

JOURNAL
OF THE
SENATE
STATE OF MINNESOTA
SEVENTY-FIRST LEGISLATURE
INCLUDING SPECIAL SESSION

1979

Published By
The Secretary of the Senate

Printed At
The Webb Company
St. Paul



Introduction

On November 16, 1978, Senator Winston W. Borden, (DFL), District 13, resigned his Senate seat and a special election was held December 19, 1978. Dave Rued, (IR), Aitkin, won election to this seat and was sworn in on December 29, 1978.

Senator B. Robert Lewis, (DFL), District 41, died suddenly on April 25, 1979. A special election was held on June 19, 1979, and Irving M. Stern, (DFL), St. Louis Park, was elected to fill out the remainder of Senator Lewis' term and was sworn in on July 9, 1979.

Senator Eugene E. Stokowski, (DFL), District 55, died suddenly on August 1, 1979. A special election was held on November 6, 1979, and Anne Stokowski, (DFL), Minneapolis, widow of Eugene E. Stokowski, was elected to serve out the remainder of his term. She was sworn in on November 12, 1979.

The political make-up of the 1979 Senate, Seventy-First Session, was 47 DFL-ers and 20 Independent Republicans.

A Special Session called by Governor Albert H. Quie lasted one day, May 24, 1979, and accomplished items agreed upon by legislative leaders prior to the calling of the Special Session.

On November 26, 1979, Senator John C. Chenoweth, (DFL), District 66, resigned his Senate seat. A special election will be held to fill this seat on January 8, 1980.

Members of the Senate

Anderson, Jerald C. (DFL)*	Merriam, Gene (DFL)
Ashbach, Robert O. (IR)**	Moe, Roger D. (DFL)
Bang, Otto T., Jr. (IR)	Nelson, Tom A. (DFL)
Benedict, Robert M. (DFL)	Nichols, Jim (DFL)
Bernhagen, John (IR)	Ogdahl, Harmon T. (IR)
Brataas, Nancy (IR)	Olhoff, Wayne (DFL)
Chenoweth, John C. (DFL)	Olson, Howard D. (DFL)
Chmielewski, Florian (DFL)	Penny, Timothy J. (DFL)
Coleman, Nicholas D. (DFL)	Perpich, George F. (DFL)
Davies, Jack (DFL)	Peterson, Collin C. (DFL)
Dieterich, Neil (DFL)	Pillsbury, George S. (IR)
Dunn, Robert G. (IR)	Purfeerst, Clarence M. (DFL)
Engler, Steve (IR)	Renneke, Earl W. (IR)
Frederick, Mel (IR)	Rued, Dave (IR)
Gearty, Edward J. (DFL)	Schaaf, David D. (DFL)
Gunderson, Jerome (DFL)	Schmitz, Robert J. (DFL)
Hanson, Marvin B. (DFL)	Schrom, Ed (DFL)
Hughes, Jerome M. (DFL)	Setzepfandt, A. O. H. (DFL)
Humphrey, Hubert H., III (DFL)	Sieloff, Ron (IR)
Jensen, Carl A. (IR)	Sikorski, Gerry (DFL)
Johnson, Douglas J. (DFL)	Sillers, Douglas H. (IR)
Keefe, John B. (IR)	Solon, Sam G. (DFL)
Keefe, Steve (DFL)	Spear, Allan H. (DFL)
Kirchner, William G. (IR)	Staples, Emily Anne (DFL)
Kleinbaum, Jack I. (DFL)	Stokowski, Eugene E. (DFL)
Knaak, Delores (IR)	Strand, Roger E. (DFL)
Knoll, Franklin J. (DFL)	Stumpf, Peter P. (DFL)
Knutson, Howard A. (IR)	Tennessee, Robert J. (DFL)
Laufenburger, Roger (DFL)	Ueland, Arnulf, Jr. (IR)
Lessard, Bob (DFL)	Ulland, James (IR)
Lewis, B. Robert (DFL)	Vega, Conrad M. (DFL)
Luther, William P. (DFL)	Wegener, Myrton O. (DFL)
McCutcheon, Bill (DFL)	Willet, Gerald L. (DFL)
Menning, Marion (Mike) (DFL)	

*DFL—Democratic-Farmer-Labor

**IR—Independent Republican

Senate Leaders

Coleman, Nicholas D.	Majority Leader
Hanson, Marvin B.	Assistant Majority Leader
Johnson, Douglas J.	Majority Whip
Keefe, Steve	Majority Whip
Ashbach, Robert O.	Minority Leader
Frederick, Mel	Minority Whip
Bernhagen, John	Deputy Minority Whip
Dunn, Robert G.	Assistant Minority Leader
Jensen, Carl A.	Assistant Minority Leader
Knutson, Howard A.	Assistant Minority Leader

Officers of the Senate

Gearty, Edward J.	President
Flahaven, Patrick E.	Secretary of the Senate
Vavrosky, Joseph C.	First Assistant Secretary
Mattson, Janine	Second Assistant Secretary
Urman, Patrice	Third Assistant Secretary
Goodwin, George G.	Minority Secretary
Daly, Eugene P., Sr.	Sergeant at Arms
Raiola, Marvin	Assistant Sergeant at Arms
Ganje, Kay	Engrossing Secretary
Morrison, Catherine E.	Engrossing and Appointments Clerk
Finn, Father Nicholas J.	Chaplain

STATE OF MINNESOTA

Journal of the Senate

SEVENTY-FIRST LEGISLATURE

FIRST DAY

St. Paul, Minnesota, Wednesday, January 3, 1979

This being the day designated by the Constitution and Laws of the State of Minnesota for the assembling of the Legislature, the members of the Senate met in the Senate Chamber of the Capitol and were called to order at 12 o'clock noon by the Lieutenant Governor, Lou Wangberg.

Prayer was offered by Father Nicholas J. Finn.

The Lieutenant Governor then appointed Mr. Jack I. Kleinbaum as Secretary Pro Tem.

The Secretary Pro Tem called the roll by legislative districts in numerical order, and the following Senators answered to their names:

First District Marvin B. Hanson
Second District Roger D. Moe
Third District Bob Lessard
Fourth District Gerald L. Willet
Fifth District
Sixth District Douglas J. Johnson
Seventh District Sam George Solon
Eighth District James Ulland
Ninth District Douglas H. Sillers
Tenth District Collin C. Peterson
Eleventh District Wayne Olhoft
Twelfth District Myrton O. Wegener
Thirteenth District Dave Rued
Fourteenth District Florian Chmielewski
Fifteenth District Roger E. Strand
Sixteenth District Ed Schrom
Seventeenth District Jack I. Kleinbaum
Eighteenth District Robert G. Dunn
Nineteenth District Jerald C. Anderson
Twentieth District Jim Nichols
Twenty-first District A.O.H. Setzepfandt
Twenty-second District ... John Bernhagen

Twenty-third District	Earl W. Renneke
Twenty-fourth District	Clarence M. Purfeerst
Twenty-fifth District	Steve Engler
Twenty-sixth District	Marion (Mike) Menning
Twenty-seventh District	Howard D. Olson
Twenty-eighth District	Carl A. Jensen
Twenty-ninth District	Arnulf Ueland, Jr.
Thirtieth District	Timothy J. Penny
Thirty-first District	Tom Nelson
Thirty-second District	Mel Frederick
Thirty-third District	Nancy Brataas
Thirty-fourth District	Roger Laufenburger
Thirty-fifth District	Jerome O. Gunderson
Thirty-sixth District	Robert J. Schmitz
Thirty-seventh District	William G. Kirchner
Thirty-eighth District	Robert M. Benedict
Thirty-ninth District	Otto T. Bang, Jr.
Fortieth District	
Forty-first District	B. Robert Lewis
Forty-second District	George S. Pillsbury
Forty-third District	Emily Anne Staples
Forty-fourth District	
Forty-fifth District	William P. Luther
Forty-sixth District	David D. Schaaf
Forty-seventh District	Gene Merriam
Forty-eighth District	Robert O. Ashbach
Forty-ninth District	Delores Knaak
Fiftieth District	Jerome M. Hughes
Fifty-first District	Gerry Sikorski
Fifty-second District	Conrad M. Vega
Fifty-third District	Howard A. Knutson
Fifty-fourth District	Edward J. Gearty
Fifty-fifth District	Eugene E. Stokowski
Fifty-sixth District	Robert J. Tennessee
Fifty-seventh District	Allan H. Spear
Fifty-eighth District	Harmon T. Ogdahl
Fifty-ninth District	Steve Keefe
Sixtieth District	
Sixty-first District	Franklin J. Knoll
Sixty-second District	Neil Dieterich
Sixty-third District	Ron Sieloff
Sixty-fourth District	Peter P. Stumpf
Sixty-fifth District	Nicholas D. Coleman
Sixty-sixth District	John C. Chenoweth
Sixty-seventh District	Bill McCutcheon

ELECTION OF PRESIDENT

Mr. Laufenburger nominated Mr. Edward J. Gearty for President.

Mr. Ashbach nominated Mr. Carl A. Jensen for President.

Mr. Bernhagen seconded the nomination of Mr. Jensen.

The question was taken on the election of the President. The roll was called. The following Senators voted for Mr. Edward J. Gearty:

Anderson	Hughes	McCutcheon	Peterson	Staples
Benedict	Johnson	Menning	Purfeerst	Stokowski
Chenoweth	Keefe, S.	Merriam	Schaaf	Strand
Chmielewski	Kleinbaum	Moe	Schmitz	Stumpf
Coleman	Knoll	Nelson	Schrom	Tennessee
Dieterich	Laufenburger	Nichols	Setzepfandt	Vega
Gearty	Lessard	Olhoft	Sikorski	Wegener
Gunderson	Lewis	Olson	Solon	Willet
Hanson	Luther	Penny	Spear	

The following Senators voted for Mr. Carl A. Jensen:

Ashbach	Dunn	Kirchner	Pillsbury	Sillers
Bang	Engler	Knaak	Renneke	Ueland, A.
Bernhagen	Frederick	Knutson	Rued	Ulland, J.
Brataas	Jensen	Ogdahl	Sieloff	

Mr. Edward J. Gearty received 44 votes of the members of the Senate and was duly elected President of the Senate.

Mr. Carl A. Jensen received 19 votes.

OATH OF OFFICE

Mr. Edward J. Gearty subscribed to the oath of office as administered by the Honorable George M. Scott, Associate Justice of the Supreme Court.

Mr. Edward J. Gearty then briefly addressed the Senate in accepting the office as President.

ELECTION OF OFFICERS

Mr. Laufenburger nominated Mr. Patrick E. Flahaven for Secretary of the Senate.

Mr. Ashbach seconded the nomination of Mr. Flahaven.

The question was taken on the election of the Secretary of the Senate. The roll was called. The following Senators voted for Mr. Patrick E. Flahaven:

Anderson	Chmielewski	Gunderson	Kleinbaum	Luther
Ashbach	Coleman	Hanson	Knaak	McCutcheon
Bang	Dieterich	Hughes	Knoll	Menning
Benedict	Dunn	Jensen	Knutson	Merriam
Bernhagen	Engler	Johnson	Laufenburger	Moe
Brataas	Keefe, S.	Lessard	Nelson	Nichols
Chenoweth	Gearty	Kirchner	Lewis	

Ogdahl	Purfeerst	Setzepfandt	Staples	Ulland, J.
Olhoff	Renneke	Sieloff	Stokowski	Vega
Olson	Rued	Sikorski	Strand	Wegener
Penny	Schaaf	Sillers	Stumpf	Willet
Peterson	Schmitz	Solon	Tennessen	
Pillsbury	Schrom	Spear	Ueland, A.	

Mr. Patrick E. Flahaven received 63 votes of the members of the Senate and was duly elected Secretary of the Senate.

OATH OF OFFICE

The Secretary of the Senate advanced to the Bar of the Senate and subscribed to the oath of office as administered by the President.

ELECTION OF OFFICERS—CONTINUED

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

The following nominations were made:

Mr. Hughes nominated Eugene P. Daly, Sr. for Sergeant at Arms.

Mr. Anderson nominated Joseph C. Vavrosky for First Assistant Secretary.

Mr. Purfeerst nominated Janine Mattson for Second Assistant Secretary.

Mr. Chenoweth nominated Kay Ganje for Engrossing Secretary.

Mr. Chmielewski nominated Catherine Morrison for Engrossing and Appointments Clerk.

Mr. McCutcheon nominated Marvin Raiola for Assistant Sergeant at Arms.

Mr. Coleman nominated Father Nicholas J. Finn for Chaplain.

The question was taken on the election of the above named nominees. The roll was called. The following Senators voted for the nominees:

Anderson	Gearly	Luther	Purfeerst	Stokowski
Ashbach	Gunderson	McCutcheon	Renneke	Strand
Bang	Hughes	Menning	Rued	Stumpf
Benedict	Jensen	Merriam	Schaaf	Tennessen
Bernhagen	Keefe, S.	Moe	Schmitz	Ueland, A.
Brataas	Kirchner	Nelson	Schrom	Ulland, J.
Chenoweth	Kleinbaum	Nichols	Setzepfandt	Vega
Chmielewski	Knaak	Ogdahl	Sieloff	Wegener
Coleman	Knoll	Olhoff	Sikorski	Willet
Dieterich	Knutson	Olson	Sillers	
Dunn	Laufenburger	Penny	Solon	
Engler	Lessard	Peterson	Spear	
Frederick	Lewis	Pillsbury	Staples	

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

OATH OF OFFICE

The Sergeant at Arms, the First Assistant Secretary, the Second Assistant Secretary, the Engrossing Secretary, the Engrossing and Appointments Clerk, the Assistant Sergeant at Arms and the Chaplain advanced to the Bar of the Senate and subscribed to the oath of office as administered by the President.

MOTIONS AND RESOLUTIONS

Mr. Coleman introduced—

Senate Resolution No. 1: A Senate resolution naming a Majority Leader and a Minority Leader.

BE IT RESOLVED, by the Senate

That the Senate Majority Leader is Nicholas D. Coleman and the Senate Minority Leader is Robert O. Ashbach.

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

Mr. Coleman introduced—

Senate Resolution No. 2: A Senate resolution relating to the adoption of Temporary Rules for the 71st Session of the Legislature.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Permanent Rules of the Senate for the 70th Session are adopted as the Temporary Rules of the 71st Session to be effective until the adoption of Permanent Rules by a majority vote of the Senate, subject to the following conditions:

Any resolution or other question before the Senate may be brought to a vote at any time by a majority vote of the members present. No bill shall be introduced the first day.

The rules referred to above are amended as follows:

ORDER OF BUSINESS

7. The order of business is as follows:

1. Petitions, letters, remonstrances.

~~2. Executive and official communications.~~

3 2 . Introduction and first reading of Senate bills.

3. *Executive and official communications.*

4. Messages from the House of Representatives.

5. First reading of House bills.

6. Reports of committees.

(a) From standing committees.

(b) From select committees.

7. Second reading of Senate bills.

8. Second reading of House bills.

9. Motions and resolutions.

10. ~~Third reading of Senate bills~~ *Calendar* .

11. ~~Third reading of House bills.~~

12 11 . Consent Calendar.

13 12 . General Orders.

14 13 . Announcements of Senate interest.

Under the order of business of Motions and Resolutions the Senate may by a majority vote of the whole Senate temporarily revert or proceed to any other order of business.

CALENDAR

8. The Secretary shall make a Calendar of all bills, resolutions and other matters coming before the Senate for final action. He shall place them on the Calendar in the order in which they have been acted upon in Committee of the Whole. ~~Senate bills shall be placed ahead of House bills.~~ The Calendar shall be printed and placed upon the members' desks at least one calendar day before the matters on it are considered.

SENATORS TO VOTE UNLESS EXCUSED

22. Every member of the Senate who is in the Senate Chamber during a roll call shall vote upon the request of any Senator unless the Senate, for special reasons, excuses the member.

A motion by a member to be excused from voting shall be made before the question is put. A member wishing to be excused from voting may make a brief statement of the reason for making the request and the question on the motion shall be taken without further debate.

When members have had an opportunity to vote and fail to do so, a majority of all the members of the Senate may, by motion, direct the President to close the roll. The vote on a motion to close the *debate roll* shall be taken without debate and no member is required to vote on the motion.

STANDING COMMITTEES

57. The standing committees of the Senate and their complement are as follows:

Agriculture and Natural Resources—19

Commerce—15

Education—15 16

Elections—	11
Employment—	14
Energy and Housing—	14
Finance—	26
General Legislation and Veterans Affairs Administrative Rules—	14
Governmental Operations—	21 20
Health, Welfare and Corrections—	14
Judiciary—	16
Local Government—	12
Rules and Administration—	21
Taxes and Tax Laws—	20
Transportation—	16
Veterans' Affairs—	14

The Committee on Rules and Administration may constitute a standing Subcommittee on Engrossing and Enrolling, the report of which within its jurisdiction has the effect of a report of the main Committee on Rules and Administration, and the reference under Rule 49, is made directly to this subcommittee.

The Committee on Rules and Administration may constitute a standing Subcommittee on Bill Scheduling, the report of which within its jurisdiction has the effect of a report of the main Committee on Rules and Administration, and the reference under Rule 42 is made directly to this subcommittee. The subcommittee shall consist of the Chairman of the Committee on Rules and Administration who shall serve as chairman of the subcommittee, the Vice-chairman of the Committee on Rules and Administration, the President, the chairmen of the committees on Finance and on Taxes and Tax Laws, and one member of the minority group.

The Committee on Rules and Administration may constitute a standing Subcommittee on Committees, the report of which within its jurisdiction has the effect of a report of the main Committee on Rules and Administration. The subcommittee shall consist of five members, one of whom shall be a member of the minority group.

Each standing committee of the Senate, including a subcommittee of the committee, is authorized at any time to sit and act, to investigate and take testimony on any matter within its jurisdiction, to report hearings held by it, and to make expenditures as authorized from time to time by the standing Committee on Rules and Administration. A standing committee, but not a subcommittee, may require by subpoena or otherwise the attendance and testimony of witnesses and the production of correspondence, books, papers, and documents, in the manner provided by Minnesota Statutes, Section 3.153.

EMPLOYEES AUTHORIZED IN THE SENATE

62. The Senate shall employ for the session the following:

NUMBER OF POSITIONS	POSITION	SALARY PER DAY
2	Administrative Assistant I	1 @ \$53.02 1 @ \$64.80
1	Administrative Assistant II	\$80.24
3	Administrative Secretary	1 @ \$39.77 2 @ \$41.74
2	Assistant Captain of Pages	1 @ \$25.20 1 @ \$27.09
1	Assistant Executive Secretary	\$44.19
5	Assistant Public Information Officer	3 @ \$32.25 2 @ \$38.30
2	Assistant Sergeant at Arms	1 @ \$27.43 1 @ \$29.49
1	Captain of Pages	\$31.10
1	Chaplain (several to serve during session)	\$25.00
1	Chief Indexer	\$55.97
10	Clerk I	2 @ \$25.65 7 @ \$29.09 1 @ \$30.83
5	Clerk Typist I	1 @ \$26.03 1 @ \$27.40 3 @ \$28.42
8	Clerk Typist II	6 @ \$30.00 2 @ \$31.74
2	Clerk Typist III	\$32.00
18	Committee Administrative Assistant	1 @ \$36.99 1 @ \$43.00 6 @ \$48.61 10 @ \$53.02
13	Committee Clerk	4 @ \$26.82 5 @ \$28.42 4 @ \$29.84
15	Committee Secretary	2 @ \$37.38 3 @ \$39.77 10 @ \$41.74
1	Computer Services Supervisor	\$41.74
5	Computer Terminal Operator	3 @ \$32.00 2 @ \$33.63

NUMBER OF POSITIONS	POSITION	SALARY PER DAY
1	Duplicating Supervisor	\$33.27
1	Engrossing and Appointments Clerk	\$44.19
1	Engrossing Secretary	\$55.97
1	Executive Secretary I	\$44.19
2	Executive Secretary II	\$49.96
1	First Assistant Secretary of the Senate	\$86.16
2	Fiscal Services Aide	1 @ \$41.24 1 @ \$42.71
1	Fiscal Services Supervisor	\$55.97
3	Indexer	1 @ \$36.99 2 @ \$39.04
6	Legislative Assistant I	4 @ \$32.08 1 @ \$32.88 1 @ \$36.23
3	Legislative Assistant II	\$45.66
1	Legislative Assistant III	\$55.97
7	Legislative Clerk II	1 @ \$29.28 5 @ \$33.63 1 @ \$34.88
5	Legislative Fiscal Analyst	1 @ \$49.32 1 @ \$63.02 1 @ \$85.55 1 @ \$86.47 1 @ \$87.75
1	Minority Secretary of the Senate	\$85.88
30	Page	20 @ \$22.00 10 @ \$24.00
1	Public Information Officer	\$53.02
17	Researcher	2 @ \$36.99 1 @ \$39.71 2 @ \$41.10 1 @ \$42.47 1 @ \$42.89 1 @ \$44.19 1 @ \$44.36 1 @ \$45.83 1 @ \$50.68 1 @ \$52.05 1 @ \$55.50 1 @ \$55.97 1 @ \$57.53

NUMBER OF POSITIONS	POSITION	SALARY PER DAY
	Researcher—Continued	1 @ \$62.61
		1 @ \$70.69
1	Second Assistant Secretary/Personnel Officer	\$73.43
25	Secretary	5 @ \$34.99
		4 @ \$36.91
		16 @ \$39.04
1	Secretary to the Majority Leader	\$49.96
1	Secretary to the Minority Leader	\$48.21
1	Secretary of the Senate	\$117.95
13	Senate Counsel	2 @ \$47.95
		1 @ \$49.32
		1 @ \$54.80
		2 @ \$56.17
		1 @ \$58.90
		1 @ \$59.65
		1 @ \$63.74
		1 @ \$69.22
		1 @ \$81.00
		1 @ \$84.93
		1 @ \$87.46
11	Senate Researcher	2 @ \$42.47
		1 @ \$45.56
		1 @ \$49.37
		1 @ \$51.28
		1 @ \$53.29
		1 @ \$55.94
		1 @ \$62.15
		3 @ \$72.40
1	Senate Research Assistant Director	\$82.00
1	Senate Research Director	\$106.44
13	Sergeant	\$24.00
1	Sergeant at Arms	\$40.06
1	Steno Pool Supervisor	\$41.74
20	Stenographer I	11 @ \$30.63
		9 @ \$31.87
27	Stenographer II	16 @ \$32.55
		11 @ \$36.35
1	Third Assistant Secretary of the Senate	\$45.56

Appointment to the foregoing positions shall be made by resolution specifying the names of the appointees and the positions

to which they are appointed, adopted by a majority of all members of the Senate.

Mr. Coleman moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

Mr. Coleman introduced—

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.

Mr. Coleman moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

Mr. Coleman introduced—

Senate Resolution No. 3: A Senate resolution relating to standing committees.

BE IT RESOLVED, by the Senate:

There shall be the following named standing committees of the Senate for the 71st Session, composed of the number of members set opposite the name of each committee, and composed of the members whose names are herein listed.

AGRICULTURE AND NATURAL RESOURCES (19)

Willet, Chairman	Nichols
Schrom, Vice Chairman	Olson
Benedict	Penny
Bernhagen	Peterson
Dunn	Renneke
Engler	Setzepfandt
Hanson	Strand
Lessard	Ulland, J.
Luther	Wegener
Merriam	

COMMERCE (15)

Tenessen, Chairman	Keefe, S.
Spear, Vice Chairman	Kleinbaum
Ashbach	Laufenburger
Bang	Luther
Brataas	Penny
Davies	Sikorski
Jensen	Solon
Johnson	

EDUCATION (16)

Hughes, Chairman	Knaak
Stumpf, Vice Chairman	Merriam
Anderson	Nichols
Dieterich	Rued
Dunn	Sillers
Gunderson	Stokowski
Humphrey	Strand
Knutson	Ueland, A.

ELECTIONS (11)

Gearty, Chairman	Moe
Stokowski, Vice Chairman	Pillsbury
Coleman	Schaaf
Jensen	Schmitz
Johnson	Ueland, A.
Keefe, S.	

EMPLOYMENT (14)

Laufenburger, Chairman	Luther
Staples, Vice Chairman	Nelson
Bang	Nichols
Brataas	Pillsbury
Frederick	Purfeerst
Keefe, S.	Vega
Kleinbaum	Willet

ENERGY AND HOUSING (14)

Anderson, Chairman	Ogdahl
Knoll, Vice Chairman	Olhoft
Benedict	Rued
Bernhagen	Sillers
Chenoweth	Staples
Humphrey	Stumpf
Menning	Ulland, J.

FINANCE (26)

Moe, Chairman	Menning
Lewis, Vice Chairman	Nelson
Anderson	Ogdahl
Ashbach	Perpich
Chenoweth	Pillsbury
Dunn	Purfeerst
Hughes	Renneke
Humphrey	Schaaf
Keefe, J.	Solon
Keefe, S.	Spear
Kirchner	Stumpf
Kleinbaum	Tennessee
Luther	Willet

GENERAL LEGISLATION AND
ADMINISTRATIVE RULES (14)

Olson, Chairman	Lessard
Chmielewski, Vice Chairman	Perpich
Dunn	Schmitz
Gearty	Schrom
Gunderson	Sieloff
Hughes	Staples
Keefe, J.	Ueland, A.

GOVERNMENTAL OPERATIONS (20)

Chenoweth, Chairman	Knoll
Schaaf, Vice Chairman	Knutson
Ashbach	McCutcheon
Benedict	Nelson
Kirchner	Nichols
Knaak	Ogdahl

GOVERNMENTAL OPERATIONS—Continued

Penry	Stokowski
Peterson	Strand
Renneke	Ulland, J.
Sikorski	Vega

HEALTH, WELFARE AND CORRECTIONS (14)

Perpich, Chairman	Knutson
Solon, Vice Chairman	Lewis
Brataas	Nelson
Gunderson	Olhoft
Keefe, J.	Sikorski
Kirchner	Staples
Knaak	Vega

JUDICIARY (16)

Davies, Chairman	Lessard
Merriam, Vice Chairman	McCutcheon
Bernhagen	Sieloff
Dieterich	Sikorski
Hanson	Sillers
Keefe, J.	Spear
Knoll	Strand
Knutson	Tennessee

LOCAL GOVERNMENT (12)

Wegener, Chairman	Olhoft
Schmitz, Vice Chairman	Renneke
Chmielewski	Rued
Engler	Schrom
Gunderson	Setzepfandt
Menning	Ueland, A.

RULES AND ADMINISTRATION (21)

Coleman, Chairman	McCutcheon
Hanson, Vice Chairman	Moe
Anderson	Ogdahl
Ashbach	Olson
Chenoweth	Perpich
Davies	Pillsbury
Frederick	Purfeerst
Gearty	Tennessee
Hughes	Wegener
Jensen	Willet
Laufenburger	

TAXES AND TAX LAWS (20)

McCutcheon, Chairman	Bernhagen
Olhoft, Vice Chairman	Chmielewski
Bang	Davies

TAXES AND TAX LAWS—Continued

Dieterich	Peterson
Frederick	Schrom
Hanson	Setzepfandt
Jensen	Sieloff
Johnson	Sillers
Merriam	Stokowski
Olson	Wegener

TRANSPORTATION (16)

Purfeerst, Chairman	Laufenburger
Penny, Vice Chairman	Lessard
Bang	Lewis
Chmielewski	Schaaf
Engler	Schmitz
Frederick	Setzepfandt
Gearty	Sieloff
Kirchner	Vega

VETERANS' AFFAIRS (14)

Chmielewski, Chairman	Olson
Dunn	Perpich
Gearty	Schmitz
Gunderson	Schrom
Hughes	Sieloff
Keefe, J.	Staples
Lessard	Ueland, A.

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

Mr. Coleman introduced—

Senate Resolution No. 4: A Senate resolution relating to a committee on mileage.

BE IT RESOLVED, by the Senate:

The following named persons are appointed as a committee on mileage.

Messrs. Laufenburger; Keefe, S. and Sieloff.

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

Mr. Coleman introduced—

Senate Resolution No. 5: A Senate resolution appointing personnel to respective positions for the 1979 Session of the Minnesota State Senate at the salaries heretofore established.

BE IT RESOLVED, by the Senate, that the following named persons be and they hereby are appointed for the Session to the respective positions hereinafter stated and at the salaries of the respective positions heretofore established:

POSITION	NAME
Administrative Assistant I	James Greenwalt David Hoium
Administrative Assistant II	John Kaul
Administrative Secretary	JoAnne Blockey Mary Catlin Betsy Chesebrough
Assistant Captain of Pages	Mary Ferber Scott Magnuson
Assistant Executive Secretary	Natalie Kray
Assistant Public Information Officer	Karen Clark Diane Egner Mark Nelson Steve Voeller
Assistant Sergeant at Arms	William Larson
Captain of Pages	Margaret Fischer
Chief Indexer	Ardis Schulz
Clerk I	Harry Burns Doug Dahl Ernest Ferrosso Thomas Kukielka Joel Levenson Aaron Rivers John Stieger Helen Stryski
Clerk Typist I	Betty Brown Helen Donahue Teresa Gran Mary Russell
Clerk Typist II	Barbara Burleigh Linda Hegland Sheryl LaRue Elaine Lossie Cathy Roessler Carol Wicke Jill Yackley
Clerk Typist III	Ora Lee Patterson
Committee Administrative Assistant	Robert Ambrose Mark Andrew Keith Carlson Connie Chamberlain

POSITION

NAME

Committee Administrative Assistant—Continued

Steve Chapman
Greg DeWitt
Kathleen Corrigan Foley
Connie Haddeland
Kelvin Johnson
Lucy Johnson
Janet Lund
Carl Norberg
Michael Robertson
Linda Schutz
Dale Ulrich
Sandra Wendt

Committee Clerk

Wendy Adler
Billie Ball
Colleen Barry
Joan Godeke
Janet Hall
Sue Hartfiel
Laura Lindorfer
Margaret Lynch
Eleanor Nash
John Ongaro
Gary Wolf

Committee Secretary

Sandi Brown
Joyce Bukosky
Josephine Dario
Bonnie Featherstone
Margaret Kormendy
Helen Lyons
Nancy Mathisrud
Phyllis Meryhew
Mary Mogush
Carol Schell
Mavis Sievert
Sherry Tyler
Ardith Vos

Computer Services Supervisor

Bettye Bates

Computer Terminal Operator

Lucie Gebhardt
Dorothy Johnson
Mary Rengel
Betty Troje

Duplicating Supervisor

David Vail

Executive Secretary I

Ardella Tischler

Executive Secretary II

Sandra Burrill
Dorothy Jung

Fiscal Services Aide

LaVonne Gangl
Mary Thompson

POSITION	NAME
Fiscal Services Supervisor	Joyce Kleinschmidt
Indexer	Judy Askeland Christine Rudy Jean Schmidt
Legislative Assistant I	Gerry Anderson Patricia Bell Cathie Hughes Zora Radosevich Jerri Sudderth
Legislative Assistant II	Steven Goff Gene Nelson Mary Jane O'Keefe
Legislative Assistant III	Diane Hendrickson
Legislative Clerk II	Mary Bothwell Charles Fastner Allen Finnegan Sandra Greeley Greg Hurner Brad Lundell
Legislative Fiscal Analyst	David Buelow Richard Diercks Earl Evenson Patrick Martyn Harold Miller
Minority Secretary of the Senate	George Goodwin
Page	Paul Borden Onesimus Boykin Valyr Bye Marshall Cooper Scott Dedolph Mary Jo Engstrom Phillip Jares Charles Jordan Debbie Jordan Francine Kaufenberg Colleen Love Marileah McCarty Tom McGlynn Catherine McLaughlin Michael Milton Randy Monroe William Murray Brenda Nelson Eugene Perry Sue Pletkovich Tom Sanford

POSITION

NAME

Page—Continued

Public Information Officer

Researcher

Secretary

Secretary to the Majority Leader

Secretary to the Minority Leader

Senate Counsel

Mark Satterlee
Gretchen Schultz
Dawn Squillace
JoAnn Truskolaski
Helen Wilkie
Kathleen Woehrle

David Peterson

Denise Anderson
Gary Bastian
Greg Failor
Frank Fly
Rosemary Goff
Marcia Greenfield
Patrick Hirigoyen
Ray Joachim
Ronald Johnson
Janet Kampf
David Karpinski
Linda Lacher
Steven Lindgren
Sherri Mortenson
LaVerne Swanson

Vickie Block
Rose Cockburn
Lois DeLong
Eleanor Dierckins
Barbara Gabatino
Joanne Garcia
Vi Geer
Barbara Glick
Lorraine Hartman
Sheila Higby
Emma Holm
Carol Huppert
Mary Kennedy
Marge McShea
Barbara Martin
Ruth Peterson
Nancy Pirkel
Dorothy Queener
Patti Ryan
Joanne Stassen
Paulette Will

Shirley Cardwell

Romayne Houle

Gary Becker
Jay BenAnav
Janel Bush
Robert Duckstad
Larry Fredrickson

POSITION**NAME****Senate Counsel—Continued**

Deborah Huskins
 Larry Jones
 Patricia Johnson
 Daniel McGowan
 Paul Strandberg
 Peter Wattson
 Alan Williams
 Joanne Zoff

Senate Researcher

William Bloyer
 Gary Botzek
 Carolyn Carlson
 Terri Erickson
 David Giel
 Paul Hyduke
 Joyce Krupey
 Sara Meyer
 Laura Miller
 Richard Sevra
 Dwight Smith

Senate Research Assistant Director

Robert Lacy

Senate Research Director

William Riemerman

Sergeant

Richard Conway
 Jerome Coughlin
 James Darrell
 Ralph Graham
 Robert Graham
 Otto Haase
 Claude Lewis
 Al Mareck
 Daniel Orsello
 Sam Roiblat
 Gentile Yarusso
 Willard Zell

Steno Pool Supervisor

Mary Turk

Stenographer I

Nancy Beatty
 Margaret Collins
 Marcia Farinacci
 Elizabeth Fine
 Janet Hanafin
 Barbara Hegdahl
 Karen Henning
 Olga Johnson
 Julie Martin
 Lois Meier
 Ordella Miller
 Connie Olson
 Colleen Renner
 Sandra Van Wyk

POSITION

NAME

Stenographer II

Patti Amador
 Laurel Carlson
 Joyce Christenson
 Virginia Engelhard
 Debi Fastner
 Marilyn Hauser
 Margaret Howe
 Jean Kustelski
 Pat Ness
 Rhoda Parker
 Yvonne Ringgold
 Laura Selbitschka
 Anna Steffel
 Dolores Stendahl
 Judy Swanholm
 Dolores Tautges
 Joyce Van Guilder
 Marion Vogel

Third Assistant Secretary of the
 Senate

Patrice Urman

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

Mr. Coleman introduced—

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.

Mr. Coleman moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

Mr. Coleman introduced—

Senate Resolution No. 6: A Senate resolution relating to postage.

BE IT RESOLVED, by the Senate:

For the 1979 Session of the 71st Legislature, the Secretary of the Senate may purchase postage to furnish each member of the Senate 3,000 stamps. Each member named as chairman of a standing committee in the Senate resolution designating committee assignments may be furnished with an additional 1,000 stamps for the necessary business of the committee.

An additional postage allowance of 1,000 stamps is authorized for the Minority Leader of the Minnesota State Senate, 1979 Session, Mr. Ashbach; the Assistant Majority Leader, 1979 Session, Mr. Hanson and for the Assistant Minority Leaders of the Minnesota State Senate, 1979 Session, Messrs. Dunn, Jensen, Knutson and Frederick.

Each member of the Senate shall receipt to the Secretary of the Senate for the postage received.

Mr. Coleman moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the members of the House of Representatives of the State of Minnesota have been duly sworn pursuant to law.

Ray W. Faricy, Clerk Pro Tem, House of Representatives
Transmitted January 3, 1979

Mr. President:

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

Ewald, Chairman, Den Ouden, Blatz, Luknic, Berglin, Minne, Jacobs and Jude have been appointed to such committee on the part of the House.

Ray W. Faricy, Clerk Pro Tem, House of Representatives
Transmitted January 3, 1979

Mr. Coleman introduced—

Senate Resolution No. 7: A Senate resolution relating to appointment of a committee to notify the Governor the Senate is organized.

BE IT RESOLVED, by the Senate:

The President of the Senate shall appoint a committee of eight to act with a similar committee of the House of Representatives to notify the Honorable Albert H. Quie, Governor of the state of Minnesota, that the Senate and House of Representatives are now ready to receive any message he may desire to give them.

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

APPOINTMENTS

Pursuant to the foregoing resolution, the President made the following appointments:

Messrs. Lewis, Jensen, Pillsbury, Vega, Mrs. Knaak, Messrs. Johnson, Kleinbaum and Spear.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman introduced—

Senate Resolution No. 8: A Senate resolution relating to informing the House of Representatives that the Senate is organized.

BE IT RESOLVED, by the Senate:

The Secretary of the Senate shall inform the House of Representatives that the Senate is now organized.

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to inform the Senate that the House of Representatives invites and is ready to meet with the Senate in Joint Convention 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, said message to be delivered at 12:00 noon.

The House requests that the President of the Senate preside at the Joint Convention. The Clerk Pro Tem of the House will serve as Secretary of the Joint Convention. The Sergeants-at-Arms Pro Tem of the House will serve as Sergeants-at-Arms of the Joint Convention.

Ray W. Faricy, Clerk Pro Tem, House of Representatives

Transmitted January 3, 1979

Mr. Coleman moved that the Senate accede to the request of the House of Representatives to meet in Joint Convention in the House Chamber 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. The motion prevailed.

Mr. President:

I have the honor to announce that the House has appointed a committee of eight members 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, Thursday, January 4, 1979, said Joint Convention to be convened at 11:45 a. m. and said message of the Governor to be delivered at 12:00 noon.

Enebo; Waldorf; Anderson, B.; Otis; Albrecht; Wieser; Olsen and Levi have been appointed as members of such committee on the part of the House.

Ray W. Faricy, Clerk Pro Tem, House of Representatives

Transmitted January 3, 1979

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman introduced—

Senate Resolution No. 9: A Senate resolution relating to appointment of a committee to escort the Governor to the House Chamber for a Joint Session.

BE IT RESOLVED, by the Senate:

The President of the Senate shall appoint a committee of eight members of the Senate to act with a like committee on the part of the House of Representatives to escort the Honorable Albert H. Quie, Governor of the state of Minnesota, to the House Chamber on the occasion of the Joint Session on Thursday, January 4th, 1979, at 12:00 o'clock noon.

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

APPOINTMENTS

Pursuant to the foregoing resolution, the President made the following appointments:

Messrs. Wegener, Bang, Bernhagen, Benedict, Dunn, Engler, Luther and Menning.

Mr. Coleman introduced—

Senate Resolution No. 10: A Senate Resolution relating to the schedule of standing committee meetings.

BE IT RESOLVED, by the Senate:

The standing committees shall meet during the 71st Legislature according to the following schedule:

**SENATE COMMITTEE SCHEDULE
1979 Session**

Committee	Chairman	Office Room Number	Direct Line Number	Hearing Room Number	Hour
MONDAY					
296-					
Employment	Laufenburger	235	8865	118	8-10 A.M.
Judiciary	Davies	27	4841	112	8-10 A.M.
Local Government	Wegener	328	4150	15	8-10 A.M.
Floor Session		Senate Chamber			10-12 Noon
Floor Session		Senate Chamber			1- 3 P.M.
Education*	Hughes	328	4185	118	1- 3 P.M.
Transportation*	Purfeerst	323	4186	112	1- 3 P.M.
Taxes and Tax Laws	McCutcheon	29	4839	112	3- 6 P.M.
Finance	Moe	121	6436	15	3- 6 P.M.
TUESDAY					
Education	Hughes	328	4185	118	8-10 A.M.
Transportation	Purfeerst	323	4186	112	8-10 A.M.
Commerce	Tennessen	309	4158	112	10-12 Noon
Energy and Housing	Anderson	303	8864	118	10-12 Noon

SENATE COMMITTEE SCHEDULE—(Cont'd)
1979 Session—(Cont'd)

Committee	Chairman	Office Room Number	Direct Line Number	Hearing Room Number	Hour
TUESDAY—(Cont'd)					
Governmental Operations	Chenoweth	205	4175	15	1- 3 P.M.
General Legislation and Administrative Rules	Olson	325	8863	112	1- 3 P.M.
Veterans' Affairs	Chmielewski	325	8863	112	1- 3 P.M.
Health, Welfare and Corrections	Perpich	303	4151	118	3- 6 P.M.
Agriculture and Natural Resources	Willet	205	4157	15	3- 6 P.M.
WEDNESDAY					
Employment	Laufenburger	235	8865	118	8-10 A.M.
Judiciary	Davies	27	4841	112	8-10 A.M.
Local Government	Wegener	328	4150	15	8-10 A.M.
Education Aids Subcommittee	Merriam	27	4154	118	10-12 Noon
Governmental Operations	Chenoweth	205	4175	15	1- 3 P.M.
General Legislation and Administrative Rules	Olson	325	8863	112	1- 3 P.M.
Veterans' Affairs	Chmielewski	325	8863	112	1- 3 P.M.
Taxes and Tax Laws	McCutcheon	29	4839	112	3- 6 P.M.
Finance	Moe	121	6436	15	3- 6 P.M.
THURSDAY					
Education	Hughes	328	4185	118	8-10 A.M.
Transportation	Purfeerst	323	4186	112	8-10 A.M.
Floor Session			Senate Chamber		10-12 Noon
Floor Session			Senate Chamber		1- 3 P.M.
Commerce*	Tennessee	309	4158	112	1- 3 P.M.
Energy and Housing*	Anderson	303	8864	118	1- 3 P.M.
Health, Welfare and Corrections	Perpich	303	4151	118	3- 6 P.M.
Agriculture and Natural Resources	Willet	205	4157	15	3- 6 P.M.
FRIDAY					
Employment	Laufenburger	235	8865	118	8-10 A.M.
Judiciary	Davies	27	4841	112	8-10 A.M.
Local Government	Wegener	328	4150	15	8-10 A.M.
Commerce	Tennessee	309	4158	112	10-12 Noon
Energy and Housing	Anderson	303	8864	118	10-12 Noon
Governmental Operations	Chenoweth	205	4175	15	1- 3 P.M.
General Legislation and Administrative Rules	Olson	325	8863	112	1- 3 P.M.
Veterans' Affairs	Chmielewski	325	8863	112	1- 3 P.M.
Taxes and Tax Laws	McCutcheon	29	4839	112	3- 6 P.M.
Finance	Moe	121	6436	15	3- 6 P.M.
ON CALL					
Elections	Gearty	235	8866		
Rules and Administration	Coleman	208	4196/2204		

*To Be Scheduled If No Conflict With Session Time

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

MEMBERS EXCUSED

Messrs. Keefe, J.; Humphrey and Perpich were excused from the Session of today.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 11:15 o'clock a.m., Thursday, January 4, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

SECOND DAY

St. Paul, Minnesota, Thursday, January 4, 1979

The Senate met at 11:15 o'clock a.m. and was called to order by the President.

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

Anderson	Gunderson	Luther	Pillsbury	Staples
Ashbach	Hanson	McCutcheon	Purfeerst	Stokowski
Bang	Hughes	Menning	Renneke	Strand
Benedict	Jensen	Merriam	Rued	Stumpf
Bernhagen	Johnson	Moe	Schaaf	Tennessee
Brataas	Kirchner	Nelson	Schmitz	Ueland, A.
Chenoweth	Kleinbaum	Nichols	Schrom	Ulland, J.
Coleman	Knaak	Ogdahl	Setzepfandt	Vega
Dieterich	Knoll	Olhoft	Sieloff	Wegener
Dunn	Knutson	Olson	Sikorski	Willet
Engler	Laufenburger	Penny	Sillers	
Frederick	Lessard	Perpich	Solon	
Gearty	Lewis	Peterson	Spear	

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Humphrey and Keefe, J. were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Luther introduced—

S. F. No. 1: A bill for an act relating to solid waste pollution; requiring beverage containers to have certain refund values after a certain date; providing penalties.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Lewis, Coleman, Gearty, Humphrey and Kirchner introduced—

S. F. No. 2: A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

Referred to the Committee on Judiciary.

Mr. Humphrey introduced—

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

Referred to the Committee on Judiciary.

Messrs. Nichols, Hanson, Moe and Strand introduced—

S. F. No. 4: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Nichols and Penny introduced—

S. F. No. 5: A bill for an act relating to highway traffic regulations; requiring motorcycle operators and passengers to wear protective headgear; eliminating the requirement of a report of the commissioner of public safety; amending Minnesota Statutes 1978, Section 169.974, Subdivision 4; repealing Laws 1977, Chapter 17, Section 5.

Referred to the Committee on Transportation.

Messrs. Nichols and Moe introduced—

S. F. No. 6: A bill for an act relating to taxation; sales tax; exempting certain farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich and Keefe, S. introduced—

S. F. No. 7: A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

Referred to the Committee on Judiciary.

Messrs. McCutcheon and Merriam introduced—

S. F. No. 8: A bill for an act relating to taxation; exempting pension income of nonresidents from taxation; amending Minnesota Statutes 1978, Section 290.17, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olhoft and Willet introduced—

S. F. No. 9: 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.

Referred to the Committee on Energy and Housing.

Mr. Nichols introduced—

S. F. No. 10: A bill for an act relating to economic security; abolishing the system of unemployment compensation; amending Minnesota Statutes 1978, Sections 268.011, Subdivision 1; and 268.026, Subdivision 2; repealing Minnesota Statutes 1978, Sections 268.03 to 268.11; 268.12, Subdivisions 1 to 6 and 8 to 13; 268.13; 268.15 to 268.25.

Referred to the Committee on Employment.

Mr. Nichols introduced—

S. F. No. 11: A bill for an act relating to taxation; income tax; providing a credit to certain persons performing military service outside the state of Minnesota; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Nichols introduced—

S. F. No. 12: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Sections 4 and 5; providing terms and limits on service of legislators.

Referred to the Committee on Judiciary.

Mr. Nichols introduced—

S. F. No. 13: A bill for an act relating to game and fish; closing a certain portion of the state to the taking of fish by spearing; amending Minnesota Statutes 1978, Section 97.48, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Nichols introduced—

S. F. No. 14: A bill for an act relating to political subdivisions; regarding public officers; permitting contracts between hospital dis-

strict boards and board members; amending Minnesota Statutes 1978, Section 471.88, Subdivision 1.

Referred to the Committee on Local Government.

Mr. Nichols introduced—

S. F. No. 15: A bill for an act relating to workers' compensation; limiting certain compensation payments during retraining; amending Minnesota Statutes 1978, Section 176.101, Subdivision 7.

Referred to the Committee on Employment.

Mr. Nichols introduced—

S. F. No. 16: A bill for an act relating to workers' compensation; providing the time in which certain actions or proceedings shall be taken; amending Minnesota Statutes 1978, Section 176.151.

Referred to the Committee on Employment.

Mr. Nichols introduced—

S. F. No. 17: 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.

Referred to the Committee on Education.

Mr. Nichols introduced—

S. F. No. 18: A bill for an act relating to taxes; providing for the property tax classification of large agricultural land holdings; amending Minnesota Statutes 1978, Section 273.13, Subdivision 4.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Willet introduced—

S. F. No. 19: A bill for an act relating to the state building code; exempting certain counties from code coverage; amending Minnesota Statutes 1978, Section 16.851.

Referred to the Committee on Energy and Housing.

MOTIONS AND RESOLUTIONS

Mr. Nichols moved that the name of Mr. Peterson be added as co-author to S. F. No. 4. The motion prevailed.

Mr. Nichols moved that the name of Mr. Peterson be added as co-author to S. F. No. 6. The motion prevailed.

Mr. Dieterich moved that the names of Messrs. Luther and Sillers be added as co-authors to S. F. No. 7. The motion prevailed.

Mr. Olhoft moved that the name of Mr. Johnson be added as co-author to S. F. No. 9. The motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 11:46 o'clock a.m. The motion prevailed.

The hour of 11:46 o'clock a.m. having arrived, the President called the Senate to order.

RECESS

Mr. Coleman moved that the Senate do now recess until immediately after the conclusion of the Joint Convention. The motion prevailed.

The Senate reconvened at the appropriate time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hanson moved that the Senate do now adjourn until 7:00 o'clock p.m., Monday, January 8, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

THIRD DAY

St. Paul, Minnesota, Monday, January 8, 1979

The Senate met at 7:00 o'clock p.m. and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Frederick	Lessard	Purfeerst	Strand
Ashbach	Gearty	Lewis	Rued	Stumpf
Bang	Gunderson	Luther	Schmitz	Tennessee
Benedict	Hanson	McCutcheon	Schrom	Ueland, A.
Bernhagen	Johnson	Merriam	Setzepfandt	Ulland, J.
Chenoweth	Keefe, S.	Moe	Sikorski	Wegener
Chmielewski	Kirchner	Nelson	Sillers	Willet
Coleman	Knaak	Ogdahl	Solon	
Dieterich	Knoll	Penny	Spear	
Dunn	Knutson	Peterson	Staples	
Engler	Laufenburger	Pillsbury	Stokowski	

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

Prayer was offered by the Chaplain, Rev. Wayne Like.

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

Anderson	Gearty	Lessard	Pillsbury	Staples
Ashbach	Gunderson	Lewis	Purfeerst	Stokowski
Bang	Hanson	Luther	Rued	Strand
Benedict	Johnson	McCutcheon	Schaaf	Stumpf
Bernhagen	Keefe, J.	Menning	Schmitz	Tennessee
Chenoweth	Keefe, S.	Merriam	Schrom	Ueland, A.
Chmielewski	Kirchner	Moe	Setzepfandt	Ulland, J.
Coleman	Kleinbaum	Nelson	Sieloff	Vega
Dieterich	Knaak	Nichols	Sikorski	Wegener
Dunn	Knoll	Ogdahl	Sillers	Willet
Engler	Knutson	Penny	Solon	
Frederick	Laufenburger	Peterson	Spear	

The President declared a quorum present.

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

MEMBERS EXCUSED

Mrs. Brataas, Messrs. Hughes, Humphrey, Jensen, Olhoft,

Olson, Perpich and Renneke were excused from the Session of today.

**REPORTS AND RESOLUTIONS FILED DURING THE INTERIM
WITH THE SECRETARY OF THE SENATE**

Various reports were filed during the 1978 interim by Retirement and Relief Associations and are filed in the office of the Secretary of the Senate; also reports made by the Legislative Audit Commission on various state institutions and boards; Minnesota Department of Health, Medical Malpractice Claims of Health Facilities; Department of Economic Security, Youth Employment Act, 1977; Department of Public Welfare, Report on Proposal for Containment of Medical Assistance Costs; Department of Public Welfare, Plan for New Security Facility at St. Peter State Hospital; Central Regional Development Commission, Annual Report, 1977; Department of Administration, State Employee Commuter Van Program, 1978; Supreme Court, State Court Report, 1976-77; State Arts Board, Annual Report, 1977; State Planning Agency, Reuse of Abandoned Railroad Rights-of-Way, 1978; University of Minnesota, Progress Report, Lake Superior Basin Studies Center, 1977; Southeastern Minnesota Regional Development Commission, Managing the Regional Community Developments, 1977; Minneapolis Teachers' Retirement Fund Association, Sixty-eighth Annual Report of the Board of Trustees, 1977; Minnesota Energy Agency, Energy Survey Manual for Existing Public Buildings, 1978; Minnesota Energy Agency, Coal Study, Executive Summary and Recommendations, 1978; Department of Labor and Industry, Biennial Report, July 1, 1976 through June 30, 1978; Department of Transportation, Annual Report, Small Business Act, 1978; State Board of Optometry, July 1, 1976 through June 30, 1978; State Board of Electricity, July 1, 1976 through June 30, 1978; State Board of Watchmakers, July 1, 1976 through June 30, 1978; State Board of Cosmetology, July 1, 1976 through June 30, 1978; State Board of Architecture, Engineering, Land Surveying and Landscape Architecture, July 1, 1976 through June 30, 1978; State Board of Psychology, July 1, 1976 through June 30, 1978; State Board of Teaching, July 1, 1976 through June 30, 1978; State Board of Veterinary Medicine, July 1, 1976 through June 30, 1978; State Board of Podiatry, July 1, 1976 through June 30, 1978; State Board of Chiropractic Examiners, July 1, 1976 through June 30, 1978; State Board of Dentistry, July 1, 1976 through June 30, 1978; State Board of Peace Officer Standards and Training, July 1, 1976 through June 30, 1978; State Board of Private Detective and Protective Agent Services, July 1, 1976 through June 30, 1978; State Board of Examiners for Nursing Home Administrators, July 1, 1976 through June 30, 1978; State Board of Nursing, July 1, 1976 through June 30, 1978; Department of Economic Security, June 1, 1977 through September 30, 1977; Department of Economic Security, Office of Economic Opportunity, Community Services Administration, 1977; Department of Education, State High School League; Department of Human Rights, 1978; Department of Natural Resources, Timber Sales, 1978; Department of Administration, Progress in Implementation of 911 Telephone System; Department of Agriculture, Family Farm Loans, 1978; Department

of Agriculture, Weather Modification Operations, 1978; Education Commission of the States, 1978; Department of Education, Proposals for School Construction, 1978; Family Farm Advisory Council, Recommendations to Promote Family Farms, 1978; Director of Office of Health Facility Complaints, Annual Report, 1978; Metropolitan Council, Annual Report, 1978; Metropolitan Council, Report on Metropolitan Significance, 1978; Metropolitan Council, Report on Planning Activities and Finances; Metropolitan Council, Report on User Charges and Fees, 1978; Metropolitan Transit Commission, Progress Report on Bus Service Expansion, 1978; Director of Planning, Population Report, 1978; State Planning Agency, Operation of Human Services Boards, 1978; Department of Corrections, Operation of Programs for Battered Women, 1978; State Court Administrator, Uniform Standards and Procedures for Management of Court Employees, 1978; Department of Education, Current Operating Debt of School Districts on June 30, 1977; Department of Education, Statewide Needs Assessment for Handicapped or Disadvantaged Vocational Education, 1978; Department of Health, Training for Nursing Assistants, 1978; Higher Education Coordinating Board, Transferability of Credits Among Post-Secondary and Higher Education Institutions, 1978; Department of Public Safety, Analysis of Alternative Noise Monitoring Devices and Methods; Department of Transportation, Duluth Rail Passenger Service; Department of Transportation, Progress on Public Transit Assistance, 1978; Department of Agriculture, Biennial Report, July 1, 1976 through June 30, 1978; Revisor of Statutes, Concerning Certain Opinions of the Supreme Court, 1978; Department of Administration, Division of Procurement, Annual Report on Small Business Procurement Act, 1978; Department of Public Safety, Biennial Report, 1978; State University System, Biennial Report, 1978; Department of Commerce, Annual Report, 1978; Department of Health, Maternal and Child Nutrition Program, 1978; Pollution Control Agency, Biennial Report on Water Pollution; Minnesota Historical Society, Expenditures of State Money, 1977; Indian Affairs Intertribal Board, 1978; Legislative Commission on Pensions and Retirement, Budget Summary, 1978; Department of Administration, Summary Reports of the Non-health Related Board's Biennial Reports and the Reports of their Servicing Departments, 1978; Department of Finance, Financial Report, years ended June 30, 1977 and June 30, 1978; State Board of Medical Examiners, July 1, 1976 through June 30, 1978; Department of Transportation, Pipeline Involvement Proposal; State Board of Abstractors, July 1, 1976 through June 30, 1978; State Board of Assessors, July 1, 1976 through June 30, 1978; State Board of Barber Examiners, July 1, 1976 through June 30, 1978; State Board of Boxing, July 1, 1976 through June 30, 1978; Commissioner of Corrections, 1978; Crime Victims Reparations Board, 1978; Council on Economic Status of Women, 1978; State Board of Education, Plan for CQE as Title 4 Advisory Council; Minnesota Energy Agency, Annual Report, 1978; Minnesota Energy Agency, Insulation Study, State Impacts on Insulation Activity, 1978; Commissioner of Finance, Report on Tort Claims, 1978; State Board of Health, Annual Report on Hospital Administration, 1978; Humane Society, 1978; State Board of Investment, Pros-

pectus for Minnesota Supplemental Retirement Fund, 1978; Metropolitan Transit Commission, 1978; Legislative Commission on Minnesota Resources, 1978; State Board of Pharmacy, July 1, 1976 through June 30, 1978; Department of Public Safety, Registrar of Motor Vehicles, 1978; Department of Public Safety, Use of Firearms by Peace Officers, 1978; Council on the Affairs of Spanish-Speaking People, 1978.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Chenoweth introduced—

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.

Referred to the Committee on Taxes and Tax Laws. Mr. Keefe, S. questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Humphrey introduced—

S. F. No. 21: A bill for an act relating to retirement; establishing and empowering a temporary joint legislative and public commission on public pension policy; appropriating funds.

Referred to the Committee on Governmental Operations.

Mr. Humphrey introduced—

S. F. No. 22: A bill for an act relating to taxation; real property; delayed assessment of homestead improvement.

Referred to the Committee on Taxes and Tax Laws.

Mr. Humphrey introduced—

S. F. No. 23: A bill for an act appropriating money to the crime control planning board for grants-in-aid to youth intervention programs.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Humphrey introduced—

S. F. No. 24: A bill for an act relating to energy; authorizing establishment of community energy conservation councils; prescribing their powers and duties.

Referred to the Committee on Energy and Housing.

Mr. Humphrey introduced—

S. F. No. 25: 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.

Referred to the Committee on Governmental Operations.

Messrs. Sillers, Moe and Ueland, A. introduced—

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 general obligation and revenue bonds to finance the program.

Referred to the Committee on Local Government.

Messrs. Kirchner, Tennessen, Gearty, Moe and Mrs. Brataas introduced—

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.

Referred to the Committee on Commerce.

Messrs. Peterson, Nichols, Sillers, Strand and Gunderson introduced—

S. F. No. 28: A bill for an act relating to taxation; sales; exempting farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, Setzepfandt, Nichols, Lessard and Jensen introduced—

S. F. No. 29: A bill for an act relating to the state building code; repealing the building code; repealing Minnesota Statutes 1978, Sections 16.83; 16.84; 16.85; 16.851; 16.852; 16.853; 16.854; 16.86; 16.861; 16.862; 16.863; 16.864; 16.865; 16.866 and 16.867.

Referred to the Committee on Energy and Housing.

Messrs. Tennessen, Coleman, Olhoft, Chenoweth and Renneke introduced—

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.

Referred to the Committee on Governmental Operations.

Messrs. Benedict, Chmielewski, Olhoft and Ulland, J. introduced—

S. F. No. 31: A bill for an act proposing an amendment to the Minnesota Constitution, adding a new article; providing for initiative-referendum.

Referred to the Committee on Judiciary.

Messrs. Peterson, Vega, Nichols, Hanson and Sillers introduced—

S. F. No. 32: A bill for an act relating to taxation; inheritance; adopting federal alternative valuation provisions for family farms and businesses; amending Minnesota Statutes 1978, Chapter 291, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, Merriam, Johnson, Sillers and Nichols introduced—

S. F. No. 33: A bill for an act relating to taxation; income tax; reducing the tax rate imposed upon corporations; eliminating the arithmetic average from the formula 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, Merriam, Johnson, Nichols and Sillers introduced—

S. F. No. 34: A bill for an act relating to taxation; income tax; eliminating the arithmetic average from the formula used for apportionment of trade or business income among states; amending Minnesota Statutes 1978, Section 290.19, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, Merriam, Johnson, Nichols and Sillers introduced—

S. F. No. 35: A bill for an act relating to taxation; income tax;

reducing the tax rate imposed upon corporations; amending Minnesota Statutes 1978, Sections 290.06, Subdivision 1; and 290.361, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, Nichols, Strand, Gunderson and Sillers introduced—

S. F. No. 36: A bill for an act relating to taxation; eliminating the inheritance tax and the gift tax; repealing Minnesota Statutes 1978, Chapters 291 and 292.

Referred to the Committee on Taxes and Tax Laws.

Mr. Johnson introduced—

S. F. No. 37: A bill for an act relating to education; appropriating money to plan, construct and equip a fine arts building at Vermillion community college.

Referred to the Committee on Education.

Mr. Johnson introduced—

S. F. No. 38: 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.

Referred to the Committee on Education.

