osthoff	Voss
Clark	Hokanson	McCarron	Pehler	Waldorf
Clawson	Jacobs	McDonald	Prahl	Weaver
Drew	Johnson, C.	McEachern	Reding	Wynia
Eken	Jude	Minne	Rees	

The motion prevailed.

### MOTIONS AND RESOLUTIONS

McCarron moved that the name of Osthoff be added as an author on H. F. No. 948. The motion prevailed.

Ewald moved that his name be stricken as an author on H. F. No. 724. The motion prevailed.

## ADJOURNMENT

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, May 2, 1979.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**

## STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

## FORTY-SIXTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MAY 2, 1979

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:

Aasness	Eken	Kahn	Nelson	Sherwood
Adams	Elihoff	Kaley	Niehaus	Sieben, H.
Ainley	Ellingson	Kalis	Norman	Sieben, M.
Albrecht	Enebo	Kelly	Norton	Simoneau
Anderson, B.	Erickson	Kempe	Novak	Stoa
Anderson, D.	Esau	Knickerbocker	Nysether	Stowell
Anderson, G.	Evans	Kostohryz	Olsen	Sviggum
Anderson, I.	Ewald	Kroening	Onnen	Swanson
Anderson, R.	Faricy	Kvam	Osthoff	Thiede
Battaglia	Fjoslien	Laidig	Otis	Tomlinson
Begich	Forsythe	Lehto	Patton	Valan
Berglin	Friedrich	Levi	Pavlak	Valento
Berkelman	Fritz	Long	Pehler	Vanasek
Biersdorf	Fudro	Ludeman	Peterson	Voss
Blatz	Greenfield	Luknic	Piepho	Waldorf
Brinkman	Halberg	Mann	Pleasant	Weaver
Byrne	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Cassery	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wieser
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	
Drew	Jude	Nelsen, M.	Searles	

A quorum was present.

Carlson, D., and Stadum 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. 261, 797, 859 and 944 and S. F. Nos. 1351, 363 and 779 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 724, A bill for an act relating to housing; providing for an increase in the authorization for bonds and notes for the housing finance agency; making certain changes in the laws relating to the operation of the agency; appropriating money; amending Minnesota Statutes 1978, Sections 462A.07, Subdivision 15, and 462A.22, Subdivisions 1 and 1a.

Reported the same back with the following amendments:

Page 1, after line 10, insert:

"Section 1. Minnesota Statutes 1978, Section 462A.05, is amended by adding a subdivision to read:

*Subd. 2a. It may make grants to sponsors or builders of multi-unit residential housing for occupancy by persons and families of low and moderate income. The grants shall only be made for the construction or rehabilitation of three or more bedroom units for large low and moderate income families. No grant shall exceed the amount of \$5,000 per unit.*

Sec. 2. Minnesota Statutes 1978, 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 grant shall be made unless the agency determines that the 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, or to accomplish energy conservation related improvements. In unincorporated areas and municipalities not having codes and standards, the agency may, solely for the purpose of administering this provision, establish codes and standards. No grant for re-

habilitation of owner occupied residential housing shall be denied solely because the grant will not be used for placing the residential housing in full compliance with all state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing. The amount of any 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 the person or family without spending an unreasonable portion of the income of the person or family thereon (**; PROVIDED, HOWEVER, THAT A GRANT MAY EXCEED \$5,000 BY AN AMOUNT, UP TO \$2,500, NECESSARY TO IMPROVE THE ACCESSIBILITY OF RESIDENTIAL HOUSING TO A HANDICAPPED OCCUPANT**). In making 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 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. 3. Minnesota Statutes 1978, Section 462A.05, is amended by adding a subdivision to read:

*Subd. 15a. It may make grants to persons and families of low and moderate income to improve the accessibility of existing residential housing, or to assist in paying a loan made pursuant to subdivision 14 to improve the accessibility of existing residential housing. Grants may be in an amount up to \$10,000, based upon the cost of the improvements, the financial ability of the person or family receiving the grant, and other appropriate factors including extraordinary medical expenses. Grants may be made in connection with other agency loan or grant programs; provided that in no case may agency rehabilitation loans and any grants pursuant to this section total an amount exceeding \$15,000. Grants made pursuant to this section may include the payment of money for technical assistance for the design and construction of accessibility improvements. In making 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 repayment be required. The agency may gather data on available accessible housing financed under this program and make the information available to interested individuals and groups."*

Page 2, after line 5, insert:

"Sec. 5. Minnesota Statutes 1978, Section 462A.21, is amended by adding subdivisions to read:

*Subd. 4e. It may expend money for the purpose of section 1 and pay the costs and expenses necessary and incidental to the development and operation of the grant program authorized therein. The agency may promulgate rules as necessary to implement and make specific the provisions of this subdivision and the provisions of section 1.*

*Subd. 4f. It may make grants for the purpose of Minnesota Statutes, Section 462A.05, Subdivision 15, and may pay the costs and expenses necessary and incidental to the development and operation of the housing accessibility program.*

Sec. 6. Minnesota Statutes 1978, Section 462A.21, Subdivision 6, is amended to read:

Subd. 6. Notwithstanding the provisions of subdivision 5, the agency shall not expend moneys in the fund for the purpose of making rehabilitation or accessibility grants except by specific appropriation by the legislature."

Page 2, line 16, delete "\$1,175,000,000" and insert "\$1,525,000,000"

Page 3, line 4, delete "\$21,500,000" and insert "\$21,000,000"

Page 3, line 7, delete ", of which not less than \$500,000"

Page 3, delete line 8

Page 3, line 9, delete "occupied by persons who are physically handicapped"

Page 3, line 10, delete "\$10,000,000" and insert "\$8,500,000 as paid in capital"

Page 3, line 15, delete "\$15,000,000" and insert "\$12,500,000 as paid in capital"

Page 3, line 19, before "for" insert "as paid in capital"

Page 3, line 22, before "for" insert "as paid in capital"

Page 3, after line 23, insert:

*"Subd. 7. The sum of \$500,000 is appropriated from the general fund to the housing development fund created in Minnesota Statutes, Section 462A.20, for the purpose of section 1 and for the payment of related costs and expenses.*

*Subd. 8. The complement of the Minnesota housing finance agency is increased by 15 positions and the spending limit is in-*

created by \$605,000 in fiscal year 1980 and by \$905,000 in fiscal year 1981.

*Subd. 9. The appropriation in subdivision 2 shall be paid to the housing development fund in eight equal installments, on the first day of each quarter of the biennium. The appropriation in subdivision 3 shall be paid on January 1, 1980. The appropriation in subdivision 4 shall be paid in two equal installments, on July 1, 1979, and March 1, 1980. The appropriation in subdivision 5 shall be paid in three installments, 50 percent of which shall be paid on July 1, 1979, 25 percent of which shall be paid on October 1, 1979, and 25 percent of which shall be paid on January 1, 1980. The appropriation in subdivision 6 shall be paid on July 1, 1979. The payment dates specified in this subdivision may be accelerated by the commissioner of finance within the biennium as money is available in the general fund.*

*Subd. 10. There is appropriated the sum of \$2,000,000 to the housing development fund created in Minnesota Statutes, Section 462A.20, for the purpose specified in section 3 and for the payment of related costs and expenses."*

Page 3, line 24, delete "2 and 3" and insert "7 and 8"

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 4, after "agency;" insert "establishing a grant program for the construction of three or more bedroom apartment units; creating a grant program for accessible housing; increasing the spending and complement limits;"

Page 1, line 7, after "Sections" insert "462A.05, Subdivision 15, and by adding subdivisions;"

Page 1, line 7, after "15" delete the comma and insert "; 462A.21, Subdivision 6, and by adding subdivisions;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 1067, A bill for an act relating to welfare; providing state aid through matching grants from the department of public welfare to counties for certain semi-independent living services programs; requiring counties to monitor the services; requiring bonds for private providers of the services; directing the com-



missioner of public welfare to promulgate rules to implement administration of the grant program; appropriating money.

Reported the same back with the following amendments:

Page 2, line 11, after "retarded" insert "and is identified by the commissioner as in need of semi-independent living services"

Page 2, line 13, after "Subdivision 1." insert "The commissioner shall establish an experimental program to assist counties in providing semi-independent living services for adult mentally retarded persons."

Page 2, line 31, after the period insert "The rules shall require the collection of data and periodic reports as the commissioner deems necessary to demonstrate the effectiveness of the programs in reducing the cost of care and in assisting mentally retarded adults to acquire independent living skills."

Page 2, line 32, delete "On September 1 of each year the commissioner"

Page 2, delete line 33

Page 3, delete lines 1 to 3

Page 3, line 4, delete "in accordance with the approved plans and budgets."

Page 3, line 7, delete "and if funds are not"

Page 3, delete lines 8 to 10

Page 3, line 11, delete "to other counties"

Page 3, after line 25, insert a new subdivision to read:

"Subd. 6. The commissioner shall report to the legislature no later than January 15, 1981 on the effectiveness of the experimental program and his recommendations regarding making this program an integral part of the community social services administered by counties. The experimental program shall expire no later than June 30, 1981."

Page 3, line 33, after "county" delete "welfare agency" and insert "board" and after "shall" insert "designate an agency to"

Page 4, line 7, delete "welfare"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 1325, A bill for an act relating to welfare; excluding certain payments made to members of Indian tribes from resources considered in determining eligibility for general assistance; amending Minnesota Statutes 1978, Section 256D.08, Subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 8, insert a new section to read:

“Section 1. Minnesota Statutes 1978, Section 256.74, Subdivision 1, is amended to read:

**256.74 [ASSISTANCE.] Subdivision 1. [AMOUNT.]** The amount of assistance which shall be granted to or on behalf of any dependent child and mother or other needy eligible relative caring for such dependent child shall be determined by the county agency with due regard to the resources and necessary expenditures of the family and the conditions existing in each case and in accordance with the rules and regulations made by the state agency and shall be sufficient, when added to all other income and support available to the child, to provide such child with a reasonable subsistence compatible with decency and health. In making its determination the county agency shall exclude the following from family income:

(1) All of the earned income of each dependent child receiving aid to families with dependent children who is a full-time student or part-time student, and not a full-time employee, attending a school, college, or university, or a course of vocational or technical training designed to fit him for gainful employment (, AND);

*(2) All educational grants and loans awarded pursuant to a federal law when public assistance was considered in making the award and the award was made on the basis of financial need; and that part of any other educational grant or loan which is used for educational purposes, such as tuition, fees, equipment, transportation and child care expenses necessary for school attendance; and*

((2)) (3) The first \$30 plus one-third of the remainder of the combined monthly earnings of any dependent child not included under clause (1), and any adult who is a recipient of aid for families with dependent children. With respect to any month, the county welfare agency shall not disregard under clause (2) any earned income of any person who has:

(a) Reduced his earned income without good cause within 30 days preceding any month in which an assistance payment is made; or

(b) Refused without good cause to accept an offer of suitable employment.

Persons who are already employed and who apply for assistance shall have their needs computed with full account taken of their earned and other income. If earned and other income of the family is less than need, as determined on the basis of public assistance standards, the county agency shall determine the amount of the grant by applying the disregard of income provisions. The county agency shall not disregard earned income for persons in a family if the total monthly earned and other income exceeds their needs, unless for any one of the four preceding months their needs were met in whole or in part by a grant payment. If an individual without good cause leaves employment or reduces his earnings and applies for assistance so that he might later return to employment with advantages of income disregard, he shall not have the benefit of the disregard of income provisions."

Renumber the remaining section

Further, amend the title as follows:

Page 1, line 2, after "welfare;" insert "excluding educational grants and loans from income when determining the amount of assistance granted under aid to families with dependent children;"

Page 1, line 6, delete "Section" and insert "Sections 256.74, Subdivision 1 and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on Labor-Management Relations to which was referred:

S. F. No. 276, A bill for an act relating to workers' compensation; prohibiting the refusal to cover under accident or health policy because of certain workers' compensation option; defining "closely held corporation"; providing for coverage of certain business owners upon election; amending Minnesota Statutes 1978, Chapter 62A, by adding a section; Sections 176.011, by adding a subdivision; 176.012; and 176.041, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 19, delete "coverage of"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

S. F. No. 432, A bill for an act relating to general assistance; eliminating the notarizing requirement for general assistance applications; amending Minnesota Statutes 1978, Section 256D.07.

Reported the same back with the following amendments:

Page 1, line 11, after "assistance" insert "*or medical care authorized by section 256D.03, subdivision 3*"

Page 2, line 7, after "assistance" insert "*or medical care provided pursuant to section 256D.03, subdivision 3*"

Page 2, line 8, strike "shall" and insert "*may*"

Further, amend the title:

Page 1, line 2, after "assistance" insert "and general assistance medical care"

Page 1, line 3, after "assistance" insert "and general assistance medical care"

With the recommendation that when so amended the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 724 and 1325 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 276 and 432 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Pavlak, Crandall and Voss introduced:

H. F. No. 1562, A bill for an act relating to crimes; providing increased penalties for the receipt of stolen goods from a minor; amending Minnesota Statutes 1978, Section 609.53, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Norton, for the Committee on Appropriations, introduced:

H. F. No. 1563, A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other purposes with certain conditions; amending Minnesota Statutes 1978, Sections 161.123; 174.24, Subdivision 3; 360.015, by adding a subdivision; and Laws 1973, Chapter 567, Section 8; repealing Minnesota Statutes 1978, Section 174.28.

The bill was read for the first time and laid over one day.

Pavlak introduced:

H. F. No. 1564, A bill for an act relating to alcoholic beverages; increasing the age for licensing, sale, consumption, possession and furnishing; amending Minnesota Statutes 1978, Sections 340.02, Subdivision 8; 340.035, Subdivision 1; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.403, Subdivision 3; 340.73, Subdivision 1; 340.731; 340.78; 340.79; 340.80; and 340.81.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Knickerbocker introduced:

H. F. No. 1565, A bill for an act relating to the city of Minnetonka; volunteer firefighters service pensions; amending Laws 1975, Chapter 118, Section 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Knickerbocker introduced:

H. F. No. 1566, A bill for an act relating to public improvements; permitting deferral of special assessments in instances of hardship; amending Minnesota Statutes 1978, Section 435.193.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Jacobs introduced:

H. F. No. 1567, A bill for an act relating to the city of Coon Rapids; authorizing city housing finance programs; authorizing bond issues for them.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

#### HOUSE ADVISORIES

The following House Advisory was introduced:

Nysether introduced:

H. A. No. 32, A proposal to study state reimbursement for county audits.

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 House File, herewith returned:

H. F. No. 1214, A bill for an act relating to Independent School District No. 786, Bertha-Hewitt; exempting it from certain requirements for obtaining one capital loan from the equalization aid review committee; setting a limit for that loan.

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. 67, A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch No. 27; setting limits for the expenditure of money for the improvement thereof; providing for the financing thereof; amending Laws 1975, Chapter 249, Section 1, Subdivision 1, as amended; and Section 2, as amended.

H. F. No. 1436, A bill for an act relating to the city of Currie in Murray County; authorizing the city to convey lands to a private individual, group or corporation.

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. 830.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 830, A bill for an act relating to education; requiring the state board for vocational education and the higher education coordinating board to review a new program for an area vocational-technical institute within a time limit; amending Minnesota Statutes 1978, Chapter 121, by adding a section; and Section 136A.04.

The bill was read for the first time and referred to the Committee on Education.

### NOTICE PURSUANT TO RULE 1.16

Pursuant to rule 1.16, Reding requested the return to the House of H. F. No. 51 from the Committee on Environment and Natural Resources.

### PROGRESS REPORT ON CONFERENCE COMMITTEE

Progress made by the Conference Committee was reported to the House on the following bill:

S. F. No. 572.

### CONSENT CALENDAR

S. F. No. 478 was reported to the House.

Fjoslien moved to amend S. F. No. 478 as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 164.08, Subdivision 2, is amended to read:

Subd. 2. [SHALL BE ESTABLISHED IN CERTAIN INSTANCES.] Upon petition presented to the town board by the owner of a tract of land containing at least five acres, who has no access thereto except over the lands of others, the town board by resolution shall establish a cartway at least two rods wide connecting the petitioner's land with a public road. In an unorganized territory, the board of county commissioners of the county in which the tract is located shall act as the town board. The proceedings of the town board shall be in accordance with section 164.07. The amount of damages, if any, shall be paid by the petitioner to the town before such cartway is opened. *Town road and bridge funds shall not be expended on the cartway unless the town board, or the county board acting as the town board in the case of a cartway established in an unorganized territory, by resolution determines that an expenditure is in the public interest. If no resolution is adopted to that effect, the grading or other construction work and the maintenance of the cartway is the responsibility of the petitioner, subject to the provisions of section 164.10. After the cartway has been constructed the town board, or the county board in the case of unorganized territory, may by resolution designate the cartway as a private driveway with the written consent of the affected landowner in which case from the effective date of the resolution no town road and bridge funds shall be expended for maintenance of the driveway.*

Sec. 2. [EFFECTIVE DATE.] *This act is effective the day following its final enactment."*

The motion prevailed and the amendment was adopted.

There being no objection S. F. No. 478, as amended, was continued on the Consent Calendar for one day.

S. F. No. 876, A bill for an act relating to local government; permitting units in Fillmore County to spend money to assist blood collection.

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:

Aasness	Anderson, R.	Carlson, L.	Elioff	Fjoslien
Adams	Battaglia	Clark	Ellingson	Forsythe
Ainley	Begich	Clawson	Enebo	Friedrich
Albrecht	Berglin	Corbid	Erickson	Fritz
Anderson, B.	Berkelman	Crandall	Esau	Fudro
Anderson, D.	Biersdorf	Dean	Evans	Greenfield
Anderson, G.	Blatz	Dempsey	Ewald	Halberg
Anderson, I.	Brinkman	Drew	Faricy	Haukoos



Heap	Kvam	Nelson	Redalen	Swanson
Heinitz	Laidig	Niehaus	Reding	Thiede
Hoberg	Lehto	Norman	Rees	Tomlinson
Hokanson	Levi	Norton	Reif	Valento
Jacobs	Long	Novak	Rice	Vanasek
Jaros	Ludeman	Nysether	Rose	Voss
Jennings	Luknic	Olsen	Rothenberg	Weaver
Johnson, C.	McCarron	Onnen	Sarna	Welker
Johnson, D.	McDonald	Osthoff	Schreiber	Wenzel
Jude	McEachern	Otis	Searles	Wieser
Kahn	Mehrkens	Patton	Sherwood	Wigley
Kalis	Metzen	Pavlak	Sieben, H.	Wynia
Kelly	Minne	Pehler	Sieben, M.	Zubay
Kempe	Moe	Peterson	Simoneau	Speaker Searle
Knickerbocker	Murphy	Piepho	Stoa	
Kostohryz	Nelsen, B.	Pleasant	Stowell	
Kroening	Nelsen, M.	Prahl	Svigum	

Those who voted in the negative were:

Den Ouden      Kaley

The bill was passed and its title agreed to.

H. F. No. 1473, A bill for an act relating to fiduciaries; providing for replacement of trustees; establishing guidelines for compensation of personal representatives; providing that cost considerations are a factor in the removal of trustees and personal representatives; amending Minnesota Statutes 1978, Sections 501.43; 524.3-611; and 524.3-719.

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:

Aasness	Dean	Hoberg	Luknic	Patton
Adams	Dempsey	Hokanson	Mann	Pavlak
Ainley	Den Ouden	Jacobs	McCarron	Pehler
Albrecht	Drew	Jaros	McDonald	Peterson
Anderson, B.	Eken	Jennings	McEachern	Piepho
Anderson, D.	Elioff	Johnson, C.	Mehrkens	Pleasant
Anderson, G.	Ellingson	Johnson, D.	Metzen	Prahl
Anderson, I.	Enebo	Jude	Minne	Redalen
Anderson, R.	Erickson	Kahn	Moe	Reding
Battaglia	Esau	Kaley	Murphy	Rees
Begich	Evans	Kalis	Nelsen, B.	Reif
Berglin	Ewald	Kelly	Nelsen, M.	Rice
Berkelman	Faricy	Kempe	Nelson	Rose
Biersdorf	Fjoslien	Knickerbocker	Niehaus	Rothenberg
Blatz	Friedrich	Kostohryz	Norman	Sarna
Brinkman	Fritz	Kroening	Norton	Schreiber
Carlson, L.	Fudro	Kvam	Novak	Searles
Casserly	Greenfield	Laidig	Nysether	Sherwood
Clark	Halberg	Lehto	Olsen	Sieben, H.
Clawson	Haukoos	Levi	Onnen	Sieben, M.
Corbid	Heap	Long	Osthoff	Simoneau
Crandall	Heinitz	Ludeman	Otis	Stoa

Stowell	Tomlinson	Weaver	Wieser	Speaker Searle
Sviggum	Valento	Welch	Wigley	
Swanson	Vanasek	Welker	Wynia	
Thiede	Voss	Wenzel	Zubay	

The bill was passed and its title agreed to.

S. F. No. 450, A bill for an act relating to probate; clarifying the form for a self-proved will; amending Minnesota Statutes 1978, Section 524.2-504.

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 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Elioff	Kahn	Nelson	Sieben, H.
Adams	Ellingson	Kaley	Niehaus	Sieben, M.
Ainley	Enebo	Kalis	Norman	Simoneau
Albrecht	Erickson	Kelly	Norton	Stoa
Anderson, B.	Esau	Kempe	Novak	Stowell
Anderson, D.	Evans	Knickerbocker	Nysether	Sviggum
Anderson, G.	Ewald	Kroening	Olsen	Swanson
Anderson, I.	Faricy	Kvam	Onnen	Thiede
Anderson, R.	Fjoslien	Laidig	Osthoff	Tomlinson
Battaglia	Forsythe	Lehto	Otis	Valan
Begich	Friedrich	Levi	Pavlak	Valento
Berglin	Fritz	Long	Pehler	Vanasek
Berkelman	Fudro	Ludeman	Peterson	Voss
Biersdorf	Greenfield	Luknic	Piepho	Weaver
Blatz	Halberg	Mann	Pleasant	Welch
Carlson, L.	Haukoos	McCarron	Prahl	Welker
Casserly	Heap	McDonald	Redalen	Wenzel
Clark	Heinitz	McEachern	Reding	Wieser
Clawson	Hoberg	Mehrkens	Rees	Wigley
Corbid	Hokanson	Metzen	Reif	Wynia
Crandall	Jacobs	Minne	Rice	Zubay
Dean	Jaros	Moe	Rose	Speaker Searle
Dempsey	Jennings	Munger	Rothenberg	
Den Ouden	Johnson, C.	Murphy	Sarna	
Drew	Johnson, D.	Nelsen, B.	Searles	
Eken	Jude	Nelsen, M.	Sherwood	

Those who voted in the negative were:

Kostohryz      Patton

The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 944, A bill for an act relating to the state civil service; clarifying language and statutory references; providing for modern methods of personnel data record keeping; clarifying the salary setting authority of the attorney general, the chief hearing examiner and the higher education systems; adding and

deleting certain job categories in the unclassified civil service; clarifying the rights of classified employees appointed to newly created unclassified positions; providing managerial benefits to department heads and deputies; modifying the expanded certification procedures; modifying promotional procedures; clarifying the appointment process following reallocation of positions; modifying the emergency and temporary appointment provisions; simplifying the time off in emergencies procedure; coordinating human resource planning with biennial budget preparation; authorizing the commissioner to promulgate rules on special expenses and permitting the commissioner of finance to delegate enforcement of expenses to appointing authorities; clarifying continuance of eligibility for health and life insurance benefits for state employees; removing eligibility for health and life insurance benefits from student workers and interns; excluding hearing examiners from appropriate units; removing the governor from approving modifications in social security agreements with the secretary of health, education and welfare; transferring certain duties and personnel involved in the sale, storage, and transportation of certain agricultural products from the department of public service to the department of agriculture; amending Minnesota Statutes 1978, Sections 15A.13; 43.01, Subdivisions 10 and 11, and by adding a subdivision; 43.05, Subdivision 2; 43.055; 43.062, Subdivision 4; 43.064; 43.09, Subdivisions 2 and 2a; 43.12, Subdivision 15; 43.127, Subdivision 6; 43.15, Subdivision 5; 43.17, Subdivisions 3 and 4a; 43.19; 43.20, Subdivisions 3 and 5; 43.227; 43.32, Subdivision 4; 43.327, Subdivisions 2 and 3; 43.44, Subdivision 2; 43.47, Subdivision 2; 179.74, Subdivision 4; 223.02; 229.01, Subdivision 2; 229.07; 232.01, Subdivision 1; 233.01, Subdivision 1; 233.03; 234.02; 234.10; 235.01; 236.01, Subdivision 5; 355.12; 355.17; 355.207; 355.23, Subdivision 3; 355.286; 355.295; 355.308; 355.45; 355.60; and 355.76.

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:

Aasness	Blatz	Elioff	Halberg	Kalis
Adams	Brinkman	Ellingson	Haukoos	Kelly
Ainley	Byrne	Enebo	Heap	Kempe
Albrecht	Carlson, L.	Erickson	Heinitz	Knickerbocker
Anderson, B.	Casserly	Esau	Hoberg	Kostohryz
Anderson, D.	Clark	Evans	Hokanson	Kroening
Anderson, G.	Clawson	Ewald	Jacobs	Kvam
Anderson, I.	Corbid	Farcy	Jaros	Laidig
Anderson, R.	Crandall	Fjoslien	Jennings	Lehto
Battaglia	Dean	Forsythe	Johnson, C.	Levi
Begich	Dempsey	Friedrich	Johnson, D.	Long
Berglin	Den Ouden	Fritz	Jude	Ludeman
Berkelman	Drew	Fudro	Kahn	Luknic
Biersdorf	Eken	Greenfield	Kaley	Mann

McCarron	Norman	Pleasant	Sieben, H.	Weaver
McDonald	Norton	Prahl	Sieben, M.	Welch
McEachern	Novak	Redalen	Simoneau	Welker
Mehrkens	Nysether	Reding	Stoa	Wenzel
Metzen	Olsen	Rees	Stowell	Wieser
Minne	Onnen	Reif	Sviggum	Wigley
Moe	Osthoff	Rice	Swanson	Wynia
Munger	Otis	Rose	Thiede	Zubay
Murphy	Patton	Rothenberg	Tomlinson	Speaker Searle
Nelsen, B.	Pavlak	Sarna	Valan	
Nelsen, M.	Pehler	Schreiber	Valento	
Nelson	Peterson	Searles	Vanasek	
Niehaus	Piepho	Sherwood	Voss	

The bill was passed and its title agreed to.

H. F. No. 859, A bill for an act relating to banks and other financial institutions; regulating open end loan accounts; removing certain restrictions; providing for computation of finance charges; requiring banks which offer a certain credit card program to offer another program with a specified finance charge; amending Minnesota Statutes 1978, Section 48.185, Subdivisions 2 and 3 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 72 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Aasness	Ellingson	Kaley	Nysether	Sherwood
Adams	Erickson	Kalis	Olsen	Stowell
Ainley	Esau	Knickerbocker	Onnen	Sviggum
Albrecht	Evans	Kvam	Otis	Thiede
Anderson, B.	Ewald	Lehto	Patton	Valan
Anderson, R.	Fjoslien	Levi	Pavlak	Valento
Berkelman	Forsythe	Long	Peterson	Welker
Biersdorf	Friedrich	Ludeman	Piepho	Wenzel
Blatz	Haukoos	Luknic	Pleasant	Wieser
Brinkman	Heap	Mehrkens	Redalen	Wigley
Corbid	Heinitz	Metzen	Reif	Zubay
Crandall	Hoberg	Nelsen, B.	Rose	Speaker Searle
Dean	Jaros	Niehaus	Rothenberg	
Dempsey	Jennings	Norman	Schreiber	
Den Ouden	Johnson, D.	Norton	Searles	

Those who voted in the negative were:

Anderson, G.	Drew	Jacobs	McCarron	Osthoff
Anderson, I.	Eken	Johnson, C.	McDonald	Pehler
Battaglia	Elioff	Jude	McEachern	Prahl
Begich	Enebo	Kahn	Minne	Reding
Berglin	Faricy	Kelly	Moe	Rees
Byrne	Fritz	Kempe	Munger	Rice
Carlson, L.	Fudro	Kostohryz	Murphy	Sarna
Casserly	Greenfield	Kroening	Nelsen, M.	Sieben, H.
Clark	Halberg	Laidig	Nelson	Sieben, M.
Clawson	Hokanson	Mann	Novak	Simoneau

Stoa	Tomlinson	Voss	Weaver	Wynia
Swanson	Vanasek	Waldorf	Welch	

The bill was passed and its title agreed to.

S. F. No. 779, A bill for an act relating to commerce; regulating building movers; providing for penalties; amending Minnesota Statutes 1978, Chapter 221, by adding a section.

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 16 nays as follows:

Those who voted in the affirmative were:

Adams	Evans	Kelly	Nelson	Rothenberg
Anderson, B.	Ewald	Kempe	Niehaus	Sarna
Anderson, D.	Fjoslien	Knickerbocker	Norman	Schreiber
Anderson, I.	Forsythe	Kostohryz	Norton	Searles
Battaglia	Friedrich	Kroening	Novak	Sieben, H.
Begich	Fritz	Kvam	Nysether	Sieben, M.
Berkelman	Fudro	Laidig	Olsen	Simoneau
Biersdorf	Greenfield	Lehto	Onnen	Stoa
Blatz	Halberg	Levi	Osthoff	Stowell
Brinkman	Haukoos	Long	Otis	Sviggum
Byrne	Heap	Luknic	Patton	Swanson
Carlson, L.	Heinitz	Mann	Pavlak	Tomlinson
Casserly	Hoberg	McCarron	Pehler	Valan
Clark	Hokanson	McDonald	Peterson	Valento
Clawson	Jacobs	McEachern	Piepho	Waldorf
Corbid	Jaros	Mehrkens	Pleasant	Weaver
Crandall	Jennings	Metzen	Prahl	Welch
Dempsey	Johnson, C.	Minne	Redalen	Wenzel
Drew	Johnson, D.	Moe	Reding	Wieser
Elioff	Jude	Munger	Rees	Wigley
Ellingson	Kahn	Murphy	Reif	Wynia
Enebo	Kaley	Nelsen, B.	Rice	Zubay
Erickson	Kalis	Nelsen, M.	Rose	Speaker Searle

Those who voted in the negative were:

Aasness	Anderson, R.	Eken	Sherwood	Vanasek
Ainley	Berglin	Esau	Thiede	Welker
Albrecht	Dean	Farcy		
Anderson, G.	Den Ouden	Ludeman		

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 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:

S. F. No. 807 which it recommended to pass.

H. F. No. 1097 which it recommended progress.

S. F. 801 which it recommended progress.

S. F. No. 285 which it recommended progress with the following amendment offered by Sieben, M.:

Page 2, lines 9 to 23, delete section 2 and insert:

*"Sec. 2. [COMPUTATION OF AVERAGE DAILY BALANCE.] The calculation of the average daily balance for the purpose of the limitation on rates imposed by Minnesota Statutes, Section 334.16, Subdivision 1, Clause (b) shall be made by excluding from the daily balances the amount of each sale from the date of sale until the last day of the regular billing cycle during which the sale was made. The portion of any balance arising from the sale of goods which are returned shall be excluded from the unpaid balance as of the date the goods are returned."*

Further, amend the title as follows:

Lines 6 and 7 delete ", and by adding a subdivision"

S. F. No. 118 which it recommended to pass with the following amendment to the unofficial engrossment offered by Pavlak:

Page 2, line 8, delete "shall" and insert "may"

S. F. No. 484 which it recommended to pass with the following amendments to the unofficial engrossment:

Offered by McCarron:

Page 6, after line 3, insert:

"Sec. 6. Minnesota Statutes 1978, Section 207.08, is amended by adding a subdivision to read:

*Subd. 1a. An eligible voter who receives absentee ballots as provided in this chapter shall mark them in the manner specified in the directions for casting the absentee ballots. The return envelope containing marked ballots may be mailed as provided in*

*the directions for casting the absentee ballots or may be left with the county auditor or municipal clerk who transmitted the absentee ballots to the voter.*

Sec. 7. Minnesota Statutes 1978, Section 207.08, Subdivision 2, is amended to read:

Subd. 2. (WHEN ABSENTEE BALLOTS ARE MAILED TO THE ABSENT VOTER,) The County auditor or municipal clerk shall (PROVIDE FOR THE RETURN OF THE BALLOTS TO JUDGES IN THE PRECINCT IN WHICH THE VOTER IS ELIGIBLE TO VOTE BY ONE OF THE FOLLOWING METHODS) *address the return envelopes to allow direct mailing of the absentee ballots to:*

(a) (BY MAIL TO) The county auditor or municipal clerk who sent the ballots to the voter (AND DELIVERY BY THE AUDITOR OR CLERK TO THE JUDGES);

(b) (BY MAIL TO) The clerk of the town or city in which the absent voter is eligible to vote (AND DELIVERY BY THAT CLERK TO THE JUDGES); *or*

(c) (BY MAIL DIRECTLY TO) The judges of election ( ; OR).

(D) ANY OTHER METHOD AUTHORIZED BY RULES ADOPTED BY THE SECRETARY OF STATE.)

The county auditor or municipal clerk shall in all cases affix sufficient postage to return envelopes to assure return of the ballots to the judges by election day. When absentee ballots are delivered by election judges pursuant to section 207.31, the ballots shall be returned in person to the municipal clerk by the judges who delivered them (AND THE CLERK SHALL DELIVER THE BALLOTS TO THE JUDGES IN THE PRECINCTS).

*Subd. 3. When absentee ballots are returned to a county auditor or town or city clerk, that official shall stamp and date the return envelope with an official seal of the office and place it in a secure location with other return envelopes received by that office. The county auditor or town or city clerk shall deliver them to the appropriate election judges on election day.*

*Subd. 4. The secretary of state shall adopt rules establishing the procedures to be (USED FOR EACH METHOD OF RETURNING BALLOTS PERMITTED BY CLAUSES (A) TO (C), INCLUDING PROCEDURES NECESSARY) followed by county auditors and town and city clerks to assure accurate and timely (DELIVERY) return of absentee ballots (BY THE UNITED STATES POSTAL SERVICE), and may authorize*

(ADDITIONAL) methods and procedures of return *in addition to those specified in this section.*

Sec. 8. [REPEALER.] *Minnesota Statutes 1978, Section 207.10, is repealed.*"

Renumber the section

Amend the title as follows:

Page 1, line 6, after the semicolon insert "clarifying provisions concerning return of absentee ballots;"

Page 1, line 10, delete "and"

Page 1, line 10, before the period insert "; and Section 207.08, Subdivision 2, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 207.10"

Offered by Lehto:

As previously amended, page 6, after line 3, insert:

*"Sec. 8. Subdivision 1. Notwithstanding Minnesota Statutes, Section 205.13 or any other general or special law or charter provision to the contrary, any eligible person desiring to have his name placed on the ballot for any office to be voted for at the Duluth municipal primary election or the primary election for Independent School District No. 709 shall file his affidavit of candidacy with the Duluth city clerk not more than 70 days nor less than 56 days before the primary election.*

*Subd. 2. This section is effective upon approval by the Duluth city council and the governing body of Independent School District No. 709 and compliance with Minnesota Statutes, Section 645.021.*

*Subd. 3. This section shall expire one year after final enactment."*

Renumber the remaining section

Amend the title as follows:

Page 1, line 6, after the semicolon insert "regulating elections in the city of Duluth and Independent School District No. 709;"

Offered by Olsen:

As previously amended, page 6, after line 3, add a new section to read:



"Sec. 9. Minnesota Statutes 1978, Section 207.11, is amended by adding a subdivision to read:

*Subd. 6. [ELECTRONIC VOTING SYSTEM PRECINCTS.] Paper absentee ballots delivered to the election judges in precincts which use an electronic voting system shall be counted in the manner provided in this section. No duplicate ballot cards shall be prepared. The paper ballot vote totals for each candidate and on each question shall be added to the results obtained from the electronic tabulating equipment in each precinct."*

Renumber the remaining section

Amend the title:

Line 9 of the McCarron amendment, delete "and" and line 10 of the McCarron amendment before the semicolon insert "; and 207.11, by adding a subdivision"

On the motion of Sieben, H., 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:

Sieben, M., moved to amend S. F. No. 285 as follows:

Page 2, lines 9 to 23, delete section 2 and insert:

*"Sec. 2. [COMPUTATION OF AVERAGE DAILY BALANCE.] The calculation of the average daily balance for the purpose of the limitation on rates imposed by Minnesota Statutes Section 334.16, Subdivision 1, Clause (b) shall be made by excluding from the daily balances the amount of each sale from the date of sale until the last day of the regular billing cycle during which the sale was made. The portion of any balance arising from the sale of goods which are returned shall be excluded from the unpaid balance as of the date the goods are returned."*

Further, amend the title as follows:

Lines 6 and 7 delete ", and by adding a subdivision"

The question was taken on the adoption of the amendment and the roll was called. There were 66 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Anderson, B. Anderson, I. Battaglia Begich Berglin

Berkelman	Fudro	Long	Otis	Stoa
Byrne	Greenfield	Mann	Patton	Swanson
Carlson, L.	Hokanson	McCarron	Pehler	Tomlinson
Casserly	Jacobs	McEachern	Prahl	Vanasek
Clark	Johnson, C.	Metzen	Reding	Voss
Clawson	Jude	Minne	Rees	Waldorf
Corbid	Kahn	Moe	Reif	Welch
Eken	Kalis	Murphy	Rice	Wenzel
Elioff	Kelly	Nelsen, M.	Rothenberg	Wynia
Ellingson	Kempe	Nelson	Sarna	
Enebo	Kostohryz	Norton	Sieben, H.	
Faricy	Kroening	Novak	Sieben, M.	
Fjoslien	Lehto	Osthoff	Simoneau	

Those who voted in the negative were:

Aasness	Den Ouden	Johnson, D.	Norman	Thiede
Adams	Draw	Kaley	Nysether	Valan
Ainley	Esau	Knickerbocker	Olsen	Valento
Albrecht	Evans	Kvam	Onnen	Weaver
Anderson, D.	Forsythe	Laidig	Pavliak	Welker
Anderson, G.	Friedrich	Levi	Peterson	Wieser
Anderson, R.	Fritz	Ludeman	Piepho	Wigley
Biersdorf	Halberg	Luknic	Pleasant	Zubay
Blatz	Haukoos	McDonald	Redalen	Speaker Searle
Brinkman	Heap	Mehrkens	Schreiber	
Crandall	Heinitz	Munger	Sherwood	
Dean	Jaros	Nelsen, B.	Stowell	
Dempsey	Jennings	Niehaus	Sviggum	

The motion prevailed and the amendment was adopted.

The question was taken on the motion by Kroening to re-refer S. F. No. 285, as amended, to the Committee on Governmental Operations and the roll was called. There were 51 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Elioff	Kalis	Nelson	Simoneau
Battaglia	Ellingson	Kostohryz	Norton	Stoa
Begich	Enebo	Kroening	Osthoff	Tomlinson
Berglin	Faricy	Lehto	Otis	Voss
Byrne	Fudro	Long	Pehler	Waldorf
Carlson, L.	Greenfield	Mann	Prahl	Welch
Casserly	Hokanson	McCarron	Reding	Wynia
Clark	Jacobs	Minne	Rice	
Clawson	Johnson, C.	Moe	Sarna	
Corbid	Jude	Murphy	Sieben, H.	
Eken	Kahn	Nelsen, M.	Sieben, M.	

Those who voted in the negative were:

Aasness	Blatz	Evans	Heinitz	Levi
Adams	Brinkman	Ewald	Hoberg	Ludeman
Ainley	Crandall	Fjoslien	Jaros	Luknic
Albrecht	Dean	Forsythe	Jennings	McDonald
Anderson, B.	Dempsey	Friedrich	Johnson, D.	Mehrkens
Anderson, D.	Den Ouden	Fritz	Kaley	Metzen
Anderson, G.	Drew	Halberg	Kelly	Nelsen, B.
Anderson, R.	Erickson	Haukoos	Knickerbocker	Niehaus
Biersdorf	Esau	Heap	Kvam	Norman

Novak	Peterson	Rose	Sviggum	Welker
Nysether	Piepho	Rothenberg	Swanson	Wenzel
Olsen	Pleasant	Schreiber	Thiede	Wieser
Onnen	Redalen	Searles	Valan	Wigley
Patton	Rees	Sherwood	Valento	Zubay
Pavlak	Reif	Stowell	Vanasek	Speaker Searle

The motion did not prevail.