Messrs. Olhofft, Merriam, Bang, Peterson and Wegener introduced—

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; amending Minnesota Statutes 1978, Section 290.61.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ueland, A. and Renneke introduced—

S. F. No. 40: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Davies, Gearty, Merriam, Ogdahl and Knutson introduced—

S. F. No. 41: A bill for an act relating to crimes; prohibiting the offering of bribes to owners and members of the media and the accepting of bribes by such persons; providing penalties; amending Minnesota Statutes 1978, Section 609.42, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Setzepfandt, Peterson, Lessard, Engler and Nichols introduced—

S. F. No. 42: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Setzepfandt, Strand, Schmitz, Jensen and Olson introduced—

S. F. No. 43: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Setzepfandt, Peterson, Lessard, Bernhagen and Nichols introduced—

S. F. No. 44: 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.

Referred to the Committee on Energy and Housing.

Messrs. Chmielewski, Olson, McCutcheon, Setzepfandt and Silvers introduced—

S. F. No. 45: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Lessard, Peterson, Hanson, Johnson and Willet introduced—

S. F. No. 46: A bill for an act relating to game and fish; removing crows from the list of unprotected wild animals and

authorizing a season thereon; amending Minnesota Statutes 1978, Section 100.26, Subdivision 2; and 100.27, Subdivision 6.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Lessard, Setzepfandt, Moe, Engler and Chmielewski introduced—

S. F. No. 47: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Johnson; Keefe, S.; Sikorski and Spear introduced—

S. F. No. 48: 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.

Referred to the Committee on Commerce.

Mr. Benedict introduced—

S. F. No. 49: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson, Willet, Lessard, Ashbach and Perpich introduced—

S. F. No. 50: A bill for an act relating to the Boundary Waters Canoe Area; providing for a temporary citizen's committee thereon.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Davies, Strand, Dieterich, Knutson and Sieloff introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Davies, Sikorski, Merriam, Sieloff and Knutson introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Davies, Sieloff, Hanson, Knutson and Tennessen introduced—

S. F. No. 53: A bill for an act relating to highway traffic regulations; providing for a confidential test of drivers believed to be under the influence of alcohol or controlled substances and providing for the procedures therefor; providing penalties; amending Minnesota Statutes 1978, Section 169.123, Subdivisions 2 and 3, and by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Davies, Sieloff, Hanson, Knutson and Tennessen introduced—

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 2; 317.20, Subdivision 1; and 317.21, Subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Davies, Sieloff, Gearty and Knutson introduced—

S. F. No. 55: A bill for an act relating to probate; eliminating requirement of notice to representatives of foreign countries in certain formal testacy proceedings; amending Minnesota Statutes 1978, Section 524.3-403.

Referred to the Committee on Judiciary.

Messrs. Davies, Merriam and Knutson introduced—

S. F. No. 56: A bill for an act relating to civil actions; providing for recognition of money judgments of foreign states; providing that any party to a claim related to a foreign state may move

for an order converting the alleged obligation to a domestic obligation.

Referred to the Committee on Judiciary.

Messrs. Davies, Willet, Gunderson and Knutson introduced—

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.

Referred to the Committee on Commerce.

Messrs. Davies, Willet, Gunderson and Knutson introduced—

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, Section 65B.44, Subdivision 1; 65B.47, by adding a subdivision; and 65B.49, Subdivisions 4 and 6.

Referred to the Committee on Commerce.

Messrs. Davies, Willet, Gunderson and Knutson introduced—

S. F. No. 59: 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.

Referred to the Committee on Commerce.

Messrs. Davies; Gearty; Keefe, S.; Schmitz and Pillsbury introduced—

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.

Referred to the Committee on Elections.

Messrs. Davies; Keefe, S.; Gearty; Coleman and Pillsbury introduced—

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.

Referred to the Committee on Elections.

Messrs. Davies, Gearty, Coleman and Pillsbury introduced—

S. F. No. 62: A bill for an act relating to elections and election contests; requiring prior notice of alleged violations in cases involving alleged violation of certain campaign literature laws; amending Minnesota Statutes 1978, Section 209.02, Subdivision 5.

Referred to the Committee on Elections.

Messrs. Davies, Lessard, Merriam and Sieloff introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Davies, Sieloff, Dunn, Coleman and Tennesen introduced—

S. F. No. 64: A bill for an act relating to evidence; declaring certain kinds of records of legislative proceedings to be not relevant evidence of legislative intent.

Referred to the Committee on Judiciary.

Messrs. Davies, Strand, Stokowski, Mrs. Knaak and Mr. Ogdahl introduced—

S. F. No. 65: A bill for an act relating to retirement; restricting vesting of increases in public pension benefits; amending Minnesota Statutes 1978, Section 356.18, by adding a subdivision.

Referred to the Committee on Governmental Operations.

Messrs. Davies, Merriam, Sieloff and Dunn introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Davies, Dieterich, Sikorski, Dunn and Sieloff introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Davies, Sieloff, Dieterich, Sikorski and Dunn introduced—

S. F. No. 68: A bill for an act relating to statutes; defining terms; amending Minnesota Statutes 1978, Section 645.44.

Referred to the Committee on Judiciary.

Messrs. Davies, Merriam, Sieloff and Dunn introduced—

S. F. No. 69: A bill for an act proposing an amendment to the Minnesota Constitution; changing Article V, Sections 1, 2 and 5; eliminating the office of lieutenant governor and providing for succession to the governorship.

Referred to the Committee on Governmental Operations.

Messrs. Davies, Moe and Ogdahl introduced—

S. F. No. 70: A bill for an act relating to state government; providing for the maintenance of spending priorities established by state law in cases of legal challenge; appropriating money; amending Minnesota Statutes 1978, Section 8.14.

Referred to the Committee on Governmental Operations.

Messrs. Davies, Sikorski, Gearty, Mrs. Knaak and Mr. Pillsbury introduced—

S. F. No. 71: 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.

Referred to the Committee on Governmental Operations.

Messrs. Davies; Gearty; Keefe, S.; Schmitz and Pillsbury introduced—

S. F. No. 72: A bill for an act relating to elections; providing for the official identification of ballots; amending Minnesota Statutes 1978, Sections 123.32, Subdivision 5; 203A.13; 203A.15; 204A.26, Subdivision 1; 204A.32, Subdivision 3; and 206.17.

Referred to the Committee on Elections.

Messrs. Davies; Keefe, S.; Gearty; Coleman and Pillsbury introduced—

S. F. No. 73: A bill for an act relating to elections; prohibiting infiltration and sabotage of political campaigns; providing penal-

ties; amending Minnesota Statutes 1978, Chapter 210A, by adding a section.

Referred to the Committee on Elections.

Messrs. Davies; Keefe, S.; Gearty; Coleman and Pillsbury introduced—

S. F. No. 74: 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.

Referred to the Committee on Elections.

Messrs. Lewis and Spear introduced—

S. F. No. 75: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Spear, Lewis, Tennessen, Knoll and Ulland, J. introduced—

S. F. No. 76: A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

Referred to the Committee on Judiciary.

Messrs. Wegener, Setzepfandt, Willet, Lessard and Ueland, A. introduced—

S. F. No. 77: 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.

Referred to the Committee on Energy and Housing.

Messrs. Tennessen, Strand, Ogdahl, Coleman and Stokowski introduced—

S. F. No. 78: 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.

Referred to the Committee on Governmental Operations.

Messrs. Frederick, Bernhagen, Mrs. Brataas, Messrs. Rued and Laufenburger introduced—

S. F. No. 79: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Solon introduced—

S. F. No. 80: A bill for an act relating to retirement; reinstating disability benefits to a certain member of the public employees retirement association.

Referred to the Committee on Governmental Operations.

Mr. Sieloff introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Lewis, Coleman, McCutcheon and Kirchner introduced—

S. F. No. 82: A bill for an act relating to crimes; allowing the arrest without a warrant of certain persons who have violated restraining orders; amending Minnesota Statutes 1978, Section 629.34.

Referred to the Committee on Judiciary.

Messrs. McCutcheon, Frederick, Schrom, Wegener and Olson introduced—

S. F. No. 83: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Lewis, Perpich, Knoll and Kirchner introduced—

S. F. No. 84: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Sieloff introduced—

S. F. No. 85: A bill for an act relating to health care plans for employees; exempting certain accident and health plans from the comprehensive health insurance act of 1976; amending Minnesota Statutes 1978, Section 62E.02, Subdivision 9.

Referred to the Committee on Commerce.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

March 17, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Livestock Sanitary Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Lois-Elaine Lindberg, Rt. 2, Box 43, Miltona, Douglas County, has been appointed by me, effective January 31, 1978, for a term expiring the first Monday in January, 1982.

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

March 17, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Livestock Sanitary Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Dr. Eugene Karnis, Rt. 5, Box 573, Alexandria, Douglas County, has been appointed by me, effective January 31, 1978, for a term expiring the first Monday in January, 1981.

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

March 17, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Environmental Education

Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Jean Replinger, 300 North Hill, Marshall, Lyon County, has been appointed by me, effective February 20, 1978, for a term expiring the first Monday in January, 1981.

William Barbeau, 2564 Rhode Island Avenue N., Golden Valley, Hennepin County, has been appointed by me, effective March 13, 1978, for a term expiring the first Monday in January, 1982.

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

March 17, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Council on Quality Education is hereby respectfully submitted to the Senate for confirmation as required by law:

Judy Lawrence Roy, Red Lake, Beltrami County, has been appointed by me, effective February 20, 1978, for a term expiring the first Monday in January, 1980.

(Referred to the Committee on Education.)

March 20, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Council on Quality Education is hereby respectfully submitted to the Senate for confirmation as required by law:

Anna Barker, 8129 Hemingway, Cottage Grove, Washington County, has been appointed by me, effective March 20, 1978, for a term expiring the first Monday in January, 1981.

(Referred to the Committee on Education.)

March 22, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota-Wisconsin Boundary Area Commission is hereby respectfully submitted to the Senate for confirmation as required by law:

Mary B. Swanger, Island View Drive, RR 1, Wabasha, Wabasha County, has been appointed by me, effective February 20, 1978, for term expiring July 1, 1981.

(Referred to the Committee on Governmental Operations.)

March 28, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Water Resources Board is hereby respectfully submitted to the Senate for confirmation as required by law:

F. Robert Starr, Route 2, Redwood Falls, Redwood County, has been appointed by me, effective March 24, 1978, for a term expiring the first Monday in January, 1979.

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

March 28, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Capitol Area Architectural and Planning Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Dr. Thomas G. Reichert, 918 St. Germain Street, St. Cloud, Stearns County, has been appointed by me, effective March 28, 1978, for a term expiring the first Monday in January, 1982.

(Referred to the Committee on General Legislation and Administrative Rules.)

April 1, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Higher Education Coordinating Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Dr. Geraldine Carter, 1706 Thomas Avenue N., Minneapolis, Hennepin County, has been appointed by me, effective January 1, 1978, for a term expiring the first Monday in January, 1982.

(Referred to the Committee on Education.)

April 1, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Higher Education Coordinating Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Emil A. Erickson, 1009 3rd Street S., Virginia, St. Louis County, has been appointed by me, effective January 1, 1978, for a term expiring the first Monday in January, 1981.

(Referred to the Committee on Education.)

April 1, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Higher Education Coordinating Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Maxine Gaines, 191 Valleyside Drive, St. Paul, Ramsey County, has been appointed by me effective January 1, 1978, for a term expiring the first Monday in January, 1982.

(Referred to the Committee on Education.)

April 1, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Higher Education Coordinating Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Eunice Johnson, RR, Butterfield, Watonwan County, has been appointed by me, effective January 1, 1978, for a term expiring the first Monday in January, 1981.

(Referred to the Committee on Education.)

April 1, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Corrections Board is hereby

respectfully submitted to the Senate for confirmation as required by law:

Richard Alstad, 4700 Virginia Lane, Edina, Hennepin County, has been appointed by me, effective January 1, 1978, for a term expiring the first Monday in January, 1984.

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

April 24, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Metropolitan Council is hereby respectfully submitted to the Senate for confirmation as required by law:

Dirk deVries, 18600 Woolman Drive, Minnetonka, Hennepin County, has been appointed by me, effective March 17, 1978, for a term expiring the first Monday in January, 1979.

(Referred to the Committee on Governmental Operations.)

April 28, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Board on Judicial Standards is hereby respectfully submitted to the Senate for confirmation as required by law:

Juanita Young, 7007 45th Avenue North, Minneapolis, Hennepin County, has been appointed by me, effective April 28, 1978, for a term expiring the first Monday in January, 1982.

(Referred to the Committee on Judiciary.)

April 28, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Board on Judicial Standards is hereby respectfully submitted to the Senate for confirmation as required by law:

David Coleman, 130 North Virginia, St. Paul, Ramsey County, has been appointed by me, effective April 28, 1978, for a term expiring the first Monday in January, 1982.

(Referred to the Committee on Judiciary.)

May 2, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Designer Selection Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Russell Mroczek, 312 Cedar Lake Rd., Minneapolis, Hennepin County, has been appointed by me, effective May 1, 1978, for a term expiring the first Monday in January, 1982.

(Referred to the Committee on Governmental Operations.)

May 12, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Board of Education is hereby respectfully submitted to the Senate for confirmation as required by law:

Mary Birmingham, 328 Pleasant Street, Mankato, Blue Earth County, has been appointed by me, effective May 12, 1978, for a term expiring January 5, 1981.

(Referred to the Committee on Education.)

May 15, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Rod Belsheim, 607 South First Street, Marshall, Yellow Medicine County, has been appointed by me, effective May 15, 1978, for a term expiring January 1, 1979.

(Referred to the Committee on Commerce.)

May 30, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Public Service Commission

is hereby respectfully submitted to the Senate for confirmation as required by law:

Lillian F. Warren-Lazenberry, 4901 Portland Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective May 30, 1978, for a term expiring January 2, 1984.

(Referred to the Committee on Commerce.)

June 7, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Environmental Quality Board is hereby respectfully submitted to the Senate for confirmation as required by law:

William Maher, 217 Viola Street, Mankato, Blue Earth County, has been appointed by me, effective June 7, 1978, for a term expiring the first Monday in January, 1980.

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

June 29, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Ethical Practices Board is hereby respectfully submitted to the Senate for confirmation as required by law:

John W. 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.

(Referred to the Committee on Elections.)

July 27, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Rochelle Barnhart, 3322 Clinton Avenue South, Minneapolis,

Hennepin County, has been appointed by me, effective July 27, 1978, for a term expiring the first Monday in January, 1981.

(Referred to the Committee on Commerce.)

July 27, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Gene Loffler, 250 Valley Green Mobile Park, Jordan, Scott County, has been appointed by me, effective July 27, 1978, for a term expiring the first Monday in January, 1980.

(Referred to the Committee on Commerce.)

July 27, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Board for Community Colleges is hereby respectfully submitted to the Senate for confirmation as required by law:

Brad Plowman, 4137 Drew Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective July 27, 1978, for a term expiring January 1, 1979.

(Referred to the Committee on Education.)

August 22, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Council on Quality Education is hereby respectfully submitted to the Senate for confirmation as required by law:

Loria Danage-Scott, 2021 Edgerton, Apt. 319, Maplewood, Ramsey County, has been appointed by me, effective August 22, 1978, for a term expiring the first Monday in January, 1982.

(Referred to the Committee on Education.)

November 1, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Gillette Hospital Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Florence Gray, 1401 West Minnehaha Parkway, Minneapolis, Hennepin County, has been appointed by me, effective November 1, 1978, for a term expiring January 3, 1983.

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

November 1, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Gillette Hospital Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Dr. Richard J. Aadelen, 4924 Dale Drive, Edina, Hennepin County, has been appointed by me, effective November 1, 1978, for a term expiring the first Monday in January, 1983.

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

November 13, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Water Resources Board is hereby respectfully submitted to the Senate for confirmation as required by law:

William T. Sillman, 1021 W. Wabasha, Winona, Winona County, has been appointed by me, effective July 27, 1978, for a term expiring January 7, 1980.

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

November 13, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Gillette Hospital Board is

hereby respectfully submitted to the Senate for confirmation as required by law:

Geoffrey L. Kaufmann, 6405 McCauley Circle, Edina, Hennepin County, has been appointed by me, effective November 1, 1978, for a term expiring January 5, 1981.

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

November 13, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Gillette Hospital Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Richard E. Harris, 1291 Bohland Place, St. Paul, Ramsey County, has been appointed by me, effective November 1, 1978, for a term expiring January 3, 1983.

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

November 15, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Samuel O. Verdeja, 273 East Winifred, St. Paul, Ramsey County, has been appointed by me, effective October 10, 1978, for a term expiring January 5, 1981.

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

November 29, 1978

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Soil and Water Conservation Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Dennis Sullivan, Rt. 1, Kellogg, Wabasha County, has been appointed by me, effective November 29, 1978, for a term expiring the first Monday in January, 1981.

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

Sincerely,

Rudy Perpich, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House of Representatives of the State of Minnesota is now duly organized pursuant to law and has elected the following officers:

Rodney N. Searle, Speaker

Edward A. Burdick, Chief Clerk

Betty M. Hayenga, First Assistant Chief Clerk

Daniel L. Kane, Second Assistant Chief Clerk

John Kivimaki, Postmaster

Robert A. Marquardt, Assistant Postmaster

Walter C. Strand, Chief Sergeant at Arms

Lawrence W. Bothwell, Assistant Sergeant at Arms

M. J. Hedstrom, Assistant Sergeant at Arms

Stephen E. Fischer, Index Clerk

Rev. Philip L. Hansen, Chaplain

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 8, 1979

MOTIONS AND RESOLUTIONS

Mr. Nichols moved that the names of Messrs. Strand and Nelson be added as co-authors to S. F. No. 6. The motion prevailed.

Mr. McCutcheon moved that the name of Mr. Nelson be added as co-author to S. F. No. 8. The motion prevailed.

Mr. Nichols moved that the names of Messrs. Nelson, Menning, Lessard and Olhoft be added as co-authors to S. F. No. 11. The motion prevailed.

Mr. Nichols moved that the names of Messrs. Strand and Olhoft be added as co-authors to S. F. No. 15. The motion prevailed.

Mr. Nichols moved that the name of Mr. Strand be added as co-author to S. F. No. 16. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until

10:00 o'clock a.m., Thursday, January 11, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FOURTH DAY

St. Paul, Minnesota, Thursday, January 11, 1979

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

Prayer was offered by the Chaplain, Rev. Wayne Like.

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

Anderson	Frederick	Lessard	Perpich	Spear
Ashbach	Gearty	Lewis	Peterson	Stokowski
Bang	Gunderson	Luther	Pillsbury	Strand
Benedict	Hanson	McCutcheon	Purfeerst	Stumpf
Bernhagen	Hughes	Menning	Renneke	Tennessee
Brataas	Jensen	Merriam	Rued	Ueland, A.
Chenoweth	Johnson	Moe	Schaaf	Ulland, J.
Chmielewski	Keefe, S.	Nelson	Schmitz	Vega
Coleman	Kirchner	Nichols	Schrom	Wegener
Davies	Kleinbaum	Ogdahl	Setzepfandt	Willet
Dieterich	Knaak	Olhoff	Sieloff	
Dunn	Knutson	Olson	Sikorski	
Engler	Laufenburger	Penny	Sillers	

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Humphrey; Keefe, J.; Knoll; Mrs. Staples and Mr. Solon were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Sillers, Peterson and Sieloff introduced—

S. F. No. 86: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Nelson introduced—

S. F. No. 87: A bill for an act relating to the city of Austin; authorizing an on-sale liquor license for Riverside Arena.

Referred to the Committee on Commerce.

Mr. Nelson introduced—

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.

Referred to the Committee on Local Government.

Mr. Nelson introduced—

S. F. No. 89: 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.

Referred to the Committee on Education.

Mr. Moe introduced—

S. F. No. 90: A bill for an act relating to retirement; granting disability benefits to a certain member of the public employees retirement association.

Referred to the Committee on Governmental Operations.

Mr. Olhoft introduced—

S. F. No. 91: 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.

Referred to the Committee on Education.

Mr. Olhoft introduced—

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.

Referred to the Committee on Local Government.

Mr. Sieloff introduced—

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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff introduced—

S. F. No. 94: A bill for an act relating to taxation; providing a tax credit for persons whose Social Security benefits are reduced or required to be repaid because of excess earnings of the recipient; appropriating money; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff; Ueland, A. and Engler introduced—

S. F. No. 95: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Purfeerst introduced—

S. F. No. 96: A bill for an act relating to the city of Northfield; authorizing an increase in firemen's service pensions.

Referred to the Committee on Governmental Operations.

Mr. Benedict introduced—

S. F. No. 97: A bill for an act relating to education; directing the commissioner of education to sponsor regional seminars on the school breakfast program; appropriating money.

Referred to the Committee on Education.

Mr. Benedict introduced—

S. F. No. 98: A bill for an act relating to taxation; providing an additional tax on gasoline and special fuel; directing that the additional tax be used for alternative energy research, development and low cost home loans; providing an appropriation; proposing a constitutional amendment to Article XIV, Sections 5 and 10 to allow such a use of tax revenue; amending Minnesota Statutes 1978, Section 296.18, Subdivisions 4 and 5; and Chapter 296, by adding a section.

Referred to the Committee on Transportation.

Messrs. McCutcheon, Coleman, Merriam and Hanson introduced—

S. F. No. 99: A bill for an act relating to taxation; providing for one-time exclusion from gross income of gain from sale of principal residence; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Benedict, Schrom, Willet and Penny introduced—

S. F. No. 100: A bill for an act proposing an amendment to the Minnesota Constitution to add an article to provide for initiative and referendum.

Referred to the Committee on Judiciary.

Messrs. Sieloff, Bang and Davies introduced—

S. F. No. 101: A bill for an act relating to taxation; inheritance tax; clarifying certain deductions; amending Minnesota Statutes 1978, Section 291.07, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff, Mrs. Knaak and Mr. Ulland, J. introduced—

S. F. No. 102: 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.

Referred to the Committee on Elections.

Mr. Sieloff, Mrs. Knaak and Mr. Ulland, J. introduced—

S. F. No. 103: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Engler, Mrs. Knaak and Mr. Ulland, J. introduced—

S. F. No. 104: A bill for an act relating to taxation; excluding amounts received by beneficiaries from individual retirement accounts or self-employed plans from estate for inheritance tax purposes; amending Minnesota Statutes 1978, Section 291.065.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Setzepfandt, Wegener, Engler, Nichols and Lessard introduced—

S. F. No. 105: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Setzepfandt, Lessard, Engler, Nichols and Wegener introduced—

S. F. No. 106: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ueland, A.; Renneke and Dunn introduced—

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.

Referred to the Committee on Governmental Operations.

Messrs. Setzepfandt, Nichols, Olson, Engler and Strand introduced—

S. F. No. 108: 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.

Referred to the Committee on Education.

Messrs. Setzepfandt, Moe, Hanson, Strand and Sillers introduced—

S. F. No. 109: 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.

Referred to the Committee on Transportation.

Mr. Schrom introduced—

S. F. No. 110: A bill for an act relating to metropolitan government; setting the revenues of the metropolitan sports facilities commission; repealing the liquor tax authority; amending Minnesota Statutes 1978, Section 473.581; repealing Minnesota Statutes 1978, Section 473.591.

Referred to the Committee on Taxes and Tax Laws. Mr. Keefe, S. questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Sieloff; Dunn; Ueland, A.; Mrs. Knaak and Mr. Engler introduced—

S. F. No. 111: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Dunn, Engler, Mrs. Knaak and Mr. Ueland, A. introduced—

S. F. No. 112: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson and Hanson introduced—

S. F. No. 113: A bill for an act relating to taxation; income; allowing consolidated corporate tax returns; amending Minnesota Statutes 1978, Section 290.34, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, Willet, Setzepfandt, Hanson and Strand introduced—

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; amending Minnesota Statutes 1978, Sections 290.06, by adding a subdivision; and 296.18, Subdivisions 1, 2, and 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Frederick, Sillers and Engler introduced—

S. F. No. 115: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Engler and Frederick introduced—

S. F. No. 116: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davies, Dunn, Engler, Strand and Schrom introduced—

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.

Referred to the Committee on Local Government.

Messrs. Davies, Sieloff, McCutcheon, Strand and Lessard introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Davies, McCutcheon, Lessard, Strand and Sieloff introduced—

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 subdivisions.

Referred to the Committee on Judiciary.

Messrs. Davies, Luther, Laufenburger, Sikorski and Ulland, J. introduced—

S. F. No. 120: A bill for an act relating to consumer credit sales; providing for calculation of finance charges on open end credit sales; amending Minnesota Statutes 1978, Section 334.16, by adding a subdivision.

Referred to the Committee on Commerce.

Messrs. Davies, Coleman, Merriam, Ogdahl and Ulland, J. introduced—

S. F. No. 121: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; removing references to legislative days.

Referred to the Committee on Rules and Administration.

Messrs. Davies, Hanson, Merriam and Ulland, J. introduced—

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.

Referred to the Committee on Commerce.

Messrs. Davies, Merriam, Sieloff and Ulland, J. introduced—

S. F. No. 123: 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.

Referred to the Committee on Governmental Operations.

Messrs. Sieloff, Engler, Mrs. Knaak and Mr. Davies introduced—

S. F. No. 124: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Willet introduced—

S. F. No. 125: 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.

Referred to the Committee on Energy and Housing.

Mr. Moe introduced—

S. F. No. 126: A bill for an act relating to the city of Crookston; contributions and benefits for members of the Crookston fire department relief association; amending Laws 1971, Chapter 51, Sections 10, Subdivision 3; and 14, Subdivisions 1, 4, 5, 6, 7, 9, and 11.

Referred to the Committee on Governmental Operations.

Messrs. Hughes, Anderson and Sillers introduced—

S. F. No. 127: 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.

Referred to the Committee on Education.

Messrs. Sieloff, Frederick, Sillers and Hughes introduced—

S. F. No. 128: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Luther introduced—

S. F. No. 129: 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.

Referred to the Committee on Elections.

REPORTS OF COMMITTEES

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

Mr. Davies 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.

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

Mr. Davies 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.

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

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

S. F. No. 68: A bill for an act relating to statutes; defining terms; amending Minnesota Statutes 1978, Section 645.44.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 63, 67 and 68 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Benedict moved that the names of Messrs. Strand and Vega be added as co-authors to S. F. No. 49. The motion prevailed.

Mr. Lewis moved that the name of Mr. Nelson be added as co-author to S. F. No. 84. The motion prevailed.

Mr. Sillers moved that the name of Mr. Olhoft be added as co-author to S. F. No. 86. The motion prevailed.

ANNOUNCEMENT TO THE SENATE

Mr. Coleman offered the following and asked that it be printed in the Journal.

The income accounts of Coleman/Goff, Inc. are:

Blue Shield of California

ITT Industrial Credit Company

Northwestern National Bank of Saint Paul

Northwest Bancorporation

Leamington Hotel

Kate-Lo Minnesota

Advo Systems, Inc.

St. Paul-Ramsey Medical Education and Research Foundation

Saint Paul-Ramsey Medical Center

National Association of Electrical Contractors, St. Paul Chapter

Western States Life Ins. Co.

Mr. Coleman moved that the foregoing announcement be printed in the Journal. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman offered the following and asked that it be printed 6:30 o'clock p.m., Monday, January 15, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FIFTH DAY

St. Paul, Minnesota, Monday, January 15, 1979

The Senate met at 6:30 o'clock p.m. and was called to order by the President.

CALL OF THE SENATE

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

Ashbach	Frederick	Knaak	Ogdahl	Sieloff
Bang	Gearty	Knutson	Penny	Solon
Benedict	Gunderson	Laufenburger	Peterson	Spear
Bernhagen	Hanson	Lessard	Pillsbury	Staples
Chenoweth	Humphrey	Lewis	Purfeerst	Strand
Chmielewski	Jensen	Luther	Renneke	Stumpf
Coleman	Johnson	McCutcheon	Rued	Tennessee
Dieterich	Keefe, S.	Menning	Schmitz	Ulland, J.
Dunn	Kirchner	Moe	Schrom	Vega
Engler	Kleinbaum	Nelson	Setzepfandt	Willet

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

Prayer was offered by the Chaplain, Rev. Wayne Like.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Anderson, Mrs. Brataas, Messrs. Hughes, Olson, Perpich, Sillers and Ueland, A. were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Davies, Sikorski, McCutcheon, Sieloff and Keefe, J. introduced—

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; 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.

Referred to the Committee on Judiciary.

Messrs. Davies, Tennessen, Strand and Keefe, J. introduced—

S. F. No. 131: A bill for an act relating to property; enacting the uniform disposition of community property rights at death act.

Referred to the Committee on Judiciary.

Messrs. Davies; Merriam; Strand; Ulland, J. and Sillers introduced—

S. F. No. 132: A bill for an act relating to civil actions; authorizing only the court to award punitive damages; amending Minnesota Statutes 1978, Section 549.20, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Davies, Tennessen, Strand, Sikorski and Keefe, J. introduced—

S. F. No. 133: A bill for an act relating to partnerships; enacting the 1976 uniform limited partnership act.

Referred to the Committee on Judiciary.

Messrs. Davies, Merriam, Sillers and Keefe, J. introduced—

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; 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.

Referred to the Committee on Judiciary.

Messrs. Davies, Hanson, Sikorski and Keefe, J. introduced—

S. F. No. 135: A bill for an act relating to courts; providing for treatment of class actions; enacting the uniform class actions act.

Referred to the Committee on Judiciary.

Messrs. Davies, Sikorski, Coleman and Keefe, J. introduced—

S. F. No. 136: A bill for an act relating to product liability actions; removing certain inconsistencies in the statutes governing apportionment of damages; amending Minnesota Statutes 1978, Section 604.02, Subdivision 3.

Referred to the Committee on Judiciary.

Mr. Sieloff introduced—

S. F. No. 137: A bill for an act relating to taxation; eliminating the throwback rule for taxation of accumulation distribution made by a trust; repealing Minnesota Statutes 1978, Section 290.23, Subdivision 15.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff and Renneke introduced—

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 satis-

faction of judgment; amending Minnesota Statutes 1978, Sections 481.08 and 548.15.

Referred to the Committee on Judiciary.

Mr. Sieloff and Mrs. Knaak introduced—

S. F. No. 139: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davies, Tennessen, Hanson, Sillers and Keefe, J. introduced—

S. F. No. 140: 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.

Referred to the Committee on Judiciary.

Messrs. Davies, Strand, Dieterich and Keefe, J. introduced—

S. F. No. 141: A bill for an act relating to crimes and criminals; adjusting the penalties for various offenses classified as misdemeanors and other similar type offenses to provide uniformity; amending Minnesota Statutes 1978, Sections 12.45; 24.181; 29.28; 31.185, Subdivision 13; 31.403; 31.405; 31.58; 31.611; 32.101; 32.534; 32.645, Subdivision 2; 34.113; 35.70, Subdivision 1; 65B.13; 71A.08, Subdivision 1; 79.23; 88.14, Subdivision 2; 88.19; 127.19; 127.20; 145.24, Subdivision 3; 154.19; 168.36, Subdivision 2; 180.10; 219.383, Subdivision 5; 222.06; 232.06, Subdivision 7; 297.25, Subdivision 1; 299G.10; 325.48; 325.83, Subdivision 2; 325.84, Subdivision 5; 327.07; 333.13; 346.23; 346.26; 346.28; 346.29; 481.05; 514.66; 609.17, Subdivision 4; 609.175, Subdivision 2; 609.27, Subdivision 2; 609.375, Subdivision 1; 609.485, Subdivision 4; 609.50; 609.52, Subdivision 3; 609.551, Subdivision 1; 609.563, Subdivision 2; 609.576; 609.615; 609.65; 609.785, Subdivision 1; 609.82; and 617.23.

Referred to the Committee on Judiciary.

Messrs. Davies, Strand, Dieterich and Keefe, J. introduced—

S. F. No. 142: A bill for an act relating to crimes and criminals; adjusting the penalties for various offenses classified as petty misdemeanors and other similar offenses to provide uniformity; amending Minnesota Statutes 1978, Sections 17.23, Subdivision 3; 21.122; 21.58, Subdivision 1; 29.091, Subdivision 7; 32.205;

33.091; 64A.46, Subdivision 2; 69.58; 88.11, Subdivision 2; 88.13, Subdivision 3; 168.275; 175.34; 183.61, Subdivision 6; 197.59; 218.071, Subdivision 2; 219.97, Subdivision 6; 223.08, Subdivision 1; 235.04; 239.511, Subdivision 3; 325.77, Subdivision 6; 329.17, Subdivision 2; 373.26, Subdivision 5; 488A.06, Subdivision 4; 509.02; 509.03; 609.685; 624.03; 624.65, Subdivision 3; and 641.10.

Referred to the Committee on Judiciary.

Messrs. Davies, Strand, Dieterich and Keefe, J. introduced—

S. F. No. 143: A bill for an act relating to crimes and criminals; repealing laws proscribing certain criminal offenses; repealing Minnesota Statutes 1978, Sections 12.34, Subdivision 3; 35.70, Subdivision 2; 127.17, Subdivision 4; 145.35; 154.20; 181.28; 181.29; 181.30; 219.02; 219.57; 219.67; 219.86; 219.87; 219.97, Subdivisions 1, 8, 9, and 16; 229.18; 229.19; 229.20; 325.245; 333.135; 340.83; 340.88; 340.89; 340.90; 340.91; 340.92; 340.93; 395.14; 395.15; 395.16; 395.17; 395.18; 395.19; 395.20; 395.21; 395.22; 395.23; 395.24; and 631.04.

Referred to the Committee on Judiciary.

Messrs. Davies, Olhoft, Peterson, Sieloff and Sillers introduced—

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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davies, Merriam, Strand and Sillers introduced—

S. F. No. 145: A bill for an act relating to workers' compensation; limiting products liability in case of workplace injury; amending Minnesota Statutes 1978, Section 176.061, Subdivision 4.

Referred to the Committee on Judiciary.

Messrs. Davies, Hanson, Sikorski and Keefe, J. introduced—

S. F. No. 146: 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.

Referred to the Committee on Judiciary.

Messrs. Davies, Sillers and Spear introduced—

S. F. No. 147: A bill for an act relating to evidence; providing for audio-visual recording of evidence; enacting the Uniform Audio-Visual Deposition Act.

Referred to the Committee on Judiciary.

Messrs. Davies, Dunn and Spear introduced—

S. F. No. 148: A bill for an act relating to commerce; authorizing variable or indexed principal contracts; amending Minnesota Statutes 1978, Chapter 334, by adding a section.

Referred to the Committee on Commerce.

Mr. Humphrey introduced—

S. F. No. 149: 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.

Referred to the Committee on Judiciary.

Messrs. Willet, Chmielewski and Gunderson introduced—

S. F. No. 150: A bill for an act relating to the state 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; appropriating money; amending Minnesota Statutes 1978, Section 16.861, Subdivision 4, and by adding a subdivision.

Referred to the Committee on Energy and Housing.

Messrs. Sieloff; Engler; Ueland, A.; Mrs. Knaak and Mr. Chmielewski introduced—

S. F. No. 151: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Lewis and Spear introduced—

S. F. No. 152: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Wegener, Bernhagen and Purfeerst introduced—

S. F. No. 153: 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.

Referred to the Committee on Judiciary.

Messrs. Purfeerst, Renneke and Engler introduced—

S. F. No. 154: A bill for an act relating to appropriations; appropriating funds for the replacement of King's Mill Dam.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Purfeerst, Wegener, Nichols, Hanson and Bernhagen introduced—

S. F. No. 155: A bill for an act relating to natural resources; modifying certain trespass laws; amending Minnesota Statutes 1978, Section 100.273, Subdivisions 1 and 2.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Dieterich, Chmielewski, Stokowski, Dunn and McCutcheon introduced—

S. F. No. 156: A bill for an act relating to taxation; inheritance tax; making Minnesota tax a percentage of federal estate tax due; proposing an amendment to Article X of the Minnesota Constitution permitting a state tax on estates to be a percentage of the federal estate tax; amending Minnesota Statutes 1978, Sections 291.005, Subdivision 1; 291.01, Subdivisions 1 and 5; 291.02; 291.09, Subdivisions 1 and 2; and Chapter 291 by adding a section; repealing Minnesota Statutes 1978, Sections 291.01, Subdivisions 2, 3 and 4; 291.03; 291.05; 291.051; 291.06; 291.065; 291.07; 291.08; 291.09, Subdivision 5; 291.10; 291.11, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 291.111; and 291.23.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich, Willet, Stokowski, Wegener and Ueland, A. introduced—

S. F. No. 157: 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.

Referred to the Committee on Judiciary.

Messrs. Anderson, Sillers, Sikorski, Bang and Moe introduced—

S. F. No. 158: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Kleinbaum, Dunn, Bang, Laufenburger and Penny introduced—

S. F. No. 159: 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.

Referred to the Committee on Commerce.

Messrs. Menning, Nichols, Schrom, Renneke and Ashbach introduced—

S. F. No. 160: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Menning and Nichols introduced—

S. F. No. 161: A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

Referred to the Committee on Judiciary.

Messrs. Menning, Setzepfandt, Bernhagen and Schmitz introduced—

S. F. No. 162: 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.

Referred to the Committee on Judiciary.

Messrs. Wegener, Schrom, Engler and Strand introduced—

S. F. No. 163: 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.

Referred to the Committee on Education.

Mr. Ueland, A.; Mrs. Brataas; Messrs. Stokowski; Sillers and Nelson introduced—

S. F. No. 164: A bill for an act relating to education; providing aid to schools employing teachers with advanced training and above average experience; appropriating money.

Referred to the Committee on Education.

Messrs. Setzepfandt, Nichols, Strand, Olson and Renneke introduced—

S. F. No. 165: A bill for an act relating to agriculture; establishing a swine disease research center; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Sieloff, Mrs. Knaak, Messrs. Stumpf and Menning introduced—

S. F. No. 166: A bill for an act relating to taxation; providing a deduction from income for a lessee's share of real property taxes paid on his rented residence less the amount of any rent credit; disallowing deductions in certain sham rental situations; amending Minnesota Statutes 1978, Section 290.09, Subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ueland, A.; Schmitz; Engler; Purfeerst and Penny introduced—

S. F. No. 167: A bill for an act relating to railroads; regulating the disposal of certain abandoned property.

Referred to the Committee on Transportation.

Messrs. Hughes; Ogdahl; Moe; Ueland, A. and Dieterich introduced—

S. F. No. 168: 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.

Referred to the Committee on Education.

Messrs. Bernhagen, Merriam, Sillers, Rued and Hughes introduced—

S. F. No. 169: 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.

Referred to the Committee on Education.

Messrs. Kleinbaum, Nichols, Renneke, Olson and Willet introduced—

S. F. No. 170: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Laufenburger introduced—

S. F. No. 171: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Davies introduced—

S. F. No. 172: A bill for an act relating to creditor's remedies; enacting the uniform exemptions act; amending Minnesota Statutes 1978, Sections 69.61; 290.48, Subdivision 2; 290.92, Subdivision 6; 297A.33, Subdivision 6; 571.41, Subdivision 5; and 571.42, Subdivision 2; repealing Minnesota Statutes 1978, Sections 550.37; 550.38; 550.39 and 550.41.

Referred to the Committee on Judiciary.

Mr. Davies introduced—

S. F. No. 173: A bill for an act relating to land transfers; adopting the uniform simplification of land transfers act; repealing Minnesota Statutes 1978, Sections 507.24; 507.25; 507.26; 507.34; 507.35; 514.01 to 514.17; 541.02; 541.023; and 541.024.

Referred to the Committee on Judiciary.

Mr. Davies introduced—

S. F. No. 174: A bill for an act relating to real estate; enacting the uniform land transactions act; providing a comprehensive law to govern real estate transactions; amending Minnesota Statutes 1978, Sections 507.32; 513.01; 541.01; 582.01; 582.03; repealing Minnesota Statutes 1978, Sections 507.07; 507.16; 513.04; 513.05;

559.17; 559.21; 559.213; 559.214; 581.01 to 581.11; 582.02; 582.04 to 582.10; 582.14; 582.15; and Chapter 580.

Referred to the Committee on Judiciary.

Messrs. Davies, Gearty, Tennessen, Lewis and Kirchner introduced—

S. F. No. 175: 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.

Referred to the Committee on Elections.

Messrs. Davies, Merriam, Strand, Jensen and Sillers introduced—

S. F. No. 176: 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.

Referred to the Committee on Judiciary.

Messrs. Schaaf and Chenoweth introduced—

S. F. No. 177: A bill for an act relating to state civil service; eliminating certain required qualifications for commissioners of personnel; amending Minnesota Statutes 1978, Section 43.001, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Ashbach, Moe and Keefe, J. introduced—

S. F. No. 178: A bill for an act relating to university and professional athletic programs; providing for the remodeling of Memorial Stadium into a multi-purpose athletic facility.

Referred to the Committee on Governmental Operations.

Mr. Luther introduced—

S. F. No. 179: 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.

Referred to the Committee on Judiciary.

Messrs. Johnson, Willet, Chmielewski, Setzepfandt and Frederick introduced—

S. F. No. 180: 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.

Referred to the Committee on Agriculture and Natural Resources.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

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

Senate Concurrent Resolution No. 1 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 11, 1979

Mr. Coleman moved that Senate Concurrent Resolution No. 1 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

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.

Senate Concurrent Resolution No. 2 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 11, 1979

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, and the temporary rules be amended.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Lessard	Pillsbury	Staples
Bang	Hanson	Lewis	Purfeerst	Strand
Benedict	Humphrey	Luther	Renneke	Stumpf
Bernhagen	Jensen	McCutcheon	Rued	Tennessee
Chenoweth	Johnson	Menning	Schaaf	Ulland, J.
Chmielewski	Keefe, S.	Merriam	Schmitz	Vega
Coleman	Kirchner	Moë	Schrom	Wegener
Dieterich	Kleinbaum	Nelson	Setzepfandt	Willet
Dunn	Knaak	Ogdahl	Sieloff	
Engler	Knoll	Olhoft	Sikorski	
Frederick	Knutson	Penny	Solon	
Gearty	Laufenburger	Peterson	Spear	

The motion prevailed. Reports adopted and the rules were amended.

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

S. F. Nos. 20 and 110 reports the same back with the recommendation that the bills be re-referred as follows:

S. F. Nos. 20 and 110 to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, makes the following report: That the temporary rules of the Senate appearing in the Journal for the first day be amended as follows:

Rule 57. After "Rules and Administration" delete "21" and insert "22". Report adopted.

Mr. Coleman from the Committee on Rules and Administration, makes the following report: That the temporary rules of the Senate appearing in the Journal for the first day be amended as follows:

Rule 62.

Delete "17" before "Researcher" and insert "19"

Under heading "Salary Per Day" in the "Researcher" classification insert "1 @\$49.32" after "1 @\$45.83"; delete "1" before "@\$55.50" and insert "2". Report adopted.

MOTIONS AND RESOLUTIONS

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

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

William Bierman, Jr., researcher classification, effective January 12, 1979

Edward Brandt, researcher classification, effective January 8, 1979

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

Mr. Coleman, for the Committee on Rules and Administration, moved to amend Senate Resolution No. 3: A Senate resolution relating to standing committees, as shown in the Journal for the first day, as follows:

Education Committee

Delete: Nichols

Add: Wegener

Taxes and Tax Laws Committee

Delete: Wegener

Add: Nichols

Rules and Administration Committee 21 22

Add: Chmielewski

The motion prevailed. So the resolution was amended.

Mr. Coleman introduced—

Senate Resolution No. 11: A Senate resolution relating to expenses of interns.

BE IT RESOLVED, by the Senate:

That for the 1979 session of the 71st Legislature, each member of the Senate is entitled to be reimbursed for the cost of meals and transportation furnished by him to any volunteer interns assisting with his work, up to a maximum of \$12 during each week the Legislature is in session.

Requests for reimbursement shall be submitted to the Secretary of the Senate monthly on forms provided for this purpose and shall include a certification by the member that the amounts for which reimbursement is sought have been paid to his interns.

The Secretary of the Senate shall prepare and issue warrants for payment of intern expenses from the Senate Legislative Expense Fund.

Mr. Coleman moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

Mr. Coleman introduced—

Senate Resolution No. 12: A Senate resolution relating to the National Conference of State Legislatures and the Council of State Governments; authorizing attendance by members and employees of the Senate and the expenditure of funds.

BE IT RESOLVED, by the Senate:

That the Senate Committee on Rules and Administration, or the Chairman thereof, is authorized to designate members of the Senate and employees thereof to attend meetings of the Council of State Governments, the National Conference of State Legislatures and their committees.

That expenses incurred in attending such meetings be paid out of the Senate Legislative Expense Fund and that the Secretary of the Senate is hereby authorized and directed to issue warrants in payment of such expense.

Mr. Coleman moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 55 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Laufenburger	Penny	Sikorski
Bang	Hanson	Lessard	Peterson	Solon
Benedict	Humphrey	Lewis	Pillsbury	Spear
Bernhagen	Jensen	Luther	Purfeerst	Staples
Chmielewski	Johnson	McCutcheon	Renneke	Strand
Coleman	Keefe, S.	Menning	Rued	Stumpf
Dieterich	Kirchner	Merriam	Schaaf	Tennessee
Dunn	Kleinbaum	Moe	Schmitz	Ulland, J.
Engler	Knaak	Nelson	Schrom	Vega
Frederick	Knoll	Ogdahl	Setzepfandt	Wegener
Gearty	Knutson	Olhoff	Sieloff	Willet

Mr. Nichols voted in the negative.

The motion prevailed. So the resolution was adopted.

Mr. Coleman introduced—

Senate Resolution No. 13: A Senate resolution relating to the attendance of members of standing committees at meetings and seminars; providing for the payment of expenses thereby incurred.

BE IT RESOLVED, by the Senate:

Members of a standing committee or subcommittee of the Senate, and employees thereof, upon approval of the Committee on Rules and Administration, or the Chairman thereof, are authorized to attend meetings and seminars on subjects within the jurisdiction of the committee or subcommittees.

That expenses incurred in attending such meetings and seminars

be paid out of the Senate Legislative Expense Fund and that the Secretary of the Senate is hereby authorized and directed to issue warrants in payment of such expenses.

Mr. Coleman moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

Mr. Lewis introduced—

Senate Resolution No. 14: A Senate resolution eulogizing Dr. Martin Luther King on the fiftieth anniversary of his birth.

WHEREAS, Dr. Martin Luther King, minister and humanitarian, dedicated his life to the pursuit of brotherhood, peace and justice for all women and men; and

WHEREAS, Dr. King while challenging discrimination remained devoted in principle and practice to the philosophy of non-violence; and

WHEREAS, Dr. King through his own dedication and eloquence was able to kindle the spirit of brotherhood in women and men of all races and creeds; and

WHEREAS, Dr. King gave the ultimate personal sacrifice for the cause of human rights; and

WHEREAS, the legacy and memory of Dr. King will continue to inspire good men everywhere to continue the struggle for human rights and justice; and

WHEREAS, today, Monday, January 15, 1979, marks the fiftieth anniversary of the birth of Dr. King; now, therefore,

BE IT RESOLVED, by the Senate of the State of Minnesota, that recognition and tribute be given to Dr. Martin Luther King on this, the fiftieth anniversary of his birth.

BE IT FURTHER RESOLVED, that the Secretary of the Senate of the State of Minnesota transmit a formal copy of this resolution to his wife, Mrs. Coretta King.

Mr. Lewis moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

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

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

Mr. Chenoweth moved that the names of Messrs. Ashbach, Davies, Schrom and Spear be added as co-authors to S. F. No. 20. The motion prevailed.

Mr. Benedict moved that the name of Mr. Willet be added as co-author to S. F. No. 31. The motion prevailed.

Mr. Johnson moved that the name of Mr. Setzepfandt be added as co-author to S. F. No. 38. The motion prevailed.

Mr. Johnson moved that the name of Mr. Merriam be added as co-author to S. F. No. 48. The motion prevailed.

Mr. Davies moved that the name of Mr. Pillsbury be added as co-author to S. F. No. 58. The motion prevailed.

Mr. Davies moved that the name of Mr. Pillsbury be added as co-author to S. F. No. 59. The motion prevailed.

Mr. Sillers moved that the name of Mr. Merriam be added as co-author to S. F. No. 86. The motion prevailed.

Mr. Olhoft moved that the name of Mr. Merriam be added as co-author to S. F. No. 91. The motion prevailed.

Mr. Sieloff moved that the name of Mr. Vega be added as co-author to S. F. No. 94. The motion prevailed.

Mr. McCutcheon moved that the name of Mr. Olhoft be added as co-author to S. F. No. 99. The motion prevailed.

Mr. Benedict moved that the name of Mr. Willet be stricken as co-author to S. F. No. 100. The motion prevailed.

Mr. Benedict moved that the names of Messrs. Solon and Olson be added as co-authors to S. F. No. 100. The motion prevailed.

Mr. Schrom moved that the name of Mr. Olhoft be added as co-author to S. F. No. 110. The motion prevailed.

Mr. Peterson moved that the names of Messrs. Merriam, Strand and Sillers be added as co-authors to S. F. No. 113. The motion prevailed.

Mr. Willet moved that the name of Mr. Schrom be added as co-author to S. F. No. 125. The motion prevailed.

Mr. Sieloff moved that the name of Mr. Vega be added as co-author to S. F. No. 128. The motion prevailed.

Mr. Luther moved that the names of Messrs. Sikorski; Jensen; Keefe, S. and Mrs. Staples be added as co-authors to S. F. No. 129. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, January 18, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

SIXTH DAY**St. Paul, Minnesota, Tuesday, January 16, 1979**

The House of Representatives met on Tuesday, January 16, 1979, which was the Sixth Legislative Day of the Seventy-First Session of the Minnesota State Legislature. The Senate did not meet on this date.

SEVENTH DAY

St. Paul, Minnesota, Thursday, January 18, 1979

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

CALL OF THE SENATE

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

Anderson	Frederick	Knutson	Peterson	Spear
Ashbach	Gearty	Laufenburger	Pillsbury	Staples
Bang	Gunderson	Lessard	Purfeerst	Stokowski
Bernhagen	Hanson	Lewis	Renneke	Strand
Chenoweth	Hughes	McCutcheon	Rued	Stumpf
Chmielewski	Johnson	Merriam	Schaaf	Tennessee
Coleman	Keefe, S.	Moe	Schmitz	Ueland, A.
Davies	Kirchner	Nelson	Schrom	Ulland, J.
Dieterich	Kleinbaum	Olhoft	Setzepfandt	Willet
Dunn	Knaak	Penny	Sillers	
Engler	Knoll	Perpich	Solon	

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

Prayer was offered by the Chaplain, Rev. Wayne Like.

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

Anderson	Gearty	Laufenburger	Perpich	Solon
Ashbach	Gunderson	Lessard	Peterson	Spear
Bang	Hanson	Lewis	Pillsbury	Staples
Bernhagen	Hughes	Luther	Purfeerst	Stokowski
Chenoweth	Jensen	McCutcheon	Renneke	Strand
Chmielewski	Johnson	Merriam	Rued	Stumpf
Coleman	Keefe, S.	Moe	Schaaf	Tennessee
Davies	Kirchner	Nelson	Schmitz	Ueland, A.
Dieterich	Kleinbaum	Nichols	Schrom	Ulland, J.
Dunn	Knaak	Olhoft	Setzepfandt	Vega
Engler	Knoll	Olson	Sikorski	Wegener
Frederick	Knutson	Penny	Sillers	Willet

The President declared a quorum present.

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

MEMBERS EXCUSED

Mrs. Brataas; Messrs. Benedict; Keefe, J.; Menning; Ogdahl and Sieloff were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Stokowski, Schaaf and Mrs. Knaak introduced—

S. F. No. 181: 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.

Referred to the Committee on Transportation.

Messrs. Sieloff; Frederick; Ueland, A.; Merriam and Dieterich introduced—

S. F. No. 182: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Ashbach introduced—

S. F. No. 183: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Ashbach and Mrs. Knaak introduced—

S. F. No. 184: 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.

Referred to the Committee on Governmental Operations.

Messrs. Humphrey and Coleman introduced—

S. F. No. 185: A bill for an act relating to the legislature; creating a committee on human and economic development; prescribing duties.

Referred to the Committee on Governmental Operations.

Messrs. Chmielewski and Davies introduced—

S. F. No. 186: 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.

Referred to the Committee on Judiciary.

Messrs. Knoll, Pillsbury, Kleinbaum, Laufenburger and Dunn introduced—

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.

Referred to the Committee on Employment.

Messrs. Schmitz, Setzepfandt, Frederick, Penny and Kleinbaum introduced—

S. F. No. 188: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Jensen, Mrs. Knaak, Messrs. Ogdahl, Ashbach and Rued introduced—

S. F. No. 189: A bill for an act relating to taxation; providing for annual adjustments of individual income tax brackets according to rate of change in the cost of living index; amending Minnesota Statutes 1978, Sections 290.06, Subdivision 2c, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Kleinbaum, Dunn, Schrom, Setzepfandt and Bang introduced—

S. F. No. 190: A bill for an act relating to taxation; sales; exempting paper plant material; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Jensen, Frederick, Penny and Dunn introduced—

S. F. No. 191: A bill for an act relating to taxation; school taxes; adopting federal alternative farm valuation for determining the

market value of certain agricultural land; amending Minnesota Statutes 1978, Section 124.212, Subdivision 10.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Frederick, Bernhagen, Kirchner, Lewis and Laufenburger introduced—

S. F. No. 192: A bill for an act relating to state transportation services; providing for the funding of the state highway patrol from the general fund; allocating certain tax receipts; authorizing the issuance and sale of Minnesota state transportation bonds and authorizing the expenditure of certain proceeds to political subdivisions for certain bridges; providing funds for certain key bridges on the trunk highway system; providing funding for public transit assistance and grants; appropriating money; amending Minnesota Statutes 1978, Sections 297B.09; 299D.02, Subdivision 1; 299D.03, Subdivision 2; 299D.04; 299D.05, Subdivision 3; and Chapter 299D, by adding a section.

Referred to the Committee on Transportation.

Messrs. Kleinbaum, Bang, Solon and Laufenburger introduced—

S. F. No. 193: 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.

Referred to the Committee on Commerce.

Mr. Kleinbaum introduced—

S. F. No. 194: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Knutson, Mrs. Knaak and Mr. Gunderson introduced—

S. F. No. 195: A bill for an act relating to education; creating a legislative school finance study commission; appropriating money.

Referred to the Committee on Education.

Messrs. Setzepfandt, Menning and Strand introduced—

S. F. No. 196: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Setzepfandt, Johnson, Schmitz, Rued and Menning introduced—

S. F. No. 197: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davies, Tennessen, Knutson and Jensen introduced—

S. F. No. 198: 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.

Referred to the Committee on Judiciary.

Mr. Chmielewski introduced—

S. F. No. 199: A bill for an act relating to the St. Croix state forest; adding land thereto; appropriating funds for the acquisition of land therein; amending Minnesota Statutes 1978, Section 89.021, Subdivision 44.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Chmielewski introduced—

S. F. No. 200: A bill for an act relating to highway traffic regulations; prescribing a penalty for a driver or operator of a vehicle that forces a motorcycle from a traffic lane or from the roadway of a street or highway; amending Minnesota Statutes 1978, Chapter 169, by adding a section.

Referred to the Committee on Transportation.

Mr. Benedict introduced—

S. F. No. 201: A bill for an act relating to taxation; providing

that improvements to real property used for a homestead not be added to increased valuation of property; amending Minnesota Statutes 1978, Section 273.11, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Nelson, Perpich, Lewis, Solon and Kirchner introduced—

S. F. No. 202: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Keefe, J. and Gearty introduced—

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.

Referred to the Committee on Judiciary.

Mr. Hanson introduced—

S. F. No. 204: A bill for an act relating to state lands; authorizing the conveyance of certain lands in Kittson County.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Luther introduced—

S. F. No. 205: 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.

Referred to the Committee on Energy and Housing.

Messrs. Purfeerst, Coleman, Engler, Schmitz and Setzepfandt introduced—

S. F. No. 206: A bill for an act relating to the excise tax on gasoline and special fuel; establishing the rate of the gasoline excise tax based on a percentage of the retail price; directing the commissioner of revenue to adopt certain rules; amending Minnesota

Statutes 1978, Section 296.02, Subdivision 1, and Chapter 296, by adding a section.

Referred to the Committee on Transportation.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Perpich from the Committee on Health, Welfare and Corrections to which were referred the following appointments as reported in the Journal for January 8, 1979:

CRIME CONTROL PLANNING BOARD

Samuel O. Verdeja

CORRECTIONS BOARD

Richard Alstad

GILLETTE HOSPITAL BOARD

Dr. Richard J. Aadelen

Florence Gray

Richard E. Harris

Geoffrey L. Kaufmann

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

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

Mr. Davies from the Committee on Judiciary, 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.

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 63, 67 and 68, makes the following report:

That S. F. Nos. 63, 67 and 68 be placed on the General Orders Calendar in the order indicated.

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

SECOND READING OF SENATE BILLS

S. F. No. 118 was read the second time and referred to the

Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Nelson moved that the name of Mr. Merriam be added as co-author to S. F. No. 89. The motion prevailed.

Mr. Sieloff moved that the name of Mr. Merriam be added as co-author to S. F. No. 137. The motion prevailed.

Mr. Wegener moved that the name of Mr. Olhoff be added as co-author to S. F. No. 153. The motion prevailed.

Mr. Menning moved that the name of Mr. Schrom be added as co-author to S. F. No. 162. The motion prevailed.

Mr. Wegener moved that the name of Mr. Olhoff be added as co-author to S. F. No. 163. The motion prevailed.

Mr. Olson moved that the appointment of Dr. Thomas G. Reichert to the Capitol Area Architectural and Planning Board be withdrawn from the Committee on General Legislation and Administrative Rules and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. Chmielewski introduced—

Senate Concurrent Resolution No. 3: A Senate concurrent resolution urging the Food and Drug Administration and the National Cancer Institute to proceed with scientific testing of laetrile.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Coleman moved that the Senate do now adjourn until 5:00 o'clock p.m., Monday, January 22, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

EIGHTH DAY

St. Paul, Minnesota, Monday, January 22, 1979

The Senate met at 5:00 o'clock p.m. and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Dunn	Kleinbaum	Penny	Solon
Ashbach	Engler	Knaak	Pillsbury	Staples
Bang	Frederick	Knutson	Purfeerst	Strand
Benedict	Gearty	Laufenburger	Renneke	Stumpf
Bernhagen	Gunderson	Lessard	Rued	Tennessee
Brataas	Hanson	Lewis	Schaaf	Ueland, A.
Chenoweth	Hughes	Luther	Schmitz	Vega
Chmielewski	Humphrey	Menning	Setzepfandt	Wegener
Coleman	Johnson	Moe	Sieloff	Willet
Davies	Keefe, S.	Nelson	Sikorski	
Dieterich	Kirchner	Nichols	Sillers	

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

Prayer was offered by the Chaplain, Rev. Roger Carroll.

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

Anderson	Frederick	Lessard	Purfeerst	Stokowski
Ashbach	Gearty	Lewis	Renneke	Strand
Bang	Gunderson	Luther	Rued	Stumpf
Benedict	Hanson	Menning	Schaaf	Tennessee
Bernhagen	Hughes	Merriam	Schmitz	Ueland, A.
Brataas	Humphrey	Moe	Schrom	Ulland, J.
Chenoweth	Johnson	Nelson	Setzepfandt	Vega
Chmielewski	Keefe, S.	Nichols	Sieloff	Wegener
Coleman	Kirchner	Olhoff	Sikorski	Willet
Davies	Kleinbaum	Olson	Sillers	
Dieterich	Knaak	Penny	Solon	
Dunn	Knutson	Peterson	Spear	
Engler	Laufenburger	Pillsbury	Staples	

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Keefe, J.; Knoll; Ogdahl and Perpich were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Mønning introduced—

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.

Referred to the Committee on Transportation.

Messrs. Strand, Nichols, Engler, Peterson and Setzepfandt introduced—

S. F. No. 208: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Tennesen, Davies, Spear and Ogdahl introduced—

S. F. No. 209: 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.

Referred to the Committee on Governmental Operations.

Messrs. Hughes, Anderson, Moe, Ashbach and Chenoweth introduced—

S. F. No. 210: 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.

Referred to the Committee on Education.

Mr. Ashbach, Mrs. Knaak, Messrs. Bang and Stokowski introduced—

S. F. No. 211: 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.

Referred to the Committee on Local Government.