Kelly moved to amend S. F. No. 285, as follows:

Page 2, lines 4 to 7, delete the new language

Page 2, line 8, after the period, insert "*With respect to sellers with gross sales of \$1,000,000,000 or less for the next preceding fiscal year, the plan, agreement or arrangement may also provide for a periodic rate of finance charge which does not exceed an additional one-half of one percent per month computed on an amount no greater than the average daily balance of the account during each monthly billing cycle.*"

Amend the title, as follows:

Page 1, line 3, after "sales" insert "for certain sellers"

The question was taken on the adoption of the amendment and the roll was called. There were 27 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Ellingson	Kelly	Otis	Voss
Battaglia	Enebo	Kostohryz	Pehler	Waldorf
Begich	Fjoslien	Long	Reding	Wynia
Cassery	Fudro	McEachern	Sarna	
Corbid	Greenfield	Nelsen, M.	Stoa	
Elioff	Kahn	Norton	Vanasek	

Those who voted in the negative were:

Aasness	Den Ouden	Jennings	Mehrkens	Pleasant
Adams	Drew	Johnson, C.	Metzen	Rees
Ainley	Eken	Johnson, D.	Minne	Reif
Albrecht	Erickson	Jude	Munger	Rose
Anderson, B.	Esau	Kaley	Murphy	Rothenberg
Anderson, D.	Evans	Kalis	Novak	Schreiber
Anderson, G.	Ewald	Kempe	Nichaus	Searles
Anderson, R.	Faricy	Knickerbocker	Norman	Sherwood
Biersdorf	Forsythe	Kvam	Novak	Sieben, H.
Blatz	Friedrich	Laidig	Nysether	Sieben, M.
Byrne	Fritz	Lehto	Olsen	Simoneau
Carlson, L.	Haukoos	Levi	Onnen	Stowell
Clark	Heap	Ludeman	Osthoff	Sviggum
Clawson	Heinitz	Luknic	Patton	Thiede
Crandall	Hoberg	Mann	Pavlak	Tomlinson
Dean	Hokanson	McCarron	Peterson	Valan
Dempsey	Jacobs	McDonald	Piepho	Valento

Weaver  
WelkerWenzel  
WieserWigley  
Zubay

Speaker Searle

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. 285, as amended, and the roll was called. There were 63 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Knickerbocker	Olsen	Searles
Adams	Evans	Kvam	Onnen	Sherwood
Ainley	Ewald	Laidig	Patton	Stowell
Albrecht	Fjoslien	Levi	Pavlak	Stiggum
Anderson, D.	Forsythe	Ludeman	Pehler	Thiede
Anderson, R.	Friedrich	Luknic	Peterson	Valan
Biersdorf	Haukoos	McDonald	Piepho	Valento
Brinkman	Heap	Mehrkens	Pleasant	Welker
Crandall	Heinitz	Metzen	Redalen	Wigley
Dean	Jennings	Nelsen, B.	Rees	Zubay
Dempsey	Johnson, D.	Niehaus	Reif	Speaker Searle
Den Ouden	Kaley	Norman	Rose	
Erickson	Kalis	Nysether	Schreiber	

Those who voted in the negative were:

Anderson, B.	Eken	Jude	Nelsen, M.	Stoa
Anderson, G.	Elioff	Kahn	Nelson	Swanson
Anderson, I.	Ellingson	Kelly	Norton	Tomlinson
Battaglia	Enebo	Kempe	Novak	Vanasek
Begich	Farcy	Kostohryz	Osthoff	Voss
Berglin	Fritz	Kroening	Otis	Waldorf
Blatz	Fudro	Lehto	Prahl	Weaver
Byrne	Greenfield	Long	Reding	Welch
Carlson, L.	Halberg	Mann	Rice	Wenzel
Casserly	Hoberg	McCarron	Rothenberg	Wynia
Clark	Hokanson	Minne	Sarna	
Clawson	Jacobs	Moe	Sieben, H.	
Corbid	Jaros	Munger	Sieben, M.	
Drew	Johnson, C.	Murphy	Simoneau	

The motion did not prevail.

## MOTIONS AND RESOLUTIONS

Weaver moved that H. F. No. 930 be returned to its author. The motion prevailed.

Redalen moved that H. F. No. 1080 be returned to its author. The motion prevailed.

Anderson, I., moved that H. F. No. 1516 be returned to its author. The motion prevailed.

## ADJOURNMENT

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, May 3, 1979.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## FORTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 3, 1979

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:

Aasness	Eken	Kahn	Nelson	Sherwood
Adams	EHoff	Kaley	Niehaus	Sieben, H.
Ainley	Ellingson	Kalis	Norman	Sieben, M.
Albrecht	Enebo	Kelly	Norton	Simoneau
Anderson, B.	Erickson	Kempe	Novak	Stoa
Anderson, D.	Esau	Knickerbocker	Nysether	Stowell
Anderson, G.	Evans	Kostohryz	Olsen	Sviggum
Anderson, I.	Ewald	Kroening	Onnen	Swanson
Anderson, R.	Faricy	Kvam	Osthoff	Thiede
Battaglia	Fjoslien	Laidig	Otis	Tomlinson
Begich	Forsythe	Lehto	Patton	Valan
Berglin	Friedrich	Levi	Pavlak	Valento
Berkelman	Fritz	Long	Pehler	Vanasek
Biersdorf	Fudro	Ludeman	Peterson	Voss
Blatz	Greenfield	Luknic	Piepho	Waldorf
Brinkman	Halberg	Mann	Pleasant	Weaver
Byrne	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Cassery	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrrens	Rees	Wieser
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	
Drew	Jude	Nelsen, M.	Searles	

A quorum was present.

Carlson, D., and Stadum 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. 1563, 1325 and 724 and S. F. Nos. 830, 276, 432, 285, 478, 118, 484 and 1504 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

May 3, 1979

The Honorable Rod Searle  
Speaker of the House  
State of Minnesota

Dear Speaker Searle:

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. 116, relating to banks and banking; extending the period for activation of detached facilities after issuance of certificates of authorization;

H. F. No. 299, relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarifying the term "civil defense";

H. F. No. 1158, relating to Independent School District No. 275; providing for the consolidation of Independent School District No. 275;

H. F. No. 768, relating to agriculture; changing certain fees and expenses; eliminating certain bonding requirements; revising antifreeze registration procedures; adopting certain federal food regulations;

H. F. No. 610, relating to marriage; setting out requirements and effect of antenuptial contracts;

H. F. No. 384, relating to game and fish; authorizing certain non-resident minors to be treated as Minnesota residents for the purpose of taking wild game.

Sincerely,

ALBERT H. QUIE  
Governor

#### REPORTS OF STANDING COMMITTEES

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1047, A bill for an act relating to county and county regional jails; providing for establishment and use of county jails and county regional jails and the financing thereof by county contributions and bonds and municipal revenue bonds and leases; amending Minnesota Statutes 1978, Sections 474.01, Subdivisions 7a and 8, and by adding a subdivision; 474.02, by adding a subdivision; 641.23; 641.24; 641.262, Subdivision 1; 641.263, Subdivision 2; 641.264, Subdivision 1; 641.265; and 642.04.

Reported the same back with the following amendments:

Page 2, line 9, strike "such" and insert "the" and strike "as"

Page 2, line 14, strike "such" and "as"

Page 2, line 17, strike "such" and "as"

Page 7, line 22, delete "Any such" and insert "The"

Page 8, line 13, strike "such" and insert "that"

Page 8, line 15, strike "such" and insert "the"

Page 8, line 16, strike "such" and insert "the"

Page 8, line 18, strike "such" and after "while" insert "they are"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:



H. F. No. 1091, A bill for an act relating to natural resources; providing a public policy directed to preservation of these lands; establishing a temporary joint legislative committee on agricultural and forest land preservation; requiring studies and reports by the state planning agency; providing for staffing of the joint legislative committee.

Reported the same back with the following amendments:

Page 1, line 14, delete "and forest"

Page 1, line 15, delete "those purposes" and insert "that purpose"

Page 2, line 7, delete "or forestry"

Page 2, line 13, delete "and forest"

Page 2, line 19, delete "and forest"

Page 2, line 24, after "agriculture" insert ", environment and natural resources"

Page 2, line 31, after the period insert "The expenses of and per diem payments to committee members shall be paid by the committees from which they were chosen. Other expenses of the committee shall be evenly divided between the house of representatives and the senate and each house shall allocate its share equally among the participating committees."

Page 3, line 6, delete "and forest"

Page 3, line 14, delete "and forest"

Page 3, line 17, after "agricultural" delete "and"

Page 3, line 18, delete "forest"

Amend the title as follows:

Page 1, line 3, delete "these" and insert "agricultural"

Page 1, line 5, delete "and forest"

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. 1198, A bill for an act relating to wild animals; altering or eliminating certain provisions in regard to the taking, possessing, or transporting of game or fish; amending Minnesota Statutes 1978, Section 97.50, Subdivision 1; 98.45, Subdivision 1; 98.47, Subdivision 1; 100.27, Subdivision 4; 100.29, Subdivisions 7, 14, and 30; and 101.42, Subdivision 18, and by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 2, after "609.66" insert "*, subdivision 1, clauses (1), (2), and (7),*"

Page 3, delete line 33

Page 4, delete lines 1 to 33

Page 5, delete lines 1 and 2

Page 6, line 4, after "firearm" insert "*, except a handgun,*"

Page 6, line 6, delete "*, at any time,*"

Page 6, line 7, after "wolf" insert "*at any time*"

Page 6, after line 8, insert:

"Sec. 6. Minnesota Statutes 1978, Section 100.29, Subdivision 19, is amended to read:

Subd. 19. Any person may, and it shall be the duty of every conservation officer to, kill any dog pursuing or killing deer or moose, and no action for damages shall be maintained against the person for the killing. *The owner of any dog which is found pursuing or killing deer, moose, or domestic livestock shall be guilty of a petty misdemeanor.*"

Page 6, line 30, after "nets" insert "*which may be possessed between the hours of sunrise and sunset during the period of February 16 to April 30, inclusive,*"

Page 6, strike line 33 and insert "*April 30,*"

Page 7, line 1, after "inclusive" insert "*and except that spears, dip nets, bows and arrows, and devices permitted in section 101.51 used for the taking of rough fish may be possessed between the hours of sunrise and sunset after April 30*"

Page 7, line 2, after "*seines*" insert "*or traps*"

Page 7, line 3, delete "*in*" and insert "*for*"

Renumber the sections

Further, amend the title as follows:

Page 1, line 5, delete "Section" and insert "Sections"

Page 1, line 6, delete "98.47,"

Page 1, line 7, delete "Subdivision 1;"

Page 1, line 8, after "14," insert "19,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1243, A bill for an act relating to transportation; establishing a state policy of coordinating public and private programs providing transportation for elderly, handicapped and others with special transportation needs; establishing an inter-agency task force on coordination of special transportation programs; authorizing the commissioner of transportation to adopt and enforce operating standards for special transportation services; exempting services that meet standards from other license and permit requirements; directing the establishment of a demonstration project for coordinating special transportation service in the metropolitan area; providing for state assistance for driver training and insurance and establishing accessibility requirements for paratransit projects; authorizing medical assistance reimbursement to qualified public and private nonprofit providers of special transportation service; requiring certain provisions in the medical assistance reimbursement rules of the department of public welfare; amending Minnesota Statutes 1978, Chapter 174, by adding sections; and Sections 174.23, by adding a subdivision; and 256B.04, Subdivision 12.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1420, A bill for an act relating to education; providing for an occupational information system, for an advisory task force on the system and for a report to the legislature; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [121.161] [CAREER INFORMATION SYSTEM.] Subdivision 1. [POLICY.] It is the policy of the state of Minnesota to assist its citizens through the provision of current, accurate and locally relevant occupational and career planning information, and to have a coordinated system for consumers to be known as the "Minnesota Career Information System."

Subd. 2. [AUTHORIZATION.] The commissioner of education shall establish and operate the career information system.

Subd. 3. [FUNCTIONS.] The career information system shall synthesize and provide accurate and timely occupational and educational information to students and employers throughout the state of Minnesota. Information in the Minnesota career information system shall be maintained by contributions of data from programs operated by other agencies and institutions and shall be reviewed at least annually.

Subd. 4. [ADVISORY TASK FORCE.] The commissioner shall establish an advisory task force of no more than 15 members to advise him in the execution of his duties under this section. The members of the task force shall represent both agencies and institutions producing and contributing occupational, career planning, education and training information and also agencies, representative institutions and individuals who would use the career information system. The terms, compensation and removal of members, and the expiration of the task force shall be as provided in Minnesota Statutes, Section 15.059, Subdivision 6.

Subd. 5. [EVALUATION.] In cooperation with the advisory task force, the commissioner shall report to the legislature in 1981 on the status of the occupational information system and shall make a recommendation regarding continuation of the system. Such report shall include assessments of alternative systems of delivery, the need for the frequency of updates of the data base, the effect of the services on users, and the compatibility of the services with career counseling and advising.

Subd. 6. [ANNUAL REPORT.] The commissioner of education shall, in cooperation with the advisory task force, issue an annual report on or before July 31 each year describing the

operations of the career information system during the preceding fiscal year.

Sec. 2. [AUTHORITIES.] Subdivision 1. [SERVICES FOR FEES.] The Minnesota career information system is authorized to enter into written agreements with public school districts, junior colleges, community colleges, universities, state agencies, private schools and other public agencies or entities to provide services for a fee determined by the state board of education. The Minnesota career information system is authorized to provide services to other nonpublic agencies, institutions or entities and to collect fees therefor, provided, however, that the fees shall in no event be less than the cost of the services provided.

Subd. 2. [OTHER AUTHORITIES.] The Minnesota career information system may participate in joint projects with other state agencies and apply for federal grants and assistance available to state career information systems. Services now provided by the Minnesota occupational information system are assigned to the Minnesota career information system hereby established on or before September 30, 1979.

Sec. 3. [APPROPRIATION.] Subdivision 1. The sums set forth in this section are appropriated from the general fund to the department of education for the purpose of section 1 for the fiscal year ending June 30 in the designated year.

Subd. 2. For 1980 . . . . . \$150,000

Subd. 3. For 1981 . . . . . \$150,000

Subd. 4. Any funds appropriated for 1980 which are not expended or encumbered by June 30, 1980, shall not lapse but shall be available to the department of education for the purpose of section 1 for the second year of the biennium.

Subd. 5. The department of education is authorized up to five additional complement positions for the purposes of this act. Other statutes notwithstanding, current higher education coordinating board and Minnesota occupational information system unclassified staff positions and incumbents thereof are hereby transferred to corresponding positions created in the classified service by this section provided that the incumbents are qualified by procedures to be established in cooperation with the commissioner of personnel."

Delete the title in its entirety and insert:

"A bill for an act relating to education; providing for a career information system, for an advisory task force on the system and for a report to the legislature; 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.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1433, A bill for an act relating to the city of Benson; authorizing the issuance of revenue bonds for the acquisition and installation of equipment for hospital and medical clinic purposes.

Reported the same back with the following amendments:

Page 1, line 12, delete "Benson-Swift County" and insert "Swift County-Benson"

Page 1, after line 19, insert:

"Sec. 2. Notwithstanding the limitation upon the net debt of a municipality contained in Minnesota Statutes, Section 475.53, Subdivision 1, or any other law to the contrary, the city of Howard Lake in Wright County, Minnesota, may issue and sell its \$260,000 general obligation bonds for the purpose of building a municipal library and community center, which amount and purpose was approved by the voters of the city at a special election held on March 6, 1979."

Page 1, line 20, delete "This act is effective when" and insert: "Section 1 of this act is effective upon"

Page 1, line 21, delete "approved by" and insert "approval of"

Page 1, after line 22 insert, "Section 2 of this act is effective upon approval of the city council of the city of Howard Lake and upon compliance with Minnesota Statutes, Section 645.021."

Renumber the remaining sections

Further, amend the title:

Page 1, delete lines 2 to 5 and insert:

"relating to certain political subdivisions; authorizing the issuance of revenue bonds for the acquisition and installation of equipment for hospital and medical purposes; authorizing the issuance of general obligation bonds for the construction of a municipal library and community center."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1444, A bill for an act relating to the city of McGregor; authorizing the issuance of bonds for the acquisition and betterment of a municipal fire hall and community center.

Reported the same back with the following amendments:

Page 1, after line 22, add a section as follows:

"Sec. 2. All actions and proceedings taken by the City of Heron Lake, in Jackson County, Minnesota, precedent to the issuance of general obligation bonds of the city in an amount not to exceed \$60,000, which bonds were authorized by the voters of the city at an election held on November 7, 1978 for the purpose of providing funds for the improvement of the Heron Lake Municipal Hospital, are legalized and validated, and the bonds when issued shall be valid and binding general obligations of the city, and shall not be included for the purpose of any computation of net debt of the city."

Page 2, line 1, before "This" insert "Section 1 of"

Page 2, after line 3 insert "Section 2 of this act is effective the day after final enactment."

Renumber the remaining section

Further amend the title:

Page 1, line 2, delete "city" and insert "cities" and before the semi-colon insert "and Heron Lake"

Page 1, line 5, before the period insert "; legalizing proceedings precedent to the issuance of certain general obligation bonds and excluding the bonds from the computation of net debt"

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 Governmental Operations to which was referred:

H. F. No. 1467, A bill for an act relating to state employees; providing for wage and fringe benefits for certain state employees; ratifying a collective bargaining agreement; amending Min-

nesota Statutes 1978, Sections 43.01, Subdivision 14; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 8a, 10, 12, 14, 16, 17, 23, 24, 25 and by adding subdivisions; 43.122, Subdivision 5; 43.17, Subdivision 3; 43.43, by adding a subdivision; 43.44, Subdivision 2; 43.50, Subdivision 1; 43.51; and 645.44, Subdivision 5.

Reported the same back with the following amendments:

Page 1, line 15, delete "AGREEMENT" and insert "AGREEMENTS"

Page 1, line 21, delete "wage" and insert "wages"

Page 9, line 11, after "labor" insert "service"

Page 14, line 3, delete "179.77" and insert "179.76"

Page 14, line 10, delete "179.77" and insert "179.76"

Page 17, line 23, after "to" insert "an"

Amend the title as follows:

Page 1, line 4, delete "a" and "agreement" and insert "agreements"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Pavlak from the Committee on Criminal Justice to which was referred:

S. F. No. 303, A bill for an act relating to littering; imposing civil liability on the owner of a vehicle from which certain articles and materials are thrown, deposited, or dumped; prescribing procedures, civil damages, and penalties; amending Minnesota Statutes 1978, Chapter 169, by adding a section.

Reported the same back with the following amendments:

Page 2, line 30, after "action" insert "and distributed as provided in Section 487.33"

Page 3, after line 14, insert:

"Sec. 2. This act is effective one day following enactment."

With the recommendation that when so amended the bill pass.



The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 345, A bill for an act relating to Hennepin County; providing that law library fees be set by the library trustees; amending Laws 1933, Chapter 291, Section 4, as amended.

Reported the same back with the following amendments:

Page 2, after line 33, insert:

"Sec. 2. Laws 1967, Chapter 223, Section 1, is amended to read:

Section 1. [POLK COUNTY; LAW LIBRARY.] Notwithstanding any provisions to the contrary of Laws 1939, Chapter 325, or any act amendatory thereof, each of the law library fees prescribed in sections 4, 5, and 6 of Laws 1939, Chapter 325, for the acquisition and maintenance of a county law library established pursuant to said act shall be (\$2) \$5 rather than \$1 in Polk county, if and so long as a county law library established pursuant to said act is maintained in said county.

Sec. 3. *Section 2 of this act is effective upon approval by the board of county commissioners of Polk county and compliance with Minnesota Statutes, Section 645.021.*"

Further, amend the title as follows:

Page 1, delete lines 2 to 5 and insert:

"relating to certain political subdivisions; regulating fees charged by law libraries; amending Laws 1933, Chapter 291, Section 4, as amended; and Laws 1967, Chapter 223, Section 1."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 444, A bill for an act relating to fences; providing for the compensation of fence viewers; amending Minnesota Statutes 1978, Section 344.18.

Reported the same back with the following amendments:

Page 1, line 9, strike "Each"

Page 1, line 9, strike "viewer" and insert "viewers"

Page 1, line 10, strike "his" and insert "their"

Page 1, line 10, strike "him" and insert "them"

Page 1, line 11, after "\$15" insert "each"

Page 1, line 13, strike "such" and insert "the"

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:

S. F. No. 498, A bill for an act relating to motor vehicles; authorizing the identification of certain tax exempt vehicles by use of removable plates or placards; amending Minnesota Statutes 1978, Section 168.012, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 24, delete "training" and insert "education"

Page 2, after line 28, add a section to read:

"Sec. 2. Upon verified petition in the form required by Minnesota Statutes, Section 221.151 for sale or lease of a permit issued under the provisions of Minnesota Statutes, Sections 221.101 to 221.291 filed within 90 days following the effective date of this act, accompanied by the certificate of a duly licensed physician showing that the health of any permit holder substantially impairs the ability of the permit holder to continue to operate under the permit, and upon a finding by the public service commission after due notice and hearing that the approval of the sale or lease will not adversely affect the rights of users of the service, that the transferee is fit and able to conduct the operations authorized under said permit and that the vehicles the transferee proposes to use in conducting the operations meet the safety standards of the commission, the commission shall approve the sale or lease and make its order granting the transfer of the permit and all rights thereunder to the transferee notwithstanding any permit held by the transferee or other provision of Minnesota Statutes, Section 221.151 to the contrary."

Renumber the remaining section accordingly

Further amend the title as follows:

Page 1, line 2, before the semicolon insert "and motor vehicle carriers"

Page 1, line 4, after the semicolon insert "authorizing temporary procedures for transfer of a motor vehicle carrier permit where the health of the transferor impairs his ability to operate under the permit;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

S. F. No. 618, A bill for an act relating to education; transferring certain functions of teacher licensing from the state board of education, the department of education and the commissioner of education to the board of teaching; eliminating the authority of the state board to require that superintendents have teaching experience; eliminating the requirement that certain rules of the board of teaching be approved by the board of education; reducing the membership of the board of teaching; requiring that the board of teaching adopt certain rules pursuant to Chapter 15; eliminating certain requirements for rulemaking; providing that the expense of administering certain sections be paid for solely from appropriations made to the board of teaching; amending Minnesota Statutes 1978, Sections 125.05, Subdivisions 1 and 2; 125.08; 125.182, Subdivision 2; 125.183, Subdivisions 1 and 3; 125.185, Subdivisions 4, 4a, 6 and 9; and 179.63, Subdivisions 13 and 14; repealing Minnesota Statutes 1978, Section 125.182, Subdivision 4.

Reported the same back with the following amendments:

Page 2, line 3, delete "*The*"

Page 2, delete lines 4 and 5

Page 2, line 6, delete "*superintendents.*"

Page 4, line 7, delete "*reasonable*"

Page 4, delete line 8 to the period and insert "*licensure by the state board of education*"

Page 4, line 12, delete "*14*" and insert "*15*"

Page 5, line 3, strike "four" and insert "five"

Page 5, line 21, before the period insert "*provided these rules shall encourage teacher educators to obtain periodic classroom teaching experience*"

Page 7, line 8, strike "certificated" and insert "licensed"

Page 7, line 16, strike "certificated" and insert "licensed"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 926, A bill for an act relating to the city of Saint Paul; authorizing the port authority to make certain investments.

Reported the same back with the following amendments:

Page 1, delete lines 14 to 18 and insert:

"Sec. 2. The city of South St. Paul may exercise the powers of a statutory city under Minnesota Statutes, Section 412.301.

Sec. 3. [EFFECTIVE DATE.] Subdivision 1. This act shall become effective as to the city of Saint Paul only after its approval by a majority of the governing body of the port authority of the city of Saint Paul and the governing body of the city of Saint Paul and upon compliance with Minnesota Statutes, Section 645.021.

Subd. 2. This act is effective as to the city of South St. Paul only after its approval by a majority of the governing body of the city of South St. Paul and upon compliance with Minnesota Statutes, Section 645.021."

And further amend the title:

Page 1, delete lines 2 and 3 and insert "relating to certain political subdivisions; authorizing certain investments; providing a method of purchasing certain equipment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

S. F. No. 935, A bill for an act relating to the University of Minnesota; requiring establishment of a small business set aside program for certain university procurements.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1002, A bill for an act relating to the city of Duluth; defining construction powers of the Spirit Mountain Area Authority; amending Laws 1973, Chapter 327, Section 5, Subdivision 3.

Reported the same back with the following amendments:

Page 2, after line 5, insert:

“Sec. 2. Laws 1973, Chapter 327, Section 5, is amended by adding a subdivision to read:

*Subd. 3a. The authority shall have first option to purchase any permanent residential housing, including condominiums, located within the Spirit Mountain Recreation Area constructed before January 1, 1979 when such property is offered for sale. If the permanent housing is purchased by a person other than the authority, the instrument of conveyance shall contain a covenant to the effect that the purchaser shall not in any material way alter the existing appearance of the real property without the consent of the authority.”*

Re-number the remaining section.

Further, amend the title

Page 1, line 5, before the period insert “, and by adding a subdivision”

With the recommendation that when so amended the bill pass.

The report was adopted.

Pleasant from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1392, A bill for an act relating to local government; providing for fire protection services in various local units in Cass and Morrison counties.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

House Concurrent Resolution No. 6, A bill for an act requesting the state personnel department to study means to recognize and provide incentives for job-related professional, educational achievement of certified professional secretaries.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

Sieben, H., moved that the House recess subject to the call of the Chair. The motion prevailed.

#### RECESS

During the recess the House paid honor to Arv Johnson, radio broadcaster, who has announced his future retirement.

#### RECONVENED

The House reconvened and was called to order by the Speaker.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 1563, 1091, 1198, 1433 and 1444 were read for the second time.

#### SECOND READING OF SENATE BILLS

S. F. Nos. 303, 345, 444, 498, 926, 935, 1002 and 1392 were read for the second time.

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Osthoff, Den Ouden, Wenzel, Niehaus and Patton introduced:

H. F. No. 1568, A bill for an act relating to education; establishing a demonstration educational grant program; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Pavlak introduced:

H. F. No. 1569, A bill for an act relating to public safety; requiring that recurring costs of 911 systems in the metropolitan area be borne by the counties that operate the systems; amending Minnesota Statutes 1978, Section 403.11, Subdivision 4.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Jaros, Battaglia, Berkelman, Minne and Pavlak introduced:

H. F. No. 1570, A bill for an act relating to controlled substances; designating butyl nitrite as a legend drug to be sold only on prescription.

The bill was read for the first time and referred to the Committee on Criminal Justice.

#### REPORTS 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 preceding General Orders for Thursday, May 3, 1979:

H. F. Nos. 1097, 582, 1144, 1324, 8, 1206, 1392, 323, 874, 1309 and 1364.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

House Resolution No. 19, A house resolution relating to compensating members of the house and members-elect who attended freshman orientation.

Reported the same back with the following amendments:

Page 1, line 6, after "members" insert "-elect"

Page 1, line 7, delete "and members-elect"

Page 1, delete lines 10 and 11 to the period and insert "the amount of \$27.00 per day as per diem allowance"

Amend the title as follows:

Page 1, line 2, after "members" insert "-elect" and delete "and"

Page 1, line 3, delete "members-elect"

With the recommendation that when so amended the resolution be adopted.

The report was adopted.

#### HOUSE RESOLUTION NO. 19

A house resolution relating to compensating members-elect of the house who attended freshman orientation.

*Be it Resolved*, by the House of Representatives of the State of Minnesota, that those members-elect of the House of Representatives who attended the freshman orientation programs held in preparation for the 71st Legislature shall be reimbursed in the same manner and in the amount of \$27 per day as per diem allowance.

Knickerbocker moved that House Resolution No. 19 be now adopted.

The question was taken on the adoption of House Resolution No. 19 and the roll was called. There were 112 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Aasness	Crandall	Greenfield	Lehto	Onnen
Adams	Dean	Halberg	Long	Osthoff
Albrecht	Dempsey	Haukoos	Luknic	Otis
Anderson, B.	Den Ouden	Heap	McCarron	Pavlak
Anderson, D.	Drew	Heinitz	McEachern	Pehler
Anderson, G.	Eken	Hoberg	Mehrrens	Peterson
Anderson, I.	Elioff	Hokanson	Minne	Piepho
Anderson, R.	Ellingson	Jacobs	Moe	Pleasant
Battaglia	Enebo	Jaros	Munger	Prahl
Begich	Erickson	Jennings	Murphy	Redalen
Berglin	Esau	Johnson, C.	Nelsen, B.	Reding
Berkelman	Evans	Jude	Nelsen, M.	Reif
Biersdorf	Ewald	Kahn	Nelson	Rose
Blatz	Faricy	Kaley	Niehaus	Sarna
Carlson, L.	Fjoslien	Kalis	Norman	Schreiber
Casserly	Forsythe	Kempe	Norton	Searles
Clark	Friedrich	Kroening	Novak	Sherwood
Clawson	Fritz	Kvam	Nysether	Sieben, H.
Corbid	Fudro	Laidig	Olsen	Sieben, M.



Simoneau	Tomlinson	Voss	Wieser	Speaker Searle
Stoa	Valan	Waldorf	Wigley	
Stowell	Valento	Welch	Wynia	
Swanson	Vanasek	Wenzel	Zubay	

Those who voted in the negative were:

Ainley	Levi	Ludeman	Rees	Welker
Kelly				

The motion prevailed and House Resolution No. 19 was adopted.

### 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. 564, A bill for an act relating to financial institutions; providing a new interest index for conventional home loans; regulating mortgage assumptions; regulating private mortgage insurance; regulating various interest rates; amending Minnesota Statutes 1978, Sections 47.20, Subdivisions 2, 3, 4, 6, 7, and 13, by adding a subdivision.

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. 1518, A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes with certain conditions; providing appropriations for the departments of public welfare, economic security, corrections, corrections ombudsman, health, health related boards; amending Minnesota Statutes 1978, Sections 145.917, by adding a subdivision; and 145.921, by adding subdivisions; repealing Minnesota Statutes 1978, Section 145.921, Subdivisions 2 and 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House refuse to concur in the Senate amendments to H. F. No. 1518, that the Speaker shall appoint

3 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 3 members to a conference committee, and that the House requests that a conference 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. 1526, 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 1978, Sections 120.81, Subdivision 2; and 124.572, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House refuse to concur in the Senate amendments to H. F. No. 1526, that the Speaker shall appoint 3 members and the Chairman of the Committee on Rules and Legislative Administrative shall appoint 3 members to a conference committee, and that the House requests that a conference 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. 966, A bill for an act relating to workers' compensation; providing employer's action for recovery of insurance premiums against certain third parties; amending Minnesota Statutes 1978, Section 176.061, Subdivisions 5 and 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Adams moved that the House concur in the Senate amendments to H. F. No. 966 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 966, A bill for an act relating to workers' compensation; providing employer's action for recovery of insurance premiums against certain third parties; amending Minnesota Statutes 1978, Section 176.061, Subdivisions 5 and 6.

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:

Adams	Elioff	Kahn	Nelson	Searles
Ainley	Ellingson	Kaley	Niehaus	Sherwood
Albrecht	Enebo	Kalis	Norman	Sieben, M.
Anderson, B.	Erickson	Kelly	Norton	Simoneau
Anderson, D.	Esau	Kempe	Novak	Stoa
Anderson, G.	Evans	Knickerbocker	Nysether	Sviggum
Anderson, I.	Ewald	Kroening	Olsen	Swanson
Anderson, R.	Faricy	Kvam	Onnen	Thiede
Battaglia	Fjoslien	Laidig	Osthoff	Tomlinson
Begich	Forsythe	Lehto	Otis	Valan
Berkelman	Friedrich	Levi	Patton	Valento
Biersdorf	Fritz	Long	Paviak	Vanasek
Blatz	Fudro	Ludeman	Pehler	Voss
Brinkman	Greenfield	Luknic	Peterson	Waldorf
Byrne	Halberg	Mann	Piepho	Weaver
Carlson, L.	Haukoos	McCarron	Pleasant	Welch
Casserly	Heap	McDonald	Prahl	Welker
Clark	Heinitz	McEachern	Redalen	Wenzel
Clawson	Hoberg	Mehrkens	Reding	Wieser
Corbid	Hokanson	Metzen	Rees	Wigley
Crandall	Jacobs	Minne	Reif	Wynia
Dean	Jaros	Moe	Rice	Zubay
Dempsey	Jennings	Munger	Rose	Speaker Searle
Den Ouden	Johnson, C.	Murphy	Rothenberg	
Drew	Johnson, D.	Nelsen, B.	Sarna	
Eken	Jude	Nelsen, M.	Schreiber	

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, herewith transmitted:

Senate Concurrent Resolution No. 10, A senate concurrent resolution designating May 1st as Law Day.

PATRICK E. FLAHAVEN, Secretary of the Senate

The resolution 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. 1003.

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. 1504.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 1003, A bill for an act relating to elections; revising, reorganizing and recodifying major portions of the Minnesota election law; modernizing and improving language, organization and style; clarifying certain ambiguities; removing certain obsolete terms and provisions; restating guidelines for determining voter eligibility; providing for voter registration, absentee voting, the conduct of elections and the counting and canvassing of election returns; defining terms; providing penalties; making necessary technical amendments, corrections and other revisions; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 12; 40.05, Subdivision 3; 123.32, Subdivision 7; 200.01; 200.02; 201.01; 201.021; 201.061; 201.071; 201.081; 201.091; 201.11; 201.12; 201.121; 201.13; 201.14; 201.15; 201.161; 201.171; 201.18; 201.211; 201.221; 201.27; 201.275; 202A.11; 202A.16, Subdivision 1; 205.01; 205.03; 205.13, Subdivision 1; 205.15; 205.17, Subdivision 2; 205.20, Subdivisions 2 and 5; 206.07, Subdivision 1; 206.185, Subdivision 1; 206.20, Subdivision 2; 206.21, Subdivisions 1 and 2; 208.04; 210A.07; 210A.26, Subdivision 4; 210A.28; 210A.34, Subdivision 4; 290.21, Subdivision 3; 365.51; 365.52; 375.20; 382.28; and 487.03, Subdivision 2; and Chapters 200, 201, 205, and 210A, by adding sections; repealing Minnesota Statutes 1978, Sections 201.231; 201.26; 201.33; 202A.21; 202A.22; 202A.23; 202A.24; 202A.25; 202A.26; 202A.27; 202A.28; 202A.29; 202A.30; 202A.31; 202A.32; 202A.41; 202A.42; 202A.51; 202A.52; 202A.53; 202A.54; 202A.61; 202A.62; 202A.63; 202A.64; 202A.65; 202A.66; 202A.67; 202A.68; 202A.69; 202A.70; 202A.71; 202A.721; and 210.22; and Chapters 203A, 204A, and 207.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

S. F. No. 1504, 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 with certain conditions; authorizing basic life insurance and health benefits coverage for employees of semi-state agencies; amending Minnesota Statutes 1978, Sections 43.43, Subdivision 2; 138.01, by adding a subdivision; 139.10, Subdivision 2; 139.17, Subdivision 2; and 139.18, Subdivision 1.

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, Norton and Dean moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1504 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Norton and Dean moved that the rules of the House be so far suspended that S. F. No. 1504 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 1504 was read for the second time.

S. F. No. 1504 was reported to the House.

Norton and Dean moved to amend S. F. No. 1504 as follows:

Strike everything after the enacting clause and insert:

"Section 1. [SEMI-STATE ACTIVITIES; APPROPRIATIONS.] The sums set forth in the columns designated "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 "1980", and "1981", wherever used in this act, mean that the appropriation or appropriations listed thereunder are available for the year ending June 30, 1980, or June 30, 1981, respectively.

#### SUMMARY BY FUND

	1980	1981	TOTAL
General .....	\$9,631,500	\$9,758,000	\$19,389,500
Tr. Hwy. ....	47,500	47,500	95,000
	\$9,679,000	\$9,805,500	\$19,484,500

APPROPRIATIONS  
Available for the Year  
Ending June 30,

1980                      1981  
\$                              \$

Sec. 2. GENERAL GOVERNMENT

Subdivision 1. Great Lakes Commission .....	34,500	36,000
Subd. 2. Minnesota-Wisconsin boundary Area Commission .....	48,300	50,800

The amount expended shall not exceed the amount provided for the commission by the state of Wisconsin.

Subd. 3. Uniform Laws Commission .	10,000	10,000
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Sec. 3. STATE HORTICULTURAL SOCIETY

For maintenance .....	54,500	54,500
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Sec. 4. EDUCATION, LIBRARIES, MUSEUMS AND RECREATION

Subdivision 1. Minnesota Historical Society .....	6,296,600	6,306,700
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The amounts that may be expended from this appropriation for each program are as follows:

(a) General Operations and Management .....	2,854,700	2,904,700
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This appropriation includes money for a seven-day-a-week tour program in the capitol and historical buildings. The historical building shall remain open for public use on Saturdays and, if necessary, adjustments in the remainder of the week day schedule may be effected by the Minnesota historical society.

Any unencumbered balance remaining at the end of the first year shall be re-

	1980	1981
	\$	\$
turned to the state treasury and credited to the general fund.		
(b) Historic Site Operations . . . . .	3,194,400	3,200,800

\$543,000 each year is for historic site grants to encourage local historic preservation projects. To be eligible for a grant, a county or local project group must provide a 50 percent match, in accordance with the historical society's guidelines.

(c) Sibley House Association . . . . .	62,500	16,200
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This appropriation is available for maintenance of the Sibley House and related buildings on the Old Mendota state historic site owned by the Sibley House Association.

\$46,300 the first year is for purchase of security and smoke detection equipment, for grading to prevent further water damage, and for elm tree removal. Any unexpended balance remaining in the first year does not cancel but is available for the second year of the biennium. Any unexpended balance remaining after the purchase of the equipment, grading, and tree removal services shall be used for maintenance of the structures.

The historical society should seek an agreement with the Sibley House Association whereby the historical society will make payments to the Association for this purpose and will provide the Association with technical assistance in applying for federal grants.

Notwithstanding any laws to the contrary, the Sibley House Association may purchase fire, wind, hail, and vandalism insurance, and insurance coverage for fine art objects from this appropriation.

(d) Government Learning Center . . .	55,000	55,000
(e) Center for Minnesota Folklife . . .	90,000	90,000

	1980	1981
	\$	\$
(f) Minnesota Humanities Commission .....	25,000	25,000
(g) Minnesota International Center ..	15,000	15,000
<p>Any unexpended balance remaining in (b), (c), (d), (e), (f), or (g) the first year does not cancel but is available for the second year of the biennium.</p>		
Subd. 2. Minnesota Academy of Science .....	16,200	16,200
Subd. 3. Science Museum of Minnesota .....	150,000	150,000
Subd. 4. Board of the Arts .....	2,836,400	2,938,800
<p>Approved State Complement — 11</p>		

The amounts that may be expended from this appropriation for each program are as follows:

(a) Administrative Services .....	319,500	319,500
(b) Subsidies and Grants .....	2,056,900	2,109,300

\$1,036,300 the first year and \$1,048,700 the second year is for general operating support grants to arts organizations of the state with consistent statewide or multi-regional impact.

State money granted to regional arts councils shall not be used for general administrative costs of the regional arts councils.

(c) Public Broadcasting Assistance ..	460,000	510,000
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\$270,000 each year is for block grants for public television stations pursuant to Minnesota Statutes, Section 139.17, as amended.

\$90,000 each year is for matching grants for public television stations pursu-



	1980	1981
	\$	\$
ant to Minnesota Statutes, Section 139.17, as amended.		
\$100,000 the first year and \$150,000 the second year is for grants to public radio stations pursuant to section 15 of this act.		
Any unencumbered balance remaining in (a), (b), or (c) the first year does not cancel but is available for the second year of the biennium.		
Subd. 5. Minnesota Safety Council ..	47,500	47,500
This appropriation is from the trunk highway fund and shall be disbursed by the commissioner of finance on certifica- tion of need therefor by the president of the Minnesota safety council. The commis- sioner of finance shall disburse upon certi- fication 25 percent of the annual appropri- ation on the first day of July, October, January, and April of each fiscal year.		
Sec. 5. SOCIAL SECURITY		
Subdivision 1. Disabled American Vet- erans .....	10,000	10,000
For salaries, supplies and expenses to be expended as provided by Laws 1941, Chapter 425.		
Subd. 2. Veterans of Foreign Wars		
For carrying out the provisions of Laws 1945, Chapter 455 .....	25,000	25,000
Sec. 6. MINNESOTA HUMANE SOCIETY .....	50,000	50,000
No state money shall be expended for the care, feeding, housing, or disposal of animals.		
Sec. 7. COUNTY ATTORNEYS COUNCIL .....	60,000	70,000

	1980	1981
	\$	\$

Notwithstanding other provisions to the contrary, the county attorneys council is hereby authorized to charge fees for seminars, workshops and publications it conducts and produces. The proceeds of such fees are to be paid into the general fund.

Sec. 8. SOUTHERN MINNESOTA RIVERS BASIN BOARD .....	40,000	40,000
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Sec. 9. Minnesota Statutes 1978, Section 43.43, Subdivision 2, is amended to read:

Subd. 2. "State employee" for the purpose of determining eligibility for the basic life insurance and basic health benefits coverage hereunder means:

(1) An employee in the classified service of the state civil service paid on a state payroll;

(2) An employee in the unclassified service of the state paid on a state payroll who is not excluded from any of the provisions of sections 43.42 to 43.49;

(3) A permanent employee of the legislature or a permanent employee of a permanent study or interim committee or commission;

(4) A judge of the supreme court or an officer or employee of such court; a judge of the district court, a judge of county court, a judge of county municipal court, a judge of probate court; a district administrator; and the employees of the offices of the district administrators of the fifth and eighth judicial districts (UNTIL JULY 1, 1979);

(5) A salaried employee of the public employees retirement association;

(6) Full time military or civilian personnel in the unclassified service of the department of military affairs whose salary is paid from state funds;

(7) A salaried employee of the Minnesota historical society or other semi-state agency that receives a direct appropriation of state money, whether the particular employee's salary is paid from state funds or otherwise, who is not a member of the governing board;

(8) An employee of the regents of the university of Minnesota, who is a member of the academic staff with the rank of instructor, research fellow, or above, including a lecturer, serving on not less than 75 percent regular appointment;

(9) An employee of the regents of the university of Minnesota and a member of the civil service staff under the civil service plan, adopted by the university of Minnesota, who is employed on a monthly salaried appointment;

(10) An employee of the state university board or the state board for community colleges who is a member of the academic staff, who is employed for not less than a 75 percent time basis, and who is paid on a state salary payroll; or

(11) An employee of the state university board or the state board for community colleges who is either in the classified service or the unclassified service of the state civil service whose salary is paid from the university board of the state of Minnesota revenue fund, the university activity fund, or the community college activity fund. The required premium payment of such an employee is to be paid, however, from the fund from which the employee's salary is paid.

(12) A member of the state legislature.

(13) A seasonal employee of the waters, soils and minerals division of the state department of natural resources whose duties include the sampling, weighing or grading of iron ore, taconite, or other minerals; provided that the employee shall receive the benefits provided in sections 43.42 to 43.50, at no cost to the employee for the period in each calendar year when the employee is not working at his occupation, and the premiums therefor shall be paid from the same salary fund or account as the salary of the employee.

(14) A person employed in the state service as a pre-service trainee on a full time basis.

Sec. 10. Minnesota Statutes 1978, Section 138.01, is amended by adding a subdivision to read:

*Subd. 5. The Minnesota historical society may use state money to buy fire, wind, hail, and vandalism insurance.*

Sec. 11. [138.91] [MINNESOTA HUMANITIES COMMISSION.] *Subdivision 1. From money appropriated to it for this purpose the Minnesota historical society shall make grants to the Minnesota humanities commission for its general operations and management. A grant shall not be made unless matched by an equal amount of federal money. At least 50 percent of the amount*

*appropriated shall be used for cooperation with and service for other groups, agencies, and institutions outside the seven-county metropolitan area for the support and dissemination of the humanities.*

*Subd. 2. The Minnesota humanities commission shall report to the legislature by September 1 of each year on the use of these grants. The report shall include an itemized account of the programs and projects supported and the source of money for each. The report shall show actual expenditures for the fiscal year ending the preceding June 30 and proposed expenditures for the fiscal year beginning the preceding July 1.*

Sec. 12. Minnesota Statutes 1978, Section 139.17, Subdivision 2, is amended to read:

Subd. 2. "Public station" means a licensee of the federal communications commission as a noncommercial educational television broadcast station within (OR WITHOUT THE STATE SERVING A SIGNIFICANT SEGMENT OF THE POPULATION OF) this state or a station outside the state which received funds under section 139.18 in 1976.

Sec. 13. Minnesota Statutes 1978, 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 *block grants which shall be distributed in equal amounts* to public stations for (THE ACQUISITION AND PRODUCTION OF MATERIALS AND BROADCAST TRANSMISSION) *operational costs*. 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) *a block grant. In addition, the board of the arts shall make matching grants to public stations. Matching grants shall be used for operational costs and shall be allocated using the procedure developed for distribution of state funds under this section for grants made in fiscal year 1979.* No station's matching grant in any fiscal year shall exceed the amount of Minnesota based contributions received by that station in the previous fiscal year.

Sec. 14. Minnesota Statutes 1978, Section 139.18, Subdivision 2, is amended to read:

Subd. 2. In calculating the amount of contributions 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; tax generated funds, including payments by public or private elementary and secondary

schools; that portion of any foundation or corporation donation in excess of (\$250) \$500 from any one contributor in a calendar year; contributions from any source if made for the purpose of capital expenditures; and contributions from all sources based outside the state.

Sec. 15. [139.19] [GENERAL NONCOMMERCIAL RADIO STATION GRANTS.] *Subdivision 1. [PURPOSE.] The purposes of this section are to facilitate the use of the noncommercial radio station as a community resource by providing financial assistance to noncommercial radio stations serving Minnesota citizens.*

*Subd. 2. [DEFINITIONS.] As used in this section, the terms defined in this subdivision have the meanings given them.*

(a) *"Corporation for Public Broadcasting" means the non-profit organization established pursuant to 47 U.S.C. 396.*

(b) *"Federal Communications Commission" means the federal agency established pursuant to 47 U.S.C. 151.*

(c) *"Noncommercial radio station" means a station holding a license or operating under program test authority from the Federal Communications Commission as a noncommercial educational radio station, licensed to a community within the state and serving a segment of the population of the state.*

(d) *"Operating income" may include:*

(1) *individual and other community contributions;*

(2) *all grants received from the Corporation for Public Broadcasting;*

(3) *grants received from foundations, corporations, or federal, state, or local agencies or other sources for the purpose of programming or general operating support;*

(4) *interest income;*

(5) *earned income;*

(6) *employee salaries paid through the federal Comprehensive Employment Training Act, or other similar public employment programs, provided that only salary expended for employee duties directly relating to radio station operations shall be counted;*

(7) *employee salaries paid through supporting educational institutions, provided that only salary expended for employee*

duties directly relating to radio station operations shall be counted;

(8) direct operating costs provided by supporting educational institutions;

(9) no more than \$15,000 in volunteer time calculated at the federal minimum wage.

The following are specifically excluded in determining a station's operating income:

(1) dollar representations in in-kind assistance from any source except as stipulated in clauses (8) and (9) above;

(2) grants or contributions from any source for the purpose of purchasing capital improvements or equipment;

(3) noncommercial radio stations grants received in the previous fiscal year pursuant to this section.

Subd. 3. [STATION ELIGIBILITY.] To qualify for a grant under this section, a noncommercial radio station shall:

(a) Hold a valid noncommercial educational radio station license or program test authority from the Federal Communications Commission;

(b) Have facilities adequate to provide local program production and origination;

(c) Employ a minimum of two full time professional radio staff persons or the equivalent in part-time staff and agree to employ a minimum of two full time professional radio staff persons or the equivalent in part-time staff throughout the fiscal year of the grant;

(d) Maintain a minimum daily broadcasting schedule of (i) the maximum allowed by its Federal Communications Commission license or (ii) 12 hours a day during the first year of eligibility for state assistance, 15 hours a day during the second year of eligibility and 18 hours a day during the third and following years of eligibility;

(e) Broadcast 365 days a year or the maximum number of days allowed by its Federal Communications Commission license;

(f) Have a daily broadcast schedule devoted primarily to programming which serves ascertained community needs of an educational, informational or cultural nature within its primary

signal area; however, a program schedule of a main channel carrier designed to further the principles of one or more particular religious philosophies or including 25 percent or more religious programming on a broadcast day does not meet this criterion, nor does a program schedule of a main channel carrier designed primarily for in school or professional in-service audiences;

(g) Originate significant, locally produced programming designed to serve its community of license;

(h) Have a total annual operating income and budget of at least \$50,000;

(i) Have either a board of directors representing the community or a community advisory board which conducts advisory board meetings which are open to the public;

(j) Have a board of directors which: (i) holds that portion of any meeting relating to the management or operation of the radio station open to the public and (ii) permits any person to attend any meeting of the board without requiring a person, as a condition to attendance at such meeting, to register the person's name or to provide any other information;

(k) Have met the criteria in clauses (a) through (j) for six months before it is eligible for state assistance under this section.

The board of the arts shall accept the judgment of a Corporation for Public Broadcasting accepted audit when it is available on a station's eligibility for assistance under the criteria of this subdivision. If the applicant station is not qualified for assistance from the Corporation for Public Broadcasting, an independent audit is required.

**Subd. 4. [APPLICATION.]** To be eligible for a grant under this section, a station shall submit an application to the board of the arts within the deadline prescribed by the board. It shall also submit, within the deadline prescribed by the board, its audited financial records for the fiscal year preceding the year for which the grant will be made.

**Subd. 5. [GRANTS.]** The board of the arts shall determine eligibility for grants and the allocation of grant funds on the basis of audited financial records for the applicant station's fiscal year preceding the year in which the grant is made, as well as on the basis of the other requirements set forth in this section. The board shall annually distribute grants to all stations which comply with the eligibility requirements and apply for a grant. The board of the arts may promulgate rules to implement this section. For this purpose the board of the arts may promulgate temporary rules pursuant to Minnesota Statutes, Section 15.0412, Subdivision 5. An applicant's share of the grant funds shall be based on:

(a) *The amount received in the preceding year by the station in private non-tax generated contributions from sources within the state. No contributions made for the purpose of capital expenditures shall be counted, and*

(b) *The dollar value in the preceding year of contributions of volunteer time to station operations, provided that the volunteer time was not used for the purpose of raising funds for the station. Volunteer time shall be valued at the federal minimum wage per hour. A station's total allocation for volunteer time shall not exceed 20 percent of its total grant pursuant to this section.*

(c) *The board of the arts shall match every verified contribution dollar under clause (a) and volunteer time dollar, as calculated under clause (b), with two state dollars for all eligible applicants until the applicant station has received \$10,000 in grant funds under this section, and thereafter grant funds shall be distributed on a dollar for dollar basis until the total amount appropriated for that year has been distributed equally among all applicants. Provided that a station may receive state matching funds only until the station's total verified contribution and volunteer time has been matched or the amount of the grant received equals one-third of the station's total operating income for the previous fiscal year.*

*A station may use grant funds under this section for any radio station expenses.*

*Subd. 6. [AUDIT.] A station which receives a grant under this section shall have an audit of its financial records made by an independent auditor or Corporation for Public Broadcasting accepted audit at the end of the fiscal year for which it received the grant. The audit shall include a review of station promotion, operation, management and an analysis of the station's use of the grant funds. A copy of the audit shall be filed with the board of the arts."*

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 maintenance of various semi-state activities and for other purposes with certain conditions; authorizing basic life insurance and health benefits coverage for employees of semi-state agencies; amending Minnesota Statutes 1978, Sections 43.43, Subdivision 2; 138.01, by adding a subdivision; 139.17, Subdivision 2; and 139.18, Subdivisions 1 and 2."*

The motion prevailed and the amendment was adopted.



S. F. No. 1504, 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 with certain conditions; authorizing basic life insurance and health benefits coverage for employees of semi-state agencies; amending Minnesota Statutes 1978, Sections 43.43, Subdivision 2; 138.01, by adding a subdivision; 139.10, Subdivision 2; 139.17, Subdivision 2; and 139.18, 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 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelsen, M.	Schreiber
Adams	Eken	Kaley	Nelson	Searles
Ainley	Elioff	Kalis	Niehaus	Sherwood
Albrecht	Enebo	Kelly	Norman	Sieben, H.
Anderson, B.	Erickson	Kempe	Norton	Sieben, M.
Anderson, D.	Esau	Knickerbocker	Novak	Simoneau
Anderson, G.	Evans	Kostohryz	Nysether	Stoa
Anderson, I.	Ewald	Kroening	Olsen	Stowell
Anderson, R.	Faricy	Kvam	Onnen	Sviggum
Battaglia	Fjoslien	Laidig	Osthoff	Swanson
Begich	Forsythe	Lehto	Otis	Thiede
Berglin	Friedrich	Levi	Patton	Tomlinson
Berkelman	Fritz	Long	Pavlak	Valan
Biersdorf	Fudro	Ludeman	Pehler	Valento
Blatz	Greenfield	Luknic	Peterson	Vanasek
Brinkman	Halberg	Mann	Piepho	Voss
Byrne	Haukoos	McCarron	Pleasant	Waldorf
Carlson, L.	Heap	McDonald	Prahl	Weaver
Casserly	Heinitz	McEachern	Redalen	Welch
Clark	Hoberg	Mehrkens	Reding	Welker
Clawson	Hokanson	Metzen	Rees	Wenzel
Corbid	Jacobs	Minne	Reif	Wigley
Crandall	Jaros	Moe	Rice	Wynia
Dean	Jennings	Munger	Rose	Zubay
Dempsey	Johnson, D.	Murphy	Rothenberg	Speaker Searle
Den Ouden	Jude	Nelsen, B.	Sarna	

The bill was passed, as amended, and its title agreed to.

### CONSENT CALENDAR

S. F. No. 478 was reported to the House.

Minne moved to amend S. F. No. 478, the unofficial engrossment, as follows:

Page 2, line 14, before the period, insert “; provided that the cartway shall not be vacated without following the vacation proceedings established under Minnesota Statutes, Section 164.07”

The motion prevailed and the amendment was adopted.

S. F. No. 478, A bill for an act relating to town roads; providing for the establishment of certain cartways, and authorizing the expenditure of town road and bridge funds under certain conditions; amending Minnesota Statutes 1978, Section 164.08, 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelsen, M.	Schreiber
Adams	Eken	Kaley	Nelson	Searles
Ainley	Elioff	Kalis	Niehaus	Sherwood
Albrecht	Ellingson	Kelly	Norman	Sieben, H.
Anderson, B.	Enebo	Kempe	Norton	Sieben, M.
Anderson, D.	Erickson	Knickerbocker	Novak	Simoneau
Anderson, G.	Esau	Kostohryz	Nysether	Stoa
Anderson, I.	Evans	Kroening	Olsen	Stowell
Anderson, R.	Ewald	Kvam	Onnen	Sviggum
Battaglia	Faricy	Laidig	Osthoff	Swanson
Begich	Fjoslien	Lehto	Otis	Thiede
Berglin	Fritz	Levi	Patton	Tomlinson
Berkelman	Fudro	Long	Pavlak	Valan
Biersdorf	Greenfield	Ludeman	Pehler	Valento
Blatz	Halberg	Luknic	Peterson	Vanasek
Brinkman	Haukoos	Mann	Piepho	Voss
Byrne	Heap	McCarron	Pleasant	Waldorf
Carlson, L.	Heinitz	McDonald	Prahl	Weaver
Cassery	Hoberg	McEachern	Redalen	Welch
Clark	Hokanson	Mehrkens	Reding	Welker
Clawson	Jacobs	Metzen	Rees	Wenzel
Corbid	Jaros	Minne	Reif	Wieser
Crandall	Jennings	Moe	Rice	Wigley
Dean	Johnson, C.	Munger	Rose	Wynia
Dempsey	Johnson, D.	Murphy	Rothenberg	Zubay
Den Ouden	Jude	Nelsen, B.	Sarna	Speaker Searle

The bill was passed, as amended, and its title agreed to.

## CALENDAR

S. F. No. 807, A bill for an act relating to intoxicating liquor; authorizing Washington County to issue an off-sale license in Denmark township.

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:

Adams	Elioff	Kempe	Niehaus	Schreiber
Ainley	Enebo	Knickerbocker	Norman	Searles
Anderson, B.	Evans	Kostohryz	Norton	Sieben, H.
Anderson, D.	Faricy	Kroening	Novak	Sieben, M.
Anderson, G.	Fjoslien	Kvam	Nysether	Simoneau
Anderson, I.	Forsythe	Laidig	Olsen	Stoa
Anderson, R.	Friedrich	Lehto	Onnen	Swanson
Battaglia	Fritz	Levi	Osthoff	Tomlinson
Begich	Fudro	Long	Otis	Valan
Berglin	Greenfield	Ludeman	Patton	Valento
Berkelman	Halberg	Luknic	Pavlak	Vanasek
Biersdorf	Haukoos	Mann	Pehler	Voss
Blatz	Heap	McCarron	Peterson	Waldorf
Brinkman	Heinitz	McDonald	Piepho	Weaver
Byrne	Hoberg	McEachern	Pleasant	Welch
Carlson, L.	Hokanson	Mehrrens	Prahl	Welker
Casserly	Jacobs	Metzen	Redalen	Wenzel
Clark	Jaros	Minne	Reding	Wieser
Clawson	Johnson, D.	Moe	Rees	Wigley
Corbid	Jude	Munger	Reif	Wynia
Dean	Kahn	Murphy	Rice	Zubay
Dempsey	Kaley	Nelsen, B.	Rose	Speaker Searle
Drew	Kalis	Nelsen, M.	Rothenberg	
Eken	Kelly	Nelson	Sarna	

## Those who voted in the negative were:

Den Ouden	Erickson	Sherwood	Sviggum	Thiede
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The bill was passed and its title agreed to.

S. F. No. 118, A bill for an act relating to crimes; defining the crime of receiving stolen property; amending Minnesota Statutes 1978, Section 609.53, 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:

Aasness	Brinkman	Enebo	Heinitz	Kostohryz
Adams	Byrne	Erickson	Hoberg	Kroening
Ainley	Carlson, L.	Esau	Hokanson	Kvam
Albrecht	Casserly	Evans	Jacobs	Laidig
Anderson, B.	Clark	Ewald	Jaros	Lehto
Anderson, D.	Clawson	Faricy	Jennings	Levi
Anderson, G.	Corbid	Fjoslien	Johnson, C.	Long
Anderson, I.	Crandall	Forsythe	Johnson, D.	Ludeman
Anderson, R.	Dean	Friedrich	Jude	Luknic
Battaglia	Dempsey	Fritz	Kahn	Mann
Begich	Den Ouden	Fudro	Kaley	McCarron
Berglin	Drew	Greenfield	Kalis	McDonald
Berkelman	Eken	Halberg	Kelly	McEachern
Biersdorf	Elioff	Haukoos	Kempe	Mehrrens
Blatz	Ellingson	Heap	Knickerbocker	Metzen

Minne	Olsen	Reding	Simoneau	Weaver
Moe	Onnen	Rees	Stoa	Welch
Munger	Osthoff	Reif	Stowell	Welker
Murphy	Otis	Rice	Sviggum	Wenzel
Nelsen, B.	Patton	Rose	Swanson	Wieser
Nelsen, M.	Pavlak	Rothenberg	Thiede	Wigley
Nelson	Pehler	Sarna	Tomlinson	Wynia
Niehaus	Peterson	Schreiber	Valan	Zubay
Norman	Piepho	Searles	Valento	Speaker Searle
Norton	Pleasant	Sherwood	Vanasek	
Novak	Prahl	Sieben, H.	Voss	
Nysether	Redalen	Sieben, M.	Waldorf	

The bill was passed and its title agreed to.

S. F. No. 484, A bill for an act relating to elections; requiring recounts in county, municipal and school district elections under certain circumstances; setting a time limit for appeal of a district court determination in a school district election contest; amending Minnesota Statutes 1978, Chapter 204A, by adding a section; Sections 123.32, Subdivision 25, and by adding a subdivision; 205.11, by adding a subdivision; and 205.14, 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Nelson	Sieben, H.
Adams	Elioff	Kaley	Niehaus	Sieben, M.
Ainley	Ellingson	Kalis	Norman	Simoneau
Albrecht	Enebo	Kelly	Novak	Stoa
Anderson, B.	Erickson	Kempe	Nysether	Stowell
Anderson, D.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, G.	Evans	Kostohryz	Onnen	Swanson
Anderson, I.	Ewald	Kroening	Osthoff	Thiede
Anderson, R.	Faricy	Kvam	Otis	Tomlinson
Battaglia	Fjoslien	Laidig	Patton	Valan
Begich	Forsythe	Lehto	Pavlak	Valento
Berglin	Friedrich	Levi	Pehler	Vanasek
Berkelman	Fritz	Long	Peterson	Voss
Biersdorf	Fudro	Ludeman	Piepho	Waldorf
Blatz	Greenfield	Luknic	Pleasant	Weaver
Brinkman	Halberg	Mann	Prahl	Welch
Byrne	Haukoos	McCarron	Redalen	Welker
Carlson, L.	Heap	McDonald	Reding	Wenzel
Casserly	Heinitz	McEachern	Rees	Wieser
Clark	Hoberg	Mehrkens	Reif	Wigley
Clawson	Hokanson	Metzen	Rice	Wynia
Corbid	Jacobs	Minne	Rose	Zubay
Crandall	Jaros	Moe	Rothenberg	Speaker Searle
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	
Drew	Jude	Nelsen, M.	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. Nos. 1037 and 990.

H. F. No. 1037, A bill for an act relating to interim claims against the state; appropriating money 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Johnson, D.	Murphy	Sarna
Adams	Eken	Jude	Nelsen, B.	Schreiber
Ainley	Elioff	Kahn	Nelsen, M.	Searles
Albrecht	Ellingson	Kaley	Nelson	Sherwood
Anderson, B.	Enebo	Kalis	Niehaus	Sieben, H.
Anderson, D.	Erickson	Kelly	Norman	Sieben, M.
Anderson, G.	Esau	Kempe	Norton	Simoneau
Anderson, I.	Evans	Knickerbocker	Novak	Stoa
Anderson, R.	Ewald	Kostohryz	Nysether	Stowell
Battaglia	Faricy	Kroening	Olsen	Swanson
Begich	Fjoslien	Kvam	Onnen	Thiede
Berglin	Forsythe	Laidig	Otis	Tomlinson
Berkelman	Friedrich	Lehto	Patton	Valan
Biersdorf	Fritz	Levi	Pavlak	Valento
Blatz	Fudro	Long	Pehler	Vanasek
Brinkman	Greenfield	Ludeman	Peterson	Voss
Byrne	Halberg	Luknic	Piepho	Waldorf
Carlson, L.	Haukoos	Mann	Pleasant	Weaver
Cassery	Heap	McCarron	Prahl	Welch
Clark	Heinitz	McDonald	Redalen	Welker
Clawson	Hoberg	McEachern	Reding	Wenzel
Corbid	Hokanson	Mehrkens	Rees	Wieser
Crandall	Jacobs	Metzen	Reif	Wigley
Dean	Jaros	Minne	Rice	Wynia
Dempsey	Jennings	Moe	Rose	Zubay
Den Ouden	Johnson, C.	Munger	Rothenberg	Speaker Searle

The bill was passed and its title agreed to.

Levi and Tomlinson were excused for the remainder of today's session. Luknic was excused from 3:30 p.m. to 4:00 p.m.

H. F. No. 990 was reported to the House.

Welker moved to amend H. F. No. 990 as follows:

Page 10, line 3, delete "*commercial and industrial*"

Page 10, line 4, delete "*establishments, and other energy consuming facilities*"

Page 10, delete lines 6 and 7

Reletter subclauses accordingly

A roll call was requested and properly seconded.

A division of the amendment was requested.

The first portion of the amendment reads as follows:

Page 10, line 3, delete “, *commercial and industrial*”

Page 10, line 4, delete “*establishments, and other energy consuming facilities*”

The question was taken on the first portion of the Welker amendment and the roll was called. There were 31 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Jennings	Onnen	Weaver
Ainley	Drew	Kaley	Patton	Welker
Albrecht	Esau	Kempe	Piepho	Wieser
Anderson, R.	Fritz	Knickerbocker	Redalen	
Biersdorf	Halberg	Ludeman	Rose	
Brinkman	Heap	Niehaus	Rothenberg	
Dempsey	Hoberg	Nysether	Schreiber	

Those who voted in the negative were:

Adams	Ellingson	Kahn	Nelsen, M.	Sieben, M.
Anderson, B.	Enebo	Kalis	Nelson	Simoneau
Anderson, D.	Erickson	Kelly	Norman	Stoa
Anderson, G.	Evans	Kostohryz	Novak	Stowell
Anderson, I.	Ewald	Kroening	Osthoff	Sviggum
Battaglia	Faricy	Kvam	Otis	Swanson
Begich	Fjoslien	Laidig	Pavlak	Thiede
Berglin	Forsythe	Lehto	Pehler	Valan
Blatz	Friedrich	Long	Peterson	Valento
Byrne	Fudro	Mann	Pleasant	Vanasek
Carlson, L.	Greenfield	McCarron	Prahl	Waldorf
Casserly	Haukoos	McEachern	Reding	Welch
Clark	Heinitz	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Sarna	Zubay
Dean	Johnson, C.	Munger	Searles	Speaker Searle
Eken	Johnson, D.	Murphy	Sherwood	
Elioff	Jude	Nelsen, B.	Sieben, H.	

The motion did not prevail and the first portion of the amendment was not adopted.

The second portion of the amendment reads as follows:

Page 10, delete lines 6 and 7

Reletter subclauses accordingly

Searles moved to amend the second half of the Welker amendment to H. F. No. 990, as follows:

Do not delete lines 6 and 7

Line 7, after "*services*" insert "*related to energy emergency*"

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the second portion of the Welker amendment and the roll was called. There were 49 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kempe	Patton	Stowell
Ainley	Erickson	Knickerbocker	Piepho	Sviggum
Albrecht	Esau	Ludeman	Prahl	Thiede
Anderson, R.	Evans	Luknic	Redalen	Valento
Biersdorf	Fritz	McDonald	Rees	Waldorf
Blatz	Haukoos	McEachern	Reif	Weaver
Brinkman	Heap	Minne	Rothenberg	Welker
Crandall	Hoberg	Niehaus	Schreiber	Wieser
Dempsey	Jennings	Nysether	Searles	Zubay
Den Ouden	Kaley	Onnen	Sherwood	

Those who voted in the negative were:

Adams	Dean	Johnson, D.	Murphy	Rice
Anderson, B.	Eken	Jude	Nelsen, B.	Rose
Anderson, D.	Elioff	Kahn	Nelsen, M.	Sarna
Anderson, G.	Ellingson	Kalis	Nelson	Sieben, H.
Anderson, I.	Enebo	Kelly	Norman	Sieben, M.
Battaglia	Ewald	Kostohryz	Norton	Simoneau
Begich	Faricy	Kroening	Novak	Stoa
Berglin	Fjoslien	Kvam	Olsen	Swanson
Berkelman	Forsythe	Laidig	Osthoff	Valan
Byrne	Fudro	Lehto	Otis	Vanasek
Carlson, L.	Greenfield	Long	Pavlak	Voss
Cassery	Heinitz	Mann	Pehler	Welch
Clark	Jacobs	McCarron	Peterson	Wenzel
Clawson	Jaros	Mehrkens	Pleasant	Wigley
Corbid	Johnson, C.	Munger	Reding	

The motion did not prevail and the second portion of the amendment was not adopted.

Ludeman moved to amend H. F. No. 990, as follows:

Page 42, line 4, delete Section 6 of Article VII

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 44 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Knickerbocker	Piepho	Sviggum
Ainley	Fritz	Ludeman	Redalen	Thiede
Albrecht	Halberg	McDonald	Reding	Valento
Anderson, G.	Haukoos	Mehrkens	Rees	Waldorf
Anderson, R.	Heap	Minne	Reif	Weaver
Biersdorf	Hoberg	Niehaus	Rose	Welker
Crandall	Jennings	Norman	Schreiber	Wieser
Dempsey	Kaley	Nysether	Searles	Zubay
Den Ouden	Kempe	Pavlak	Sherwood	

Those who voted in the negative were:

Adams	Eken	Jude	Munger	Rice
Anderson, B.	Elioff	Kahn	Murphy	Rothenberg
Anderson, D.	Ellingson	Kalis	Nelsen, B.	Sarna
Anderson, I.	Enebo	Kelly	Nelsen, M.	Sieben, H.
Battaglia	Erickson	Kostohryz	Nelson	Sieben, M.
Begich	Evans	Kroening	Norton	Simoneau
Berglin	Ewald	Kvam	Novak	Stoa
Berkelman	Faricy	Laidig	Olsen	Stowell
Blatz	Fjoslien	Lehto	Onnen	Swanson
Byrne	Fudro	Long	Osthoff	Valan
Carlson, L.	Greenfield	Luknic	Otis	Voss
Casserly	Hokanson	Mann	Patton	Welch
Clark	Jacobs	McCarron	Pehler	Wenzel
Clawson	Jaros	McEachern	Peterson	Wigley
Corbid	Johnson, C.	Metzen	Pleasant	Wynia
Dean	Johnson, D.	Moe	Prahl	Speaker Searle

The motion did not prevail and the amendment was not adopted.

Ludeman moved to amend H. F. No. 990, as follows:

Page 41, line 9, delete Section 2 of Article VII

Renumber remaining sections

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 48 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Aasness	Berkelman	Dempsey	Haukoos	Kempe
Ainley	Biersdorf	Den Ouden	Heap	Kroening
Albrecht	Brinkman	Eken	Heinitz	Ludeman
Anderson, B.	Byrne	Evans	Hoberg	Luknic
Anderson, G.	Corbid	Fritz	Jennings	McDonald
Anderson, R.	Crandall	Halberg	Kaley	Minne



Nelsen, B.	Patton	Rothenberg	Thiede	Welker
Niehaus	Pavlak	Searles	Valento	Wieser
Nysether	Piepho	Sherwood	Voss	
Onnen	Reding	Sviggum	Weaver	

Those who voted in the negative were:

Adams	Erickson	Kelly	Nelson	Sieben, M.
Anderson, D.	Esau	Knickerbocker	Norman	Stoa
Battaglia	Ewald	Kvam	Norton	Stowell
Begich	Faricy	Laidig	Novak	Swanson
Berglin	Fjoslien	Lehto	Osthoff	Valan
Blatz	Forsythe	Long	Otis	Vanasek
Carlson, L.	Fudro	Mann	Peterson	Waldorf
Casserly	Greenfield	McCarron	Prahl	Welch
Clark	Hokanson	McEachern	Redalen	Wenzel
Clawson	Jaros	Mehrkens	Rees	Wigley
Dean	Johnson, C.	Metzen	Reif	Wynia
Drew	Johnson, D.	Moe	Rice	
Elioff	Jude	Munger	Rose	
Ellingson	Kahn	Murphy	Sarna	
Enebo	Kalis	Nelsen, M.	Sieben, H.	

The motion did not prevail and the amendment was not adopted.

Minne and Reding moved to amend H. F. No. 990, as follows:

Page 41, line 23, delete Section 4 of Article VII

Renumber remaining sections

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 45 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Ainley	Den Ouden	Johnson, D.	Murphy	Sherwood
Albrecht	Drew	Jude	Niehaus	Sviggum
Anderson, G.	Elioff	Kalis	Nysether	Thiede
Anderson, R.	Esau	Kelly	Patton	Valento
Begich	Fjoslien	Kempe	Pavlak	Voss
Blatz	Haukoos	Ludeman	Piepho	Weaver
Brinkman	Heap	McDonald	Redalen	Welker
Crandall	Hoberg	McEachern	Reding	Wieser
Dempsey	Jennings	Minne	Searles	Zubay

Those who voted in the negative were:

Adams	Byrne	Ellingson	Hokanson	Lehto
Anderson, B.	Carlson, L.	Enebo	Jacobs	Long
Anderson, D.	Casserly	Ewald	Jaros	Luknic
Anderson, I.	Clark	Faricy	Johnson, C.	Mann
Battaglia	Clawson	Forsythe	Kahn	McCarron
Berglin	Corbid	Greenfield	Kroening	Mehrkens
Berkelman	Dean	Halberg	Kvam	Metzen
Biersdorf	Eken	Heinitz	Laidig	Moe

Munger	Onnen	Rees	Sieben, H.	Welch
Nelsen, M.	Osthoff	Reif	Sieben, M.	Wenzel
Nelson	Otis	Rice	Stoa	Wigley
Norman	Pehler	Rose	Stowell	Wynia
Norton	Peterson	Rothenberg	Swanson	Speaker Searle
Novak	Pleasant	Sarna	Valan	
Olsen	Prahl	Schreiber	Vanasek	

The motion did not prevail and the amendment was not adopted.

Wenzel moved to amend H. F. No. 990, as follows:

Page 34, line 20, after "agencies" insert "or boards of county commissioners"

The motion prevailed and the amendment was adopted.

Elioff moved to amend H. F. No. 990, as follows:

Page 41, line 25, after "agency" delete "\$50,000" and insert "\$100,000"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 11 yeas and 108 nays as follows:

Those who voted in the affirmative were:

Anderson, D.	Elioff	Kelly	Minne	Reding
Battaglia	Greenfield	Long	Munger	Sarna
Begich				

Those who voted in the negative were:

Aasness	Ellingson	Kahn	Norton	Simoneau
Adams	Enebo	Kaley	Novak	Stoa
Albrecht	Erickson	Kalis	Nysether	Stowell
Anderson, B.	Esau	Kempe	Olsen	Sviggum
Anderson, G.	Evans	Knickerbocker	Onnen	Swanson
Anderson, R.	Ewald	Kroening	Osthoff	Thiede
Berglin	Faricy	Kvam	Otis	Valan
Berkelman	Fjoslien	Laidig	Pavlak	Valento
Biersdorf	Forsythe	Lehto	Pehler	Vanasek
Blatz	Friedrich	Ludeman	Peterson	Voss
Brinkman	Fudro	Luknic	Piepho	Waldorf
Byrne	Haukoos	Mann	Prahl	Weaver
Carlson, L.	Heap	McCarron	Redalen	Welch
Casserly	Heinitz	McDonald	Rees	Welker
Clark	Hoberg	McEachern	Reif	Wenzel
Clawson	Hokanson	Metzen	Rose	Wieser
Corbid	Jacobs	Moe	Rothenberg	Wigley
Crandall	Jaros	Murphy	Schreiber	Wynia
Dean	Jennings	Nelsen, M.	Searles	Zubay
Dempsey	Johnson, C.	Nelson	Sherwood	Speaker Searle
Den Ouden	Johnson, D.	Niehaus	Sieben, H.	
Eken	Jude	Norman	Sieben, M.	

The motion did not prevail and the amendment was not adopted.

H. F. No. 990, A bill for an act relating to energy; clarifying the procedures for declaring an energy emergency; prescribing the powers of the governor and executive council in an emergency; providing for the issuance of emergency rules by the director of the energy agency; prescribing additional elements of the energy emergency conservation and allocation plan; providing for earth sheltered construction zoning variances; prohibiting local governments from banning earth sheltered construction; requiring certain building energy reports and audits; providing for an adult and post-secondary energy education plan; limiting the time for application for certain variances; providing a method for determining certain efficiencies for air conditioners; providing partial funding to school districts, municipalities and counties for energy audits and energy conservation measures; requiring the commissioner of administration to prepare plans for new buildings that utilize alternative energy sources; establishing a state building solar demonstration program; requiring notice to the Minnesota energy agency of the proposed discontinuance of municipal steam heat systems; appropriating funds to the energy agency for various energy related purposes; prescribing a penalty; authorizing a weatherization program for low-income persons; amending Minnesota Statutes 1978, Sections 12.02, Subdivision 1; 12.03, Subdivision 4, and by adding a subdivision: 12.21, Subdivisions 1 and 3, and by adding a subdivision; 12.28; 12.32; 16.32, by adding a subdivision; 116H.02, Subdivisions 3 and 5, and by adding subdivisions; 116H.08; 116H.09, Subdivisions 1, 4, and 5; 116H.11; 116H.12, Subdivisions 1a, 1b, 3a, 3b, and 10; 116H.122; 116H.123; 116H.124; 116H.126; 116H.13; 116H.15; 120.78, Subdivision 1; 325.989, by adding a subdivision; 394.25, Subdivision 3; 394.27, Subdivision 7; 451.09; 462.357, Subdivisions 1 and 6; 462A.02, by adding a subdivision; and Chapter 116H, by adding a section; and Chapter 268, by adding a section; repealing Minnesota Statutes 1978, Section 116H.125.

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 117 yeas and 11 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, I.	Biersdorf	Clawson	Eken
Adams	Anderson, R.	Blatz	Corbid	Elioff
Albrecht	Battaglia	Byrne	Crandall	Ellingson
Anderson, B.	Begich	Carlson, L.	Dean	Enebo
Anderson, D.	Berglin	Casserly	Dempsey	Erickson
Anderson, G.	Berkelman	Clark	Drew	Esau

Evans	Johnson, C.	Mehrkens	Pehler	Stoa
Ewald	Johnson, D.	Metzen	Peterson	Stowell
Faricy	Jude	Minne	Piepho	Swanson
Fjoslien	Kahn	Moe	Prahl	Valan
Forsythe	Kaley	Munger	Redalen	Valento
Friedrich	Kalis	Murphy	Reding	Vanasek
Fritz	Kelly	Nelsen, B.	Rees	Voss
Fudro	Knickerbocker	Nelsen, M.	Reif	Waldorf
Greenfield	Kostohryz	Nelson	Rice	Weaver
Halberg	Kroening	Norman	Rose	Welch
Haukoos	Kvam	Norton	Rothenberg	Wenzel
Heap	Laidig	Novak	Sarna	Wigley
Heinitz	Lehto	Olsen	Schreiber	Wynia
Hoberg	Long	Onnen	Searles	Zubay
Hokanson	Luknic	Osthoff	Sherwood	Speaker Searle
Jacobs	Mann	Otis	Sieben, H.	
Jaros	McCarron	Patton	Sieben, M.	
Jennings	McEachern	Pavlak	Simoneau	

Those who voted in the negative were:

Ainley	Ludeman	Niehaus	Sviggum	Welker
Den Ouden	McDonald	Nysether	Thiede	Wieser
Kempe				

The bill was passed, as amended, and its title agreed to.

#### SPECIAL ORDERS

H. F. No. 1097 was reported to the House.

Anderson, B., moved to amend H. F. No. 1097 as follows:

Page 2, line 6, after "alien" insert "unless he or she has submitted a written statement to the commissioner explaining the reasons for the absence and any other facts which support the continuation of the permanent resident alien status. Upon receipt of the statement, the commissioner shall have 30 days to notify the resident alien whether the facts support continuation of the permanent resident alien status. If the resident alien demonstrates his or her intention to re-establish Minnesota residency, the commissioner shall continue the permanent resident alien status"

Page 3, line 2, before "If" insert:

"Prior to any action taken pursuant to this subdivision, the commissioner shall hold a meeting in the county where the land is located to allow all parties the opportunity to exchange information relating to the proposed divestiture. The commissioner shall report his findings to the attorney general and all parties who participated in the meeting."

The motion prevailed and the amendment was adopted.