Messrs. Keefe, S.; Schaaf and Spear introduced—

S. F. No. 212: A bill for an act relating to elections; requiring voters to indicate political party preference in primaries; requiring separate primary ballots for each political party; amending Minnesota Statutes 1978, Sections 201.071, Subdivisions 1 and 3; 201.221, by adding a subdivision; 203A.22, Subdivisions 1, 2 and 3; 203A.23, Subdivisions 1, 2 and 7; 204A.29, Subdivision 2; 204A.295, Subdivisions 3 and 4, and by adding a subdivision; 206.07, Subdivisions 1, 4 and 5; 206.09; 206.20, Subdivision 2; and Chapter 201, by adding a section; repealing Minnesota Statutes 1978, Sections 203A.23, Subdivision 8; and 204A.32, Subdivision 2.

Referred to the Committee on Elections.

Mr. Keefe, S. introduced—

S. F. No. 213: 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.

Referred to the Committee on Transportation.

Messrs. Lewis, Coleman, McCutcheon and Kirchner introduced—

S. F. No. 214: A bill for an act relating to domestic abuse; authorizing judicial intervention to provide protection from domestic abuse; prescribing penalties.

Referred to the Committee on Judiciary.

Messrs. Sieloff; Rued; Keefe, J. and Renneke introduced—

S. F. No. 215: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Lewis, Hanson, McCutcheon and Sillers introduced—

S. F. No. 216: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Lessard and Johnson introduced—

S. F. No. 217: 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.

Referred to the Committee on Employment.

Messrs. Peterson, Willet, Johnson, Lessard and Bernhagen introduced—

S. F. No. 218: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Nelson, Nichols, Sikorski, Ashbach and Ulland, J. introduced—

S. F. No. 219: 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.

Referred to the Committee on Governmental Operations.

Messrs. Strand, Nichols, Sillers and Hughes introduced—

S. F. No. 220: A bill for an act relating to education; authorizing an independent school district to contract with another district to provide or be provided with certain grades; requiring the contract to provide for any tuition payments; providing for termination of the contract; prohibiting a reduction in certain state aid to a district because the district provides certain grades in another district; amending Minnesota Statutes 1978, Section 123.35, by adding subdivisions.

Referred to the Committee on Education.

Messrs. Vega, Nichols, Hanson, Bernhagen and Sillers introduced—

S. F. No. 221: A bill for an act relating to migrant labor; establishing a study commission on migrant labor; appropriating money.

Referred to the Committee on Employment.

Messrs. Ueland, A.; Gearty; Stokowski; Ashbach and Kirchner introduced—

S. F. No. 222: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 4; providing staggered four year terms for the state senate.

Referred to the Committee on Governmental Operations.

Messrs. Strand, Nichols, Setzepfandt, Peterson and Sillers introduced—

S. F. No. 223: A bill for an act relating to taxation; income tax; providing that certain amounts of unemployment compensation be subject to tax; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws. Mr. Laufenburger questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Strand, Hanson, Nichols, Sillers and Setzepfandt introduced—

S. F. No. 224: A bill for an act relating to taxation; providing a gasoline excise tax exemption for agricultural vehicles; providing for certificates of exemption; providing penalties; amending Minnesota Statutes 1978, Sections 296.01, by adding a subdivision; 296.12, Subdivision 3; 296.18, Subdivision 1; and Chapter 296, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Kirchner, Benedict and Bang introduced—

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.

Referred to the Committee on Local Government.

Messrs. Kleinbaum, Solon, Chmielewski and Penny introduced—

S. F. No. 226: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Laufenburger, Penny, Bang, Kleinbaum and Spear introduced—

S. F. No. 227: 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.

Referred to the Committee on Commerce.

Mr. Kleinbaum introduced—

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.

Referred to the Committee on Commerce.

Mr. Chmielewski introduced—

S. F. No. 229: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Nichols, Setzepfandt and Strand introduced—

S. F. No. 230: 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.

Referred to the Committee on Education.

Mr. Nelson introduced—

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.

Referred to the Committee on Commerce.

Mr. Nelson introduced—

S. F. No. 232: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Purfeerst introduced—

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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Nichols and Schaaf introduced—

S. F. No. 234: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Sillers; Anderson; Ueland, A. and Knutson introduced—

S. F. No. 235: 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.

Referred to the Committee on Education.

Mr. Chmielewski introduced—

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 as well as county auditor be notified when the petition is certified; amending Minnesota Statutes 1978, Section 6.54.

Referred to the Committee on Local Government.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to inform the Senate that the House of Representatives invites and is ready to meet with the Senate 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. The message of the Governor will be delivered at 12:00 noon.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 18, 1979

Mr. Coleman moved that the Senate accede to the request of the House of Representatives to meet in Joint Convention in the House Chamber 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. The motion prevailed.

Mr. President:

I have the honor to inform the Senate that the House of Representatives has appointed a committee of five members 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, Tuesday, January 23, 1979. The Joint Convention will convene at 11:50 a.m. and the budget message of the Governor will be delivered at 12:00 noon.

Esau, Nysether, Haukoos, Kempe and Long have been appointed as members of such committee on the part of the House.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 18, 1979

Mr. Coleman moved that the President of the Senate appoint a committee of five members of the Senate to act with a like committee on the part of the House of Representatives to escort the Honorable Albert H. Quie, Governor of the state of Minnesota, to the House Chamber on the occasion of the Joint Convention on Tuesday, January 23, 1979 at 12 o'clock noon. The motion prevailed.

APPOINTMENTS

Pursuant to the foregoing motion, the President made the following appointments:

Messrs. Frederick, Rued, Engler, Schrom and Purfeerst.

REPORTS OF COMMITTEES

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

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

S. F. No. 84: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

MOTIONS AND RESOLUTIONS

Mr. Humphrey moved that the name of Mr. Keefe, J. be added as co-author to S. F. No. 25. The motion prevailed.

Mr. Davies moved that the name of Mr. Peterson be added as co-author to S. F. No. 145. The motion prevailed.

Mr. Davies moved that the name of Mr. Peterson be added as co-author to S. F. No. 148. The motion prevailed.

Mr. Humphrey moved that the names of Messrs. Benedict and Solon be added as co-authors to S. F. No. 149. The motion prevailed.

Mr. Humphrey moved that the name of Mrs. Staples be added as co-author to S. F. No. 185. The motion prevailed.

Mr. Luther moved that the names of Messrs. Anderson; Ulland, J. and Nelson be added as co-authors to S. F. No. 205. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 11:30 o'clock a.m., Tuesday, January 23, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINTH DAY

St. Paul, Minnesota, Tuesday, January 23, 1979

The Senate met at 11:30 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Ashbach	Frederick	Lessard	Purfeerst	Stokowski
Bang	Gearty	Lewis	Rued	Strand
Benedict	Hanson	Luther	Schaaf	Stumpf
Bernhagen	Hughes	McCutcheon	Schmitz	Ueland, A.
Brataas	Humphrey	Merriam	Schrom	Vega
Chenoweth	Johnson	Moe	Setzepfandt	Wegener
Chmielewski	Keefe, S.	Nelson	Sikorski	Willet
Coleman	Kirchner	Nichols	Sillers	
Dieterich	Kleinbaum	Penny	Solon	
Dunn	Knaak	Peterson	Spear	
Engler	Laufenburger	Pillsbury	Staples	

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

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

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

The President declared a quorum present.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Johnson, Setzepfandt, Hanson and Moe introduced—

S. F. No. 237: 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.

Referred to the Committee on Energy and Housing.

Messrs. Sillers, Sieloff and Frederick introduced—

S. F. No. 238: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Chmielewski introduced—

S. F. No. 239: 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.

Referred to the Committee on Energy and Housing.

Mr. Merriam introduced—

S. F. No. 240: A bill for an act relating to education; eliminating some eligibility requirements for certain scholarships and grants-in-aid; repealing Minnesota Statutes 1978, Section 136A.121, Subdivision 7.

Referred to the Committee on Education.

REPORTS OF COMMITTEES

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which was referred S. F. No. 118 makes the following report:

That S. F. No. 118 be placed on the General Orders Calendar.

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

Mr. Laufenburger, from the Committee on Mileage, to which was referred the matter of reporting the miles traveled by members of the Senate for the 71st Legislature, respectfully reports as follows:

MEMBER	MILEAGE
ANDERSON, Jerald	83
ASHBACH, Robert O	16
BANG, Otto T., Jr.	38
BENEDICT, Robert	46
BERNHAGEN, John	152
BRATAAS, Nancy	160
CHENOWETH, John	16
CHMIELEWSKI, Florian	210
COLEMAN, Nicholas D.	5
DAVIES, Jack	16
DIETERICH, Neil	0
DUNN, Robert G.	120
ENGLER, Steve	70
FREDERICK, Mel	118
GEARTY, Edward	30
GUNDERSON, Jerome	280
HANSON, Marvin B.	760
HUGHES, Jerome	10
HUMPHREY, Hubert H. III	50
JENSEN, Carl A.	240
JOHNSON, Douglas J.	460
KEEFE, John B.	40
KEEFE, Steve	27
KIRCHNER, William	36
KLEINBAUM, Jack	140
KNAAK, Delores	20
KNOLL, Franklin J.	24
KNUTSON, Howard A.	44
LAUFENBURGER, Roger	230
LESSARD, Bob	620

MEMBER	MILEAGE
LEWIS, B. Robert	36
LUTHER, William P.	32
McCUTCHEON, William	0
MENNING, Marion (Mike)	456
MERRIAM, Gene	47
MOE, Roger D.	530
NELSON, Tom	200
NICHOLS, James	402
OGDAHL, Harmon T.	30
OLHOFT, Wayne	360
OLSON, Howard D.	270
PENNY, Timothy J.	179
PERPICH, George F.	456
PETERSON, Collin	410
PILLSBURY, George	50
PURFEERST, Clarence	115
RENNEKE, Earl	146
RUED, David	252
SCHAAF, David	36
SCHMITZ, Robert J.	96
SCHROM, Ed	191
SETZEPFANDT, A.O.H.	196
SIELOFF, Ron	13
SIKORSKI, Gerry	48
SILLERS, Douglas H.	500
SOLON, Sam G.	320
SPEAR, Allan H.	16
STAPLES, Emily Anne	48
STOKOWSKI, Eugene	24
STRAND, Roger	330
STUMPF, Peter P.	0
TENNESSEN, Robert J.	24
UELAND, Arnulf, Jr.	180

MEMBER	MILEAGE
ULLAND, James	302
VEGA, Conrad	24
WEGENER, Myrton	330
WILLET, Gerald L.	410

Mr. Laufenburger moved the adoption of the foregoing Committee Report. The motion prevailed. Report adopted.

RECESS

Mr. Coleman moved that the Senate do now recess until after the conclusion of the Joint Convention. The motion prevailed.

The Senate reconvened at the appointed time.

MOTIONS AND RESOLUTIONS

Mr. Olhoft moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, January 25, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

TENTH DAY

St. Paul, Minnesota, Thursday, January 25, 1979

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

CALL OF THE SENATE

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

Ashbach	Gunderson	Lessard	Peterson	Spear
Bang	Hanson	Lewis	Pillsbury	Staples
Benedict	Hughes	Luther	Purfeerst	Stokowski
Bernhagen	Humphrey	McCutcheon	Renneke	Strand
Brataas	Jensen	Menning	Rued	Stumpf
Chmielewski	Johnson	Merriam	Schmitz	Ueland, A.
Coleman	Keefe, J.	Moe	Schrom	Ulland, J.
Davies	Keefe, S.	Nelson	Setzpfandt	Vega
Dieterich	Kirchner	Ogdahl	Sieloff	Willet
Dunn	Kleinbaum	Olson	Sikorski	
Engler	Knoll	Penny	Sillers	
Gearty	Laufenburger	Perpich	Solon	

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

Prayer was offered by the Chaplain, Rev. Roger Carroll.

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

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

The President declared a quorum present.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Merriam introduced—

S. F. No. 241: 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.

Referred to the Committee on Education.

Messrs. Merriam and Stumpf introduced—

S. F. No. 242: A bill for an act relating to waters; authorizing grants for feasibility studies for lake improvement projects; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Merriam introduced—

S. F. No. 243: A bill for an act relating to education; abolishing the AFDC aid account in school district records; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

Referred to the Committee on Education.

Messrs. Sieloff, Ogdahl, Stumpf, Chenoweth and Dieterich introduced—

S. F. No. 244: A bill for an act relating to retirement; granting increases in annuities to certain deferred annuitants; appropriating funds.

Referred to the Committee on Governmental Operations.

Messrs. Rued, Schrom, Sillers and Willet introduced—

S. F. No. 245: 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.

Referred to the Committee on Local Government.

Mr. Schrom introduced—

S. F. No. 246: A bill for an act relating to taxation; sales tax; exempting certain farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Schrom introduced—

S. F. No. 247: 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.

Referred to the Committee on Judiciary.

Mr. Nelson introduced—

S. F. No. 248: A bill for an act relating to education; increasing the percentage the state will pay of the cost of transporting handicapped pupils between school districts for certain purposes; eliminating the \$100 a pupil limit; striking a reference to an expired subdivision; amending Minnesota Statutes 1978, Section 124.222, Subdivision 2b.

Referred to the Committee on Education.

Messrs. Ashbach, McCutcheon, Mrs. Knaak, Messrs. Laufenburger and Rued introduced—

S. F. No. 249: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Davies introduced—

S. F. No. 250: A bill for an act relating to retirement; authorizing the purchase of prior service credit by certain court reporters.

Referred to the Committee on Governmental Operations.

Mr. Davies introduced—

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

Referred to the Committee on Judiciary.

Messrs. Sieloff, McCutcheon and Frederick introduced—

S. F. No. 252: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich, Luther, Gearty, Bernhagen and Frederick introduced—

S. F. No. 253: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Frederick, Sillers, Laufenburger, Tennesen and Ashbach introduced—

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.

Referred to the Committee on Commerce.

Messrs. Kleinbaum, Laufenburger, Frederick, Dunn and Tennesen introduced—

S. F. No. 255: 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.

Referred to the Committee on Commerce.

Mr. Knutson introduced—

S. F. No. 256: 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.

Referred to the Committee on Governmental Operations.

Messrs. Davies, Nichols, Benedict and Bernhagen introduced—

S. F. No. 257: A bill for an act relating to crimes; prohibiting tattooing intoxicated persons; prescribing penalties; amending Minnesota Statutes 1978, Chapter 609, by adding a section.

Referred to the Committee on Judiciary.

Mr. Benedict introduced—

S. F. No. 258: A bill for an act relating to nursing homes; adding a member to the advisory council; amending Minnesota Statutes 1978, Section 144A.17.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Nelson introduced—

S. F. No. 259: A bill for an act relating to health; changing requirements for school employee tuberculosis examinations;

amending Minnesota Statutes 1978, Section 123.69, Subdivision 1.

Referred to the Committee on Education. Mr. Perpich questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Kleinbaum, Chmielewski, Schrom, Bang and Sillers introduced—

S. F. No. 260: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Anderson introduced—

S. F. No. 261: A bill for an act relating to taxation; sales; exempting residential water and sewer; amending Minnesota Statutes 1978, Section 297A.01, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Hughes, Sikorski, Mrs. Brataas, Messrs. Bang and Anderson introduced—

S. F. No. 262: 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.

Referred to the Committee on Energy and Housing.

Messrs. Purfeerst, Laufenburger, Chenoweth, Rued and Lessard introduced—

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 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.

Referred to the Committee on Transportation.

Messrs. Hughes, Humphrey, Menning, Mrs. Brataas and Mr. Rued introduced—

S. F. No. 264: 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.

Referred to the Committee on Education.

Messrs. Spear; Keefe, S.; Laufenburger and Mrs. Staples introduced—

S. F. No. 265: 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.

Referred to the Committee on Employment.

Messrs. Spear, Tennessen, Lewis, Sikorski and Mrs. Brataas introduced—

S. F. No. 266: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Menning introduced—

S. F. No. 267: A bill for an act relating to the town of Leota in Nobles county; authorizing the establishment of a detached banking facility.

Referred to the Committee on Commerce.

Messrs. Sieloff, Sillers, Olhoft and Menning introduced—

S. F. No. 268: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Humphrey, Stokowski and Ogdahl introduced—

S. F. No. 269: 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.

Referred to the Committee on Governmental Operations.

Messrs. Schrom, Dunn, Bernhagen, Wegener and Willet introduced—

S. F. No. 270: 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.

Referred to the Committee on Commerce.

Mr. Peterson introduced—

S. F. No. 271: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Peterson introduced—

S. F. No. 272: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Peterson introduced—

S. F. No. 273: A bill for an act relating to commerce; providing a floating usury rate for contracts for deeds; amending Minnesota Statutes 1978, Section 47.20, Subdivision 4.

Referred to the Committee on Commerce.

Messrs. Laufenburger, Kirchner, Hughes and Coleman introduced—

S. F. No. 274: 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.

Referred to the Committee on Transportation.

Mr. Peterson introduced—

S. F. No. 275: A bill for an act relating to taxation; income tax; clarifying non-taxable status of certain federal earned income

credits; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.18, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, Nichols, Vega, Strand and Sillers introduced—

S. F. No. 276: 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.

Referred to the Committee on Employment.

Messrs. Peterson and Nichols introduced—

S. F. No. 277: A bill for an act relating to taxation; property; providing for the reduction of property taxes by the maximum credit allowable under Minnesota Statutes, Section 290A.04 and recapture of credit on income tax returns of taxpayers with incomes over \$20,000; amending Minnesota Statutes 1978, Section 290A.04, Subdivision 4, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 290A.04, Subdivisions 2a and 2b.

Referred to the Committee on Taxes and Tax Laws.

Mr. Chmielewski introduced—

S. F. No. 278: 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.

Referred to the Committee on Elections.

Mr. Chmielewski introduced—

S. F. No. 279: A resolution concerning the budget of the United States; memorializing Congress to call a constitutional convention to propose an amendment to the Constitution to require, with certain exceptions, that the total of all Federal appropriations may not exceed the total of all estimated Federal revenues in any fiscal year.

Referred to the Committee on Rules and Administration.

Mr. Chmielewski introduced—

S. F. No. 280: A bill for an act relating to towns; permitting certain purchases for highway uses; amending Minnesota Statutes 1978, Section 160.11, Subdivision 1.

Referred to the Committee on Local Government.

Messrs. Sieloff, Engler, Rued and Chmielewski introduced—

S. F. No. 281: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Engler, Chmielewski, Sieloff, Bernhagen and Laufenburger introduced—

S. F. No. 282: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Keefe, S. introduced—

S. F. No. 283: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Keefe, S.; Davies; Spear; Stokowski and Laufenburger introduced—

S. F. No. 284: 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.

Referred to the Committee on Governmental Operations. Mr. Keefe, S. questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Laufenburger, Solon, Ashbach, Coleman and Mrs. Brataas introduced—

S. F. No. 285: 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.

Referred to the Committee on Commerce.

Mr. Luther introduced—

S. F. No. 286: A bill for an act relating to ethics in government; requiring lobbyists to disclose compensation paid them for lob-

bying purposes; amending Minnesota Statutes 1978, Section 10A.04, Subdivision 4.

Referred to the Committee on Elections.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received and referred to the committee indicated.

January 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Chairperson of the Water Planning Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Thomas Kalitowski, 2230 Spruce Trail, Golden Valley, Hennepin County, has been appointed by me, effective January 1, 1979, for a term expiring the first Monday in January, 1983.

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

Sincerely,

Albert H. Quie, Governor

REPORTS OF COMMITTEES

Mr. Chenoweth from the Committee on Governmental Operations, to which were referred the following appointments as reported in the Journal for January 8, 1979:

MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION

Mary B. Swanger

CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD

Dr. Thomas G. Reichert

STATE DESIGNER SELECTION BOARD

Russell Mroczek

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

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

MOTIONS AND RESOLUTIONS

Messrs. Hughes; Dunn; Keefe, S.; Sikorski and Mrs. Staples introduced—

Senate Concurrent Resolution No. 4: A senate concurrent resolution recognizing the importance of children to the future of the State of Minnesota, and expressing support for the work of the United Nations and other agencies during 1979, the International Year of the Child.

Referred to the Committee on Rules and Administration.

Mr. Dieterich moved that the name of Mr. Sillers be stricken as co-author to S. F. No. 7. The motion prevailed.

Mr. Davies moved that the name of Mr. Luther be added as co-author to S. F. No. 172. The motion prevailed.

Mr. Strand moved that the name of Mr. Gunderson be added as co-author to S. F. No. 220. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Olhoft be added as co-author to S. F. No. 229. The motion prevailed.

Mr. Nichols moved that the names of Messrs. Strand and Chmielewski be added as co-authors to S. F. No. 234. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Lessard be added as co-author to S. F. No. 239. The motion prevailed.

Mr. Merriam moved that the name of Mr. Frederick be added as co-author to S. F. No. 240. The motion prevailed.

CONFIRMATION

Mr. Perpich moved that the report from the Committee on Health, Welfare and Corrections, reported January 18, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Perpich moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported January 18, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

CRIME CONTROL PLANNING BOARD

Samuel O. Verdeja, 273 East Winifred, St. Paul, Ramsey County, effective October 10, 1978, for a term expiring January 5, 1981.

CORRECTIONS BOARD

Richard Alstad, 4700 Virginia Lane, Edina, Hennepin County, effective January 1, 1978, for a term expiring the first Monday in January, 1984.

GILLETTE HOSPITAL BOARD

Dr. Richard J. Aadelen, 4924 Dale Drive, Edina, Hennepin County, effective November 1, 1978, for a term expiring the first Monday in January, 1983.

Florence Gray, 1401 West Minnehaha Parkway, Minneapolis, Hennepin County, effective November 1, 1978, for a term expiring January 3, 1983.

Richard E. Harris, 1291 Bohland Place, St. Paul, Ramsey County, effective November 1, 1978, for a term expiring January 3, 1983.

Geoffrey L. Kaufmann, 6405 McCauley Circle, Edina, Hennepin County, effective November 1, 1978, for a term expiring January 5, 1981.

The motion prevailed. So the appointments were confirmed.

GENERAL ORDERS

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

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

S. F. Nos. 63, 67 and 118 which the committee recommends to pass.

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

MEMBERS EXCUSED

Mr. Wegener was excused from the Session of today.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 2:00 o'clock p.m., Monday, January 29, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

ELEVENTH DAY

St. Paul, Minnesota, Monday, January 29, 1979

The Senate met at 2:00 o'clock p.m. and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Frederick	Knutson	Purfeerst	Stumpf
Ashbach	Gunderson	Lewis	Renneke	Tennessen
Bang	Hanson	Luther	Rued	Ulland, A.
Benedict	Humphrey	McCutcheon	Schmitz	Ulland, J.
Bernhagen	Jensen	Menning	Schrom	Vega
Brataas	Johnson	Merriam	Setzepfandt	Wegener
Chenoweth	Keefe, S.	Moe	Sillers	Willet
Chmielewski	Kirchner	Ogdahl	Solon	
Coleman	Kleinbaum	Penny	Spear	
Dunn	Knaak	Peterson	Staples	
Engler	Knoll	Pillsbury	Strand	

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

Prayer was offered by the Chaplain, Rev. Robert Hazel.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Gearty and Perpich were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Davies; Keefe, S.; Laufenburger; Pillsbury and Mrs. Brataas introduced—

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.

Referred to the Committee on Employment.

Mr. Nichols introduced—

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.

Referred to the Committee on Employment.

Messrs. Hughes, Chmielewski, Frederick, Schrom and Dunn introduced—

S. F. No. 289: 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.

Referred to the Committee on Veterans' Affairs.

Mr. Knutson introduced—

S. F. No. 290: A bill for an act relating to courts; establishing the Minnesota judicial selection board; specifying duties and procedures for the board; appropriating money.

Referred to the Committee on Judiciary.

Messrs. Gunderson, Benedict, Mmes. Brataas and Staples introduced—

S. F. No. 291: 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.

Referred to the Committee on Commerce.

Mr. Lessard introduced—

S. F. No. 292: 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.

Referred to the Committee on Governmental Operations.

Messrs. Ulland, J. and Solon introduced—

S. F. No. 293: A bill for an act relating to retirement; authorizing prior service credit for a certain member of the judge's retirement fund.

Referred to the Committee on Governmental Operations.

Mr. Perpich introduced—

S. F. No. 294: 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.

Referred to the Committee on Local Government.

Mr. Merriam introduced—

S. F. No. 295: A bill for an act relating to retirement; eliminating the deduction of workers' compensation benefits from certain public employees disability retirement benefits; amending Minnesota Statutes 1978, Section 352B.10; repealing Minnesota Statutes 1978, Sections 352.113, Subdivision 5; 353.33, Subdivision 5; and 353.656, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Chmielewski and Solon introduced—

S. F. No. 296: A bill for an act proposing an amendment to the Minnesota Constitution to add an article to provide for initiative and referendum.

Referred to the Committee on Judiciary.

Messrs. Chmielewski, Frederick, Schrom, Sieloff and Olson introduced—

S. F. No. 297: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Lessard introduced—

S. F. No. 298: A bill for an act relating to the city of South

International Falls; authorizing the city to lease municipal buildings.

Referred to the Committee on Local Government.

Messrs. Schrom, Frederick, Sieloff, Chmielewski and Olson introduced—

S. F. No. 299: A bill for an act relating to taxation; sales; exempting sales to certain veterans groups; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Nelson, Vega, Nichols and Ogdahl introduced—

S. F. No. 300: A bill for an act relating to retirement; increasing the minimum period of service required to qualify for legislators retirement; amending Minnesota Statutes 1978, Sections 3A.02, Subdivision 1; and 3A.10, Subdivision 2.

Referred to the Committee on Governmental Operations.

Mr. Nichols introduced—

S. F. No. 301: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Nichols, Setzepfandt and Jensen introduced—

S. F. No. 302: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Wegener, Purfeerst and Engler introduced—

S. F. No. 303: 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.

Referred to the Committee on Judiciary.

Messrs. Ogdahl and Keefe, J. introduced—

S. F. No. 304: 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.

Referred to the Committee on Governmental Operations.

Messrs. Schmitz, Purfeerst, Wegener, Laufenburger and Kirchner introduced—

S. F. No. 305: 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.

Referred to the Committee on Transportation.

Messrs. Schmitz, Laufenburger, Wegener, Kirchner and Setze-
pfandt introduced—

S. F. No. 306: 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.

Referred to the Committee on Transportation.

Messrs. Merriam, Humphrey, Gearty, Mrs. Staples, and Mr. Keefe, J. introduced—

S. F. No. 307: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Vega, Strand, Hughes and Chenoweth introduced—

S. F. No. 308: 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.

Referred to the Committee on Governmental Operations.

Messrs. Vega, Dieterich, Luther, Mrs. Staples, and Mr. Solon introduced—

S. F. No. 309: A bill for an act relating to labor; requiring employers to provide rest periods to certain employees; amending Minnesota Statutes 1978, Chapter 181, by adding a section.

Referred to the Committee on Employment.

Messrs. Vega, Nelson, Strand, Johnson and Ogdahl introduced—

S. F. No. 310: A bill for an act relating to taxation; income; increasing the exclusion for certain pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Keefe, J.; Keefe, S; Sieloff; Benedict and Ueland, A. introduced—

S. F. No. 311: A bill for an act relating to taxation; sales; exempting residential water and sewer; amending Minnesota Statutes 1978, Section 297A.01, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Setzepfandt, Engler, Hanson and Schmitz introduced—

S. F. No. 312: A bill for an act relating to highways; permitting towns to purchase certain gravel pits; amending Minnesota Statutes 1978, Section 160.11, Subdivision 1.

Referred to the Committee on Local Government.

Messrs. Setzepfandt, Hanson, Engler, Bernhagen and Schmitz introduced—

S. F. No. 313: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Setzepfandt, Strand, Nichols, Olson and Engler introduced—

S. F. No. 314: 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, Sec-

tions 122.84 and 122.85, Subdivisions 1, 2, 3, 4 and 6; repealing Minnesota Statutes 1978, Section 122.85, Subdivision 7.

Referred to the Committee on Education.

Messrs. Merriam, Dieterich, Hughes, Anderson and Sillers introduced—

S. F. No. 315: 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.

Referred to the Committee on Education. Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Kleinbaum and Purfeerst introduced—

S. F. No. 316: 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.

Referred to the Committee on Transportation.

Messrs. Schaaf, McCutcheon, Willet, Kleinbaum and Chenoweth introduced—

S. F. No. 317: 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.

Referred to the Committee on Judiciary.

Messrs. Schaaf, McCutcheon, Willet, Moe and Keefe, J. introduced—

S. F. No. 318: 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.

Referred to the Committee on Finance.

Messrs. Schaaf, McCutcheon, Willet, Dunn and Sikorski introduced—

S. F. No. 319: 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.

Referred to the Committee on Judiciary.

Messrs. Sikorski, Solon, Ashbach, Bang and Penny introduced—

S. F. No. 320: 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.

Referred to the Committee on Commerce.

Messrs. Merriam, Peterson, Sillers and Dieterich introduced—

S. F. No. 321: A bill for an act proposing an amendment to the Minnesota Constitution, Article X, adding a section; permitting state tax laws to adopt future federal tax law amendments by reference.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Keefe, J.; Gearty and Sieloff introduced—

S. F. No. 322: 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.

Referred to the Committee on Judiciary.

Messrs. Engler, Laufenburger, Purfeerst, Frederick and Anderson introduced—

S. F. No. 323: A bill for an act relating to Independent School District No. 256, Red Wing; appropriating money.

Referred to the Committee on Education.

Mr. Laufenburger introduced—

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, Subdivision 3, and by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Laufenburger introduced—

S. F. No. 325: 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.

Referred to the Committee on Transportation.

Messrs. Chenoweth, Willet, Schaaf, Humphrey and Solon introduced—

S. F. No. 326: A bill for an act relating to retirement; providing a retirement allowance for members of the legislature after eight years of service; amending Minnesota Statutes 1978, Section 3A.02, Subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Chenoweth, McCutcheon and Coleman introduced—

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.

Referred to the Committee on Governmental Operations.

Messrs. Sieloff, Frederick and Sillers introduced—

S. F. No. 328: 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.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Knaak, Messrs. Engler, Knutson and Rued introduced—

S. F. No. 329: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Lewis and Coleman introduced—

S. F. No. 330: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Davies, Hanson, Merriam and Sillers introduced—

S. F. No. 331: A bill for an act relating to intoxicating liquor; persons to whom furnishing prohibited; amending Minnesota Statutes 1978, Section 340.14, Subdivision 1a.

Referred to the Committee on Judiciary.

Messrs. Setzepfandt, Purfeerst, Willet, Strand and Engler introduced—

S. F. No. 332: 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.

Referred to the Committee on Transportation.

REPORTS OF COMMITTEES

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

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

S. F. Nos. 223, 259 and 284 reports the same back with the recommendation that the bills be re-referred as follows:

S. F. Nos. 223 and 284 to the Committee on Employment.

S. F. No. 259 to the Committee on Health, Welfare and Corrections.

Report adopted.

Mr. Coleman from the Committee on Rules and Administration, makes the following report: That the Temporary Rules of the Senate appearing in the Journal for the first day be amended as follows:

Rule 62, in the "Researcher" classification under "Salary Per Day" after "2 @ \$36.09" insert "1 @ \$38.36"

Rule 62 in the "Secretary" classification under "Salary Per Day" delete the "5" before "@ \$34.99" and insert "4"; delete the "4" before "@ \$36.91" and insert "5"

Report adopted.

MOTIONS AND RESOLUTIONS

Mr. Humphrey moved that the name of Mr. Keefe, J. be added as co-author to S. F. No. 149. The motion prevailed.

Mr. Menning moved that S. F. No. 161 be withdrawn from the Committee on Judiciary and returned to its author. The motion prevailed.

Mr. Merriam moved that the names of Messrs. Purfeerst and Strand be added as co-authors to S. F. No. 242. The motion prevailed.

Mr. Schrom moved that the names of Messrs. Purfeerst, Chmielewski and Olhoft be added as co-authors to S. F. No. 246. The motion prevailed.

Mr. Sieloff moved that the names of Messrs. Merriam and Davies be added as co-authors to S. F. No. 252. The motion prevailed.

Mr. Anderson moved that the names of Messrs. Purfeerst, Solon, Sikorski and Penny be added as co-authors to S. F. No. 261. The motion prevailed.

Mr. Spear moved that the name of Mr. Merriam be added as co-author to S. F. No. 265. The motion prevailed.

Mr. Peterson moved that the name of Mr. Olhoft be added as co-author to S. F. No. 272. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Olhoft be added as co-author to S. F. No. 278. The motion prevailed.

Mr. Chmielewski moved that the names of Messrs. Olhoft, Peterson, Schrom and Nichols be added as co-authors to S. F. No. 279. The motion prevailed.

Mr. Coleman moved to amend Temporary Rule No. 62 in accordance with the Committee Report adopted today.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the rule was amended.

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

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

Cynthia Robinson, Page classification, effective January 15, 1979

Ann D. Higgins, Researcher classification, effective January 17, 1979

Rev. Wayne Like, Chaplain, effective January 8, 1979

Rev. Roger Carroll, Chaplain, effective January 22, 1979

Rev. Robert Hazel, Chaplain, effective January 29, 1979

Helen Wilkie, transferred from the Page classification to Committee Clerk, effective February 5, 1979

Margherita M. Glendenning, Clerk Typist classification, effective January 29, 1979

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

Mr. Davies moved that S. F. No. 63, No. 1 on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, February 1, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

TWELFTH DAY

St. Paul, Minnesota, Thursday, February 1, 1979

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

CALL OF THE SENATE

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

Ashbach	Engler	Knoll	Penny	Sillers
Bang	Frederick	Lessard	Perpich	Spear
Bernhagen	Gearty	Lewis	Peterson	Stumpf
Brataas	Gunderson	Luther	Pillsbury	Ulland, J.
Chenoweth	Hanson	McCutcheon	Purfeerst	Vega
Chmielewski	Jensen	Moe	Rued	Willet
Coleman	Johnson	Nelson	Schmitz	
Davies	Keefe, S.	Ogdahl	Schrom	
Dieterich	Kirchner	Olhoff	Setzepfandt	
Dunn	Kleinbaum	Olson	Sieloff	

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

Prayer was offered by the Chaplain, Rev. Robert Hazel.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Hughes, Merriam, Laufenburger and Mrs. Staples were excused from the Session of today. Mr. Benedict was excused from

the early part of today's Session. Mr. Solon was excused from the Session of today from 10:00 to 10:45 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Merriam; Sillers; Kleinbaum; Ueland, A. and Gearty introduced—

S. F. No. 333: A bill for an act relating to education; adding a member to the council on quality education, expanding its purpose, extending eligibility for developing proposals; 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, Sections 3.924, Subdivision 1; 3.925; 3.926, Subdivision 1; 123.58, Subdivisions 2, 4, 5, 6, 7, and 8; and Laws 1976, Chapter 271, Section 8, Subdivision 1, as amended.

Referred to the Committee on Education.

Messrs. Merriam; Ulland, J. and Davies introduced—

S. F. No. 334: 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.

Referred to the Committee on Education.

Mr. Wegener introduced—

S. F. No. 335: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Merriam, Hanson, McCutcheon, Sillers and Sieloff introduced—

S. F. No. 336: A bill for an act relating to taxation; providing for state reimbursement of taxing districts for tax reduction granted to Title II and certain other property; amending Minnesota Statutes 1978, Section 276.04; and Chapter 273, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Merriam, Olhoff, Sillers, Peterson and Sieloff introduced—

S. F. No. 337: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Merriam, Sillers, Kleinbaum and Menning introduced—

S. F. No. 338: 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.

Referred to the Committee on Education.

Mr. Knutson introduced—

S. F. No. 339: A bill for an act proposing an amendment to the Minnesota Constitution to add an article to provide for initiative and referendum.

Referred to the Committee on Judiciary.

Messrs. Keefe, S.; Johnson; Jensen; Schmitz and Schaaf introduced—

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; amending Minnesota Statutes 1978, Sections 10A.-01, Subdivision 2; 10A.14, Subdivision 1; and 10A.20, Subdivision 2.

Referred to the Committee on Elections.

Messrs. Knutson, Vega and Engler introduced—

S. F. No. 341: A bill for an act relating to taxation; property; decreasing the penalty for real estate taxes during the first 30 days of delinquency; amending Minnesota Statutes 1978, Section 279.01.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Kleinbaum, Ashbach, Ogdahl, Peterson and Vega introduced—

S. F. No. 342: A bill for an act relating to professional regulation; regulating architects, engineers, surveyors, and landscape architects; adding an additional member to the board of architec-

ture, engineering, land surveying and landscape architecture; amending Minnesota Statutes 1978, Sections 326.02, Subdivision 4; and 326.04.

Referred to the Committee on Commerce.

Mr. Kleinbaum introduced—

S. F. No. 343: 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.

Referred to the Committee on Elections.

Messrs. Purfeerst, Willet, Strand, Engler and Olson introduced—

S. F. No. 344: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Tennesen, Knoll, Ogdahl, Pillsbury and Lewis introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Tennesen, Knoll, Spear, Kirchner and Lewis introduced—

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.

Referred to the Committee on Commerce.

Messrs. Kirchner and Bang introduced—

S. F. No. 347: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Strand, Nichols and Peterson introduced—

S. F. No. 348: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Johnson introduced—

S. F. No. 349: 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.

Referred to the Committee on Commerce.

Mr. Johnson introduced—

S. F. No. 350: A bill for an act relating to state parks; removing certain lands from within the boundaries of Split Rock Lighthouse State Park.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Staples; Messrs. Bang; Purfeerst; Ueland, A. and Humphrey introduced—

S. F. No. 351: 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.

Referred to the Committee on Commerce.

Messrs. Vega, Nichols, Nelson and Keefe, S. introduced—

S. F. No. 352: 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.

Referred to the Committee on Employment.

Messrs. Vega, Willet and Solon introduced—

S. F. No. 353: A bill for an act relating to unemployment compensation; making certain persons who have filed for workers' compensation eligible for unemployment compensation benefits; providing for recapture; amending Minnesota Statutes 1978, Section 268.08, Subdivision 3.

Referred to the Committee on Employment.

Messrs. Olhoft and Menning introduced—

S. F. No. 354: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Olhoft introduced—

S. F. No. 355: 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.

Referred to the Committee on Local Government.

Mr. Olhoft introduced—

S. F. No. 356: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olhoft, Olson, Chenoweth and Penny introduced—

S. F. No. 357: A bill for an act relating to state government; providing for agency rules hearing, review of rules and report to the legislature and the governor; amending Minnesota Statutes 1978, Section 15.0411, Subdivision 1; and Chapter 15, by adding a section.

Referred to the Committee on Governmental Operations.

Mr. Olhoft introduced—

S. F. No. 358: 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.

Referred to the Committee on Health, Welfare and Corrections. Mr. Perpich questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Olhoft and McCutcheon introduced—

S. F. No. 359: 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.

Referred to the Committee on Judiciary.

Mr. Olhoft introduced—

S. F. No. 360: A bill for an act relating to taxation; providing for the taxation of unemployment compensation benefits if the benefits and federal gross income exceeds \$15,000; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

Referred to the Committee on Employment.

Mrs. Staples and Mr. Keefe, J. introduced—

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.

Referred to the Committee on Transportation.

Messrs. Davies; Lewis; Mrs. Staples; Messrs. Keefe, J. and Keefe, S. introduced—

S. F. No. 362: 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.

Referred to the Committee on Local Government.

Messrs. McCutcheon, Lewis, Schaaf, Davies and Keefe, J. introduced—

S. F. No. 363: A bill for an act relating to crimes; requiring reporting of firearm discharges by private security officers.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. McCutcheon, Lewis, Schaaf, Lessard and Davies introduced—

S. F. No. 364: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Johnson introduced—

S. F. No. 365: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Johnson introduced—

S. F. No. 366: A bill for an act relating to zoning; making state owned lands subject to local planning and zoning ordinances.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Rued, Chmielewski, Renneke, Knutson and Mrs. Knaak introduced—

S. F. No. 367: A bill for an act proposing an amendment to the Minnesota Constitution to add an article to provide for initiative and referendum.

Referred to the Committee on Judiciary.

Messrs. Vega and Engler introduced—

S. F. No. 368: A bill for an act relating to state lands; providing for the lease of certain lands to the city of Hastings.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Schrom, Lessard, Olson, Gearty and Chmielewski introduced—

S. F. No. 369: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. McCutcheon, Moe, Coleman, Johnson and Hanson introduced—

S. F. No. 370: A bill for an act relating to taxation; requiring payment of an income tax rebate; appropriating money.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Hanson, Schaaf, Ogdahl, Merriam and Sieloff introduced—

S. F. No. 371: 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.

Referred to the Committee on Taxes and Tax Laws.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

January 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Veterans' Affairs is hereby respectfully submitted to the Senate for confirmation as required by law:

Donald M. Miller, 10910 Dakota Ct., Burnsville, Dakota County, has been appointed by me, effective January 8, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Veterans' Affairs.)

January 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Agriculture is hereby respectfully submitted to the Senate for confirmation as required by law:

Mark Seetin, Rural Route 2, Winnebago, Faribault County, has been appointed by me, effective January 1, 1979, for a term expiring the first Monday in January, 1983.

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

Sincerely,

Albert H. Quie, Governor

REPORTS OF COMMITTEES

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

Mr. Davies from the Committee on Judiciary, 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.

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

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

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.

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

Page 1, line 13, after "*for*" insert "*all*"

Page 1, line 13, delete "*wage*" and insert "*consumers*"

Page 1, line 14, delete "*earners and clerical workers*"

Page 2, line 18, after "*announce*" insert "*by publication in the state register*"

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

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

S. F. No. 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.

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

Page 3, line 16, delete "*title and address of the official or entity*"

Page 3, line 17, delete "*certifying*" and insert "*file number of*"

Page 4, line 16 and 17, reinstate the stricken language

Page 4, line 26, after "*lien*" insert "*, certificate of discharge or subordination, and for all other notices, including a certificate of release or non-attachment*" and reinstate "*filed with the secretary of state,*"

Page 4, line 27, reinstate the stricken language and delete the new language

Page 4, line 28, after "*lien*" insert "*, certificate of discharge or subordination, and for all other notices, including a certificate*

of release or non-attachment” and reinstate “filed with the county recorder, the”

Page 4, lines 29 to 30, reinstate the stricken language

Page 4, line 30, delete *“on tangible and intangible personal property, \$2;”*

Page 4, delete lines 31 and 32

Page 5, lines 1 and 2, delete the new language

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

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

S. F. No. 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.

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

Page 2, line 6, after *“pro rata”* insert *“unless there is an agreement among the creditors to distribute the proceeds on another basis”*

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

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

S. F. No. 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; 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.

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

Page 2, line 17, after "attorney" insert "or the attorney general"

Page 3, line 10, delete "as" and insert "to the extent"

Page 13, line 11, after "misdemeanor" insert "or petty misdemeanor"

Page 16, line 22, after "section" insert ", Minnesota Statutes, Section 244.10, upon its effective date,"

Page 19, line 27, after "upon" insert "any of"

Pages 26 and 27, delete section 42

Page 27, line 11, after "630.03;" insert "630.04;"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 15 delete "631.07;"

Page 1, line 24, delete "to 630.03; 630.05"

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

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

Reports the same back with the recommendation that the bill be referred to the Senate without recommendation. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 138, 66, 51, 52, 130 and 20 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski introduced—

Senate Concurrent Resolution No. 5: A Senate concurrent resolution applying to Congress to call a convention to propose a right to life constitutional amendment.

Referred to the Committee on Judiciary.

Mr. Dieterich moved that the name of Mr. Lewis be added as co-author to S. F. No. 7. The motion prevailed.

Mr. Ueland, A. moved that the names of Messrs. Penny and Wegener be added as co-authors to S. F. No. 40. The motion prevailed.

Mr. Hughes moved that the name of Mr. Stumpf be added as co-author to S. F. No. 127. The motion prevailed.

Mr. Kleinbaum moved that the name of Mr. Lessard be added as co-author to S. F. No. 226. The motion prevailed.

Mr. Chmielewski moved that the names of Messrs. Wegener, Rued, Setzepfandt and Ueland, A. be added as co-authors to S. F. No. 236. The motion prevailed.

Mr. Nelson moved that the name of Mr. Sikorski be added as co-author to S. F. No. 300. The motion prevailed.

Mr. Wegener moved that the name of Mr. Sikorski be added as co-author to S. F. No. 303. The motion prevailed.

Mr. Merriam moved that the name of Mr. Schaaf be added as co-author to S. F. No. 321. The motion prevailed.

CONFIRMATION

Mr. Chenoweth moved that the report from the Committee on Governmental Operations, reported January 25, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Chenoweth moved that in accordance with the report from the Committee on Governmental Operations, reported January 25, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

STATE DESIGNER SELECTION BOARD

Russell Mroczek, 312 Cedar Lake Rd., Minneapolis, Hennepin County, effective May 1, 1978, for a term expiring the first Monday in January, 1982.

MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION

Mary B. Swanger, Island View Drive, RR 1, Wabasha, Wabasha County, effective February 20, 1978, for a term expiring July 1, 1981.

CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD

Dr. Thomas G. Reichert, 918 St. Germain Street, St. Cloud, Stearns County, effective March 28, 1978, for a term expiring the first Monday in January, 1982.

The motion prevailed. So the appointments were confirmed.

CALENDAR

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Gearly	Lewis	Purfeerst	Strand
Bang	Gunderson	Luther	Renneke	Stumpf
Bernhagen	Hanson	Moe	Rued	Tennessee
Chenoweth	Jensen	Nelson	Schaaf	Ulland, J.
Coleman	Johnson	Nichols	Schmitz	Vega
Davies	Keefe, J.	Olhoft	Setzepfandt	Wegener
Dieterich	Kirchner	Olson	Sieloff	Willet
Dunn	Kleinbaum	Penny	Sikorski	
Engler	Knaak	Perpich	Spear	
Frederick	Lessard	Pillsbury	Stokowski	

Those who voted in the negative were:

Ashbach	Humphrey	Knutson	Peterson	Ueland, A.
Brataas	Keefe, S.	Menning	Schrom	
Chmielewski	Knoll	Ogdahl	Sillers	

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 43 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Dieterich	Knutson	Pillsbury	Strand
Ashbach	Dunn	Lessard	Purfeerst	Stumpf
Bang	Frederick	Luther	Renneke	Tennessee
Bernhagen	Gearly	Moe	Rued	Ueland, A.
Brataas	Hanson	Nelson	Schaaf	Ulland, J.
Chenoweth	Jensen	Nichols	Schmitz	Wegener
Chmielewski	Keefe, S.	Ogdahl	Schrom	Willet
Coleman	Kirchner	Olhoft	Sieloff	
Davies	Kleinbaum	Olson	Stokowski	

Those who voted in the negative were:

Engler	Keefe, J.	Menning	Setzepfandt	Vega
Gunderson	Knaak	Penny	Sikorski	
Humphrey	Knoll	Perpich	Sillers	
Johnson	Lewis	Peterson	Spear	

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S. F. No. 63, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 1, line 18, strike "debtor resides" and insert "*judgment was originally docketed or is subsequently filed*"

Page 1, line 18, reinstate the comma and strike "or"

Page 1, lines 21 and 22, delete the new language

The motion prevailed. So the amendment was adopted.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hanson moved that the Senate do now adjourn until 5:00 o'clock p.m., Monday, February 5, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

THIRTEENTH DAY

St. Paul, Minnesota, Monday, February 5, 1979

The Senate met at 5:00 o'clock p.m. and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Engler	Knoll	Olhoff	Solon
Ashbach	Frederick	Knutson	Olson	Spear
Bang	Gearty	Laufenburger	Penny	Staples
Benedict	Gunderson	Lewis	Perpich	Stokowski
Bernhagen	Hughes	Luther	Pillsbury	Stumpf
Brataas	Humphrey	McCutcheon	Purfeerst	Tennessee
Chenoweth	Johnson	Menning	Renneke	Ulland, J.
Chmielewski	Keefe, J.	Merriam	Rued	Vega
Coleman	Keefe, S.	Moe	Schmitz	Wegener
Davies	Kirchner	Nelson	Schrom	Willet
Dieterich	Kleinbaum	Nichols	Setzepfandt	
Dunn	Knaak	Ogdahl	Sikorski	

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

Prayer was offered by the Chaplain, Rev. Robert Hazel.

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

Anderson	Engler	Knoll	Ogdahl	Setzepfandt
Ashbach	Frederick	Knutson	Olhoff	Sikorski
Bang	Gearty	Laufenburger	Olson	Solon
Benedict	Gunderson	Lessard	Penny	Spear
Bernhagen	Hughes	Lewis	Perpich	Staples
Brataas	Humphrey	Luther	Pillsbury	Stokowski
Chenoweth	Johnson	McCutcheon	Purfeerst	Stumpf
Chmielewski	Keefe, J.	Menning	Renneke	Tennessee
Coleman	Keefe, S.	Merriam	Rued	Ulland, J.
Davies	Kirchner	Moe	Schaaf	Vega
Dieterich	Kleinbaum	Nelson	Schmitz	Wegener
Dunn	Knaak	Nichols	Schrom	Willet

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Hanson, Peterson, Sillers, Strand and Ueland, A. were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Olhoft and Moe introduced—

S. F. No. 372: 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.

Referred to the Committee on Commerce.

Messrs. Sieloff, Merriam, Chmielewski and Bang introduced—

S. F. No. 373: A bill for an act relating to taxation; income; increasing the amount of deductible losses from out of state sources; excluding from gross income a portion of gain from property with a basis differential attributable to the allocation of income to the state; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.17, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Engler, Wegener, Chmielewski and Mrs. Knaak introduced—

S. F. No. 374: A bill for an act relating to taxation; income; exempting pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Mr. Humphrey, Mrs. Knaak, Messrs. Sikorski, Ashbach and Olhoft introduced—

S. F. No. 375: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Schaaf, Sillers, Strand, Renneke and Nichols introduced—

S. F. No. 376: 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.

Referred to the Committee on Local Government. Mr. Tennesen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Olson introduced—

S. F. No. 377: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Nelson, Chenoweth, Sikorski, McCutcheon and Ashbach introduced—

S. F. No. 378: 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.

Referred to the Committee on Governmental Operations.

Messrs. Nelson, Benedict, Lewis and Humphrey introduced—

S. F. No. 379: A bill for an act relating to education; providing for four year averaging in the calculation of declining pupil units; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

Referred to the Committee on Education.

Messrs. Lewis, Perpich, Spear and Pillsbury introduced—

S. F. No. 380: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Johnson introduced—

S. F. No. 381: A bill for an act relating to the city of Ely; providing for the salaries of the mayor and council.

Referred to the Committee on Local Government.

Messrs. Johnson, Perpich, Hanson, Knutson and Davies introduced—

S. F. No. 382: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Pillsbury and Lewis introduced—

S. F. No. 383: A bill for an act relating to state employees; authorizing voluntary payroll deductions for the International Service Agencies; amending Minnesota Statutes 1978, Section 15.375.

Referred to the Committee on Governmental Operations.

Messrs. Wegener, Renneke, Bernhagen and Olhoft introduced—

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.

Referred to the Committee on Elections.

Messrs. Nelson, Johnson, Perpich and Vega introduced—

S. F. No. 385: A bill for an act relating to labor; requiring employers to furnish certain safety apparel to employees.

Referred to the Committee on Employment.

Messrs. Lewis, Kirchner, Perpich and Nelson introduced—

S. F. No. 386: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Lewis, Vega, Luther and Davies introduced—

S. F. No. 387: 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.

Referred to the Committee on Judiciary.

Messrs. Wegener, Olhoft and Renneke introduced—

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.

Referred to the Committee on Local Government.

Messrs. Wegener, Olhoft and Renneke introduced—

S. F. No. 389: A bill for an act relating to taxation; requiring county to reimburse township for certain errors made by county auditor.

Referred to the Committee on Local Government.

Messrs. Merriam, Anderson, Sillers, Sikorski and Schaaf introduced—

S. F. No. 390: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Spear; Lewis; Keefe, S. and Dieterich introduced—

S. F. No. 391: 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.

Referred to the Committee on Governmental Operations.

Mr. Sieloff introduced—

S. F. No. 392: 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.

Referred to the Committee on Judiciary.

Messrs. Hanson, Menning, Peterson, Setzepfandt and Moe introduced—

S. F. No. 393: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Strand, Engler, Nichols, Hanson and Peterson introduced—

S. F. No. 394: 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; and 31.101, Subdivision 8; repealing Minnesota Statutes 1978, Sections 17B.08; 17B.09; and 21.114.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Strand, Penny, Nichols, Engler and Hanson introduced—

S. F. No. 395: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Knoll, Coleman, Anderson, Penny and Ulland, J. introduced—

S. F. No. 396: 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.

Referred to the Committee on Energy and Housing.

Messrs. Johnson, Perpich, Stokowski and Lessard introduced—

S. F. No. 397: A bill for an act relating to local government; setting conditions for the removal of local government units to permit mining.

Referred to the Committee on Local Government.

Messrs. Johnson, Perpich, Stokowski and Lessard introduced—

S. F. No. 398: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Menning, Chmielewski, Bernhagen, Schrom and Kleinbaum introduced—

S. F. No. 399: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Strand, Nichols, Tennessen and Sillers introduced—

S. F. No. 400: 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.

Referred to the Committee on Judiciary.

Messrs. Hanson, Setzepfandt, Bernhagen, Peterson and Nichols introduced—

S. F. No. 401: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Schaaf, McCutcheon, Bernhagen, Tennessen and Sillers introduced—

S. F. No. 402: 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.

Referred to the Committee on Judiciary.

Messrs. Gunderson, Benedict and Mrs. Staples introduced—

S. F. No. 403: 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.

Referred to the Committee on Commerce.

Mr. Benedict introduced—

S. F. No. 404: A bill for an act relating to education; school district elections; permitting the question of establishing a school breakfast program to be placed on the ballot of an annual school

district election; amending Minnesota Statutes 1978, Section 123.32, by adding a subdivision.

Referred to the Committee on Education.

Messrs. Vega, Purfeerst, Sieloff and Lewis introduced—

S. F. No. 405: 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 interagency 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.

Referred to the Committee on Transportation.

Messrs. Keefe, S.; Humphrey and Vega introduced—

S. F. No. 406: 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.

Referred to the Committee on Employment.

Messrs. Peterson and Setzepfandt introduced—

S. F. No. 407: A bill for an act relating to regional development commissions; requiring a report on the commission's effectiveness; providing procedures for terminating commissions; amending Minnesota Statutes 1978, Section 462.393; and Chapter 462, by adding a section.

Referred to the Committee on Local Government.

Mr. Perpich introduced—

S. F. No. 408: A bill for an act relating to the city of Chisholm; exempting volunteer firefighters from civil service commission jurisdiction.

Referred to the Committee on Local Government.

Mr. Benedict introduced—

S. F. No. 409: A bill for an act relating to commerce; regulating price display by gasoline stations and other vendors of motor fuel; amending Minnesota Statutes 1978, Section 325.77, Subdivision 4.

Referred to the Committee on Commerce.

Messrs. Davies, Hanson, Tennessen, Lessard and Sieloff introduced—

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.

Referred to the Committee on Judiciary.

Mr. Sieloff introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Dunn, Wegener, Nichols, Hanson and Rued introduced—

S. F. No. 412: 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.

Referred to the Committee on Local Government.

REPORTS OF COMMITTEES

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

Mr. Laufenburger from the Committee on Employment, 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.

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

Page 2, line 4, delete "and"

Page 2, line 7, after the second "of" insert "*at least*"

Page 2, line 31, delete everything after the period

Page 2, delete lines 32 and 33

Page 3, delete line 1

Page 3, line 2, delete "*indicates*" and insert "*If the commissioner at any time has reason to believe*"

Page 3, line 3, delete "*during the year*"

Page 3, line 4, delete "*then*"

Page 3, line 7, delete "*by*"

Page 3, delete lines 8 to 16

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

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

Mr. Wegener from the Committee on Local Government, 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.

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

Mr. Wegener from the Committee on Local Government, 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.

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

Page 1, line 8, after "Falls," insert "located on the following described tract of land situated in the city of South International Falls, Koochiching County, Minnesota, to-wit:

That part of Lot One (1), Auditor's Plat No. Thirteen (13), located in Section Three (3), Township Seventy (70), Range Twenty-four (24), described as follows: Beginning at the south-east corner of said Lot 1; thence west on the south line of said Lot 1, 433 feet; thence north on a line parallel to the east line of said Lot 1, 200 feet; thence east on a line parallel to said south line, 433 feet to the east line of said Lot; thence south on said east line 200 feet to the point of beginning,"

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

Mr. Wegener from the Committee on Local Government, 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 as well as county auditor be notified when the petition is certified; amending Minnesota Statutes 1978, Section 6.54.

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

Page 3, line 2, after the period insert "*Thirty days*"

Page 3, line 2, strike "such" and insert "*the*"

Page 3, lines 3 and 4, delete "*in the case of a home rule charter or statutory city,*"

Page 3, line 4, after "*to the*" insert "*appropriate*"

Page 3, line 5, after "*city*" insert "*, town or school district*"

Page 3, lines 5 and 6, delete "*, in the case of a home rule charter or statutory city, town or school district,*"

Page 3, line 6, strike "to"

Page 3, line 6, before "auditor" insert "*county*"

Page 3, line 6, insert a period after "auditor" and strike "of"

Page 3, strike line 7

Page 3, line 8, strike "situated, who" and insert "*The county auditor*"

Page 3, line 8, after "determine" insert "*and certify*"

Page 3, line 8, strike "such" and insert "*the*"

Page 3, line 10, insert a period after "*voters*" and strike the remaining language

Page 3, line 11, before "certificate" insert "*The*"

Page 3, line 13, strike "such" and insert "*the*"

Amend the title as follows:

Page 1, line 9, after "city" insert "*, town and school district*"

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

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

S. F. No. 370: A bill for an act relating to taxation; requiring payment of an income tax rebate; appropriating money.

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

Page 2, line 2, delete "person who files a return" and insert "single taxpayer, \$150 for a taxpayer and spouse"

Page 2, line 3, delete "spouse and"

Page 2, line 5, after the period, insert "In the case of married taxpayers who file separate returns, the maximum rebate for which they qualify for themselves shall be apportioned between them in the ratio in which they claim the personal credits for themselves."

Page 2, line 9, after the period, insert "A notice shall accompany payments made pursuant to this act, specifying that the payment is a special return of surplus state funds and not a conventional income tax refund."

Page 2, line 13, delete "1" and insert "2"

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

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

S. F. No. 39: 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.

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

Page 3, line 7, after "290" insert "or 290A"

Page 3, line 12, after the period insert "*The commissioner may exclude the names of payees whose refunds are in an amount which is less than a minimal amount to be determined by the commissioner.*"

Amend the title as follows:

Page 1, line 4, after "refunds" insert "or property tax refund"

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 138, 20, 66, 51, 52 and 130 makes the following report:

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

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

SECOND READING OF SENATE BILLS

S. F. No. 92 was read the second time.

S. F. Nos. 187, 298, 236, 370 and 39 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski moved that the names of Messrs. Schrom and Schmitz be added as co-authors to Senate Concurrent Resolution No. 5. The motion prevailed.

Mr. Luther moved that the name of Mr. Peterson be added as co-author to S. F. No. 205. The motion prevailed.

Mr. Wegener moved that the name of Mr. Olhoft be added as co-author to S. F. No. 335. The motion prevailed.

Mr. Kleinbaum moved that the names of Messrs. Nelson, Bang, Purfeerst and Stokowski be added as co-authors to S. F. No. 343. The motion prevailed.

Mr. Strand moved that the names of Messrs. Olhoft and Penny be added as co-authors to S. F. No. 348. The motion prevailed.

Mr. Vega moved that the name of Mr. Johnson be added as co-author to S. F. No. 352. The motion prevailed.

Mr. Vega moved that the name of Mr. Johnson be added as co-author to S. F. No. 353. The motion prevailed.

Mr. Olhoft moved that the names of Messrs. Olson, Bernhagen and Wegener be added as co-authors to S. F. No. 354. The motion prevailed.

Mr. Olhoft moved that the names of Messrs. Wegener, Purfeerst, Chmielewski and Ueland, A. be added as co-authors to S. F. No. 355. The motion prevailed.