H. F. No. 1097, A bill for an act relating to agriculture; regulating alien ownership of land; providing for permanent resident

alien and loss of status; amending Minnesota Statutes 1978, Section 500.221, Subdivisions 1, 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 117 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Aasness	Dempsey	Jennings	Murphy	Rothenberg
Adams	Den Ouden	Johnson, C.	Nelsen, B.	Sarna
Ainley	Drew	Johnson, D.	Nelsen, M.	Sherwood
Albrecht	Eken	Jude	Nelson	Sieben, H.
Anderson, B.	Elioff	Kaley	Niehau	Sieben, M.
Anderson, D.	Ellingson	Kalis	Norman	Sviggum
Anderson, G.	Enebo	Kelly	Norton	Swanson
Anderson, I.	Erickson	Kempe	Novak	Thiede
Anderson, R.	Esau	Knickerbocker	Nysether	Valan
Battaglia	Evans	Kroening	Olsen	Valento
Begich	Faricy	Kvam	Onnen	Vanasek
Berglin	Fjoslien	Laidig	Osthoff	Waldorf
Berkelman	Forsythe	Lehto	Otis	Weaver
Biersdorf	Friedrich	Long	Patton	Welch
Blatz	Fritz	Ludeman	Pavlak	Welker
Brinkman	Fudro	Luknic	Pehler	Wenzel
Byrne	Greenfield	Mann	Peterson	Wieser
Carlson, L.	Halberg	McCarron	Piepho	Wigley
Casserly	Haukoos	McDonald	Pleasant	Wynia
Clark	Heap	McEachern	Prahl	Zubay
Clawson	Heinitz	Mehrkens	Redalen	Speaker Searle
Corbid	Hoberg	Metzen	Reding	
Crandall	Hokanson	Minne	Rees	
Dean	Jacobs	Munger	Reif	

Those who voted in the negative were:

Kahn	Stoa	Stowell
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The bill was passed, as amended, and its title agreed to.

H. F. No. 582, A bill for an act relating to natural resources; requiring the commissioner of natural resources, by eminent domain proceedings, to acquire public access to certain bodies of water in Itasca 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 101 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, B.	Anderson, G.	Battaglia	Berglin
Adams	Anderson, D.	Anderson, I.	Begich	Berkelman

Biersdorf	Fjoslien	Kroening	Olsen	Sieben, M.
Blatz	Forsythe	Kvam	Osthoff	Stoa
Brinkman	Fritz	Laidig	Otis	Stowell
Byrne	Fudro	Lehto	Patton	Sviggum
Carlson, L.	Greenfield	Long	Pavlak	Swanson
Clark	Halberg	Luknic	Pehler	Valan
Clawson	Heap	Mann	Peterson	Valento
Corbid	Heinitz	McCarron	Pleasant	Vanasek
Crandall	Hoberg	McDonald	Prahl	Voss
Dean	Hokanson	Mehrkens	Reding	Weaver
Dempsey	Jacobs	Metzen	Rees	Welch
Drew	Johnson, C.	Minne	Reif	Wenzel
Eken	Jude	Moe	Rice	Wigley
Elioff	Kahn	Munger	Rothenberg	Wynia
Ellingson	Kaley	Murphy	Sarna	Zubay
Enebo	Kalis	Nelson	Schreiber	
Evans	Kelly	Norman	Searles	
Ewald	Kempe	Norton	Sherwood	
Faricy	Knickerbocker	Novak	Sieben, H.	

Those who voted in the negative were:

Ainley	Erickson	Johnson, D.	Onnen	Welker
Albrecht	Friedrich	Ludeman	Piepho	Wieser
Anderson, R.	Haukoos	Niehaus	Redalen	Speaker Searle
Den Ouden	Jennings	Nysether	Thiede	

The bill was passed and its title agreed to.

H. F. No. 1144, A bill for an act relating to state lands; authorizing conveyance of certain land to Independent School District No. 281.

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:

Aasness	Corbid	Haukoos	Long	Olsen
Adams	Crandall	Heap	Ludeman	Onnen
Ainley	Dean	Heinitz	Luknic	Osthoff
Albrecht	Dempsey	Hoberg	Mann	Otis
Anderson, B.	Den Ouden	Hokanson	McCarron	Patton
Anderson, D.	Drew	Jacobs	McDonald	Pavlak
Anderson, G.	Eken	Jaros	McEachern	Pehler
Anderson, I.	Elioff	Jennings	Mehrkens	Peterson
Anderson, R.	Ellingson	Johnson, C.	Metzen	Piepho
Battaglia	Enebo	Johnson, D.	Minne	Pleasant
Begich	Erickson	Jude	Moe	Prahl
Berglin	Esau	Kahn	Munger	Redalen
Berkelman	Evans	Kaley	Murphy	Reding
Biersdorf	Ewald	Kalis	Nelsen, B.	Rees
Blatz	Faricy	Kelly	Nelsen, M.	Reif
Brinkman	Fjoslien	Kempe	Nelson	Rice
Byrne	Forsythe	Knickerbocker	Niehaus	Rothenberg
Carlson, L.	Friedrich	Kroening	Norman	Sarna
Casserly	Fudro	Kvam	Norton	Schreiber
Clark	Greenfield	Laidig	Novak	Searles
Clawson	Halberg	Lehto	Nysether	Sherwood

Sieben, H.	Swanson	Voss	Wenzel	Speaker Searle
Sieben, M.	Thiede	Waldorf	Wieser	
Stoa	Valan	Weaver	Wigley	
Stowell	Valento	Welch	Wynia	
Sviggum	Vanasek	Welker	Zubay	

The bill was passed and its title agreed to.

Nelsen, B., was excused for the remainder of today's session.

H. F. No. 1324, A bill for an act relating to arson; fire loss information; authorizing certain agencies to request and receive from insurance companies information relating to fire losses; providing for immunity to insurance companies providing fire loss information; providing for confidentiality of released information; providing for testimony in matters under litigation; providing for 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 120 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Johnson, C.	Nelsen, M.	Schreiber
Adams	Eken	Johnson, D.	Niehaus	Searles
Albrecht	Elioff	Jude	Norman	Sherwood
Anderson, B.	Ellingson	Kahn	Norton	Sieben, H.
Anderson, D.	Enebo	Kaley	Novak	Sieben, M.
Anderson, G.	Erickson	Kalis	Nysether	Simoneau
Anderson, I.	Esau	Kelly	Olsen	Stoa
Anderson, R.	Evans	Kempe	Onnen	Stowell
Battaglia	Ewald	Knickerbocker	Osthoff	Sviggum
Begich	Fariy	Kostohryz	Otis	Swanson
Berglin	Fjoslien	Kroening	Patton	Valan
Berkelman	Forsythe	Lehto	Paviak	Valento
Biersdorf	Friedrich	Long	Pehler	Vanasek
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Waldorf
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, L.	Haukoos	McCarron	Prahl	Welch
Casserly	Heap	McDonald	Redalen	Welker
Clawson	Heinitz	McEachern	Reding	Wenzel
Corbid	Hoberg	Mehrkens	Rees	Wieser
Crandall	Hokanson	Metzen	Reif	Wigley
Dean	Jacobs	Minne	Rose	Wynia
Dempsey	Jaros	Munger	Rothenberg	Zubay
Den Ouden	Jennings	Murphy	Sarna	Speaker Searle

Those who voted in the negative were:

Clark	Kvam	Moe	Nelson	Rice
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The bill was passed and its title agreed to.

H. F. No. 8 was reported to the House.

Fjoslien moved that H. F. No. 8 be continued on Special Orders for one day. The motion prevailed.

Sieben, H., moved that the remaining bills on Special Orders for today be continued for one day immediately preceding General Orders. The motion prevailed.

### GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders until Monday, May 7, 1979.

### MOTIONS AND RESOLUTIONS

Kroening moved that the name of Norton be added as an author on H. F. No. 724. The motion prevailed.

House Concurrent Resolution No. 6 was reported to the House.

#### HOUSE CONCURRENT RESOLUTION NO. 6

A house concurrent resolution requesting the state personnel department to study means to recognize and provide incentives for job-related professional, educational achievement of certified professional secretaries.

*Whereas*, it is in the best interests of all public agencies to employ the best qualified and most efficient persons available for secretarial work; and

*Whereas*, both employees and employers benefit from secretaries' efforts to improve their knowledge and skills; and

*Whereas*, the Certified Professional Secretary rating requires a two-day examination in distinct areas of competence, including business, psychology, public policy, business law, financial analysis, accounting, business management, economics management, communications skills, shorthand, typing, office procedures and parliamentary procedure; and

*Whereas*, many colleges and universities award up to two years' credit to individuals who have achieved the Certified Professional Secretary rating and some states give professional recognition to employees who have been so certified; *now, therefore*,

*Be it resolved*, by the House of Representatives of the State of Minnesota, the Senate concurring, that the State Personnel Department is requested to study the feasibility of recognizing



continued exceptional performance and job-related educational achievements of secretaries.

*Be it further resolved*, that the department study the establishment of job specifications and testing procedures for new secretarial personnel with competence levels related to the CPS rating.

*Be it further resolved*, that the study include recommendations on the advisability of granting educational leave and reimbursement for job-related education and skills.

*Be it further resolved*, that a copy of this resolution be transmitted by the Chief Clerk of the House of Representatives to the Commissioner of Personnel.

Long moved that House Concurrent Resolution No. 6 be now adopted. The motion prevailed and House Concurrent Resolution No. 6 was adopted.

ANNOUNCEMENTS BY THE SPEAKER AND THE CHAIRMAN OF THE  
COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1518:

Forsythe, Wieser, Reif, McCarron, Rice and Corbid.

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1526:

Erickson, Dean, Weaver, Sieben, M., Swanson and Metzen.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, May 7, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, May 7, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## FORTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 7, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Farcy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

A quorum was present.

Wieser was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson 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. 1325, 1198, 1444, 1433, 1091, 990 and 1097 and S. F. Nos. 1003, 303, 345, 444, 498, 926, 1002 and 1510 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

May 3, 1979

The Honorable Rod Searle  
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 1979 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 1979</i>	<i>Date Filed 1979</i>
57		57	May 3	May 3
61		58	May 3	May 3
340		59	May 3	May 3
361		60	May 3	May 3
384		61	May 3	May 3
493		62	May 3	May 3
728		63	May 3	May 3
	116	64	May 3	May 3
	299	65	May 3	May 3

48th Day]

MONDAY, MAY 7, 1979

1743

384	66	May 3	May 3
610	67	May 3	May 3
768	68	May 3	May 3
1158	69	May 3	May 3

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

### REPORTS OF STANDING COMMITTEES

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 143, A bill for an act relating to taxation; inheritance tax; clarifying certain deductions; amending Minnesota Statutes 1978, Section 291.07, Subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 223, A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies and the distribution of tax revenues; granting certain powers and duties to teachers, school bus drivers, school boards, school districts, educational cooperative service units, the Minnesota educational computing consortium, courts, the commissioner of education, the commissioner of health, the department of education, the state board of education and the state board for vocational education and other state agencies; creating a legislative school finance study commission; changing the method of computing foundation aid and levy limitations; providing aid for sparsely populated school districts, basic skills programs, new jobs programs and programs for gifted and talented students; changing procedures for decisions concerning the education of handicapped children; increasing tuition at area vocational-technical institutes; appropriating money; amending Minnesota Statutes 1978, Sections 3.9271, Subdivision 1, and by adding a subdivision; 3.9272; 16.93; 120.075; 120.17, Subdivisions 3b and 7a; 121.912, by adding a subdivision; 121.92, Subdivision 2; 123.34, Subdivision 8; 123.35, by adding a subdivision; 123.58, Subdivision 6, and by adding a subdivision; 123.702, Subdivision 1, and by adding a subdivision; 123.703, Subdivisions 1 and 3; 123.705;

123.741, Subdivision 1; 123.937; 124.01; 124.11, Subdivision 4; 124.17, Subdivision 1; 124.212, Subdivisions 1, 6c, 7c, 11, 20, and by adding subdivisions; 124.222, Subdivisions 1a, 1b, 2a, 2b and 6; 124.223; 124.245, Subdivisions 1 and 2; 124.26, Subdivision 3; 124.271, Subdivisions 2, 5, and by adding a subdivision; 124.32, Subdivisions 1, 1a, 5, 7 and 10; 124.561, Subdivision 3a; 124.562, Subdivisions 1 and 2; 124.563, Subdivision 1; 124.565, Subdivisions 3, 4, and by adding a subdivision; 124.572, Subdivision 2; 124.574, Subdivision 1; 124.646, Subdivision 1; 125.60, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 125.61, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 126.39, Subdivision 10; 126.40, Subdivision 3; 126.41, Subdivision 1; 126.52, Subdivision 10; 126.53, Subdivision 3; 126.54, Subdivision 1; 128A.02, Subdivision 6; 134.30, by adding a subdivision; 134.32, Subdivision 5; 134.33, Subdivision 1; 134.34, Subdivisions 1 and 2; 134.35, Subdivisions 1 and 2; 169.44, Subdivisions 1, 2, and by adding subdivisions; 275.125, Subdivisions 1, 2a, 2b, 8, 11a, and by adding subdivisions; 354.094, Subdivisions 3 and 6; 354.66, Subdivisions 1, 2, 3, 8, and by adding subdivisions; 354A.091, Subdivisions 1, 3, 6, and by adding a subdivision; 354A.22, Subdivisions 1, 2, 3, 8, and by adding subdivisions; 471.61, Subdivision 1b; and Chapters 124, by adding sections; and 134, by adding sections; repealing Minnesota Statutes 1978, Sections 120.171; 124.212, Subdivisions 6b and 7b; 124.241; 126.16; 126.18; 134.33, Subdivision 2; 169.44, Subdivisions 5 and 7; and 275.125, Subdivisions 6 and 7.

Reported the same back with the following amendments:

Page 73, line 1, after the period insert:

*"For purposes of this computation, the following items contained in the post-secondary vocational-technical general fund balances as of June 30, 1978 and June 30, 1979 shall be excluded from these fund balances:*

*Funds for items which on March 1, 1979:*

*(a) Have been approved for transfer by the legislature for an approved construction or remodeling project.*

*(b) Have been committed by action of local school district boards as the local share of construction or remodeling projects, which have been approved by the state board of education, and are now awaiting legislative approval.*

*(c) Have been committed by action of local school boards for locally funded remodeling and construction projects for projects not requiring legislative approval under Minnesota Statutes, Section 121.21, Subdivision 4.*

*(d) Have been committed by action of local school boards for expenses associated with moving into new or remodeled facilities*

*previously approved by the state board of education or the legislature.*

*(e) Have been committed by local board action to major facility or equipment repair of an emergency nature.*

*(f) Represent non-cash items such as a house constructed in the AVTI carpentry class which has not been sold, or parts inventories used for instructional support."*

Page 73, line 5, delete "May" and insert "March"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 296, A bill for an act relating to flood plain management; authorizing counties within the southern Minnesota river basin area II to levy an additional tax for flood control, improved water quality and erosion and sediment control; amending Minnesota Statutes 1978, Section 275.50, Subdivision 5.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 492, A bill for an act relating to aeronautics; clarifying the property tax status of municipal airport property leased to private persons or entities; amending Minnesota Statutes 1978, Section 360.035.

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. 860, A bill for an act relating to natural resources; eliminating the requirement of county board approval on the acquisition of wildlife lands by the commissioner of natural resources; amending Minnesota Statutes 1978, Section 97.481.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 97.481, is amended to read:

97.481 [ACQUISITION OF WILDLIFE LANDS.] *Subdivision 1.* The commissioner of natural resources is hereby authorized and empowered to acquire, in the name of the state, by gift, lease, purchase and transfer of state lands, any such wildlife lands, such as marsh or wetlands, and the margins thereof, including ponds, small lakes and stream bottom lands, which he finds desirable to acquire in the interests of water conservation relating to wildlife development programs, and, he may also acquire for this purpose from any state agency, itself included, lands now in state ownership or tax-forfeited which are suitable for wildlife purposes, and when such lands are so acquired, he is authorized to develop the same in the interest of wildlife, recreational or public hunting areas as he shall deem desirable. In the determination of which lands will be acquired as wildlife lands, the commissioner shall assign highest priority to parcels containing type 3 or 4 wetlands, as defined in U.S. Fish and Wildlife Service Circular No. 39 (1971 edition), which were previously determined to be public waters. (NO SUCH LANDS SHALL BE ACQUIRED UNTIL FIRST APPROVED FOR SUCH PURCHASE, OR LEASE, BY A MAJORITY OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS IN THE COUNTIES WHERE THE LAND TO BE PURCHASED, OR LEASED, IS LOCATED. IN THE COUNTIES IN WHICH A SOIL AND WATER CONSERVATION DISTRICT IS ORGANIZED THE SUPERVISORS WILL ACT AS COUNSELLORS TO THE BOARD OF COUNTY COMMISSIONERS REGARDING THE BEST UTILIZATION AND CAPABILITY OF THE LAND PROPOSED FOR PURCHASE, INCLUDING THE QUESTIONS OF DRAINAGE AND FLOOD CONTROL.) The commissioner in the purchase of such wetlands must recognize that when a majority of land owners, or owners of a majority of the land in the watershed, petition for a drainage outlet, that the state should not interfere, or unnecessarily delay such drainage proceedings when such proceedings are conducted according to the Minnesota Drainage Code. In no case should state lands, so purchased, or leased, be used to produce crops unless such crops are needed to sustain wildlife. No lands described herein shall be acquired unless there is acquired simultaneously therewith a right-of-way or easement from said lands to a public road so as to make entry upon said lands available to the public. The commissioner may designate lands or interests in lands acquired pursuant to this section as wildlife management areas for the purposes of the outdoor recreation system.

*Subd. 2.* Before the commissioner acquires lands by purchase or lease pursuant to this section, he shall proceed in accordance with this subdivision.

(a) *The commissioner shall notify the board of county commissioners in each county where land is to be acquired and shall furnish the board a description of the land to be acquired. The county board shall approve or disapprove the proposed acquisition within 60 days after the commissioner has notified the county board of the proposed acquisition and furnished the description of the land involved. An extension of time not to exceed 30 days may be given by the commissioner to a county board. In a county in which a soil and water conservation district is organized, the supervisors will act as counselors to the county board regarding the best utilization and capability of the land proposed for acquisition, including the questions of drainage and flood control.*

(b) *If the county board approves an acquisition within the 60-day period or extension thereof, the commissioner may proceed with the acquisition.*

(c) *If the county board disapproves an acquisition it shall, at the time of its decision, set forth valid reasons for disapproval. The landowner or the commissioner may appeal the county board's disapproval to the district court in the county in which any of the lands are situated. If the district court, or the supreme court on appeal, finds that the county board's disapproval is arbitrary or capricious or that the reasons stated for disapproval are invalid, or if the county board fails to give any reasons or fails to act to approve or disapprove of the acquisition within the 60-day period or extension thereof, the commissioner or the owner of the land which the commissioner seeks to acquire may submit the proposed acquisition to the land exchange board which shall consider the interests of the county, the state, and the landowner and determine whether the acquisition will be in the public interest.*

(d) *The land exchange board shall conduct a hearing upon each acquisition submitted to it after giving notice to all interested parties, including, but not limited to, the board of county commissioners in the county where the land to be acquired is located, the commissioner, and the owner of the land. The land exchange board shall hold its hearing and make its decision within 60 days after submission of the proposed acquisition to it.*

*If a majority of the members of the land exchange board approves the acquisition, the commissioner may proceed with the acquisition, but if a majority of the members of the land exchange board disapproves the acquisition, the commissioner shall not acquire the property."*

Delete the title in its entirety and insert:

"A bill for an act relating to natural resources; requiring county board or land exchange board approval on the acquisition



of wildlife lands by the commissioner of natural resources; amending Minnesota Statutes 1978, Section 97.481.”

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 1123, A bill for an act relating to taxation; sales and use tax; clarifying the definition of a sale; specifying tax on food, meals, drinks, and lodging; providing methods of collecting unpaid taxes; providing requirements for refunds; imposing penalties; amending Minnesota Statutes 1978, Sections 297A.01, Subdivision 3; 297A.14; 297A.33, Subdivision 1, and by adding a subdivision; 297A.35, Subdivision 1, and by adding a subdivision; and 297A.39, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 23, delete “*packaged*”

Page 1, line 24, delete “*loaded into a*”

Page 1, delete line 25

Page 2, delete lines 1 to 6 and insert “*which dictate the function to be performed by data processing equipment and which are sold without adaptation to the specific requirements of the purchaser. Such computer software, whether contained on tape, discs, cards or other devices, shall be considered tangible personal property;*”

Pages 6 to 8, delete sections 5 to 7

Renumber the section in sequence

Amend the title as follows:

Page 1, lines 5 and 6, delete “providing requirements for refunds; imposing penalties;”

Page 1, line 9, delete the semicolon, delete all of line 10, and delete all of line 11 to the period

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 1167, A bill for an act relating to taxation; lowering the excise tax on natural and artificial sparkling wines on a temporary basis.

Reported the same back with the following amendments:

Page 1, line 11, delete "27 cents" and insert "\$1.50"

Page 1, line 12, delete "seven" and insert "40"

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. 1178, A bill for an act relating to waters; redefining public waters; defining wetlands; providing new procedures for the determination of public waters and wetlands; reappropriating money; amending Minnesota Statutes 1978, Sections 105.37, by adding subdivisions; 105.38; 105.39, Subdivision 3; 105.391, Subdivisions 1 and 3, and by adding subdivisions; 105.392, Subdivisions 2 and 5; repealing Minnesota Statutes 1978, Section 105.391, Subdivisions 2, and 4 to 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 105.37, is amended by adding a subdivision to read:

*Subd. 13. "Public waters" includes and shall be limited to the following waters of the state:*

*(a) All water basins assigned a shoreland management classification by the commissioner pursuant to section 105.485, except wetlands less than 80 acres in size which are classified as natural environment lakes;*

*(b) All waters of the state which have been finally determined to be public waters or navigable waters by a court of competent jurisdiction;*

*(c) All meandered lakes, except for those which have been legally drained;*

(d) All waterbasins previously designated by the commissioner for management for a specific purpose such as trout lakes and game lakes pursuant to applicable laws;

(e) All waterbasins designated as scientific and natural areas pursuant to section 84.033;

(f) All waterbasins located within and totally surrounded by publicly owned lands;

(g) All waterbasins where the state of Minnesota or the federal government holds title to any of the beds or shores, unless the owner declares that the water is not necessary for the purposes of the public ownership;

(h) All waterbasins where there is a publicly owned and controlled access which is intended to provide for public access to the water basin; and

(i) All natural and altered natural watercourses with a total drainage area greater than two square miles, except that trout streams officially designated by the commissioner shall be public waters regardless of the size of their drainage area.

The public character of water shall not be determined exclusively by the proprietorship of the underlying, overlying, or surrounding land or by whether it is a body or stream of water which was navigable in fact or susceptible of being used as a highway for commerce at the time this state was admitted to the union.

For the purposes of statutes other than sections 105.37, 105.38 and 105.391, the term "public waters" shall include "wetlands" unless the language or context clearly indicates another meaning.

Sec. 2. Minnesota Statutes 1978, Section 105.37, is amended by adding a subdivision to read:

Subd. 14. "Wetlands" includes, and shall be limited to all types 3, 4 and 5 wetlands, as defined in U. S. Fish and Wildlife Service Circular No. 39 (1971 edition), not included within the definition of public waters, which are ten or more acres in size in unincorporated areas or 2-1/2 or more acres in incorporated areas.

Sec. 3. Minnesota Statutes 1978, Section 105.37, is amended by adding a subdivision to read:

Subd. 15. "Ordinary high water level" means the boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for

*a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For water-courses, the ordinary high water level shall be the elevation of the top of the bank of the channel. For reservoirs and flowages the ordinary high water level shall be the operating elevation of the normal summer pool.*

Sec. 4. Minnesota Statutes 1978, Section 105.38, is amended to read:

105.38 [DECLARATION OF POLICY.] In order to conserve and utilize the water resources of the state in the best interests of the people of the state, and for the purpose of promoting the public health, safety and welfare, it is hereby declared to be the policy of the state:

(1) Subject to existing rights all (WATERS OF THE STATE WHICH SERVE A MATERIAL BENEFICIAL PUBLIC PURPOSE ARE) public waters *and wetlands are* subject to the control of the state. (IN THE DETERMINATION OF WHETHER A BENEFICIAL PUBLIC PURPOSE EXISTS, SPECIFIC EVIDENCE OF THE PRESENT OR FUTURE BENEFICIAL PUBLIC PURPOSE SHALL BE EVALUATED IN ACCORDANCE WITH SECTION 105.37, SUBDIVISION 6, AND WITH REFERENCE TO THE EXISTING LAND USE OF THE AREA, THE SOIL TYPES SURROUNDING AND UNDERLYING THE WATER, THE OWNERSHIP OF THE LAND SURROUNDING THE WATER, THE RELATIVE AGRICULTURAL AND WILDLIFE PRODUCTIVITY OF THE AREA, AND RELEVANT PROVISIONS OF A COUNTY OR MUNICIPAL SHORELANDS ORDINANCE ENACTED PURSUANT TO SECTION 105.485. THE PUBLIC CHARACTER OF WATER SHALL NOT BE DETERMINED EXCLUSIVELY BY THE PROPRIETORSHIP OF THE UNDERLYING, OVERLYING, OR SURROUNDING LAND OR ON WHETHER IT IS A BODY OR STREAM OF WATER WHICH WAS NAVIGABLE IN FACT OR SUSCEPTIBLE OF BEING USED AS A HIGHWAY FOR COMMERCE AT THE TIME THIS STATE WAS ADMITTED TO THE UNION. THIS SECTION IS NOT INTENDED TO AFFECT DETERMINATION OF THE OWNERSHIP OF THE BEDS OF LAKES OR STREAMS.)

(2) The state, to the extent provided by law from time to time, shall control the appropriation and use of surface and underground waters of the state.

(3) The state shall control and supervise, so far as practicable, any activity which changes or which will change the course, current, or cross-section of public waters *or wetlands*, including but not limited to the construction, reconstruction, re-

pair, removal, abandonment, the making of any other change, or the transfer of ownership of dams, reservoirs, control structures, and waterway obstructions in any of the public waters or *wetlands* of the state.

Sec. 5. Minnesota Statutes 1978, Section 105.39, Subdivision 3, is amended to read:

Subd. 3. The commissioner shall have administration over the use, allocation and control of public waters *and wetlands*, the establishment, maintenance and control of lake levels and water storage reservoirs, and the determination of the (NATURAL) ordinary high water level of any public waters *and wetlands*.

Sec. 6. Minnesota Statutes 1978, Section 105.391, Subdivision 1, is amended to read:

105.391 [PUBLIC WATERS INVENTORY AND CLASSIFICATION.] Subdivision 1. On the basis of all information available to him and *the criteria set forth in section 1*, the commissioner shall inventory the (WATERBASINS) *waters* of each county and make a preliminary designation as to which constitute public waters *and wetlands*. The commissioner shall send (HIS PRELIMINARY DESIGNATION FOR) *a list and map of the waters which he has preliminarily designated as public waters and wetlands in each county to the county board of that county for its review and comment. (THE DESIGNATION OF WATERS AS "PUBLIC WATERS" PURSUANT TO THIS SECTION SHALL NOT GRANT ANY ADDITIONAL OR GREATER RIGHT OF ACCESS TO THE PUBLIC TO THOSE WATERS, NOR IS THE COMMISSIONER REQUIRED TO ACQUIRE ACCESS TO THOSE WATERS UNDER SECTION 97.48, SUBDIVISION 15, NOR IS ANY RIGHT OF OWNERSHIP OR USAGE OF THE BEDS UNDERLYING THOSE WATERS DIMINISHED.) The county board shall conduct at least one public informational meeting within the county regarding the commissioner's preliminary designation. After conducting the meetings and within 90 days after receipt of the list or maps, the county board shall present its recommendation to the commissioner, listing any waters regarding which the board disagrees with the commissioner's preliminary designation and stating with particularity the waters involved and the reasons for disagreement. The commissioner shall review the county board's response and, if he agrees with any of the board's recommendations, he shall revise the list and map to reflect the recommendations. Within 30 days after receiving the county board's recommendations, he shall also notify the county board as to which recommendations he accepts and rejects and the reasons for his decision. After the revision of the map and list, if any, or if no response is received from the county board within the 90 days review period, the commissioner shall file the revised list and map with the recorder of each county and shall cause the list and map to be published in the official newspaper of the county. The*

published notice shall also state that any person or any county may challenge the designation of specific waters as public waters or wetlands or may request the designation of additional waters as public waters or wetlands, by filing a petition for a hearing with the commissioner within 90 days following the date of publication. The petition shall state with particularity the waters for which the commissioner's designation is disputed and shall set forth the reasons for disputing the designation. If any designations are disputed by petition, the commissioner shall order a public hearing to be held within the county within 60 days following the 90 day period, notice of which shall be published in the state register and the official newspaper of the county. The hearings shall be conducted by a hearings unit composed of one person appointed by the commissioner, one person appointed by the affected county board, and one board member of the local soil and water conservation district or districts within the county who shall be selected by the other two members at least 20 days prior to the hearing date. The expenses of and per diem payments to any member of the hearings unit who is not a state employee shall be paid as provided for in section 15.059, subdivision 3, within the limits of funds available from grants to the county pursuant to section 15. In the event there is a watershed district whose boundaries include the waters involved, the district may provide the hearings unit with its recommendations. Within 60 days following completion of the hearing, the hearings unit shall issue its findings of fact, conclusions and an order, which shall be considered the decision of an agency in a contested case for purposes of judicial review pursuant to sections 15.0424 and 15.0425. The commissioner, the county or any person aggrieved by the decision of the hearings unit may appeal from the hearings unit's order. Upon receipt of the order of the hearings unit and after the appeal period has expired, or upon receipt of the final order of the court in the case of an appeal, the commissioner shall publish a list of the waters determined to be public waters and wetlands. The commissioner shall complete the public waters and wetlands inventory by December 31, 1982.

Sec. 7. Minnesota Statutes 1978, Section 105.391, Subdivision 3, is amended to read:

Subd. 3. (IF THERE IS NO DISAGREEMENT BETWEEN THE COMMISSIONER AND A COUNTY CONCERNING THE PRELIMINARY DESIGNATION OF WATERBASINS IN THAT COUNTY, THE COMMISSIONER BY RULE SHALL DESIGNATE AS PUBLIC WATERS THOSE WATERBASINS LISTED IN THE PRELIMINARY DESIGNATION. IN THE SAME RULE MAKING PROCEEDING THE COMMISSIONER MAY ALSO DESIGNATE AS PUBLIC WATERS ANY WATERCOURSES WHICH HAVE BEEN DETERMINED TO BE PUBLIC AND CLASSIFIED AS TO THE LEVEL OF REGULATION IN ACCORDANCE WITH THE

PROCEDURES OF THE COMMISSIONER'S INTERIM RULES. THE DESIGNATION OF WATERCOURSES AS PUBLIC WATERS PURSUANT TO THIS SUBDIVISION SHALL REMAIN IN EFFECT UNTIL CHANGED BY RULE OF THE COMMISSIONER FOLLOWING THE INVENTORY, DESIGNATION, AND CLASSIFICATION OF WATERCOURSES PRESCRIBED BY THIS SECTION. A HEARING ON PROPER DESIGNATION OF WATERBASINS OR WATERCOURSES SHALL BE HELD IN THE COUNTY IN WHICH THE WATERS TO BE DESIGNATED ARE LOCATED.) Except as provided below, no (WATERBASIN DESIGNATED) public (WATER MAY) *waters or wetlands* shall be drained, and no permit authorizing drainage of (A WATERBASIN CONTAINING) public (WATER MAY) *waters or wetlands* shall be issued, unless the public (WATER) *waters or wetlands* being drained (IS) *are* replaced by (A WATERBASIN) *public waters or wetlands* which will have equal or greater public value. However, after a state waterbank program has been established, (A WATERBASIN DESIGNATED PUBLIC WATER) *wetlands* which (IS) *are* eligible for inclusion in that program may be drained without a permit and without replacement of (A WATERBASIN) *wetlands* of equal or greater public value if the commissioner does not elect, within 60 days of the receipt of an application for a permit to drain the (WATERBASIN) *wetlands*, to either (1) place the (WATERBASIN) *wetlands* in the state waterbank program, or (2) acquire it pursuant to section 97.481, or (3) indemnify the landowner through any other appropriate means, including but not limited to conservation restrictions, easements, leases, or any applicable federal program. If the applicant is not offered his choice (OF ANY ONE OF ALL) of the above alternatives, he is entitled to drain the (WATERS) *wetlands* involved.

Sec. 8. Minnesota Statutes 1978, Section 105.391, is amended by adding a subdivision to read:

*Subd. 9. In order to protect the public health or safety, local units of government may establish by ordinance restrictions upon public access to any wetlands from city, county or township roads which abut wetlands.*

Sec. 9. Minnesota Statutes 1978, Section 105.391, is amended by adding a subdivision to read:

*Subd. 10. Nothing in this chapter shall prevent a landowner from utilizing the bed of wetlands or public waters for pasture or cropland during periods of drought, provided there is no construction of dikes, ditches, tile lines or buildings, and the agricultural use does not result in the drainage of the wetlands or public waters.*

Sec. 10. Minnesota Statutes 1978, Section 105.391, is amended by adding a subdivision to read:

*Subd. 11. When the state owns wetlands on or adjacent to existing public drainage systems, the state shall give consideration to the utilization of the wetlands as part of the drainage system. If the wetlands interfere with or prevent the authorized functioning of the public drainage system, the state shall provide for any necessary work to allow the proper use and maintenance of the drainage system while still preserving the wetlands.*

Sec. 11. Minnesota Statutes 1978, Section 105.391, is amended by adding a subdivision to read:

*Subd. 12. The designation of waters as "public waters" or "wetlands" pursuant to this section shall not grant any additional or greater right of access to the public to those waters, nor is the commissioner required to acquire access to those waters under section 97.48, subdivision 15, nor is any right of ownership or usage of the beds underlying those waters diminished. Notwithstanding the designation of waters or lands as public waters or wetlands, all provisions of Minnesota law forbidding trespass upon private lands shall remain in full force and effect.*

Sec. 12. Minnesota Statutes 1978, Section 105.392, Subdivision 2, is amended to read:

Subd. 2. The commissioner shall have authority to enter into agreements with landowners for the conservation of wetlands. These agreements shall be entered into for a period of ten years, with provision for renewal for additional ten year periods. The commissioner may re-examine the payment rates at the beginning of any ten year renewal period in the light of the then current land and crop values and make needed adjustments in rates for any renewal period.

Wetlands eligible for inclusion in the waterbank program shall have all the following characteristics as determined by the commissioner: (a) types 3, (OR) 4, or 5 as defined in U. S. Fish and Wildlife Service Circular No. 39 (1971 edition); (b) (LESS THAN 50 ACRES IN AREA; (C) DECLARED PUBLIC WATERS BECAUSE OF ITS BENEFICIAL PUBLIC VALUE AS WILDLIFE HABITAT; (D)) its drainage is lawful, feasible, and practical; and ((E)) (c) its drainage would provide high-quality cropland and that is the projected land use. *Waters which have the foregoing characteristics but are less than ten acres in size in unincorporated areas or less than two and one-half acres in size in incorporated areas shall also be eligible for inclusion in the waterbank program, at the discretion of the commissioner.*

Sec. 13. Minnesota Statutes 1978, Section 105.392, Subdivision 5, is amended to read:

Subd. 5. Any agreement may be renewed or extended at the end of the agreement period for an additional period of ten years by mutual agreement of the commissioner and the owner, subject



to any rate redetermination by the commissioner. If during the agreement period the owner sells or otherwise divests himself of the ownership or right of occupancy of the land, the new owner may continue such agreement under the same terms or conditions, or enter into a new agreement in accordance with the provisions of this section, including the provisions for renewal and adjustment of payment rates, or he may choose not to participate in the program, except any water (DECLARED PUBLIC WATERS) *designated as wetlands* shall not be drained.

Sec. 14. Minnesota Statutes 1978, Section 105.42, Subdivision 1, is amended to read:

105.42 [PERMITS; WORK IN PUBLIC WATERS AND WETLANDS.] Subdivision 1. It shall be unlawful for the state, any person, partnership, association, private or public corporation, county, municipality or other political subdivision of the state, to construct, reconstruct, remove, abandon, transfer ownership, or make any change in any reservoir, dam or waterway obstruction on any public (WATER) *waters or wetlands*; or in any manner, to change or diminish the course, current or cross-section of any public waters *or wetlands*, wholly or partly within the state, by any means, including but not limited to, filling, excavating, or placing of any materials in or on the beds of public waters *or wetlands*, without a written permit from the commissioner previously obtained. Application for such permit shall be in writing to the commissioner on forms prescribed by him. *No permit shall be required for work in legally altered natural watercourses which are part of drainage systems established pursuant to chapters 106 and 112 when the work in the waters is undertaken pursuant to those chapters.*

This section does not apply to any public drainage system lawfully established under the provisions of chapter 106 which does not substantially affect any (NATURAL WATERCOURSE OR ANY LAKE BASIN WHICH SERVES A BENEFICIAL) public (PURPOSE) *waters or wetlands*.

The commissioner, subject to the approval of the county board, shall have power to grant permits under such terms and conditions as he shall prescribe, to establish, construct, maintain and control wharfs, docks, piers, levees, breakwaters, basins, canals and hangers in or adjacent to public waters *or wetlands* of the state except within the corporate limits of cities.

Sec. 15. *Money appropriated by Laws 1976, Chapter 83, Section 27, to the commissioner of natural resources for grants to counties may be used for expenses incurred pursuant to section 6. The appropriation shall cancel December 31, 1982.*

Sec. 16. *Minnesota Statutes 1978, Sections 105.37, Subdivision 6; and 105.391, Subdivisions 2, 4, 5, 6, 7 and 8 are repealed."*

Further, delete the title and insert:

“A bill for an act relating to waters; redefining public waters; defining wetlands; providing new procedures for the determination of public waters and wetlands; reappropriating money; amending Minnesota Statutes 1978, Sections 105.37, by adding subdivisions; 105.38; 105.39, Subdivision 3; 105.391, Subdivisions 1 and 3, and by adding subdivisions; 105.392, Subdivisions 2 and 5; and 105.42, Subdivision 1; repealing Minnesota Statutes 1978, Sections 105.37, Subdivision 6; and 105.391, Subdivisions 2, and 4 to 8.”

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 General Legislation and Veterans Affairs to which was referred:

H. F. No. 1234, A bill for an act relating to newspapers; raising the fees for publishing legal notices; amending Minnesota Statutes 1978, Section 331.08.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

“Section 1. Minnesota Statutes 1978, Section 331.08, is amended to read:

331.08 [FEES FOR PUBLICATION OF LEGAL NOTICES.] The *maximum* fee for publication of a legal notice in any legal newspaper in this state shall be (24) *25-1/2 cents in 1979 and 27 cents thereafter* per standard line for the first insertion and (16) *17 cents in 1979 and 18 cents thereafter* per standard line for each subsequent insertion of a notice. The *maximum* fees for the publication of the delinquent tax list shall be the same as now provided by section 279.07; provided that in all cases where a notice for publication contains tabular matter in whole or in part, or what is termed “price and one-half” or “double price” composition, an additional fee of (8) *8-1/2 cents in 1979 and 9 cents thereafter* per standard line shall be paid for all such price and one-half and double price composition matter for the first insertion of a notice; and in the publication of official ballots for elections in the counties and the state the same shall be measured as though the entire space occupied is that of solid brevier or eight-point type, and no additional fee shall be allowed on account of tabular matter.

Sec. 2. Minnesota Statutes 1978, Section 3.21, is amended to read:

3.21 [NOTICE.] At least four months preceding the election, the attorney general shall furnish to the secretary of state a statement of the purpose and effect of all amendments proposed showing clearly the form of the existing sections, and of the same as they will read if amended, except that when any section to which an amendment is proposed exceeds 150 words in length, the statement shall show that part of the section in which a change is proposed, both in its existing form and as it will read when amended, together with portions of the context as the attorney general deems necessary to an understanding of the proposed amendment. In the month of October prior to the election, the secretary of state shall give two weeks published notice of the statement in all legal newspapers of the state. The secretary of state shall furnish the statement to the newspapers in reproducible form approved by the secretary of state, set in seven and one-half point type on an eight point body. The maximum rate for publication shall be (16) *17 cents per standard line in 1979 and 18 cents per standard line thereafter* for the two publications. If any newspaper shall refuse the publication of the amendments, this refusal and failure of the publication shall have no effect on the validity of the amendments. The secretary of state shall also forward to each county auditor copies of the statement, in poster form, in quantities sufficient to supply each election district of his county with two copies thereof. The auditor shall cause two copies to be conspicuously posted at or near each polling place on election day. Willful or negligent failure by any official named to perform any duty imposed upon him by this section shall be deemed a misdemeanor.