Mr. Olhoft moved that the names of Messrs. Lessard, Vega, Purfeerst and Benedict be added as co-authors to S. F. No. 356. The motion prevailed.

Mr. Olhoft moved that the name of Mr. Kirchner be added as co-author to S. F. No. 357. The motion prevailed.

Mr. Olhoft moved that the names of Messrs. Schrom; Keefe, S.; Knutson and Merriam be added as co-authors to S. F. No. 358. The motion prevailed.

Mr. Olhoft moved that the names of Messrs. Schrom, Lessard and Bernhagen be added as co-authors to S. F. No. 359. The motion prevailed.

Mr. Olhoft moved that the names of Messrs. Peterson, Bang, Chmielewski and Willet be added as co-authors to S. F. No. 360. The motion prevailed.

Mr. Johnson moved that the name of Mr. Vega be added as co-author to S. F. No. 365. The motion prevailed.

Mr. Lewis moved that the name of Mrs. Brataas be added as co-author to S. F. No. 380. The motion prevailed.

Mr. Lewis moved that the name of Mr. Solon be added as co-author to S. F. No. 386. The motion prevailed.

RECESS

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

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

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

REPORTS OF COMMITTEES

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which was referred S. F. No. 370 makes the following report:

That the above Senate File be placed on the General Orders Calendar.

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

CALENDAR

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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Olson	Spear
Bang	Gearty	Lessard	Penny	Staples
Benedict	Gunderson	Lewis	Perpich	Stokowski
Bernhagen	Hughes	Luther	Pillsbury	Stumpf
Brataas	Humphrey	McCutcheon	Purfeerst	Tennessee
Chenoweth	Johnson	Menning	Rued	Ulland, J.
Chmielewski	Keefe, J.	Merriam	Schaaf	Vega
Coleman	Keefe, S.	Moe	Schmitz	Wegener
Davies	Kirchner	Nelson	Schrom	Willet
Dieterich	Kleinbaum	Nichols	Setzepfandt	
Dunn	Knoll	Ogdahl	Sikorski	
Engler	Knutson	Olhoft	Solon	

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Hughes moved that S. F. No. 334 be withdrawn from the Committee on Education and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 11:45 o'clock a.m., Wednesday, February 7, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FOURTEENTH DAY

St. Paul, Minnesota, Wednesday, February 7, 1979

The Senate met at 11:45 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Ashbach	Frederick	Laufenburger	Penny	Sillers
Bang	Gearty	Lessard	Perpich	Solon
Benedict	Gunderson	Lewis	Peterson	Spear
Bernhagen	Hanson	Luther	Purfeerst	Staples
Chenoweth	Hughes	McCutcheon	Renneke	Strand
Chmielewski	Humphrey	Menning	Rued	Tennessee
Coleman	Johnson	Merriam	Schmitz	Ulland, J.
Davies	Keefe, S.	Moe	Schrom	Vega
Dieterich	Kleinbaum	Ogdahl	Setzepfandt	Wegener
Dunn	Knaak	Olhoff	Sieloff	Willet
Engler	Knutson	Olson	Sikorski	

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

Prayer was offered by the Chaplain, Rev. Robert Hazel.

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

Anderson	Frederick	Knutson	Olson	Sillers
Ashbach	Gearty	Laufenburger	Penny	Solon
Bang	Gunderson	Lessard	Perpich	Spear
Benedict	Hanson	Lewis	Peterson	Staples
Bernhagen	Hughes	Luther	Purfeerst	Stokowski
Brataas	Humphrey	McCutcheon	Renneke	Strand
Chenoweth	Jensen	Menning	Rued	Stumpf
Chmielewski	Johnson	Merriam	Schaaf	Tennessee
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Schrom	Vega
Dieterich	Kleinbaum	Nichols	Setzepfandt	Wegener
Dunn	Knaak	Ogdahl	Sieloff	Willet
Engler	Knoll	Olhoff	Sikorski	

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Kirchner, Pillsbury and Ueland, A. were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Ashbach introduced—

S. F. No. 413: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Schaaf, McCutcheon, Moe, Willet and Keefe, J. introduced—

S. F. No. 414: A bill for an act relating to crimes; establishing a program for undercover arson investigation; appropriating money.

Referred to the Committee on Judiciary.

Messrs. Keefe, S.; Sieloff; Lewis; Spear and Gearty introduced—

S. F. No. 415: 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.

Referred to the Committee on Transportation.

Mr. Solon introduced—

S. F. No. 416: A bill for an act validating and legalizing certain state assignment certificates.

Referred to the Committee on Judiciary.

Mr. Solon introduced—

S. F. No. 417: 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.

Referred to the Committee on Judiciary.

Mr. Solon introduced—

S. F. No. 418: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Solon introduced—

S. F. No. 419: 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.

Referred to the Committee on Governmental Operations.

Mr. Nichols introduced—

S. F. No. 420: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Nichols introduced—

S. F. No. 421: A bill for an act relating to education; reducing the number of mills in the foundation aid formula; providing for four year averaging in the calculation of declining pupil units; amending Minnesota Statutes 1978, Sections 124.17, Subdivision 1; and 124.212, Subdivisions 6c and 7c.

Referred to the Committee on Education.

Messrs. Merriam and Johnson introduced—

S. F. No. 422: 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.

Referred to the Committee on Commerce.

Messrs. Sikorski, Ashbach, Schaaf, Chenoweth and Ogdahl introduced—

S. F. No. 423: 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.

Referred to the Committee on Governmental Operations.

Messrs. Kleinbaum, Bang and Laufenburger introduced—

S. F. No. 424: 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.

Referred to the Committee on Commerce.

Messrs. Kleinbaum, Stokowski and Ogdahl introduced—

S. F. No. 425: 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.

Referred to the Committee on Governmental Operations.

Messrs. Sikorski, Frederick, Chmielewski, McCutcheon and Sieloff introduced—

S. F. No. 426: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ashbach, Willet, Rued, Johnson and Perpich introduced—

S. F. No. 427: 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.

Referred to the Committee on Commerce.

Messrs. Vega, Nelson, Johnson, Nichols and Keefe, S. introduced—

S. F. No. 428: A bill for an act relating to labor; requiring certain employers to provide employees with annual chest x-rays and hearing tests.

Referred to the Committee on Employment.

Messrs. Vega, Johnson, Nelson, Dieterich and Nichols introduced—

S. F. No. 429: A bill for an act relating to labor; providing for issuance of injunctions against certain violations of laws relating to wages, hours and employment conditions; amending Minnesota Statutes 1978, Chapter 181, by adding a section.

Referred to the Committee on Employment.

Messrs. Moe, Chenoweth, Lewis, Ashbach and Coleman introduced—

S. F. No. 430: A bill for an act relating to federal money; providing for legislative review of requests to expend federal money

received by state agencies; amending Minnesota Statutes 1978, Section 3.30, Subdivision 2; and Chapter 3, by adding a section.

Referred to the Committee on Governmental Operations.

Messrs. Keefe, J.; Bernhagen; Johnson; Sikorski and Knutson introduced—

S. F. No. 431: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olhoft, Nelson, Solon, Sikorski and Kirchner introduced—

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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Keefe, J.; Sikorski; Knoll and Knutson introduced—

S. F. No. 433: 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.

Referred to the Committee on Judiciary.

Messrs. Johnson, Perpich, Laufenburger, Willet and Lessard introduced—

S. F. No. 434: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Penny, Hughes, Dunn, Moe and Ulland, J. introduced—

S. F. No. 435: 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 voca-

tional-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.

Referred to the Committee on Education.

Messrs. Benedict and Solon introduced—

S. F. No. 436: A bill for an act relating to financial institutions; permitting variable payment home mortgages; amending Minnesota Statutes 1978, Chapter 47, by adding a section.

Referred to the Committee on Commerce.

Messrs. Setzepfandt and Nelson introduced—

S. F. No. 437: 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.

Referred to the Committee on Governmental Operations.

Messrs. Luther, Coleman, Benedict and Ashbach introduced—

S. F. No. 438: 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.

Referred to the Committee on Elections.

Messrs. Willet, Moe, Johnson and Nichols introduced—

S. F. No. 439: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Willet, McCutcheon, Schaaf and Johnson introduced—

S. F. No. 440: A bill for an act relating to constables; exempting certain constables from licensing requirements; amending Minnesota Statutes 1978, Section 367.41, Subdivision 2.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Menning introduced—

S. F. No. 441: 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.

Referred to the Committee on Energy and Housing.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received and referred to the committee indicated.

January 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Personnel is hereby respectfully submitted to the Senate for confirmation as required by law:

Barbara Sundquist, 579 Westwood Village II, Roseville, Ramsey County, has been appointed by me, effective January 17, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

Sincerely,

Albert H. Quie, Governor

MOTIONS AND RESOLUTIONS

Mr. Nelson moved that the name of Mr. Solon be added as co-author to S. F. No. 379. The motion prevailed.

Mr. Nelson moved that the name of Mr. Solon be added as co-author to S. F. No. 385. The motion prevailed.

Mr. Vega moved that the name of Mr. Schaaf be added as co-author to S. F. No. 405. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 370 a Special Order to be heard immediately.

S. F. No. 370: A bill for an act relating to taxation; requiring payment of an income tax rebate; appropriating money.

Mr. Ashbach raised a point of order pursuant to Rule 35 that S. F. No. 370 should be re-referred to the Committee on Finance.

The President ruled that the point of order was not well taken.

Mr. Sieloff moved to amend S. F. No. 370 as follows:

Page 2, line 20, delete "amounts" and insert "amount"

Page 2, line 21, delete "to administer" and insert "the sum of \$522,000 for the cost of administration of"

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

Mr. Sieloff then moved to amend S. F. No. 370 as follows:

Page 1, line 6, after "1." insert "Minnesota Statutes 1978, Chapter 256D, is amended by adding a section to read:

[256D.42]"

Page 1, line 18, after "2." insert "Minnesota Statutes 1978, Chapter 256D, is amended by adding a section to read:

[256D.43]"

Page 2, line 18, after "3." insert "Minnesota Statutes 1978, Chapter 256D, is amended by adding a section to read:

[256D.44]"

Underline all new language in the bill

Amend the title as follows:

Page 1, line 3, after "money" insert "; amending Minnesota Statutes 1978, Chapter 256D, by adding sections"

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

S. F. No. 370 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 45 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Lewis	Perpich	Spear
Benedict	Hughes	Luther	Peterson	Staples
Chenoweth	Humphrey	McCutcheon	Purfeerst	Stokowski
Chmielewski	Johnson	Menning	Schaaf	Strand
Coleman	Keefe, S.	Merriam	Schmitz	Stumpf
Davies	Kleinbaum	Moe	Schrom	Tennessee
Dieterich	Knoll	Nelson	Setzepfandt	Vega
Gearty	Laufenburger	Nichols	Sikorski	Wegener
Gunderson	Lessard	Olson	Solon	Willet

Those who voted in the negative were:

Ashbach	Dunn	Keefe, J.	Olhoff	Sieloff
Bang	Engler	Knaak	Penny	Sillers
Bernhagen	Frederick	Knutson	Renneke	Ulland, J.
Brataas	Jensen	Ogdahl	Rued	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Dieterich moved that S. F. No. 157 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Commerce. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, February 8, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FIFTEENTH DAY

St. Paul, Minnesota, Thursday, February 8, 1979

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

CALL OF THE SENATE

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

Ashbach	Frederick	Kleinbaum	Olson	Stokowski
Benedict	Gearty	Knaak	Purfeerst	Strand
Brataas	Gunderson	Knutson	Rued	Stumpf
Chenoweth	Hanson	Laufenburger	Schmitz	Tennessee
Chmielewski	Hughes	Lessard	Schrom	Ulland, J.
Coleman	Jensen	McCutcheon	Setzepfandt	Willet
Dieterich	Johnson	Menning	Sikorski	
Dunn	Keefe, S.	Merriam	Spear	
Engler	Kirchner	Nelson	Staples	

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

Prayer was offered by the Chaplain, Rev. Robert Hazel.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Humphrey and Ueland, A. were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Merriam introduced—

S. F. No. 442: 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.

Referred to the Committee on Education.

Mr. Solon introduced—

S. F. No. 443: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bernhagen, Chmielewski, Schmitz and Wegener introduced—

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.

Referred to the Committee on Local Government.

Messrs. Perpich, Johnson and Lessard introduced—

S. F. No. 445: 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.

Referred to the Committee on Judiciary.

Mr. Schaaf introduced—

S. F. No. 446: 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; 155.05; repealing Minnesota Statutes 1978, Chapter 186.

Referred to the Committee on Commerce.

Messrs. Anderson, Knoll, Sillers, Willet and Nelson introduced—

S. F. No. 447: 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.

Referred to the Committee on Energy and Housing.

REPORTS OF COMMITTEES

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

Mr. Wegener from the Committee on Local Government 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.

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

Mr. Wegener from the Committee on Local Government, 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.

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

Mr. Wegener from the Committee on Local Government, 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.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 88, 388 and 389 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Solon moved that the name of Mr. Vega be added as co-author to S. F. No. 418. The motion prevailed.

Mr. Nichols moved that the name of Mr. Strand be added as co-author to S. F. No. 420. The motion prevailed.

Mr. Nichols moved that the name of Mr. Strand be added as co-author to S. F. No. 421. The motion prevailed.

Mr. Benedict moved that the name of Mr. Merriam be added as co-author to S. F. No. 436. The motion prevailed.

Mr. Luther moved that the name of Mr. Sikorski be added as co-author to S. F. No. 438. The motion prevailed.

Mr. Willet moved that the name of Mr. Hanson be added as co-author to S. F. No. 439. The motion prevailed.

Mr. Menning moved that the name of Mr. Nelson be added as co-author to S. F. No. 441. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 20 a Special Order to be heard immediately.

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.

Mr. Coleman moved to amend S. F. No. 20 as follows:

Delete everything after the enacting clause and insert:

"Section 1. 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. 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 1979, on which date it shall be terminated. The tax, on sales prior to August 1, 1979, 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, and be distributed in accordance with subdivision 3.

Sec. 2. Minnesota Statutes 1978, Section 473.591, Subdivision 3, is amended to read:

Subd. 3. [PROCEEDS; USE.] The collections of the tax, 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 tax. The amount deducted shall be deposited in the general fund of the state. The proceeds remitted 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 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, 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 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. 3. Minnesota Statutes 1978, Section 473.591, is amended by adding a subdivision to read:

Subd. 4. [MINNEAPOLIS PROPERTY TAX.] If it is determined to construct a covered multipurpose sports facility situated within the city of Minneapolis, that city may undertake and agree with the council and commission to levy a tax to secure the payment of any bonds issued to finance the construction (or to refund bonds issued to finance the construction) and any revenue anticipation certificates issued for expenses of operation, administration, maintenance, and debt service thereof, as contemplated in section 473.581, subdivisions 3 and 5. The tax may be levied in 1979 and each subsequent year, for collection in the following year, upon all parcels of taxable real estate, including buildings and improvements thereon, which are situated in the city and are devoted to a commercial or industrial use, at a rate to be computed on the assessed valuation of each parcel.

For the purpose of this subdivision, commercial and industrial property includes all real property in class 4 as described in section 273.13, subdivision 9, except real property and buildings and improvements thereon which are used exclusively to provide residential, nontransient housing, and for functionally related and subordinate purposes. The agreement for the levy of the tax shall be made by resolution of the city council before the issuance of the bonds, and shall constitute a contract with and for the security of all holders of the bonds and revenue anticipation certificates and

shall not be subject to termination, revocation, or amendment until the pledge of the tax and other revenues for the payment of the bonds and certificates has been fully satisfied and discharged. The council shall notify the city and the director of finance of Hennepin County not later than October 1 in each year of the amount of cash and cash-equivalent securities then on hand in the debt service fund (whether derived from tax and other revenues, investment income, or bond proceeds pledged thereto), and the aggregate amount of principal and interest due and to become due on the bonds to and including June 30 in the second calendar year thereafter. If the amount of principal and interest exceeds the amount on hand, the director of finance shall be authorized and directed by the agreement to extend and assess the tax on the tax rolls of the city in the current year for collection in the year following, in an amount equal to the excess, and to remit the collections thereof to the council for deposit in the debt service fund.

Sec. 4. 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 section 473.591, subdivision 4, as enacted by section 3, 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.

Sec. 5. This act is effective in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 6. Minnesota Statutes 1978, Section 473.568, is repealed.

Sec. 7. This act is effective the day following final enactment."

Strike the title and insert:

"A bill for an act relating to the financing of metropolitan sports facilities; authorizing the levy and appropriation of a tax by the city of Minneapolis on certain commercial and industrial property for this purpose and discontinuing the metropolitan tax on retail on-sales of intoxicating liquor and fermented malt beverages; amending Minnesota Statutes 1978, Section 473.591, Subdivisions 2 and 3, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 473.568."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 42, as follows:

Those who voted in the affirmative were:

Ashbach	Kirchner	Nelson	Perpich	Strand
Coleman	Knaak	Nichols	Purfeerst	Wegener
Hughes	Laufenburger	Olhoff	Schaaf	
Johnson	Lessard	Olson	Schmitz	
Keefe, J.	Menning	Penny	Sieloff	

Those who voted in the negative were:

Anderson	Dunn	Knoll	Renneke	Stokowski
Bang	Engler	Knutson	Rued	Stumpf
Benedict	Frederick	Lewis	Schrom	Tennessee
Bernhagen	Gearty	Luther	Setzepfandt	Ulland, J.
Brataas	Gunderson	McCutcheon	Sikorski	Vega
Chenoweth	Hanson	Merriam	Sillers	Willet
Chmielewski	Jensen	Ogdahl	Solon	
Davies	Keefe, S.	Peterson	Spear	
Dieterich	Kleinbaum	Pillsbury	Staples	

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

Mr. Kirchner moved that S. F. No. 20, No. 1 on Special Orders, be stricken and re-referred to the Committee on Governmental Operations.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 7 and nays 58, as follows:

Those who voted in the affirmative were:

Ashbach	Kirchner	Merriam	Ogdahl	Schaaf
Keefe, J.	Knutson			

Those who voted in the negative were:

Anderson	Frederick	Lessard	Peterson	Spear
Bang	Gearty	Lewis	Pillsbury	Staples
Benedict	Gunderson	Luther	Purfeerst	Stokowski
Bernhagen	Hanson	McCutcheon	Renneke	Strand
Brataas	Hughes	Menning	Rued	Stumpf
Chenoweth	Jensen	Moe	Schmitz	Tennessee
Chmielewski	Johnson	Nelson	Schrom	Ulland, J.
Coleman	Keefe, S.	Nichols	Setzepfandt	Vega
Davies	Kleinbaum	Olhoff	Sieloff	Wegener
Dieterich	Knaak	Olson	Sikorski	Willet
Dunn	Knoll	Penny	Sillers	
Engler	Laufenburger	Perpich	Solon	

The motion did not prevail.

CALL OF THE SENATE

Mr. Chenoweth imposed a call of the Senate for the balance of the proceedings on S. F. No. 20. The following Senators answered to their names:

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

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

S. F. No. 20 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 38 and nays 27, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Luther	Perpich	Strand
Bang	Hughes	McCutcheon	Purfeerst	Stumpf
Benedict	Johnson	Menning	Renneke	Tennessen
Chenoweth	Keefe, J.	Moe	Schmitz	Vega
Coleman	Kirchner	Nelson	Schrom	Wegener
Davies	Knaak	Olhoff	Sieloff	Willet
Dieterich	Knutson	Olson	Sikorski	
Engler	Laufenburger	Penny	Spear	

Those who voted in the negative were:

Anderson	Gearty	Lessard	Pillsbury	Staples
Bernhagen	Hanson	Lewis	Rued	Stokowski
Brataas	Jensen	Merriam	Schaaf	Ulland, J.
Chmielewski	Keefe, S.	Nichols	Setzepfandt	
Dunn	Kleinbaum	Ogdahl	Sillers	
Frederick	Knoll	Peterson	Solon	

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Chenoweth moved that the vote whereby S. F. No. 20 was passed by the Senate on February 8, 1979, be now reconsidered. The motion did not prevail.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 5:00 o'clock p.m., Monday, February 12, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

SIXTEENTH DAY

St. Paul, Minnesota, Monday, February 12, 1979

The Senate met at 5:00 o'clock p.m. and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Gearty	Lessard	Peterson	Solon
Bang	Gunderson	Lewis	Pillsbury	Spear
Benedict	Hanson	Luther	Purfeerst	Staples
Brataas	Hughes	McCutcheon	Renneke	Stokowski
Chenoweth	Humphrey	Menning	Rued	Strand
Chmielewski	Jensen	Merriam	Schaaf	Stumpf
Davies	Johnson	Nelson	Schmitz	Ueland, A.
Dieterich	Kirchner	Nichols	Schrom	Vega
Dunn	Kleinbaum	Ogdahl	Setzepfandt	Wegener
Engler	Knaak	Penny	Sieloff	Willet
Frederick	Laufenburger	Perpich	Sillers	

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

Prayer was offered by the Chaplain, Rev. Roger Carroll.

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

Anderson	Gearty	Knutson	Pillsbury	Staples
Ashbach	Gunderson	Laufenburger	Purfeerst	Stokowski
Bang	Hanson	Lessard	Renneke	Strand
Benedict	Hughes	Lewis	Rued	Stumpf
Bernhagen	Humphrey	Luther	Schaaf	Ueland, A.
Brataas	Jensen	McCutcheon	Schmitz	Ulland, J.
Chenoweth	Johnson	Menning	Schrom	Vega
Chmielewski	Keefe, J.	Merriam	Setzepfandt	Wegener
Davies	Keefe, S.	Nelson	Sieloff	Willet
Dieterich	Kirchner	Ogdahl	Sikorski	
Dunn	Kleinbaum	Olson	Sillers	
Engler	Knaak	Perpich	Solon	
Frederick	Knoll	Peterson	Spear	

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Moe and Tennesen were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Sikorski introduced—

S. F. No. 448: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Wegener, Penny, Setzepfandt, Engler and Purfeerst introduced—

S. F. No. 449: A bill for an act relating to railroads; regulating the disposal of certain abandoned property.

Referred to the Committee on Transportation.

Mr. Sieloff introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Humphrey, Frederick, Stokowski and Bernhagen introduced—

S. F. No. 451: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Laufenburger introduced—

S. F. No. 452: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Sillers, Strand and Ogdahl introduced—

S. F. No. 453: A bill for an act relating to retirement; judicial retirement; extending pension portability mechanisms to judges; amending Minnesota Statutes 1978, Section 356.30, Subdivision 3; and Chapter 490, by adding a section.

Referred to the Committee on Governmental Operations.

Messrs. Ashbach, Engler, Purfeerst, Laufenburger and Lessard introduced—

S. F. No. 454: 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.

Referred to the Committee on Commerce.

Messrs. Solon, Kleinbaum, Johnson, Ashbach and Mrs. Brataas introduced—

S. F. No. 455: A bill for an act relating to liquor; registration of labels; amending Minnesota Statutes 1978, Section 340.62.

Referred to the Committee on Commerce.

Messrs. Perpich, Willet, Chmielewski and Anderson introduced—

S. F. No. 456: A bill for an act relating to crimes; providing mandatory sentences for persons profiting from prostitution and for persons using the services of prostitutes; providing a state directed program of enforcement with respect to prostitution; providing penalties; appropriating money; amending Minnesota Statutes 1978, Section 609.32.

Referred to the Committee on Judiciary.

Messrs. Purfeerst, Willet, Wegener, Bernhagen and Engler introduced—

S. F. No. 457: A bill for an act relating to natural resources; reducing local match required for dam repair and reconstruction grants; amending Minnesota Statutes 1978, Section 105.482, Subdivision 3.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Spear, Mrs. Staples, Messrs. Lewis and Schaaf introduced—

S. F. No. 458: 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.

Referred to the Committee on Judiciary.

Mr. Menning introduced—

S. F. No. 459: 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.

Referred to the Committee on Education.

Messrs. Menning, Schmitz, Setzepfandt, Luther and Rued introduced—

S. F. No. 460: A bill for an act relating to state government; facilitating communication with state agencies.

Referred to the Committee on Governmental Operations.

Messrs. Dieterich, Vega, Stokowski and Ogdahl introduced—

S. F. No. 461: A bill for an act relating to labor; overtime; changing the minimum workweek; amending Minnesota Statutes 1978, Section 177.25, Subdivision 1.

Referred to the Committee on Employment.

Messrs. Frederick, Sieloff, Merriam, Bernhagen and McCutcheon introduced—

S. F. No. 462: A bill for an act relating to taxation; income; providing job expansion and investment credits for new businesses.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Frederick, Chmielewski and Peterson introduced—

S. F. No. 463: A 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; amend-

ing Minnesota Statutes 1978, Sections 290.08, by adding a subdivision; and 290.17, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Schaaf introduced—

S. F. No. 464: 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.

Referred to the Committee on Local Government.

Mr. Schaaf introduced—

S. F. No. 465: A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

Referred to the Committee on Judiciary.

Messrs. Lessard, Johnson, Willet, Hanson and Chmielewski introduced—

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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Hughes, Stumpf, Stokowski, Knutson and Rued introduced—

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.

Referred to the Committee on Education.

Messrs. Dunn, Bernhagen, Gunderson, Schmitz and Wegener introduced—

S. F. No. 468: 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.

Referred to the Committee on Local Government.

Messrs. Bernhagen, Menning, Gunderson, Schmitz and Wegener introduced—

S. F. No. 469: 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.

Referred to the Committee on Local Government.

Messrs. Ulland, J.; Bang; Solon; Kirchner and Chmielewski introduced—

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 crossings; authorizing local authorities to designate senior citizen crossings in conformance with specifications; and providing a penalty.

Referred to the Committee on Transportation.

Messrs. Ulland, J.; Sieloff; Frederick; Solon and Dieterich introduced—

S. F. No. 471: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Solon, Vega, Stokowski, Nelson and Perpich introduced—

S. F. No. 472: 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.

Referred to the Committee on Governmental Operations.

Messrs. Solon, Moe, Stokowski, Kleinbaum and Ulland, J. introduced—

S. F. No. 473: 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.

Referred to the Committee on Governmental Operations.

Messrs. Knoll, Anderson, Coleman, Ogdahl and Humphrey introduced—

S. F. No. 474: 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.

Referred to the Committee on Energy and Housing.

Messrs. Ulland, J.; Solon; Mrs. Brataas and Mr. Johnson introduced—

S. F. No. 475: 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.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Gearty, Mrs. Staples, Messrs. McCutcheon and Ashbach introduced—

S. F. No. 476: 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.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Staples, Messrs. Perpich, Kirchner, Nelson and Keefe, J. introduced—

S. F. No. 477: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Chmielewski introduced—

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.

Referred to the Committee on Local Government.

Messrs. Merriam, Gearty, Knutson, Sieloff and Chenoweth introduced—

S. F. No. 479: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mrs. Staples, Messrs. Kirchner, Lewis, Nelson and Solon introduced—

S. F. No. 480: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Humphrey and Mrs. Staples introduced—

S. F. No. 481: 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.

Referred to the Committee on Transportation.

Messrs. Sieloff, Bang, Frederick and Ashbach introduced—

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, Section 300.082, Subdivision 7.

Referred to the Committee on Judiciary.

Messrs. Ulland, J. and Johnson introduced—

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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Schaaf, Stokowski, Coleman and Gearty introduced—

S. F. No. 484: 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.

Referred to the Committee on Elections.

Messrs. Schaaf, Wegener, Chenoweth and Schrom introduced—

S. F. No. 485: A bill for an act relating to intoxicating liquor; repealing the dramshop law, and laws requiring notice of injury and claim reporting; repealing Minnesota Statutes 1978, Sections 72A.062; 340.95; and 340.951.

Referred to the Committee on Judiciary.

Messrs. Hughes, Wegener, Stokowski, Sillers and Rued introduced—

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.

Referred to the Committee on Education.

Mr. Merriam introduced—

S. F. No. 487: A bill for an act relating to education; prohibiting a school district from borrowing money or issuing a bond to retire certain certificates or obligations of indebtedness; amending Minnesota Statutes 1978, Sections 124.73, by adding a subdivision, and 475.58, Subdivision 2.

Referred to the Committee on Education.

Messrs. Hughes, Anderson, Dieterich, Frederick and Sillers introduced—

S. F. No. 488: A bill for an act relating to taxation; income; providing for a deduction from gross income for a dependent enrolled as a full time student at an institution of higher education; amending Minnesota Statutes 1978, Chapter 290, by adding a section.

Referred to the Committee on Education.

Mr. Luther introduced—

S. F. No. 489: 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.

Referred to the Committee on Commerce.

Mr. Luther introduced—

S. F. No. 490: A bill for an act relating to motor vehicles; providing for a single license plate on certain motor vehicles; amending Minnesota Statutes 1978, Sections 168.053, Subdivision 1; 168.12, Subdivisions 3 and 4; 168.27, Subdivisions 16 and 17; 168.29; 169.79; and 297B.035, Subdivision 2.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Hanson, Anderson, Bernhagen, Solon and Olhoft introduced—

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.

Referred to the Committee on Local Government.

Messrs. Hanson, Strand and McCutcheon introduced—

S. F. No. 492: 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.

Referred to Committee on Judiciary.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

January 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Health is hereby respectfully submitted to the Senate for confirmation as required by law:

Dr. George Pettersen, 1404 31st Street, N.W., Rochester, Olmsted County, has been appointed by me, effective January 22, 1979, for a term expiring the first Monday in January, 1983.

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

January 26, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Economic Development is hereby respectfully submitted to the Senate for confirmation as required by law:

David L. Printy, 389 Portland Avenue, St. Paul, Ramsey County, has been appointed by me, effective February 1, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Employment.)

Sincerely,
Albert H. Quie, Governor

REPORTS OF COMMITTEES

Mr. Hanson moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Davies 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.

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

Page 2, lines 3 and 4, reinstate the stricken language

Page 2, line 4, before the period insert "*except as provided in subdivision 1a*"

Page 2, line 4, delete "*The child shall not inherit*"

Page 2, delete lines 5 to 9

Page 2, at the beginning of line 10, insert:

"*Subd. 1a.*"

Page 2, after line 14, insert:

"*If a parent dies and a child is subsequently adopted by a stepparent who is the spouse of a surviving parent, any rights of inheritance of the child or the child's issue from or through the*

deceased parent of the child which exist at the time of the death of that parent shall not be affected by the adoption."

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

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

S. F. No. 198: 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.

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

Page 1, line 23, after "150A.12," insert "*pharmacy pursuant to sections 151.01 to 151.40,*"

Pages 2 and 3, delete section 2

Page 3, after line 13, insert:

"Sec. 3. Minnesota Statutes 1978, Section 319A.15, is amended to read:

319A.15 [MERGER; CONSOLIDATION.] No professional corporation shall merge or consolidate with any other corporation ~~except another professional corporation or foreign professional corporation subject to sections 319A.01 to 319A.22.~~ Merger or consolidation shall not be permitted unless the surviving or new corporation is a professional corporation or a foreign professional corporation which complies with all requirements of sections 319A.01 to 319A.22."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "alone or in combination with other"

Page 1, line 5, delete "services"

Page 1, line 5, after the semicolon insert "permitting pharmacists to organize professional corporations;"

Page 1, line 9, delete "319A.04;"

Page 1, line 10, after the semicolon insert "319A.15;"

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

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

S. F. No. 317: A bill for an act relating to the administration of criminal justice; establishing a program for the undercover investi-

gation 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.

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

Page 1, line 22, delete "*or any other cross jurisdictional*"

Page 1, delete lines 23 and 24

Page 2, delete line 1

Page 2, line 2, delete "*investigation*"

Page 2, line 13, delete "*such*" and insert "*any*"

Page 2, line 13, delete "*as*"

Page 2, after line 14, insert:

"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."

Page 2, line 20, delete "*and*"

Page 2, line 21, after "*investigation*" insert "*, and (5) a separate accounting of the amount of money spent for expenses, other than "buy money", of bureau and local law enforcement personnel during the investigation*"

Page 3, line 2, delete "*two months*" and insert "*90 days*"

Page 3, line 3, strike "*such*" and insert "*the*"

Page 3, line 7, delete "*two months*" and insert "*90 days*"

Page 3, line 12, strike "*such*" and insert "*the*"

Page 3, line 14, strike "*such*" and insert "*the*"

Page 3, line 16, strike "*such*" and insert "*the*"

Page 3, line 17, strike "*of such sales*"

Page 3, after line 18, insert:

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

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

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

S. F. No. 204: A bill for an act relating to state lands; authorizing the conveyance of certain lands in Kittson County.

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

Page 2, line 25, delete "*grantee*" and insert "*grantor*"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Chenoweth 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 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.

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

Amend the title as follows:

Page 1, line 3, delete "assistant"

Page 1, line 4, delete "commissioners" and insert "deputy constitutional officers"

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

Mr. Willet from the Committee on Agriculture and Natural Resources, to which were referred the following appointments as reported in the Journal for January 8, 1979:

STATE LIVESTOCK SANITARY BOARD

Dr. Eugene Karnis
Lois-Elaine Lindberg

ENVIRONMENTAL EDUCATION BOARD

William Barbeau
Jean Replinger

MINNESOTA ENVIRONMENTAL QUALITY BOARD

William Maher

MINNESOTA WATER RESOURCES BOARD

William T. Sillman

STATE SOIL AND WATER CONSERVATION BOARD

Dennis Sullivan

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

Mr. Hanson moved that the foregoing Committee Report be laid on the table. The motion prevailed.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 298, 187, 39, 236, 88, 388, and 389 makes the following report:

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

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

SECOND READING OF SENATE BILLS

S. F. No. 204 was read the second time.

S. F. Nos. 81, 198 and 219 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski moved that the name of Mr. Lessard be added as co-author to S. F. No. 229. The motion prevailed.

Mr. Benedict moved that his name be stricken as co-author to S. F. No. 257. The motion prevailed.

Mr. Nichols moved that the name of Mr. Gunderson be added as co-author to S. F. No. 420. The motion prevailed.

Mr. Solon moved that the names of Messrs. Olhoff, Nelson, Vega and Olson be added as co-authors to S. F. No. 443. The motion prevailed.

Mr. Hanson moved that the Senate do now adjourn until 10:00 a. m., Thursday, February 15, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

SEVENTEENTH DAY

St. Paul, Minnesota, Thursday, February 15, 1979

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

CALL OF THE SENATE

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

Anderson	Dunn	Kleinbaum	Perpich	Sillers
Ashbach	Frederick	Knaak	Peterson	Spear
Bang	Gearty	Knoll	Pillsbury	Staples
Benedict	Gunderson	Lewis	Purfeerst	Strand
Brataas	Hanson	McCutcheon	Renneke	Stumpf
Chenoweth	Hughes	Menning	Rued	Ueland, A.
Chmielewski	Humphrey	Merriam	Schmitz	Ulland, J.
Coleman	Johnson	Moe	Schrom	Vega
Davies	Keefe, J.	Nelson	Setzepfandt	Wegener
Dieterich	Keefe, S.	Penny	Sikorski	Willet

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

Prayer was offered by the Chaplain, Rev. Roger Carroll.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Kirchner and Tennessen were excused from the Session of today. Mr. Solon was excused from the early part of today's Session.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Benedict introduced—

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.

Referred to the Committee on Elections.

Messrs. Hughes, Sikorski, Stokowski, Renneke and Knutson introduced—

S. F. No. 494: A bill for an act relating to retirement; allowing early vesting of firefighters pensions in plans operated by non-profit corporations; amending Minnesota Statutes 1978, Section 69.691, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Hughes, Dunn, Stumpf, Strand and Mrs. Knaak introduced—

S. F. No. 495: A bill for an act relating to education; requiring the commissioner of education to report on data collection by the department of education.

Referred to the Committee on Education.

Messrs. Hughes, Dunn, Stumpf, Strand and Mrs. Knaak introduced—

S. F. No. 496: A bill for an act relating to education; providing for cooperative secondary school plans for school districts and for development grants; appropriating money; amending Minnesota Statutes 1978, Chapter 122, by adding a section.

Referred to the Committee on Education.

Messrs. Hughes, Anderson, Merriam, Knutson and Sillers introduced—

S. F. No. 497: 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 pro-

grams and for advisory committees for each program; appropriating money; amending Minnesota Statutes 1978, Chapter 3, by adding sections.

Referred to the Committee on Education.

Messrs. Setzepfandt, Moe, Willet and Engler introduced—

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.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Laufenburger introduced—

S. F. No. 499: A bill for an act relating to the Minnesota Historical Society; appropriating money for a Mississippi river historical interpretation center.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Knoll, McCutcheon, Hanson, Spear and Sieloff introduced—

S. F. No. 500: 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.

Referred to the Committee on Judiciary.

Messrs. Olhoft, Nelson, Gunderson and Sikorski introduced—

S. F. No. 501: 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.

Referred to the Committee on Governmental Operations.

Mr. Sikorski introduced—

S. F. No. 502: 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.

Referred to the Committee on Governmental Operations.

Messrs. Sikorski and McCutcheon introduced—

S. F. No. 503: 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.

Referred to the Committee on Judiciary.

Mr. Sikorski introduced—

S. F. No. 504: 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.

Referred to the Committee on Education.

Mr. Knutson introduced—

S. F. No. 505: A bill for an act relating to education; exempting certain resident pupils from tuition payments at post-secondary vocational-technical schools; amending Minnesota Statutes 1978, Section 124.565, Subdivisions 1 and 3.

Referred to the Committee on Education.

Messrs. Chmielewski and Hanson introduced—

S. F. No. 506: 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.

Referred to the Committee on Transportation.

Mr. Pillsbury introduced—

S. F. No. 507: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. McCutcheon, Hanson, Davies and Nelson introduced—

S. F. No. 508: A bill for an act relating to taxation; providing for gradual elimination of limited market valuation of real property for property tax purposes; requiring assessment of real property at market value; reducing the classification rates applied to homestead property; amending Minnesota Statutes 1978, Sections 273.11, Subdivision 2; 273.13, Subdivisions 6 and 7; and 273.17, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Penny, Moe, Willet and Engler introduced—

S. F. No. 509: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Lewis, Mrs. Brataas, Messrs. Perpich, Knutson and Mrs. Staples introduced—

S. F. No. 510: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Perpich, Johnson and Chenoweth introduced—

S. F. No. 511: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Vega, Kirchner, Lewis and Gearty introduced—

S. F. No. 512: 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.

Referred to the Committee on Transportation.

Messrs. Keefe, S.; Olson; Kleinbaum; Peterson and Laufenger introduced—

S. F. No. 513: 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.

Referred to the Committee on Commerce.

Messrs. Strand, Merriam, Dunn and Sillers introduced—

S. F. No. 514: 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.

Referred to the Committee on Education.

Messrs. Hanson, Olson, Peterson and Purfeerst introduced—

S. F. No. 515: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Knutson, Sieloff, Lessard and Rued introduced—

S. F. No. 516: 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.

Referred to the Committee on Judiciary.

Messrs. Kleinbaum and Schrom introduced—

S. F. No. 517: 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.

Referred to the Committee on Governmental Operations.

Messrs. Kleinbaum and Purfeerst introduced—

S. F. No. 518: A bill for an act relating to taxation; increasing the motor vehicle excise tax; allocating the proceeds of the motor vehicle excise tax between the general fund and the highway user tax distribution fund; amending Minnesota Statutes 1978, Sections 297B.02 and 297B.09.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olson, Luther, Dunn, Humphrey and Ulland, J. introduced—

S. F. No. 519: A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; appropriating money; amending Minne-

sota Statutes 1978, Sections 18.023, Subdivisions 1 and 3a; and 275.50, Subdivision 6.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Kleinbaum, Laufenburger, Setzepfandt, Ogdahl and Sillers introduced—

S. F. No. 520: A resolution urging the President, Congress and the Secretary of Transportation to retain the Amtrak North Coast Hiawatha in the National Amtrak Transportation System.

Referred to the Committee on Transportation.

Mr. Kleinbaum introduced—

S. F. No. 521: A bill for an act relating to the city of St. Cloud; authorizing an on-sale liquor license for the Municipal Sports Complex.

Referred to the Committee on Commerce.

Messrs. Laufenburger, Frederick, Engler, Chmielewski and Schaaf introduced—

S. F. No. 522: A bill for an act relating to highway traffic regulations; authorizing certain combinations of vehicles to operate under annual permit on certain highways; amending Minnesota Statutes 1978, Section 169.861, Subdivision 1.

Referred to the Committee on Transportation.

Messrs. Purfeerst, Frederick, Engler, Peterson and Schmitz introduced—

S. F. No. 523: A bill for an act relating to highway traffic regulations; limiting the length of certain vehicles and combinations of vehicles; prescribing a fee for certain permits; amending Minnesota Statutes 1978, Section 169.81, Subdivision 3, and by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Ueland, A.; Kleinbaum; Nichols and Laufenburger introduced—

S. F. No. 524: A bill for an act relating to liquor; defining certain terms; amending Minnesota Statutes 1978, Section 624.701, Subdivision 1.

Referred to the Committee on Education.

Messrs. Knoll, Willet and Peterson introduced—

S. F. No. 525: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Merriam, Dunn, Mrs. Knaak, Messrs. Wegener and Setzepfandt introduced—

S. F. No. 526: 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.

Referred to the Committee on Education.

Mr. Moe introduced—

S. F. No. 527: 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.

Referred to the Committee on Finance.

Messrs. Davies; Tennesen; Keefe, J. and Ogdahl introduced—

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.

Referred to the Committee on Judiciary.

Mr. Kleinbaum introduced—

S. F. No. 529: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Jensen introduced—

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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Sieloff, Olhoft and Knutson introduced—

S. F. No. 531: A bill for an act relating to marriage dissolution; restoring marital misconduct as a factor in determination of child support and property disposition; amending Minnesota Statutes 1978, Sections 518.17, Subdivision 3; 518.552, Subdivision 2; and 518.58.

Referred to the Committee on Judiciary.

Mr. Luther introduced—

S. F. No. 532: 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.

Referred to the Committee on Health, Welfare and Corrections.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

January 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Transportation is hereby respectfully submitted to the Senate for confirmation as required by law:

Richard Braun, 1275 Lincoln Terrace N.E., Columbia Heights, Anoka County, has been appointed by me, effective January 1, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Transportation.)

February 5, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of Securities, De-

partment of Commerce, is hereby respectfully submitted to the Senate for confirmation as required by law:

Mary Alice Brophy, 323 W. 59th Street, Minneapolis, Hennepin County, has been appointed by me, effective February 15, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Commerce.)

Sincerely,
Albert H. Quie, Governor

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S. F. No. 265 and the report on Permanent Rules. The motion prevailed.

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

S. F. No. 59: 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.

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

Pages 1 and 2, delete section 1

Page 2, line 18, delete "5,000" and insert "5,500"

Page 2, line 18, delete "gross" and insert "curb"

Page 2, after line 24, insert:

"Sec. 2. Minnesota Statutes 1978, Section 65B.54, Subdivision 2, is amended to read:

Subd. 2. Overdue payments shall bear simple interest at the rate of ~~ten~~ 15 percent per annum."

Page 2, line 30, strike the comma and insert "or"

Page 2, lines 30 and 31, delete "or medical assistance"

Page 3, line 3, delete the comma and insert "or"

Page 3, line 3, delete "or medical assistance"

Page 3, line 11, strike the comma and insert "or"

Page 3, lines 11 and 12, delete "or medical assistance,"

Pages 3 and 4, delete section 4

Page 5, line 8, strike "operator's" and insert "driver's"

Page 5, line 13, strike "an operator's" and insert "a driver's"

Page 5, line 19, after "motorcycle" insert ", and may suspend the driver's license of any operator,"

Page 5, line 20, after "records" insert ", including accident reports required to be submitted by section 169.09,"

Page 5, line 31, after the period, insert "The commissioner of public safety may also require a certificate of insurance to be filed with respect to all vehicles required to be insured under section 65B.48 and owned by any person whose driving privileges have been suspended or revoked as provided in this section before reinstating the person's driver's license."

Page 6, after line 17, insert:

"Sec. 5. Minnesota Statutes 1978, Section 65B.68, is amended by adding a subdivision to read:

Subd. 3. Before a motor vehicle or motorcycle may be registered in this state, the owner must file with the commissioner of public safety satisfactory evidence that security has been provided as required by section 65B.48. If a person who is required to furnish evidence ceases to maintain the required security, he shall immediately surrender the registration certificate and license plates for the motor vehicle or motorcycle. This subdivision shall expire on December 31, 1979, or on the date the commissioner of public safety promulgates a rule requiring an owner of a motor vehicle or a motorcycle to file evidence of security prior to registration of the motor vehicle or motorcycle, whichever occurs first."

Page 6, line 18, delete "Section 65B.68" and insert "Chapter 65B"

Page 6, line 19, delete "subdivision" and insert "section"

Page 6, line 20, delete "Subd. 3." and insert "[65B.685]"

Page 6, line 25, delete "Section" and insert "Sections 1,"

Page 6, line 25, delete "is" and insert "and 5 are"

Page 6, line 26, delete "its"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 3

Page 1, line 6, delete "and medical assistance" and delete "extending"

Page 1, delete line 7

Page 1, line 9, after "motorcycles" insert "and motor vehicles; requiring evidence of insurance"

Page 1, line 11, after the semicolon, insert "increasing the interest rate on unpaid insurance benefits;"

Page 1, line 12, delete "65B.49, by adding a subdivision;"

Page 1, line 13, after the first semicolon, insert "65B.54, Subdivision 2;"

Page 1, line 13, delete "65B.64, Subdivision 1;"

Page 1, line 14, delete "and"

Page 1, line 14, before the period insert "; and Chapter 65B, by adding a section"

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

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

S. F. No. 87: A bill for an act relating to the city of Austin; authorizing an on-sale liquor license for Riverside Arena.

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

Page 1, line 9, delete "the dispensing, by sale or" and insert "any holder of an on-sale"

Page 1, line 10, delete "otherwise, of"

Page 1, line 10, after "liquor" insert "license issued by the city to dispense intoxicating liquor"

Page 1, line 10, delete "the premises known and"

Page 1, delete lines 11 and 12

Page 1, line 13, delete "the purpose of conducting"

Page 1, line 14, delete "to engage any licensee" and insert "at the premises known and used as Riverside Arena. The licensee must be engaged"

Page 1, delete line 15

Page 1, line 16, delete "within the city"

Page 1, line 16, delete "to members" and insert "at such an event held by a person or organization permitted to use the space at the arena, and may dispense intoxicating liquor only to persons attending the event. Such dispensing of intoxicating liquor"

Page 1, delete lines 17 through 19

Page 1, line 20, delete "license shall be issued in accordance with and"

Page 1, line 21, delete "such" and insert "all"

Page 1, line 21, delete "on-sale" and insert "the dispensing of intoxicating"

Page 2, line 1, delete "licenses" and delete "The sale"

Page 2, delete lines 2 and 3

Page 2, line 4, delete "liquor shall be sold under a license" and insert "Nothing in this act shall authorize the dispensing of intoxicating liquor"

Page 2, line 4, delete "persons" and insert "person"

Page 2, line 5, delete "an" and insert "any"

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

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

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.

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

Page 1, line 20, after "and" insert "*may also charge*"

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

Mr. Tennessen from the Committee on Commerce, 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.

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

Page 2, after line 14, insert:

"Sec. 2. This act is effective the day following final enactment."

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

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 265: 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.

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

Page 3, line 7, reinstate "Pilots"

Page 3, line 8, reinstate all the language after "members"

Page 3, lines 9 to 11, reinstate the stricken language

Page 3, line 12, reinstate all the language before "and"

Page 3, line 13, reinstate all the language after "officers"

Page 3, lines 14 and 15, reinstate the stricken language

Page 3, line 16, strike the old language

Page 3, lines 17 to 23, delete the new language and strike the old language

Page 3, line 24, delete the new language and strike the period

Page 4, line 25, delete "or other" and insert "and to the extent practicable their rights and duties under any applicable provisions of law governing"

Page 4, line 26, delete "benefit law" and insert "other benefits"

Page 5, line 20, strike "Laws 1978, Chapter"

Page 5, lines 21 and 22, delete the new language and strike the old language

Page 5, line 23, strike "(1)"

Page 5, lines 28 to 33, delete the new language

Page 5, line 33, strike the period

Page 6, line 1, strike "(2)"

Page 6, line 1, after "in" strike the old language, delete the new language and insert "sections 181.81 or 363.03, subdivision 1"

Page 6, line 2, delete the new language

Page 6, line 5, delete "act" and insert "section"

Page 6, line 15, strike "(3)"

Page 6, line 20, strike the period

Page 6, lines 19 to 29, delete the new language

Page 7, line 6, strike "on August 31, 1976, or"

Page 7, line 8, strike ", whichever is later"

Page 7, line 10, strike all the language following the period

Page 7, strike lines 11 to 15

Page 7, line 16, before "Nothing" delete the new language and strike the old language

Page 7, line 17, strike "employer" and insert "employing"

Page 7, line 30, delete the new language and reinstate the stricken language

Page 7, line 31, delete the new language and reinstate the stricken language

Page 7, delete line 32

Page 7, line 33, after "shall" insert "*be entitled to*"

Page 8, line 2, after "interest" insert "*in lieu of a proportionate annuity pursuant to section 356.32*"

Page 8, lines 21 to 24, strike the old language

Page 8, line 24, delete "70"

Page 8, strike lines 25 and 26

Page 9, line 24, strike "on August 31, 1976, or"

Page 9, line 26, strike ", whichever is later"

Page 10, after line 11, insert:

"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."

Page 11, after line 2, insert:

"Sec. 13. [PROPORTIONATE ANNUITY.] *Any person who 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 356.32, subdivision 2, and who terminated service at age 65 or older for any reason whether or not the person 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.*

Sec. 14. [EFFECTIVE DATE.] *Laws 1978, Chapter 649 is effective the day following final enactment of this act, subject to the following exceptions:*

(1) *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, whichever comes first;*

(2) *Laws 1978, Chapter 649, Section 3, is effective January 1, 1979;*

(3) *Employers who employ fewer than 20 employees shall not be subject to the provisions of Laws 1978, Chapter 649, until June 1, 1980; and*

(4) *In the case of an employee serving under a contract of unlimited tenure or a similar arrangement providing for unlimited tenure at 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."*

Page 11, line 3, delete "Sec. 12. [EFFECTIVE DATE.]"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after "354A.21;" insert "356.32, Subdivision 1;"

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

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

S. F. Nos. 315, 358 and 376 reports the same back with the recommendation that the bills be re-referred as follows:

S. F. No. 315 to the Committee on Education.

S. F. No. 358 to the Committee on Health, Welfare and Corrections.

S. F. No. 376 to the Committee on Local Government.

Report adopted.

Mr. Coleman from the Committee on Rules and Administration, makes the following report:

The permanent rules of the Senate for the 71st Legislature shall read as follows:

PERMANENT RULES OF THE SENATE PARLIAMENTARY REFERENCE

1. The rules of parliamentary practice comprised in Mason's Manual of Legislative Procedure shall govern the Senate in all cases in which they are applicable, and in which they are not inconsis-

tent with these rules and orders of the Senate and the joint rules and orders of the Senate and House of Representatives.

HOOR OF CONVENING

2. The Senate shall convene on days of meeting at 10 o'clock a.m. unless the Senate directs otherwise.

PRESIDENT

3. The President shall take the chair at the hour to which the Senate adjourned. He shall immediately call the members to order and, on the appearance of a quorum, shall proceed with the regular order of business. He shall preserve order and decorum, may speak on points of order in preference to members, and shall also decide all questions of order, subject to an appeal to the Senate by a member. An appeal is decided by a majority vote of those present and voting. Upon an appeal from the decision of the President, the question is, "Shall the decision of the President be the judgment of the Senate?"

SUBSTITUTES FOR THE PRESIDENT

4. The President may call a member to preside. In the absence of the President, the Chairman of the Committee on Rules and Administration, or his designee, shall preside over the Senate. In the absence of the Chairman, a member may be selected by the Senate to perform the duties of the President. Substitutions do not extend beyond adjournment.

ABSENCE OF SENATORS

5. No Senator or officer of the Senate shall be absent from a session of the Senate unless excused by the Senate.

DECORUM DURING BUSINESS

6. When the President puts a question, or addresses the Senate, no one shall walk out of or cross the Chamber. When a member is speaking, no one shall pass between the member speaking and the President. No member, or other person, shall proceed to or remain by the Secretary's desk while the ayes and nays are being called or counted. No member may speak without using a microphone.

ORDER OF BUSINESS

7. The order of business is as follows:

1. Petitions, letters, remonstrances.
2. Introduction and first reading of Senate bills.
3. Executive and official communications.
4. Messages from the House of Representatives.
5. First reading of House bills.

6. Reports of committees.
 - (a) From standing committees.
 - (b) From select committees.
7. Second reading of Senate bills.
8. Second reading of House bills.
9. Motions and Resolutions.
10. Calendar.
11. Consent Calendar.
12. General Orders.
13. Announcements of Senate interest.

Under the order of business of Motions and Resolutions the Senate may by a majority vote of the whole Senate temporarily revert or proceed to any other order of business.

CALENDAR

8. The Secretary shall make a Calendar of all bills, resolutions and other matters coming before the Senate for final action. He shall place them on the Calendar in the order in which they have been acted upon in Committee of the Whole. The Calendar shall be printed and placed upon the members' desks at least one calendar day before the matters on it are considered.

CONSENT CALENDAR

9. If a committee determines that a bill it recommends to pass is of a routine nature or otherwise of a nature which likely will not be opposed, it may in its report recommend that the bill be placed on the Consent Calendar. If the report is adopted, the bill shall be printed and placed on the Consent Calendar after its second reading. On the question of adoption of the report the question of accepting the recommendation that the bill be placed on the Consent Calendar may be divided from the question of adopting the report in other respects.

A majority of the whole Senate may order a bill on General Orders to be placed on the Consent Calendar.

The Consent Calendar consists of bills placed on it. Senate bills shall be positioned ahead of House bills. The Consent Calendar shall be printed and placed on the members' desks at least one calendar day before the matters on it are considered.

If a member objects to consideration of a bill on the Consent Calendar at any time during its consideration in the Senate before the question on final passage is put, and that objection is supported by at least two other members, the bill shall be referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SPECIAL ORDER

10. The Chairman of the Subcommittee on Bill Scheduling of the Committee on Rules and Administration, as authorized by the subcommittee, may designate a special order for a bill that has been given its second reading.

A special order shall provide that the bill be considered immediately, at a time certain, or after specific other business is completed.

During consideration of a special order, Rule 20 is suspended. As nearly as applicable, debate on the bill and all proceedings including amendments and substitutions shall be that of the Committee of the Whole.

On any question a member may call for the ayes and nays which shall be entered in the Journal.

Unless it is otherwise disposed of, after consideration a bill on Special Orders of the Senate shall immediately proceed to its third reading and final passage.

GENERAL ORDERS

11. The Secretary shall make a list of all bills, resolutions, reports of committees, and other proceedings of the Senate, which are referred to the Committee of the Whole, and which are not made the order of the day, for a particular day, and number them. The lists are called the "General Orders". They shall be taken up in the order in which they are numbered unless otherwise ordered by a majority of the committee.

General Orders, together with all bills included on it required to be printed under the rules or orders of the Senate, shall be printed and placed upon the members' desks at least one calendar day before being considered in Committee of the Whole.

MOTIONS

12. When a motion is made it shall be stated by the President. If it is in writing it shall be handed to the Secretary and read to the members.

13. A motion or amendment shall be written if the President or a member requests. In that case it must be signed by the member or committee offering it.

14. After a motion is stated by the President, or read by the Secretary, it is in possession of the Senate, but may be withdrawn by the author at any time before decision or amendment.

PRECEDENCE OF MOTIONS

15. When a question is under debate no motion shall be received, except:

1. To adjourn.

2. To recess.
3. To reconsider.
4. To lay on the table.
5. For the previous question.

(Motions numbered 1, 2, 4 and 5 above shall be decided without debate.)

6. To refer.
7. To postpone to a day certain.
8. To amend.
9. To postpone indefinitely.

These several motions have precedence in the foregoing order; but when a motion for the previous question has been seconded, or the main question ordered, a motion to lay on the table is not in order.

A motion to postpone to a day certain, to refer, to postpone indefinitely, or to amend, having been decided, shall not again be put on the same day, nor at the same stage of the bill or proposition.

MOTION TO ADJOURN

16. A motion to adjourn is always in order, and also a motion to adjourn to a time certain. The latter motion is debatable solely as to the time. When either motion is rejected it shall not be renewed until further business has been transacted.

AMENDMENTS TO RULES AND SUSPENSION OF RULES

17. Every proposition to amend a rule of the Senate shall be referred to the Committee on Rules and Administration. The proposition shall not be acted upon until the report of the committee is received by the Senate. A rule shall not be suspended except by at least two-thirds vote of the whole Senate. A motion to suspend the rules for the purpose of advancing a bill shall be made only under the order of business, "Motions and Resolutions".

ORDER IN DEBATE

18. When a member is about to speak in debate, or deliver a matter to the Senate, the member shall rise and respectfully address "Mr. President". The member shall not proceed to speak further until recognized by the President. The member shall speak only to the question under debate and avoid personality. In discussing a resolution, Senators are limited to ten minutes each.

19. When a member is called to order, he shall be silent until it is determined whether or not he is in order. If a member is called to order for words spoken in debate, the words excepted to shall be taken down in writing by the Secretary immediately.

20. No member shall speak more than twice on the same question on the same day without leave of the Senate.

COMMITTEES NOT TO BE ABSENT

21. Committees shall not be absent from the Senate without permission of the Senate. The names of the Senators excused shall be printed in the Journal.

SENATORS TO VOTE UNLESS EXCUSED

22. Every member of the Senate who is in the Senate Chamber during a roll call shall vote upon the request of any Senator unless the Senate, for special reasons, excuses the member.

A motion by a member to be excused from voting shall be made before the question is put. A member wishing to be excused from voting may make a brief statement of the reason for making the request and the question on the motion shall be taken without further debate.

When members have had an opportunity to vote and fail to do so, a majority of all the members of the Senate may, by motion, direct the President to close the roll. The vote on a motion to close the roll shall be taken without debate and no member is required to vote on the motion.

CALL OF THE SENATE

23. A member may impose a call of the Senate requiring the attendance of all members before any further proceedings occur except a motion to adjourn. Upon the imposition of a call, a record of those present shall be obtained and the Sergeant at Arms instructed to bring in the absent members. When the Senate has been placed under call, the doors shall be closed and no member permitted to leave the Chamber until the matter or question, if any, under consideration at the time of the call is disposed of, or until the call is lifted by a majority vote of all the members of the Senate, or until the Senate adjourns. A majority vote of all the members of the Senate may excuse from attendance absent members not answering the call.

A call cannot be made after voting has commenced.

QUESTIONS—HOW STATED AND DECIDED

24. Questions shall be distinctly put. The President shall declare all votes but if a member rises to question a vote, the President shall order a division.

ONLY MEMBERS PRESENT TO VOTE

25. Upon a division and count of the Senate on a question, only members present in the Senate chamber shall be counted. No member may vote on a question except at the member's own seat in the chamber.

ANY SENATOR MAY DEMAND AYES AND NAYS

26. At any time prior to the start of voting on a question, a member may call for the ayes and nays which shall be entered in the Journal. A call for the ayes and nays cannot be interrupted except as provided in Rule No. 22.

AUTHORIZED ELECTRICAL VOTING DEVICE

27. Unless otherwise ordered, a vote, except upon elections and upon the overriding of a governor's veto, may be taken by means of the electrical voting system which is under the control of the President.

CERTIFICATE FOR MONEY

28. No certificate authorizing the payment of money appropriated by the Legislature shall be issued by the Secretary, by virtue of a motion or resolution unless the motion or resolution is voted for by a majority of all members of the Senate. All motions or resolutions authorizing the issuing of certificates by the Secretary for the payment of money shall be upon a call of the ayes and nays.

THE PREVIOUS QUESTION

29. Unless the motion for the previous question is made specifically applicable to a subsidiary motion, the previous question shall be in this form:

“Shall the main question now be put?” It shall only be admitted when demanded by a majority of the members present, and its effect is to put an end to all debate, and bring the Senate to a direct vote upon amendments reported by a committee, if any, then upon all pending amendments in their order and then upon the main question.

On a motion for the previous question a call of the Senate is in order before the President submits the question to the Senate.

On a previous question there is no debate. All incidental questions of order, arising after a motion is made for the previous question, and pending the motion, shall be decided, whether on appeal or otherwise, without debate.

DIVISION OF QUESTION

30. A member may call for a division of the question when the question will admit of it. A motion to strike out and insert is indivisible. A motion to strike out being lost does not preclude an amendment nor a motion to strike out and insert.

RECONSIDERATION

31. When a motion or question has been once put and carried in the affirmative or negative, it is in order for a member who voted with the prevailing side to move for reconsideration on the same day on which the vote was taken or within the next two

calendar days or, if later, the first day the Senate meets after the vote was taken. The motion takes precedence over all other questions except a motion to adjourn or recess. When a motion to adjourn is adopted prior to the disposition of the motion for reconsideration, a motion for reconsideration shall lie over until the next succeeding day the Senate meets except as provided in this rule. When notice of intention to move reconsideration of the final action of the Senate on a question is given by a member, the Secretary shall retain the subject of the notice until after the expiration of the time during which the motion can be made.

During the six calendar days before the first Tuesday following the third Saturday in May of any year a notice of intention to move for reconsideration is not in order, but a motion to reconsider may be made and have priority over all other business except a motion to adjourn. A motion for reconsideration having been once voted on shall not be put again nor reconsidered.

INTRODUCTION OF BILLS

32. Bills, memorials, concurrent or joint resolutions may be introduced by a member or by order of the Senate on a report of a committee. An original and three copies are required for introduction. The number of authors shall not exceed five. A member or a committee desiring to introduce a bill, memorial or concurrent or joint resolution shall place it in the hands of the Secretary, and the Secretary shall promptly deliver all the bills, memorials or concurrent or joint resolutions to the President who shall present them to the Senate.

The name of the author or authors shall be prefixed to each bill, memorial or resolution and the name of a committee introducing a bill, memorial or resolution shall be endorsed on it.

RECESS BILL INTRODUCTIONS

33. During the period between the last day of the session in any odd-numbered year and the first day of the session in the following year, a bill filed with the President for introduction shall be given a file number and may be unofficially referred by the Committee on Rules and Administration to an appropriate standing committee of the Senate. All bills filed for introduction during this period shall be presented to the Senate when it reconvenes and shall be referred to the standing committees previously indicated by the Committee on Rules and Administration, subject to objection under Rule 35.

REPORTING OF BILLS

34. Every bill, memorial, order, resolution or vote requiring the approval of the Governor shall be reported to the Senate on three different days previous to its passage. The first report, called the first reading, is made when it has been received for introduction; the second report, called the second reading, is made when it has been considered by all the necessary standing committees and is ready for debate; the third report, called the third reading, is made when it is ready for final passage.

REFERRING OF BILLS

35. All bills shall be referred by the President without motion to the proper standing committee unless otherwise referred by the Senate. A bill introduced by a committee need not be referred to a standing committee unless a question arises but rather shall lie over one day before being given its second reading. When a question arises concerning the proper reference of a bill during the order of business of first reading on the day of introduction or at the time of report on it by a standing committee to which the bill was previously referred, the bill shall be referred without debate to the Committee on Rules and Administration to report the proper reference, and upon adoption of the report, it shall be referred accordingly.

All bills appropriating money, or obligating the state to pay or expend money, or establishing a policy which to be effective will require expenditure of money, when referred to and reported by any other than the Committee on Finance, shall, before passage, be referred to the Committee on Finance.

36. No bill or resolution shall be referred to committee or amended until it has been given its first reading. No bill or resolution shall be objected to on its introduction.

AMENDMENTS TO BE GERMANE

37. An amendment proposed to the Senate or to the Committee of the Whole that is not germane is out of order. A non-germane amendment includes one that relates to a substantially different subject, or is intended to accomplish a substantially different purpose than that of the original bill to which it is proposed. Whether an amendment is germane is a question to be decided by the President, who may put the question to the body if he chooses.

AMENDMENTS TO BILLS

38. In drawing an amendment to a bill or resolution reference shall be made therein, first to the number of the bill, then to the page, and then to the line or lines from which matter is to be stricken or in which new matter is to be inserted.

AMENDMENTS TO TITLE

39. The title to a bill may be amended at any time during its pendency in the Senate.

RECALL FROM COMMITTEE

40. A majority of the Senate may at any time recall a bill from any committee or take a bill from the table and place it on General Orders.

By a report of the Committee on Rules and Administration, adopted by the Senate, the Committee on Rules and Administration on request of the first author may remove a bill from com-

mittee and re-refer it to any other committee or place it on General Orders.

DISTRIBUTION AND PRINTING OF BILLS

41. To the extent practical the Secretary shall provide a copy of any bill to the public. He may charge a reasonable fee.

Unless otherwise ordered by the Senate, all Senate bills which have been reported upon favorably or without recommendation by a committee shall be printed prior to consideration by the Senate or the Committee of the Whole. A bill may be printed by order of the Secretary when amended after second reading. A bill shall be printed when ordered by a majority vote of the Senate. Action by the Senate on a bill which has not been printed is a waiver of the printing requirement.

BILL SCHEDULING

42. All bills, memorials, orders, resolutions and votes requiring the approval of the Governor shall, after a second reading, be referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration, except as provided for in Rule 9. At least every seven calendar days, the subcommittee shall report to the Senate the bills and other matters recommended by the subcommittee for Senate action, and any subcommittee action taken or proposed on bills and other matters that are recommended to remain in the subcommittee. All matters reported out by the subcommittee shall be placed on General Orders in the order designated by the subcommittee and shall be considered in Committee of the Whole before they are finally acted upon by the Senate, except as provided for in Rules 9 and 10.

COMMITTEE OF THE WHOLE

43. The President may call a member to the Chair when the Senate resolves itself into the Committee of the Whole. The rules observed in the Senate govern, as far as practicable, the proceedings of the Committee of the Whole, and the Chairman of the Committee of the Whole has the powers of the President, as appropriate. However, a member may speak more than twice on the same subject and a call for the previous question cannot be made. The ayes and nays shall be taken only upon the request of three members, and when taken shall be recorded in the Journal along with the amendment; provided, however, that a member may, with the approval of the Chairman of the Committee on Rules and Administration, submit a description of the amendment for printing. In those cases the Secretary shall retain in the minutes of the Committee of the Whole the full text of the amendment.

44. The recommendations of the Committee of the Whole shall be reported to the Senate. If a recommendation contains a proposed amendment of a bill, that amendment shall be noted on a separate piece of paper but when reported need not be read by the President unless required by one or more of the members. The question is on the adoption or rejection of the report, and no other

question shall be admitted. The question may be divided to permit separate Senate action on the report as to any bill. On adoption of the report of the Committee of the Whole all bills recommended to pass shall be placed upon the Calendar.

AMENDMENT ON THIRD READING

45. Except as provided for in Rule 39 and to fill blanks, no amendment is in order on third reading without the unanimous consent of the Senate. In filling blanks, the largest sum, the longest time and the greatest distance shall be first taken.

MOTION TO REFER

46. A bill or resolution may be referred to committee at any time prior to its passage, and if an amendment is reported on the referral to any other than a Committee of the Whole, it shall again be read the second time, referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration, considered in Committee of the Whole, read the third time and placed on final passage. If the referral is to the Committee of the Whole it shall be placed at the head of General Orders, except when the referral is under Rule 9.

FINAL PASSAGE

47. The final question upon a bill or other matter requiring action by both Houses after its first and second reading, and after the consideration in Committee of the Whole, is upon its final passage.

TRANSMITTING OF BILLS TO THE HOUSE

48. Except as provided in Rule 31, immediately after the passage of a bill or other matter in which the concurrence of the House of Representatives is requested, the Secretary shall transmit it to the House. On the concurrence of a bill or other matter of the House by the Senate, or on the concurrence or disagreement in a vote of the House, the Secretary shall notify the House.

COMPARISON AND SUBSTITUTION OF BILLS

49. Unless there is a motion or objection, a House bill, after its first reading, shall be referred as follows:

(a) If there is no Senate companion bill, the House bill shall be referred to the appropriate standing committee;

(b) If there is a Senate companion bill, the House bill shall be referred to the standing committee possessing the Senate companion;

(c) If the Senate companion bill has been reported to the Senate, the House bill shall be referred to the Committee on Rules and Administration, which shall report whether the House bill is identical to the Senate companion bill. If the bills are identical, the report shall recommend that the House bill be given its second

reading and substituted for the Senate companion bill and the Senate companion bill be indefinitely postponed. If the House bill is not identical to the Senate companion bill, the report of the committee shall so state and recommend an amendment to the House bill that when adopted will render the House bill identical to the Senate bill. Upon adoption of a committee report containing the proposed amendment, the House bill as amended shall be given its second reading and substituted for the Senate companion bill and the Senate companion bill shall be indefinitely postponed.

Reports of the Committee on Rules and Administration pursuant to this rule shall be prepared and submitted on behalf of the committee by the Secretary.

A House bill placed on the Calendar by substitution shall not be given its third reading on the same day as the substitution.

ENGROSSING AND ENROLLING OF BILLS

50. All engrossing and enrolling of bills shall be done at the direction and under authority of the Senate.

Every bill, memorial, order or resolution originating in the Senate shall be carefully engrossed before being transmitted to the House of Representatives for concurrence.

All bills shall be carefully enrolled under the supervision of the Committee on Rules and Administration, which may report to the Senate at any time on the enrollment of bills.

DISPOSITION OF BILLS ON ADJOURNMENT

51. Adjournment of the regular session in an odd-numbered year to a date certain in the following year shall be equivalent to daily adjournment, except that a bill on the Calendar, Consent Calendar, or General Orders shall be returned to the standing committee other than the Committee on Rules and Administration from which it was last reported to the Senate, unless otherwise provided for by motion prior to adjournment. Bills returned to committee pursuant to this rule shall, upon request of the author, be given priority for consideration by the committee ahead of all other bills in the order in which they appeared on the Calendar, Consent Calendar, or General Orders.

PETITIONS AND OTHER COMMUNICATIONS

52. In presenting a petition, memorial, remonstrance or other communication addressed to the Senate, a member shall only state the general purpose of it.

Every petition, memorial, remonstrance, resolution, bill and report of committee, shall have an appropriate title, and the name of the member presenting it written on it.

RESOLUTIONS

53. Memorial resolutions addressed to the President or the Congress of the United States, or a house or member of Congress, or a

department or officer of the United States, or a state or foreign government, and resolutions requiring the signature of the Governor shall follow the same procedure as bills before being adopted.

Upon a member giving notice of intention to debate a resolution not requiring the signature of the Governor and not offered by the Committee on Rules and Administration, the resolution shall lie over one calendar day without debate or other action. Upon the request of a Senator, the resolution shall be referred to the proper committee. Whenever a question arises concerning the proper reference the procedure provided by Rule 35 applies.

CONFIRMATIONS

54. Every gubernatorial appointment requiring the advice and consent of the Senate shall be referred by the President to the appropriate committee. If a question arises as to the proper committee, the appointment shall be referred without debate to the Committee on Rules and Administration for a report making the proper reference.

The final question on the appointment is, "Will the Senate, having given its advice, now consent to this appointment?" The question shall not be put the same day the appointment is received or on the day it is reported by committee unless by unanimous consent.

SIGNING OF ACTS, RESOLUTIONS

55. In addition to his duties under Rule 3, the President shall sign all acts, memorials, addresses and resolutions. All writs, warrants and subpoenas issued by the Senate shall be signed by the President and attested by the Secretary. *When the Senate is not in session, upon a finding by the Committee on Rules and Administration that the President refuses or is unable to sign any of the documents described in this rule, the chairman of the committee on Rules and Administration or some other member selected by the committee shall assume the duties of the President under this rule until the President is able to sign the documents described or until the Senate elects a new President, whichever occurs first.*

APPOINTMENT OF COMMITTEES

56. The majority and minority shall each be represented on all standing committees of the Senate. The majority group shall assign the number of positions the minority group will hold on each committee. The minority group shall be given adequate notice about its positions prior to the commencement of the session. Both the majority and minority groups shall appoint their own members to fill the number of positions each group will hold on each committee. The minority group shall transmit notice of its assignments to the majority group within ten calendar days after receipt of the notice of positions available. If the minority group for any reason fails to make its appointments pursuant to this rule, the majority group may make all the committee assignments.

The majority and minority committee assignments are subject to the uniform criteria governing committee assignments applic-

able to both the majority and minority. The uniform criteria shall be promulgated by the majority group and transmitted to the minority group together with notification of committee positions available to the minority.

Committee assignments as made by the majority and minority groups shall be followed by the Senate in the resolution establishing representation on all Senate standing committees.

After the organization of the Senate, all committees of the Senate and members of commissions to be appointed by the Senate authorized by rule, statute, resolution or otherwise, shall be appointed by the Subcommittee on Committees of the Committee on Rules and Administration, unless otherwise provided, subject to confirmation by the Senate. In the appointment of members of conference committees between the two houses, the Subcommittee on Committees of the Committee on Rules and Administration of the Senate shall appoint those who are in accord with the position of the Senate, and whenever practical, give preference to authors of bills in dispute and to members of standing committees in which the bills were considered.

STANDING COMMITTEES

57. The standing committees of the Senate and their complements are as follows:

- Agriculture and Natural Resources—19
- Commerce—15
- Education—16
- Elections—11
- Employment—14
- Energy and Housing—14
- Finance—26
- General Legislation and Administrative Rules—14
- Governmental Operations—20
- Health, Welfare and Corrections—14
- Judiciary—16
- Local Government—12
- Rules and Administration—22
- Taxes and Tax Laws—20
- Transportation—16
- Veterans' Affairs—14

The Committee on Rules and Administration may constitute a standing Subcommittee on Engrossing and Enrolling, the report of which within its jurisdiction has the effect of a report of the

main Committee on Rules and Administration, and the reference under Rule 49 is made directly to this subcommittee.

The Committee on Rules and Administration may constitute a standing Subcommittee on Bill Scheduling, the report of which within its jurisdiction has the effect of a report of the main Committee on Rules and Administration, and the reference under Rule 42 is made directly to this subcommittee. The subcommittee shall consist of the Chairman of the Committee on Rules and Administration who shall serve as chairman of the subcommittee, the Vice-chairman of the Committee on Rules and Administration, the President, the Chairmen of the Committees on Finance and on Taxes and Tax Laws, and one member of the minority group.

The Committee on Rules and Administration may constitute a standing Subcommittee on Committees, the report of which within its jurisdiction has the effect of a report of the main Committee on Rules and Administration. The subcommittee shall consist of five members, one of whom shall be a member of the minority group.

Each standing committee of the Senate, including a subcommittee of the committee, is authorized at any time to sit and act, to investigate and take testimony on any matter within its jurisdiction, to report hearings held by it, and to make expenditures as authorized from time to time by the standing Committee on Rules and Administration. A standing committee, but not a subcommittee, may require by subpoena or otherwise the attendance and testimony of witnesses and the production of correspondence, books, papers, and documents, in the manner provided by Minnesota Statutes, Section 3.153.

COMMITTEE MEETINGS

58. All meetings of the Senate, its committees and subcommittees are open to the public.

To the extent practical, meetings of all committees shall be announced to the public at least three calendar days prior to convening. The notice shall state the name of the committee, the bill or bills to be considered, the place and time of meeting. The notice shall be posted on all Senate bulletin boards in the Capitol, and the State Office Building. A notice shall be sent to the House of Representatives for posting as it deems necessary.

QUORUM IN COMMITTEE

59. A majority of its members constitutes a quorum of a committee.

REPORT OF VOTE IN COMMITTEE

60. Upon the request of a member of a committee or subcommittee to which a bill has been referred, or upon the request of the author of the bill, a record shall be made of the vote on the bill in the committee or subcommittee, including the vote on

any amendment or proposed amendment to it, in the committee or subcommittee to which the bill was referred.

Upon request of three members of the committee, the record of a roll call vote in a standing committee shall accompany the committee report and be printed in the Journal.

COMMITTEE ACTION

61. No report of any committee shall be made to the Senate unless it reports action taken at a regular or special meeting of the Committee. A report in violation of this rule is out of order.

A committee report or a proposed amendment to a bill, memorial or resolution shall be in six copies and written only on one side of the paper.

EMPLOYEES AUTHORIZED IN THE SENATE

62. The Senate shall employ for the session the following:

Number of Positions	Position	Salary Per Day
2	Administrative Assistant I	1 @ \$ 53.02 1 @ \$ 64.80
1	Administrative Assistant II	\$ 80.24
3	Administrative Secretary	1 @ \$ 39.77 2 @ \$ 41.74
2	Assistant Captain of Pages	1 @ \$ 25.20 1 @ \$ 27.09
1	Assistant Executive Secretary	\$ 44.19
5	Assistant Public Information Officer	3 @ \$ 32.25 2 @ \$ 38.30
2	Assistant Sergeant at Arms	1 @ \$ 27.43 1 @ \$ 29.49
1	Captain of Pages	\$ 31.10
1	Chaplain (several to serve during session)	\$ 25.00
1	Chief Indexer	\$ 55.97
10	Clerk I	2 @ \$ 25.65 7 @ \$ 29.09 1 @ \$ 30.83
5	Clerk Typist I	1 @ \$ 26.03 1 @ \$ 27.40 3 @ \$ 28.42
8	Clerk Typist II	6 @ \$ 30.00 2 @ \$ 31.74
2	Clerk Typist III	\$ 32.00
18	Committee Administrative Assistant	1 @ \$ 36.99 1 @ \$ 43.00 6 @ \$ 48.61 10 @ \$ 53.02

Number of Positions	Position	Salary Per Day
13	Committee Clerk	4 @ \$ 26.82 5 @ \$ 28.42 4 @ \$ 29.84
15	Committee Secretary	2 @ \$ 37.38 3 @ \$ 39.77 10 @ \$ 41.74
1	Computer Services Supervisor	\$ 41.74
5	Computer Terminal Operator	3 @ \$ 32.00 2 @ \$ 33.63
1	Duplicating Supervisor	\$ 33.27
1	Engrossing and Appointments Clerk	\$ 44.19
1	Engrossing Secretary	\$ 55.97
1	Executive Secretary I	\$ 44.19
2	Executive Secretary II	\$ 49.96
1	First Assistant Secretary of the Senate	\$ 86.16
2	Fiscal Services Aide	1 @ \$ 41.24 1 @ \$ 42.71
1	Fiscal Services Supervisor	\$ 55.97
3	Indexer	1 @ \$ 36.99 2 @ \$ 39.04
6	Legislative Assistant I	4 @ \$ 32.08 1 @ \$ 32.88 1 @ \$ 36.23
3	Legislative Assistant II	\$ 45.66
1	Legislative Assistant III	\$ 55.97
7	Legislative Clerk II	1 @ \$ 29.28 5 @ \$ 33.63 1 @ \$ 34.88
5	Legislative Fiscal Analyst	1 @ \$ 49.32 1 @ \$ 63.02 1 @ \$ 85.55 1 @ \$ 86.47 1 @ \$ 87.75
1	Minority Secretary of the Senate	\$ 85.88
30	Page	20 @ \$ 22.00 10 @ \$ 24.00
1	Public Information Officer	\$ 53.02

Number of Positions	Position	Salary Per Day
19	Researcher	2 @ \$ 36.99 1 @ \$ 38.36 1 @ \$ 39.71 2 @ \$ 41.10 1 @ \$ 42.47 1 @ \$ 42.89 1 @ \$ 44.19 1 @ \$ 44.36 1 @ \$ 45.83 1 @ \$ 49.32 1 @ \$ 50.68 1 @ \$ 52.05 2 @ \$ 55.50 1 @ \$ 55.97 1 @ \$ 57.53 1 @ \$ 62.61 1 @ \$ 70.69
1	Second Assistant Secretary/Personnel Officer	\$ 73.43
25	Secretary	4 @ \$ 34.99 5 @ \$ 36.91 16 @ \$ 39.04
1	Secretary to the Majority Leader	\$ 49.96
1	Secretary to the Minority Leader	\$ 48.21
1	Secretary of the Senate	\$117.95
13	Senate Counsel	2 @ \$ 47.95 1 @ \$ 49.32 1 @ \$ 54.80 2 @ \$ 56.17 1 @ \$ 58.90 1 @ \$ 59.65 1 @ \$ 63.74 1 @ \$ 69.22 1 @ \$ 81.00 1 @ \$ 84.93 1 @ \$ 87.46
11	Senate Researcher	2 @ \$ 42.47 1 @ \$ 45.56 1 @ \$ 49.37 1 @ \$ 51.28 1 @ \$ 53.29 1 @ \$ 55.94 1 @ \$ 62.15 3 @ \$ 72.40
1	Senate Research Assistant Director	\$ 82.00
1	Senate Research Director	\$106.44
13	Sergeant	\$ 24.00

Number of Positions	Position	Salary Per Day
1	Sergeant at Arms	\$ 40.06
1	Steno Pool Supervisor	\$ 41.74
20	Stenographer I	11 @ \$ 30.63 9 @ \$ 31.87
27	Stenographer II	16 @ \$ 32.55 11 @ \$ 36.35
1	Third Assistant Secretary of the Senate	\$ 45.56

Appointment to the foregoing positions shall be made by resolution specifying the names of the appointees and the positions to which they are appointed, adopted by a majority of all members of the Senate.

ADDITIONAL EMPLOYEES

63. All propositions for the appointment and payment of employees of the Senate or for expenditures on account of the Legislature, other than those provided by law, shall be referred to the Committee on Rules and Administration, without debate, and no appointment shall be made or expense incurred unless reported favorably by the committee, or unless its report is overruled by a three-fourths vote of the whole Senate. The committee shall report to the Senate the amount of compensation to be paid to each employee whose appointment is recommended by it.

AUTHORITY OVER EMPLOYEES

64. Except as otherwise provided in these rules, the Committee on Rules and Administration has full and exclusive authority over, and charge of all employees, officers and clerks of the Senate both elective and appointive. The committee has the sole and exclusive power and authority to assign them to duties other than for which they were elected or appointed as the committee may from time to time provide. The committee has power to appoint employees, officers or clerks as it deems proper to exercise the power granted to it by this rule. The committee may make rules and regulations for the government of the employees, officers and clerks as they see fit. In case of violation of an order of the committee by an employee, officer or clerk, or in case of a violation of a rule or regulation made by the committee, or in case of misconduct or omission by an employee, officer or clerk, the Committee on Rules and Administration may hear complaints and discharge the employee, officer or clerk or impose other punishment by way of fine or otherwise upon the employee, officer or clerk as the committee deems just and proper.

DUTIES OF SECRETARY

65. The Secretary shall keep a correct Journal of the proceedings of the Senate and shall perform other duties assigned to him as Secretary. He shall not permit Journal records, accounts or papers

to be taken from the table or out of his custody, other than in the regular mode of business. If a paper in his charge is missing, he shall report the fact to the President, so that inquiry may be made. He shall superintend the recording of proceedings in the Journal, the engrossing, transcribing and copying of the bills and resolutions, supervise the assistants, clerks and stenographers under the direction of the Committee on Rules and Administration, and generally perform the duties of Secretary, under direction of the President. The Secretary shall keep the books to be called "Minute Books" in which he shall enter under the appropriate marginal numbers, all Senate and House bills, and correct notes, with the dates thereof, of the state, condition and progress of each bill pending, until its final passage.

The Secretary shall cause to be recorded on magnetic tape the proceedings of the Senate, the Committee of the Whole, each standing committee and standing subcommittee. Each tape shall be clearly labeled to show the name of the body whose proceedings are recorded and the dates the proceedings occurred. Each tape shall be accompanied by a log showing the number of each bill considered and the places on the tape where consideration of the bill occurred. Within two working days after each day the Senate is in session the Secretary shall make a copy of the tape and corresponding log of proceedings of the Senate and the Committee of the Whole and deliver the copies to the Legislative Reference Library. Within ~~two working days~~ *one week* after each meeting of a standing committee or standing subcommittee the Secretary shall make a copy of the tape and corresponding log of the meeting and deliver the copies to the Legislative Reference Library. Upon completion and approval of the minutes of the meeting, a copy of the minutes shall be promptly delivered to the Legislative Reference Library. The Secretary shall keep a record of each session of the Senate and the Committee of the Whole, each meeting of a Senate standing committee or standing subcommittee, and the date on which a tape recording of the session or meeting was transmitted to the Legislative Reference Library. The Library shall keep a similar record of all tapes received. The Library shall provide committee staff with reasonable access to Senate tapes and shall provide the public with convenient facilities to listen to the tapes. Copies of Senate tapes shall be available to the public from the Secretary, for a fee determined by the Secretary to be adequate to cover the cost of preparing the copies. A copy shall be provided free to a member of the Senate upon request for use in legislative business. The original tape and log of each session of the Senate and the Committee of the Whole shall be kept by the Secretary until the end of the period for which the members of the existing House of Representatives have been elected, at which time the tape may be preserved or disposed of as he sees fit. Tapes, logs, and minutes forwarded to the Legislative Reference Library shall be kept by the Library until two years after the end of the period for which the members of the existing Senate have been elected, at which time they may be preserved or disposed of as the Library sees fit. It is the intention that testimony and discussion preserved under this rule not be admissible in any court or administrative proceeding on an issue of legislative intent.

JOURNAL—HOW APPROVED

66. The Journal of each day's proceedings is open for correction at any time during the session of the next day the Senate meets. Unless corrected on that day, the Journal stands approved.

SECRETARY MAY CORRECT ERRORS

67. The Secretary and Engrossing Clerk, in all proper cases, shall correct all mistakes in numbering the sections and reference to them, whether the errors occur in the original bill or are caused by amendments to it.

PURCHASING SUPPLIES

68. The Secretary is the agent of the Senate for the purchase of supplies. He shall file timely reports of expenditures made with the Committee on Rules and Administration.

DUTIES OF THE SERGEANT AT ARMS

69. The Sergeant at Arms shall execute all orders of the President and perform all duties assigned to him connected with the police and good order of the Senate chamber; exercise supervision over the ingress and egress of all persons to and from the chambers; see that messages are promptly delivered; see that the hall is properly ventilated and the temperature properly regulated, and that it is open for the use of members of the Senate at the time fixed; and perform all other services pertaining to his office.

PERSONS PRIVILEGED TO THE FLOOR OF THE SENATE

70. No person shall be admitted within the Senate Chamber, but a Senator, the executive or ex-Governors of the State of Minnesota, members of the House, heads of departments of state government, judges of the Supreme and District Courts and members of Congress. Those who have been members of Congress or of the state Legislature who are not interested in any claim or directly in a bill pending before the Legislature may be personally admitted by a member of the Senate. An employee of either house may be admitted at the request of a member or an officer of the Senate. When the Senate is not meeting, a person not a member may be admitted to the floor at the request of a member or officer. No public hearings shall be held in the Senate Chamber. The retiring room of the Senate is reserved for the exclusive use of the members of the Senate at all times. The Sergeant at Arms shall strictly enforce this rule.

PRIVILEGE OF REPORTERS

71. Provision shall be made for news reporters on the Senate floor in limited numbers, and in the Senate gallery. Because of limited space on the floor, permanent space is limited to those news agencies which have regularly covered the legislature, namely: The Associated Press, United Press International, St. Paul Pioneer

Press, St. Paul Dispatch, Minneapolis Tribune, Minneapolis Star, Duluth Herald and News-Tribune, Rochester Post-Bulletin, WCCO radio and KSTP radio. An additional two spaces shall be provided to other reporters.

One person from each named agency may be present at the press table on the Senate floor at any one time.

Other news media personnel may occupy seats provided in the Senate gallery.

The Committee on Rules and Administration may, through committee action or by delegating authority to the Secretary, allow television filming on the Senate floor on certain occasions.

The committee or its agent may designate a committee of three senior news correspondents to act as an issuing agency for reporters' badges or other credentials.

~~DISTURBANCE IN LOBBY~~ DISORDERLY CONDUCT

72. In case of a disturbance or disorderly conduct in the lobbies or galleries, the President may order them cleared. *Picture taking by persons other than accredited news reporters, hand clapping, demonstrations, and food and beverages, are prohibited in the galleries.*

NO INTRODUCTION OF VISITORS

73. No introduction of a visitor or visitors in the galleries shall be made from the floor or rostrum of the Senate.

NO SMOKING

74. No Senator or officer of the Senate, or other person, is permitted to smoke in the Senate Chamber. There shall be no smoking in the visitors section of the galleries.

ETHICAL CONDUCT

75. The Subcommittee on Committees shall appoint a special committee on Ethical Conduct consisting of four members selected, two from the majority and two from the minority.

The committee shall serve in an advisory capacity to a member or employee upon written request and shall issue recommendations to the member or employee.

A lobbyist shall not appear before a Senate committee pursuant to his employment unless he is in compliance with the law requiring lobbyist registration, Minnesota Statutes, Sections 10A.03 to 10A.06. A lobbyist when appearing before a committee shall disclose to the committee those in whose interest he speaks and the purpose of his appearance. A lobbyist shall not knowingly furnish false or misleading information or make a false or misleading statement that is relevant and material to a matter before the Senate or any of its committees when he knows or should know it will in-

fluence the judgment or action of the Senate or any of its committees thereon. A lobbyist shall not exert undue influence or expend improper sums of money in connection with any legislation.

The committee shall investigate a complaint by a member of the Senate in writing under oath received during a legislative session regarding improper conduct by a member or employee of the Senate or a lobbyist. The committee has the powers of a standing committee to issue subpoenas pursuant to Minnesota Statutes, Section 3.153. In order to determine whether there is probable cause to believe that improper conduct has occurred, the committee may, by a vote of three of its members, conduct a preliminary inquiry in executive session to which the requirements of Rule 58 do not apply. Upon a finding of probable cause, further proceedings on the complaint are open to the public. If, after investigation, the committee finds the complaint substantiated by the evidence, it shall recommend to the Senate appropriate disciplinary action.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 59, 87, 231 and 254 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mrs. Staples and Mr. Pillsbury introduced—

Senate Resolution No. 15: A Senate resolution commending the St. Paul Companies for supporting a new history of the State of Minnesota.

Referred to the Committee on Rules and Administration.

Mr. Schaaf moved that the name of Mr. Lessard be added as co-author to S. F. No. 485. The motion prevailed.

Mr. Gunderson moved that the name of Mr. Lessard be added as co-author to S. F. No. 291. The motion prevailed.

Mr. Gunderson moved that the name of Mr. Lessard be added as co-author to S. F. No. 403. The motion prevailed.

Mr. Coleman introduced—

Senate Resolution No. 16: A Senate resolution relating to mileage and per diem living expenses.

BE IT RESOLVED, by the Senate of the State of Minnesota:

Each member who has moved from his usual place of lodging during a substantial part of the sessions of the 71st Legislature shall receive mileage for necessary travel in going to and returning

from the place of meeting to his place of residence in the amount of 16 cents per mile, or any greater amount authorized by the commissioner of personnel for state employees, for each such trip during the 71st Legislature.

Each member who has moved from his usual place of lodging during a substantial part of the sessions of the 71st Legislature shall be paid per diem living expenses in the amount of \$27 for each calendar day during the sessions of the 71st Legislature.

Each member of the Senate who has not changed his place of lodging for a substantial part of the sessions of the 71st Legislature shall be paid per diem living expenses in the amount of \$17 for each calendar day during the sessions of the 71st Legislature.

Each member of the Senate shall certify in writing to the Secretary of the Senate prior to the issuance of the first of the warrants for each of the sessions of the 71st Legislature whether or not he has moved from his usual place of lodging. Each member shall also certify in writing for the actual travel for which he seeks reimbursement.

The Secretary of the Senate shall prepare and issue warrants in payment of mileage expenses to each member of the Senate from the Senate legislative expense fund.

Mr. Coleman moved the adoption of the foregoing resolution.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 62 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Spear
Ashbach	Gunderson	Lessard	Perpich	Staples
Bang	Hanson	Lewis	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Ueland, A.
Chenoweth	Johnson	Merriam	Schaaf	Ulland, J.
Chmielewski	Keefe, J.	Moe	Schmitz	Vega
Coleman	Keefe, S.	Nelson	Schrom	Wegener
Davies	Kleinbaum	Nichols	Setzepfandt	Willet
Dunn	Knaak	Ogdahl	Sieloff	
Engler	Knoll	Olhoft	Sikorski	
Frederick	Knutson	Olson	Sillers	

Messrs. Dieterich and Rued voted in the negative.

The motion prevailed. So the resolution was adopted.

Mr. Chenoweth moved that S. F. No. 222 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Elections. The motion prevailed.

CONFIRMATION

Mr. Willet moved that the report from the Committee on Agriculture and Natural Resources, reported February 12, 1979,

pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Willet moved that in accordance with the report from the Committee on Agriculture and Natural Resources, reported February 12, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

STATE LIVESTOCK SANITARY BOARD

Dr. Eugene Karnis, Rt. 5, Box 573, Alexandria, Douglas County, effective January 31, 1978, for a term expiring the first Monday in January, 1981.

Lois-Elaine Lindberg, Rt. 2, Box 43, Miltona, Douglas County, effective January 31, 1978, for a term expiring the first Monday in January, 1982.

ENVIRONMENTAL EDUCATION BOARD

William Barbeau, 2564 Rhode Island Avenue N., Golden Valley, Hennepin County, effective March 13, 1978, for a term expiring the first Monday in January, 1982.

Jean Replinger, 300 North Hill, Marshall, Lyon County, effective February 20, 1978, for a term expiring the first Monday in January, 1981.

MINNESOTA ENVIRONMENTAL QUALITY BOARD

William Maher, 217 Viola Street, Mankato, Blue Earth County, effective June 7, 1978, for a term expiring the first Monday in January, 1980.

MINNESOTA WATER RESOURCES BOARD

William T. Sillman, 1021 W. Wabasha, Winona, Winona County, effective July 27, 1978, for a term expiring January 7, 1980.

STATE SOIL AND WATER CONSERVATION BOARD

Dennis Sullivan, Rt. 1, Kellogg, Wabasha County, effective November 29, 1978, for a term expiring the first Monday in January, 1981.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

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

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

Rev. Carl Manfred, Chaplain, effective February 19, 1979

Rev. Paul Sorlein, Chaplain, effective February 22, 1979

Rev. Ellen Babinsky, Chaplain, effective February 26, 1979

Thomas Connolly, Sergeant classification, effective February 19, 1979

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

CONSENT CALENDAR

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 204: A bill for an act relating to state lands; authorizing the conveyance of certain lands in Kittson County.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S. F. Nos. 138, 66, 52, 298, 39, 236, 88 and 388 which the committee recommends to pass.

S. F. No. 68, which the committee recommends to pass with the following amendment offered by Mr. Penny:

Page 4, lines 13 and 14, delete the new language

The motion prevailed. So the amendment was adopted.

S. F. No. 130, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 2, line 14, delete "*it*" and insert "*they*"

Page 2, line 33, delete "*shall be*" and insert "*is*"

Page 25, line 7, strike the period and insert a semicolon

Page 25, line 19, after the semicolon insert "*or*"

The motion prevailed. So the amendment was adopted.

S. F. No. 187, which the committee recommends to pass with the following amendment offered by Mr. Knoll:

Page 2, line 22, delete "*defined by this law*"

Page 3, line 1, delete "*shall be*" and insert "*is*"

Page 3, line 10, delete "*this chapter*" and insert "*sections 184.21 to 184.41*"

The motion prevailed. So the amendment was adopted.

S. F. No. 389, which the committee recommends to pass with the following amendment offered by Mr. Wegener:

Page 1, line 9, delete "*certified*"

Page 1, line 9, before the comma insert "*lower than the levy certified by the township*"

The motion prevailed. So the amendment was adopted.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hanson moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, February 19, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

EIGHTEENTH DAY

St. Paul, Minnesota, Monday, February 19, 1979

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

CALL OF THE SENATE

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

Ashbach	Hanson	Lessard	Peterson	Solon
Bang	Hughes	Lewis	Pillsbury	Spear
Benedict	Humphrey	Luther	Purfeerst	Staples
Brataas	Jensen	McCutcheon	Renneke	Stokowski
Chenoweth	Johnson	Menning	Rued	Strand
Chmielewski	Keefe, J.	Merriam	Schaaf	Stumpf
Dieterich	Keefe, S.	Moe	Schmitz	Tennessee
Dunn	Kirchner	Nelson	Schrom	Ueland, A.
Engler	Kleinbaum	Nichols	Setzepfandt	Vega
Frederick	Knaak	Olhoff	Sieloff	Wegener
Garty	Knoll	Penny	Sikorski	Willet
Gunderson	Laufenburger	Perpich	Sillers	

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

Prayer was offered by the Chaplain, Rev. Dr. Carl L. Manfred.

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

Ashbach	Gunderson	Laufenburger	Penny	Sillers
Bang	Hanson	Lessard	Perpich	Solon
Benedict	Hughes	Lewis	Peterson	Spear
Brataas	Humphrey	Luther	Pillsbury	Staples
Chenoweth	Jensen	McCutcheon	Purfeerst	Stokowski
Chmielewski	Johnson	Menning	Renneke	Strand
Coleman	Keefe, J.	Merriam	Rued	Stumpf
Davies	Keefe, S.	Moe	Schaaf	Tennessee
Dieterich	Kirchner	Nelson	Schmitz	Ueland, A.
Dunn	Kleinbaum	Nichols	Schrom	Vega
Engler	Knaak	Ogdahl	Setzepfandt	Wegener
Frederick	Knoll	Olhoff	Sieloff	Willet
Garty	Knutson	Olson	Sikorski	

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Anderson and Bernhagen were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Chmielewski, Dunn, Lessard, Olson and Hughes introduced—

S. F. No. 533: 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.

Referred to the Committee on Veterans' Affairs.

Messrs. Chmielewski, Dunn, Lessard, Moe and Olson introduced—

S. F. No. 534: 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.

Referred to the Committee on Veterans' Affairs.

Messrs. Chmielewski, Engler, Wegener, Renneke and Setzpfandt introduced—

S. F. No. 535: 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.

Referred to the Committee on Local Government.

Mrs. Staples, Mr. Nelson, Mrs. Brataas, Messrs. Stokowski and Ogdahl introduced—

S. F. No. 536: 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.

Referred to the Committee on Governmental Operations.

Mr. Lessard introduced—

S. F. No. 537: A bill for an act relating to retirement; authorizing purchase of allowable service credit by a certain member of the public employees retirement association.

Referred to the Committee on Governmental Operations.

Mr. Lessard introduced—

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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Vega, Olhoft, Solon and Hanson introduced—

S. F. No. 539: A bill for an act relating to taxation; providing for annual adjustments of individual income tax brackets according to rate of change in the cost of living index; amending Minnesota Statutes 1978, Section 290.06, Subdivision 2c, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Nichols introduced—

S. F. No. 540: 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.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Staples, Messrs. Knoll, Moe, Gunderson and Keefe, J. introduced—

S. F. No. 541: A bill for an act relating to the aging; appropriating funds to the department of public welfare for a certain volunteer program.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Anderson introduced—

S. F. No. 542: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Anderson introduced—

S. F. No. 543: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Anderson and Sillers introduced—

S. F. No. 544: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Schaaf introduced—

S. F. No. 545: 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.

Referred to the Committee on Commerce.

Mr. Schaaf introduced—

S. F. No. 546: 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.

Referred to the Committee on Commerce.

Messrs. Olson, Hanson, Moe, Setzepfandt and Nichols introduced—

S. F. No. 547: A bill for an act relating to taxation; sales tax; exempting farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Moe introduced—

S. F. No. 548: 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.

Referred to the Committee on Finance.

Messrs. Wegener, Schmitz, Olhoft and Ueland, A. introduced—

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.

Referred to the Committee on Local Government.

Mr. Keefe, S. introduced—

S. F. No. 550: A bill for an act relating to elections; regulating campaign financing; increasing certain expenditure limits; amending Minnesota Statutes 1978, Section 10A.25, Subdivision 2.

Referred to the Committee on Elections.

Messrs. Olson, Dunn, Wegener, Setzepfandt and Anderson introduced—

S. F. No. 551: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Anderson, Bernhagen, Strand, Knutson and Merriam introduced—

S. F. No. 552: 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.

Referred to the Committee on Judiciary.

Mr. Benedict introduced—

S. F. No. 553: A bill for an act relating to the operation of state government; proposing a constitutional amendment on initiative and referendum.

Referred to the Committee on Judiciary.

Messrs. Vega, Moe, Olhoff, Chenoweth and Ashbach introduced—

S. F. No. 554: A bill for an act relating to the operation of state government; requiring zero-based budgeting by selected departments.

Referred to the Committee on Governmental Operations.

Messrs. Knoll, Peterson, Ashbach, Kirchner and McCutcheon introduced—

S. F. No. 555: 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.

Referred to the Committee on Governmental Operations.

Messrs. Menning, Rued, Setzepfandt and Gunderson introduced—

S. F. No. 556: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davies, Sieloff and McCutcheon introduced—

S. F. No. 557: 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.

Referred to the Committee on Judiciary.

Messrs. Davies, Jensen and Sikorski introduced—

S. F. No. 558: A bill for an act relating to creditor's remedies; defining property exempt from legal process; amending Minnesota Statutes 1978, Section 550.37.

Referred to the Committee on Judiciary.

Messrs. Olson, Engler, Menning, Chmielewski and Olhoff introduced—

S. F. No. 559: A bill for an act relating to game and fish; authorizing minors to take fish without a license; amending Minnesota Statutes 1978, Section 98.47, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Keefe, S.; Hughes; Vega; Lewis and Knoll introduced—

S. F. No. 560: 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.

Referred to the Committee on Education.

Messrs. Hughes, Chmielewski, Spear, Frederick and Engler introduced—

S. F. No. 561: 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.

Referred to the Committee on Transportation.

Mr. Dieterich, Mrs. Staples, Mr. Willet, Mrs. Brataas and Mr. Keefe, S. introduced—

S. F. No. 562: 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.

Referred to the Committee on Employment.

Messrs. Stumpf and Dieterich introduced—

S. F. No. 563: A bill for an act relating to civil actions; providing for a mail form answer for complaints in consumer civil actions.

Referred to the Committee on Judiciary.

Messrs. Stumpf and Penny introduced—

S. F. No. 564: A bill for an act relating to education; providing for the licensure of school business officials, chief school business officers and district-wide community education directors; requiring licensed chief school business officers in school districts of a certain

size; appropriating money; amending Minnesota Statutes 1978, Section 121.11, Subdivision 13.

Referred to the Committee on Education.

Messrs. Stumpf and Dieterich introduced—

S. F. No. 565: A bill for an act relating to the city of Saint Paul and county of Ramsey; providing for a division of costs to maintain the joint court house and city hall.

Referred to the Committee on Local Government.

Mr. Stumpf introduced—

S. F. No. 566: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Staples, Messrs. Spear, Chmielewski, Gunderson and Ueland, A. introduced—

S. F. No. 567: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Mrs. Staples, Messrs. Spear, Nelson, Perpich and Mrs. Brataas introduced—

S. F. No. 568: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mrs. Staples, Messrs. Olson, Dunn, Chmielewski and Olhoff introduced—

S. F. No. 569: A bill for an act relating to the Minnesota historical society; repealing Minnesota Statutes 1978, Section 138.02.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Olhoft, Sillers, Strand, Gunderson and Hughes introduced—

S. F. No. 570: A bill for an act relating to education; allowing certain school districts to receive certain state aids; amending Minnesota Statutes 1978, Section 275.125, Subdivision 2b.

Referred to the Committee on Education.

Messrs. Menning, Rued, Wegener and Schmitz introduced—

S. F. No. 571: 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.

Referred to the Committee on Education.

Messrs. Bang and Kirchner introduced—

S. F. No. 572: A bill for an act relating to the city of Bloomington; authorizing additional on-sale liquor licenses.

Referred to the Committee on Commerce.

Messrs. Peterson, McCutcheon, Ashbach, Bernhagen and Lesard introduced—

S. F. No. 573: 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.

Referred to the Committee on Judiciary.

Mr. Solon introduced—

S. F. No. 574: A bill for an act relating to taxation; sales; exempting sales of cigarettes by certain corrections institutions; amending Minnesota Statutes 1978, Section 297.02, Subdivision 6.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olhoft, Lewis, Mrs. Brataas and Mr. Moe introduced—

S. F. No. 575: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Schaaf and Merriam introduced—

S. F. No. 576: 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.

Referred to the Committee on Transportation.

Messrs. Schaaf and Merriam introduced—

S. F. No. 577: 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.

Referred to the Committee on Transportation.

Messrs. Schaaf and Merriam introduced—

S. F. No. 578: A bill for an act relating to the metropolitan airports commission; prohibiting the expansion of Anoka county airport.

Referred to the Committee on Transportation.

Mr. Chmielewski introduced—

S. F. No. 579: 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.

Referred to the Committee on Employment.

Mr. Merriam introduced—

S. F. No. 580: 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.

Referred to the Committee on Education. Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Merriam introduced—

S. F. No. 581: 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.

Referred to the Committee on Education.

Mr. Benedict introduced—

S. F. No. 582: A bill for an act relating to the operations of the government; proposing an amendment to the Minnesota Constitution, Article IV, by adding a section; reserving to the people the power to propose laws and constitutional amendments to the legislature; and implementing the constitutional amendment; providing a penalty; amending Minnesota Statutes 1978, Sections 3.20; 3.21; 203A.31, Subdivision 2; and 645.02.

Referred to the Committee on Judiciary.

Messrs. Jensen; Keefe, J.; Pillsbury and Knutson introduced—

S. F. No. 583: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Frederick, Sieloff and Ogdahl introduced—

S. F. No. 584: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff, Mrs. Knaak, Messrs. Wegener, Engler and Chmielewski introduced—

S. F. No. 585: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Engler, Jensen and Chmielewski introduced—

S. F. No. 586: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bernhagen, Rued and Engler introduced—

S. F. No. 587: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Engler, Rued and Chmielewski introduced—

S. F. No. 588: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bang, Frederick, Bernhagen and Sieloff introduced—

S. F. No. 589: A bill for an act relating to taxation; income tax; reducing rates applicable to corporations; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sillers, Knoll, Bang, Anderson and Jensen introduced—

S. F. No. 590: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bernhagen, Rued, Knutson and Ulland, J. introduced—

S. F. No. 591: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Jensen; Bang; Keefe, J. and Renneke introduced—

S. F. No. 592: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Bernhagen, Sillers, Knoll and Bang introduced—

S. F. No. 593: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff, Mrs. Knaak, Messrs. Bernhagen and Knoll introduced—

S. F. No. 594: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Jensen, Renneke, Pillsbury and Ogdahl introduced—

S. F. No. 595: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Jensen; Ueland, A.; Sieloff and Pillsbury introduced—

S. F. No. 596: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Merriam introduced—

S. F. No. 597: A bill for an act relating to motor vehicles; requiring an identification number on vehicles used in enforcing highway traffic safety regulations; amending Minnesota Statutes 1978, Section 169.98, Subdivision 1.

Referred to the Committee on Transportation.

Mr. Willet introduced—

S. F. No. 598: A bill for an act relating to the city of Bemidji; authorizing the issuance of bonds authorized at a special election.

Referred to the Committee on Local Government.

Messrs. McCutcheon, Gearty, Coleman, Strand and Ashbach introduced—

S. F. No. 599: A bill for an act proposing an amendment to the Minnesota Constitution, adding a section to Article VII; providing for a popular initiative.

Referred to the Committee on Judiciary.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

January 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Finance is hereby respectfully submitted to the Senate for confirmation as required by law:

Wayne Burggraaff, 7145 Park Avenue, Richfield, Hennepin County, has been appointed by me, effective February 12, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

January 23, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Director of the Consumer Services Section, Department of Commerce, is hereby respectfully submitted to the Senate for confirmation as required by law:

Krista Sanda, Route 3, Box 3, Staples, Todd County, has been appointed by me, effective January 29, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Commerce.)

February 5, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of Banks, Department of Commerce, is hereby respectfully submitted to the Senate for confirmation as required by law:

Michael Pint, 10006 Washburn Avenue South, Bloomington, Hennepin County, has been appointed by me, effective February 26, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Commerce.)

Sincerely,

Albert H. Quie, Governor

January 25, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

Pursuant to Minnesota Statutes 1978, I have made the following appointment:

Sec. 3.303 Legislative Coordinating Commission

Messrs. Hanson and Keefe, S.

Respectfully,

Nicholas D. Coleman
Senate Majority Leader

January 25, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

On January 24, 1979, the Subcommittee on Committees met and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes 1978

Sec. 1.34 Advisory Committee to Minnesota-Wisconsin Boundary Area Commission

Messrs. Lewis, Engler, Nichols, Sikorski and Vega

Sec. 121.82 Education Commission of the States

Mr. Hughes

Sec. 1.22 Great Lakes Commission

Messrs. Ulland, J. and Stokowski

Sec. 3.922 Indian Affairs Intertribal Board

Messrs. Chmielewski, Nelson and Sillers

Sec. 3.29 Interstate Cooperation Commission

Messrs. Humphrey, Bang, Knoll, Schaaf and Sillers

Sec. 86.07 Legislative Commission on Minnesota Resources

Messrs. Anderson, Chenoweth, Kirchner, Laufenburger, Moe, Renneke and Willet

Sec. 3.965 Legislative Commission to Review Administrative Rules

Messrs. Coleman; Gunderson; Keefe, J.; Olhoft and Penny

Sec. 3.85 Legislative Commission on Pensions and Retirement

Messrs. Ogdahl, Peterson, Renneke, Stokowski and Strand

Sec. 3.86 Tax Study Commission

Messrs. Davies, Hanson, Jensen, McCutcheon, Merriam, Peterson and Sillers

Sec. 298.22 Iron Range Resources and Rehabilitation Board

Messrs. Dunn, Johnson, Lessard, Perpich and Solon

Sec. 161.1419 Mississippi River Parkway Commission

Messrs. Bernhagen, Kleinbaum and Purfeerst

Sec. 84B.11 Citizens Committee on Voyageurs National Park

Messrs. Jensen and Stumpf

Pursuant to Senate Rule 75 Senate Special Committee on Ethical Conduct

Messrs. Willet, Kirchner, Sieloff and McCutcheon

Respectfully,

Nicholas D. Coleman, Chairman
Subcommittee on Committees

January 24, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

Pursuant to Minnesota Statutes 1978, I have made the following appointments:

Sec. 3.97 Legislative Audit Commission

Messrs. Ashbach, Ogdahl and Pillsbury

Sec. 3.303 Legislative Coordinating Commission

Mr. Ogdahl

Respectfully,

Robert O. Ashbach
Senate Minority Leader

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 107.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 15, 1979

FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred to the committee indicated.

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.

Referred to the Committee on General Legislation and Administrative Rules.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk with the exception of the report on S. F. No. 405, be now adopted. The motion prevailed.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 405: 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 interagency 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.

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

Page 2, line 5, before the period insert "*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*"

Page 2, line 17, delete "*director*" and insert "*chief administrative officer*"

Page 2, line 25, delete "*may*" and insert "*shall*"

Page 2, line 26, delete "*additional*"

Page 2, line 27, after "*state*" delete "*or*" and insert "*that assist, provide, reimburse or regulate special transportation service and may appoint up to five additional members*"

Page 2, line 28, delete "other" and insert "*the metropolitan council, regional development commissions and*"

Page 2, line 28, delete "agencies" and insert "*and private entities*"

Page 2, line 29, delete "*or develop public transportation*"

Page 2, line 30, delete "*policies*"

Page 2, line 30, delete "*chair*"

Page 2, line 31, delete "*the task force and*"

Page 2, line 31, before the period insert "*for the task force and shall chair or appoint a representative to chair the task force*"

Page 3, line 21, after "*services*" insert "*and educational*"

Page 4, line 24, after "*a*" and before "*private*" insert "*volunteer driver using a*"

Page 6, line 3, after the period insert "*Not later than November 15, 1979, and*"

Page 6, line 4, after "*rules*" insert "*under this section*"

Page 6, line 5, after "*rules*" insert "*, a plan for enforcing the rules and a proposed budget for the necessary enforcement activities of the department*"

Page 6, line 6, delete "*appropriate*"

Page 6, line 6, after "*committees*" insert "*on transportation in both houses*"

Page 6, line 7, after "*rules*" insert "*, enforcement plan and proposed budget*"

Page 6, line 8, after the period insert "*The commissioner shall adopt the rules necessary to implement this section and commence enforcement of those rules not later than July 1, 1980.*"

Page 7, line 22, delete "*and*" and insert "*. 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*"

Page 7, line 22, delete "*manage*" and insert "*set management policies for*"

Page 7, line 23, after "*management*" insert "*policy*"

Page 7, line 25, delete "*and*" and insert a comma

Page 7, line 25, after "*representative*" insert "*of the metropolitan council and at least two representatives*"

Page 7, line 27, after "*management*" insert "*policy*"

Page 7, line 32, after "*management*" insert "*policy*"

Page 8, line 6, after "with" insert "public and private"

Page 8, line 13, delete "an"

Page 8, line 13, delete "share" and insert "treatment in the allocation"

Page 8, delete lines 19 to 24

Page 8, line 25, delete "(h)" and insert "(g)"

Page 8, line 25, delete "state and local" and insert "public"

Page 8, line 26, after "of" delete "a"

Page 8, line 27, delete "service program" and insert "services and educational programs to coordinate with the project and"

Page 9, line 3, after the period, insert "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."

Page 9, after line 3, insert:

"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 unless a current certificate of compliance has been issued to the vehicle."

Renumber the subdivisions in sequence

Page 9, after line 25, insert:

"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, except regular route transit systems in metropolitan areas having a population of 50,000 or more 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."

Page 9, line 30, before "Any" insert "The commissioner shall require"

Page 9, line 32, delete "shall" and insert "to"

Page 10, line 1, before the period insert "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"

Page 10, line 4, delete "by operators of" and insert "for"

Page 10, line 4, delete "*assisted*" and insert "*eligible for assistance*"

Page 10, line 4, delete "*section*" and insert "*sections*"

Page 10, line 5, delete "*or*" and insert "*and*"

Page 10, line 7, delete "*those*"

Page 10, line 8, delete "*operators*" and insert "*projects*"

Page 10, line 13, delete "*operators who*" and insert "*projects that*"

Page 10, line 15, before "*paratransit*" insert "*eligible*"

Page 10, line 15, delete "*operators*" and insert "*projects*"

Page 10, delete lines 17 to 26

Page 13, after line 24, insert:

"Sec. 8. [EFFECTIVE DATE.] *This act is effective the day following final enactment.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 24, after "*Sections*" and before "*256B.02*" insert "*174.23, by adding a subdivision;*"

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

Mr. Wegener from the Committee on Local Government, to which was referred

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.

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

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 1978, Section 471.191, 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 1978, Sections 475.51 and 475.58."

Renumber the sections in sequence.

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

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

S. F. No. 202: 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.

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

Page 1, line 22, strike "transportation of"

Page 1, line 23, before "ill" insert "life support transportation service to"

Page 3, after line 2, 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 300h et seq"

Page 3, after line 15, insert:

"Subd. 9. "Primary service area" means the geographic area that can reasonably be served by a life support transportation service.

Subd. 10. "Municipality" means any city of any class, however organized, and any town."

Renumber the subdivisions in sequence

Page 3, line 18, strike "operator shall" and insert "*natural person, partnership, association, corporation or unit of government may*"

Page 3, line 24, 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, 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 8, before "life" insert "*new*"

Page 4, line 8, after "service," insert "*provision of*"

Page 4, line 10, after the stricken word "or" insert "*by an existing service*"

Page 4, line 10, after the comma, insert "*or establishment of*"

Page 4, line 10, after "operation" insert "*or an expanded primary service area*"

Page 4, line 11, delete "*or a transfer of ownership of a service*"

Page 4, lines 11 and 12, strike "in the state"

Page 4, line 12, strike "service meets the standards required by" and insert "requirements of"

Page 4, line 17, before the period, insert "are met"

Page 5, line 11, 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, 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, delete "for" and insert "in"

Page 5, lines 23, 24, 25, and 28, delete "city" and insert "municipality"

Page 5, lines 28 and 29, 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 2, after "hearing" insert "in the municipality in which the service's base of operations is or will be located"

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, lines 12 and 13, delete ", if the transcript is requested at least three days prior to the hearing"

Page 6, line 18, after "recommendations" insert "as to its disposition"

Page 6, line 19, after "making" insert "the"

Page 6, line 21, 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*"

Page 6, lines 32 and 33, and Page 7, line 1, delete clause (4)

Page 7, line 2, delete "(5)" and insert "(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, after line 3, insert:

"(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, at the beginning of the line, delete "*the*" and insert "*any*" and after "*benefit*" insert "*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 "*possess a current*" and insert "*possesses an appropriate*"

Page 8, line 13, strike "*certificate*"

Page 8, line 16, before the period, insert "*credential issued by the commissioner*"

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 "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 the period, insert *"A person who has served as a life support transportation service driver or attendant in compliance with applicable laws and regulations governing that service for ten consecutive years immediately before the effective date of sections 1 to 10, excluding vacation and short-term sick leave, is exempt from the requirements of this subdivision."*

Page 9, line 1, after the first "and" insert *"each vehicle while in operation"*

Page 9, line 15, after "services" insert *"if this need develops in the licensee's primary service area"*

Page 10, line 12, delete *"January"* and insert *"April"*

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, 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) and reletter the clauses in sequence

Page 10, line 31, delete *"between health care facilities"*

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 9, 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, after line 25, insert:

"Sec. 10. [144.8092] [MUNICIPALITIES OF LESS THAN 5,000 EXEMPT.] *A municipality of less than 5,000 population which operates or proposes to operate a life support transportation service is not required to comply with sections 1 to 10 if it has appropriate personnel, vehicles and equipment maintained in a sanitary condition to ensure that life-threatening situations and potentially serious injuries can be recognized and that patients will be protected from additional hazards before and during transportation to an appropriate medical facility for treatment."*

Page 13, delete section 10 and insert:

"Sec. 11. [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 11 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. 12. [REIMBURSEMENT FOR NON-EMERGENCY TRANSPORTATION.] *The commissioner of public welfare shall by rule establish a method of reimbursement under the medical assistance program, Minnesota Statutes 1978, Sections 256B.01 to 256B.40, to non-emergency medical transportation providers which shall consist of a base rate for single riders and a percentage of that base rate for each additional rider when more than one is transported plus an allowable mileage charge which shall be charged only once regardless of the number of persons transported.*

Sec. 13. *Upon approval by the governing body of the city of Duluth, any life support transportation service that:*

(1) Operated continuously in that city under a valid license for a three year period between June 1, 1975 and the effective date of this act;

(2) Complies with the standards required by section 4, subdivision 3; and

(3) Proposes to offer life support transportation service in Duluth which will meet the requirements of sections 1 to 10; shall be granted a license.

Sec. 14. *Section 13 of this act shall be effective upon the approval of the governing body of the city of Duluth and upon compliance with Minnesota Statutes 1978, Section 645.021, and shall expire one year from the effective date of sections 1 to 11."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 8 and 9, delete "emergency ambulance" and insert "life support transportation"

Page 1, line 9, after "services;" insert "requiring rules for non-emergency transportation reimbursement under medical assistance; exempting certain providers;"

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

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

S. F. No. 160: 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.

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

Page 1, line 18, strike "section 260.175, clauses (a), (b), or (c)" and insert "section 260.185, subdivision 1, clause (c), paragraphs (1), (2), (3), and (4) and section 260.191, subdivision 1, clause (b)"

Page 2, line 4, after "parent" insert "and unless the child is a ward of the state or is severely mentally retarded"

Page 4, after line 28, insert:

"Sec. 4. [APPROPRIATION.] \$..... is appropriated from the general fund to the commissioner of public welfare for the purposes of sections 1 to 3 for the biennium ending June 30, 1981."

Amend the title as follows:

Page 1, line 3, after "provisions;" insert "appropriating money;"

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

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

S. F. No. 266: 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.

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

Page 2, line 11, after "commissioner" insert ", according to criteria which the commissioner shall establish,"

Page 2, lines 15 and 16, delete "considered to be above the maximum allowable for fully subsidized child care" and insert "specified in clause (a) of the preceding paragraph for determining eligibility"

Page 2, line 17, after "for" insert "federal and state"

Page 2, line 18, after "according to" insert "*federal and state*"

Page 2, line 18, after "*standardized*" insert "*tax*"

Page 2, after line 22, insert:

"In each case where the grantee charges a fee that is less than the fee set by the commissioner for the same service, the state's payment shall be limited to the difference between the fee set by the commissioner and the charge for care."