Sec. 3. Minnesota Statutes 1978, Section 375.12, is amended to read:

375.12 [PUBLICATION OF PROCEEDINGS.] *Subdivision 1.* The county board shall cause the official proceedings of its sessions to be published in some qualified newspaper produced and published in its county, which publication shall be let annually by contract to the lowest bidder, at the first regular session of the board in January each year. In each county whose population exceeds 600,000, the proceedings shall be published in a daily newspaper. The board may reject any offer if, in its judgment, the public interests so require, and may thereupon designate a newspaper without regard to any rejected offer. In any county whose population exceeds 50,000, and is less than 250,000, the proceedings may be published in one daily and one weekly newspaper at their respective county seats. If the official newspaper of the county shall cease to exist for any reason, except by consolidation with another newspaper, the county board shall have authority to designate another newspaper for the remainder of the year. For the purpose of this section, a newspaper is produced and published in the county if it has in the county its known office of issue, as such term is defined in section 331.02, and if it does its typographic composition or presswork or both in the county.

*Subd. 2. Individualized itemized accounts, claims or demands allowed by the county board pursuant to section 471.38, subdivision 1, need not be published pursuant to subdivision 1, provided that the amount allowed from each claim is \$100 or less. The official proceedings following the itemization of accounts required shall contain a statement showing the total number of claims that did not exceed \$100, and the total dollar amount of those claims.*

Sec. 4. Minnesota Statutes 1978, Section 375.17 is amended to read:

**375.17 [PUBLICATION OF FINANCIAL STATEMENTS.]**  
Annually, not later than the first Tuesday after the first Monday in March, the county board shall make a full and accurate statement of the receipts and expenditures of the preceding year, which shall contain a statement of the assets and liabilities, a summary of receipts, disbursements, and balances of all county funds together with a detailed statement of each fund account (TOGETHER WITH AN ITEMIZED ACCOUNT OF AMOUNTS PAID OUT, TO WHOM, AND FOR WHAT PURPOSE), under the form and style prescribed by and on file with the state auditor, which prescribed form and any changes or modifications thereof shall so far as practical be uniform for all counties and shall be approved by the attorney general and the state printer and within 30 days thereafter shall cause the same to be published for one issue in some newspaper within the county, which newspaper must be a duly qualified legal newspaper, as provided by law. The county board may also refrain from publishing an itemized account of amounts paid out, to whom and for what purpose to the extent that the published proceedings of the county board contain such information, provided that all disbursements aggregating (\$1,000) \$5,000 or more to any person are set forth in a schedule of major disbursements showing amounts paid out, to whom and for what purpose and are made a part of, and published with, the financial statement. The county board may refrain from publishing the names of persons receiving poor relief or direct relief and the amounts paid to each, but the totals of the disbursements for such purposes must be published. In addition to the publication thereof in the newspaper designated by the board as the official newspaper for publication of the financial statement, the same shall be published in one other newspaper of the county, if there be one located in a different municipality in the county than the official newspaper. The county board shall call for separate bids for each publication. At its meeting in July and January each year it shall examine and count all the funds in the treasury, examine the accounts and vouchers of the auditor and treasurer, and make a written certificate of the condition of the treasury, showing the amount, kind, and character of the funds therein, and all other matters in connection therewith and file the same with the auditor. Insofar as any provision of this section is inconsistent with the provisions of section 393.07, the provisions of that section shall prevail."

Delete the title in its entirety and insert:

"A bill for an act relating to newspapers; raising the fees for publishing legal notices; amending Minnesota Statutes 1978, Sections 3.21; 331.08; 375.12; and 375.17."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 1236, A bill for an act relating to the town of Forest Lake; exempting it from certain tax levy limitations.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 1465, A bill for an act relating to taxation; extending the time for claiming credits against the tax on taconite and iron sulphides; amending Minnesota Statutes 1978, Section 298.24, Subdivision 3.

Reported the same back with the following amendments:

Page 2, line 7, delete "1982" and insert "1983"

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. 27, A bill for an act relating to financial institutions; defining reverse mortgage loans; authorizing investments in reverse mortgage loans by certain financial institutions and insurance companies; providing tax deductions for accrued interest on reverse mortgage loans; allowing lenders to include accrued earned interest on such loans in their yearly earned income under certain circumstances; amending Minnesota Statutes 1978, Section 290.09, Subdivision 3; and Chapters 47, by adding a section; and 290, by adding a section.

Reported the same back with the following amendments:

Page 2, line 18, after "*interest*" insert "*in severalty or*"

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. 58, A bill for an act relating to no-fault automobile insurance; increasing basic economic loss benefits; clarifying legislative intent concerning stacking of insurance policies; amending Minnesota Statutes 1978, Sections 65B.44, Subdivision 1; 65B.47, by adding a subdivision; and 65B.49, Subdivisions 4 and 6.

Reported the same back with the following amendments:

Pages 2, 3, and 4, delete sections 3 and 4.

Renumber remaining section

Amend the title as follows:

Page 1, line 6, after the semicolon insert "and"

Page 1, lines 7 and 8, delete "; and 65B.49, Subdivisions 4 and 6"

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. 59, A bill for an act relating to no-fault automobile insurance; modifying indemnification rights on certain commercial vehicles; coordinating benefits with medicare; providing penalties for failure to provide security on motorcycles and motor vehicles; requiring evidence of insurance; authorizing the commissioner of insurance to limit coverage variations; increasing the interest rate on unpaid insurance benefits; amending Minnesota Statutes 1978, Sections 65B.53, Subdivision 1; 65B.54, Subdivision 2; 65B.61; 65B.67; 65B.68, by adding a subdivision; and Chapter 65B, by adding a section.

Reported the same back with the following amendments:

Page 1, after line 16 insert:

“Section 1. Minnesota Statutes 1978, Section 65B.43, Subdivision 4, is amended to read:

Subd. 4. “Owner” means a person, *other than a lienholder or secured party, who owns or holds legal title to a motor vehicle (, OR IN THE EVENT THAT A MOTOR VEHICLE IS THE SUBJECT OF A SECURITY AGREEMENT OR LEASE WITH OPTION TO PURCHASE AND THE DEBTOR OR LESSEE IS ENTITLED TO THE IMMEDIATE USE OR POSSESSION OF THE VEHICLE, THEN THE DEBTOR OR LESSEE)* or is entitled to the use and possession of a motor vehicle subject to a security interest held by another person. *If a motor vehicle is the subject of a lease having an initial term of six months or longer, the lessee shall be deemed the owner for the purposes of sections 65B.41 to 65B.71, and 170.54, notwithstanding the fact that the lessor retains title to the vehicle and notwithstanding the fact that the lessee may be the owner for the purposes of chapter 168A.”*

Pages 2 and 3, delete section 3.

Page 3, after line 7, insert:

“Sec. 4. Minnesota Statutes 1978, Section 65B.64, Subdivision 3, is amended to read:

Subd. 3. A person shall not be entitled to basic economic loss benefits through the assigned claims plan with respect to injury which was sustained if at the time of such injury the injured person was the owner of a private passenger motor vehicle for which security is required under sections 65B.41 to 65B.71 and he failed to have such security in effect. (PERSONS CLAIMING BENEFITS AS A RESULT OF INJURY TO) Members of the owner's household *other than minor children* shall also be disqualified from benefits (IF THOSE MEMBERS KNEW OR REASONABLY SHOULD HAVE KNOWN THAT SECURITY COVERING THE VEHICLE WAS NOT PROVIDED AS REQUIRED BY SECTIONS 65B.41 TO 65B.71) *through the assigned claims plan.”*

Page 6, after line 5, insert:

“Sec. 8. *The provisions of section 1 are a restatement and clarification of the legislative intent of section 65B.43, subdivision 4, and shall not be construed as a modification of existing law.”*

Page 6, line 6, delete "4 and 5" and insert "2, 5, 6 and 7"

Page 6, line 9, delete "1" and insert "2"

Page 6, line 11, after the period insert: "*Section 4 is effective for all claims arising on or after the day following final enactment of this act.*"

Renumber the sections in sequence.

Further, amend the title:

Page 1, line 2, after the semicolon insert "clarifying certain ambiguous provisions in the Minnesota no-fault automobile insurance act relating to ownership of leased vehicles;"

Page 1, lines 4 and 5, after the semicolon delete "coordinating benefits with medicare" and insert "clarifying eligibility to participate in the assigned claims plan"

Page 1, line 11, after "Sections" insert "65B.43, Subdivision 4;"

Page 1, line 12, delete "65B.61;" and insert "65B.64, Subdivision 3;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

S. F. No. 130, A bill for an act relating to courts; criminal procedure; conforming certain statutory provisions to the rules of criminal procedure, and eliminating certain other statutory provisions which have been superseded by the rules; amending Minnesota Statutes 1978, Sections 169.89, Subdivision 2; 357.32; 484.30; 487.25, Subdivisions 1 and 2; 487.28; 487.29; 487.40, Subdivisions 1 and 2; 488A.08; 488A.10, Subdivisions 1 and 2; 488A.25; 488A.27, Subdivisions 1, 2, 3, 4, and 5; 542.16; 546.11; 546.12; 609.115, Subdivisions 1 and 4; 611.06; 627.01; 628.01; 628.02; 628.18; 628.54; 628.57; 628.63; 628.68; 629.47; 629.48; 629.49, 629.58; 629.61; 629.64; 630.18; 631.05; and Chapter 388, by adding a section; repealing Minnesota Statutes 1978, Sections 388.05; 487.25, Subdivisions 3, 4, 5, and 8; 488A.10, Subdivisions 3, 4, 5, and 9; 488A.27, Subdivision 9; 611.04; 611.08; 627.03 to 627.10; 627.13; 627.14; 628.03 to 628.08; 628.11; 628.14; 628.19; 628.29 to 628.33; 628.55; 628.58; 628.59; 628.64; 629.42; 629.43; 629.46; 629.50 to 629.52; 629.57; 630.01 to



630.11; 630.13 to 630.16; 630.19 to 630.30; 630.34; 631.01; 631.015; 631.03; 631.08; 631.10; 631.11; 631.16; 631.18; 631.19; 631.23 to 631.32; 631.34; 631.35; 631.37 to 631.39; 632.01 to 632.13.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

S. F. No. 144, A bill for an act relating to taxation; repealing obsolete references to a tax on money and credits; repealing Minnesota Statutes 1978, Chapter 285.

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:

S. F. No. 273, A bill for an act relating to commerce; providing a floating usury rate for contracts for deed on residential property; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 2 and 4, and by adding a subdivision.

Reported the same back with the following amendments:

Page 7, after line 30, insert:

"Sec. 4. Minnesota Statutes 1978, Section 559.21, is amended to read:

559.21 [TERMINATION OF CONTRACT OF SALE; NOTICE, SERVICE AND RETURN, COSTS, REINSTATEMENT.] *Except as otherwise provided in section 5 of this act, when default is made in the conditions of any contract for the conveyance of real estate or any interest therein, whereby the vendor has a right to terminate the same, he may do so by serving upon the purchaser, his personal representatives or assigns, either within or without the state, a notice specifying the conditions in which default has been made, and stating that (SUCH) the contract will terminate, subject to the provisions of section 6 of this act, (1) 30 days after the service of (SUCH) the notice if the purchaser has paid less than 30 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, (2) 45 days after service of (SUCH) the notice if the purchaser has*

paid 30 percent, or more, but less than 50 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, (3) 60 days after service of (SUCH) *the* notice if the (VENDEE) *purchaser* has paid 50 percent, or more, of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, unless prior thereto the purchaser shall comply with (SUCH) *the* conditions and pay the costs of service, the mortgage registration tax, if actually paid by the vendor, together with an amount to apply on attorneys' fees actually expended or incurred, of \$75 when the amount in default is less than \$750, and of \$200 when the amount in default is \$750 or more; provided, however, that no amount shall be required to be paid for attorneys' fees as provided hereunder, unless some part of the conditions of default shall have existed at least 45 days prior to the date of service of (SAID) *the* notice. (SUCH) *The* notice must be given notwithstanding any provisions in the contract to the contrary, and shall be served within the state in the same manner as a summons in the district court, without the state, in the same manner, and without securing any sheriff's return of not found, making any preliminary affidavit, mailing a copy of (SAID) *the* notice or doing any other preliminary act or thing whatsoever. Service of the notice without the state may be proved by the affidavit of the person making the same, made before an authorized officer having a seal, and within the state by such an affidavit or by the return of the sheriff of any county therein.

Three weeks published notice, and if the premises described in the contract are actually occupied, then in addition thereto, the personal service of a copy of the notice within ten days after the first date of publication of the notice, and in like manner as the service of a summons in a civil action in the district court upon the person in possession of the premises, shall have the same effect as the personal service of the notice upon the purchaser, his personal representatives or assigns, either within or without the state as herein provided for. In case of (SUCH) service by publication, as herein provided, the notice shall specify the conditions in which default has been made and state that (SUCH) *the* contract will terminate, *subject to the provisions of section 6 of this act*, 90 days after the first date of publication of the notice, unless prior thereto the purchaser (COMPLY) *complies* with (SUCH) *the* conditions and (PAY) *pays* the costs of service and attorneys' fees as provided herein, and the purchaser, his personal representatives or assigns, shall be allowed 90 days from and after the first date of publication of the notice to comply with the conditions of (SUCH) *the* contract.

If, within the time mentioned, the person served complies with (SUCH) *the* conditions and pays the costs of service and attorneys' fees as provided herein, the contract shall be thereby reinstated; but otherwise shall terminate, *subject to the provisions of section 6 of this act*. In the event that (SUCH) *the* notice was

not signed by an attorney for the vendor and the vendor is not present in the state, or cannot be found therein, then compliance with the conditions specified in the notice may be made by paying to the clerk of the district court in the county wherein the real estate or any part thereof is situated any money due and filing proof of compliance with other defaults specified, and the clerk of the district court shall be deemed the agent of the vendor for such purposes. A copy of the notice with proof of service thereof, and the affidavit of the vendor, his agent or attorney, showing that the purchaser has not complied with the terms of the notice, may be recorded with the county recorder, and shall be prima facie evidence of the facts therein stated; but this section shall in no case be held to apply to contracts for the sale or conveyance of lands situated in another state or in a foreign country.

Sec. 5. Minnesota Statutes 1978, Chapter 559, is amended by adding a section to read:

[559.211] [TERMINATION OF CONTRACT OF SALE; PROTECTED PURCHASER; NOTICE; SERVICE AND RETURN; COSTS; REINSTATEMENT.] *Subdivision 1. [DEFINITIONS.] For purposes of this section, the terms in this subdivision have the meanings given them.*

(a) "Protected purchaser" means a natural person, or his personal representatives or assigns, who is purchasing residential real estate pursuant to a contract for the conveyance of real estate or any interest therein and who is occupying the real estate as a place of residence as of the date that a notice is served or first published pursuant to the provisions of subdivision 2 of this section.

(b) "Residential real estate" means real estate consisting of less than 10 acres and containing at least one but not more than four dwelling units.

(c) "Notice" means a writing stating the name, address and telephone number of the vendor or of an attorney authorized by the vendor to accept payments pursuant to the notice and the fact that the person named is authorized to receive the payments, and including the following information in 12 point or larger bold type or in large legible handwritten letters:

**THIS NOTICE IS TO INFORM YOU THAT BY THIS NOTICE THE SELLER HAS BEGUN PROCEEDINGS UNDER MINNESOTA STATUTES, SECTION 559.211, TO TERMINATE YOUR CONTRACT FOR DEED FOR THE REASONS SPECIFIED IN THIS NOTICE. THE CONTRACT WILL TERMINATE . . . . . DAYS AFTER [SERVICE OF THIS NO-**

TICE UPON YOU] [THE FIRST DAY OF PUBLICATION OF THIS NOTICE] UNLESS BEFORE THEN THE PERSON AUTHORIZED IN THIS NOTICE TO RECEIVE PAYMENTS RECEIVES FROM YOU THE AMOUNT THIS NOTICE SAYS YOU OWE PLUS THE COSTS OF SERVICE OF THIS NOTICE TOGETHER WITH THE MORTGAGE REGISTRATION TAX OF \$        AND \$        TO APPLY TO ATTORNEYS' FEES ACTUALLY EXPENDED OR INCURRED; OR UNLESS BEFORE THEN YOU INITIATE A GOOD FAITH CLAIM OR DEFENSE ARISING UNDER OR IN RELATION TO THE CONTRACT, ITS TERMINATION OR YOUR ALLEGED DEFAULT THEREUNDER, BY FILING A COMPLAINT WITH THE DISTRICT COURT. IF YOU INITIATE A CLAIM OR DEFENSE YOU MAY REQUEST THE COURT TO ORDER THAT THE TERMINATION OF THE CONTRACT BE SUSPENDED UNTIL YOUR CLAIMS OR DEFENSES ARE FINALLY DISPOSED OF BY TRIAL, HEARING OR SETTLEMENT. YOUR COMPLAINT MUST SPECIFICALLY STATE THOSE FACTS AND GROUNDS THAT DEMONSTRATE YOUR GOOD FAITH CLAIM OR DEFENSE. IF YOU DO NOT DO ONE OR THE OTHER OF THE ABOVE THINGS WITHIN THE TIME PERIOD SPECIFIED IN THIS NOTICE, THIS CONTRACT WILL FINALLY TERMINATE AS STATED ABOVE AND YOU MAY LOSE ALL MONEY YOU HAVE PAID ON THE CONTRACT; YOU MAY LOSE YOUR RIGHT TO POSSESSION OF THE PROPERTY; YOU MAY LOSE YOUR RIGHT TO ASSERT ANY CLAIMS OR DEFENSES YOU HAVE; AND YOU MAY BE EVICTED. IF YOU HAVE ANY QUESTIONS ABOUT THIS NOTICE, CONTACT AN ATTORNEY IMMEDIATELY.

*Subd. 2. [TERMINATION OF CONTRACT OF SALE; PROTECTED PURCHASER; NOTICE; SERVICE AND RETURN; COSTS; REINSTATEMENT.] When default is made in the conditions of a contract for the conveyance of residential real estate or any interest therein, whereby the vendor has a right to terminate the same, he may do so by serving upon the protected purchaser, his personal representatives or assigns, either within or without the state, a notice specifying the conditions in which default has been made, and stating that the contract will terminate, subject to the provisions of section 6 of this act, (1) 30 days after the service of the notice if the protected purchaser has paid less than 20 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the protected purchaser, (2) 120 days after service of the notice if the protected purchaser has paid 20 percent, or more, but less than 50 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the protected purchaser, (3) 180 days after service of the notice if the protected purchaser has paid 50 percent, or more, of the purchase price, exclusive of interest thereon, and any mortgages or prior*

contracts for deed which are assumed by the protected purchaser, unless prior thereto the protected purchaser shall comply with the conditions and pay the costs of service, the mortgage registration tax, if actually paid by the vendor, together with an amount to apply on attorneys' fees actually expended or incurred, of \$75 when the amount in default is less than \$750, and of \$200 when the amount in default is \$750 or more; provided, however, that no amount shall be required to be paid for attorneys' fees as provided hereunder, unless some part of the conditions of default shall have existed at least 45 days prior to the date of service of the notice. The notice must be given notwithstanding any provisions in the contract to the contrary, and shall be served within the state in the same manner as a summons in the district court, without the state, in the same manner, and without securing any sheriff's return of not found, making any preliminary affidavit, mailing a copy of the notice or doing any other preliminary act or thing whatsoever. Service of the notice without the state may be proved by the affidavit of the person making the same, made before an authorized officer having a seal, and within the state by such an affidavit or by the return of the sheriff of any county therein.

Three weeks published notice, and if the premises described in the contract are actually occupied, then in addition thereto, the personal service of a copy of the notice within ten days after the first date of publication of the notice, and in like manner as the service of a summons in a civil action in the district court upon the person in possession of the premises, shall have the same effect as the personal service of the notice upon the protected purchaser, his personal representatives or assigns, either within or without the state as herein provided for. In case of service by publication, the contract will terminate, subject to the provisions of section 6 of this act, 90 days after the first date of publication of the notice or upon the expiration after the first date of publication of the appropriate period prescribed by this subdivision, whichever date occurs later.

If, within the time mentioned, the person served complies with the conditions and pays the costs of service and attorneys' fees as provided herein, the contract shall be thereby reinstated; but otherwise shall terminate, subject to the provisions of section 6 of this act. In the event that the notice was not signed by an attorney for the vendor and the vendor is not present in the state, or cannot be found therein, then compliance with the conditions specified in the notice may be made by paying to the clerk of the district court in the county wherein the real estate or any part thereof is situated any money due and filing proof of compliance with other defaults specified, and the clerk of the district court shall be deemed the agent of the vendor for such purposes. A copy of the notice with proof of service thereof, and the affidavit of the vendor, his agent or attorney, showing that the protected purchaser has not complied with the terms of the notice, may be recorded with the county recorder, and shall be prima facie evidence of the facts therein stated; but this section shall in no case

*be held to apply to contracts for the sale or conveyance of lands situated in another state or in a foreign country.*

*Subd. 3. [INAPPLICABILITY OF PREPAYMENT PROHIBITION OR PENALTY.] During the period of time commencing on the date on which a notice is served or first published pursuant to subdivision 2 of this section and ending on the date that the contract will terminate, any clause of the contract or of any other agreement between the vendor and the protected purchaser prohibiting the protected purchaser from prepaying the unpaid balance of the purchase price or assessing a penalty in the event of pre-payment of the unpaid balance of the purchase price shall be of no force or effect.*

Sec. 6. Minnesota Statutes 1978, Chapter 559, is amended by adding a section to read:

**[559.212] [SUSPENSION OR SETTING ASIDE OF NOTICE OF TERMINATION OF CONTRACT OF SALE.]** *Subdivision 1. [AUTHORITY OF DISTRICT COURT.] Notwithstanding the service or publication pursuant to the provisions of section 4 or 5 of this act of a notice of termination of a contract for the conveyance of real estate, in any action arising under or in relation to the contract the district court shall have the authority at any time prior to the effective date of termination of the contract to order that the notice of termination be suspended or set aside and that the contract not be terminated thereby.*

*Subd. 2. [ORDER SUSPENDING NOTICE OF TERMINATION; SECURITY.] If it appears from the verified complaint or separate affidavit of the purchaser or his personal representatives or assigns that there is a good faith claim or defense arising under or in relation to the contract, and if the relief requested will be foreclosed by the termination of the contract, the court shall, upon written application and pending further order of the court or final disposition of the action, enter an order suspending the notice of termination. Subject to the provisions of subdivision 3 of this section and notwithstanding any rule of court to the contrary, the court shall have the discretion to condition the entry of the order upon the tender to the court of installments or other periodic payments as they become due and owing under the contract or upon the giving of other security in such sum as the court deems proper.*

*Subd. 3. [EX PARTE ORDER SUSPENDING NOTICE OF TERMINATION.] If there is not sufficient time to hold a hearing upon notice prior to the effective date of the termination of the contract, upon written application for an order suspending the notice of termination the court shall, without requiring the posting of any security or undertaking and subject to such provisions for service of the order and subsequent notice and hearing as it deems appropriate, immediately enter an ex parte*

*order suspending the notice of termination pending further order of the court.*

*Subd. 4. [REMEDIES ADDITIONAL.] The remedies provided in this section are in addition to and shall not limit other rights or remedies available to purchasers of real estate."*

Renumber remaining section

Page 7, line 31, delete "*the day following its*"

Page 7, line 32, delete "*final enactment*" and insert "*July 1, 1980*"

Further, delete the title and insert:

"A bill for an act relating to commerce; providing a floating usury rate for contracts for deed on residential property; adding provisions regarding termination of contracts for deed executed by protected purchasers; providing an additional remedy for contract for deed purchasers; amending Minnesota Statutes 1978, Sections 47.20, Subdivisions 2 and 4, and by adding a subdivision; 559.21; and Chapter 559, by adding sections."

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. 436, A bill for an act relating to financial institutions; permitting graduated payment home mortgages; amending Minnesota Statutes 1978, Chapters 47, by adding a section; and 52, by adding a section.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

S. F. No. 528, A bill for an act relating to courts; conforming civil fees collected by the Hennepin county municipal court with the district court; amending Minnesota Statutes 1978, Section 488A.03, Subdivision 11.

Reported the same back with the following amendments:

Page 1, line 8, after the enacting clause insert:

"Section 1. Minnesota Statutes 1978, Section 484.70, Subdivision 3, is amended to read:

Subd. 3. (NO) *A full-time referee sitting in juvenile court may hear a contested trial (ON ANY PETITION), hearing, or (ANY) motion (MADE PURSUANT TO SECTION 260.125) unless either party or his attorney objects orally on the record or in writing prior to or at the time of commencement of the trial, hearing, or motion.*"

Renumber the remaining section.

Delete the title and insert:

"A bill for an act relating to courts; authorizing juvenile court referees to hear contested trials, hearings, or motions unless objection is made; conforming civil fees collected by the Hennepin county municipal court with the district court; amending Minnesota Statutes 1978, Sections 484.70, Subdivision 3; and 488A.03, Subdivision 11."

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:

S. F. No. 600, A bill for an act relating to natural resources; exempting track racing snowmobiles from registration requirements; amending Minnesota Statutes 1978, Section 84.82, Subdivision 6.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

S. F. No. 660, A bill for an act relating to corporations; altering quorum requirements; permitting loans and other transactions with officers and employees; empowering corporations to engage in certain transactions; amending Minnesota Statutes 1978, Sections 301.25, Subdivision 7, and by adding a subdivision; 301.32; and 301.36.



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:

S. F. No. 681, A bill for an act relating to game and fish; providing for the licensing and regulation of commercial fishing in inland waters; contracts for removal of rough fish; amending Minnesota Statutes 1978, Section 98.46, by adding a subdivision; and Chapter 102, by adding a section; repealing Minnesota Statutes 1978, Section 97.4861.

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:

S. F. No. 687, A bill for an act relating to banks and banking; regulating interest rates charged by state banks; amending Minnesota Statutes 1978, Chapter 48, by adding a section.

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:

S. F. No. 708, A bill for an act relating to natural resources; providing for regulation of the harvest and sale of ginseng; amending Minnesota Statutes 1978, Sections 84.028, Subdivision 1; 97.48, by adding a subdivision; and 98.46, Subdivision 3.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 712, A bill for an act relating to Indians; providing for use of the nomenclature "American Indians" in Minnesota Statutes; amending Minnesota Statutes 1978, Sections 145.922,

Subdivision 2; 152.02, Subdivision 2; 254A.02, Subdivision 11; 254A.03; 254A.031; 254A.07, Subdivision 2; 462A.07, Subdivisions 13, 14, and 15; 462A.21, Subdivisions 4c and 4d; and 517-18, Subdivision 4.

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:

S. F. No. 732, A bill for an act relating to game and fish; modifying the definitions of rough fish and minnows; amending Minnesota Statutes 1978, Section 97.40, Subdivisions 11 and 12.

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:

S. F. No. 799, A bill for an act relating to game and fish; revocation of and ineligibility for game and fish licenses upon conviction for game and fish law violations; amending Minnesota Statutes 1978, Section 98.52, Subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

S. F. No. 947, A bill for an act relating to the city of Duluth; fixing the expiration of a city sales tax; removing a report requirement; amending Laws 1977, Chapter 438, Section 2; repealing Laws 1977, Chapter 438, Section 1, Subdivision 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Farcy from the Committee on Judiciary to which was referred:

S. F. No. 980, A bill for an act relating to courts; Hennepin and Ramsey county municipal courts; providing for removal of certain actions to district court; amending Minnesota Statutes 1978, Sections 488A.01, by adding a subdivision; and 488A.18, by adding a subdivision.

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. 143, 223, 296, 492, 860, 1123, 1167, 1234, 1236 and 1465 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 27, 58, 59, 130, 144, 273, 436, 528, 600, 660, 681, 687, 708, 712, 732, 799, 947 and 980 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Nelson, M.; Battaglia; Begich; Berkelman and Jaros introduced:

H. F. No. 1571, A bill for an act relating to eminent domain; specifying certain duties of the court and commissioners; allowing an owner certain reasonable costs and expenses; amending Minnesota Statutes 1978, Sections 117.085; and 117.175, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Valan introduced:

H. F. No. 1572, A bill for an act relating to state lands; directing the conveyance of certain lands in the county of Clay.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Reif introduced:

H. F. No. 1573, A bill for an act relating to tuberculosis; closing the Glen Lake State Sanitorium; requiring the treatment of tuberculosis; allocating costs of tuberculosis treatment for persons in the welfare system; amending Minnesota Statutes 1978, Sections 144.422, Subdivisions 6 and 9; 144.424, Subdivisions 8 and 11; 144.425; 197.01; 251.043, Subdivision 1; 251.053; and 256.01, Subdivision 2; repealing Minnesota Statutes 1978, Sections 246.014, Subdivision 8; 251.01; 251.011, Subdivisions 2 and 5; 251.02; 251.03; and 251.11.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Fritz and Rice introduced:

H. F. No. 1574, A bill for an act relating to labor; providing special benefits for employees of certain businesses closed by order of federal or state courts or federal agencies; appropriating money.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Waldorf and Wynia introduced:

H. F. No. 1575, A bill for an act relating to welfare; defining purposes for which funds appropriated for the Lake Owasso Children's Home may be spent.

The bill was read for the first time and referred to the Committee on Appropriations.

Jude, Clark, Byrne and Onnen introduced:

H. F. No. 1576, A bill for an act relating to public welfare; establishing a code describing certain rights of recipients of mental health and developmental disabilities services; directing the commissioner of public welfare to promulgate rules to implement the code; amending Minnesota Statutes 1978, Section 246.15, Subdivision 1; repealing Minnesota Statutes 1978, Sections 253A.05; and 253A.17.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Carlson, D., introduced:

H. F. No. 1577, A bill for an act relating to real property; empowering the commissioner of banks to clear certain title defects involving a defunct state agency.

The bill was read for the first time and referred to the Committee on Judiciary.

McCarron, Valan and Den Ouden introduced:

H. F. No. 1578, A bill for an act relating to claims against the state; appropriating money for the payment thereof.

The bill was read for the first time and referred to the Committee on Appropriations.

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 Special Orders for today, Monday, May 7, 1979:

H. F. Nos. 305, 311, 536, 1165, 489, 567, 970, 1379, 863, 1119 and 907.

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 File, herewith transmitted:

S. F. No. 1295.

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. Nos. 134 and 888.

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. 998.

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. 482 and 1209.

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. 1260.

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. 1510.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 1295, A bill for an act relating to contracts; making certain contracts unenforceable unless in writing.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 134, A bill for an act relating to public welfare; providing pre-trial proceedings and hearings to determine paternity of illegitimate children; revising Minnesota Statutes to conform with the uniform parentage act; amending Minnesota Statutes 1978, Sections 62A.041; 62C.14, Subdivision 5a; 64A.22, Sub-

division 1; 144.215, Subdivision 3; 257.025; 257.175; 257.28; 257.33; 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivision 1; 259.29, Subdivision 1; and 260.231, Subdivision 3; repealing Minnesota Statutes 1978, Sections 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; and 517.19.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 888, A bill for an act relating to tuberculosis; closing the Glen Lake State Sanatorium; requiring the treatment of tuberculosis; allocating costs of tuberculosis treatment for persons in the welfare system; amending Minnesota Statutes 1978, Sections 144.422, Subdivisions 6 and 9; 144.424, Subdivisions 8 and 11; 144.425; 197.01; 246.014; 251.043, Subdivision 1; 251.053; and 256.01, Subdivision 2; repealing Minnesota Statutes 1978, Sections 246.014, Subdivision 8; 251.01; 251.011, Subdivisions 2 and 5; 251.02; 251.03; and 251.11.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 998, A bill for an act relating to insurance; providing for cancellation of life insurance contracts providing benefits on a variable basis; amending Minnesota Statutes 1978, Sections 72A.51, Subdivision 3; and 72A.52.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 482, A bill for an act relating to corporations; authorizing purchase of insurance to provide indemnification of certain persons for certain liabilities and expenses; amending Minnesota Statutes 1978, Sections 300.082, Subdivisions 4 and 5; and 301.095, Subdivisions 4 and 5.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1209, A bill for an act relating to state credit unions; clarifying borrowing limitations; amending Minnesota Statutes 1978, Sections 52.09, Subdivision 2; and 52.15.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1260, A bill for an act relating to banks; clarifying that certain branch banks may establish detached facilities; amending Minnesota Statutes 1978, Section 47.51.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1510, 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 with certain conditions; 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 1978, Sections 4.12, by adding a subdivision; 4.26, Subdivision 1; 10.31; 16.02, by adding a subdivision; 16.97, Subdivision 1; 16A.126; 43.067, Subdivision 1; 85A.02, Subdivision 12; 116E.03, Subdivision 4; 179.04; 180.03, Subdivision 2; 197.16; 198.31; 299C.07; 361.12, by adding a subdivision; 362.20; 362.40, Subdivisions 9, 10 and 11; 546.27; Chapters 86, by adding a section; and 299C, by adding a section.

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, Norton and Anderson, D., moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1510 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Norton and Anderson, D., moved that the rules of the House be so far suspended that S. F. No. 1510 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 1510 was read for the second time.

S. F. No. 1510 was reported to the House.

Norton and Anderson, D.; moved to amend S. F. No. 1510 as follows:

Strike everything after the enacting clause and insert:

"Section 1. [STATE DEPARTMENTS; APPROPRIATIONS.] The sums set forth in the columns designated "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 "1979", "1980", and "1981", wherever used in this act, mean that the appropriation or appropriations listed thereunder are available for the year ending June 30, 1979, June 30, 1980, or June 30, 1981, respectively.



## SUMMARY BY FUND

	1979	1980	1981	TOTAL
General	\$ 2,181,700	\$323,414,700	\$326,818,400	\$652,414,800
Special		1,330,000	1,330,000	2,660,000
Airports		32,500	32,500	65,000
G & F	375,000	17,050,600	17,064,400	34,490,000
Tr. Hwy.		30,841,600	32,108,500	62,950,100
Hwy. Usr.		7,686,400	7,736,200	15,422,600
Federal		7,253,800	7,250,700	14,504,500
	\$ 2,556,700	\$387,609,600	\$392,340,700	\$782,507,000

APPROPRIATIONS  
Available for the year  
Ending June 30,

	1980	1981
	\$	\$
Sec. 2. LEGISLATURE		
Subdivision 1. House of Representatives	9,613,500	11,010,800
Subd. 2. Senate	6,666,600	7,287,700
Subd. 3. Legislative Coordinating Commission	2,020,000	1,993,400

The amounts that may be expended from this appropriation for each activity are as follows:

## Legislative Reference Library

1980	1981
\$393,100	\$354,600

## Revisor of Statutes

\$1,382,500	\$1,425,500
-------------	-------------

1980

1981

\$

\$

Joint Legislative Committee on Solid  
and Hazardous Waste

\$145,000

\$134,000

The Joint Committee on Solid and Hazardous Waste, established pursuant to Minnesota Laws 1978, Chapter 728, Section 2, Subdivision 2, shall be extended until June 30, 1981 with the following changes in composition and staffing.

The Joint Committee shall be reduced to six members from the House of Representatives appointed by the Speaker, and six members of the Senate appointed by the Committee on Committees.

Of this appropriation, \$38,700 in fiscal year 1980 and \$41,200 in fiscal year 1981 shall be for the salaries and expenses of such staff as the Joint committee deems appropriate to provide staff support. The staff positions shall be hired and supervised for the joint Committee through the House of Representatives research department. The research department shall maintain liaison with the Senate research department.

The Joint Committee may contract with individuals and regional, state and federal agencies to perform work which it deems necessary to carry out its duties.

Advisory Council on the Economic  
Status of Women

\$74,500

\$79,300

Study Commission on Governmental  
Regulations

\$25,000

A study commission is created to review and report to the governor and

	1980	1981
	\$	\$

legislature on the economic impact of governmental regulations on Minnesota business and industry. The commission consists of 13 members: three members of the house of representatives; three members of the senate; two members appointed by the governor representing the business community and two members representing the labor community; the commissioner of commerce, the commissioner of economic development and the commissioner of labor and industry, or their designees.

Any balance remaining on June 30, 1980 shall not cancel, but is available for the second year.

The commission shall expire not later than March 15, 1981.

Subd. 4. Legislative Commission on Pensions and Retirement	119,300	128,900
Subd. 5. Legislative Commission to Review Administrative Rules	61,900	65,600
Subd. 6. Legislative Audit Commission	1,965,300	1,981,700

The amounts that may be expended from this appropriation for each activity are as follows:

Legislative Audit Commission

\$15,000	\$15,000
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Legislative Auditor

\$1,950,300	\$1,966,700
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Subd. 7. Tax Study Commission	139,300	154,700
Subd. 8. Legislative Commission on Science and Technology	109,400	115,300
Subd. 9. Mississippi River Parkway Commission	20,000	20,000

	1980	1981
\$		\$

This appropriation is from the trunk highway fund.

Sec. 3. SUPREME COURT

General Operations and Management .....	4,137,400	4,125,400
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The amounts that may expended from this appropriation for each program are as follows:

Supreme Court Operations

\$2,594,300	\$2,607,900
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Judicial Council

\$55,300	\$53,200
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State Court Administrator

\$1,177,100	\$1,143,900
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If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

State Law Library

\$310,700	\$320,400
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Sec. 4. STATE COURTS

General Operations and Management .....	10,472,500	10,472,500
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The amounts that may be expended from this appropriation for each program are as follows:

District and County Court Judges

\$10,058,300	\$10,058,300
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District Court Administrators

\$414,200	\$414,200
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	1980	1981
	\$	\$

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 5. BOARD ON JUDICIAL STANDARDS .....	122,500	124,900
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Approved Complement—2

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 6. PUBLIC DEFENDER

General Operations and Management	693,500	693,500
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Approved Complement—25

The amounts that may be expended from this appropriation for each program are as follows:

Public Defender Operations

\$515,000	\$515,000
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Legal Assistance to Minnesota Prisoners

\$109,700	\$109,700
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Legal assistance to Minnesota prisoners shall serve the civil legal needs of persons confined to state institutions. None of these funds shall be used to pay for lawsuits against public agencies or public officials to change social or public policy.

Legal Advocacy Project

\$68,800	\$68,800
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Sec. 7. TAX COURT OF APPEALS .....	254,100	254,100
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Approved Complement—5

	1980	1981
	\$	\$
Sec. 8. CONTINGENT ACCOUNTS .....	15,190,300	19,774,300

The amounts that may be expended from this appropriation are more specifically described in the following subdivisions of this section.

Subdivision 1. The appropriations in this section shall be expended with the approval of the governor after consultation with the legislative advisory commission pursuant to section 3.30.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Subd. 2 General .....	4,000,000	4,000,000
Subd. 3. Postage .....	300,000	300,000

For postage rate increases during the biennium ending June 30, 1981, where sufficient appropriations are not available.

Of the above amount \$100,000 each year is appropriated from the highway user tax distribution fund to meet the needs of the motor vehicle section of the department of public safety.

Subd. 4. Crime Control Planning Board .....		1,002,600
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1981

Approved Complement—20

This appropriation is available to pay the costs of general operations and management of the crime control planning board as necessary in the light of amendments to the federal crime control acts.

Subd. 5. Criminal Justice .....	2,625,300	2,341,100
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	1980	1981
	\$	\$

This appropriation is available to the crime control planning board for grants.

Of this appropriation \$395,300 for the first year and \$111,100 for the second year is from the general fund. \$2,230,000 each year is from the money allocated to Minnesota under the safe streets and omnibus crime control act of 1968, as amended.

At least 30 days before action by the legislative advisory commission, the crime control planning board shall submit to the finance and appropriation committees summaries of the individual requests recommended for funding.

Subd. 6. Fuel and Utilities .....	4,000,000	9,000,000
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For increased costs due to increased prices for fuel and utilities purchased by state agencies.

Of this appropriation, \$1,000,000 the first year and \$2,200,000 the second year is from the trunk highway fund.

Subd. 7. Grain Inspection .....	2,200,000	
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This appropriation is available to pay the costs of grain inspection when fees collected exceed the amount of the direct appropriation to the department of agriculture for grain inspection.

Subd. 8. Game and Fish .....	75,000	75,000
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This appropriation is from the game and fish fund.

Subd. 9. Traffic Safety .....	75,000	75,000
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This appropriation is from the trunk highway fund for the purpose of supplementing any requirements of the department of public safety for traffic safety programs.

	1980	1981
	\$	\$
Subd. 10. Motor Vehicle .....	75,000	75,000
Subd. 11. State Planning Agency .....	1,250,000	1,250,000

This appropriation is from the highway user tax distribution fund for the purpose of supplementing any requirements of the department of public safety, motor vehicle services section, for salaries, supplies, and expenses.

For special environmental studies.

Subd. 12. Department of Natural Resources .....	500,000	1,385,000
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For the trails program.

Subd. 13. Water Resources Board .....		90,600
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1981

Approved Complement—3

Subd. 14. Industrial Hygienists .....	90,000	180,000
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For the state share of the addition to the OSHA program of six industrial hygienists in the first year and six in the second year.

**Sec. 9. GOVERNOR**

General Operations and Management .....	1,330,900	1,333,400
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The amounts that may be expended from this appropriation for each program are as follows:

**Executive Operations**

\$1,065,200      \$1,067,700

If the commissioner of public safety assigns a highway patrol officer as a



	1980	1981
	\$	\$
personal aide to the governor below the rank of sergeant, the officer shall receive the rank and pay of a sergeant while on the assignment.		
Of this appropriation, \$15,000 each year is for personal expenses connected with the office.		
\$2,500 the second year is for the official governor's portrait.		
Interstate Representation and Cooperation		
\$180,000	\$180,000	
\$24,800 each year is for the National Governors Conference.		
\$71,000 each year is for the Upper Great Lakes Regional Commission—State Share.		
\$22,300 each year is for the Great Lakes Basin Commission—State Share.		
\$45,000 each year is for the Upper Mississippi River Basin Commission—State Share.		
\$16,900 each year is for the Missouri River Basin Commission—State Share.		
Committees and Task Forces		
\$85,700	\$85,700	
\$15,000 each year is for the committee on appointments.		
\$70,700 each year is for the Governor's Task Force on Educational Policy.		
Sec. 10. LIEUTENANT GOVERNOR		
General Operations and Management	207,600	207,600

	1980	1981
	\$	\$
Approved Complement—7		
<b>Sec. 11. SECRETARY OF STATE</b>		
General Operations and Management .....	736,500	1,059,600
Approved Complement—31		
<b>Sec. 12. STATE AUDITOR .....</b>	<b>217,400</b>	<b>217,400</b>
Approved Complement—111		
General—8		
Revolving—103		
<b>Sec. 13. STATE TREASURER ..</b>	<b>792,100</b>	<b>776,500</b>
Approved Complement—28		

The amounts that may be expended from this appropriation for each activity are as follows:

**Treasury Management**

\$492,700      \$494,400

**Property and Escheat Claims**

\$299,400      \$282,100

**Sec. 14. ATTORNEY GENERAL**

1980      1981

Approved Complement—286      278

General—283      275

Federal— 3      3

General Operations and Management .....	8,808,300	9,403,500
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For 1979—\$95,000

1980

1981

\$

\$

Of this appropriation, \$25,000 each year is for a special account, not to be available for paying the costs of special, legal, accounting, and investigative personnel retained in cases arising under Minnesota Statutes, Section 501.12, hereafter filed, unless the attorney general decides in a case that all the beneficiaries are not adequately represented, or that there is a likelihood that the purpose of the trust may be frustrated without his intervention and that the state has a substantial interest in carrying out the purpose of the trust. If the appropriation for either year is insufficient, the appropriation for the other years is available for it.

\$268,800 the first year and \$283,600 the second year is for costs and expenses incurred by the attorney general in enforcing and making claims under state and federal antitrust laws. The attorney general shall report the purposes for which this money is utilized. The reports shall be made to the committee on finance of the senate and the committee on appropriations of the house of representatives at the end of each fiscal year. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Prior to July 1, 1980 the attorney general shall develop a programmatic budget structure based on the various functions and services of the office and submit it to the chairman of the house appropriations committee and the chairman of the senate finance committee. The budget submitted to the 1981 legislature shall follow this structure.

Sec. 15. ETHICAL PRACTICES BOARD

153,700

156,700

	1980	1981
	\$	\$
Sec. 16. INVESTMENT BOARD .....	922,900	922,900

Approved Complement—30

Sec. 17. STATE PLANNING AGENCY

Subdivision 1. General Operations and Management .....	5,917,500	5,621,500
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Approved Complement—132

General—108

Federal—22

Revolving—2

The amounts that may be expended from this appropriation for each program are more specifically described in the following subdivisions of this section.

Subd. 2. State Planning and Development .....	372,900	388,900
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The state planning agency shall evaluate whether the limitations of local financial institutions result in hardships to intermediate sized businesses and make recommendations to the legislature of methods to improve the situation if the study finds such hardships.

\$60,000 has been placed in the general contingent account to develop state and regional growth plans and recommend a policy for economic alternatives in Minnesota. This money shall be authorized for use by the governor, upon recommendation of the legislative advisory commission.

Subd. 3. Functional Area Planning .....	2,862,700	2,650,700
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	1980	1981
	\$	\$

The amounts that may be expended from this appropriation for each activity are as follows:

#### Health Planning

\$100,900	\$100,900
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#### Developmental Disabilities

\$56,100	\$56,100
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#### Environmental Systems Planning

\$591,600	\$611,600
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Of this amount, \$101,000 each year is for a grant to the environmental conservation library.

#### Environmental Quality Board

\$406,300	\$406,300
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#### Critical Areas Planning

\$313,100	\$81,100
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Of this appropriation, \$232,000 in fiscal 1980 is for financial aid to local governments within critical areas. Any unencumbered balance remaining in the first year shall not cancel but is available for the second year of the biennium.

#### Power Plant Studies

\$852,000	\$852,000
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#### Land Use Planning

\$204,400	\$204,400
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#### Human Resources Planning

\$338,300	\$338,300
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	1980	1981
	\$	\$

\$62,500 each year is available to any county as grants for improving management and planning for the delivery of human services.

Applications shall be on forms approved by the state planning agency director and no grant shall exceed \$4,000. Top priority shall be given to counties which have not previously received grants.

Subd. 4. Technical Assistance . . . . .	2,355,300	2,255,300
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The amounts that may be expended from this appropriation for each activity are as follows:

#### Technical Assistance

\$1,285,300	\$1,185,300
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\$717,600 in fiscal 1980 and \$617,600 in fiscal 1981 is for land use planning grants to local governments.

#### Planning Assistance Grants

\$969,000	\$969,000
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This appropriation is for regional planning assistance grants.

#### Fiscal Studies

\$101,000	\$101,000
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Subd. 5. General Administration . . . . .	326,600	326,600
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The director of the state planning agency with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose or for grants among the above programs and activities. All transfers shall be reported forthwith to the committee on finance in the senate and the committee on ap-

	1980	1981
	\$	\$
propriations in the house of representa- tives.		
Sec. 18. OFFICE OF HEARING EXAMINER .....	40,000	40,000
Approved Complement—25		
Revolving—25		
Sec. 19. ADMINISTRATION		
General Operations and Management .....	15,364,600	15,624,000
Approved Complement—958		
General—487		
Special—11		
Federal—7		
Revolving—453		
The amounts that may be expended from this appropriation for each pro- gram are as follows:		
Management Services		
\$3,311,200		\$3,493,400
The commissioner of administration shall transfer two positions from man- agement analysis to records manage- ment to allow the department to meet its statutory responsibilities for rec- ords management. These positions may revert to management analysis when they are no longer needed to meet those responsibilities.		
Real Property Management		
\$7,832,300		\$7,809,000

1980

1981

\$

\$

The commissioner of administration shall charge the department of transportation and the iron range resources and rehabilitation board for engineering services performed on behalf of these agencies.

The unencumbered balance in appropriation accounts 16078:14-11 and 16072:14-11 shall be cancelled on July 1, 1979.

#### State Agency Services

\$1,224,400      \$1,222,000

For 1979—\$169,200

\$169,200 is available as an advance from the general fund to the surplus property revolving fund. Of this amount, \$67,700 is immediately available for payment of outstanding obligations, \$40,000 is immediately available as working capital, and \$61,500 is available for the reduction of obligations incurred between March 1, 1979, and February 29, 1980.

The commisisoner of administration shall provide a monthly report to the commissioner of finance consisting of: an operations statement, a balance sheet, an analysis of changes in retained earnings, and a source and use of funds statement. The commissioner of finance is responsible for approving the allotment of the \$61,500 portion of the advance and shall give his approval when potential deficiencies are forecast. If it appears that the \$61,500 portion of the advance will be exhausted prior to January 15, 1980, the commissioner of finance shall promptly notify the governor and the legislative advisory commission of the need for an additional advance.



	1980	1981
	\$	\$

The commissioner of administration shall by January 15, 1980, provide copies of all monthly reports through the period ending December 31, 1979, to the senate finance committee and the house appropriations committee. The commissioner of finance shall by January 15, 1980, recommend the continuance or discontinuance of the federal surplus property activity to the committee on finance in the senate and the committee on appropriations of the house of representatives.

The advance of \$169,200 shall be returned in full or in increments to the general fund from the surplus property revolving fund when the commissioner of finance determines that retained earnings are in excess of the working capital requirements of the surplus property revolving fund. In the event the surplus property revolving fund is discontinued, any portion of the advance of \$169,200 that has not been returned to the general fund shall, immediately upon liquidation of assets, be paid to the general fund.

#### Public Services

\$1,748,900	\$2,053,400
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\$36,950 for fiscal year 1980 and \$40,650 for fiscal year 1981 is for the state contribution to the National Conference of State Legislatures.

\$43,900 each year is for the state contribution to the Council of State Governments.

\$6,500 each year is for the expenses of the Interstate Cooperation Commission.

\$5,000 each year is for the Minnesota state employees band.

	1980	1981
	\$	\$
General Support		
\$1,047,800	\$1,046,300	
Micrographics Acceleration Account		
\$200,000		

This appropriation is available for the biennium ending June 30, 1981.

The commissioner of administration is not authorized to expend these funds until he has presented a work program to the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations shall be advisory only.

The commissioner of administration with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 20. CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD .....

57,400 57,400

Approved Complement—2

The Capitol Area Architectural and Planning Board shall study the parking needs of the capitol area and shall prepare alternatives which guarantee public parking in the capitol area. This study shall be completed by January 1, 1980.

Projects that are within the area under the jurisdiction of the Capitol Area Architectural and Planning

	1980	1981
	\$	\$

Board and are funded in total with federal funds shall not be approved by the governor until a recommendation is received from the legislative advisory commission.

Sec. 21. FINANCE

General Operations and Management .....	4,631,000	4,672,400
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Approved Complement—122

The amounts that may be expended from this appropriation for each program are as follows:

Financial Operations

\$2,896,500	\$2,889,100
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Financial Management

\$915,500	\$977,400
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General Support

\$801,400	\$805,900
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Employee athletic leave of absence per section 15.62

\$17,600

Any balance remaining on June 30, 1980 shall not cancel, but is available for the second year.

The commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 22. PERSONNEL

	1980	1981
	\$	\$
General Operations and Management .....	2,707,300	2,657,400

Approved Complement—114

General—103

Federal—4

Revolving—7

The amounts that may be expended from this appropriation for each program are as follows:

Personnel Technical Services

\$978,900      \$979,000

Human Resource Planning, Research and Development

\$554,800      \$554,800

Each state department shall have a plan approved by the commissioner of personnel to use 50 percent of its training money, or the same percentage of its training money that its schedule "C" civil service employees are of its total number of departmental employees, whichever is less, for special career training programs for schedule "C" civil service employees. The money shall be used only for this purpose.

The commissioner of personnel shall create and distribute a handbook identifying existing career advancement opportunities within the state civil service system with particular emphasis on those available to schedule "C" employees.

Labor Relations

\$232,400      \$232,400

	1980	1981
	\$	\$
<b>Administration and Special Services</b>		
	\$941,200	\$891,200

Of this appropriation, \$50,000 the first year is for the social security revolving fund as paid in capital.

The commissioner of personnel with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

In the case of state departments, agencies, and institutions that are financed in whole or in part with federal money, the portion of the cost of collecting social security contributions that is chargeable to federal money shall be reimbursed from federal money, and the amount necessary is appropriated from federal money for that purpose.

The cost of collecting employees' social security contributions and the state's matching share for reimbursement to the U.S. Secretary of the Treasury for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so called dedicated receipt accounts shall be reimbursed to the state agency revolving fund from those appropriations or dedicated receipt accounts, and the amount necessary is appropriated from those appropriations and accounts for that purpose.

### Sec. 23. PERSONNEL BOARD

The Personnel Board is abolished. Notwithstanding any law to the contrary, the salary setting authority of

	1980	1981
	\$	\$

the board is transferred to the Commissioner of Personnel. The board's authority to grant achievement awards is transferred to the Governor. The board's authority to hear and resolve the appeals of permanent employees who are removed, discharged, suspended without pay, or reduced in pay or position is transferred to the Office of Hearing Examiners.

Sec. 24. REVENUE

General Operations and Management .....	23,367,900	23,389,800
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1980	1981
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Approved Complement—914	911
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The department of revenue may establish 30 unfunded state complement positions for the fiscal years 1980 and 1981 as long as expenditures do not exceed state appropriations.

The amounts that may be expended from this appropriation for each program are as follows:

Revenue Management

\$6,485,500	\$6,464,100
-------------	-------------

Income, Sales, and Use Tax Management

\$12,610,900	\$12,638,900
--------------	--------------

Property and Special Taxes Management

\$4,164,300	\$4,179,600
-------------	-------------

Assessors Board

\$107,200	\$107,200
-----------	-----------

	1980	1981
	\$	\$

The commissioner of revenue with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

### Sec. 25. AGRICULTURE

General Operations and Management .....	21,893,700	19,722,700
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#### Approved Complement—493

General—439

Special—49

Federal—5

The amounts that may be expended from this appropriation for each program are as follows:

#### Development and Protection of Agricultural Resources

\$17,828,800	\$14,788,900
--------------	--------------

#### Food and Family Farm Protection

\$2,802,100	\$3,602,100
-------------	-------------

#### General Support

\$1,262,800	\$1,331,700
-------------	-------------

The appropriation for General Support includes the following amounts for grants to agricultural societies and associations.

#### Aid to County and District Agricultural Societies

\$314,500	\$314,500
-----------	-----------

	1980	1981
	\$	\$

The amount appropriated shall be disbursed according to Minnesota Statutes, Section 38.02.

#### Sec. 26. LIVESTOCK SANITARY BOARD

General Operations and Management .....	1,238,500	1,237,200
---	-----------	-----------

Approved Complement—42

This appropriation includes \$75,000 each year for payment of indemnities. If the appropriation for indemnities for either year is insufficient, the appropriation for the other year is available for it. Indemnities of less than \$1 shall not be paid.

#### Sec. 27. NATURAL RESOURCES

General Operations and Management .....	51,192,600	50,614,000
---	------------	------------

Approved Complement—1387

General—845

Game and Fish—497

Federal—25

Special—10

Revolving—8

Agency—2

Of this appropriation, \$32,887,000 for the first year and \$32,294,600 for the second year are from the general fund; \$1,330,000 each year is from the special revenue fund; and \$16,975,600 for the first year and \$16,989,400 for the second year are from the game and fish fund, including \$526,600 the first year and \$533,400 the second year pur-



	1980	1981
	\$	\$

suant to Minnesota Statutes, Section 296.421, Subdivision 4.

The amounts that may be expended from this appropriation for each program are as follows:

**Administrative Management Services**

\$4,272,100	\$4,272,100
-------------	-------------

Of this appropriation, \$171,400 each year is appropriated from the game and fish fund for the purchase of legal services from or through the attorney general on behalf of game and fish activities. Of this amount, \$252,900 each year is for the environmental education board.

**Youth Conservation Corps**

\$450,000	\$450,000
-----------	-----------

The department shall insure that youths in all parts of the state shall have an equal opportunity for employment. The youth conservation corps shall provide service for the various DNR disciplines including parks, forestry and stream improvement.

**Public Access and Lake Improvements**

\$526,600	\$533,400
-----------	-----------

**Regional Administration**

\$2,724,500	\$2,724,500
-------------	-------------

It shall be legislative policy to support coordination between different DNR disciplines within the regions.

Notwithstanding the provisions of Laws 1978, Chapter 792, Section 6, Par-

1980

1981

\$

\$

agraph (b), no amount of appropriations under that paragraph shall be expended unless the designated building is equipped with a wood burning heating plant.

#### Field Services Support

\$3,683,600      \$3,683,500

#### Water Resources Management

\$2,565,000      \$2,562,900

In conjunction with dam safety inspections the department shall utilize a survey form prepared by staff of the Minnesota Energy Agency to record pertinent information to determine the potential feasibility of hydroelectric power generation at dams located throughout the state.

#### Mineral Resources Management

\$1,907,000      \$1,907,000

\$216,900 each year is for mineland reclamation.

\$350,000 in fiscal 1980 and \$350,000 in fiscal 1981 is for peat inventory or studies.

It is a condition of acceptance of the appropriations made by this paragraph that the agency or entity receiving the appropriation shall submit work programs and semi-annual progress reports in the form determined by the legislative commission on Minnesota resources. None of the moneys provided in this paragraph may be expended unless the commission has approved the pertinent work program.

#### Forest Management

\$7,898,500      \$7,898,500

	1980	1981
	\$	\$

\$500,000 each year is from the consolidated conservation areas account.

\$215,000 each year is from the iron range resources and rehabilitation account.

\$750,000 each year and an increased complement of 22 is to replace loss of timber due to Boundary Water legislation and available only on the appropriation of federal funds on a 80 percent federal, 20 percent state match.

\$200,000 each year is for emergency fire fighting. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. Except on an emergency basis no part of this appropriation shall be expended for air tanker or helicopter support without requesting the use of national guard personnel and equipment to supply this need.

\$100,000 each year is additional funding for forest campground maintenance and development.

#### Fish Management

\$5,188,600	\$5,188,600
-------------	-------------

Supervision costs for rough fish contracts shall not exceed contract receipts. Special attention for stream maintenance and improvement shall be given to northeastern and southeastern Minnesota trout streams.

#### Wildlife Management

\$5,416,600	\$5,423,600
-------------	-------------

\$615,000 each year is from the wildlife acquisition account for the acquisition of wildlife management areas.

1980

1981

\$

\$

\$300,000 each year is for deer habitat improvement.

\$156,000 in the first year and \$163,000 the second year is from the game and fish fund for payments to counties in lieu of taxes.

#### Ecological Services

\$603,900      \$603,900

#### Parks and Recreation Management

\$7,030,600      \$6,440,400

\$197,000 in fiscal 1980, and \$197,000 in fiscal 1981 is for development and maintenance of canoe and boating routes.

\$125,000 each year is for the program to employ needy elderly persons in the maintenance and operation of state parks.

\$500,000 in 1980 represents unfunded gas taxes paid for snowmobiles and shall be used for acquisition, development and maintenance of recreational trails and for related purposes.

Notwithstanding any other law to the contrary money appropriated for trails may be used to fence snowmobile trails to protect private property.

\$66,000 the first year and \$24,000 the second year is for payments in lieu of taxes on lands in Voyageurs national park and St. Croix Wild River State Park. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

#### Soil and Water Conservation Board

\$3,264,600      \$3,264,600

	1980	1981
	\$	\$

\$425,000 each year is for grants in aid to soil and water conservation districts.

\$327,900 each year is for flood plain management in the southern Minnesota river basin study area II, of which \$300,800 each year is for grants to watershed districts and other local units of government.

\$2,000,000 each year is for soil and erosion control of which \$1,935,200 is for grants to soil and water conservation districts.

\$250,000 each year is for grants to soil and water conservation districts for erosion and sediment control.

\$92,000 each year is for grants to soil and water conservation districts for review and comment on water permits.

The commissioner of natural resources shall develop a grant plan that incorporates flood plain management and soil and erosion control into an integrated statewide system for flood and soil and erosion control.

#### Enforcement of Natural Resources Laws and Rules

\$5,124,000	\$5,124,000
-------------	-------------

\$75,000 each year is for reservation conservation law enforcement. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$20,000 each year is for the purpose of controlling smelt fishing activities on the north shore, including development of parking facilities, traffic control, coordination of regulatory agen-

	1980	1981
	\$	\$

cies, control of trespass and vandalism, control of littering and sanitation, and public information and education. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Planning and Research

\$537,000	\$537,000
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The commissioner of natural resources with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 28. ZOOLOGICAL BOARD

General Operations and Management .....	5,045,600	4,828,200
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Approved Complement—164

General—162

Special—2

The amounts that may be expended from this appropriation for each program are as follows:

Visitor Services

\$1,203,700	\$1,200,700
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The legislature concurs with the governor's recommendation regarding the monorail activity. This recommendation can be found on pages E-5413 and E-5414 in the biennial budget documents. All operating revenues from the mono-

	1980	1981
	\$	\$
rail shall be reappropriated for costs associated with its operation.		
Plant and Animal Sciences		
	\$1,147,400	\$1,133,000
General Support		
	\$365,400	\$365,400
Information and Education Services		
	\$402,900	\$402,900
Planning and Operations		
	\$1,926,200	\$1,726,200

\$200,000 in fiscal year 1980 is for a major maintenance reserve fund. Any unencumbered balance remaining in the first year shall not cancel but is available for the second year of the biennium.

The director of the Minnesota zoological garden with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The fee structure for the Minnesota zoological garden shall not exceed \$2.50 for adults, age 17 and over, \$1.25 for children, ages 6-16, and free for children 5 and under.

Sec. 29. WATER RESOURCES  
BOARD

90,600      -0-

1980

Approved Complement—3

	1980	1981
	\$	\$

All hearings of the water resources board shall be solely in the performance of expressed statutory duties.

Up to \$8,000 of salaries in fiscal year 1980 may be used for field training of an employee who is a graduate of an engineering college, which sum shall be matched by watershed districts providing training experience through contractual agreements with the board.

Sec. 30. POLLUTION CONTROL AGENCY

General Operations and Management .....	4,585,100	4,514,900
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Approved Complement—264

General—156

Federal—108

The amounts that may be expended from this appropriation for each program are as follows:

The amounts that may be expended from this appropriation for each activity are as follows:

Water Pollution Control

\$1,606,200	\$1,605,600
-------------	-------------

Air Pollution Control

\$604,100	\$578,300
-----------	-----------

\$50,000 the first year and \$25,000 the second year is for special studies. The agency shall negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants of assistance in the completion of these studies. Any unexpended bal-



	1980	1981
	\$	\$

ance remaining in the first year shall not cancel but is available for the second year of the biennium.

**Solid Waste Pollution Control**

\$482,100	\$481,700
-----------	-----------

\$40,000 each year is for automobile recycling. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

**Regional Support**

\$458,800	\$460,500
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**General Support**

\$1,433,900	\$1,388,800
-------------	-------------

\$204,800 the first year and \$159,800 the second year is for functions relating to the Reserve Mining project. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$60,000 each year is for costs related to the preparation of environmental impact statements on projects not subject to assessment for reimbursement. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

The pollution control agency may establish 12 unfunded state complement positions for the fiscal years 1980 and 1981 as long as expenditures do not exceed state appropriations.

The director of the pollution control agency with the approval of the commissioner of finance may transfer unencumbered balances among the above activities. Transfers shall be reported

	1980	1981
\$	\$	

forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The health department shall continue to render such staff services as the agency may require from time to time through health's division of environmental health. The health department shall be reimbursed from this appropriation for the cost thereof.

Sec. 31. ENERGY

General Operations and Management .....	1,306,300	1,267,400
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Approved Complement—78

General—38

Federal—40

The amounts that may be expended from this appropriation for each program are as follows:

Conservation

\$411,500	\$372,600
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For 1979—\$10,300

The appropriation for 1979 is for the fuel allocation program. The appropriation for 1979 shall not cancel on June 30, 1979 but shall be available until June 30, 1980.

Alternative Energy Development

\$93,300	\$93,300
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Data and Analysis

\$565,900	\$570,000
-----------	-----------

	1980	1981
	\$	\$
General Support		
\$235,600	\$231,500	

The director of the energy agency with the approval of the commissioner of finance may transfer unencumbered balances among the above programs.

Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 32. NATURAL RESOURCES ACCELERATION

Subdivision 1. General Operations and Management .....	15,576,900	14,774,900
Approved Complement—1980	115	105
1981		

The amounts that may be expended from this appropriation for each activity are more specifically described in the following subdivisions of this section.

For all appropriations in this section, except as otherwise specifically provided, if the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 2. Legislative Commission on Minnesota Resources .....	224,900	224,900
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The commission shall during the 1979-81 biennium review the work programs and progress reports required under subdivision 12 of this section and report its findings and recommendations to the committee on finance of the senate, committee on appropriations of the house of representatives and other

	1980	1981
	\$	\$

appropriate committees. The commission shall establish oversight committees to continue review of a variety of natural resource subject areas as it deems necessary to carry out its legislative charge.

Subd. 3. State Planning Agency . . .	4,632,500	4,232,500
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Approved complement—12

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Computer Work Station

\$250,000	\$0
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For purchase of a mini-computer to augment the Minnesota land management information system analysis techniques and service capability.

(b) Geographic Information System

\$50,000	\$50,000
----------	----------

To develop improved capabilities for information organization and analysis and develop interface with other natural resource data systems. One staff complement is authorized.

(c) Aerial Photography

\$150,000	\$0
-----------	-----

To finish purchase of statewide high altitude aerial photographs.

(d) Land Use Change Analysis

\$75,000	\$75,000
----------	----------

To develop rapid and inexpensive techniques to collect and analyze land

	1980	1981
	\$	\$

use change for use in updating land use information. Two staff complement are authorized.

(e) Satellite Data Analysis

\$35,000	\$35,000
----------	----------

To develop technical and computer capabilities at the state level for enhanced use of LANDSAT information and technology. One staff complement is authorized.

(f) Automated Reference Index

\$40,000	\$40,000
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To provide a centralized source index for natural resource information including information gathered by the copper-nickel project. Two staff complement are authorized.

(g) Local Recreation and Natural Areas Contingent Account

\$2,000,000	\$2,000,000
-------------	-------------

This appropriation is available to pay up to 50 percent of the total cost or 50 percent of the local share if federal matching funds are used, of long term lease, acquisition and development for recreational projects for the purposes described in Laws 1965, Chapter 810, Section 23, as amended by Laws 1969, Chapter 1139, Section 48, Subdivision 7, Paragraph g, except that no lake improvement grants are authorized under this subdivision and the per project limit for state grants is \$200,000.

\$1,000,000 of this appropriation each year is reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473.121, Subdivision 2.

1980

1981

\$

\$

The state planning agency shall administer the natural resources and land and water conservation fund grants-in-aid to local units of government. Notwithstanding any other law to the contrary these grants are not contingent upon the matching of federal grants.

This appropriation 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.

(h) Regional Recreation and  
Natural Areas Contingent Account

\$2,000,000      \$2,000,000

This appropriation is available to pay up to 50 percent of the total cost or 50 percent of the local share if federal matching funds are used, for long term lease, acquisition and major development for recreation projects, natural areas and open space serving a regional need to counties, local units of government and special units of government authorized to acquire, maintain and operate recreational and natural areas.

\$2,000,000 of this appropriation shall be reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473.121, Subdivision 2. Priorities for the use of funds provided in this subdivision will be given to projects eligible for federal funding and which are consistent with priorities established by regional recreation and open space plans.

The amount needed but not to exceed \$1,000,000 in fiscal year 1980 and \$1,000,000 in fiscal year 1981; from this appropriation shall be transferred to the metropolitan council to pay princi-

1980

1981

\$

\$

pal and interest coming due in the respective fiscal years on bonds issued pursuant to Laws 1974, Chapter 563, Section 7, Subdivision 2; none of this amount may be expended for professional services.

The state planning agency shall administer the natural resources and land and water grants-in-aid program.

This appropriation 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.

(i) Recreation and Natural Areas Contingent Account Administration

Of the amounts appropriated in paragraphs (g) and (h) of this subdivision, up to \$313,000 is available for administration. Five staff complement are authorized.

(j) Outdoor Recreation Act Review

\$32,500                      \$32,500

To provide one staff complement for the agency review process required in Minnesota Statutes, Chapter 86A.

(k) Copper Nickel Study Review

The state planning agency is directed to make its final report to the committee on environment and natural resources in the house of representatives and the committee on agriculture and natural resources in the senate no later than June 30, 1979. If the legislative committees require additional expert testimony and review after June 30, 1979, such expertise shall be funded from ap-

	1980	1981
	\$	\$
appropriations to the legislature. The state planning agency is further directed to deliver data and reports to the state agencies and ECOL, whichever the SPA determines appropriate. Information presented to ECOL shall be indexed for reference by the SPA before presentation.		
Subd. 4. Department of Natural Resources .....	6,864,200	6,670,800

## Approved complement—87

The amounts that may be expended from this appropriation for each activity are as follows:

## (a) Water Use Data System

\$41,000            \$41,000

Update and expand a water appropriations data base on withdrawals, use and discharge. The system shall be useable by all water resource managers in identifying withdrawal, use and discharge. The information shall be collected in a format consistent and compatible with the Minnesota land management information system. One staff complement is authorized.

## (b) Floodwater Retention Assistance

\$531,400            \$531,400

To assist the lower Red River watershed management board in providing up to 50 percent of the non-federal share of the cost of projects approved by the board for floodwater retention in the jurisdiction of the board. All available local, state, federal and private sources shall be requested to provide financial assistance. Of this amount, up to \$62,800 is available for



1980

1981

\$

\$

the biennium to the department for one staff and essential equipment.

(c) Iron Range Information Analysis

\$50,000

\$0

In addition to the \$25,000 in the regular budget for this purpose, this appropriation is for continued development and implementation of a system for pertinent information. Existing and prospective data shall be organized in a format consistent and compatible with the Minnesota land management information system and provided to that system. Money necessary for this project after March, 1980 shall be requested from the iron range resources and rehabilitation board.

(d) Heavy Metals Release Study

\$37,500

\$0

To develop techniques to control release of heavy metals from gabbro materials. The department shall propose relevant policies for gabbro development as a result of this study. One staff complement is authorized. Money necessary for this project after March, 1980 shall be requested from the iron range resources and rehabilitation board.

(e) Uranium Information

\$25,000

\$0

To prepare and publish a report by July 1, 1980 which summarizes and reviews available information on uranium mining and processing including geology, technology, leasing considerations, and environmental impacts.

(f) Accelerate Private Forest Management

	1980	1981
	\$	\$
\$251,000	\$251,000	

To provide increased technical management assistance to private non-industrial forest land owners throughout the state, and, in cooperation with the soil and water conservation board, encourage landowners to apply for available federal cost sharing assistance for implementation of practices. Of this amount, \$100,000 is available for a pilot project in the seven counties within the Richard J. Dorer memorial hardwood forest to provide up to 50 percent of the non-federal share of the costs of implementing forestry practices which are eligible for federal cost sharing assistance. After October 1, 1980, the unused portion for the pilot project may also be used for cost sharing assistance in other areas of the state as indicated by landowner interest and request. Ten staff complement are authorized.

(g) Fire Management Analysis

\$81,200	\$81,200
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To conduct a system analysis of fire management in the department's northwest number one and northeast number two regions. The results shall show the cost effective levels of protection in those areas and the method of analysis most applicable to the central, metropolitan and southern regions. Three complement are authorized.

(h) Wildlife Management Area Inventory

\$29,300	\$29,300
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To begin a four year inventory of physical facilities and resource characteristics on approximately 200 units and prepare data processing programs for storage, retrieval and analysis. The information shall be collected in a format

	1980	1981
	\$	\$

consistent and compatible with the Minnesota land management information system. One staff complement is authorized.

(i) Outdoor Recreation Act  
Implementation

\$643,300	\$562,400
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For the master planning and other activities required by Minnesota Statutes 1978, Chapter 86A. Of this amount, \$600,000 and 14 staff complement are for parks, \$80,900 and five staff are for wildlife, through March 1980, \$455,000 and 11 staff are for wild, scenic and recreational rivers and \$69,800 and one staff for scientific and natural areas.

(j) Public Access to Metropolitan  
Area Lakes

\$250,000	\$250,000
-----------	-----------

For acquisition and development of access to lakes in the metropolitan area as defined in Minnesota Statutes 1978, Section 473.121, Subdivision 2. Expenditures for development shall not exceed 25 percent of the amount appropriated herein. Priorities shall be developed in conjunction with the metropolitan council and local units of government, so that free and indiscriminate access is available throughout the area. The department shall make every effort to maximize the use of local effort and finances in the program.

(k) Resource User Information

\$25,000	\$25,000
----------	----------

For development of management information tools and processes which will provide current information needed for recreation policy and planning, and which will eliminate the need for future

1980

1981

large scale appropriations for preparation of a statewide comprehensive outdoor recreation plan. Any expenditure necessary to maintain or update the processes developed herein shall be incorporated in the regular budget. One staff complement is authorized.

## (l) State Park &amp; Recreation

## Area Development

\$4,657,000	\$4,657,000
-------------	-------------

To be expended in accordance with Minnesota Statutes, Chapter 86A. Of this amount, \$2,400,000 is appropriated from the state parks development account. At least 80 percent of the appropriation shall be spent only upon projects eligible for at least 50 percent federal match or reimbursement. Up to \$2,700,000 of the appropriation may be used for major rehabilitation. The department shall obtain great river road federal funding in all feasible projects. Up to \$1,328,960 of the appropriation is available for professional services. 29 staff complement are authorized.

## (m) Long Range Plan

\$173,800	\$173,800
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To continue development of a long range plan which lays out interdisciplinary goals, objectives, policies and an ongoing planning process to guide resource management in Minnesota. Data shall be collected in a format consistent and compatible with the Minnesota land management information system. Four staff complement are authorized.

## (n) Stream Inventory and Data Retrieval Systems

\$68,700	\$68,700
----------	----------

	1980	1981
	\$	\$

For development of standardized stream location and river mile indexing systems which will enhance the water management information system and be compatible with the Minnesota land management information system. One staff complement is authorized.

(o) Game Lake Management, Heron Lake Jackson County

The department shall submit a current work program for the project authorized by Laws 1977, Chapter 455, Section 28, before spending any more of the appropriation.

Subd. 5. Water Planning Board	288,000	
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Approved complement—10

For continued operation of the board created in Minnesota Laws 1977, Chapter 446 through June 30, 1980, to provide for communication and evaluation of the frame work water plan and to coordinate continued development of the water management information system.

The water planning board is extended from June 30, 1979 through June 30, 1980.

Subd. 6. Pollution Control Agency	600,300	686,000
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Approved complement—2

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Lake improvement grants-in-aid

\$527,400	\$527,400
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	1980	1981
\$		\$

The agency shall administer this appropriation to provide grants-in-aid to local units of government including lake improvement districts. Only grant proposals eligible for aid from the federal clean lakes act, 33 U.S.C.A. Section 1324, shall be eligible under this program. State grants shall be available to provide up to 50 percent of the non-federal share of each project and available only to projects with an approved federal grant. This appropriation 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 the expenditures. Two staff complement are authorized. Of the appropriation, up to \$69,000 is available for administration.

(b) Lake Classification

\$42,900	\$128,600
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The agency shall classify publicly owned lakes in accordance with 33 U.S.C.A. Section 1324, Paragraph (a). \$42,857 of this appropriation shall be used to match available federal moneys for phase I. \$128,571 of this appropriation shall be used to match available federal money for phase II. Federal match money is appropriated. Four federal complement are anticipated.

(c) Feasibility Studies  
Grants-In-Aid

\$30,000	\$30,000
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The agency shall administer this appropriation to provide grants-in-aid to local units of government including lake improvement districts. Only grant proposals eligible for aid for feasibility studies under 33 U.S.C.A. Section 1324 shall be eligible for this program. State

	1980	1981
	\$	\$
grants shall be available up to 50 per- cent of the non-federal share.		
Subd. 7. Energy Agency . . . . .	164,200	229,200

Approved complement—3

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Solar Technical Assistance

\$96,600            \$96,600

To increase the technical assistance to current and potential solar users in conjunction with the state solar office operation; evaluate passive solar retrofit techniques; prepare and publish manuals for adapting passive solar techniques and the economics of solar water heaters; and develop a media presentation on solar energy. Two staff complement are authorized.

(b) Timber and Wood Residue

\$52,600            \$52,600

To develop a plan for waste wood utilization and prepare a list of potential wood energy demonstration sites; develop engineering studies for wood utilization. One staff complement is authorized.

(c) Hydropower Development

\$5,000            \$5,000

To prepare feasibility studies on potential hydropower sites. All available federal funding shall be requested.

(d) Ice Air Conditioning  
Commercialization

\$10,000            \$75,000

	1980	1981
	\$	\$

For evaluation of ice air conditioning for commercial application.

Subd. 8. Regents of the university of Minnesota .....	1,515,600	1,444,200
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The amounts that may be expended from this appropriation for each activity are as follows:

(a) Accelerated Detailed Soil Survey

\$772,700	\$772,700
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To the agricultural experiment station to continue the 12 year program begun in 1977 to provide detailed county soil surveys. Program costs shall be shared among local, state and federal governments on a prorata basis depending upon land ownership pattern.

(b) Geology of Southeast Minnesota

\$38,000	\$38,000
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To the Minnesota geologic survey for continued analysis of the karst geology to determine subsurface drainage and hydrology.

(c) Aeromagnetic mapping

\$375,000	\$375,000
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To the Minnesota geologic survey for airborne electronic measurement of statewide geology. If federal match money becomes available, it is appropriated along with this amount.

(d) Engineering Geology

\$50,000	\$50,000
----------	----------

To the Minnesota geologic survey for expanded mapping and data collection



	1980	1981
	\$	\$

on the subsurface geology in part of the twin cities metropolitan area and preparation of the information for planning the use of underground space. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(e) Subsurface Geology Data

\$90,000	\$90,000
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To the Minnesota geologic survey to complete evaluation of existing well logs for geologic and hydrologic purposes, as initiated in Minnesota Laws 1977, Chapter 446. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system and the water management information system as appropriate.

(f) Underground Commercial Facility Design Study

\$61,000	\$61,000
----------	----------

To the civil and mineral engineering school underground space center to develop and publish the design criteria applicable to potential commercial construction in underground space.

(g) Multiple Residence Earth Sheltered Design Study

\$51,400	\$0
----------	-----

To the civil and mineral engineering school underground space center to develop and publish the design criteria applicable to multiple residential developments.

	1980	1981
	\$	\$
(h) Non-Ferrous Minerals Directory	\$20,000	\$0

To the civil and mineral engineering school mineral resources research center for initial publication of a directory which addresses non-ferrous mineral activity. Future publication shall be requested in the regular budget.

(i) Direct Reduction Technology Evaluation

\$57,500	\$57,500
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To the civil and mineral engineering school mineral resources research center for analysis of innovative approaches to cost effective reduction of minerals aimed toward creating higher value concentrate at production facilities within the state.

Subd. 9. Minnesota Historical Society .....	75,000	75,000
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Approved complement—4

For the second and final biennium of the program to develop an archeologic data base which is compatible with the Minnesota land management information system. The society shall publish a report on the location, characteristics and significance for preservation of archeologic sites which will serve to eliminate the delays in environmental assessments and impact statements. Confidentiality and disclosure requirements shall be observed concerning publication of this report.

Subd. 10. Department of Health .	12,200	12,300
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Approved complement—1

	1980	1981
	\$	\$

For completion of the development of a water well data system containing water quality information by geographic reference compatible with the water management information system.

Subd. 11. Department of Transportation .....	200,000	200,000
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The department of transportation shall administer this appropriation to provide grants-in-aid to local units of government that qualify for funding of amenity projects under the federal great river road program. State grants shall be available to provide up to 50 percent of the non-federal share of each project.

#### Subd. 12. Work Programs

It is a condition of acceptance of the appropriations made by this section that the agency or entity receiving the appropriation shall submit work programs and semi-annual progress reports in the form determined by the legislative commission on Minnesota resources. None of the moneys provided in this section may be expended unless the commission has approved the pertinent work program.

#### Subd. 13. Complement Temporary

Persons employed by a state agency and paid by an appropriation in this section are in the unclassified civil service and their continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been expended, their positions shall be cancelled and the approved complement of the agency reduced accordingly.

Subd. 14. Natural Resources Federal Reimbursement Account .....	1,000,000	1,000,000
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	1980	1981
	\$	\$

This appropriation is from the natural resources federal reimbursement account.