Page 2, line 28, after "*charge*" insert "*for like care arrangements in the geographic area*"

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

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

S. F. No. 307: 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.

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

Page 1, line 10, delete "**AND BOARDING CARE**"

Page 1, line 11, delete "*Residents of*" and delete "*and boarding care homes*"

Page 1, line 13, after "*care*" insert "*, type*"

Page 1, lines 13 and 14, delete "*Dangerous pets shall not be permitted.*"

Page 1, after line 14, insert:

"Sec. 2. Minnesota Statutes 1978, Chapter 144, is amended by adding a section to read:

[144.573] [PETS IN CERTAIN INSTITUTIONS.] *Facilities for the institutional care of human beings licensed under Minnesota Statutes 1978, Section 144.50, may keep pet animals on the premises subject to reasonable rules as to the care and maintenance of the pet."*

Page 1, lines 17 and 18, delete "*and county humane societies*"

Page 1, line 19, after "*persons*" insert "*, including foster children and senior citizens,*"

Page 1, line 20, delete "*, including foster children and senior citizens*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "*with certain individuals*"

Page 1, after line 3, insert "requiring placement efforts by the Minnesota humane society;"

Page 1, line 4, after "Chapters" insert "144, by adding a section;"

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 219, 198, 81, 254, 87, 231 and 59 makes the following report:

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

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

SECOND READING OF SENATE BILLS

S. F. Nos. 225 and 307 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Nichols moved that S. F. No. 4 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Energy and Housing. The motion prevailed.

Mr. Luther moved that the names of Messrs. Spear, Sikorski and Benedict be added as co-authors to S. F. No. 286. The motion prevailed.

Mr. Olhofft moved that the name of Mr. Solon be added as co-author to S. F. No. 501. The motion prevailed.

Mr. McCutcheon moved that the name of Mr. Nichols be added as co-author to S. F. No. 508. The motion prevailed.

Mr. Frederick moved that the name of Mr. Dunn be added as co-author to S. F. No. 584. The motion prevailed.

Mr. McCutcheon moved that S. F. No. 591 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Energy and Housing. The motion prevailed.

Mr. McCutcheon moved that S. F. No. 590 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Energy and Housing. The motion prevailed.

Mr. Jensen moved that the name of Mr. Lessard be added as co-author to S. F. No. 592. The motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that a Memorial Service for deceased Senators be made a Special Order of business for immediate consideration. The motion prevailed. So the rules were suspended.

MEMORIAL SERVICE

Pursuant to rules suspension passed under Motions and Resolutions, the Senate proceeded with a Memorial Service for deceased Senators:

The Honorable Llewellyn "Lew" Larson

The Honorable Ralph L. Mayhood

The Honorable Elmer Peterson

The Honorable Donald Sinclair

The Honorable John L. Richardson

A MEMORIAL PRAYER

Offered by Rev. Dr. Carl L. Manfred

Senate of the State of Minnesota

February 19, 1979

We pause for this moment to honor the memory of the five members of this assembly who departed this life during the past year. As we do so, we give thanks for them—for their comradeship in common tasks—for their service to this body—and for their dedication to the people of this State. Let us pray.

Our Father, for every remembrance of these friends and colleagues who have gone before us, we give you thanks, We know that in their service of your people they were also serving you.

We praise you for lives touched by their lives in their homes and families, in their communities, in their congregations, and in their service to this State.

Bless and befriend their loved ones. Minister to their sorrowing spirits with your loving presence and promise. Grant them comfort, and a strength beyond their own. Enable them to claim by faith the assurance that "the eternal God is their refuge and underneath are the everlasting arms." In the Name of our Lord. Amen.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Memorial Prayer be printed in the Journal and that the Secretary of the Senate transmit a formal copy of this Memorial Prayer to the widows of the deceased Senators or their next of kin. The motion prevailed.

CALENDAR

S. F. No. 68: A bill for an act relating to statutes; defining terms; amending Minnesota Statutes 1978, Section 645.44.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 6, as follows:

Those who voted in the affirmative were:

Bang	Hughes	Lessard	Perpich	Staples
Benedict	Humphrey	Lewis	Pillsbury	Stokowski
Brataas	Jensen	Luther	Purfeerst	Strand
Chenoweth	Johnson	McCutcheon	Rued	Stumpf
Coleman	Keefe, J.	Merriam	Schaaf	Tennessee
Davies	Keefe, S.	Moe	Schmitz	Ueland, A.
Dieterich	Kirchner	Nelson	Setzepfandt	Vega
Dunn	Kleinbaum	Nichols	Sieloff	Wegener
Frederick	Knaak	Ogdahl	Sikorski	
Gearty	Knoll	Olhoft	Sillers	
Gunderson	Knutson	Olson	Solon	
Hanson	Laufenburger	Penny	Spear	

Those who voted in the negative were:

Chmielewski	Peterson	Renneke	Schrom	Willet
Menning				

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 9, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knoll	Olson	Sikorski
Bang	Hanson	Knutson	Penny	Sillers
Benedict	Hughes	Lessard	Perpich	Solon
Brataas	Humphrey	Lewis	Pillsbury	Spear
Chmielewski	Jensen	Menning	Purfeerst	Staples
Coleman	Johnson	Merriam	Renneke	Stokowski
Davies	Keefe, J.	Moe	Rued	Stumpf
Dieterich	Keefe, S.	Nelson	Schaaf	Tennessee
Dunn	Kirchner	Nichols	Schmitz	Ueland, A.
Engler	Kleinbaum	Ogdahl	Setzepfandt	Vega
Frederick	Knaak	Olhoft	Sieloff	Wegener

Those who voted in the negative were:

Chenoweth	Laufenburger	McCutcheon	Schrom	Willet
Gunderson	Luther	Peterson	Strand	

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 39 and nays 25, as follows:

Those who voted in the affirmative were:

Coleman	Jensen	Moe	Schaaf	Stokowski
Davies	Johnson	Nelson	Schmitz	Strand
Dieterich	Keefe, S.	Olhoff	Setzepfandt	Stumpf
Dunn	Kirchner	Penny	Sieloff	Tennessee
Engler	Kleinbaum	Perpich	Sikorski	Vega
Gearty	Lewis	Peterson	Solon	Wegener
Hanson	Luther	Pillsbury	Spear	Willet
Hughes	Merriam	Purfeerst	Staples	

Those who voted in the negative were:

Ashbach	Chmielewski	Knaak	McCutcheon	Renneke
Bang	Frederick	Knoll	Menning	Rued
Benedict	Gunderson	Knutson	Nichols	Schrom
Brataas	Humphrey	Laufenburger	Ogdahl	Sillers
Chenoweth	Keefe, J.	Lessard	Olson	Ueland, A.

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Kirchner voted in the negative.

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 5, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Laufenburger	Perpich	Spear
Bang	Hughes	Lessard	Pillsbury	Staples
Brataas	Humphrey	Lewis	Purfeerst	Stokowski
Chenoweth	Jensen	McCutcheon	Renneke	Strand
Chmielewski	Johnson	Menning	Rued	Stumpf
Davies	Keefe, J.	Moe	Schaaf	Tennessen
Dieterich	Keefe, S.	Nelson	Schmitz	Ueland, A.
Dunn	Kirchner	Nichols	Setzpfandt	Vega
Engler	Kleinbaum	Ogdahl	Sieloff	Wegener
Frederick	Knaak	Olhoft	Sikorski	Willet
Gearty	Knoll	Olson	Sillers	
Gunderson	Knutson	Penny	Solon	

Messrs. Benedict, Luther, Merriam, Peterson and Schrom voted in the negative.

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 3, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Laufenburger	Olson	Solon
Bang	Hanson	Lessard	Penny	Spear
Benedict	Hughes	Lewis	Perpich	Staples
Brataas	Humphrey	Luther	Pillsbury	Stokowski
Chenoweth	Jensen	McCutcheon	Purfeerst	Strand
Chmielewski	Johnson	Menning	Renneke	Stumpf
Davies	Keefe, J.	Merriam	Rued	Tennessen
Dieterich	Keefe, S.	Moe	Schmitz	Ueland, A.
Dunn	Kirchner	Nelson	Schrom	Vega
Engler	Kleinbaum	Nichols	Setzpfandt	Wegener
Frederick	Knaak	Ogdahl	Sieloff	Willet
Gearty	Knutson	Olhoft	Sillers	

Messrs. Peterson, Schaaf and Sikorski voted in the negative.

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hanson moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, February 22, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINETEENTH DAY

St. Paul, Minnesota, Thursday, February 22, 1979

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

CALL OF THE SENATE

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

Anderson	Engler	Knutson	Penny	Sillers
Ashbach	Frederick	Laufenburger	Perpich	Spear
Bang	Gearty	Lewis	Peterson	Staples
Bernhagen	Gunderson	Luther	Purfeerst	Stokowski
Brataas	Hughes	McCutcheon	Renneke	Strand
Chenoweth	Humphrey	Menning	Schaaf	Stumpf
Chmielewski	Jensen	Merriam	Schmitz	Tennessee
Coleman	Johnson	Nichols	Schrom	Ueland, A.
Davies	Keefe, S.	Ogdahl	Setzepfandt	Ulland, J.
Dieterich	Kirchner	Olhoft	Sieloff	Vega
Dunn	Knaak	Olson	Sikorski	Willet

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

Prayer was offered by the Chaplain, Rev. Paul D. Sorlein.

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

Anderson	Frederick	Knutson	Perpich	Spear
Ashbach	Gearty	Laufenburger	Peterson	Staples
Bang	Gunderson	Lewis	Purfeerst	Stokowski
Bernhagen	Hughes	Luther	Renneke	Strand
Brataas	Humphrey	McCutcheon	Schaaf	Stumpf
Chenoweth	Jensen	Menning	Schmitz	Tennessee
Chmielewski	Johnson	Merriam	Schrom	Ueland, A.
Coleman	Keefe, J.	Nichols	Setzepfandt	Ulland, J.
Davies	Keefe, S.	Ogdahl	Sieloff	Vega
Dieterich	Kirchner	Olhoft	Sikorski	Wegener
Dunn	Knaak	Olson	Sillers	Willet
Engler	Knoll	Penny	Solon	

The President declared a quorum present.

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

MEMBERS EXCUSED

Mrs. Knaak, Messrs. Benedict, Hanson, Lessard, Moe, Nelson, Pillsbury and Rued were excused from the Session of today. Messrs.

Gunderson and Sikorski were excused from the Session of today at 11:00 o'clock a.m. Mr. Wegener was excused from the Session of today at 10:30 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Olson; Purfeerst; Engler; Ueland, A. and Bernhagen introduced—

S. F. No. 600: A bill for an act relating to natural resources; exempting racing snowmobiles from registration requirements; amending Minnesota Statutes 1978, Section 84.82, Subdivision 6.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Merriam, Sieloff, Setzepandt, Strand and Vega introduced—

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.

Referred to the Committee on Transportation.

Mmes. Knaak, Staples, Brataas, Messrs. Hughes and Moe introduced—

S. F. No. 602: 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.

Referred to the Committee on Education.

Mr. Johnson introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Keefe, S.; Johnson; Solon and Davies introduced—

S. F. No. 604: A bill for an act relating to life insurance; imposing duties to locate beneficiaries; requiring certain provisions in life insurance applications; imposing penalties.

Referred to the Committee on Commerce.

Messrs. Merriam, Anderson, Stokowski, Mrs. Knaak and Mr. Schaaf introduced—

S. F. No. 605: 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.

Referred to the Committee on Local Government.

Mr. Gearty introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Merriam, Penny, Davies, Mrs. Knaak and Mr. Tennesen introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Chmielewski, Schmitz, Olson, Rued and Menning introduced—

S. F. No. 608: 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.

Referred to the Committee on Local Government.

Messrs. Olhofft, Renneke, Engler, Setzepfandt and Purfeerst introduced—

S. F. No. 609: A bill for an act relating to state government; providing an appropriation for state training of assessors.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Penny, Lewis, Kirchner and Engler introduced—

S. F. No. 610: A bill for an act relating to railroads; requiring the use of a caboose on freight trains; providing penalties.

Referred to the Committee on Transportation.

Mrs. Knaak, Messrs. Rued, Stumpf, Spear and Keefe, J. introduced—

S. F. No. 611: 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.

Referred to the Committee on Education.

Mrs. Knaak, Messrs. Benedict, Lewis, Knutson and Ashbach introduced—

S. F. No. 612: 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.

Referred to the Committee on Education.

Mr. Menning introduced—

S. F. No. 613: A bill for an act relating to Rock County; providing for the service of deputy assessors.

Referred to the Committee on Local Government.

Mr. Moe introduced—

S. F. No. 614: A bill for an act relating to appropriations; converting certain open appropriations of dedicated receipts to direct appropriations; abolishing other open appropriations of dedicated receipts; abolishing certain dedicated funds and accounts; appropriating money; amending Minnesota Statutes 1978, Sections 16.72, Subdivisions 1; 18.411; 18.67; 34.07; 69.031, Subdivision 3; 69.55; 84.153; 84.154, Subdivision 5; 84.155, Subdivision 6; 84.86, Subdivision 1; 86.42, Subdivision 1; 89.035; 89.036; 89.21; 94.48; 97.49, Subdivision 7; 115.03, Subdivision 1; 116.41, Subdivision 2; 136A.29, Subdivision 22; 136A.30; 160.285, Subdivision 3; 163.051, Subdivision 2; 168.54, Subdivision 5; 168A.31, Subdivision 1; 192.68, Subdivision 2; 192A.645; 197.02; 197.03; 197.05; 197.06; 246.41, Subdivision 2; 270.077; 299F.21; and 344.03, Subdivision 2; repealing Minnesota Statutes 1978, Sections 1.38; 16A.125, Subdivision 6; 21.114; 94.49; 168.54, Subdivisions 2, 3 and 6; 168A.31, Subdivision 2; 197.04; 197.07; 241.25; 246.41, Subdivisions 1 and 3; 290.60; 360.389; 424.165; 458.50 to 458.60; 626.85, Subdivision 2; and Laws 1961, Chapter 472, Section 4, as added.

Referred to the Committee on Finance.

Messrs. Stumpf, Sieloff, Stokowski and Chenoweth introduced—

S. F. No. 615: 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.

Referred to the Committee on Governmental Operations.

Messrs. Stumpf, Wegener and Dunn introduced—

S. F. No. 616: 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.

Referred to the Committee on Education.

Messrs. Rued, Sieloff and Sillers introduced—

S. F. No. 617: A bill for an act relating to retirement; annuities and benefits under certain public retirement plans; appropriating funds.

Referred to the Committee on Governmental Operations.

Messrs. Hughes, Chenoweth, Sikorski, Ogdahl and Dunn introduced—

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 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.

Referred to the Committee on Education.

Mr. Menning introduced—

S. F. No. 619: A bill for an act relating to Murray County; allowing the county and local government units to participate in a federal railroad assistance program.

Referred to the Committee on Transportation.

Messrs. Wegener, Olhoff and Dunn introduced—

S. F. No. 620: 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.

Referred to the Committee on Local Government.

Mr. Hanson, Mrs. Brataas, Messrs. Kleinbaum, Sieloff and Nichols introduced—

S. F. No. 621: 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.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Staples, Messrs. Humphrey, Luther, Ogdahl and Keefe, J. introduced—

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.

Referred to the Committee on Local Government.

Messrs. Davies, Schaaf and Ashbach introduced—

S. F. No. 623: A bill for an act relating to insurance; removing certain licensing and regulatory controls from appraisers, ad-

justers, solicitors and other persons handling insurance claims; repealing Minnesota Statutes 1978, Chapter 72B.

Referred to the Committee on Commerce.

Mr. Sikorski, Mrs. Staples, Messrs. Setzepfandt, Ogdahl and Ashbach introduced—

S. F. No. 624: 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.

Referred to the Committee on Commerce.

Messrs. Merriam, Nelson, Hanson, Peterson and Anderson introduced—

S. F. No. 625: 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.

Referred to the Committee on Education.

Mr. Moe introduced—

S. F. No. 626: A bill for an act relating to natural resources; recodifying statutes relating to certain conservation areas; abolishing consolidated conservation areas fund; repealing obsolete provisions; appropriating money; amending Minnesota Statutes 1978, Sections 84A.01; 84A.03; 84A.07; 84A.10; 84A.51, Subdivision 4; 84A.52; 84A.55, Subdivisions 1, 3, 6, 8, 9, 10, 11, and 12; 281.23, Subdivision 8; 282.14; 282.16, Subdivision 1, and by adding subdivisions; 282.19; 282.21; and Laws 1961, Chapter 612, Section 1; repealing Minnesota Statutes 1978, Sections 84A.02; 84A.04; 84A.08; 84A.09; 84A.11; 84A.20 to 84A.23; 84A.26 to 84A.33; 84A.36 to 84A.42; 84A.50; 84A.51, Subdivisions 1, 2, and 3; 84A.53; 84A.54; 84A.55, Subdivision 14; and 282.221 to 282.226.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Lessard introduced—

S. F. No. 627: A bill for an act relating to labor; requiring employers to provide employees with a meal break.

Referred to the Committee on Employment.

Messrs. Nelson, Perpich and Kirchner introduced—

S. F. No. 628: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Tennesen, Merriam, McCutcheon and Setzepfandt introduced—

S. F. No. 629: A bill for an act relating to education; eliminating the license requirement for school superintendents; amending Minnesota Statutes 1978, Sections 121.26; 123.35, Subdivision 5; 125.03, Subdivision 1; 125.05, Subdivision 1; 125.08; 125.12, Subdivisions 1, 2 and 6b; 125.13, Subdivision 1; 125.18, Subdivision 1; and 125.61, Subdivision 1.

Referred to the Committee on Education.

Messrs. Schaaf, Merriam, Ashbach, Penny and Sikorski introduced—

S. F. No. 630: 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.

Referred to the Committee on Commerce.

Mr. Perpich introduced—

S. F. No. 631: 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.

Referred to the Committee on Education.

Messrs. Hanson, Lessard, Peterson and Moe introduced—

S. F. No. 632: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Peterson, Purfeerst, Hanson, Frederick and Sieloff introduced—

S. F. No. 633: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Tennesen, Solon, Frederick, Bang and Laufenburger introduced—

S. F. No. 634: 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.

Referred to the Committee on Commerce.

Messrs. Anderson, Purfeerst, Kleinbaum, Stumpf and Kirchner introduced—

S. F. No. 635: A bill for an act relating to state historic sites; authorizing management contracts with counties, municipalities, or county or local historical societies.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Tennesen, Bang and Spear introduced—

S. F. No. 636: 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.

Referred to the Committee on Commerce.

Mr. Benedict introduced—

S. F. No. 637: A bill for an act relating to taxation; property tax refund; extending senior citizen benefits to certain surviving spouses; amending Minnesota Statutes 1978, Sections 290A.03, Subdivision 8; 290A.04, Subdivisions 1, 2a, 2b, and 3; and 290A.07, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sieloff introduced—

S. F. No. 638: A bill for an act relating to marriage dissolution; recodifying the laws of marriage dissolution, child custody and child support; amending Minnesota Statutes 1978, Sections 257.41; 487.19, Subdivision 1; and 518A.09, Subdivision 1; repealing Minnesota Statutes 1978, Chapter 518.

Referred to the Committee on Judiciary.

Messrs. Sieloff, Frederick and Sillers introduced—

S. F. No. 639: A bill for an act relating to taxation; income; reducing the minimum tax on preference items; excluding capital gain from preference items; excluding charitable contributions from excess itemized deductions; excluding from the minimum tax certain deferred federal minimum tax; amending Minnesota Statutes 1978, Section 290.091.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Nelson, Solon, Strand, Sillers and Humphrey introduced—

S. F. No. 640: 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.

Referred to the Committee on Education.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 15, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Public Service Commission is hereby respectfully submitted to the Senate for confirmation as required by law:

Roger Hanson, P.O. Box 128, Vergas, Ottertail County, has been appointed by me, effective January 29, 1979, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Commerce.)

Sincerely,
Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

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.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 19, 1979

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.

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

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the desk with the exception of the reports on S. F. Nos. 50 and 410, be now adopted. The motion prevailed.

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

S. F. No. 50: A bill for an act relating to the Boundary Waters Canoe Area; providing for a temporary citizen's committee thereon.

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

Page 1, line 10, delete "15" and insert "17"

Page 1, line 16, after the semicolon, insert "and"

Page 1, line 17, delete "Two" and insert "Eight"

Page 1, line 18, delete the semicolon and insert a period

Page 1, delete lines 19 to 22

Page 2, delete lines 1 to 3

Page 2, line 4, delete "the legislative office to which they were elected."

Page 2, line 4, before "The" insert "The governor shall designate one of the appointees to serve as chairman and the committee may elect such other officers as it deems necessary."

Page 2, line 6, delete "non-legislator"

Page 2, delete Subdivision 3 and insert:

"Subd. 3. The sum of \$40,000 is appropriated from the general fund to the commissioner of administration for the purposes of this act to be available until June 30, 1981."

Amend the title as follows:

Page 1, line 4, after "thereon" insert "; appropriating money"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Elections, to which was referred

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.

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

Mr. Gearty from the Committee on Elections, 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.

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

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

S. F. No. 97: A bill for an act relating to education; directing the commissioner of education to sponsor regional seminars on the school breakfast program; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

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

S. F. No. 396: 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.

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

Page 3, line 7, after "*loan*" insert "*or grant*"

Page 3, line 7, delete the comma and insert a semicolon

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,*"

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

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 276: 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.

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

Page 1, line 14, after the period insert "*The determination of ownership shall be made annually on the effective date of the policy issued under this chapter. In case of self-insureds the determination shall be made annually on the date of approval of self-insurance or renewal of self-insurance.*"

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

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

S. F. No. 418: 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.

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

Page 1, line 11, delete "*nonmedical assistance*" and insert "*private paying*"

Page 1, line 12, after "*resident*" insert "*or person responsible for payment*"

Page 1, after line 13, insert:

"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."

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

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

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.

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

Page 1, line 17, delete "*verfied*" and insert "*verified*"

Amend the title as follows:

Page 1, line 3, delete "*notorizing*" and insert "*notarizing*"

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

Mr. Gearty from the Committee on Elections, 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.

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

Page 2, line 23, delete "*office*" and insert "*nomination*"

Page 2, line 29, after the period insert "*A losing candidate may waive the recount required pursuant to this subdivision by filing a written notice of waiver with the canvassing board.*"

Page 3, line 27, strike "*the candidates*"

Page 3, line 28, strike everything before "*is*" and insert "*a candidate who would otherwise be declared elected to a legislative office by the county canvassing board and the votes of any other candidate for that office*"

Page 3, lines 29 and 30, delete the new language

Page 3, line 31, delete "*office*"

Page 4, line 4, after the period insert "*A losing candidate may waive the recount required pursuant to this subdivision by filing a written notice of waiver with the canvassing board.*"

Page 4, line 26, delete "*office*" and insert "*nomination*"

Page 4, line 32, after the period insert "*A losing candidate may waive the recount required pursuant to this subdivision by filing a written notice of waiver with the canvassing board.*"

Page 5, line 19, strike "*the candidates*"

Page 5, line 20, strike everything before "*by*" and insert "*a candidate for legislative office who would otherwise be declared elected*"

Page 5, line 21, after "*board*" insert "*and the votes of any other candidate for that office*"

Page 5, line 21, delete "*and the difference is less*"

Page 5, line 22, delete the new language.

Page 5, line 23, delete "*that office*"

Page 5, line 28, after the period insert "*A losing candidate may waive the recount required pursuant to this subdivision by filing a written notice of waiver with the canvassing board.*"

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

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

S. F. No. 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.

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

Page 2, line 3, reinstate the stricken language

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

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

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.

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

Mr. Davies from the Committee on Judiciary, 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 2; 317.20, Subdivision 1; and 317.21, Subdivision 1.

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

Page 1, lines 23 and 24, strike “, except those of president and vice-president,”

Pages 2 and 3, delete Section 5 and insert:

“Sec. 5. Minnesota Statutes 1978, Section 317.08, Subdivision 3, is amended to read:

Subd. 3. [OPTIONAL PROVISIONS.] The articles of incorporation may contain any other provision, consistent with the law of this state, for regulating the business of the corporation or the conduct of the corporate affairs, *including without limitation, and notwithstanding subdivision 2, clause (3), a provision permitting or requiring the corporation to afford pecuniary gain to any member designated in the bylaws which is a nonprofit corporation.*”

Page 3, line 23, delete “*which shall constitute the whole board*”

Page 4, line 8, delete “, *except those*”

Page 4, line 9, strike “of” and strike “president and vice-president”

Page 4, line 11, delete the comma

Amend the title as follows:

Page 1, line 10, delete “2” and insert “3”

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

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

S. F. No. 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.

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

Page 1, line 12, strike “such” and insert “*the*”

Page 1, lines 18 to 19, strike "therein, and in addition thereto"

Page 1, line 21, strike "such" and insert "the"

Page 1, line 22, strike "therein"

Page 2, line 2, strike "therein"

Page 2, line 4, strike "such" and insert "the"

Page 2, line 5, strike "or their"

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

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

S. F. No. 203: A bill for an act relating to real estate; providing a flexible procedure for registering land; amending Minnesota Statutes 1978, Section 508.52.

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

Page 1, line 11, strike "same" and insert "land"

Page 1, line 11, strike "any" and insert "a"

Page 1, line 12, strike "same" and insert "deed"

Page 2, line 17, before "certificate" insert "owner's"

Page 2, line 17, delete "Prior to" and insert "Before"

Page 2, line 17, delete "of"

Page 2, line 20, delete "All" and insert "The"

Page 2, line 26, delete "thereupon"

Page 2, line 27, delete "such" and insert "the"

Page 2, line 28, delete "However,"

Page 2, line 29, delete "part only" and insert "portion"

Page 2, line 33, before "land" insert "portion of the"

Page 3, line 1, delete "hereinafter noted" and insert "otherwise provided in this section"

Page 3, line 2, delete "that" and insert "the"

Page 3, line 8, before "land" insert "portion of the"

Page 3, line 8, delete "at" and insert "in"

Page 3, line 8, after "discretion" insert "if the grantor's deed does not divide a parcel of unplatted land,"

Page 3, line 12, after the period, insert "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."

Page 3, line 13, strike "Provided, however, that"

Page 3, lines 15 to 16, strike "if it suits his convenience" and insert "*in his discretion*"

Page 3, line 17, strike "said" and insert "*the*"

Page 3, line 21, strike "said" and insert "*the*"

Page 3, line 22, strike "said" and insert "*the*"

Page 3, lines 27 to 28; strike "Provided also,"

Page 3, line 30, strike "at" and insert "*in*"

Page 4, line 5, strike "said" and insert "*the*"

Page 4, line 5, strike "such" and insert "*the*"

Page 4, line 5, strike "as"

Page 4, line 5, strike "may be" and insert "*is*"

Page 4, line 6, strike "said" and insert "*the*"

Page 4, line 7, strike "in the meantime"

Page 4, line 8, strike "force and"

Page 4, line 9, strike "said" and insert "*the*"

Page 4, line 10, delete "*such*"

Page 4, line 10, after "*conveyance*" insert "*without cancellation of the certificate of title*"

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

SECOND READING OF SENATE BILLS

S. F. Nos. 60, 384, 276, 418, 432, 61, 411, 54, 345 and 203 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Luther moved that the name of Mr. Sikorski be added as co-author to S. F. No. 179. The motion prevailed.

Mr. Keefe, S. moved that the name of Mr. Knoll be added as co-author to S. F. No. 406. The motion prevailed.

Mr. Vega moved that the name of Mr. Purfeerst be added as co-author to S. F. No. 539. The motion prevailed.

Mr. Keefe, S. moved that the name of Mr. Peterson be added as co-author to S. F. No. 550. The motion prevailed.

Mr. Stumpf moved that the name of Mr. Purfeerst be added as co-author to S. F. No. 566. The motion prevailed.

Mr. Merriam moved that the name of Mr. Purfeerst be added as co-author to S. F. No. 581. The motion prevailed.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the discussion on Permanent Rules. The following Senators answered to their names:

Anderson	Frederick	Luther	Renneke	Strand
Ashbach	Gearty	McCutcheon	Schaaf	Stumpf
Bang	Gunderson	Menning	Schmitz	Tennessee
Bernhagen	Hughes	Merriam	Setzepfandt	Ueland, A.
Chenoweth	Humphrey	Ogdahl	Sieloff	Ulland, J.
Chmielewski	Jensen	Olhoft	Sikorski	Vega
Coleman	Johnson	Olson	Sillers	Wegener
Davies	Keefe, S.	Penny	Solon	Willet
Dieterich	Kirchner	Perpich	Spear	
Dunn	Laufenburger	Peterson	Staples	
Engler	Lewis	Purfeerst	Stokowski	

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

Mr. Coleman moved that the report from the Committee on Rules and Administration of February 15, 1979 on Permanent Rules be taken from the table. The motion prevailed.

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

Mr. Coleman moved that the rules contained in the Committee Report be adopted as the Permanent Rules of the Senate.

Mr. Jensen moved to amend the Permanent Rules of the Senate as printed in the Journal for the 17th day, as follows:

After Rule 75, add a new rule to read:

"CONFERENCE COMMITTEE REPORTS

76. If any new matter is included in a conference committee report that was not contained in either the bill or amendments referred to the conference committee, the presiding officer shall return the report to the conference committee upon a point of order being raised that the report contains such new matter."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 18 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	Ogdahl	Ueland, A.
Bang	Engler	Kirchner	Renneke	Ulland, J.
Bernhagen	Frederick	Knutson	Sieloff	
Brataas	Jensen	Luther	Sillers	

Those who voted in the negative were:

Anderson	Hughes	Merriam	Schaaf	Stokowski
Chenoweth	Humphrey	Nichols	Schmitz	Strand
Chmielewski	Johnson	Olhoft	Schrom	Stumpf
Coleman	Keefe, S.	Olson	Setzepfandt	Tennessee
Davies	Knoll	Penny	Sikorski	Vega
Dieterich	Lewis	Perpich	Solon	Willet
Gearty	McCutcheon	Peterson	Spear	
Gunderson	Menning	Purfeerst	Staples	

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

Mr. Jensen then moved to amend the Permanent Rules of the Senate as printed in the Journal for the 17th day, as follows:

Amend Rule 56 by inserting the following after the first sentence of the first paragraph:

“Committee membership on all committees shall be proportional to the number in each group in the Senate, provided, however, that the majority group shall be entitled to a majority of at least three on any committee of fifteen members or less, four on any committee of between sixteen and twenty members, and five on any committee of twenty-one members and over.”

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	Renneke	Ulland, J.
Bang	Engler	Kirchner	Sieloff	
Bernhagen	Frederick	Knutson	Sillers	
Brataas	Jensen	Ogdahl	Ueland, A.	

Those who voted in the negative were:

Anderson	Hughes	McCutcheon	Purfeerst	Staples
Chenoweth	Humphrey	Menning	Schaaf	Stokowski
Chmielewski	Johnson	Merriam	Schmitz	Strand
Coleman	Keefe, S.	Olhoft	Schrom	Stumpf
Davies	Knoll	Olson	Setzepfandt	Tennessee
Dieterich	Laufenburger	Penny	Sikorski	Vega
Gearty	Lewis	Perpich	Solon	Willet
Gunderson	Luther	Peterson	Spear	

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

Mr. Jensen then moved to amend the Permanent Rules of the Senate as printed in the Journal for the 17th day, as follows:

Amend Rule 56 by inserting before the period at the end of the last sentence of the last paragraph the following:

“, except that all conference committees shall include at least one member of the minority group”

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 19 and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Jensen	Luther	Sillers
Bang	Dunn	Keefe, J.	Ogdahl	Ueland, A.
Bernhagen	Engler	Kirchner	Renneke	Ulland, J.
Brataas	Frederick	Knutson	Sieloff	

Those who voted in the negative were:

Anderson	Humphrey	Merriam	Schmitz	Strand
Chenoweth	Johnson	Olhoft	Schrom	Stumpf
Chmielewski	Keefe, S.	Olson	Setzepfandt	Tennessen
Coleman	Knoll	Penny	Sikorski	Vega
Davies	Laufenburger	Perpich	Solon	Willet
Gearty	Lewis	Peterson	Spear	
Gunderson	McCutcheon	Purfeerst	Staples	
Hughes	Menning	Schaaf	Stokowski	

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

The question recurred on the motion of Mr. Coleman.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 51 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lewis	Purfeerst	Stokowski
Ashbach	Gearty	Luther	Renneke	Strand
Bang	Gunderson	McCutcheon	Schaaf	Stumpf
Bernhagen	Hughes	Menning	Schmitz	Tennessen
Chenoweth	Humphrey	Merriam	Schrom	Ueland, A.
Chmielewski	Johnson	Ogdahl	Setzepfandt	Vega
Coleman	Keefe, S.	Olhoft	Sikorski	Willet
Davies	Kirchner	Olson	Sillers	
Dieterich	Knoll	Penny	Solon	
Dunn	Knutson	Perpich	Spear	
Engler	Laufenburger	Peterson	Staples	

Those who voted in the negative were:

Brataas	Jensen	Keefe, J.	Sieloff	Ulland, J.
---------	--------	-----------	---------	------------

The motion prevailed. So the Permanent Rules were adopted.

Without objection, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Messrs. Chmielewski, Knutson, Rued and Schrom introduced—

S. F. No. 641: 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; amend-

ing 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.

Referred to the Committee on Judiciary.

GENERAL ORDERS

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

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

S. F. Nos. 51, 198, 81, 254 and 59 which the committee recommends to pass.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 11:00 o'clock a.m., Monday, February 26, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

TWENTIETH DAY

St. Paul, Minnesota, Monday, February 26, 1979

The Senate met at 11:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Dieterich	Luther	Rued	Stokowski
Ashbach	Engler	McCutcheon	Schaaf	Strand
Bang	Frederick	Menning	Schmitz	Stumpf
Benedict	Gearty	Moe	Schrom	Tennessee
Bernhagen	Gunderson	Nelson	Setzpfandt	Ueland, A.
Brataas	Hughes	Nichols	Sikorski	Vega
Chenoweth	Johnson	Ogdahl	Sillers	Wegener
Chmielewski	Keefe, S.	Olson	Solon	
Coleman	Kirchner	Pillsbury	Spear	
Davies	Lewis	Purfeerst	Staples	

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

Prayer was offered by the Chaplain, Rev. Ellen Babinsky.

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

Anderson	Frederick	Lessard	Pillsbury	Staples
Ashbach	Gearty	Lewis	Purfeerst	Stokowski
Bang	Gunderson	Luther	Renneke	Strand
Benedict	Hughes	McCutcheon	Rued	Stumpf
Bernhagen	Jensen	Menning	Schaaf	Tennessee
Brataas	Johnson	Merriam	Schmitz	Ueland, A.
Chenoweth	Keefe, J.	Moe	Schrom	Ulland, J.
Chmielewski	Keefe, S.	Nelson	Setzpfandt	Vega
Coleman	Kirchner	Nichols	Sieloff	Wegener
Davies	Knaak	Ogdahl	Sikorski	Willet
Dieterich	Knoll	Olhoft	Sillers	
Dunn	Knutson	Olson	Solon	
Engler	Laufenburger	Penny	Spear	

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Hanson, Humphrey, Kleinbaum, Perpich and Peterson were excused from the Session of today. Messrs. Laufenburger

and Willet were excused from the Session of today until 11:30 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Gunderson, Olhoft, Schmitz, Setzepfandt and Rued introduced—

S. F. No. 642: 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.

Referred to the Committee on Governmental Operations.

Mr. Davies introduced—

S. F. No. 643: A bill for an act relating to no-fault automobile insurance; prescribing security requirements for school buses; requiring coverage for drivers and other occupants; amending Minnesota Statutes 1978, Section 65B.47, Subdivision 1.

Referred to the Committee on Commerce.

Messrs. Davies, McCutcheon and Merriam introduced—

S. F. No. 644: A bill for an act proposing an amendment to the Minnesota Constitution; repealing Article X, Section 6; repealing the taconite amendment.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ashbach, Rued, Mrs. Knaak, Messrs. Laufenburger and Keefe, J. introduced—

S. F. No. 645: 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.

Referred to the Committee on Rules and Administration.

Mr. Peterson introduced—

S. F. No. 646: A bill for an act relating to taxation; repealing the mortgage registration tax; repealing Minnesota Statutes 1978, Sections 287.01 to 287.12.

Referred to the Committee on Taxes and Tax Laws.

Mr. Peterson introduced—

S. F. No. 647: 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.

Referred to the Committee on Governmental Operations.

Mr. Merriam introduced—

S. F. No. 648: A bill for an act relating to education; prohibiting a school district from making a levy to provide for certain payments into the unemployment compensation fund; amending Minnesota Statutes 1978, Section 275.125, by adding a subdivision.

Referred to the Committee on Education.

Messrs. Merriam, Knutson, Gunderson, Anderson and Dunn introduced—

S. F. No. 649: 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.

Referred to the Committee on Education.

Messrs. Anderson, Bernhagen, Sillers and Strand introduced—

S. F. No. 650: 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.

Referred to the Committee on Judiciary.

Mr. Lewis introduced—

S. F. No. 651: A bill for an act relating to social development; requiring the commissioner of public welfare and each board of county commissioners to develop a biennial plan relating to the identification, reduction, remedy, and prevention of public social problems; requiring public participation in state and county plan development; authorizing the appointment of advisory councils; setting forth a formula for block grants to be allocated to the counties; establishing a temporary study commission; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Sieloff introduced—

S. F. No. 652: 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.

Referred to the Committee on Judiciary.

Messrs. Sieloff, Sillers and Dieterich introduced—

S. F. No. 653: 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.

Referred to the Committee on Judiciary.

Mrs. Staples, Messrs. Benedict, Merriam, Solon and Chmielewski introduced—

S. F. No. 654: A bill for an act relating to human services; providing state recognition and financial grants to volunteer programs for retired senior citizens; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Wegener introduced—

S. F. No. 655: A bill for an act relating to state lands; directing the exchange of certain public lands bordering on public waters in Mille Lacs County.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Gunderson introduced—

S. F. No. 656: A bill for an act relating to towns; providing an alternate method of vacating town roads; amending Minnesota Statutes 1978, Section 164.06.

Referred to the Committee on Transportation.

Messrs. Humphrey, Olhoff, Luther, Willet and Sikorski introduced—

S. F. No. 657: 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.

Referred to the Committee on Energy and Housing.

Messrs. Anderson and Merriam introduced—

S. F. No. 658: 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.

Referred to the Committee on Education.

Messrs. Perpich; Tennesen; Keefe, J.; Schaaf and Lewis introduced—

S. F. No. 659: A bill for an act relating to health; appropriating money to the University of Minnesota for the Minnesota Regional Sleep Disorders Center.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Davies, Sieloff and Tennesen introduced—

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; 301.32; and 301.36.

Referred to the Committee on Judiciary.

Messrs. Keefe, S.; Spear; Perpich; Lewis and Coleman introduced—

S. F. No. 661: A bill for an act relating to public welfare; increasing grants under certain state income assistance programs; appropriating money; amending Minnesota Statutes 1978, Section 256D.01, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. McCutcheon, Chenoweth, Perpich, Humphrey and Schaaf introduced—

S. F. No. 662: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. McCutcheon, Olhoft and Hughes introduced—

S. F. No. 663: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Laufenburger, Purfeerst, Engler, Chmielewski and Schmitz introduced—

S. F. No. 664: 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.

Referred to the Committee on Transportation.

Mmes. Brataas, Staples, Messrs. Lewis, Laufenburger and Keefe, J. introduced—

S. F. No. 665: 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.

Referred to the Committee on Governmental Operations.

Messrs. Knutson, Kirchner, Mrs. Brataas, Messrs. Strand and Dieterich introduced—

S. F. No. 666: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Knutson; Knoll; Schmitz; Ueland, A. and Lewis introduced—

S. F. No. 667: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Ueland, A. and Renneke introduced—

S. F. No. 668: 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.

Referred to the Committee on Local Government.

Mr. Sikorski introduced—

S. F. No. 669: 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.

Referred to the Committee on Judiciary.

Mr. Sikorski introduced—

S. F. No. 670: 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.

Referred to the Committee on Judiciary.

Mr. Sikorski introduced—

S. F. No. 671: 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.

Referred to the Committee on Judiciary.

Messrs. Renneke, Penny, Pillsbury, Johnson and Mrs. Knaak introduced—

S. F. No. 672: A bill for an act relating to motor vehicles; changing the effective date for certified mailing of certificate of title and security interest release to loans entered into after June 1, 1979; allowing the mailing expense to be included in the loan fee if the borrower agrees and is informed in writing; providing for procedures for the satisfied secured party to follow on loans entered into prior to June 1, 1979; amending Minnesota Statutes 1978, Sections 168.71; and 168A.20, by adding subdivisions.

Referred to the Committee on Commerce.

Messrs. Sieloff, Frederick and Setzepfandt introduced—

S. F. No. 673: A bill for an act relating to taxation; altering the definition of gross income for income tax purposes for individuals, trusts and estates; placing restrictions on certain deductions; making certain changes in the minimum tax and in the treatment of small business corporations; allowing a 10 year carry-back of products liability losses; allowing adjustments to basis; allowing deductions for employer contributions to simplified em-

ployee pension plans; updating the definition of income for property tax refund purposes; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.09, Subdivisions 4 and 28; 290.091; 290.095, by adding a subdivision; 290.14; 290.26, Subdivision 2; 290.971, Subdivision 1; 290.974; 290A.03, Subdivision 3; repealing Minnesota Statutes 1978, Sections 290.971, Subdivisions 2, 3, 4, 5, and 6; 290.972; 290.973; and 290.975.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Engler, Sieloff, Schmitz, Purfeerst and Olson introduced—

S. F. No. 674: 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.

Referred to the Committee on Transportation.

Messrs. Engler; Ulland, J.; Setzepfandt; Willet and Penny introduced—

S. F. No. 675: A bill for an act relating to trespass; redefining "agricultural lands" for the purpose of restricting trespass; amending Minnesota Statutes 1978, Section 100.273, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Keefe, J.; Schaaf and Merriam introduced—

S. F. No. 676: 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.

Referred to the Committee on Commerce.

Messrs. Keefe, J.; Lewis and Spear introduced—

S. F. No. 677: 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.

Referred to the Committee on Commerce.

Messrs. Humphrey; Schaaf; Chenoweth; Keefe, J. and Ogdahl introduced—

S. F. No. 678: A bill for an act relating to the operation of state government; providing for the expiration or periodic reevaluation of various regulatory programs; requiring program and fiscal re-

view of regulatory programs; providing for performance audits by the legislative auditor; establishing a pilot program; appropriating money.

Referred to the Committee on Governmental Operations.

Mrs. Knaak introduced—

S. F. No. 679: 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.

Referred to the Committee on Local Government.

Messrs. Olson, Nichols, Strand, Purfeerst and Penny introduced—

S. F. No. 680: 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.

Referred to the Committee on Transportation.

Messrs. Peterson, Willet, Merriam and Bernhagen introduced—

S. F. No. 681: A bill for an act relating to game and fish; contracts for removal of rough fish; repealing Minnesota Statutes 1978, Section 97.4861.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Chmielewski, Knutson, Rued and Bernhagen introduced—

S. F. No. 682: 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, Subdivision 2 and 9.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. McCutcheon, Stumpf, Chenoweth, Schaaf and Ashbach introduced—

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 that competi-

tive bids be solicited for the development or operation for computer systems; repealing Minnesota Statutes 1978, Section 16.07, Subdivision 14.

Referred to the Committee on Governmental Operations.

Messrs. Schrom, Rued, Bernhagen and Knutson introduced—

S. F. No. 684: 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.

Referred to the Committee on Judiciary.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

January 23, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Corrections is hereby respectfully submitted to the Senate for confirmation as required by law:

Jack G. Young, 569 North 9th Street, Bayport, Washington County, has been appointed by me, effective February 5, 1979, for a term expiring the first Monday in January, 1983.

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

January 26, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Director of the Minnesota Housing Finance Agency is hereby respectfully submitted to the Senate for confirmation as required by law:

James J. Solem, 1520 Raymond Avenue, St. Paul, Ramsey County, has been appointed by me, effective January 18, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Energy and Housing.)

Sincerely,
Albert H. Quie, Governor

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to ap-

pointments and to the report on S. F. No. 27. The motion prevailed.

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

S. F. No. 179: 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.

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

Page 1, line 18, delete "any" and insert "a"

Page 1, line 20, delete "any"

Page 1, line 22, delete "any" and insert "a"

Page 2, line 13, delete "any" and insert "the"

Page 3, line 6, after "for" insert "the"

Page 3, delete lines 14 to 15 and insert "the sheriff shall remove from your possession and deliver to [claimant] (hereinafter "claimant") the following"

Page 3, line 24, delete "should determine" and insert "determines"

Page 3, line 25, delete "take" and insert "have"

Page 4, line 14, delete "such" and insert "the"

Page 4, line 28, delete "any" and insert "the"

Page 5, line 5, after "respondent" insert "time"

Page 6, line 9, delete "(1), (2) and (3)" and insert "(a), (b) and (c), but does not direct seizure,"

Page 6, line 26, delete "any" and insert "the"

Page 7, line 20, after "claim." insert a quotation mark

Page 7, line 22, delete "Any" and insert "An"

Page 7, line 23, delete "conditioned on" and insert "contingent upon"

Page 7, line 24, after "court" insert "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"

Page 7, line 29, after "court" insert "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"

Page 7, line 30, after "property" insert "or 1½ 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"

Page 8, after line 19, insert

"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."

Page 8, line 24, after "authorized" insert ", immediately or after a specified reasonable period of time,"

Page 9, line 20, delete "Any" and insert "A"

Page 9, after line 33, insert:

"Sec. 9. [565.08] [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."

Renumber the sections in sequence.

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

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

S. F. No. 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.

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

Page 5, line 11, after "*spouse*" insert "*or former spouse*"

Page 8, line 7, after "*spouse*" insert "*or former spouse*"

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

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

S. F. No. 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; amending Minnesota Statutes 1978, Sections 290.06, by adding a subdivision; and 296.18, Subdivisions 1, 2, and 3.

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

Page 5, after line 14, insert:

"Sec. 5. 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 credited, an amount sufficient to make the refund and payment. *There is annually appropriated from the highway user tax distribution fund to the general fund the amount required to make the refunds required to be paid as income tax credits pursuant to sections 1 and 2."*

Page 5, line 16, delete "July" and insert "December"

Renumber the remaining section in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon insert "appropriating funds;"

Page 1, line 7, delete "and" and after "3" insert "and 8"

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

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

S. F. No. 218: 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.

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

Page 1, line 18, delete "leaches" and insert "leeches"

Page 2, line 18, after "trap" insert a comma

Page 2, line 19, 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 2, line 23, 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 2, line 24, after "season" insert "*or to seines or traps used for the taking of minnows for bait"*

Amend the title as follows:

Page 1, line 3, delete "leaches" and insert "leeches"

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

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

S. F. No. 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.

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

Page 1, line 23, after "*Faribault*" insert "*annually*"

Page 2, line 1, delete "*which are suitable*"

Page 2, line 1, after "*for*" insert "*raising*"

Page 2, line 1, delete "*uses*" and insert "*crops*"

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

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

S. F. No. 521: A bill for an act relating to the city of St. Cloud; authorizing an on-sale liquor license for the Municipal Sports Complex.

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

Strike 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 St. Cloud 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 the Municipal Sports Complex. The 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 persons attending the event. The 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 amateur hockey game, or elementary or secondary school or college athletic event being held on the Sports Complex premises.

Sec. 2. This act is effective upon approval by the governing body of the city of St. Cloud, and compliance with provisions of Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, delete "an"

Page 1, line 3, delete "on-sale" and insert "sale of"

Page 1, line 3, delete "license for" and insert "at"

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

Mr. Tennesen from the Committee on Commerce, 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.

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

Page 4, line 12, after "banks" insert "*or commissioner of insurance*"

Page 4, line 16, before the period insert "*, provided the aggregate total of committed principal of the investment in reverse mortgage loans by any bank, savings bank, or savings and loan association, does not exceed 5 percent of that lender's total deposits and savings accounts. This limitation shall be determined at each June 30 and December 31 for the following six month period. Any decline in the total of deposits and savings accounts subsequent to a determination may be disregarded*"

Page 6, line 11, after the period, insert: "*A contract rate within the maximum lawful interest rate applicable to a reverse mortgage loan at the time the loan is made shall be the maximum lawful interest rate for the term of the reverse mortgage loan.*"

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

Mr. Tennesen from the Committee on Commerce, 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.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 65B.61, Subdivision 3, is amended to read:

Subd. 3. *With appropriate consideration in setting premium rates, any legally constituted legal entity, other than a reparation obligor obligated to pay benefits under a plan of reparation security or an insurer or employer obligated to pay benefits under a workers' compensation law, may coordinate any benefits it is obligated to pay for loss incurred as a result of injury arising out of the maintenance or use of a motor vehicle with basic economic loss benefits.*

Sec. 2. Minnesota Statutes 1978, Section 65B.61, Subdivision 4, is repealed."

Amend the title as follows:

Page 1, line 5, delete "65B.49, by adding a subdivision" and insert "65B.61, Subdivision 3; repealing Minnesota Statutes 1978, Section 65B.61, Subdivision 4"

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

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

S. F. No. 427: 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.

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

Page 2, line 3, delete the new language and before the period insert "*; or storing on a seasonal basis boats, boating accessories, recreational vehicles or recreational equipment*"

Page 2, delete line 4

Amend the title as follows:

Page 1, line 2, delete "certain marine" and insert "persons storing certain items on a seasonal basis"

Page 1, line 3, delete "dealers"

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

Mr. Tennessen from the Committee on Commerce, 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.

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

Mr. Tennessen from the Committee on Commerce, to which was referred the following appointment as reported in the Journal for February 22, 1979:

PUBLIC SERVICE COMMISSION

Roger Hanson

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

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

Mr. Tennesen from the Committee on Commerce, to which was referred the following appointment as reported in the Journal for January 8, 1979:

PUBLIC SERVICE COMMISSION

Lillian F. Warren-Lazenberry

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

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 307, 225, 54, 60, 61, 432, 411 and 384 makes the following report:

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

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

SECOND READING OF SENATE BILLS

S. F. Nos. 179, 93, 114, 218, 233, 521, 57, 427 and 228 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Humphrey moved that the name of Mr. Chenoweth be added as co-author to S. F. No. 21. The motion prevailed.

Mr. Laufenburger moved that the names of Messrs. Perpich, Anderson and Ashbach be added as co-authors to S. F. No. 171. The motion prevailed.

Mr. Nichols moved that the name of Mr. Olson be added as co-author to S. F. No. 230. The motion prevailed.

Mr. Peterson moved that the names of Messrs. Willet, Dunn and Moe be added as co-authors to S. F. No. 272. The motion prevailed.

Mr. Olhoft moved that the name of Mr. Gunderson be added as co-author to S. F. No. 575. The motion prevailed.

Mr. Johnson moved that the name of Mr. Solon be added as co-author to S. F. No. 603. The motion prevailed.

Mr. Sieloff moved that the name of Mr. Dieterich be added as co-author to S. F. No. 638. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Lessard be added as co-author to S. F. No. 682. The motion prevailed.

CALENDAR

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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Pillsbury	Staples
Bang	Gunderson	Luther	Purfeerst	Stokowski
Benedict	Hughes	McCutcheon	Renneke	Strand
Bernhagen	Jensen	Menning	Rued	Stumpf
Brataas	Johnson	Merriam	Schaaf	Tennessee
Chenoweth	Keefe, J.	Moe	Schmitz	Ueland, A.
Chmielewski	Keefe, S.	Nelson	Schrom	Ulland, J.
Coleman	Kirchner	Nichols	Setzepfandt	Vega
Davies	Knaak	Ogdahl	Sikorski	Wegener
Dieterich	Knoll	Olhoft	Sillers	
Engler	Knutson	Olson	Solon	
Frederick	Lessard	Penny	Spear	

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knutson	Olson	Solon
Ashbach	Frederick	Lessard	Penny	Spear
Bang	Gearty	Lewis	Pillsbury	Staples
Benedict	Gunderson	Luther	Purfeerst	Stokowski
Bernhagen	Hughes	McCutcheon	Renneke	Strand
Brataas	Jensen	Menning	Rued	Stumpf
Chenoweth	Johnson	Merriam	Schaaf	Tennessee
Chmielewski	Keefe, J.	Moe	Schmitz	Ueland, A.
Coleman	Keefe, S.	Nelson	Schrom	Ulland, J.
Davies	Kirchner	Nichols	Setzepfandt	Vega
Dieterich	Knaak	Ogdahl	Sikorski	Wegener
Dunn	Knoll	Olhoft	Sillers	

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Frederick	Lewis	Pillsbury	Spear
Ashbach	Gearty	Luther	Purfeerst	Staples
Bang	Gunderson	McCutcheon	Renneke	Stokowski
Benedict	Hughes	Menning	Rued	Strand
Bernhagen	Jensen	Merriam	Schaaf	Stumpf
Brataas	Johnson	Moe	Schmitz	Tennessee
Chmielewski	Keefe, J.	Nelson	Schrom	Ueland, A.
Coleman	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Davies	Kirchner	Ogdahl	Sieloff	Vega
Dieterich	Knaak	Olhoff	Sikorski	Wegener
Dunn	Knoll	Olson	Sillers	
Engler	Knutson	Penny	Solon	

So the bill passed and its title was 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, Subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Lessard	Pillsbury	Spear
Ashbach	Frederick	Lewis	Purfeerst	Staples
Bang	Gearty	Luther	Renneke	Stokowski
Benedict	Gunderson	McCutcheon	Rued	Strand
Bernhagen	Hughes	Menning	Schaaf	Stumpf
Brataas	Jensen	Merriam	Schmitz	Tennessee
Chenoweth	Keefe, J.	Moe	Schrom	Ueland, A.
Chmielewski	Keefe, S.	Nelson	Setzepfandt	Ulland, J.
Coleman	Kirchner	Ogdahl	Sieloff	Vega
Davies	Knaak	Olhoff	Sikorski	Wegener
Dieterich	Knoll	Olson	Sillers	
Dunn	Knutson	Penny	Solon	

Messrs. Johnson and Nichols voted in the negative.

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knutson	Pillsbury	Staples
Ashbach	Frederick	Lessard	Purfeerst	Stokowski
Bang	Gearty	Lewis	Renneke	Strand
Benedict	Gunderson	Luther	Rued	Stumpf
Bernhagen	Hughes	McCutcheon	Schaaf	Tennessee
Brataas	Jensen	Menning	Schmitz	Ueland, A.
Chenoweth	Johnson	Moe	Schrom	Ulland, J.
Chmielewski	Keefe, J.	Nelson	Setzepfandt	Vega
Coleman	Keefe, S.	Nichols	Sikorski	Wegener
Davies	Kirchner	Ogdahl	Sillers	
Dieterich	Knaak	Olhoff	Solon	
Dunn	Knoll	Olson	Spear	

Messrs. Merriam, Penny and Sieloff voted in the negative.

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S. F. Nos. 219, 87 and 231 which the committee recommends to pass.

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

Without objection, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Messrs. Tennessee, Sikorski, Willet, Moe and Ashbach introduced—

S. F. No. 685: 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.

Referred to the Committee on Commerce.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, March 1, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

TWENTY-FIRST DAY

St. Paul, Minnesota, Thursday, March 1, 1979

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

CALL OF THE SENATE

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

Ashbach	Engler	Luther	Schmitz	Stumpf
Bang	Gearty	McCutcheon	Schrom	Tennessee
Benedict	Gunderson	Menning	Setzepfandt	Ueland, A.
Bernhagen	Hughes	Moe	Sieloff	Ulland, J.
Brataas	Jensen	Nelson	Sikorski	Vega
Chmielewski	Johnson	Nichols	Sillers	Willet
Coleman	Keefe, S.	Perpich	Spear	
Davies	Kirchner	Pillsbury	Staples	
Dieterich	Knaak	Rued	Stokowski	
Dunn	Lewis	Schaaf	Strand	

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

Prayer was offered by the Chaplain, Rev. Ellen Babinsky.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Chenoweth, Hanson, Merriam, Olhoft, Peterson and Purfeerst were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Gunderson, Mrs. Staples, Messrs. Spear and Bang introduced—

S. F. No. 686: 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.

Referred to the Committee on Commerce.

Messrs. Tennessen, Bang, Mrs. Brataas, Messrs. Laufenburger and Penny introduced—

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.

Referred to the Committee on Commerce.

Mr. Gunderson introduced—

S. F. No. 688: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Gunderson introduced—

S. F. No. 689: A bill for an act relating to state lands; providing for the sale of certain former railroad rights-of-way to private persons.

Referred to the Committee on Transportation.

Mr. Gunderson introduced—

S. F. No. 690: A bill for an act relating to retirement; authorizing the purchase of prior service by certain county commissioners.

Referred to the Committee on Governmental Operations.

Mr. Schaaf introduced—

S. F. No. 691: A bill for an act relating to reapportionment of the legislature and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Section 2, repealing Article IV, Section 3, and adding a new article to provide

for congressional and legislative apportionments by a commission; limiting legislative power to change the number of legislators; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.

Referred to the Committee on Elections.

Mr. Lessard introduced—

S. F. No. 692: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Sikorski introduced—

S. F. No. 693: A bill for an act relating to insurance; excepting certain policies from readability requirements; amending Minnesota Statutes 1978, Sections 72C.03; and 72C.09.

Referred to the Committee on Commerce.

Mr. Lessard introduced—

S. F. No. 694: 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.

Referred to the Committee on Employment.

Messrs. Keefe, S.; Sikorski; Spear; Johnson and Luther introduced—

S. F. No. 695: 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.

Referred to the Committee on Commerce.

Messrs. Merriam, Anderson, Sikorski, Dunn and Bernhagen introduced—

S. F. No. 696: A bill for an act relating to courts; tenth judicial district; authorizing two additional judges; amending Minnesota Statutes 1978, Section 2.722, Subdivision 1.

Referred to the Committee on Judiciary.

Mrs. Brataas, Messrs. Merriam, Hughes, Ashbach and Moe introduced—

S. F. No. 697: 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.

Referred to the Committee on Education.

Messrs. Renneke and Bernhagen introduced—

S. F. No. 698: 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.

Referred to the Committee on Education.

Mr. Knutson; Mrs. Brataas; Messrs. Keefe, J.; Rued and Chmielewski introduced—

S. F. No. 699: A bill for an act relating to taxation; income; exempting pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Stokowski, Solon, Davies, Dieterich and Sieloff introduced—

S. F. No. 700: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Lewis, Spear and Pillsbury introduced—

S. F. No. 701: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Lewis introduced—

S. F. No. 702: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Merriam introduced—

S. F. No. 703: A bill for an act relating to taxation; clarifying the computation of the agricultural homestead credit; amending Minnesota Statutes 1978, Section 273.13, Subdivision 6.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davies; Bang; Mrs. Brataas; Messrs. Keefe, S. and Solon introduced—

S. F. No. 704: 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.

Referred to the Committee on Commerce.

Messrs. McCutcheon, Lewis, Sikorski and Kirchner introduced—

S. F. No. 705: 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.

Referred to the Committee on Judiciary.

Mr. Schrom introduced—

S. F. No. 706: 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.

Referred to the Committee on Judiciary.

Messrs. Laufenburger, Bernhagen, Purfeerst, Ashbach and Olson introduced—

S. F. No. 707: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Frederick, Nelson, Engler and Laufenburger introduced—

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; 98.46, Subdivision 3; and Chapter 84, by adding a section.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Olson, Merriam, Dunn and Ulland, J. introduced—

S. F. No. 709: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Chmielewski introduced—

S. F. No. 710: A bill for an act relating to taxation; sales tax; excluding certain custom sawmill work; amending Minnesota Statutes 1978, Section 297A.01, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Brataas, Messrs. Frederick, Rued, Laufenburger and Ashbach introduced—

S. F. No. 711: A bill for an act relating to taxation; income; exempting pension income of nonresidents; amending Minnesota Statutes 1978, Section 290.17, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Chmielewski, Lewis, Willet, Schrom and Keefe, S. introduced—

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.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. McCutcheon introduced—

S. F. No. 713: A bill for an act relating to taxation; clarifying charitable exemption from sales tax; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sikorski introduced—

S. F. No. 714: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Hanson, Ashbach, Setzepfandt, Moe and Willet introduced—

S. F. No. 715: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Stokowski introduced—

S. F. No. 716: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Pillsbury; Keefe, S.; Ueland, A.; Gearty and Stokowski introduced—

S. F. No. 717: A bill for an act relating to taxation; income; increasing the political contribution credit; amending Minnesota Statutes 1978, Sections 290.06, Subdivision 11; and 290. 21, Subdivision 3.