At least \$1,000,000 of this appropriation shall be used only for forestry matters deemed necessary by the legislative commission on Minnesota resources, including but not limited to a forestry study.

Sec. 33. COMMERCE

General Operations and Management	5,301,300	5,279,400
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Approved Complement—226

The amounts that may be expended from this appropriation for each program are as follows:

Supervision of State Chartered Financial Institutions

\$1,823,900	\$1,819,000
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Investment Protection

\$723,600	\$723,600
-----------	-----------

Consumer Services

\$588,300	\$588,300
-----------	-----------

Regulation of Insurance Companies

\$1,329,100	\$1,329,100
-------------	-------------

General Support

\$836,400	\$819,400
-----------	-----------

The commission with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee

	1980	1981
	\$	\$
on appropriations in the house of representatives.		
<b>Sec. 34. NON-HEALTH RELATED BOARDS</b>		
Subdivision 1. BOARD OF ABSTRACTORS .....	3,600	3,600
Subd. 2. BOARD OF ACCOUNTANCY .....	150,400	150,400
Approved Complement—3		
Subd. 3. BOARD OF ARCHITECTURE, ENGINEERING AND LAND SURVEYING .....	200,800	205,800
Approved Complement—6		
Subd. 4. BOARD OF BARBER EXAMINERS .....	80,700	80,700
Approved Complement—3		
Subd. 5. BOARD OF BOXING ..	17,500	17,500
Approved Complement—1		
Subd. 6. BOARD OF COSMETOLOGY .....	301,700	301,700
Approved Complement—13		
Subd. 7. BOARD OF ELECTRICITY .....	2,136,200	2,238,200
Approved Complement—18		
For 1979—\$135,000		
Subd. 8. BOARD OF PEACE OFFICER STANDARDS AND TRAINING		
General Operations and Management .....	386,300	285,100

1980      1981  
\$                      \$

Approved Complement—7

Of this appropriation \$200,000 in the first year and \$100,000 in the second year is for reimbursements to local governments for costs of substitute local protection while officers attend regular training courses. Reimbursement shall be for basic training only and not for in-service training.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 9. BOARD OF EXAMINERS IN WATCHMAKING .....	5,700	5,700
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Sec. 35. LABOR AND INDUSTRY

General Operations and Management .....	5,397,000	5,413,500
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1980    1981

Approved Complement—249    250

General—210    211

Federal— 39    39

The amounts that may be expended from this appropriation for each program are as follows:

Employment Standards

\$648,700      \$667,600

Workers' Compensation

\$2,751,900      \$2,749,500

\$200,000 each year is for payment of peace officer survivor benefits pursuant to section 352E.04. If the appropriation for either year is insuf-

1980

1981

\$

\$

ficient the, appropriation for the other year is available for it.

## Code Enforcement

\$604,200	\$604,200
-----------	-----------

## OSHA

\$823,100	\$823,100
-----------	-----------

## General Support

\$569,100	\$569,100
-----------	-----------

The commissioner of labor and industry with the approval of the commissioner of finance may transfer unencumbered balances among the above programs—transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

## Sec. 36. MEDIATION SERVICES

General Operations and Management	762,200	768,100
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Approved Complement—25

## Sec. 37. PUBLIC EMPLOYMENT RELATIONS BOARD

General Operations and Management	44,300	44,300
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Approved Complement—1

## Sec. 38. PUBLIC SERVICE

General Operations and Management	3,557,500	3,529,000
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Approved Complement—137

General—127

Federal—10

	1980	1981
	\$	\$

Notwithstanding any law to the contrary the commission support staff shall include two additional unclassified positions. One position each shall be available for assignment by the commission majority and minority.

The amounts that may be expended from this appropriation for each program are as follows:

Utility Regulation

\$862,100	\$862,100
-----------	-----------

Warehouse Regulation

\$106,800	\$106,800
-----------	-----------

Weights and Measures

\$1,200,200	\$1,171,700
-------------	-------------

General Support

\$423,100	\$423,100
-----------	-----------

Commission Support

\$966,600	\$966,600
-----------	-----------

The public service department with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations in the house of representatives.

Sec. 39. ECONOMIC DEVELOPMENT

General Operations and Management .....	2,922,500	2,946,500
---	-----------	-----------



	1980	1981
	\$	\$

General—51

Federal—9

The amounts that may be expended from this appropriation for each program are as follows:

**Finance and Business Development**

\$653,900	\$653,900
-----------	-----------

Of this appropriation, \$90,000 in fiscal 1980 and \$90,000 in fiscal 1981 is for a grant to the Port Authority of Duluth.

**Economic Development Assistance**

\$445,600	\$445,600
-----------	-----------

Of this amount \$250,000 in fiscal year 1980 and \$250,000 in fiscal year 1981 is for community development corporations. No more than ten percent of this amount shall be expended for administrative costs. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. At least one-half of the grant moneys for the community development corporations shall be for venture capital.

Of this amount, \$60,000 each year is for technical assistance in the area re-development administration program.

**Small Business Development**

\$134,000	\$154,800
-----------	-----------

**Tourism Services**

\$1,071,500	\$1,071,500
-------------	-------------

\$228,000 the first year and \$228,000 the second year is for tourism grants.

1980

1981

\$

\$

The commissioner of economic development may enter into project agreements with organizations or corporations for the purpose of developing the tourism potential of the state. If in the judgment of the commissioner a project will make a meaningful contribution to the tourism development of the state, he may enter into local or regional agreements. No agreement shall be for more than 50 percent of the total annual project cost.

No funds may be expended for the computerization of the processing of informational requests without the concurrence of the commissioner of Administration and an agreement that any arrangement is compatible with a total state information services plan.

Administration Services

\$617,500

\$620,700

The commissioner of economic development with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 40. MILITARY AFFAIRS

General Operations and Management .....

3,646,700

3,646,700

Approved Complement—184

General—137

Federal—47

Plus additional personnel as may be financed entirely from federal money

	1980	1981
	\$	\$

for the period federal money is available.

The amounts that may be expended from this appropriation for each program are as follows:

Maintenance of Military Training Facilities

\$2,715,500	\$2,715,500
-------------	-------------

General Support

\$931,200	\$931,200
-----------	-----------

\$150,000 each year is for expenses of military forces ordered to active duty pursuant to chapter 192. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

The adjutant general with the approval of the commissioner of finance may transfer unencumbered balances between the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Notwithstanding any other provision of this act or any other law, the portion of appropriations made in this section that relate to facility maintenance and repairs shall be available for allotment, encumbrance and expenditure upon passage of this act, for the purpose of financing federal reimbursement contracts.

Sec. 41. VETERANS AFFAIRS

General Operations and Management .....	3,077,300	2,938,300
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Approved Complement—281

1980

1981

\$

\$

The amounts that may be expended from this appropriation for each program are as follows:

#### Veterans Benefits

\$1,126,900	\$1,126,900
-------------	-------------

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Of this appropriation, \$40,000 each year is for war veterans and war orphans education aid, to be expended pursuant to Minnesota Statutes, Section 197.75.

#### Veterans Services

\$809,100	\$809,100
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#### Veterans Home—Minneapolis

\$529,100	\$529,100
-----------	-----------

Of the amounts appropriated for the veterans home, including any additional federal money and dedicated receipts that are available for maintenance and repair, not to exceed \$1,914,500 is for salaries for the year ending June 30, 1980, and \$1,914,500 is for salaries for the year ending June 30, 1981, but may be augmented by money appropriated for salary increases by the 1979 legislature.

Federal aid, compensation, or reimbursement from the federal government or otherwise received by the Minnesota veterans home, and all receipts from maintenance charges are reappropriated to be used for the purpose of supplementing this appropriation; however, any income in excess of \$2,706,000 for fiscal year 1980, and \$3,360,900 for fiscal year 1981 shall reduce the general fund appropriation by a like amount.

	1980	1981
	\$	\$

No portion of the money appropriated for salaries shall be used to pay merit increases to employees in the unclassified service.

Veterans Home—Hastings

\$596,100	\$596,100
-----------	-----------

Big Island Veterans Camp

\$16,100	\$16,100
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The commissioner of veterans affairs with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 42. PUBLIC SAFETY

Subdivision 1. General Operations and Management .....	50,338,000	50,452,800
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	1980	1981
Approved Complement—1715	1715	1711
General—	416	414
Trunk Highway—	1003	1003
Highway User—	213	213
Federal—	83	81

The above approved complement includes 504 for all unclassified patrol officers and supervisors of the highway patrol. This complement shall not be exceeded during the biennium, except that 20 additional unclassified patrol officers for this biennium only may be employed and paid with federal money. Nothing in this provision is intended

1980

1981

\$

\$

to limit the authority of the commissioner of public safety to transfer personnel, with the approval of the commissioner of finance, among the various units and divisions within this section provided that the above complement shall be reduced accordingly.

No new highway patrol supervisory positions shall be established, with the exception of special duty assigned ranks for the length of assignment only.

Of this appropriation, \$12,831,200 for the first year and \$12,823,200 for the second year are from the general fund.

Of this appropriation, \$32,500 each year is from the state airports fund for the civil air patrol; \$30,256,500 for the first year and \$30,329,500 for the second year are from the trunk highway fund for traffic safety programs. The commissioner of finance shall transfer on a quarterly basis the appropriation made from the trunk highway fund in this section. \$7,217,800 for the first year and \$7,267,600 for the second year are from the highway user tax distribution fund for the administration of motor vehicle laws.

The amounts that may be expended from this appropriation for each program are as follows:

#### Administration and Related Services

\$1,620,300      \$1,640,400

#### Emergency Services

\$403,900      \$403,900

#### Criminal Apprehension

\$6,951,200      \$6,914,600

	1980	1981
	\$	\$

Of this appropriation, \$306,000 is for the cooperative investigation of cross jurisdictional criminal activity. Any unencumbered balance remaining in the first year shall not cancel but is available for the second year of the biennium.

\$50,000 each year is for the bureau of criminal apprehension to continue to provide in-service training for peace officers on a regional basis.

\$38,000 each year is for reimbursing political subdivisions for training peace officers and firefighters in the conduct of arson investigations.

\$26,500 each year is for the expenses of the Private Detective and Protective Agency Licensing Board.

#### Fire Safety

\$885,600	\$886,600
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#### State Patrol

\$20,554,200	\$20,758,700
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This appropriation provides sufficient money to operate the mobile truck weighing program on a 12 month basis.

#### Capitol Security

\$910,800	\$920,200
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#### Driver and Vehicle Licensing

\$17,882,800	\$17,799,200
--------------	--------------

The primary computer development effort of the department shall be to functionally integrate the motor vehicle, driver license, and traffic records information systems of the department. Projects currently planned or underway:

	1980	1981
	\$	\$

that would redesign these record systems shall be terminated. To the extent they are consistent with a functionally integrated information system, the objectives of any terminated project shall be incorporated in the objectives of the record integration project.

#### Liquor Licensing

\$447,200	\$447,200
-----------	-----------

#### Anciliary Services

\$174,800	\$174,800
-----------	-----------

Of this appropriation \$32,500 each year is from the state airports fund for the civil air patrol.

#### Crime Victims Reparations Board

\$507,200	\$507,200
-----------	-----------

For 1979—\$125,000

The commissioner of public safety with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Subd. 2. Reimbursement. The sums of \$216,300 for the first year and \$222,400 for the second year are appropriated from the general fund for transfer by the commissioner of finance to the trunk highway fund on January 1, 1980 and January 1, 1981 respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway fund for general fund purposes in the administration and related services program.



	1980	1981
	\$	\$

The sums of \$293,600 for the first year and \$293,600 for the second year are appropriated from the highway user fund for transfer by the commissioner of finance to the trunk highway fund on January 1, 1980 and January 1, 1981 respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway user purposes in the administration and related services program.

Sec. 43. CRIME CONTROL PLANNING BOARD .....	6,435,600	5,360,700
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	1980	1981
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Approved Complement—57	33
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General—24

Federal—33	33
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The amounts that may be expended from this appropriation for each program are as follows:

Planning, Research and Evaluation

\$800,500	\$446,400
-----------	-----------

Administration

\$626,700	\$422,600
-----------	-----------

Law Enforcement Assistance

\$5,008,300	\$4,491,700
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Of the federal moneys received by the Crime Control and Planning Board for law enforcement and criminal justice purposes in fiscal year 1980 and 1981, \$446,400 each year is for criminal justice planning, research and evaluation; \$425,700 in fiscal year 1980 and \$422,600 in fiscal year 1981 is for ad-

	1980	1981
	\$	\$

ministration; and \$4,151,700 each year is for law enforcement assistance. If additional federal money is received by the board in fiscal year 1980 for state project grants, that amount and all federal money received by any state department or agency for law enforcement and criminal justice purposes is appropriated to the criminal justice contingent account. If additional federal money is received by the board for local project grants, that amount is appropriated to the board.

The appropriation to law enforcement assistance includes the following sums to assist in the provision of criminal and juvenile defense to indigent individuals:

St. Paul-Neighborhood Justice Center, Inc.

For cases arising in Ramsey county.

\$55,000	\$55,000
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Minneapolis-Legal Rights Center, Inc.

For cases arising in Hennepin county.

\$95,000	\$95,000
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Duluth-Duluth Indian Legal Assistance Program For cases arising in St. Louis and Mille Lacs counties.

\$85,000	\$85,000
----------	----------

Cass Lake-Leech Lake Reservation Criminal and Juvenile Defense Corp.

For cases arising in Cass, Itasca, Hubbard, and Beltrami counties.

\$52,500	\$52,500
----------	----------

	1980	1981
	\$	\$
<b>White Earth-White Earth Reservation Criminal and Juvenile Defense Corp.</b>		
For cases arising in Mahnomen, Becker, and Clearwater counties.		
	\$52,500	\$52,500

During the biennium ending June 30, 1981, all of the duties and responsibilities of the commissioner of administration set forth in Minnesota Statutes 1978, Section 16.97, shall be exercised by the executive director of the crime control planning board.

These sums shall be administered in compliance with guidelines established for all grants administered by the crime control planning board.

<b>Sec. 44. INDIAN AFFAIRS INTERTRIBAL BOARD</b> .....	171,500	171,500
Approved Complement—7		
<b>Sec. 45. COUNCIL FOR THE HANDICAPPED</b> .....	223,100	225,100
Approved Complement—7		
<b>Sec. 46. HUMAN RIGHTS</b>		
General Operations and Management	913,700	913,700
Approved Complement—50		
General—38		
Federal—12		

The amounts that may be expended from this appropriation for each program are as follows:

Human Rights Enforcement

	1980	1981
	\$	\$
\$549,400	\$549,400	
Management, Planning and Information Service		
\$364,300	\$364,300	

The commissioner of human rights with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 47. COUNCIL ON AFFAIRS OF SPANISH SPEAKING PEOPLE	78,600	78,600
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Approved Complement—3

Sec. 48. MINNESOTA MUNICIPAL BOARD	147,100	147,100
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Approved Complement—4

Sec. 49. HOUSING FINANCE AGENCY		
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Approved Complement—99

The spending limit on cost of general administration of agency programs shall not exceed \$2,235,100 in fiscal year 1980 and \$2,235,100 for fiscal year 1981.

Sec. 50. TORT CLAIMS	750,000	750,000
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To be disbursed by the commissioner of finance.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

	1980	1981
	\$	\$
Sec. 51. DEBT SERVICE .....	78,947,400	85,084,500

To be disbursed by the commissioner of finance.

Sale expenses and principal and interest on the bonds and certificates of indebtedness for which an appropriation is made in this section shall be paid from these appropriations rather than from a statutory open appropriation for the same purpose. If any of these appropriations is insufficient to make all payments due during the period for which it is made, the commissioner of finance shall certify the amount of the deficiency to the committee on finance of the senate and the committee on appropriations of the house of representatives and shall then make payment pursuant to the statutory open appropriation.

#### Sec. 52. WORKERS' COMPENSATION

For 1979—\$380,600

To be transferred by the commissioner of finance to the department of labor and industry, state compensation revolving fund in payment of obligations incurred by the following agencies in the amounts as indicated:

Natural Resources .....	380,600
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Of the amount appropriated, \$77,500 is from the game and fish fund.

The appropriations in this act for the operation of each state department or agency, except the department of natural resources, in fiscal 1980 and 1981 include amounts needed to pay workers' compensation obligations to the state compensation revolving fund. It is the intent of the legislature not to appropriate additional money at any

	1980	1981
\$		\$

future time to pay workers' compensation obligations for fiscal 1980 and 1981, except for the department of natural resources or as may be required by an increase in the statutory level of workers' compensation benefits.

**Sec. 53. UNEMPLOYMENT COMPENSATION**

For 1979—\$1,641,600

To the commissioner of finance for transfer to the unemployment compensation fund in reimbursement for unemployment compensation benefits paid to former employees of the following agencies in the amounts as indicated:

Natural Resources .....	1,641,300
Bicentennial Commission .....	300

Of the amount appropriated, \$297,500 is from the game and fish fund.

The appropriations in this act for the operation of each state department or agency, except the department of natural resources, in fiscal 1980 and 1981 include amounts needed to pay unemployment compensation obligations to the unemployment compensation fund. It is the intent of the legislature not to appropriate additional money at any future time to pay unemployment compensation obligations for fiscal 1980 and 1981, except for the department of natural resources or as may be required by an increase in the statutory level of unemployment compensation benefits.

**Sec. 54. [TRANSFERS.]** Subdivision 1. The commissioner of finance shall make the transfers provided for in this section.

Subd. 2. The commissioner shall transfer the sum of \$93,872.49 from

	1980		1981
	\$		\$

the general fund to the highway user tax distribution fund to correct an over-estimate in the cost of collecting the tax on gasoline and gasoline substitutes during the 1975-77 biennium.

Subd. 3. The commissioner shall transfer the sum of \$1,656,211.51 from the highway user tax distribution fund to the general fund to reimburse the general fund for the cost of collecting the tax on gasoline and gasoline substitutes and the cost of bond premiums during the 1977-79 biennium.

**Sec. 55. [DETAILS.]** *The staffs of the senate finance committee and the house appropriations committee shall, at the request of agencies receiving appropriations in this act and the commissioner of finance, provide wherever available detailed information on the activities and objects of expenditures that go into the appropriation totals.*

**Sec. 56. [OPEN APPROPRIATION FOR COST OF LIVING ADJUSTMENTS.]** *The cost of living increases covered by this section are those paid to classified employees pursuant to sections 43.12, subdivision 10 and 43.127, those paid to unclassified employees who are paid salaries comparable to employees in the classified service, and those paid to unclassified employees in the executive, legislative, and judicial branches of state government, and to employees of the Minnesota historical society and nonacademic employees of the university of Minnesota who are paid from state appropriations, if the increases are authorized by law during the 1979 session of the legislature or by appropriate resolutions for employees of the legislature. The amounts necessary to pay cost of living increases covered by this section are appropriated from the various funds in the state treasury from which their salaries are paid to the commissioner of finance for the fiscal years ending June 30, 1980, and June 30, 1981. It is estimated that the amounts necessary will not exceed \$ . . . . . for the biennium, allocated as follows:*

- \$ . . . . . from the general fund,
- \$ . . . . . from the trunk highway fund,
- \$ . . . . . from the state airports fund,
- \$ . . . . . from the highway user tax distribution fund,

\$ . . . . . from the game and fish fund, and

\$ . . . . . from other funds.

*Subd. 2. [OPEN APPROPRIATION FOR BASIC LIFE INSURANCE AND HEALTH BENEFIT PREMIUM INCREASES.] The amounts necessary to pay increased premium rates for basic life insurance and basic health benefit coverage authorized for eligible state employees and their dependents, in the event that these rates are increased over the rates in existence at the time of the passage of this act, are appropriated from the various funds in the state treasury from which these premiums are paid to the commissioner of finance for the fiscal years ending June 30, 1980 and June 30, 1981. It is estimated that the amounts necessary will not exceed \$ . . . . ., for the biennium, allocated as follows:*

\$ . . . . . from the general fund,

\$ . . . . . from the trunk highway fund,

\$ . . . . . from the state airport fund,

\$ . . . . . from the highway user tax distribution fund,

\$ . . . . . from the game and fish fund, and

\$ . . . . . from other funds.

*Subd. 3. [TRANSFERS; NOTICE.] The commissioner shall transfer the necessary amounts to the proper accounts and shall promptly notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount transferred to each appropriation account.*

*Subd. 4. [CERTIFICATION.] Money certified as needed by the university of Minnesota and transferred to it under this section shall be used only for the purpose certified. Any amount transferred that exceeds the actual amount of cost of living increases or insurance premium increases paid to or for university employees until June 30, 1981 shall be returned to the general fund.*

*Sec. 57. [HIBBING TANKER BASE FUNDING.] Notwithstanding the provisions of Laws 1978, Chapter 791, Section 3, the unencumbered balance of the appropriation for project (k) of that section, the Hibbing tanker base, is cancelled.*

*Sec. 58. [REVOLVING FUNDS; WORKING CAPITAL; CANCELLATIONS AND REAPPROPRIATIONS.] Subdivision 1. (a) Notwithstanding any other law to the contrary,*



*the paid in capital for the accounts and funds listed shall be in the following authorized amounts:*

<i>Fund 90 Services Fund</i> .....	<i>\$212,000</i>
<i>State Register</i> .....	<i>\$188,000</i>
<i>MCAR</i> .....	<i>24,000</i>
<i>Fund 91 Central Motor Pool</i> .....	<i>300,000</i>
<i>Central Motor Pool</i> .....	<i>252,000</i>
<i>Commuter Vans</i> .....	<i>2,000</i>
<i>Delivery Services</i> .....	<i>46,000</i>
<i>Fund 97 Computer Services</i> .....	<i>2,267,000</i>
<i>Computer Services</i> .....	<i>2,156,000</i>
<i>Micrographics</i> .....	<i>111,000</i>
<i>Fund 98 General Services</i> .....	<i>2,726,000</i>
<i>Central Maintenance</i> .....	<i>37,000</i>
<i>Central Stores</i> .....	<i>691,000</i>
<i>Central Mail</i> .....	<i>627,000</i>
<i>Documents</i> .....	<i>307,000</i>
<i>Office Equipment</i> .....	<i>134,000</i>
<i>Printing</i> .....	<i>573,000</i>
<i>Telecommunications</i> .....	<i>342,000</i>
<i>Space Management</i> .....	<i>15,000</i>

*(b) The June 30, 1979, non-cash asset inventory including furniture and equipment but excluding equipment being acquired through a lease-purchase agreement or equipment of the Central Motor Pool or Commuter Van Accounts is estimated to be:*

<i>Fund 90 Services Fund</i> .....	<i>\$ 22,000</i>
<i>State Register</i> .....	<i>\$ 19,000</i>

MCAR .....	3,000	
<i>Fund 91 Central Motor Pool</i> .....		56,000
<i>Central Motor Pool</i> .....	30,000	
<i>Delivery Services</i> .....	26,000	
<i>Fund 97 Computer Services</i> .....		499,000
<i>Computer Services</i> .....	450,000	
<i>Micrographics</i> .....	49,000	
<i>Fund 98 General Services</i> .....		1,287,000
<i>Central Stores</i> .....	530,000	
<i>Central Mail</i> .....	19,000	
<i>Documents</i> .....	252,000	
<i>Office Equipment</i> .....	91,000	
<i>Printing</i> .....	375,000	
<i>Telecommunications</i> .....	20,000	

(c) There is appropriated, as of July 1, 1979, from the general fund to the accounts and funds listed herein the amounts necessary to establish the paid in capital set forth in paragraph (a) less the amount of the non-cash inventory listed in paragraph (b). It is estimated the amount required from the general fund will be \$3,641,000. The amount necessary for each of the funds and accounts is estimated to be:

<i>Fund 90 Service Fund</i> .....		\$190,000
<i>State Register</i> .....	\$169,000	
MCAR .....	21,000	
<i>Fund 91 Central Motor Pool</i> .....		244,000
<i>Central Motor Pool</i> .....	222,000	
<i>Commuter Vans</i> .....	2,000	
<i>Delivery Services</i> .....	20,000	

<i>Fund 97 Computer Services</i> .....	1,768,000
<i>Computer Services</i> .....	1,706,000
<i>Micrographics</i> .....	62,000
<i>Fund 98 General Services</i> .....	1,439,000
<i>Central Maintenance</i> .....	37,000
<i>Central Stores</i> .....	161,000
<i>Central Mail</i> .....	608,000
<i>Documents</i> .....	55,000
<i>Office Equipment</i> .....	43,000
<i>Printing</i> .....	198,000
<i>Telecommunications</i> .....	322,000
<i>Space Management</i> .....	15,000

*Subd. 2. The commissioner of finance shall cancel all retained earnings balances in the funds and accounts listed in subdivision 1, as represented by cash, as of the closing of the books for fiscal year 1979. The cancellations shall not be less than the amounts appropriated in subdivision 1 (c).*

*Subd. 3. There is appropriated from the general fund to the micrographics account in the computer services revolving fund the sum of \$206,900. This appropriation is immediately available.*

*This appropriation is for the purpose of repaying to the computer services account the amounts advanced and the book value of assets being used for the micrographics account. This appropriation shall immediately be used for this purpose. Upon receiving this repayment, the computer services account shall forthwith cancel the amount of \$206,875 to the general fund.*

*Sec. 59. An amount as is necessary to meet the commissioner's rebate obligations under Minnesota Statutes, Section 16.866, subdivision 1 is appropriated to the commissioner from the unappropriated balance of the general fund.*

*Sec. 60. Minnesota Statutes 1978, Chapter 3, is amended by adding a section to read:*

**[3.99] [LEGISLATIVE COMMISSION ON SCIENCE AND TECHNOLOGY.]** *A legislative commission on science and*

*technology is hereby established to provide scientific and technical information to the legislature. The commission shall consist of five senators appointed by the committee on committees of the senate and five representatives appointed by the speaker of the house of representatives. The commission shall elect a chairperson, and other officers as it may find necessary, and shall meet at the call of its chair or upon a call of a majority of its members. The members shall serve without compensation but shall be reimbursed for their reasonable expenses as members of the legislature.*

*The commission may employ staff, fix staff compensation, incur and pay expenses, and contract for research as the commission deems necessary to accomplish its purposes. The commission may establish and pay expenses of a resource council consisting of persons with scientific and technical experience.*

Sec. 61. Minnesota Statutes 1978, Section 4.12, is amended by adding a subdivision to read:

*Subd. 8. The state planning officer may charge a fee to each user of the Minnesota land management information system.*

Sec. 62. Minnesota Statutes 1978, Section 4.26, Subdivision 1, is amended to read:

4.26 [LOCAL LAND USE PLANNING; GRANTS.]  
Subdivision 1. In order to improve the land use decision-making capability of local government, the state planning agency shall make grants to the metropolitan council pursuant to section 4.30, and to towns, counties (AND), municipalities, and Indian reservations. The state planning agency shall give priority when granting funds to those areas that show a special need according to the provisions of clauses (a) and (b). The grants may be used to employ staff or contract with other units of government or qualified consultants for the following purposes:

(a) To prepare and implement plans which are required for certain areas by law or by designation as a critical area under chapter 116G.

(b) To prepare and implement plans which the unit of government is authorized by law to undertake for the management of problems resulting from (1) rapid population or economic growth or decline; (2) potential development in environmentally sensitive areas including but not limited to flood plains, wild and scenic rivers, and shorelands; and (3) the addition or elimination of a major state or federal facility;

(c) To assist neighborhood organizations in cities of the first class to do land use and related planning by making grants to the municipality;

(d) To analyze and prepare plans to preserve and protect agricultural land as defined in Minnesota Statutes 1974, Section 500.24.

Sec. 63. Minnesota Statutes 1978, Section 5.08, Subdivision 2, is amended to read:

Subd. 2. [DISTRIBUTION.] 15,000 copies of the legislative manual shall be printed and distributed as follows:

(1) (50) 25 copies shall be available to each member of the legislature on request;

(2) 50 copies to the state historical society;

(3) 25 copies to the state university;

(4) 60 copies to the state library;

(5) Two copies each to the library of Congress, the Minnesota veterans home, the state universities, the state high schools, the public academies, seminaries, and colleges of the state, and the free public libraries of the state;

(6) One copy each to the state institutions not hereinbefore mentioned, the elective state officials, the appointed heads of departments, the officers and employees of the legislature, the justices of the supreme court, the judges of the district court, the senators and representatives in Congress from this state, and the county auditors;

(7) One copy to each public school, to be distributed through the superintendent of each school district; and

(8) The remainder may be disposed of as the secretary of state deems best.

Sec. 64. Minnesota Statutes 1978, Section 15.015, Subdivision 1, is amended to read:

15.015 [TRANSFER OF FUNCTIONS UNDER GOVERNMENT REORGANIZATION ACT OF 1969, EFFECT.] Subdivision 1. Any department or other administrative agency to which the functions, powers, and duties of a previously existing department or other agency are by Laws 1969, Chapter 1129 assigned and transferred shall be deemed and held to constitute a continuation of the former department or agency as to matters within the jurisdiction of the former department or agency, and not a new authority for the purpose of succession to all rights, powers, duties and obligations of the former department or agency as constituted at the time of such assignment or transfer ex-

cept as otherwise provided by Laws 1969, Chapter 1129, with the same force and effect as if such functions, powers and duties had not been assigned or transferred. (PROVIDED, HOWEVER, ALL PORTIONS OF THE DEPARTMENT OF PUBLIC SAFETY'S BUDGET WHICH INCORPORATES EXPENDITURES FROM THE HIGHWAY USER TAX DISTRIBUTION FUND SHALL BE SUBJECT TO THE APPROVAL OF THE COMMISSIONER OF TRANSPORTATION PRIOR TO THE SUBMISSION OF SUCH BUDGET TO THE COMMISSIONER OF ADMINISTRATION.)

Sec. 65. Minnesota Statutes 1978, Section 15.191, Subdivision 1, is amended to read:

15.191 [IMPREST CASH FUNDS.] Subdivision 1. [EMERGENCY DISBURSEMENTS.] Imprest cash funds for the purpose of making minor disbursements, (AND) providing for change, and providing employees with a portion or all of their payroll warrant where the warrant has not been received through the payroll system, may be established by state departments or agencies from existing appropriations in the manner prescribed by this section.

Sec. 66. Minnesota Statutes 1978, Section 16.02, is amended by adding a subdivision to read:

*Subd. 27. To provide micrographics services and products to meet the needs of state agencies. Within available resources, the commissioner may also provide micrographic services to political subdivisions. All state agency plans and programs for micrographics shall be submitted to and receive the approval of the commissioner prior to implementation. Upon the commissioner's approval, subsidiary or independent microfilm operations may be implemented in other state agencies. The commissioner may direct that copies of official state documents be distributed to official state depositories on microfilm.*

Sec. 67. Minnesota Statutes 1978, Section 16.822, Subdivision 3, is amended to read:

Subd. 3. "Architect" means an architect or landscape architect registered to practice under sections 326.02 to 326.16.

Sec. 68. Minnesota Statutes 1978, Section 16.825, Subdivision 1, is amended to read:

16.825 [REQUEST FOR DESIGNER.] Subdivision 1. Upon undertaking a project with an estimated cost greater than (\$250,000) \$400,000, or a planning project with estimated fees greater than (\$20,000) \$35,000 every user agency, except the capitol area architectural and planning board, shall submit a written request for a primary designer or designers for its proj-

ect to the commissioner of administration who shall forward (SUCH) *the* request to the board.

*If a project for which a designer has been selected by the board becomes inactive, lapses or changes as a result of project phasing, insufficient appropriations or other reason, the commissioner of administration of the University of Minnesota may, if the project is reactivated, retain the same designer to complete the project.*

*If a project initially estimated to be below the cost and planning fee limits of this subdivision has its cost or planning fees revised so that the foregoing limits are exceeded, the project shall be referred to the board for designer selection even if a primary designer had been previously selected. In this event, the board may, without conducting interviews, elect to retain the previously selected designer if it determines that the interests of the state are best served thereby and shall notify the commissioner of administration of its determination.*

Sec. 69. Minnesota Statutes 1978, Section 16.826, Subdivision 4, is amended to read:

Subd. 4. In the event the board receives a request for a primary designer on a project, the estimated cost of which is less than (\$250,000) *the limit established by section 16.825, subdivision 1*, or a planning project with estimated fees of less than (\$20,000) *the limit established by section 16.825, subdivision 1*, the board may submit (SUCH) *the* request to the commissioner of administration, with or without recommendations, and the commissioner shall thereupon select the primary designer for the project.

Sec. 70. Minnesota Statutes 1978, Section 16.97, is amended to read:

**16.97 [CRIMINAL AND JUVENILE DEFENSE GRANTS.]** Subdivision 1. Money appropriated for the provision of criminal and juvenile defense to indigent individuals shall be distributed by the commissioner of administration in consultation with the attorney general to the non-profit criminal and juvenile defense corporations designated by law. Money may not be disbursed to a corporation in the Leech Lake reservation area or the White Earth reservation area without prior approval by the respective reservation business committee. Within its geographic area of responsibility each corporation shall accept cases involving felony, gross misdemeanor, and misdemeanor charges, and juvenile cases, where financial eligibility standards are met, unless there is a legal reason for rejecting a case. A corporation may accept cases arising outside of its geographic area of responsibility, as it deems appropriate. *Each corporation, in order to insure broad support, shall provide matching money re-*

ceived from nonstate sources, which may include money from federal agencies, local governments, private agencies, and community groups, equal to ten percent of its state appropriation. The commissioner of administration shall give notice 30 days in advance and conduct a hearing if he has reasonable grounds to believe money appropriated for this purpose is being improperly used, or if, in consultation with the attorney general, he has reasonable cause to believe criminal and juvenile defense of proper quality is not being supplied. Payment shall cease from the date of notice until either the commissioner determines that the money appropriated will be properly handled, or the commissioner, in consultation with the attorney general, determines that criminal and juvenile defense of proper quality will be provided. A participating corporation may give notice at any time of its withdrawal from this program of financial assistance.

Subd. 2. An employee, administrator, or officer of a recipient of the money provided by this section who discriminates on the basis of sex, race, color, national origin, religion, or creed is guilty of a gross misdemeanor.

Sec. 71. [16.98] [COMPUTER SYSTEM DEVELOPMENT.] *A state agency, not including the University of Minnesota, shall not undertake development of any new electronic data processing system or an enhancement of an existing system unless the project is evaluated according to the PRIDE system. Development shall not proceed beyond PRIDE phase 1 for a new system or phase 8a for an enhancement until the project has been reviewed and approved by the commissioners of administration and finance. If a project is rejected, the commissioner of finance shall cancel the unencumbered balance of the appropriation allotted for development of the project. If a project is approved by the commissioners of administration and finance, they shall submit to the legislature a concise narrative explanation of the project and a request for any appropriation necessary to complete development or enhancement of the system. No agency shall enter into non negotiable contracts for computer services until after the completion of a PRIDE phase 2.*

Sec. 72. Minnesota Statutes 1978, 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 *on a schedule established by the commissioner of finance but within (TWO CALENDAR) a period not to exceed five years. (FROM THE REVOLVING FUND CHARGES PAID BY BENEFITED STATE DEPARTMENTS AND AGENCIES.*

Sec. 73. Minnesota Statutes 1978, Section 21.115, is amended to read:

**21.115 [FEES; SEED POTATO INSPECTION FUND.]** The commissioner shall fix the fees for all inspections and certifications in such amounts as from time to time may be found necessary to pay the expenses of carrying out and enforcing the purposes of sections 21.111 to 21.122, with a reasonable reserve, and shall require the same to be paid before such inspections or certifications are made. All moneys collected as fees or as penalties for violations of any of the provisions of such sections shall be paid into the state treasury and therein credited to the (SEED POTATO INSPECTION) *general fund (OF THE COMMISSIONER, WHICH FUND IS HEREBY CREATED AND APPROPRIATED FOR CARRYING OUT THE PURPOSES OF SUCH SECTIONS. INTEREST, IF ANY, RECEIVED ON DEPOSITS OF THESE MONEYS SHALL BE CREDITED TO SUCH FUND, AND THERE SHALL BE PAID INTO THIS FUND ANY SUM PROVIDED BY THE LEGISLATURE FOR THE PURPOSE OF CARRYING OUT THE PROVISIONS OF SUCH SECTIONS).*

Sec. 74. Minnesota Statutes 1978, Section 21.116, is amended to read:

**21.116 [EXPENSES.]** All necessary expenses incurred in carrying out the provisions of sections 21.111 to 21.122 and the compensation of officers, inspectors, and employees appointed, designated, or employed by the commissioner, as provided in such sections, together with their necessary traveling expenses, together with the traveling expenses of the members of the advisory seed potato certification committee, and other expenses necessary in attending committee meetings, shall be paid from (, AND ONLY FROM, THE SEED POTATO INSPECTION FUND, ON ORDER OF THE COMMISSIONER AND COMMISSIONER OF FINANCE'S VOUCHER WARRANT) *appropriations made to the commissioner for this purpose.*

Sec. 75. Minnesota Statutes 1978, Section 21.55, is amended to read:

**21.55 [SEED ACT ACCOUNT.]** All fees collected in the seed laboratory under section 21.51, subdivision 7, from the sale of seed sale tags and stamps or from permits issued under section 21.53, and from hybrid seed corn registrations and renewals

under section 21.54, subdivision 2, and any other fees and income received in the administration of sections 21.47 to 21.58 shall be deposited in the state treasury (AS OTHER DEPARTMENTAL RECEIPTS ARE DEPOSITED, BUT SHALL CONSTITUTE A SEPARATE ACCOUNT KNOWN AS THE SEED ACT ACCOUNT WHICH IS HEREBY CREATED AND SET ASIDE AND APPROPRIATED FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF ADMINISTERING AND ENFORCING SUCH SECTIONS) *and credited to the general fund.*

Sec. 76. Minnesota Statutes 1978, Section 43.067, Subdivision 1, 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 the agency. The base salary of the chancellor of the state university system is the upper limit of compensation of state university presidents. *The base salary of the commissioner of labor and industry is the upper limit of compensation of employees in the bureau of mediation services.* 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.

Sec. 77. Minnesota Statutes 1978, Section 85A.03, Subdivision 4, is amended to read:

Subd. 4. As directed by the board, the director may:

(a) Establish a schedule of charges for admission to or the use of the Minnesota zoological garden or any related facility.

(b) Provide for the purchase, reproduction, and sale of gifts, souvenirs, publications, informational materials, food and beverages, and grant concessions for the sale of such items. Revenues received from the sale of gifts, souvenirs, publications, informational materials, food and beverages shall be deposited to the credit of the (MINNESOTA ZOOLOGICAL GARDEN) general (ACCOUNT) *fund.* The purchase of materials and commodities for resale and the granting of any concessions relative to food, beverages, and transit shall not be subject to the competitive bidding procedures of sections 16.06, 16.07, and 16.28 but shall remain subject to all other provisions of chapter 16. In other areas of concessions the commissioner of administration may determine that it is not feasible and not in the public interest to award a contract for the operation of such concession to the highest responsible bidder.

Sec. 78. Minnesota Statutes 1978, Section 85A.03, Subdivision 5, is amended to read:

Subd. 5. In order to encourage and permit the use of and access to the Minnesota zoological garden, the board shall establish an admissions policy providing for free admission to the Minnesota zoological garden for all visitors on certain days (DISTRIBUTED THROUGHOUT EACH YEAR).

Sec. 79. Minnesota Statutes 1978, Section 85A.04, Subdivision 1, is amended to read:

85A.04 [ZOOLOGICAL GARDEN ACCOUNTS OPERATING RECEIPTS.] Subdivision 1. (A MINNESOTA ZOOLOGICAL GARDEN GENERAL ACCOUNT IS CREATED IN THE GENERAL FUND.) All receipts from the operation of the Minnesota zoological garden shall be deposited to the credit of (SUCH ACCOUNT) *the general fund*. (MONEY IN THIS ACCOUNT MAY BE EXPENDED AS APPROPRIATED BIENNIALY FOR OPERATION, CAPITAL IMPROVEMENTS, AND EQUIPMENT OF THE MINNESOTA ZOOLOGICAL GARDEN, INCLUDING LEASE RENTALS AND FOR ACQUISITION OF WILD AND DOMESTIC ANIMALS THEREFOR AND FOR PAYMENT OF THE PRINCIPAL OF AN INTEREST ON MINNESOTA STATE ZOOLOGICAL GARDEN BONDS.)