Referred to the Committee on Elections.

Mr. Merriam introduced—

S. F. No. 718: A bill for an act relating to education; modifying the procedures for decisions involving identification, assessment and educational placement of handicapped children; amending Minnesota Statutes 1978, Section 120.17, Subdivision 3b.

Referred to the Committee on Education.

Messrs. Jensen, Anderson and Dunn introduced—

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.

Referred to the Committee on Education.

Mrs. Brataas, Mr. Kirchner, Mrs. Knaak, Mr. Lewis and Mrs. Staples introduced—

S. F. No. 720: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Luther introduced—

S. F. No. 721: 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.

Referred to the Committee on Judiciary.

Mr. Benedict introduced—

S. F. No. 722: 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.

Referred to the Committee on Elections.

Mrs. Staples, Messrs. Lewis, Perpich and Kirchner introduced—

S. F. No. 723: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Nichols introduced—

S. F. No. 724: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Johnson introduced—

S. F. No. 725: A bill for an act relating to taxation; sales; exempting admissions to school activities; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Johnson introduced—

S. F. No. 726: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Johnson introduced—

S. F. No. 727: 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.

Referred to the Committee on Transportation.

Messrs. McCutcheon, Schaaf, Lewis, Moe and Knoll introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Sieloff, Davies and Sillers introduced—

S. F. No. 729: A bill for an act relating to marriage; setting out requirements and effect of antenuptial contracts.

Referred to the Committee on Judiciary.

Messrs. Merriam, Wegener, Setzepfandt, Dunn and Nichols introduced—

S. F. No. 730: A bill for an act relating to taxation; altering requirements for qualifying for valuation under Minnesota agri-

cultural property tax law; requiring reports to commissioner of revenue; amending Minnesota Statutes 1978, Section 273.111, Subdivisions 3, 6, 8, 9, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 273.111, Subdivision 13.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. McCutcheon, Coleman, Johnson, Hanson and Merriam introduced—

S. F. No. 731: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Willet, Lessard, Schrom and Bernhagen introduced—

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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Willet, Strand and Setzepfandt introduced—

S. F. No. 733: A bill for an act relating to natural resources; providing that the soil and water conservation board shall remain an agency of the department of natural resources; amending Minnesota Statutes 1978, Section 40.03, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received and referred to the committee indicated.

February 21, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Natural Resources is hereby respectfully submitted to the Senate for confirmation as required by law:

Joseph N. Alexander, 931 Kennard, St. Paul, Ramsey County, has been appointed by me, effective February 6, 1979, for a term expiring the first Monday in January, 1983.

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

Sincerely,
Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested.

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.

Senate File No. 88 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 26, 1979

CONCURRENCE AND REPASSAGE

Mr. Nelson moved that the Senate concur in the amendments by the House to S. F. No. 88 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 88 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 48 and 325.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 26, 1979

FIRST READING OF HOUSE BILLS

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

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

Referred to the Committee on Rules and Administration for comparison with S. F. No. 87 now on the Calendar.

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.

Referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred the following appointment as reported in the Journal for February 12, 1979:

**DEPARTMENT OF HEALTH
COMMISSIONER**

Dr. George Petterson

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

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

Mr. Laufenburger from the Committee on Employment, to which was referred the following appointment as reported in the Journal for February 12, 1979:

**DEPARTMENT OF ECONOMIC DEVELOPMENT
COMMISSIONER**

David L. Printy

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

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

Mr. Gearty from the Committee on Elections, to which was referred the following appointment as reported in the Journal for January 8, 1979:

STATE ETHICAL PRACTICES BOARD

John W. Carey

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

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

Mr. Chmielewski from the Committee on Veterans' Affairs, to which was referred the following appointment as reported in the Journal for February 1, 1979:

**DEPARTMENT OF VETERANS' AFFAIRS
COMMISSIONER**

Donald M. Miller

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

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

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for February 1, 1979:

**DEPARTMENT OF AGRICULTURE
COMMISSIONER**

Mark Seetin

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

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

Mr. Laufenburger from the Committee on Employment, 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.

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

Page 2, lines 2 and 24, after the comma insert "*or any other educational service agency as defined in section 3304 (a) (6) (A) (IV) of the federal unemployment tax act,*"

Page 2, line 15, after "schools," insert "*an educational cooperative service unit, other educational service agency,*"

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

Mr. Laufenburger from the Committee on Employment, 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.

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

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.

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

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 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.

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

Page 3, line 16, delete "*once a month*" and insert "*twice each year*"

Page 3, line 23, after the period, insert "A request shall be accompanied by an application fee in an amount fixed by the commissioner, up to but not to exceed \$500."

Page 4, line 1, after "shall" insert "meet to consider a request not later than 190 days after the request is received by the ex-officio secretary and shall"

Page 4, line 3, delete "90" and insert "ten"

Page 4, line 3, delete "of receipt of the request by"

Page 4, delete lines 4 and 5

Page 4, line 6, delete everything before the period and insert "after that meeting"

Page 4, after line 21, insert:

"Subd. 8. [COMPENSATION; DISPOSITION OF FEES.]
The members of the variance committee shall be compensated for necessary expenses in the same amount as members of other committees authorized by this chapter. The compensation shall be paid from the fees received pursuant to subdivision 3. If the amount of fees received pursuant to subdivision 3 exceeds the amount needed to compensate committee members, the excess shall be returned pro rata to the political subdivisions from which they were received."

Page 6, line 15, delete "once a month" and insert "twice each year"

Page 6, line 21, after the period insert "A request shall be accompanied by an application fee in an amount fixed by the commissioner, up to but not to exceed \$500."

Page 6, line 32, after "shall" insert "meet to consider a request not later than 190 days after the request is received by the ex-officio secretary and shall"

Page 7, line 1, delete "90" and insert "ten"

Page 7, line 1, delete "of receipt of the request by"

Page 7, delete lines 2 and 3

Page 7, line 4, delete everything before the period and insert "after that meeting"

Page 7, after line 20, insert:

"Subd. 8. [COMPENSATION; DISPOSITION OF FEES.]
The members of the variance committee shall be compensated for necessary expenses in the same amount as members of other committees authorized by this chapter. The compensation shall be paid from the fees received pursuant to subdivision 3. If the amount of fees received pursuant to subdivision 3 exceeds the amount needed to compensate committee members, the excess shall be returned pro rata to the political subdivisions from which they were received."

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "imposing fees and providing compensation to committee members;"

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

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

S. F. No. 323: A bill for an act relating to Independent School District No. 256, Red Wing; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Chmielewski from the Committee on Veterans' Affairs, to which was referred

S. F. No. 289: 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.

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

Page 1, line 15, delete "*prior to*" and insert "*before*"

Page 1, line 18, delete "*his*"

Page 1, line 18, after "*induction*" insert "*or enlistment*"

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

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

S. F. No. 2: A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

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

Page 1, line 20, delete "*inopertive*" and insert "*inoperative*"

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

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

S. F. No. 127: 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.

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

Delete everything after the enacting clause and insert:

"Section 1. Before June 30, 1980, the commissioner of education shall study and report to the committees on education of the senate and house of representatives on issues relating to academic competency of students in public elementary, middle and secondary schools. The report shall include:

(a) a collation of presently available data gathered pursuant to the statewide assessment program assessing the performance of students in the fourth, eighth and eleventh grades in reading, writing, mathematics, social studies, citizenship and science;

(b) an inventory of standards required both statewide and by school district for high school graduation;

(c) a collation of data assessing the performance of high school students on standardized college entrance tests;

(d) an analysis of presently available studies relating to the need for early identification of academic skills and academic competency of students in the primary grades;

(e) an academic analysis of the role of parents in the community in encouraging academic performance;

(f) a survey of educational planning for academic competency, educational performance standards and graduation requirements developed and previously delivered to the commissioner pursuant to sections 122.86 and 122.87;

(g) a collation of information gathered from persons knowledgeable about public education, assessment and testing and from interested citizens and groups; and

(h) an analysis of other presently available information necessary to inform the legislature on the issues relating to academic competency in public elementary, middle and secondary schools.

Sec. 2. [EFFECTIVE DATE.] This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 3, after "on" insert "issues relating to"

Page 1, line 4, delete the semicolon

Page 1, line 5, delete "appropriating money"

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

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

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.

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

Page 1, line 9, delete "is authorized to donate" and insert "shall convey by quitclaim deed, in such form as the attorney general approves, all rights, title and interest of the state in"

Page 1, line 10, after the period, insert "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 shall agree 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."

Page 1, line 19, after "be effective" insert "the day following final enactment provided that the conveyance shall occur on or before July 1, 1979, and"

Page 1, line 22, after the period, insert "Failure of the governing body of the city of Saint Paul to act prior to July 2, 1979, shall allow the commissioner of administration to act pursuant to Laws 1978, Chapter 791, Section 20."

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

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

S. F. No. 575: 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.

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

Page 1, line 24, before "*minors*" insert "*families with*"

Page 2, line 5, delete "*child*" and insert "*minor*"

Page 2, line 8, after the period insert "*The plan shall specify needed services and expenses.*"

Page 2, lines 10 to 12, delete "*plan shall be periodically evaluated to determine the progress of the child*" and insert "*commissioner shall biannually review the plan to reassess service priorities, update specifications on services and expenses needed, and determine whether a grant determined under subdivision 4 should be modified*"

Page 2, lines 21 and 24, delete "*child*" and insert "*minor*"

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

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

S. F. No. 510: 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.

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

Page 1, lines 19 and 20, delete *"shall be subject to modification based on changes in those needs"* and insert *"resources available to the adoptive parent or parents"*

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 *"AFFIDAVIT"*

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 everything after "*unsuccessful*" 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, delete lines 12 to 14

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*"

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

Mr. Gearty from the Committee on Elections, 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; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 2; 10A.14, Subdivision 1; and 10A.20, Subdivision 2.

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

Page 1, after line 20, insert:

“Sec. 2. Minnesota Statutes 1978, Section 10A.01, Subdivision 5, is amended to read:

Subd. 5. “Candidate” means an individual who seeks nomination or election to any statewide or legislative office for which reporting is not required under federal laws. The term candidate shall also include an individual who seeks nomination or election to supreme court and , district court , *county court*, *probate court*, or *county municipal court* judgeships of the state. An individual shall be deemed to seek nomination or election if he has taken the action necessary under the law of the state of Minnesota to qualify himself for nomination or election, has received contributions or made expenditures in excess of \$100, or has given his implicit or explicit consent for any other person to receive contributions or make expenditures in excess of \$100, for the purpose of bringing about his nomination or election. A candidate remains a candidate until his principal campaign committee is dissolved as provided in section 10A.24.”

Page 2, line 20, delete “or”

Page 2, delete line 21 and insert “. *The report due after a special election may be filed on January 31 following the special election if the special election is held not more than 60 days before that date.*”

Page 2, after line 28, insert:

“Sec. 5. Minnesota Statutes 1978, Section 210A.01, Subdivision 3, is amended to read:

Subd. 3. “Candidate” means any individual for whom it is contemplated or desired that votes may be cast at any primary or election, and who either tacitly or expressly consents to be so considered, except candidates for president and vice president of the United States. In sections 210A.22 to 210A.28, 210A.32 and 210A.33, “candidate” does not mean an individual for whom it is contemplated or desired that votes may be cast at any primary or election, and who either tacitly or expressly consents to be so considered for constitutional office, member of the legislature, justice of the supreme court, or district court , *county court*, *probate court*, or *county municipal court* judge.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert “defining candidate to include candidates for certain judicial offices and excluding

those candidates from reporting under the Fair Campaign Practices Act;"

Page 1, line 7, delete "Subdivision 2" and insert "Subdivisions 2 and 5"

Page 1, line 7, delete "and"

Page 1, line 8, before the period insert "; and 210A.01, Subdivision 3"

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 203, 57, 345, 179, 233, 93, 427 makes the following report:

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

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

SECOND READING OF SENATE BILLS

S. F. Nos. 288, 287, 207, 2, 127, 327 and 340 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Olhoft moved that the names of Messrs. Penny, Gunderson and Jensen be added as co-authors to S. F. No. 372. The motion prevailed.

Mr. Knutson moved that the name of Mrs. Knaak be added as co-author to S. F. No. 505. The motion prevailed.

Mr. Knutson moved that the name of Mr. McCutcheon be added as co-author to S. F. No. 516. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Lessard be added as co-author to S. F. No. 641. The motion prevailed.

Mr. Keefe, J. moved that the name of Mr. Johnson be added as co-author to S. F. No. 676. The motion prevailed.

Mr. Keefe, J. moved that the name of Mr. Johnson be added as co-author to S. F. No. 677. The motion prevailed.

Mr. Schrom moved that the name of Mr. Lessard be added as co-author to S. F. No. 684. The motion prevailed.

Mr. Laufenburger moved that the name of Mr. Lewis be added as co-author to S. F. No. 171. The motion prevailed.

Mr. Dieterich introduced—

Senate Resolution No. 17: A Senate resolution congratulating Hamline University on its 125th anniversary.

Mr. Dieterich moved that the foregoing resolution be laid on the table. The motion prevailed.

Mr. Davies moved that S. F. No. 52, No. 1 on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

CALENDAR

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S. F. Nos. 225, 54, 411 and 61 which the committee recommends to pass.

S. F. No. 52, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 2, line 8, delete the period and insert a semicolon

Page 2, after line 8, insert:

“(4) The transferee may within ten days after he takes possession of the goods pay the consideration into the district court in the county where the transferor had its principal place of business in this state and thereafter may discharge his duty under this section by giving notice by certified mail to all the persons to whom the duty runs that the consideration has been paid into that court and that they should file their claims there. On motion of any interested party, the court may order the distribution of the consideration to the persons entitled to it.”

The motion prevailed. So the amendment was adopted.

S. F. No. 384, which the committee recommends to pass with the following amendments offered by Mr. Wegener:

Mr. Wegener moved to amend S. F. No. 384 as follows:

Page 2, line 13, before “cities” insert “home rule charter and statutory”

The motion prevailed. So the amendment was adopted.

Mr. Wegener then moved to amend S. F. No. 384 as follows:

Page 2, line 22, after “prevailing” and before “minimum” insert “Minnesota”

The motion prevailed. So the amendment was adopted.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 11:00 o'clock a.m., Monday, March 5, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

TWENTY-SECOND DAY

St. Paul, Minnesota, Monday, March 5, 1979

The Senate met at 11:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Hanson	Lessard	Rued	Strand
Bang	Hughes	Luther	Schaaf	Stumpf
Benedict	Humphrey	McCutcheon	Schmitz	Ueland, A.
Chenoweth	Jensen	Moe	Setzepfandt	Ulland, J.
Chmielewski	Johnson	Nelson	Sieloff	Vega
Coleman	Keefe, S.	Ogdahl	Sikorski	Wegener
Davies	Kirchner	Olhoft	Sillers	Willet
Dunn	Kleinbaum	Penny	Spear	
Engler	Knaak	Perpich	Staples	
Frederick	Laufenburger	Purfeerst	Stokowski	

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

Prayer was offered by the Chaplain, Rev. Sheila Henderson.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Bernhagen, Menning, Olson and Pillsbury were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Merriam and Sieloff introduced—

S. F. No. 734: A bill for an act relating to taxation; excluding from gross income certain amounts earned prior to becoming Minnesota residents; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olson, Bernhagen, Menning, Penny and Setzepfandt introduced—

S. F. No. 735: 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.

Referred to the Committee on Education.

Messrs. Merriam, Schrom, Sillers, Wegener and Jensen introduced—

S. F. No. 736: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Lessard introduced—

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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Kleinbaum, Ashbach, Stumpf, Coleman and Ogdahl introduced—

S. F. No. 738: A bill for an act relating to museums; appropriating funds for the science museum of Minnesota.

Referred to the Committee on Finance.

Messrs. McCutcheon, Schaaf, Lewis, Knutson and Knoll introduced—

S. F. No. 739: 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, Sections 169.99, Subdivision 1, and by adding a subdivision; and 171.16, Subdivision 3, and by adding subdivisions.

Referred to the Committee on Judiciary.

Messrs. Humphrey, Merriam, Sillers and Dunn introduced—

S. F. No. 740: A bill for an act relating to taxation; exempting certain amounts paid for military service from income taxation; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.06, Subdivision 12.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Strand, Ashbach, Nelson, Penny and Ogdahl introduced—

S. F. No. 741: 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.

Referred to the Committee on Governmental Operations.

Mr. Sillers introduced—

S. F. No. 742: 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.

Referred to the Committee on Governmental Operations.

Messrs. Olson, Sieloff, Schrom, Olhoft and Bernhagen introduced—

S. F. No. 743: 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; amending Minnesota Statutes 1978, Sections 290.06, Subdivisions 9 and 9a; and 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sikorski, Coleman and Ashbach introduced—

S. F. No. 744: 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.

Referred to the Committee on Commerce.

Messrs. Chmielewski, Keefe, J.; Ogdahl; Schrom and Frederick introduced—

S. F. No. 745: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Sillers introduced—

S. F. No. 746: 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 adding a section; repealing Laws 1967, Chapter 775, Section 3.

Referred to the Committee on Governmental Operations.

Messrs. Sieloff, Sillers, Frederick and Chmielewski introduced—

S. F. No. 747: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Frederick, Sillers and Chmielewski introduced—

S. F. No. 748: A bill for an act relating to taxation; income tax; changing the political contribution credit; amending Minnesota Statutes 1978, Section 290.06, Subdivision 11.

Referred to the Committee on Elections.

Messrs. Kleinbaum and Dunn introduced—

S. F. No. 749: A bill for an act relating to education; appropriating money for the Hallenbeck addition to St. Cloud State University.

Referred to the Committee on Education.

Messrs. Vega; Nelson; Keefe, J.; Perpich and Solon introduced—

S. F. No. 750: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Solon, Anderson, Vega, Benedict and Perpich introduced—

S. F. No. 751: A bill for an act relating to commerce; providing attendant services at certain gasoline stations.

Referred to the Committee on Commerce.

Messrs. Spear and Keefe, S. introduced—

S. F. No. 752: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Spear; Keefe, S.; Stumpf and Johnson introduced—

S. F. No. 753: 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.

Referred to the Committee on Employment.

Messrs. Humphrey and Sillers introduced—

S. F. No. 754: 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.

Referred to the Committee on Education.

Messrs. Anderson, Merriam, Mrs. Knaak, Messrs. Schaaf and Stokowski introduced—

S. F. No. 755: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Merriam; Keefe, S.; Sieloff; Gearty and Moe introduced—

S. F. No. 756: 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.

Referred to the Committee on Elections.

Mrs. Staples, Messrs. Moe, Nelson, Gunderson and Bang introduced—

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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Bernhagen, Chmielewski, Ogdahl, Kleinbaum and Keefe, J. introduced—

S. F. No. 758: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Chmielewski; Lewis; Schrom; Keefe, S. and Olson introduced—

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; amending Minnesota Statutes 1978, Section 3.922, Subdivision 2.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Knoll, Sieloff, Coleman, Ogdahl and Johnson introduced—

S. F. No. 760: 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.

Referred to the Committee on Energy and Housing.

Mr. Lessard introduced—

S. F. No. 761: 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.

Referred to the Committee on Governmental Operations.

Messrs. Setzepfandt and Lessard introduced—

S. F. No. 762: A bill for an act relating to the state auditor; reducing the number of county audits; amending Minnesota Statutes 1978, Section 6.48.

Referred to the Committee on Governmental Operations.

Mr. Lessard introduced—

S. F. No. 763: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Stokowski, Ogdahl and Strand introduced—

S. F. No. 764: 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.

Referred to the Committee on Governmental Operations.

Messrs. Chmielewski, Laufenburger, Olson and Frederick introduced—

S. F. No. 765: 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.

Referred to the Committee on Veterans' Affairs. Mr. Lewis questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Solon, Tennessen, Sikorski, Mrs. Brataas and Mr. Davies introduced—

S. F. No. 766: A bill for an act relating to banks; authorizing the closing of loans at detached facilities; amending Minnesota Statutes 1978, Section 47.53.

Referred to the Committee on Commerce.

Messrs. Solon, Tennessen, Sikorski, Mrs. Brataas and Mr. Davies introduced—

S. F. No. 767: A bill for an act relating to banks; authorizing detached facilities in towns where there are no banks; amending Minnesota Statutes 1978, Section 47.52.

Referred to the Committee on Commerce.

Messrs. Luther and Anderson introduced—

S. F. No. 768: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. McCutcheon; Lewis; Moe; Keefe, J. and Schaaf introduced—

S. F. No. 769: A bill for an act relating to security guards; providing for the certification and training of security guards; setting forth criteria for the use of deadly force by security guards; prescribing penalties; amending Minnesota Statutes 1978, Section 326.336, Subdivisions 1 and 2.

Referred to the Committee on Judiciary.

Messrs. Dunn, Wegener, Willet, Anderson and Rued introduced—

S. F. No. 770: 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 decision; amending Minnesota Statutes 1978, Section 124.212, Subdivision 20, and by adding a subdivision.

Referred to the Committee on Education.

Messrs. Stokowski, Strand, Renneke and Ogdahl introduced—

S. F. No. 771: 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.

Referred to the Committee on Governmental Operations.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 5, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Director of the Minnesota Pollution Control Agency is hereby respectfully submitted to the Senate for confirmation as required by law:

Marcelle (Terry) Hoffman, 405 Portland Avenue, St. Paul, Ramsey County, has been appointed by me, effective February 5, 1979, for a term expiring the first Monday in January, 1983.

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

Sincerely,

Albert H. Quie, Governor

March 1, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The Subcommittee on Committees has made the following appointments to fill the vacancies on the Legislative Commission To Review Administrative Rules (MS 3.965) created by the resignation of Messrs. Coleman and Keefe, J.

Mr. Luther to replace Mr. Coleman

Mrs. Knaak to replace Mr. Keefe, J.

Respectfully,

Nicholas D. Coleman, Chairman,
Subcommittee on Committees

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 92.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 1, 1979

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 13, 186 and 373.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 1, 1979

FIRST READING OF HOUSE BILLS

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

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Transportation.

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.

Referred to the Committee on Agriculture and Natural Resources.

REPORTS OF COMMITTEES

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

Mr. Wegener from the Committee on Local Government, 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 general obligation and revenue bonds to finance the program.

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

Page 3, strike subdivision 3

Renumber the subdivisions in sequence

Page 3, line 33, after "public" insert "or private sale after proper public notice of private"

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

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 14: 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.

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

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 280: A bill for an act relating to towns; permitting certain purchases for highway uses; amending Minnesota Statutes 1978, Section 160.11, Subdivision 1.

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

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 129: 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.

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

Delete everything after the enacting clause and insert:

“Section 1. Subdivision 1. An 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, 3 and 4 will read as follows:

Sec. 2. [APPORTIONMENT OF MEMBERS.] The number of members who compose the senate and house of representatives shall be prescribed by law. ~~The representation in both houses shall be apportioned equally throughout the different sections of the state in proportion to the population thereof.~~ *A law changing the number of senators or representatives shall not be effective at any time other than the general election following the next reapportionment after a federal decennial census. No law changing the number of senators or representatives shall be adopted in a year ending in two or after March 1 of a year ending in one.*

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.

Sec. 4 3. [TERMS OF OFFICE OF SENATORS AND REPRESENTATIVES; VACANCIES.] Representatives shall be chosen for a term of two years, except to fill a vacancy. Senators shall be chosen for a term of four years, except to fill a vacancy and except there shall be an entire new election of all the senators at the first election of representatives after each new legislative apportionment provided for in this article. The governor shall call elections to fill vacancies in either house of the legislature.

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 apportion the representation in the legislature and the state's representation in the United States House of Representatives into districts throughout the state subject to the apportionment standards of section 2 of this article. The commission shall consist of seven members who are eligible voters of the state. One member shall be appointed by the speaker of the house and one by the members of the house representing political parties other than the party represented by the speaker. One member shall be appointed by the president of the senate and one by the members of the senate representing political parties other than the party represented by the president. The political party represented by a legislator is the party by which the legislator was designated on the election ballot when the legislator was last elected. The remaining three members shall be appointed by unanimous agreement of the members appointed by the legislators. None of the three may be persons who hold or have held office as a representative or senator. The four members appointed by legislators shall be appointed not later than February 1 of each year ending in one. The remaining three members shall be appointed not later than February 15 of that year.*

Sec. 2. [APPORTIONMENT PLAN; STANDARDS.] *An apportionment plan shall consist of one district for each representative, senator and representative in congress. All districts of the same kind shall be as nearly equal in population as practicable. The districts shall be composed of compact and contiguous territory. To the extent practicable consistent with other standards, the boundaries of the districts shall follow county, city and town boundaries. No apportionment plan shall be drawn for the purpose of favoring any political party. The commission shall apportion*

according to the number of legislators or representatives in congress to be elected at the general election following the adoption of its apportionment plan. An apportionment plan shall be effective 30 days after it is filed with the secretary of state. The plan shall govern at the first general election after it is adopted.

Sec. 3. [ADOPTION OF PLAN.] *The commission shall adopt an apportionment plan by a vote of at least five members, shall file the plan with the secretary of state and order it into effect not later than August 1 of each year ending in one. The supreme court, on petition of the commission, shall extend the time for adoption of the plan if it finds that the federal census information necessary to adopt the plan was not provided to the commission in a sufficiently timely fashion.*

The commission shall adopt an apportionment plan for congressional representation by a vote of at least five members when the number of the state's representatives in congress is changed by law. The plan shall be adopted in a timely manner consistent with the procedures provided by this article.

Sec. 4. [JUDICIAL REVIEW; AMENDED PLAN.] *The supreme court shall have original jurisdiction of all matters concerning apportionment. An action to review an apportionment plan adopted by the reapportionment commission shall be brought not later than 30 days after the effective date of the plan. Within 45 days of the date that an action is brought to review a plan the court shall determine whether the plan complies with the requirements of this article, the United States Constitution and the laws of this state. If the court finds that the plan does not comply with those requirements it shall specify the reasons for its finding and remand the plan to the commission for amendment.*

The commission shall amend the plan by a vote of at least five members, shall file the amended plan with the secretary of state and order it into effect within 30 days of any remand by the court. An amended plan is subject to judicial review in the same manner as the original plan. If the supreme court finds that the amended plan does not comply with constitutional and statutory requirements it shall not remand the amended plan to the commission but shall adopt its own plan subject to the standards of section 2 of this article. The court shall adopt its plan, file it with the secretary of state and order it into effect not later than 45 days after rejecting an amended plan.

Sec. 5. [FAILURE TO ACT; APPORTIONMENT BY COURT.] *If the commission fails to adopt and file an apportionment plan or amended plan by the time provided in this article the supreme court shall adopt its own plan subject to the standards of section 2 of this article. Before adopting the plan the court shall allow 30 days for public comment and may hold hearings on the plan as it deems necessary. The court shall adopt its plan, file it with the secretary of state and order it into effect not later than 45 days after the date on which the commission was required to adopt its plan.*

Sec. 6. [SAVINGS CLAUSE.] *Nothing in this article shall*

affect legislative or congressional districts in effect at the time this article is adopted.

Sec. 7. The legislature shall enact the laws necessary to implement this article.

Sec. 2. The amendment shall be submitted to the people 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 establish legislative and congressional districts?”

Yes.....

No

Sec. 3. [2A.01] [REAPPORTIONMENT COMMISSION.] Subdivision 1. The reapportionment commission established under article XV of the constitution shall be governed by the provisions of this section.

Subd. 2. Not more than four members of the commission shall be residents of the metropolitan area as defined in section 473.121, subdivision 2.

Subd. 3. Before beginning to exercise their official duties the members of the commission shall take an oath in the form required for other state officers. The members shall elect one of their number as presiding officer of the commission. The commission, after notice and opportunity for public comment, may adopt and publish procedures necessary to carry out its duties. Chapter 15 does not apply to these procedures.

Subd. 4. The proceedings of the commission shall be open to the public. The commission shall give public notice of its proceedings and shall keep minutes and audio recordings of those proceedings. All materials submitted to or developed by the commission, together with the minutes and audio record of its proceedings shall be preserved and made available for public inspection. The commission may administer oaths to individuals appearing before it.

Subd. 5. The secretary of state is the executive secretary of the commission and shall make available the staff, professional and technical services and other assistance requested by the commission. The department of administration, attorney general and revisor of statutes shall make available the personnel, facilities and other assistance requested by the commission.

Subd. 6. An apportionment plan is effective 30 days after it is filed with the secretary of state. An apportionment plan adopted or amended by the commission shall include:

(a) A written description of each district drawn by the commission;

(b) A map of each district showing the name and location of each public road and each county, city and town boundary in the

district in a scale that allows precise location of the district boundaries;

(c) A map of the state showing all of the districts drawn by the commission;

(d) A statement of the deviation in population of each district from the average population of all districts of that kind;

(e) A justification of any population deviation described in clause (d) which exceeds one-half of one percent for a congressional district or one percent for legislative districts;

(f) An explanation of the standards used by the commission to draw the districts; and

(g) Any other information which the commission deems relevant to the plan.

Subd. 7. If the number of the state's representatives in congress is changed by law, a commission shall be established and shall apportion the new congressional representation within the time set forth by the supreme court pursuant to section 6, subdivision 2.

Subd. 8. Members of the commission who are not paid a salary by the state shall be compensated at the rate provided by section 15.059, subdivision 3, for members of advisory councils and committees. Members shall be compensated for their actual and necessary expenses incurred in carrying out their duties on the commission in the same manner and amount as other state employees.

Sec. 4. [2A.02] [SECRETARY OF STATE.] Promptly after the filing of an apportionment report the secretary of state shall prepare and transmit a copy of the report to each county auditor. The secretary shall also prepare and transmit a summary of the report to each newspaper of general circulation and each radio and television station in the state. The secretary shall prepare sufficient copies of the report and the summary for inspection and purchase by the public.

Sec. 5. [2A.03] [JUDICIAL REVIEW.] Subdivision 1. An action to review an apportionment plan adopted by the reapportionment commission shall be commenced by petition to the supreme court within 30 days of the effective date of the plan. The petition shall set forth the facts and the law on the basis of which petitioner believes the plan conflicts with the provisions of the United States Constitution or the constitution or laws of this state. A copy of the petition shall be served upon the commission and upon the attorney general.

Subd. 2. The court shall hold hearings upon the petition and shall render its opinion within 45 days of the date that the petition is filed. If an original, unamended plan of the reapportionment commission is found to conflict with constitutional and statutory requirements, the court shall immediately remand the plan to the commission for amendment.

Subd. 3. The attorney general shall represent the commission in any action to review an apportionment plan adopted by the commission.

Sec. 6. [2A.04] [SUPREME COURT.] *Subdivision 1. Any reapportionment plan adopted by the supreme court shall follow the form prescribed for an apportionment plan of the reapportionment commission and shall be effective 30 days after it is filed with the secretary of state.*

Subd. 2. When the number of the state's representatives in congress is changed by law the supreme court shall set a timetable for establishing a reapportionment commission and adopting an apportionment plan for congressional representation. The timetable shall be consistent with the time provided for adoption of an apportionment plan after the federal decennial census as far as practicable.

Sec. 7. [2A.05] [ACTION BY FEDERAL COURT.] *Subdivision 1. The attorney general shall represent the state in any action in a federal court concerning a reapportionment plan adopted by the reapportionment commission or the supreme court.*

Subd. 2. If a federal court remands an apportionment plan for further action by the state, the plan shall be returned to the supreme court which shall amend the plan or adopt a new plan as necessary to comply with the order of the federal court subject to the apportionment standards of the Minnesota Constitution.

Sec. 8. [REPEALER.] *Minnesota Statutes 1978, Sections 2.041 to 2.712 are repealed on the effective date of this section. Minnesota Statutes 1978, Sections 2.731 to 2.811 are repealed on the date when the supreme court orders an apportionment plan for congressional representation into effect pursuant to article XV of the constitution.*

Sec. 9. *Sections 1 and 2 are effective the day after final enactment. The remaining sections of this act are effective upon adoption of the constitutional amendment provided in sections 1 and 2."*

Amend the title as follows:

Page 1, line 4, after "Sections 2" insert ", 3"

Page 1, line 5, strike "3" and insert "4"

Page 1, line 6, before the semicolon insert ", removing the requirement that all senators be elected at the first general election following an apportionment and limiting the power of the legislature to change the number of senators and representatives"

Page 1, line 9, delete "appropriating money; imposing a penalty;"

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

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

S. F. No. 568: 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.

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

Page 1, line 13, delete "*licensed for*" and insert "*servicing*"

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

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

S. F. No. 654: A bill for an act relating to human services; providing state recognition and financial grants to volunteer programs for retired senior citizens; appropriating money.

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

Page 1, lines 17 and 18, delete "commissioner of public welfare" and insert "board on aging"

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

Page 2, line 4, delete "the board on aging and"

Page 2, after line 10, insert:

"Sec. 4. [RULES.] The board on aging shall, subject to chapter 15, promulgate temporary and permanent rules necessary to implement the provisions of sections 1 to 3 and may employ necessary assistance in performing its administrative duties. Rules adopted shall be consistent with applicable federal guidelines."

Page 2, line 11, delete "commissioner" and insert "board"

Page 2, line 12, delete "January" and insert "July"

Page 2, line 19, delete "commissioner" and insert "board"

Page 2, line 22, delete "commissioner of public welfare" and insert "board on aging"

Page 2, line 23, delete "\$400,000" and insert "\$417,076"

Renumber the sections in sequence

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

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

S. F. No. 338: 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.

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

Page 1, line 17, after "substitute" insert "or text or text substitute"

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

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

S. F. No. 301: 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.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 256.98, is amended to read:

256.98 [WRONGFULLY OBTAINING ASSISTANCE; THEFT.] *Subdivision 1.* [VIOLATION; PENALTY.] A person who obtains, or attempts to obtain, or aids or abets any person to obtain by means of a wilfully false statement or representation, by intentional concealment of a material fact, or by impersonation or other fraudulent device, assistance to which he is not entitled or assistance greater than that to which he is entitled, or who knowingly aids or abets in buying or in any way disposing of the property of a recipient or applicant of assistance, or a person transferring property in violation of section 2, subdivision 1, without the consent of the local agency and with intent to defeat the purposes of sections 256.12, 256.72 to 256.872, or chapter 256B, is guilty of theft and shall be sentenced pursuant to section 609.52, subdivision 3, clauses (1), (2) and (5).

Subd. 2. [REPAYMENT OF ASSISTANCE.] The amount of the assistance incorrectly paid shall be the difference between the amount of assistance actually received *under the grant applied for* and the amount to which the recipient would have been entitled under *that grant according to state and federal law had the welfare agency been informed of all material facts.* The amount of any assistance determined to have been incorrectly paid shall be recoverable from the recipient or his estate by the county or the state as a debt due the county or the state or both in proportion to the contribution of each.

Any amounts recovered shall be paid to the appropriate units of government in the same manner as provided in section 256.863.

Subd. 3. [ACTION TO RECOVER ASSISTANCE.] To prosecute or to recover assistance wrongfully obtained under this section, the attorney general or the appropriate county attorney, acting independently or at the direction of the attorney general, may institute a criminal or civil action.

Sec. 2. Minnesota Statutes 1978, Chapter 256, is amended by adding a section to read:

[256.99] [CERTAIN TRANSFERS OF PROPERTY PROHIBITED.] *Subdivision 1. [VIOLATION; PRESUMPTION; EXCEPTION.] No person shall transfer real or personal property without fair consideration as defined in section 513.22 with intent to become or to make another eligible for assistance under sections 256.72 to 256.78 or chapter 256B by depriving himself of a resource which might otherwise have been used to meet current needs. There is a rebuttable presumption that any person who transfers real or personal property without fair consideration within one year immediately preceding the date of application for assistance made the transfer with intent to become or to make another eligible for such assistance by depriving himself of a resource which might otherwise have been used to meet current needs. This section shall not apply to transfers of property between spouses of up to one-half the value of jointly held property, or to the homestead.*

Subd. 2. [ACTION TO RECOVER ASSISTANCE.] The amount of assistance received by any person making a transfer prohibited by subdivision 1 shall be recoverable by the county welfare board in a civil action to the extent the transfer made the person eligible for assistance, taking into consideration in determining eligibility and need the difference between the value of the property transferred and the consideration received therefor.

Subd. 3. [ACTIONS RELATED TO TITLE.] Where a transfer of property prohibited by subdivision 1 has been made, the county welfare board may, in a civil action as against any persons except a purchaser for fair consideration without knowledge of the intent described in subdivision 1 or one who has derived title, without knowledge of the intent described in subdivision 1, immediately or mediately from such a purchaser:

(a) set aside the conveyance or annul the obligation;

(b) obtain a lien against the property for the difference between the amount of assistance actually received and the amount which the person would have been entitled to receive had the prohibited transfer not been made, taking into consideration in determining eligibility and need the difference between the value of the property transferred and the consideration received therefor;
or

(c) seek other disposition which the circumstances of the case may require.

Subd. 4. [WHO MAY BRING ACTION.] The attorney general or the appropriate county attorney, acting independently or at the direction of the attorney general, may bring an action under this section.

Subd. 5. [OTHER REMEDIES.] In addition to the remedies available under this section, the debt shall be recoverable from the recipient of his estate by the county or the state as a debt

due the county or the state in proportion to the contribution of each.

Subd. 6. [RECOVERED PAYMENTS.] Any amounts recovered shall be paid to the appropriate units of government in the same manner as provided in section 256.462.

Sec. 3. Minnesota Statutes 1978, Section 256B.17, is amended to read:

256B.17 [TRANSFERS OF PROPERTY.] *Subdivision 1. [PRESUMPTION; INELIGIBILITY.] Any person who has transferred any real or personal property within three years one year immediately preceding the date of application for medical assistance hereunder or who transfers any such property while receiving medical assistance hereunder without receiving a reasonable fair consideration therefor as defined in section 513.22, shall be presumed to have done so in order to become or remain eligible for medical assistance hereunder or to have deprived himself or his spouse of a resource that might otherwise have been used to meet his or their current needs. Such The person shall have the burden of overcoming such this presumption to the satisfaction of the county agency.*

Subd. 2. [EXCEPTION.] The presumption shall not apply to transfers of property between spouses of up to one-half the value of jointly held property, or to the homestead.

Sec. 4. *This act is effective the day following its final enactment."*

Further, strike the title and insert:

"A bill for an act relating to public welfare; prohibiting certain transfers of property for less than fair consideration for the purpose of receiving assistance; establishing a cause of action for the county to recover certain property or obtain reimbursement for assistance paid out wrongfully; amending Minnesota Statutes 1978, Sections 256.98; and 256B.17; and Chapter 256, by adding a section."

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

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

S. F. No. 580 reports the same back with the recommendation that the bill be re-referred as follows:

S. F. No. 580 to the Committee on Governmental Operations. Report adopted.

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

S. F. No. 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.

Reports the same back with the recommendation that the report from the Committee on Commerce shown in the Journal for February 26, 1979, "And when so amended the bill do pass" be adopted and the bill re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

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

S. F. No. 50: A bill for an act relating to the Boundary Waters Canoe Area; providing for a temporary citizen's committee thereon.

Reports the same back with the recommendation that the report from the Committee on Agriculture and Natural Resources shown in the Journal for February 22, 1979, be amended to read: "And when so amended the bill do pass and be re-referred to the Committee on Governmental Operations." Amendments adopted. Report adopted.

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

S. F. No. 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.

Reports the same back with the recommendation that the report from the Committee on Judiciary shown in the Journal for February 22, 1979, "And when so amended the bill do pass" be adopted and the bill re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

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

S. F. No. 405: 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 interagency 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.

Reports the same back with the recommendation that the report from the Committee on Transportation shown in the Journal for February 19, 1979, "And when so amended the bill do pass" be adopted and the bill re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

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

S. F. No. 265: 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.

Reports the same back with the recommendation that the report from the Committee on Employment shown in the Journal for February 15, 1979, "And when so amended the bill do pass" be adopted and the bill re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 48 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
				48	87

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 48 be amended as follows:

Page 1, line 6, after "1." insert "[AUSTIN, CITY OF; RIVERSIDE ARENA LIQUOR LICENSE.]

Page 1, line 12, delete "Such a" and insert "The"

Page 1, lines 15 and 16, delete "members and guests" and insert "persons"

And when so amended H. F. No. 48 will be identical to S. F. No. 87, and further recommends that H. F. No. 48 be given its second reading and substituted for S. F. No. 87, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by

the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 228, 521, 287, 2, 327, 207, 288, 127 and 340 makes the following report:

That the above Senate Files with the exception of S. F. No. 207 be placed on the General Orders Calendar in the order indicated.

That S. F. No. 207 is being retained in the Subcommittee.

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

SECOND READING OF SENATE BILLS

S. F. No. 280 was read the second time.

S. F. Nos. 14, 568, 338 and 301 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. No. 48 was read the second time.

MOTIONS AND RESOLUTIONS

Messrs. Setzepfandt, Nichols, Strand, Renneke and Schmitz introduced—

Senate Concurrent Resolution No. 6: A Senate 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.

Referred to the Committee on Transportation.

Mr. Nichols moved that the name of Mr. Nelson be added as co-author to S. F. No. 12. The motion prevailed.

Mr. Schaaf moved that the names of Messrs. Nelson and Vega be added as co-authors to S. F. No. 691. The motion prevailed.

Mr. Lessard moved that the name of Mr. Johnson be added as co-author to S. F. No. 694. The motion prevailed.

Mr. Lessard moved that S. F. No. 292 be withdrawn from the Committee on Governmental Operations and returned to its author. The motion prevailed.

CONFIRMATION

Mr. Willet moved that the report from the Committee on Agriculture and Natural Resources, reported March 1, 1979, pertain-

ing to appointments, be taken from the table. The motion prevailed.

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

Mr. Willet moved that in accordance with the report from the Committee on Agriculture and Natural Resources, reported March 1, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF AGRICULTURE
COMMISSIONER**

Mark Seetin, Rural Route 2, Winnebago, Faribault County, effective January 1, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Perpich moved that the report from the Committee on Health, Welfare and Corrections, reported March 1, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Perpich moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported March 1, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF HEALTH
COMMISSIONER**

Dr. George Pettersen, 1404 31st Street, N.W., Rochester, Olmsted County, effective January 22, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Senate Calendar. The motion prevailed.

CALENDAR

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Dieterich	Gearty	Humphrey
Bang	Chmielewski	Dunn	Gunderson	Jensen
Benedict	Coleman	Engler	Hanson	Johnson
Brataas	Davies	Frederick	Hughes	Keefe, J.

Keefe, S.	Luther	Perpich	Setzepfandt	Strand
Kirchner	McCutcheon	Peterson	Sieloff	Stumpf
Kleinbaum	Moe	Purfeerst	Sikorski	Ueland, A.
Knaak	Nelson	Renneke	Sillers	Ulland, J.
Knoll	Nichols	Rued	Solon	Vega
Laufenburger	Ogdahl	Schaaf	Spear	Wegener
Lessard	Olhoft	Schmitz	Staples	Willet
Lewis	Penny	Schrom	Stokowski	

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S. F. Nos. 432, 203, 57, 233 and 93 which the committee recommends to pass.

S. F. No. 60, which the committee recommends to pass with the following amendments offered by Messrs. Davies and Sieloff:

Mr. Davies moved to amend S. F. No. 60 as follows:

Page 2, line 19, after "expended" insert "*determined by first in-first out accounting,*"

Page 2, line 19, delete "*the date*" and insert "*December 31 of the year*"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend S. F. No. 60 as follows:

Page 2, delete lines 22 to 27

The motion prevailed. So the amendment was adopted.

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

RECONSIDERATION

Mr. Willet moved that the vote whereby the appointment of Mr. Mark Seetin as Commissioner of Agriculture was confirmed on March 5, 1979 be now reconsidered. The motion prevailed.

Mr. Coleman moved that the question on the confirmation of Mr. Mark Seetin as Commissioner of Agriculture be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, March 8, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

TWENTY-THIRD DAY

St. Paul, Minnesota, Thursday, March 8, 1979

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

CALL OF THE SENATE

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

Anderson	Gearty	Laufenburger	Purfeerst	Strand
Ashbach	Gunderson	Lewis	Renneke	Stumpf
Bang	Hanson	Luther	Rued	Tennessee
Benedict	Hughes	Menning	Schmitz	Ueland, A.
Bernhagen	Humphrey	Merriam	Schrom	Vega
Brataas	Jensen	Moe	Sieloff	Wegener
Chenoweth	Johnson	Nelson	Sikorski	Willet
Davies	Keefe, S.	Penny	Sillers	
Dieterich	Kirchner	Perpich	Spear	
Dunn	Knaak	Peterson	Staples	
Engler	Knoll	Pillsbury	Stokowski	

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

Prayer was offered by the Chaplain, Rev. Sheila Henderson.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Coleman was excused from the Session of today. Mr. Nichols was excused from the Session of today until 11:30 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Nelson, Humphrey, Anderson and Bernhagen introduced—

S. F. No. 772: 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.

Referred to the Committee on Energy and Housing.

Messrs. Gunderson, Penny, Nichols, Luther and Engler introduced—

S. F. No. 773: A bill for an act relating to wild animals; prohibiting possession of firearms while shining wild animals; amending Minnesota Statutes 1978, Section 100.29, Subdivision 10.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Engler introduced—

S. F. No. 774: A bill for an act relating to natural resources; regulating the harvest of ginseng; requiring the licensing of dealers; providing penalties.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Olson, Pillsbury, Kirchner, Nichols and Purfeerst introduced—

S. F. No. 775: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Davies, Kleinbaum, Mrs. Brataas, Messrs. Hanson and Ulland, J. introduced—

S. F. No. 776: A bill for an act relating to accountancy; pro-

viding 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.

Referred to the Committee on Commerce.

Mr. Spear, Mrs. Staples, Messrs. Perpich, Vega and Mrs. Brataas introduced—

S. F. No. 777: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Jensen, Peterson, Wegener, Setzepfandt and Dunn introduced—

S. F. No. 778: 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.

Referred to the Committee on Governmental Operations.

Messrs. Schaaf; Keefe, S.; Ashbach; Solon and Kirchner introduced—

S. F. No. 779: A bill for an act relating to commerce; regulating building movers; amending Minnesota Statutes 1978, Chapter 221, by adding a section.

Referred to the Committee on Commerce.

Messrs. Stumpf; Vega; Keefe, S. and Nichols introduced—

S. F. No. 780: A bill for an act relating to employment; prohibiting mandatory overtime; providing a penalty.

Referred to the Committee on Employment.

Messrs. Stumpf, Chmielewski, Nelson, Willet and Sillers introduced—

S. F. No. 781: A bill for an act relating to employment; creating the advisory committee on Indian employment; appropriating money.

Referred to the Committee on Employment.

Messrs. Purfeerst, Moe, Kleinbaum, Engler and Strand introduced—

S. F. No. 782: 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.

Referred to the Committee on Transportation.

Messrs. Spear, Dieterich, Luther and Sikorski introduced—

S. F. No. 783: 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.

Referred to the Committee on Judiciary.

Messrs. Johnson and Peterson introduced—

S. F. No. 784: 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.

Referred to the Committee on Governmental Operations.

Messrs. Strand, Stokowski, Peterson, Ogdahl and Renneke introduced—

S. F. No. 785: 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.

Referred to the Committee on Governmental Operations.

Mr. Strand, Mrs. Staples, Messrs. Nelson, Kirchner and Knutson introduced—

S. F. No. 786: 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 and 1 and 2.

Referred to the Committee on Health, Welfare and Corrections.

Mrs. Staples, Messrs. Nelson, Peterson, Frederick and Bang introduced—

S. F. No. 787: 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.

Referred to the Committee on Employment.

Messrs. Strand, Nichols, Hanson and Willet introduced—

S. F. No. 788: A bill for an act relating to agriculture; agreeing to the Interstate Compact on Agricultural Grain Marketing.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Bang, Sikorski, Laufenburger, Knutson and Mrs. Brataas introduced—

S. F. No. 789: 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.

Referred to the Committee on Commerce.

Messrs. Olhoft; Keefe, S.; Frederick and Hanson introduced—

S. F. No. 790: 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.

Referred to the Committee on Governmental Operations.

Mr. Willet introduced—

S. F. No. 791: 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 land-

owners 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Bang; Dunn; Ulland, J.; Willet and Wegener introduced—

S. F. No. 792: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Dunn, Anderson, Renneke, Merriam and Setzepfandt introduced—

S. F. No. 793: A bill for an act relating to energy; invalidating certificates of need for certain large electric generating plants; amending Minnesota Statutes 1978, Section 116H.13, Subdivision 2.

Referred to the Committee on Energy and Housing.

Mr. Sillers introduced—

S. F. No. 794: A bill for an act relating to retirement; directing recalculation of certain annuities and benefits paid by the teachers retirement association; appropriating funds.

Referred to the Committee on Governmental Operations.

Messrs. Dieterich, Setzepfandt, Hughes, Jensen and Benedict introduced—

S. F. No. 795: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Nichols introduced—

S. F. No. 796: 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.

Referred to the Committee on Transportation.

Mr. Nichols introduced—

S. F. No. 797: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Staples, Messrs. Gunderson, Tennessen, Renneke and Nelson introduced—

S. F. No. 798: A bill for an act relating to health; 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 health 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Lessard, Hanson, Willet, Dunn and Peterson introduced—

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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Hughes, Coleman, Perpich, Kirchner and Renneke introduced—

S. F. No. 800: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Knutson; Wegener; Ueland, A. and Kleinbaum introduced—

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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Solon, Lewis, Kleinbaum and Engler introduced—

S. F. No. 802: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Dieterich, Chmielewski, Schaaf and Sieloff introduced—

S. F. No. 803: 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.

Referred to the Committee on Judiciary.

Mr. Peterson introduced—

S. F. No. 804: 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.

Referred to the Committee on Energy and Housing.

Mr. Wegener introduced—

S. F. No. 805: A bill for an act relating to state parks; deleting certain land from the boundaries of Father Hennepin state park.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Bang and Kirchner introduced—

S. F. No. 806: A bill for an act relating to the city of Blooming-

ton; placing the chief of police of Bloomington under the public employees police and fire fund.

Referred to the Committee on Governmental Operations.

Mr. Sikorski introduced—

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.

Referred to the Committee on Commerce.

Messrs. Nichols, Dunn, Willet and Peterson introduced—

S. F. No. 808: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Stokowski, Strand, Renneke, Ogdahl and Peterson introduced—

S. F. No. 809: 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.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Strand, Renneke, Ogdahl and Peterson introduced—

S. F. No. 810: A bill for an act relating to retirement; prohibiting volunteer firefighters relief association membership for fire chiefs.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Strand, Renneke and Peterson introduced—

S. F. No. 811: 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.

Referred to the Committee on Governmental Operations.

Messrs. Engler, Knutson, Mrs. Knaak, Mr. Schmitz introduced—

S. F. No. 812: 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.

Referred to the Committee on Governmental Operations.

Messrs. Dunn, Olhoft, Wegener, Rued and Peterson introduced—

S. F. No. 813: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Penny, Bang, Kirchner, Lessard and Vega introduced—

S. F. No. 814: 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.

Referred to the Committee on Commerce.

Messrs. Knoll, Anderson, Sillers, Humphrey and Willet introduced—

S. F. No. 815: 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.

Referred to the Committee on Energy and Housing.

Messrs. Ogdahl, Strand, Stokowski and Renneke introduced—

S. F. No. 816: 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.

Referred to the Committee on Governmental Operations.

Mr. Schaaf introduced—

S. F. No. 817: A bill for an act relating to metropolitan government; providing for the membership of the metropolitan airports commission; removing mayors from the governing body; setting a residence requirement for the chairman; amending Minnesota Statutes 1978, Sections 473.604; and 473.605, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Hughes, Strand, Schaaf and Ashbach introduced—

S. F. No. 818: 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.

Referred to the Committee on Governmental Operations.

Messrs. Peterson, Lessard, Setzepfandt and Laufenburger introduced—

S. F. No. 819: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Johnson, Merriam, Lessard, Perpich and Hanson introduced—

S. F. No. 820: 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.

Referred to the Committee on Education.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 28, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Duane Rappana, 62 Pike Lake, Duluth, St. Louis County, has been appointed by me, effective February 22, 1979, for a term expiring the first Monday in January, 1983.

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

February 21, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Director of the Minnesota Energy Agency is hereby respectfully submitted to the Senate for confirmation as required by law:

Algernon H. Johnson, Rural Route 1, Box 144A, Litchfield, Meeker County, has been appointed by me, effective February 17, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Energy and Housing.)

February 28, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Labor and Industry is hereby respectfully submitted to the Senate for confirmation as required by law:

Harry D. Peterson, 210 East Laurel Street, Stillwater, Washington County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Employment.)

Sincerely,

Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of

the following Senate File, herewith returned: S. F. No. 187.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 5, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 388 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 5, 1979

CONCURRENCE AND REPASSAGE

Mr. Wegener moved that the Senate concur in the amendments by the House to S. F. No. 388 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 388 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 127, 145, 201, 259, 330, 9, 295, 395 and 498.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 5, 1979

FIRST READING OF HOUSE BILLS

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

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

Referred to the Committee on General Legislation and Administrative Rules.

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.

Referred to the Committee on Health, Welfare and Corrections.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 14, now in the subcommittee on Bill Scheduling.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 91, now in the subcommittee on Bill Scheduling.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 418, now in the subcommittee on Bill Scheduling.

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.

Referred to the Committee on General Legislation and Administrative Rules.

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.

Referred to the Committee on Education.

REPORTS OF COMMITTEES

Mr. Hanson moved that the Committee Reports at the Desk, with the exception of the report on S. F. No. 520, be now adopted. The motion prevailed.

Mr. Gearty from the Committee on Elections, 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 123.32, Subdivision 5; 203A.13; 203A.15; 204A.26, Subdivision 1; 204A.32, Subdivision 3; and 206.17.

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

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1978, Section 123.11, Subdivision 4, is amended to read:

Subd. 4. The clerk shall prepare, at the expense of the district, necessary ballots for the election of officers placing thereon the names of the proposed candidates for such office with a blank space after such names, such ballots shall be marked and signed as official ballots, and the ballots so prepared by the clerk of the district shall be used to the exclusion of all other ballots at such annual meeting or election in the election of officers of the district."

Page 3, after line 4, insert:

"Sec. 6. Minnesota Statutes 1978, Section 204A.31, is amended to read:

204A.31 [MARKING BALLOTS, INSTRUCTIONS.] The voter shall mark and prepare each ballot in the following manner:

(a) The voter shall place a mark (X) in the square opposite the printed name of each candidate for whom he desires to vote, and in the square before the "YES" or "NO" if he desires to vote for or against any proposition.

(b) If he so desires, he may write other names in the blank spaces provided therefor under the printed names of the candi-

dates, except that no names may be written in on primary election ballots.

(c) If, at any primary election the voter votes for the candidates of more than one party on the party ballot, that ballot is void.

(d) When he has prepared his ballots, he shall fold each of them separately so as to conceal the face and all marks thereon, and so as to expose only the facsimile of the official signature and the initials of the judges on the back of the ballot.

(e) Having marked and folded his ballots in the manner provided in this section, the voter shall withdraw from the voting booth with his ballot."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "Sections" insert "123.11, Subdivision 4;"

Page 1, line 5, after "1;" insert "204A.31;"

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

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

S. F. No. 124: 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.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 290.21, Subdivision 3, is amended to read:

Subd. 3. An amount for contribution or gifts made within the taxable year:

(a) to or for the use of the state of Minnesota, or any of its political subdivisions for exclusively public purposes,

(b) to or for the use of any community chest, corporation, organization, trust, fund, association, or foundation located in and carrying on substantially all of its activities within this state, organized and operating exclusively for religious, charitable, public cemetery, scientific, literary, artistic, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual,

(c) to a fraternal society, order, or association, operating under the lodge system located in and carrying on substantially all of their activities within this state if such contributions or gifts are to be used exclusively for the purposes specified in subdivision

3(b), or for or to posts or organizations of war veterans or auxiliary units or societies of such posts or organizations, if they are within the state and no part of their net income inures to the benefit of any private shareholder or individual, or to an employee stock ownership trust as defined in section 290.01, subdivision 25. Where the beneficiaries of a stock ownership trust include the transferor, his spouse, children, grandchildren, parents, siblings or their children, the amount of the deduction shall be reduced by the product of multiplying said amount by their percentage interest in the trust,

(d) to or for the use of the United States of America for exclusively public purposes, and to or for the use of any community chest, corporation, trust, fund, association, or foundation, organized and operated exclusively for any of the purposes specified in subdivision 3(b) and (c) no part of the net earnings of which inures to the benefit of any private shareholder or individual, but not carrying on substantially all of their activities within this state, in an amount equal to the ratio of Minnesota taxable net income to total net income, provided, however, that for an individual taxpayer, the credit shall be allowed in an amount equal to the ratio of the taxpayer's gross income from sources within the state to the taxpayer's gross income from all sources,

(e) to a political party, as defined in section 200.02, subdivision 7, or a political candidate, as defined in section 210A.01, or a political cause when sponsored by any party or association or committee, as defined in section 210A.01, in a maximum amount not to exceed the following:

(1) contributions made by individual natural persons, \$100,

(2) contributions made by a national committeeman, national committeewomen, state chairman, or state chairwoman of a political party, as defined in section 200.02, subdivision 7, \$1,000,

(3) contributions made by a congressional district committeeman or committeewoman of a political party, as defined in section 200.02, subdivision 7, \$350,

(4) contributions made by a county chairman or a county chairwoman of a political party, as defined in section 200.02, subdivision 7, \$150;

(f) in the case of an individual, the total credit against taxable net income allowable hereunder shall not exceed 30 percent of the taxpayer's Minnesota gross income as follows:

(i) the aggregate of contributions made to organizations specified in (a), (b) and (d) shall not exceed ten percent of the taxpayer's Minnesota gross income,

(ii) the total credits under this subparagraph for any taxable year shall not exceed 20 percent of the taxpayer's Minnesota gross income. For purposes of this subparagraph, the credits under this section shall be computed without regard to any deduction allowed under subparagraph (i) but shall take into account any contribu-

tions described in subparagraph (i) which are in excess of the amount allowable as a credit under subparagraph (i); the sum of:

(i) 20 percent of the taxpayer's Minnesota gross income in the case of contributions described in clauses (c) and (e); and

(ii) 30 percent of the taxpayer's Minnesota gross income in the case of contributions or gifts described in clauses (a), (b) and (d), reduced by the amount of the credit allowable under subparagraph (i),

(g) in the case of an individual, if the amount of the contributions or gifts described in clauses (a), (b) and (d), when added to the amount of contributions described in clauses (c) and (e), payment of which is made in a taxable year, hereinafter referred to in this subdivision as the "contribution year", exceeds 30 percent of the taxpayer's Minnesota gross income for that year, the excess shall be treated as a gift or contribution pursuant to this subdivision, paid in each of the five succeeding taxable years in order of time, but with respect to any succeeding taxable year, only to the extent of the lesser of the following amounts:

(i) the amount by which 30 percent of the taxpayer's Minnesota gross income for such succeeding taxable year exceeds the sum of the contribution and gifts described in this subdivision, payment of which is actually made by the taxpayer within such succeeding taxable year, and the contributions and gifts described in clauses (a), (b) and (d), payment of which was made in taxable years before the contribution year and which are treated pursuant to this clause as having been paid in such succeeding taxable year; or

(ii) in the first succeeding taxable year, the amount of such excess, and in the second, third, fourth and fifth succeeding taxable years, the portion of such excess not treated under this clause as a contribution or gift described in clauses (a), (b) and (d) paid in a taxable year between the contribution year and such succeeding taxable year; or

(iii) if, in a contribution year, the taxpayer's Minnesota gross income exceeds \$100,000, clause (g) shall not apply and no contributions or gifts covered by clause (g) shall be carried forward to a subsequent year,

(g) (h) in the case of a corporation, the total credit against net income hereunder shall not exceed 15 percent of the taxpayer's taxable net income less the credits allowable under this section other than those for contributions or gifts,

(h) (i) in the case of a corporation reporting its taxable income on the accrual basis, if: (A) the board of directors authorizes a charitable contribution during any taxable year, and (B) payment of such contribution is made after the close of such taxable year and on or before the fifteenth day of the third month following the close of such taxable year; then the taxpayer may elect to treat such contribution as paid during such taxable year. The election may be made only at the time of the filing of the return

for such taxable year, and shall be signified in such manner as the commissioner shall by regulations prescribe,

(i) in the case of a contribution or property placed in trust as described in section 170(f)(2) of the Internal Revenue Code of 1954, as amended through December 31, 1976, a credit shall be allowed under this subdivision to the extent that a deduction is allowable for federal income tax purposes.