Sec. 80. Minnesota Statutes 1978, Section 85A.04, Subdivision 2, is amended to read:

Subd. 2. [MINNESOTA ZOOLOGICAL GARDEN BUILDING ACCOUNT.] A Minnesota zoological garden building account is (ALSO) created in the (GENERAL) *state building fund*, for the purpose of providing money to the state zoological board for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the Minnesota zoological garden; including but not limited to interest to accrue during the period of the construction thereof on money borrowed by the state for such construction. On November 1 in each year prior to the completion of the Minnesota zoological garden and related facilities the balance, if any, on hand in this account in excess of the amount determined by the board to be needed for the payment of claims then due and payable, encumbrances, and projected expenditures for necessary expenses of such completion shall be transferred to the state zoological garden bond account in the state bond fund, to the amount required for compliance with section 85A.05, subdivision 4. Proceeds of state bonds and income from investment of that money credited to this fund are appropriated for land acquisition, animal acquisition, construction, and other permanent improvement and shall be available until the purposes for which the appropriation was made have been accomplished or abandoned, and none of such money shall be canceled. Income from investment of such money shall be credited to this account in each fiscal year. When the purpose of any such appropriation has been accomplished or abandoned, the state zoological board shall so certify to the

commissioner of finance. Thereupon the unexpended balance of such appropriation, unless transferred under authority of the appropriation act to another purpose therein designated, shall be transferred and credited to the state bond fund. Amounts so transferred and credited are appropriated for the purpose of reducing the amount of tax otherwise required to be levied for the state bond fund by Article 11, Section 7, of the Constitution, or for reimbursing the bond fund for amounts previously transferred to the state zoological garden bond account so as to eliminate any prior deficiency covered by the state bond fund, the general fund in the state treasury, or through a tax levy.

Sec. 81. Minnesota Statutes 1978, Section 85A.05, Subdivision 3, is amended to read:

Subd. 3. [EXPENSES.] All expenses incidental to the sale, execution, delivery and other expenses of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the Minnesota zoological garden building account (IN THE GENERAL FUND), and the amounts necessary therefor are appropriated from that account; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Sec. 82. Minnesota Statutes 1978, Section 85A.05, Subdivision 4, is amended to read:

Subd. 4. [MINNESOTA STATE ZOOLOGICAL GARDEN BOND ACCOUNT IN THE STATE BOND FUND.] The commissioner of finance shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state zoological garden bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota zoological garden bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year. The amounts directed by section 85A.04, (SUBDIVISIONS 1B AND) *subdivision 2* to be transferred annually to this bond account are appropriated thereto, and the legislature may also appropriate to the bond account any other money in the state treasury not otherwise appropriated. On November 1 of each year there shall be transferred to the bond account all of the money then available under any such appropriation or such lesser sum as will be sufficient, with all money previously transferred to the account and all income from the investment of such money, to pay all principal and interest then and theretofore due and all principal and interest to become due to and including July 1 in the second ensuing year on Minnesota zoological garden bonds. All money so transferred and all income from the investment thereof shall be available for the payment of such bonds and interest thereon, and so much thereof as may be necessary

is appropriated for such payments. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Sec. 83. Minnesota Statutes 1978, Section 85A.05, Subdivision 6, is amended to read:

Subd. 6. [BOND AUTHORIZATION AND APPROPRIATIONS.] For the purpose of providing money for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the Minnesota zoological garden in accordance with the comprehensive plan of the state zoological board adopted in accordance with section 85A.02, subdivision 2, the commissioner of finance is directed to sell and issue Minnesota zoological garden bonds in the amount of \$23,025,000 in the manner and upon the conditions provided in subdivisions 1 to 5. The commissioner of finance may sell or issue an additional \$2,350,000 of bonds, but no part thereof shall be expended unless equally matched by other than state appropriations. Any gifts, grants, or contributions accepted pursuant to section 85A.02, subdivision 5, other than contribution of lands by governmental entities, for the establishment or operation of the Minnesota zoological garden, whether in cash or in kind, shall be considered as matching funds. Non-cash items shall be tangible real or personal property and shall be attributed as matching funds according to their fair market value at the time of receipt. The bonds may include a sum representing interest to accrue on the bonds from and after its date of issue through the anticipated period of construction and development of the zoological garden, which sum is needed for the payment and security of the interest payments during that period, but in no event shall the bonds exceed the maximum amount stated above. The bonds shall be sold, issued, and secured as provided in subdivisions 1 to 5 and in Article 11, Section 7, of the Constitution, except that none of the bonds of any series issued pursuant to this authorization shall mature earlier than one year after the date of completion of the Minnesota zoological garden and related facilities as estimated by the state zoological board at the time of the issuance of such series. The proceeds of the bonds, except premium and accrued interest, are appropriated to the Minnesota zoological garden building account (IN THE GENERAL FUND,) for expenditure by the state zoological board for the purpose for which the bonds are authorized in accordance with the provisions of section 85A.04, subdivision 2. In order to reduce the amount of taxes otherwise required by the Constitution to be levied for the payment of interest and principal on the bonds, there is also appropriated annually to the Minnesota state zoological bond account in the state bond fund from the general fund a sum of money sufficient in amount, when added to the balance on hand on November 1 in each year in the bond account, to pay all principal and interest due and to become due on the bonds to and including July 1 in the second ensuing year. The money received and on hand pursuant to this annual appropriation is available in the state bond fund prior to the levy of the tax in any year re-

quired by the Constitution and by subdivision 5 and shall be used to reduce the amount of the tax otherwise required to be levied.

Sec. 84. Minnesota Statutes 1978, Chapter 86, is amended by adding a section to read:

[86.76] [NATURAL RESOURCES FEDERAL REIMBURSEMENT ACCOUNT.] *Subdivision 1. Except as otherwise specifically provided, federal reimbursements and match money received for the purposes described in chapter 86, regardless of the source of state match, credit or value used to earn the reimbursement or match, other than the federal match for state money appropriated to the local recreation and natural areas grant-in-aid account, shall in the first instance be credited to a federal receipt account by the state agency receiving the reimbursement or match. Any state department or agency, including the Minnesota historical society and the university of Minnesota, which receives reimbursements or matching moneys as described above shall transfer those amounts to the natural resources federal reimbursement account.*

*Subd. 2. Money appropriated from the account shall be expended for state land acquisition and development that is part of a natural resources acceleration activity, when the acquisition and development is deemed to be of an emergency or critical nature. In addition this money is available for studies initiated by the legislative commission on Minnesota resources that are found to be proper in order for the commission to carry out its legislative charge.*

*Subd. 3. Requests for allocation from the account for acquisition or development shall be accompanied by a certificate signed jointly by the director of the state planning agency and commissioner of natural resources, showing a review of the application against Minnesota Statutes, Chapter 86A. Copies of the certification shall be submitted to the appropriate legislative committees and commissions. Appropriations from the account 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 the expenditures.*

*Subd. 4. Any land and water conservation fund moneys received over and above the normal state apportionment from that fund are appropriated for the purposes of the reimbursement account. This appropriation is in addition to any amounts appropriated from the account as direct appropriations.*

Sec. 85. Minnesota Statutes 1978, Section 168.54, Subdivision 4, is amended to read:

Subd. 4. (THERE IS HEREBY IMPOSED) A fee of \$2 *shall be imposed* upon every transfer of ownership by the commissioner of public safety of any motor vehicle for which a registration certificate has heretofore been issued under this chapter, except vehicles sold for the purposes of salvage or dismantling or permanent removal from the state.

Sec. 86. Minnesota Statutes 1978, Section 168.54, Subdivision 5, is amended to read:

Subd. 5. The proceeds of the fee imposed under the provisions of this section shall be collected by the commissioner of public safety and paid into (SAID REVOLVING) *the general fund*.

Sec. 87. Minnesota Statutes 1978, Section 179.04, is amended to read:

179.04 [EXPENSES; FEES.] *Subdivision 1.* The director of mediation services and his employees, or any special mediator, shall be paid their actual and necessary traveling and other expenses incurred in the performance of their duties. Vouchers for such expenses shall be itemized and sworn to by the person incurring the expense.

*Subd. 2.* *The director shall charge a fee to each participant at a labor relations education seminar or workshop so that all expenditures except salaries of bureau employees are reimbursed at least 100 percent. Receipts shall be credited to the general fund.*

Sec. 88. Minnesota Statutes 1978, Section 179.72, Subdivision 1, is amended to read:

179.72 [PUBLIC EMPLOYMENT RELATIONS BOARD; POWERS AND DUTIES; ARBITRATION.] *Subdivision 1.* There is hereby established a public employment relations board with the powers and duties assigned to it by this section. The board shall consist of five members appointed by the governor of the state of Minnesota with the advice and consent of the senate. Two members shall be representative of public employees; two shall be representative of public employers; and one shall be representative of the public at large. Public employers and employee organizations representing public employees may submit for consideration names of persons representing their interests to serve as members of the board. The board shall select one of its members to serve as chairman for a term beginning May 1 each year. (THE DIRECTOR OF MEDIATION SERVICES SHALL PROVIDE SECRETARIAL AND ADMINISTRATIVE SERVICES TO THE BOARD.)

Sec. 89. Minnesota Statutes 1978, Section 197.16, is amended to read:

197.16 [COMMISSIONER TO MANAGE APPROPRIATION.] The commissioner of veterans affairs shall have the management and control of all state appropriations made for the use and benefit of such recreation and recuperation camp, and all expenditures made from such appropriations. The commissioner of veterans affairs shall make requests for such appropriations from the legislature as may be deemed necessary with which to make appropriate improvements on the tract of land to be used for such camp, and with which properly to carry out the purposes of sections 197.13 to 197.17 and shall appear before the proper committee of the legislature to explain the requests. The commissioner of veterans affairs is hereby empowered to accept such donations, contributions, gifts, and bequests of real or personal property as may be made to it in order to further the purposes of sections 197.13 to 197.17, and to carry out such trusts thereby created as may not be inconsistent with the purposes of sections 197.13 to 197.17. *The commissioner may establish and collect fees for use of the facilities of the Big Island Veterans Camp, the proceeds of which are appropriated to the commissioner for the general operation and maintenance of the camp.*

Sec. 90. Minnesota Statutes 1976, Section 270.051, Subdivision 2, is amended to read:

Subd. 2. The commissioner of revenue shall collect five percent of the gross receipts from admission to every *wrestling*, boxing and sparring exhibition other than an amateur *wrestling*, boxing and sparring exhibition held within the state, and five percent of the gross receipts from the lease or sale of radio, motion picture and television rights therein. All complimentary tickets for a *wrestling*, boxing and sparring exhibition other than an amateur *wrestling*, boxing and sparring exhibition presented at any entrance gate shall likewise be assessed for the tax herein provided five percent of the value thereof.

Each person issued a license in accordance with section 341.05, subdivision 2, shall also, within 24 hours after the termination of the telecast or subscription television program, pay to the commissioner five percent of the gross receipts from the sale of tickets of admission or money received from subscription for the showing or exhibiting of the telecast or program. If the *wrestling*, boxing or sparring match, exhibition, or performance shown or exhibited is wholly amateur no payment is due.

Sec. 91. [198.075] *No commissary privileges including food, laundry service, janitorial service, and household supplies shall be furnished to any employee of the Minnesota veterans home.*

Sec. 92. Minnesota Statutes 1978, Section 271.06, Subdivision 4, is amended to read:



Subd. 4. [APPEAL FEE.] At the time of filing the notice of appeal the appellant shall pay to the clerk of the tax court an appeal fee of (\$10) \$25; provided, that no appeal fee shall be required of the commissioner of revenue, the attorney general, the state or any of its political subdivisions. In small claims division, the appeal fee shall be \$2. The provisions of chapter 563, providing for proceedings in forma pauperis, shall also apply for appeals to the tax court.

Sec. 93. Minnesota Statutes 1978, Section 341.10, is amended to read:

341.10 [LICENSE FEES.] The board shall have authority to collect and require the payment of a license fee in an amount set by the board from the owners of franchises or licenses. The board shall require the payment of the fee at the time of the issuance of the license or franchise to the owner. The moneys so derived shall be collected by the board and paid to the state treasurer. The board shall have authority to license all *professional wrestlers*, boxers, managers, seconds, referees and judges and may require them to pay a license fee. All moneys collected by the board from such licenses shall be paid to the state treasurer.

Sec. 94. Minnesota Statutes 1978, Section 362.20, is amended to read:

362.20 [SALE OF PAMPHLETS AND PUBLICATIONS; FEES; ADVERTISING.] *Subdivision 1.* The commissioner (SHALL HAVE AUTHORITY TO) *may sell* (, AT THEIR APPROXIMATE COST TO THE STATE, SUCH) *reports*, publications, or *related publicity or promotional material* of the department (AS) *that* in his judgment should not be supplied gratis to those who wish to employ them in the conduct of their business.

*Subd. 2.* *The commissioner shall recommend a schedule of fees pursuant to section 16A.128 to be charged for these materials and for services rendered by the department in furnishing them. The fees prescribed by the commissioner shall be commensurate with the distribution objective of the department for the material produced or with the cost of furnishing the services. All fees for materials and services shall be deposited in the general fund.*

*Subd. 3.* *Department publications may contain advertising and may receive advertising revenue from profit and nonprofit organizations, associations, individuals and corporations, and other state, federal or local government agencies. Advertising revenues shall be deposited in the general fund. The commissioner shall set advertising rates and fees commensurate with services rendered and distribution objectives.*

Sec. 95. Minnesota Statutes 1978, Section 403.11, Subdivision 3, is amended to read:

Subd. 3. [METHOD OF PAYMENT; CERTIFICATION.] A public utility incurring reimbursable costs under subdivision 1 or 2 (FOR A YEAR ENDING JUNE 30, 1978, OR ANY JUNE 30 THEREAFTER,) shall certify those costs to the commissioner of administration (NO LATER THAN THE FOLLOWING AUGUST 31). The certification shall be in a form as prescribed by the commissioner after consultation with the public service commission. If the commissioner and the commission approve the certified costs as appropriate and accurate, the commissioner shall (SO ADVISE THE COMMISSIONER OF FINANCE NO LATER THAN THE FOLLOWING OCTOBER 31. IF THE COSTS ARE CERTIFIED AND APPROVED IN AN EVEN NUMBERED YEAR, THE GOVERNOR AND THE COMMISSIONER OF FINANCE SHALL INCLUDE THE CERTIFIED COSTS IN THE REGULAR BUDGET SUBMITTED TO THE LEGISLATURE. IF THE COSTS ARE CERTIFIED AND APPROVED IN AN ODD NUMBERED YEAR, THEY SHALL BE SUBMITTED IN A SPECIAL MESSAGE TO THE APPROPRIATIONS COMMITTEES OF THE LEGISLATURE NO LATER THAN NOVEMBER 30 OF EACH ODD NUMBERED YEAR) *pay the certified costs from money appropriated for that purpose within 90 days following receipt by the commissioner of the certified costs. The commissioner of administration shall estimate the amount required to reimburse public utilities for the state's obligations under subdivisions 1 and 2 of this section and the governor shall include the estimated amount in the biennial budget request.*

Sec. 96. Minnesota Statutes 1978, Section 472.11, Subdivision 9, is amended to read:

Subd. 9. The state agency is empowered to provide technical assistance (GRANTS OR) loans from the development revolving fund for the development and planning of redevelopment projects. The technical assistance (GRANTS OR) loans may be provided through the payment of funds to: (a) other state agencies or departments; (b) the employment of private individuals; (c) the employment of public, private, or nonprofit firms; (d) state, area, district, or local organizations; or (e) other nonprofit institutions. Funds awarded pursuant to clauses (b) and (c) shall be in the form of loans and shall be repaid unless the project is deemed unfeasible by the state agency. The state agency (MAY) *shall* require the repayment of some or all technical assistance funds and shall prescribe the terms and conditions of the repayment. The amount of technical assistance (GRANTS OR) loans is limited to an aggregate of ten percent of the funds available in the development revolving fund. The technical assistance (GRANTS OR) loans shall not be included when computing the 20 percent limitation provided in section 472.125. The state agency may (GRANT OR) loan technical assistance

funds in cooperation with the technical assistance grant programs of any agency of the federal government. The state agency may prescribe rules to carry out the purposes of this subdivision.

Sec. 97. Minnesota Statutes 1978, Section 484.54, Subdivision 1, is amended to read:

484.54 [EXPENSES OF JUDGES.] Subdivision 1. Except as provided in subdivision 2, judges shall be compensated for travel and subsistence expenses in the same manner and amount as state employees. Additionally, judges of the district court shall be reimbursed for all sums, not reimbursed by counties, they shall necessarily hereafter pay out for only the following purposes: telephone tolls, postage, expressage, stationery, including printed letterheads and envelopes for official business; (MEMBERSHIP DUES IN THE STATE BAR ASSOCIATION AND AFFILIATED LOCAL DISTRICT ASSOCIATIONS, AND STATE AND LOCAL DISTRICT JUDGES ASSOCIATION; AND REGISTRATION FEES,) tuition, travel and subsistence for attending educational programs *except that no expense shall be paid to satisfy continuing legal education requirements, attendance at which is approved by the supreme court.*

Sec. 98. Minnesota Statutes 1978, Section 546.27, is amended to read:

546.27 [DECISION BY THE COURT.] *Subdivision 1.* When an issue of fact has been tried by the court, the decision shall be in writing, the facts found and the conclusion of law shall be separately stated, and judgment shall be entered accordingly. All questions of fact and law, and all motions and matters submitted to a judge for his decision, shall be disposed of and his decision filed with the clerk within 90 days after such submission, unless sickness or casualty shall prevent, or the time be extended by written consent of the parties. No part of the salary of any judge shall be paid unless the voucher therefor be accompanied by a certificate of the judge that he has fully complied with the requirements of this section.

*Subd. 2.* The board on judicial standards shall annually review the compliance of each district, county, municipal, or probate judge with the provisions of subdivision 1. The board shall notify the state court administrator of each judge not in compliance. If the board finds that a judge has compelling reasons for noncompliance, it may decide not to issue the notice. Upon notification that a judge is not in compliance, the commissioner of finance shall not pay the judge his salary. The board may cancel a notice of noncompliance upon finding that a judge has returned his status to compliance, but in no event shall a judge be paid his salary for the period in which the notification of noncompliance was in effect.

Sec. 99. Laws 1976, Chapter 233, Section 14, is amended to read:

Sec. 14. Section 5 of this act is effective January 1, 1977, and the remainder of the act is effective the day following final enactment. (SECTIONS 1 TO 4 OF THIS ACT SHALL EXPIRE JUNE 30, 1979.)

Sec. 100. [REPEALER.] *Minnesota Statutes 1978, Sections 85A.02, Subdivision 12, 85A.04, Subdivisions 1a and 1b, 168.54, Subdivisions 2 and 3, and 345.48, Subdivision 2, are 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 the general administrative and judicial expenses of state government with certain conditions; 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; cancelling certain appropriations; amending Minnesota Statutes 1978, Sections 4.12, by adding a subdivision; 4.26, Subdivision 1; 5.08, Subdivision 2; 15.015, Subdivision 1; 15.191, Subdivision 1; 16.02, by adding a subdivision; 16.822, Subdivision 3; 16.825, Subdivision 1; 16.826, Subdivision 4; 16.97; 16A.126; 21.115; 21.116; 21.55; 43.067, Subdivision 1; 85A.03, Subdivisions 4 and 5; 85A.04, Subdivisions 1 and 2; 85A.05, Subdivisions 3, 4 and 6; 168.54, Subdivisions 4 and 5; 179.04; 179.72, Subdivision 1; 197.16; 270.051, Subdivision 2; 271.06, Subdivision 4; 341.10; 362.20; 403.11, Subdivision 3; 472.11, Subdivision 9; 484.54, Subdivision 1; 546.27; Chapters 3, by adding a section; and 86, by adding a section; and Laws 1976, Chapter 233, Section 14; repealing Minnesota Statutes 1978, Sections 85A.02, Subdivision 12; 85A.04, Subdivisions 1a and 1b; 168.54, Subdivisions 2 and 3; and 345.48, Subdivision 2."

The motion prevailed and the amendment was adopted.

S. F. No. 1510, 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 with certain conditions; 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 1978, Sections 4.12, by adding a subdivision; 4.26, Subdivision 1; 10.31; 16.02, by adding a subdivision; 16.97, Subdivision 1; 16A.126; 43.067, Subdivision 1; 65A.02, Subdivision 12; 116E.03, Subdivision 4; 179.04; 180.03, Subdivision 2; 197.16; 198.31; 299C.07; 361.12, by adding a subdivision; 362.20; 362.40, Subdivisions 9, 10 and 11; 546.27; Chapters 86, by adding a section; and 299C, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggunn
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

The bill was passed, as amended, and its title agreed to.

### CONSENT CALENDAR

S. F. No. 276 was reported to the House.

Anderson, R., moved to amend S. F. No. 276, the unofficial engrossment, as follows:

Page 2, line 10, strike "subdivision 1" and insert "*subdivision 2*"

The motion prevailed and the amendment was adopted.

There being no objection, S. F. No. 276, as amended, was continued on the Consent Calendar one day.

H. F. No. 1091 was reported to the House.

Kalis moved to amend H. F. No. 1091, as follows:

Page 2, line 16, delete “, forest”

The motion prevailed and the amendment was adopted.

Nelson, B., and Kalis moved to amend H. F. No. 1091, as follows:

Page 2, line 33, after “paid” delete the balance of the line and insert: “from the legislative expense fund of their respective body upon approval of the chairman of the joint committee”

Page 3, line 1, delete “chosen”

The motion prevailed and the amendment was adopted.

H. F. No. 1091, A bill for an act relating to natural resources; providing a public policy directed to preservation of agricultural lands; establishing a temporary joint legislative committee on agricultural land preservation; requiring studies and reports by the state planning agency; providing for staffing of the joint legislative committee.

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 10 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Jude	Nelson	Searles
Anderson, B.	Ellingson	Kahn	Niehaus	Sherwood
Anderson, G.	Enebo	Kaley	Norman	Sieben, H.
Anderson, I.	Erickson	Kalis	Norton	Sieben, M.
Anderson, R.	Esau	Kelly	Novak	Simoneau
Battaglia	Evans	Kempe	Nysether	Stadum
Begich	Ewald	Kostohryz	Olsen	Stoa
Berglin	Faricy	Kroening	Onnen	Stowell
Berkelman	Fjoslien	Kvam	Osthoff	Sviggum
Biersdorf	Forsythe	Laidig	Otis	Swanson
Blatz	Friedrich	Lehto	Patton	Tomlinson
Brinkman	Fudro	Levi	Pavlak	Valan
Byrne	Greenfield	Long	Pehler	Vanasek
Carlson, D.	Halberg	Luknic	Piepho	Voss
Carlson, L.	Haukoos	Mann	Pleasant	Waldorf
Casserly	Heap	McCarron	Prahl	Weaver
Clark	Heinitz	McEachern	Redalen	Welch
Clawson	Hoberg	Mehrkens	Reding	Wenzel
Corbid	Hokanson	Metzen	Reif	Wigley
Dean	Jacobs	Minne	Rice	Wynia
Dempsey	Jaros	Moe	Rose	Zubay
Den Ouden	Jennings	Munger	Rothenberg	Speaker Searle
Drew	Johnson, C.	Murphy	Sarna	
Eken	Johnson, D.	Nelsen, M.	Schreiber	

Those who voted in the negative were:

Aasness	Fritz	McDonald	Rees	Valento
Crandall	Ludeman	Nelsen, B.	Thiede	Welker

The bill was passed, as amended, and its title agreed to.

H. F. No. 1433, A bill for an act relating to certain political subdivisions; authorizing the issuance of revenue bonds for the acquisition and installation of equipment for hospital and medical purposes; authorizing the issuance of general obligation bonds for the construction of a municipal library and community center.

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:

Aasness	Eken	Kaley	Niehaus	Sieben, H.
Adams	Elioff	Kalis	Norman	Sieben, M.
Ainley	Ellingson	Kelly	Norton	Simoneau
Albrecht	Erickson	Kempe	Novak	Stadum
Anderson, D.	Esau	Knickerbocker	Nysether	Stoa
Anderson, G.	Evans	Kostohryz	Olsen	Stowell
Anderson, I.	Ewald	Kroening	Onnen	Sviggum
Anderson, R.	Faricy	Kvam	Osthoff	Swanson
Battaglia	Fjoslien	Laidig	Otis	Thiede
Begich	Forsythe	Lehto	Pavlak	Tomlinson
Berglin	Friedrich	Levi	Pehler	Valan
Berkelman	Fritz	Long	Peterson	Valento
Biersdorf	Fudro	Ludeman	Piepho	Vanasek
Blatz	Greenfield	Luknic	Pleasant	Voss
Brinkman	Halberg	Mann	Prahl	Waldorf
Byrne	Haukoos	McDonald	Redalen	Weaver
Carlson, D.	Heap	McEachern	Reding	Welch
Carlson, L.	Heinitz	Mehrkens	Rees	Welker
Casserly	Hokanson	Metzen	Reif	Wenzel
Clark	Jacobs	Minne	Rice	Wigley
Corbid	Jaros	Moe	Rose	Wynia
Crandall	Jennings	Munger	Rothenberg	Zubay
Dean	Johnson, C.	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	
Drew	Kahn	Nelson	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1444, A bill for an act relating to the cities of McGregor and Heron Lake; authorizing the issuance of bonds for the acquisition and betterment of a municipal fire hall and community center; legalizing proceedings precedent to the issuance of certain general obligation bonds and excluding the bonds from the computation of net debt.

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:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elioff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Pavlak	Valan
Berkelman	Friedrich	Levi	Pehler	Valento
Biersdorf	Fritz	Long	Peterson	Vanasek
Blatz	Fudro	Ludeman	Piepho	Voss
Brinkman	Greenfield	Luknic	Pleasant	Waldorf
Byrne	Halberg	Mann	Prahl	Weaver
Carlson, D.	Haukoos	McCarron	Redalen	Welch
Carlson, L.	Heap	McDonald	Reding	Welker
Casserly	Heinitz	McEachern	Rees	Wenzel
Clark	Hoberg	Mehrkens	Reif	Wigley
Clawson	Hokanson	Metzen	Rice	Wynia
Corbid	Jacobs	Minne	Rose	Zubay
Crandall	Jaros	Moe	Rothenberg	Speaker Searle
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	

The bill was passed and its title agreed to.

S. F. No. 345, A bill for an act relating to Hennepin County; providing that law library fees be set by the library trustees; amending Laws 1933, Chapter 291, Section 4, 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 126 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Aasness	Begich	Clark	Ellingson	Fudro
Adams	Berglin	Clawson	Enebo	Greenfield
Ainley	Berkelman	Corbid	Erickson	Halberg
Albrecht	Biersdorf	Crandall	Esau	Haukoos
Anderson, B.	Blatz	Dean	Evans	Heap
Anderson, D.	Brinkman	Dempsey	Ewald	Heinitz
Anderson, G.	Byrne	Den Ouden	Faricy	Hokanson
Anderson, I.	Carlson, D.	Drew	Fjoslien	Jacobs
Anderson, R.	Carlson, L.	Eken	Forsythe	Jaros
Battaglia	Casserly	Elioff	Fritz	Jennings



Johnson, C.	Mann	Novak	Reif	Valento
Johnson, D.	McCarron	Nysether	Rose	Vanasek
Jude	McDonald	Olsen	Rothenberg	Voss
Kahn	McEachern	Onnen	Sarna	Waldorf
Kaley	Mehrkens	Osthoff	Schreiber	Weaver
Kalis	Metzen	Otis	Searles	Welch
Kelly	Minne	Patton	Sherwood	Welker
Knickerbocker	Moe	Pavlak	Sieben, H.	Wenzel
Kostohryz	Munger	Pehler	Sieben, M.	Wigley
Kvam	Murphy	Peterson	Simoneau	Wynia
Laidig	Nelsen, B.	Piepho	Stadum	Zubay
Lehto	Nelsen, M.	Pleasant	Stowell	Speaker Searle
Levi	Nelson	Prahl	Sviggum	
Long	Niehaus	Redalen	Swanson	
Ludeman	Norman	Reding	Thiede	
Luknic	Norton	Rees	Tomlinson	

Those who voted in the negative were:

Kempe            Kroening        Stoa

The bill was passed and its title agreed to.

S. F. No. 444, A bill for an act relating to fences; providing for the compensation of fence viewers; amending Minnesota Statutes 1978, Section 344.18.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elioff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pavlak	Valento
Biersdorf	Fritz	Long	Pehler	Vanasek
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Waldorf
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wigley
Clawson	Hokanson	Metzen	Reif	Wynia
Corbid	Jacobs	Minne	Rose	Zubay
Crandall	Jaros	Moe	Rothenberg	Speaker Searle
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	

The bill was passed and its title agreed to.

S. F. No. 935, A bill for an act relating to the University of Minnesota; requiring establishment of a small business set aside program for certain university procurements.

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:

Aasness	Eken	Jude	Nelsen, M.	Schreiber
Adams	Elioff	Kahn	Nelson	Searles
Ainley	Ellingson	Kaley	Niehaus	Sherwood
Albrecht	Enebo	Kalis	Norman	Sieben, H.
Anderson, B.	Erickson	Kelly	Norton	Sieben, M.
Anderson, D.	Esau	Kempe	Novak	Simoneau
Anderson, G.	Evans	Knickerbocker	Nysether	Stadum
Anderson, I.	Ewald	Kostohryz	Olsen	Stoa
Anderson, R.	Faricy	Kroening	Onnen	Stowell
Battaglia	Fjoslien	Kvam	Osthoff	Sviggum
Begich	Forsythe	Laidig	Otis	Swanson
Berglin	Friedrich	Lehto	Patton	Thiede
Berkelman	Fritz	Levi	Pavlak	Tomlinson
Biersdorf	Fudro	Long	Pehler	Valento
Blatz	Greenfield	Ludeman	Peterson	Vanasek
Brinkman	Halberg	Mann	Piepho	Voss
Byrne	Haukoos	McCarron	Pleasant	Waldorf
Carlson, D.	Heap	McDonald	Prahl	Weaver
Carlson, L.	Heinitz	McEachern	Redalen	Welch
Casserly	Hoberg	Mehrkens	Reding	Welker
Clark	Hokanson	Metzen	Rees	Wenzel
Clawson	Jacobs	Minne	Reif	Wigley
Corbid	Jaros	Moe	Rice	Wynia
Crandall	Jennings	Munger	Rose	Zubay
Dean	Johnson, C.	Murphy	Rothenberg	Speaker Searle
Drew	Johnson, D.	Nelsen, B.	Sarna	

Those who voted in the negative were:

Dempsey      Den Ouden

The bill was passed and its title agreed to.

S. F. No. 1392 was reported to the House.

There being no objection, S. F. No. 1392 was continued on the Consent Calendar one day.

#### CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Norton requested immediate consideration of H. F. No. 724.

Welker was excused for the remainder of today's session. Waldorf was excused from 5:50 p.m. to 7:00 p.m.

H. F. No. 724 was reported to the House.

#### CALL OF THE HOUSE

On the motion of Kroening and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Vaian
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Wenzel
Casserly	Heinitz	McEachern	Reding	Wigley
Clark	Hoberg	Mehrkens	Rees	Wynia
Clawson	Hokanson	Metzen	Reif	Zubay
Corbid	Jacobs	Minne	Rice	Speaker Searle
Crandall	Jaros	Moe	Rose	
Dean	Jennings	Munger	Rothenberg	
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

Kroening 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.

Schreiber offered an amendment to H. F. No. 724.

Kroening requested a division of the amendment.

The first portion of the Schreiber amendment was reported to the House.

#### POINT OF ORDER

Kroening raised a point of order pursuant to rule 3.10 that the first portion of the Schreiber amendment was not in order. The Speaker ruled the point of order well taken and the first portion of the Schreiber amendment out of order.

Schreiber moved the second portion of his amendment to H. F. No. 724 as follows:

Page 5, line 17, delete "\$1,525,000,000" and insert "\$1,175,000,000"

Page 7, line 20, delete "of this act"

The question was taken on the second portion of the Schreiber amendment and the roll was called.

Kroening moved that those not voting be excused from voting. The motion did not prevail.

Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 49 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Johnson, D.	Nelsen, B.	Searles
Albrecht	Evans	Kaley	Niehaus	Sherwood
Anderson, D.	Ewald	Knickerbocker	Norman	Stowell
Anderson, R.	Fjoslien	Kvam	Nysether	Sviggum
Biersdorf	Forsythe	Laidig	Onnen	Thiede
Carlson, D.	Friedrich	Levi	Piepho	Valento
Crandall	Halberg	Ludeman	Redalen	Wigley
Dempsey	Heap	Luknic	Rees	Zubay
Den Ouden	Heinitz	McDonald	Reif	Speaker Searle
Erickson	Jennings	Mehrkens	Schreiber	

Those who voted in the negative were:

Adams	Dean	Kahn	Nelson	Sieben, H.
Ainley	Drew	Kalis	Norton	Sieben, M.
Anderson, B.	Eken	Kelly	Novak	Simoneau
Anderson, G.	Elioff	Kempe	Olsen	Stadum
Anderson, I.	Ellingson	Kostohryz	Osthoff	Stoa
Battaglia	Enebo	Kroening	Otis	Swanson
Begich	Faricy	Lehto	Patton	Tomlinson
Berglin	Fritz	Long	Pavlak	Valan
Berkelman	Fudro	Mann	Pehler	Vanasek
Blatz	Greenfield	McCarron	Peterson	Voss
Brinkman	Haukoos	McEachern	Pleasant	Weaver
Byrne	Hoberg	Metzen	Prahl	Welch
Carlson, L.	Hokanson	Minne	Reding	Wenzel
Casserly	Jacobs	Moe	Rice	Wynia
Clark	Jaros	Munger	Rose	
Clawson	Johnson, C.	Murphy	Rothenberg	
Corbid	Jude	Nelsen, M.	Sarna	

The motion did not prevail and the amendment was not adopted.

H. F. No. 724, A bill for an act relating to housing; providing for an increase in the authorization for bonds and notes for the housing finance agency; establishing a grant program for the construction of three or more bedroom apartment units; creating a grant program for accessible housing; increasing the spending

and complement limits; making certain changes in the laws relating to the operation of the agency; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, Subdivision 15, and by adding subdivisions; 462A.07, Subdivision 15; 462A.21, Subdivision 6, and by adding subdivisions; and 462A.22, Subdivisions 1 and 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 88 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Adams	Eken	Kahn	Munger	Rothenberg
Anderson, B.	Elioff	Kalis	Murphy	Sarna
Anderson, G.	Ellingson	Kelly	Nelsen, M.	Sieben, H.
Anderson, I.	Enebo	Kempe	Nelson	Sieben, M.
Anderson, R.	Evans	Kostohryz	Norman	Simoneau
Battaglia	Farcy	Kroening	Norton	Stadum
Begich	Fjoslien	Laidig	Novak	Stoa
Berglin	Fritz	Lehto	Nysether	Swanson
Berkelman	Fudro	Levi	Olsen	Tomlinson
Biersdorf	Greenfield	Long	Osthoff	Valan
Brinkman	Haukoos	Luknic	Otis	Vanasek
Byrne	Heap	Mann	Patton	Voss
Carlson, L.	Hoberg	McCarron	Pehler	Weaver
Casserly	Hokanson	McEachern	Prahl	Welch
Clark	Jacobs	Mehrkens	Reding	Wenzel
Clawson	Jaros	Metzen	Reif	Wynia
Corbid	Johnson, C.	Minne	Rice	
Dean	Jude	Moe	Rose	

Those who voted in the negative were:

Aasness	Drew	Johnson, D.	Pavlak	Stowell
Ainley	Erickson	Kaley	Peterson	Sviggum
Albrecht	Esau	Knickerbocker	Piepho	Thiede
Anderson, D.	Ewald	Kvam	Pleasant	Valento
Blatz	Forsythe	Ludeman	Redalen	Wigley
Carlson, D.	Friedrich	McDonald	Rees	Zubay
Crandall	Halberg	Nelsen, B.	Schreiber	Speaker Searle
Dempsey	Heinitz	Niehaus	Searles	
Den Ouden	Jennings	Onnen	Sherwood	

The bill was passed and its title agreed to.

Zubay was excused for the remainder of today's session.

CALL OF THE HOUSE LIFTED

Nelsen, B., moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

## SPECIAL ORDERS

H. F. No. 8 was reported to the House.

Norton moved to amend H. F. No. 8 as follows:

Page 2, line 16, delete "so deducted to the agricultural"

Page 2, line 17, delete the language before the period and insert "to the general fund"

Page 3, line 4, delete "December 31" and insert "July 1"

Page 4, delete lines 11 to 18 and insert a new section to read:

"Sec. 5. *There is appropriated from the general fund to the commissioner of agriculture for the agricultural products stabilization board the sum of \$95,000 for the fiscal year ending June 30, 1981.*"

Renumber the sections in sequence.

Further amend the title, lines 5 and 6 delete "and the agricultural alcohol fuel tax fund"

The motion prevailed and the amendment was adopted.

H. F. No. 8, A bill for an act relating to taxation; gasoline tax; reducing the tax on grain alcohol gasoline; creating the Minnesota agricultural products industrial utilization board; appropriating money; amending Minnesota Statutes 1978, Sections 296.01, by adding a subdivision; 296.02, by adding a subdivision; 296.18, Subdivision 8; and Chapter 24, 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 123 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Biersdorf	Dean	Ewald	Hokanson
Adams	Blatz	Dempsey	Faricy	Jacobs
Ainley	Brinkman	Den Ouden	Fjoslien	Jaros
Albrecht	Byrne	Drew	Forsythe	Jennings
Anderson, B.	Carlson, D.	Eken	Friedrich	Johnson, C.
Anderson, G.	Carlson, L.	Elioff	Fritz	Johnson, D.
Anderson, I.	Casserly	Ellingson	Fudro	Jude
Anderson, R.	Clark	Enebo	Greenfield	Kahn
Battaglia	Clawson	Erickson	Halberg	Kaley
Begich	Corbid	Esau	Haukoos	Kalis
Berglin	Crandall	Evans	Hoberg	Kelly

Kempe	McEachern	Olsen	Rice	Swanson
Knickerbocker	Mehrzens	Onnen	Rose	Tomlinson
Kostohryz	Metzen	Osthoff	Rothenberg	Valan
Kroening	Minne	Otis	Sarna	Valento
Kvam	Moe	Pavlak	Schreiber	Vanasek
Laidig	Munger	Pehler	Searles	Waldorf
Lehto	Murphy	Peterson	Sherwood	Weaver
Levi	Nelsen, B.	Piepho	Sieben, H.	Welch
Long	Nelsen, M.	Pleasant	Sieben, M.	Wenzel
Ludeman	Nelson	Prahl	Simoneau	Wigley
Luknic	Niehaus	Redalen	Stadum	Wynia
Mann	Norman	Reding	Stoa	Speaker Searle
McCarron	Novak	Rees	Stowell	
McDonald	Nysether	Reif	Svigum	

Those who voted in the negative were:

Patton            Voss

The bill was passed, as amended, and its title agreed to.

Sieben, H., moved that the remaining bills on Special Orders for today be continued for one day immediately preceding General Orders. The motion prevailed.

### GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders one day.

### MOTIONS AND RESOLUTIONS

Voss moved that the name of McEachern be added as an author on H. F. No. 1309. The motion prevailed.

Waldorf moved that the names of Drew, Rose, and Kostohryz be added as authors on H. F. No. 1575. The motion prevailed.

McCarron moved that the name of Metzen be added as an author on H. F. No. 1578. The motion prevailed.

Reif moved that the name of Heinitz be added as an author on H. F. No. 1573. The motion prevailed.

Pehler; Anderson, I.; Knickerbocker; Searle and Sieben, H., introduced:

House Resolution No. 23, A house resolution relating to Handicapped Awareness Week.

The resolution was referred to the Committee on Rules and Legislative Administration.

ANNOUNCEMENT BY THE SPEAKER AND THE CHAIRMAN OF THE  
COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the following change in appointment of members of the House to a conference committee on H. F. No. 1518: Delete Corbid; add Hokanson.

ADJOURNMENT

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, May 8, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives





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