Sec. 2. [EFFECTIVE DATE.] *This act is effective for taxable years commencing after December 31, 1978.*"

Amend the title as follows:

Page 1, line 2, after the semicolon insert "changing computation of certain income tax credits for contributions;"

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

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 484: 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.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 204A, is amended by adding a section to read:

[204A.515] [RECOUNTS IN COUNTY AND MUNICIPAL ELECTIONS.] *A losing candidate for nomination or election to a county or municipal office may request a recount of the votes cast for the nomination or election to that office if the difference between the vote cast for that candidate and for a winning candidate for nomination or election is:*

(a) *Five votes or less when the total vote cast for nomination or election to that office is 100 votes or less;*

(b) *Ten votes or less when the total vote cast for nomination or election to that office is more than 100 but not more than 500 votes;*

(c) *Twenty votes or less when the total vote cast for nomination or election to that office is more than 500 but not more than 2,000 votes;*

(d) *One percent of the votes or less when the total vote cast for nomination or election to that office is more than 2,000 but less than 10,000 votes; or*

(e) *100 votes or less when the total vote cast for nomination or election to that office is 10,000 votes or more.*

Candidates for county offices shall file a written request for the recount with the county auditor. Candidates for municipal offices shall file a written request with the municipal clerk. All requests shall be filed during the time for notice of contest of the primary or election for which a recount is sought.

Upon receipt of a request made pursuant to this section, the county auditor shall recount the votes for a county office at the expense of the county and the governing body of the municipality shall recount the votes for a municipal office at the expense of the municipality.

Time for notice of contest of a nomination or election to a county office which is recounted pursuant to this section shall begin to run upon certification of the results of the recount by the county canvassing board. Time for notice of contest of a nomination or election to a municipal office which is recounted pursuant to this section shall begin to run upon certification of the results by the governing body of the municipality.

Sec. 2. Minnesota Statutes 1978, Section 205.11, is amended by adding a subdivision to read:

Subd. 4a. [RECOUNT.] A losing candidate at the municipal primary may request a recount of the votes for that nomination subject to the requirements of section 1.

Sec. 3. Minnesota Statutes 1978, Section 205.14, is amended by adding a subdivision to read:

Subd. 4. [RECOUNT.] A losing candidate at a municipal election may request a recount of the votes for that office subject to the requirements of section 1.

Sec. 4. Minnesota Statutes 1978, Section 123.32, is amended by adding a subdivision to read:

Subd. 8a. A losing candidate for any school district office may request a recount of the votes cast for that office if the difference between the vote cast for that candidate and for a winning candidate for that office is:

(a) Five votes or less when the total vote cast for that office is 100 votes or less;

(b) Ten votes or less when the total vote cast for that office is more than 100 but not more than 500 votes;

(c) Twenty votes or less when the total vote cast for that office is more than 500 but not more than 2,000 votes;

(d) One percent of the votes or less when the total vote cast for that office is more than 2,000 but less than 10,000 votes; or

(e) 100 votes or less when the total vote cast for that office is 10,000 votes or more.

The request shall be made in writing to the school board during the time for notice of contest of the election for which the

recount is sought. Upon receipt of a request made pursuant to this section the school board shall recount the votes for that office at the expense of the school district.

Time for notice of contest of an election which is recounted pursuant to this subdivision shall begin to run upon certification of the results of the recount by the school board.

Sec. 5. Minnesota Statutes 1978, Section 123.32, Subdivision 25, is amended to read:

Subd. 25. (a) Any voter may contest the election of any person for or against whom he had the right to vote, who is declared elected to a school district office, or other questions submitted to public vote, by proceeding as follows:

He shall file with the clerk of the district court of the county in which the administrative office of the school district is located, within ten days after the canvass is completed, a written notice of contest specifying the points upon which the contest will be made, and cause a copy thereof to be served within said period as follows:

(1) If the contest be upon the election of any person, then upon the person whose election he is contesting and the official authorized to issue the certificate of election;

(2) If the contest be upon the question of consolidation or reorganization, then upon the county auditor authorized by law to issue the order;

(3) If the contest be upon any other question, by serving a copy upon the clerk of the district.

When the contestee desires to offer testimony on points not specified in contestant's notice, he shall file and serve on the contestant notice thereof specifying such additional points. Such notices shall be treated as the pleadings in the case and may be amended in the discretion of the court in such manner and within such times as the court may by order direct. Thereafter the matter shall be tried and determined by the court at a time set by the court within 30 days after such canvass. So far as consistent with this section, the Rules of Civil Procedure shall apply.

(b) When an appeal is taken to the supreme court from the determination of the district court in any contest instituted under this code, the party appealing shall file in the district court a bond in such sum, not less than \$500, and with such sureties, as shall be approved by the judge, conditioned for the payment of all costs incurred by the respondent in case appellant fails on his appeal. *The notice of appeal shall be served and filed no later than ten days after the entry of the determination of the district court in the contest.* The return of such appeal shall be made, certified, and filed in the supreme court within 15 days after service of notice of appeal. The appeal may be brought on for hearing in the court at any time when it is in session, upon ten days' notice from either party, which may be served during term time or in vacation; and it may be heard and determined summarily by the court.

Sec. 6. *This act is effective the day following its final enactment.*

Amend the title as follows:

Page 1, line 2, after "in" insert "county,"

Page 1, line 3, after "municipal" insert "and school district"

Page 1, line 3, after the semicolon insert "setting a time limit for appeal of a district court determination in a school district election contest;"

Page 1, line 4, delete "205" and insert "204A"

Page 1, line 5, before the period insert "; Sections 123.32, Subdivision 25, and by adding a subdivision; 205.11, by adding a subdivision; and 205.14, by adding a subdivision"

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

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

S. F. No. 91: 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.

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

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."

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 520: A resolution urging the President, Congress and the Secretary of Transportation to retain the Amtrak North Coast Hiawatha in the National Amtrak Transportation System.

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

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"

And when so amended the resolution do pass. Mr. Tennessen

questioned the reference thereon and, under Rule 35, the resolution was referred to the Committee on Rules and Administration.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 213: 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.

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

Pages 1 to 2, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "168.021, Subdivision 1;"

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

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 crossings; authorizing local authorities to designate senior citizen crossings in conformance with specifications and providing a penalty.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 169, is amended by adding a section to read:

[169.215] [SENIOR CITIZEN CROSSINGS.] *Subdivision 1. [DESIGNATION OF CROSSINGS.] Local authorities may designate senior citizen crossings on any street or highway in the vicinity of senior citizen housing projects and senior citizen nursing homes on the basis of an engineering and traffic investigation prescribed by the commissioner and subject to the uniform specifications adopted pursuant to subdivision 2. Designation of a senior citizen crossing on a trunk highway is subject to the written consent of the commissioner.*

Subd. 2. [UNIFORM SPECIFICATIONS.] The commissioner shall adopt uniform specifications for senior citizen crossings. The specifications shall include criteria for determining the need for a senior citizen crossing and the type and design of traffic control devices or signals that may be used at such a crossing. The specifications shall be incorporated as a part of the manual

of uniform traffic control devices required pursuant to section 169.06.

Subd. 3. [SPEED ZONES.] Local authorities may establish a reduced speed zone for a senior citizen crossing designated pursuant to this section. The reduced speed zone shall be established on the basis of an engineering and traffic investigation as prescribed by the commissioner. The reduced speed for a senior citizen crossing shall not be lower than 20 miles per hour and shall not be more than 15 miles per hour below the established speed limit on the affected street or highway if the established speed limit is 40 miles per hour or greater. The speed limit shall be effective when signs are posted to designate the speed limit and the beginning and end of the reduced speed zone. Any speed in excess of the posted speed is unlawful. A reduced speed zone on a trunk highway is subject to the consent of the commissioner. The signs shall be erected by local authorities on streets and highways under their jurisdiction and by the commissioner on trunk highways."

Amend the title as follows:

Page 1, line 7, delete "and" and insert "authorizing reduced speed zones in senior citizen crossings;"

Page 1, line 7, before the period insert "; amending Minnesota Statutes 1978, Chapter 169, by adding a section"

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

Mr. Wegener from the Committee on Local Government, 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.

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

Page 1, strike lines 14 to 18 and insert "in one of the following ways:

(a) Submitting to the executive director a resolution of the city council of each affected municipality;

(b) Submitting to the executive director a petition signed by five percent or more of the resident voters of a municipality who voted for governor at the last general election; or

(c) By the board on its own motion."

Page 2, line 12, delete "an" and insert "the"

Page 2, line 19, after "rules" insert "with reference to its operation and procedures"

Page 3, line 4, delete "commission's first meeting" and insert "board's initial appointment of the commission"

Page 4, line 14, after the comma, insert *"return to the commission for amendment or further study,"*

Page 5, line 1, after the period insert *"If the commission's findings and recommendations include a proposed home rule charter for the new municipality, the board may in its order combine the issue of the adoption of the charter and the vote on approval of the order for consolidation into one question on the ballot, and shall submit it in a special or general election as provided in Minnesota Statutes 1978, Section 410.10."*

Page 6, lines 5 and 6, delete *"a resolution of a municipality or"*

Page 6, line 6, delete *"by"* and insert *"of the"*

Page 6, line 6, after *"voters"* insert *"of a municipality"*

Page 6, line 16, after *"petition,"* insert *"the board shall order the municipalities to conduct"*

Page 6, line 16, delete *"shall be"*

Page 6, line 17, delete *"conducted"*

Page 6, line 18, after *"and"* insert *"the referenda shall be held within six months of the receipt of the petition. Costs of the respective referenda shall be borne by the respective municipality."*

Page 6, line 19, after the period insert *"The results of the referenda shall be certified to the executive director of the municipal board by the chief election judge within ten days after the referenda. The executive director shall upon receipt of the certificate notify all parties of the election results."*

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

SECOND READING OF SENATE BILLS

S. F. Nos. 72, 124, 484, 91, 213, 470 and 549 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Sieloff moved that the names of Messrs. Ulland, J. and Merriam be added as co-authors to S. F. No. 93. The motion prevailed.

Mr. Humphrey moved that the name of Mr. Dieterich be added as co-author to S. F. No. 149. The motion prevailed.

Mr. Benedict moved that the name of Mr. Sikorski be added as co-author to S. F. No. 436. The motion prevailed.

Mr. Knoll moved that the name of Mr. Merriam be added as co-author to S. F. No. 525. The motion prevailed.

Mr. Humphrey moved that the name of Mr. Ulland, J. be added as co-author to S. F. No. 740. The motion prevailed.

Mr. Sieloff moved that the name of Mr. Purfeerst be added as co-author to S. F. No. 747. The motion prevailed.

Mr. Kleinbaum moved that the name of Mr. Ulland, J. be added as co-author to S. F. No. 749. The motion prevailed.

Mr. Hanson moved that House Concurrent Resolution No. 1 be taken from the table. The motion prevailed.

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.

Mr. Hughes moved to amend House Concurrent Resolution No. 1 as follows:

Page 1, lines 15 and 16, delete "in a joint meeting"

The motion prevailed. So the amendment was adopted.

Mr. Hanson moved that the foregoing resolution be adopted, as amended. The motion prevailed. So the resolution, as amended, was adopted.

CONFIRMATION

Mr. Stokowski, for Mr. Gearty, moved that the report from the Committee on Elections, reported March 1, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Stokowski moved that in accordance with the report from the Committee on Elections, reported March 1, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

STATE ETHICAL PRACTICES BOARD

John W. Carey, Box 182, Fairfax, Renville County, effective June 29, 1978, for a term expiring the first Monday in January, 1981.

The motion prevailed. So the appointment was confirmed.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Hanson	Lessard	Purfeerst	Strand
Bang	Hughes	Lewis	Rued	Stumpf
Benedict	Humphrey	Luther	Schaaf	Tennessee
Bernhagen	Jensen	McCutcheon	Schmitz	Ueland, A.
Brataas	Johnson	Menning	Schrom	Ulland, J.
Chenoweth	Keefe, J.	Merriam	Setzepfandt	Vega
Chmielewski	Keefe, S.	Moe	Sieloff	Wegener
Davies	Kirchner	Nelson	Sikorski	Willet
Dieterich	Kleinbaum	Ogdahl	Sillers	
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Perpich	Spear	
Frederick	Knutson	Peterson	Staples	

Messrs. Gunderson, Olhoff and Renneke voted in the negative.

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Perpich	Spear
Ashbach	Gunderson	Laufenburger	Peterson	Staples
Bang	Hanson	Lessard	Pillsbury	Stokowski
Benedict	Hughes	Lewis	Purfeerst	Strand
Bernhagen	Humphrey	Luther	Rued	Stumpf
Brataas	Jensen	McCutcheon	Schaaf	Tennessee
Chenoweth	Johnson	Menning	Schmitz	Ueland, A.
Chmielewski	Keefe, J.	Merriam	Schrom	Ulland, J.
Davies	Keefe, S.	Moe	Setzepfandt	Vega
Dieterich	Kirchner	Nelson	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sikorski	Willet
Engler	Knaak	Olhoff	Sillers	
Frederick	Knoll	Olson	Solon	

Mr. Renneke voted in the negative.

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Benedict	Chenoweth	Dieterich	Frederick
Ashbach	Bernhagen	Chmielewski	Dunn	Garty
Bang	Brataas	Davies	Engler	Gunderson

Hanson	Knoll	Nelson	Rued	Staples
Hughes	Knutson	Ogdahl	Schaaf	Stokowski
Humphrey	Laufenburger	Olhoft	Schmitz	Strand
Jensen	Lessard	Olson	Schrom	Stumpf
Johnson	Lewis	Penny	Setzepfandt	Tennessee
Keefe, J.	Luther	Perpich	Sieloff	Ueland, A.
Keefe, S.	McCutcheon	Peterson	Sikorski	Ulland, J.
Kirchner	Menning	Pillsbury	Sillers	Vega
Kleinbaum	Merriam	Purfeerst	Solon	Wegener
Knaak	Moe	Renneke	Spear	Willet

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Hughes	Knaak	Menning
Ashbach	Dieterich	Humphrey	Knoll	Merriam
Bang	Dunn	Jensen	Knutson	Moe
Benedict	Engler	Johnson	Laufenburger	Nelson
Bernhagen	Frederick	Keefe, J.	Lessard	Ogdahl
Brataas	Gearty	Keefe, S.	Lewis	Olhoft
Chenoweth	Gunderson	Kirchner	Luther	Olson
Chmielewski	Hanson	Kleinbaum	McCutcheon	Penny

Perpich	Rued	Sieloff	Staples	Ueland, A.
Peterson	Schaaf	Sikoraki	Stokowski	Ulland, J.
Pillsbury	Schmitz	Sillers	Strand	Vega
Purfeerst	Schrom	Solon	Stumpf	Wegener
Renneke	Setzepfandt	Spear	Tennessee	Willet

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S. F. No. 280: A bill for an act relating to towns; permitting certain purchases for highway uses; amending Minnesota Statutes 1978, Section 160.11, Subdivision 1.

Mr. Chmielewski moved that S. F. No. 280 be stricken from the Consent Calendar and returned to its author. The motion prevailed.

GENERAL ORDERS

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

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

S. F. Nos. 345, 427, 228, 521 and 287 which the committee recommends to pass.

S. F. No. 307, which the committee recommends to pass with the following amendment offered by Mr. Merriam:

Page 1, line 21, after "*care*" insert "*, type*"

The motion prevailed. So the amendment was adopted.

S. F. No. 179, which the committee recommends to pass with the following amendments offered by Mr. Luther:

Mr. Luther moved to amend S. F. No. 179 as follows:

Page 3, line 31, after the period, insert "This amount is [1- $\frac{1}{4}$ times the claimant's estimate of the value of the property] [1- $\frac{1}{2}$ times the claimant's claim against you]. If you believe the [value of the property] [amount of the claim] is overstated, you may ask the court to lower it."

The motion prevailed. So the amendment was adopted.

Mr. Luther then moved to amend S. F. No. 179 as follows:

Page 7, delete line 28 and insert "the respondent of any sum adjudged against the claimant. The bond shall be in an amount"

Page 8, line 3, delete everything before "adjudged" and insert "the claimant of any sum"

Page 8, line 3, delete "in" and insert a period

Page 8, line 4, delete "a sum" and insert "The bond shall be in an amount"

Page 8, line 32, after the first comma, insert "a"

The motion prevailed. So the amendment was adopted.

Mr. Luther then moved to amend S. F. No. 179 as follows:

Page 9, line 14, after "Require" insert "that" and delete the comma at the end of the line

Page 9, line 15, before "deliver" delete "to"

Page 9, line 15, delete the comma and after "or" delete "to"

Page 9, line 16, delete "that" and insert a comma

Page 9, line 17, after "disclosed" insert a comma

Page 9, line 21, delete "such" and insert "the"

Page 9, line 23, delete "be" and insert "is"

Page 9, line 26, after the comma delete "he" and insert "the sheriff"

Page 9, line 27, after "and" insert "shall"

Page 9, line 29, delete "so"

Page 9, line 30, delete "so"

Page 10, line 14, after "taken" insert "which is"

The motion prevailed. So the amendment was adopted.

S. F. No. 327, which the committee recommends to pass with the following amendment offered by Mr. Chenoweth:

Page 1, line 20, delete "donation" and insert "conveyance"

The motion prevailed. So the amendment was adopted.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hanson moved that the Senate do now adjourn until 11:00 o'clock a.m., Monday, March 12, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

TWENTY-FOURTH DAY

St. Paul, Minnesota, Monday, March 12, 1979

The Senate met at 11:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Frederick	Laufenburger	Pillsbury	Stokowski
Ashbach	Gearty	Lewis	Rued	Strand
Benedict	Hanson	Luther	Schaaf	Stumpf
Bernhagen	Hughes	McCutcheon	Schmitz	Tennessen
Chenoweth	Humphrey	Menning	Schrom	Ueland, A.
Coleman	Jensen	Merriam	Setzepfandt	Vega
Davies	Johnson	Nelson	Sieloff	Wegener
Dieterich	Kirchner	Nichols	Sikorski	Willet
Dunn	Kleinbaum	Olhoft	Sillers	
Engler	Knaak	Penny	Spear	

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

Prayer was offered by the Chaplain, Rev. Paul E. Schuessler.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Moe, Ogdahl and Perpich were excused from the Session of today. Mr. Setzepfandt was excused from the Session of today

at 12:00 o'clock noon. Mr. Solon was excused from the Session of today until 12:00 o'clock noon. Mr. Olhoft was excused from this evening's Session at 6:40 o'clock p.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Peterson introduced—

S. F. No. 821: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Peterson introduced—

S. F. No. 822: 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.

Referred to the Committee on Agriculture and Natural Resources. Mr. Schmitz questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Lessard introduced—

S. F. No. 823: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Lessard introduced—

S. F. No. 824: 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.

Referred to the Committee on Local Government.

Mr. Lessard introduced—

S. F. No. 825: 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.

Referred to the Committee on Commerce.

Messrs. Lessard and Willet introduced—

S. F. No. 826: 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.

Referred to the Committee on Judiciary.

Mr. Peterson introduced—

S. F. No. 827: A bill for an act relating to taxation; altering the definition of gross income for income tax purposes for individuals, trusts and estates; placing restrictions on certain deductions; making certain changes in the minimum tax and in the treatment of small business corporations; allowing a 10 year carryback of products liability losses; allowing adjustments to basis; allowing deductions for employer contributions to simplified employee pension plans; updating the definition of income for property tax refund purposes; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.09, Subdivisions 4 and 28; 290.091; 290.095, by adding a subdivision; 290.14; 290.26, Subdivision 2; 290.971, Subdivision 1; 290.974; 290A.03, Subdivision 3; repealing Minnesota Statutes 1978, Sections 290.971, Subdivisions 2, 3, 4, 5, and 6; 290.972; 290.973; and 290.975.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Setzepfandt; Gearty; Ueland, A.; Stokowski and Spear introduced—

S. F. No. 828: 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.

Referred to the Committee on Elections.

Messrs. Bernhagen, Gearty, Rued, Knutson and Olhoft introduced—

S. F. No. 829: 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.

Referred to the Committee on Education.

Messrs. Dieterich, Merriam and Gunderson introduced—

S. F. No. 830: 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.

Referred to the Committee on Education.

Mrs. Staples, Messrs. Luther, Ogdahl, Gearty and Kirchner introduced—

S. F. No. 831: 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.

Referred to the Committee on Local Government.

Messrs. Gunderson, Penny, Mrs. Staples, Messrs. Chmielewski and Hughes introduced—

S. F. No. 832: 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.

Referred to the Committee on Veterans' Affairs.

Mrs. Staples, Messrs. Kirchner, Humphrey, Ashbach and Coleman introduced—

S. F. No. 833: A bill for an act relating to appropriations; providing funds for the programs of the Minnesota International Center.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Gunderson, Setzepfandt, Bernhagen and Chmielewski introduced—

S. F. No. 834: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich, Bernhagen, Tennesen, Davies and Sillers introduced—

S. F. No. 835: A bill for an act relating to courts; county or county municipal court jurisdiction of actions for unlawful removal

or exclusion; providing for correction of an erroneous reference; amending Minnesota Statutes 1978, Sections 487.17; 488A.01, Subdivision 5; and 488A.18, Subdivision 6.

Referred to the Committee on Judiciary.

Mr. Nelson introduced—

S. F. No. 836: 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.

Referred to the Committee on Education.

Messrs. Merriam and Setzepfandt introduced—

S. F. No. 837: 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.

Referred to the Committee on Judiciary.

Messrs. Luther, Sikorski, Penny, Ogdahl and Davies introduced—

S. F. No. 838: A bill for an act relating to privacy of communications; permissible monitoring; amending Minnesota Statutes 1978, Section 626A.02, Subdivision 2.

Referred to the Committee on Commerce.

Messrs. Rued and Wegener introduced—

S. F. No. 839: 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.

Referred to the Committee on Local Government.

Mr. Anderson introduced—

S. F. No. 840: 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.

Referred to the Committee on Energy and Housing.

Messrs. Willet, Gearty, Chmielewski, Olson and Johnson introduced—

S. F. No. 841: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Willet, Olhoff, Ashbach, Purfeerst and Laufenburger introduced—

S. F. No. 842: A bill for an act relating to aeronautics; appropriating and transferring money for construction of hangars.

Referred to the Committee on Transportation.

Messrs. Ulland, J.; Solon; Spear; Bang and Keefe, J. introduced—

S. F. No. 843: 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.

Referred to the Committee on Commerce.

Messrs. Gunderson, Lewis, Perpich, Laufenburger and Mrs. Braatas introduced—

S. F. No. 844: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Stumpf, Chenoweth, Mrs. Knaak, Messrs. Dieterich and Hughes introduced—

S. F. No. 845: 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.

Referred to the Committee on Local Government.

Messrs. Stumpf, Chenoweth, Dieterich, Mrs. Knaak and Mr. Hughes introduced—

S. F. No. 846: A bill for an act relating to Ramsey County; pro-

viding 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.

Referred to the Committee on Local Government.

Messrs. Stumpf, Kleinbaum, Gearty, Lewis and Ashbach introduced—

S. F. No. 847: A bill for an act relating to the humanities; providing support for the Minnesota humanities commission; appropriating money.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Stumpf and Penny introduced—

S. F. No. 848: A bill for an act relating to education; providing for the licensure of district-wide community education directors; appropriating money.

Referred to the Committee on Education.

Messrs. Schmitz, Purfeerst, Setzepfandt and Sieloff introduced—

S. F. No. 849: 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.

Referred to the Committee on Transportation.

Messrs. Rued, Lessard, Bernhagen and Johnson introduced—

S. F. No. 850: 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.

Referred to the Committee on Energy and Housing.

Mr. Penny introduced—

S. F. No. 851: 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.

Referred to the Committee on Transportation.

Mr. Nelson introduced—

S. F. No. 852: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sieloff, Davies, Bang, Merriam and Chmielewski introduced—

S. F. No. 853: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Renneke, Schmitz, Bernhagen, Rued and Menning introduced—

S. F. No. 854: 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.

Referred to the Committee on Taxes and Tax Laws. Mr. Ander-

son questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mrs. Staples, Messrs. Spear, Moe, Nelson and Ueland, A. introduced—

S. F. No. 855: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Mrs. Staples, Messrs. Nelson, Gunderson, Lewis and Keefe, J. introduced—

S. F. No. 856: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mrs. Staples, Mr. Luther, Mrs. Brataas, Messrs. Gunderson and Spear introduced—

S. F. No. 857: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Nichols introduced—

S. F. No. 858: A bill for an act relating to local government; fixing a maximum amount for airport revenue certificates; amending Minnesota Statutes 1978, Section 360.71.

Referred to the Committee on Local Government.

Mr. Humphrey introduced—

S. F. No. 859: A bill for an act relating to municipal industrial development; excepting certain projects; amending Minnesota Statutes 1978, Section 474.02, by adding a subdivision.

Referred to the Committee on Local Government. Mr. Anderson questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Humphrey introduced—

S. F. No. 860: A bill for an act relating to commerce; providing for sale of gasoline to handicapped licensed motor vehicles at certain prices; providing a penalty.

Referred to the Committee on Commerce.

Mr. Nelson introduced—

S. F. No. 861: A bill for an act relating to energy; prohibiting the operation of electrical appliances on display except under certain circumstances; providing a penalty.

Referred to the Committee on Energy and Housing.

Messrs. Vega; Strand; Ueland, A. and Solon introduced—

S. F. No. 862: 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.

Referred to the Committee on Education.

Messrs. Sillers, Wegener, Kleinbaum, Merriam and Knutson introduced—

S. F. No. 863: 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.

Referred to the Committee on Judiciary.

Messrs. Rued, Schrom, Johnson and Lessard introduced—

S. F. No. 864: A bill for an act relating to game and fish; authorizing the taking of antlerless deer by elderly licensees; amending Minnesota Statutes 1978, Section 98.47, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Dunn, Anderson, Humphrey, Olhoft and Sillers introduced—

S. F. No. 865: 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.

Referred to the Committee on Energy and Housing.

Mr. Chmielewski introduced—

S. F. No. 866: A bill for an act relating to county recorders; requiring erroneous entries against real estate to be corrected without charge.

Referred to the Committee on Judiciary.

Mr. Moe introduced—

S. F. No. 867: 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.

Referred to the Committee on Energy and Housing.

Messrs. Dieterich, Spear, Davies and Merriam introduced—

S. F. No. 868: 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.

Referred to the Committee on Judiciary.

Messrs. Anderson, Knoll and Sillers introduced—

S. F. No. 869: 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.

Referred to the Committee on Energy and Housing.

Messrs. Schrom, Rued, Olson, Nichols and Engler introduced—

S. F. No. 870: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Schaaf and Merriam introduced—

S. F. No. 871: A bill for an act relating to Anoka County; permitting redistricting of commissioner districts to seven for the 1982 election.

Referred to the Committee on Local Government.

Mr. Laufenburger, Mrs. Brataas, Messrs. Frederick, Lewis and Gunderson introduced—

S. F. No. 872: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. McCutcheon, Merriam, Tennessen, Davies and Dieterich introduced—

S. F. No. 873: 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.

Referred to the Committee on Judiciary.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned:

S. F. Nos. 225 and 231.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1979

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 59, 87, 102, 116, 157 and 3.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 8, 1979

FIRST READING OF HOUSE BILLS

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

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.

Referred to the Committee on Transportation.

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.

Referred to the Committee on Transportation.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2 now on General Orders

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S. F. Nos. 286 and 685, the report from the Committee on Rules and Administration on the amendment of Permanent Rules, and reports pertaining to appointments. The motion prevailed.

Mr. Purfeerst 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 161.45.

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

Page 2, after line 4, insert:

"The provisions of this section shall not be construed to admit any state liability for damage or destruction to private property or for injury to persons resulting from a fire that originates within a trunk highway right-of-way."

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

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 286: 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.

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

Page 2, lines 11 and 12, delete the new language and insert:

“(d) The total compensation for personal services paid to lobbyists for lobbying purposes by the individual or association represented by the lobbyist”

Amend the title as follows:

Page 1, line 3, delete “them”

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

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

S. F. No. 483: A bill for an act relating to state parks; deleting certain land from the boundaries of Judge C. R. Magney State Park.

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

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

S. F. No. 466: A bill for an act relating to counties; providing for use of certain tax-forfeited lands; regulating the terms of small timber sales; amending Minnesota Statutes 1978, Section 282.04, Subdivision 1.

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

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

S. F. No. 546: 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.

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

Page 1, line 21, strike “15” and insert “10”

Page 1, line 22, after the second “a” insert “state or”

Page 1, line 23, delete “15” and insert “10”

Page 1, line 23, delete "or to a" and strike "congressionally"

Page 2, strike line 1

Page 2, line 2, strike "existence for 10 years" and strike "or veterans'"

Page 2, line 3, strike "organization"

Page 2, line 7, after "\$100" insert "unless a municipality sets a higher amount"

Page 2, after line 10, insert:

"Sec. 2. *This act is effective the day following final enactment.*"

Amend the title as follows:

Page 1, line 2, after "allowing" insert "clubs in existence for 10 years and"

Page 1, line 4, delete "15" and insert "10"

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

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

S. F. No. 446: 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.

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

Page 1, line 20, delete "four" and insert "five"

Page 2, line 4, delete "six" and insert "seven"

Page 2, line 4, delete "Four" and insert "Five"

Page 3, line 2, delete "six" and insert "seven"

Page 3, line 18, delete "Four" and insert "Five"

Page 4, line 3, delete "of the"

Page 4, delete lines 4 to 7

Page 4, line 8, delete "the senate"

Page 4, line 8, delete "Public" and insert "The"

Page 4, line 9, delete "two" and insert "three" in both cases

Page 4, line 10, delete "one" and insert "four"

Page 4, line 10, delete "member" and insert "members"

Page 4, line 18, delete "Public"

Page 4, line 20, delete everything after the period

Page 4, delete lines 21 and 22

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

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

S. F. No. 351: 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.

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

Page 1, line 11, delete "business" and insert "legal"

Page 1, line 12, delete "moves disabled" and insert "is in the business of moving"

Page 1, line 13, delete "business" and insert "legal"

Page 1, delete lines 14 to 22 and insert:

"Subd. 2. [IDENTIFICATION; LIABILITY INSURANCE.]
All towing companies doing business in this state shall:

(1) Display in a prominent and legible manner on the exterior of all their towing vehicles being operated in this state, the name, business address, and telephone number of the towing company; and

(2) Carry liability insurance sufficient to protect the owners of towed vehicles from loss or damage to the vehicles.

Any towing company failing to comply with the provisions of this subdivision shall be guilty of a misdemeanor.

Subd. 3. [LIMITATION ON LOCAL LICENSING.] No town, statutory city or home rule charter city shall enact an ordinance regulating or licensing towing companies, except towing companies with whom the town or city has a contract for towing services."

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon and insert "requiring identification and liability insurance on towing vehicles; prohibiting local licensing of"

Page 1, line 3, delete "licensing for"

Page 1, line 3, before the semicolon insert "unless they have contracted to perform services for the local governmental unit; providing a penalty"

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

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

S. F. No. 572: A bill for an act relating to the city of Bloomington; authorizing additional on-sale liquor licenses.

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

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

S. F. No. 685: 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.

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

Page 8, after line 10, 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."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Mr. Anderson questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S. F. No. 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.

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

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

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.

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

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

S. F. No. 171: 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.

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

Page 1, line 21, delete "*do not*" and insert "*cannot*"

Page 1, line 21, delete "*optimal*"

Page 2, line 2, delete "*and subsidies*" and insert "*, supplies and materials*"

Page 2, line 4, delete "*a*"

Page 2, line 4, delete "*program*" and insert "*programs*"

Page 2, line 9, delete "*its implementation*" and insert "*implementing programs*"

Page 2, line 9, after "*boards*" insert "*may determine eligibility and*"

Page 2, lines 13 and 19, delete "*department*" and insert "*commissioner*"

Page 2, line 15, delete "*No more than 15*"

Page 2, delete line 16

Page 2, line 17, delete "*administration.*"

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

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

S. F. No. 264: 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.

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

Strike everything after the enacting clause and insert:

"Section 1. [COUNCIL ON FAMILIES.] Subdivision 1. [ESTABLISHMENT.] In recognition of the importance and significance of families as a positive influence in Minnesota, there is established the council on families.

Subd. 2. [MEMBERS.] The council shall consist of 15 voting members, chosen by the governor to reflect as closely as possible the population distribution of the sexes, the minority groups, and two-parent or single-parent families in Minnesota. Two members of the council shall be state representatives and two shall be state senators. The legislative members of the council shall be chosen by their respective legislative bodies. The commissioners of education, public welfare, corrections and health, or their representatives

shall serve *ex officio*, without a vote, on the council. The council shall elect a chairman from among their members.

Subd. 3. [TERMS; APPOINTMENT; VACANCIES.] Terms of office, appointment, compensation, and removal of members of the council, and the filling of vacancies on the council, shall be governed by Minnesota Statutes, Sections 15.059 to 15.0597. Legislative members of the council shall serve at the pleasure of their respective legislative bodies.

Subd. 4. [EXECUTIVE DIRECTOR; STAFF.] The council may employ legislative staff, an executive director, and other employees as necessary. The council shall use available legislative facilities and personnel to the extent possible.

Subd. 5. [MEETINGS; POWERS; DUTIES.] The council shall meet as often as necessary to conduct its business and give direction to the council staff.

To the extent otherwise permitted by law, the council may by majority vote accept grants or loans of money from a person, corporation or the United States government.

The council has the following duties and powers:

(a) To advise the governor, state agencies, legislature, and the public on the administration of the programs, services, facilities, and needs of families in Minnesota, including single-parent families and members beyond the nuclear or immediate family;

(b) To encourage the development of coordinated, interdepartmental goals and objectives and the coordination of programs, services and facilities among all state departments and public and private providers of services related to families;

(c) To review and to make pertinent and timely comment to the governor, state agencies, the legislature, and the public concerning adequacy and availability of state programs, plans, pending legislation and budgets for services to families and for funding under the various federal programs.

Sec. 2. [TRANSFER OF FUNCTIONS AND PERSONNEL.] The members, functions and personnel of the governor's task force on the family shall be transferred to the council on families as soon as possible after the effective date of sections 1 to 3.

Sec. 3. [APPROPRIATION.] There is appropriated from the general fund in the state treasury to the council on families the sum of \$, or so much of that amount as is necessary, for the purpose of administering the provisions of sections 1 to 3, for the fiscal year beginning July 1, 1979 and ending June 30, 1980.

Sec. 4. [EFFECTIVE DATE.] This act is effective July 1, 1979 and shall expire June 30, 1980."

Amend the title as follows:

Page 1, line 3, delete "children and"

And when so amended the bill do pass and be re-referred to the

Committee on Governmental Operations. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred the following appointment as reported in the Journal for February 26, 1979:

DEPARTMENT OF CORRECTIONS

COMMISSIONER

Jack G. Young

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

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

Mr. Tennesen from the Committee on Commerce, to which was referred the following appointment as reported in the Journal for February 19, 1979:

DEPARTMENT OF COMMERCE

COMMISSIONER OF BANKS

Michael Pint

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

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

Mr. Tennesen from the Committee on Commerce, to which was referred the following appointment as reported in the Journal for February 15, 1979:

DEPARTMENT OF COMMERCE

COMMISSIONER OF SECURITIES

Mary Alice Brophy

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

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

Mr. Coleman from the Committee on Rules and Administration makes the following report: That the Permanent Rules of the Senate appearing in the Journal for February 15, 1979, be amended as follows:

Rule 62.

Under heading "Salary Per Day" in the "Senate Researcher"

classification, strike "2" before "@ \$42.47" and insert "1"; after "1 @ \$55.94" insert "1 @ \$58.91."

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 276, 114, 218, 207, 14, 338, 301, 568, 124, 484, 72, 91 makes the following report:

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

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

Mr. Coleman moved that the committee report amending Permanent Rules be taken from the table. The motion prevailed.

Mr. Coleman moved that the foregoing committee report be now adopted.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Penny	Sillers
Ashbach	Hanson	Laufenburger	Peterson	Spear
Bang	Hughes	Lessard	Pillsbury	Staples
Benedict	Humphrey	Lewis	Purfeerst	Stokowski
Bernhagen	Jensen	Luther	Renneke	Strand
Chmielewski	Johnson	McCutcheon	Rued	Stumpf
Coleman	Keefe, J.	Menning	Schaaf	Tennessee
Davies	Keefe, S.	Merriam	Schmitz	Ueland, A.
Dieterich	Kirchner	Nelson	Schrom	Ulland, J.
Dunn	Kleinbaum	Nichols	Setzepfandt	Vega
Engler	Knaak	Olhoft	Sieloff	Wegener
Frederick	Knoll	Olson	Sikorski	Willet

The motion prevailed. So the rules were amended.

SECOND READING OF SENATE BILLS

S. F. Nos. 601, 483, 466, 546, 351, 572, 538 and 530 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Hughes moved that the name of Mr. Sikorski be added as co-author to S. F. No. 127. The motion prevailed.

Mr. Spear moved that the name of Mr. Vega be added as co-author to S. F. No. 783. The motion prevailed.

Mr. Nichols moved that S. F. No. 858 be withdrawn from the Committee on Local Government and returned to its author. The motion prevailed.

Mr. Coleman introduced—

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.

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

Messrs. Rued and Lessard introduced—

Senate Concurrent Resolution No. 8: A Senate concurrent resolution establishing a commission to study the feasibility of the state of Minnesota assuming liability for property damage done by various species of protected wild animals.

Referred to the Committee on Agriculture and Natural Resources.

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

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

Frank Fly transferred from Researcher classification to Senate Researcher classification, effective March 5, 1979

Rev. Sheila Henderson, Chaplain, effective March 5, 1979

Rev. Paul Schuessler, Chaplain, effective March 12, 1979

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

CALENDAR

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 50 and nays 13, as follows:

Those who voted in the affirmative were:

Bang	Gerty	Knoll	Olhoff	Sillers
Benedict	Gunderson	Knutson	Olson	Spear
Chenoweth	Hanson	Lessard	Penny	Staples
Chmielewski	Hughes	Lewis	Peterson	Stokowski
Coleman	Humphrey	Luther	Pillsbury	Strand
Davies	Jensen	McCutcheon	Schaaf	Stumpf
Dieterich	Johnson	Menning	Schmitz	Ueland, A.
Dunn	Keefe, J.	Merriam	Schrom	Ulland, J.
Engler	Keefe, S.	Nelson	Setzepfandt	Vega
Frederick	Kleinbaum	Nichols	Sikorski	Willet

Those who voted in the negative were:

Anderson	Brataas	Laufenburger	Rued	Wegener
Ashbach	Kirchner	Purfeerst	Sieloff	
Bernhagen	Knaak	Renneke	Tennessee	

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Kleinbaum	Olhoff	Sillers
Ashbach	Frederick	Knaak	Olson	Spear
Bang	Gerty	Knoll	Penny	Staples
Benedict	Gunderson	Knutson	Pillsbury	Stokowski
Bernhagen	Hanson	Laufenburger	Purfeerst	Strand
Brataas	Hughes	Lessard	Renneke	Stumpf
Chenoweth	Humphrey	Lewis	Rued	Tennessee
Chmielewski	Jensen	Luther	Schmitz	Ueland, A.
Coleman	Johnson	McCutcheon	Schrom	Ulland, J.
Davies	Keefe, J.	Menning	Setzepfandt	Vega
Dieterich	Keefe, S.	Nelson	Sieloff	Wegener
Dunn	Kirchner	Nichols	Sikorski	Willet

Messrs. Merriam, Peterson and Schaaf voted in the negative.

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Penny	Spear
Ashbach	Gearty	Knutson	Peterson	Staples
Bang	Gunderson	Laufenburger	Pillsbury	Stokowski
Benedict	Hanson	Lessard	Purfeerst	Strand
Bernhagen	Hughes	Lewis	Renneke	Stumpf
Brataas	Humphrey	Luther	Rued	Tennessee
Chenoweth	Jensen	McCutcheon	Schaaf	Ueland, A.
Chmielewski	Johnson	Menning	Schmitz	Ulland, J.
Coleman	Keefe, J.	Merriam	Schrom	Vega
Davies	Keefe, S.	Nelson	Setzepfandt	Wegener
Dieterich	Kirchner	Nichols	Sieloff	Willet
Dunn	Kleinbaum	Olhoff	Sikorski	
Engler	Knaak	Olson	Sillers	

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knoll	Penny	Staples
Ashbach	Hanson	Knutson	Pillsbury	Stokowski
Bang	Hughes	Laufenburger	Purfeerst	Strand
Bernhagen	Humphrey	Lessard	Rued	Stumpf
Brataas	Jensen	Lewis	Schaaf	Tennessee
Chenoweth	Johnson	Luther	Schmitz	Ueland, A.
Coleman	Keefe, J.	McCutcheon	Setzepfandt	Ulland, J.
Davies	Keefe, S.	Merriam	Sieloff	Vega
Dieterich	Kirchner	Nelson	Sikorski	Wegener
Dunn	Kleinbaum	Nichols	Sillers	
Engler	Knaak	Olson	Spear	

Those who voted in the negative were:

Benedict	Frederick	Menning	Peterson	Schrom
Chmielewski	Gunderson	Olhoff	Renneke	Willet

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Coleman	Engler	Hughes
Ashbach	Brataas	Davies	Frederick	Humphrey
Bang	Chenoweth	Dieterich	Gearty	Jensen
Benedict	Chmielewski	Dunn	Hanson	Johnson

Keefe, J.	Lessard	Olson	Setzepfandt	Stumpf
Keefe, S.	Lewis	Penny	Sieloff	Tennessee
Kleinbaum	Luther	Pillsbury	Sikorski	Ueland, A.
Knaak	McCutcheon	Purfeerst	Sillers	Ulland, J.
Knoll	Merriam	Rued	Spear	Vega
Knutson	Nelson	Schaaf	Staples	Wegener
Laufenburger	Nichols	Schmitz	Stokowski	Willet

Those who voted in the negative were:

Gunderson	Olhoff	Renneke	Schrom	Strand
Menning	Peterson			

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Peterson	Staples
Ashbach	Gearty	Knutson	Pillsbury	Stokowski
Bang	Gunderson	Laufenburger	Purfeerst	Strand
Benedict	Hanson	Lessard	Renneke	Stumpf
Bernhagen	Hughes	Lewis	Rued	Tennessee
Brataas	Humphrey	Luther	Schaaf	Ueland, A.
Chenoweth	Jensen	McCutcheon	Schmitz	Ulland, J.
Chmielewski	Johnson	Menning	Schrom	Vega
Coleman	Keefe, J.	Merriam	Setzepfandt	Wegener
Davies	Keefe, S.	Nelson	Sieloff	Willet
Dieterich	Kirchner	Olhoff	Sikorski	
Dunn	Kleinbaum	Olson	Sillers	
Engler	Knaak	Penny	Spear	

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Hanson	Kleinbaum	Menning
Ashbach	Davies	Hughes	Knaak	Merriam
Bang	Dieterich	Humphrey	Knoll	Nelson
Benedict	Dunn	Jensen	Knutson	Nichols
Bernhagen	Engler	Johnson	Laufenburger	Olhoff
Brataas	Frederick	Keefe, J.	Lewis	Olson
Chenoweth	Gearty	Keefe, S.	Luther	Penny
Chmielewski	Gunderson	Kirchner	McCutcheon	Peterson

Pillsbury	Schmitz	Sillers	Stumpf	Wegener
Purfeerst	Schrom	Spear	Tennessee	Willet
Renneke	Setzepfandt	Staples	Ueland, A.	
Rued	Sieloff	Stokowski	Ulland, J.	
Schaaf	Sikorski	Strand	Vega	

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S. F. No. 288 which the committee recommends to pass.

S. F. No. 127 which the committee reports progress, subject to the following motion:

Mr. Willet moved to amend S. F. No. 127 as follows:

Page 1, line 8, delete "June 30" and insert "January 1"

The motion prevailed. So the amendment was adopted.

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

RECESS

Mr. Coleman moved that the Senate do now recess until 5:45 o'clock p.m. The motion prevailed.

The hour of 5:45 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

Anderson	Frederick	Knoll	Pillsbury	Staples
Ashbach	Gearty	Laufenburger	Purfeerst	Stokowski
Bang	Gunderson	Lessard	Rued	Strand
Benedict	Hughes	Luther	Schaaf	Stumpf
Bernhagen	Humphrey	Menning	Schrom	Tennessee
Brataas	Jensen	Nelson	Sieloff	Ueland, A.
Chenoweth	Keefe, J.	Ogdahl	Sikorski	Ulland, J.
Coleman	Kirchner	Olhoff	Sillers	Vega
Dieterich	Kleinbaum	Olson	Solon	Willet
Engler	Knaak	Penny	Spear	

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

RECESS

Mr. Coleman moved that the Senate do now recess until after the conclusion of the Joint Convention. The motion prevailed.

The Senate reconvened at the appointed time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, March 15, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

TWENTY-FIFTH DAY

St. Paul, Minnesota, Thursday, March 15, 1979

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

CALL OF THE SENATE

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

Ashbach	Frederick	Lewis	Purfeerst	Strand
Benedict	Gearty	Luther	Rued	Stumpf
Bernhagen	Gunderson	Menning	Schaaf	Tennessee
Brataas	Hanson	Moe	Schmitz	Ueland, A.
Chenoweth	Hughes	Nelson	Schrom	Ulland, J.
Chmielewski	Humphrey	Nichols	Sikorski	Vega
Coleman	Jensen	Olson	Sillers	Willet
Davies	Johnson	Penny	Spear	
Dieterich	Kirchner	Perpich	Staples	
Dunn	Kleinbaum	Pillsbury	Stokowski	

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

Prayer was offered by the Chaplain, Rev. Paul E. Schuessler.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Keefe, S. and Sieloff were excused from the Session

of today. Mr. Nelson was excused from the Session of today at 10:30 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Engler, Nichols, Strand, Gunderson and Laufenburger introduced—

S. F. No. 874: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Nichols introduced—

S. F. No. 875: 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.

Referred to the Committee on Commerce.

Mr. Gunderson introduced—

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.

Referred to the Committee on Local Government.

Mr. Peterson introduced—

S. F. No. 877: A bill for an act relating to taxes; excluding various pensions, retirement benefits and survivor's benefits from income tax; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson and Ulland, J. introduced—

S. F. No. 878: A bill for an act relating to St. Louis County; permitting collection by assessment of waste management service rates and charges.

Referred to the Committee on Local Government.

Messrs. Merriam, Strand, Knutson and Dunn introduced—

S. F. No. 879: 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.

Referred to the Committee on Education.

Messrs. Sikorski and Hughes introduced—

S. F. No. 880: 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.

Referred to the Committee on Judiciary.

Mr. Chenoweth introduced—

S. F. No. 881: 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.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Brataas, Messrs. Frederick, Chmielewski, Mrs. Staples and Mr. Sieloff introduced—

S. F. No. 882: 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.

Referred to the Committee on Local Government.

Messrs. Stokowski, McCutcheon, Merriam, Frederick and Jensen introduced—

S. F. No. 883: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Nichols introduced—

S. F. No. 884: A bill for an act relating to the city of Marshall; permitting additional per capita revenue base for financing airport facilities.

Referred to the Committee on Local Government.

Messrs. Dieterich, Merriam, Knoll, Johnson and Sillers introduced—

S. F. No. 885: 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.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Brataas, Messrs. Frederick and Laufenburger introduced—

S. F. No. 886: A bill for an act relating to Olmsted County; permitting the intermittent inundation by flood water and temporary closing of county and town roads.

Referred to the Committee on Local Government.

Messrs. Olson, Lessard, Schmitz, Bernhagen and Spear introduced—

S. F. No. 887: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Kirchner, Lewis, Olhoft, Knutson and Vega introduced—

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; 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Sillers and Peterson introduced—

S. F. No. 889: 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.

Referred to the Committee on Education.

Messrs. Hanson, Olhoft, Olson, Bernhagen and Setzepfandt introduced—

S. F. No. 890: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bernhagen, Anderson, Dunn, Merriam and Sillers introduced—

S. F. No. 891: A bill for an act relating to education; authorizing a special state aid to pay certain travel costs for teachers in certain cooperative programs; appropriating money; amending Minnesota Statutes 1978, Section 124.65.

Referred to the Committee on Education.

Messrs. Vega, Nichols, Nelson and Merriam introduced—

S. F. No. 892: 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.

Referred to the Committee on Employment.

Messrs. Hanson, Lewis, Nelson, Olhoft and Gunderson introduced—

S. F. No. 893: 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.

Referred to the Committee on Local Government.

Messrs. Kleinbaum, Schrom, Bang, Frederick and Laufenburger introduced—

S. F. No. 894: A bill for an act relating to taxation; lowering the excise tax on natural and artificial sparkling wines on a temporary basis.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Kleinbaum and Bang introduced—

S. F. No. 895: A bill for an act relating to intoxicating liquor; hours for Sunday sale; amending Minnesota Statutes 1978, Section 340.14, Subdivision 5.

Referred to the Committee on Commerce.

Messrs. Hanson, Setzepfandt, Schmitz, Menning and Strand introduced—

S. F. No. 896: 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.

Referred to the Committee on Local Government.

Messrs. Merriam, Renneke, Anderson, Hughes and Keefe, J. introduced—

S. F. No. 897: 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.

Referred to the Committee on Finance.

Messrs. Peterson, Ogdahl and Stokowski introduced—

S. F. No. 898: 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.

Referred to the Committee on Governmental Operations.

Messrs. Gunderson, Benedict, Spear, Luther and Knoll introduced—

S. F. No. 899: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Schmitz introduced—

S. F. No. 900: A bill for an act relating to waters; providing state funds for improvement of Prior Lake in Scott County; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Stokowski introduced—

S. F. No. 901: A bill for an act relating to the public employees retirement association; reducing penalty for early retirement; in-

creasing 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.

Referred to the Committee on Governmental Operations.

Messrs. Luther; Spear; Vega; Keefe, S. and Nichols introduced—

S. F. No. 902: 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.

Referred to the Committee on Commerce.

Mr. Stokowski introduced—

S. F. No. 903: 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.

Referred to the Committee on Governmental Operations.

Mr. Bang, Mrs. Brataas, Messrs. Tennessen, Solon and Laufenburger introduced—

S. F. No. 904: 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.

Referred to the Committee on Commerce.

Messrs. Willet, Dunn, Lessard, Laufenburger and Johnson introduced—

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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Laufenburger introduced—

S. F. No. 906: A bill for an act relating to transportation; autho-

rizing an increase in the approved complement of the department for certain services; providing for reimbursement for the services; appropriating money.

Referred to the Committee on Transportation.

Messrs. Spear, Penny and Ogdahl introduced—

S. F. No. 907: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Spear, Stokowski, Gearty, Knoll and Ogdahl introduced—

S. F. No. 908: 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.

Referred to the Committee on Governmental Operations.

Messrs. Sikorski, Solon, Tennessen, Bang and Laufenburger introduced—

S. F. No. 909: 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.

Referred to the Committee on Commerce.

Mr. Johnson introduced—

S. F. No. 910: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Johnson introduced—

S. F. No. 911: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson and Strand introduced—

S. F. No. 912: A bill for an act relating to retirement; directing recalculation of certain annuities and benefits paid by the teachers retirement association; appropriating funds.

Referred to the Committee on Governmental Operations.

Messrs. Tennessen, Bang, Kleinbaum, Penny and Engler introduced—

S. F. No. 913: 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.

Referred to the Committee on Commerce.

Messrs. Dieterich, Coleman, Mmes. Staples and Brataas introduced—

S. F. No. 914: 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.

Referred to the Committee on Education.

Messrs. Ashbach, Dunn and Frederick introduced—

S. F. No. 915: A bill for an act relating to workers' compensation; providing for apportionment in cases of pre-existing conditions; amending Minnesota Statutes 1978, Section 176.021, by adding a subdivision.

Referred to the Committee on Employment.

Messrs. Chmielewski, Lessard, Setzepfandt and Peterson introduced—

S. F. No. 916: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Keefe, S.; Laufenburger; Mrs. Brataas; Messrs. Willet and Luther introduced—

S. F. No. 917: 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.

Referred to the Committee on Employment.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

March 6, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Minnesota Water Resources Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Dr. Benjamin Ramage Harriman, 1335 Pinehurst Avenue, St. Paul, Ramsey County, has been appointed by me, effective March 6, 1979, for a term expiring the first Monday in January, 1983.

James J. Wychor, 1945 South Shore Drive, Worthington, Nobles County, has been appointed by me, effective March 6, 1979, for a term expiring the first Monday in January, 1983.

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

March 6, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State University Board is

hereby respectfully submitted to the Senate for confirmation as required by law:

Randy Roger Thomas, 107 Parkway Avenue, Mankato, Blue Earth County, has been appointed by me, effective March 6, 1979, for a term expiring the first Monday in January, 1981.

(Referred to the Committee on Education.)

March 8, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Public Welfare is hereby respectfully submitted to the Senate for confirmation as required by law:

Arthur Noot, 817 W. Mulberry Street, Stillwater, Washington County, has been appointed by me, effective March 12, 1979, for a term expiring the first Monday in January, 1983.

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

March 8, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of Insurance, Department of Commerce, is hereby respectfully submitted to the Senate for confirmation as required by law:

Michael Markman, 898 Osceola Avenue, St. Paul, Ramsey County, has been appointed by me, effective March 2, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Commerce.)

Sincerely,

Albert H. Quie, Governor

March 12, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor to inform you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. No. 225.

Sincerely,

Albert H. Quie, Governor

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 Act of the 1979 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
225		1	March 12	March 12

Sincerely,

Joan Anderson Growe
Secretary of State

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the

following Senate Files, herewith returned: S. F. Nos. 67 and 411.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 12, 1979

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 167, 218, 245, 263, 303, 340 and 416.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 12, 1979

FIRST READING OF HOUSE BILLS

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

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.

Referred to the Committee on Local Government.

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 regulations; amending Minnesota Statutes 1978, Section 237.06.

Referred to the Committee on Commerce.

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.

Referred to the Committee on General Legislation and Administrative Rules.

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.

Referred to the Committee on Judiciary.

H. F. No. 303: A bill for an act validating and legalizing certain state assignment certificates.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 179 now on the Calendar.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments and the report on H. F. No. 186. The motion prevailed.

Mr. Anderson from the Committee on Energy and Housing, to which was re-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 general obligation and revenue bonds to finance the program.

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

Page 2, line 8, after "boundaries" insert "as of January 1, 1979"

Page 3, delete lines 1 to 17

Page 3, line 18, delete "2" and insert "3"

Page 3, line 19, delete "and by section 2,"

Page 3, line 24, after the period, insert "The total amount of revenue bonds authorized to be issued for the purposes of this act shall not exceed \$20,000,000."

Page 3, line 25, delete "4" and insert "3"

Page 3, line 27, delete "sections 2 and 3" and insert "section 2"

Page 3, line 28, delete "3" and insert "2"

Page 4, line 7, delete "5" and insert "4"

Amend the title as follows:

Page 1, line 4, delete "general obligation and"

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

Mr. Wegener from the Committee on Local Government, 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.

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

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

S. F. No. 322: 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.

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

Page 1, lines 15 and 16, delete the new language

Page 1, line 20, after "court" insert ", or transferred from guardianship to conservatorship"

Page 2, line 9, after the comma, insert "or of a transfer from guardianship to conservatorship,"

Page 2, after line 12, insert:

"Sec. 2. Minnesota Statutes 1978, Section 525.551, is amended to read:

525.551 [HEARING; APPOINTMENT; BOND; PROSECUTION; NOTICE.] *Subdivision 1.* Upon proof of the petition, the court shall appoint one or two persons suitable and competent to discharge the trust as general guardians or conservators of the person or estate or of both. Upon the filing of a bond in such an amount as the court may direct and an oath according to law, or upon the filing of an acceptance of the trust pursuant to section 48.79, letters of guardianship or conservatorship shall issue. If there be no personal property, the court may waive the filing of a bond, but if the guardian or conservator receives or becomes entitled to any such property he shall immediately file a report thereof and a bond in such amount as the court may direct. In case of breach of any condition of the bond an action thereon may be prosecuted by leave of the court by any interested person. If the ward or conservatee be a patient of a state hospital for the mentally ill, or committed to the guardianship or conservatorship of the commissioner of public welfare as mentally retarded, epileptic, dependent and neglected or is under the temporary custody of the commissioner of public welfare, the court shall notify the commissioner of public welfare of the appointment of a guardian or conservator or successor guardian or conservator of the estate of such the ward or conservatee.

Subd. 2. If the court finds that a person for whom guardianship is sought remains competent to vote, or that the circumstances otherwise warrant, the court may treat a petition for guardianship as a petition for conservatorship.

Sec. 3. Minnesota Statutes 1978, Section 525.61, is amended to read:

525.61 [RESTORATION TO CAPACITY.] Any person who is under guardianship or conservatorship (except as a minor, or as a feeble-minded or epileptic person, or a person under guardianship or conservatorship in the juvenile court), or his guardian or conservator, or any other person interested in him or his estate may petition the court in which he was so adjudicated to be restored to capacity *or to have a guardianship transferred to a conservatorship*. Upon the filing of ~~such~~ a petition, the court shall fix the time and place for the hearing thereof, notice of which shall be given to the commissioner of public welfare if he was under the control of the commissioner and has not been discharged by the commissioner, and to ~~such~~ *those* other persons and in ~~such~~ a manner as the court may direct.

Any person may oppose ~~such~~ *the* restoration. Upon proof that ~~such~~ *the* person is of sound mind and capable of managing his person and estate, and that he is not likely to expose himself or his family to want or suffering, the court shall adjudge him restored to capacity. In any proceedings for restoration, the court may appoint two duly licensed doctors of medicine to assist in the determination of the mental capacity of the patient. The court shall allow and order paid to each doctor a reasonable sum for his services. Upon ~~such~~ *the* order, the county auditor shall issue a warrant on the county treasurer for the payment thereof."

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 2 and insert "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"

Page 1, line 3, delete "to certain persons under guardianship"

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

Page 1, line 4, after "201.15" insert "; 525.551; and 525.61"

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

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

S. F. No. 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, Subdivision 3, and by adding a subdivision.

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

Page 1, line 17, after "unless" insert "(1)"

Page 1, line 19, delete "unless" and insert "(2)"

Page 2, line 4, delete "shall be considered" and insert "is"

Page 2, after line 5, insert:

"Sec. 3. Minnesota Statutes 1978, Section 609.485, Subdivision 4, is amended to read:

Subd. 4. [SENTENCE.] Whoever violates this section may be sentenced as follows:

(1) If the person who escapes is in lawful custody on a charge or conviction of a felony, to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both.

(2) If such *the* charge or conviction is for a gross misdemeanor, to imprisonment for not more than one year or to payment of a fine of not more than \$1,000, or both.

(3) If such *the* charge or conviction is for a misdemeanor, to imprisonment for not more than 90 days or to payment of a fine of not more than ~~\$300~~ \$500, or both.

(4) *Notwithstanding clauses (1), (2), and (3), whoever violates subdivision 3a may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$500, or both.*

~~(4)~~ (5) If the escape was affected by violence or threat of violence against a person, the sentence may be increased to not more than twice those permitted in clauses (1), (2), and (3), and (4).

~~(5)~~ (6) Unless a concurrent term is specified by the court, a sentence under this section shall be consecutive to any sentence previously imposed or which may be imposed for any crime or offense for which the person was in custody when he escaped.

Sec. 4. [EFFECTIVE DATE.] *This act is effective the day following final enactment.*"

Amend the title as follows:

Page 1, line 8, delete "Subdivision 3" and insert "Subdivisions 3 and 4"

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

Mr. Davies from the Committee on Judiciary, 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.

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

Page 1, line 17, strike "any" and insert "a"

Page 1, line 22, strike "any one" and insert "a"

Page 1, line 22, strike "such" and insert "the"

Page 2, line 1, strike "any" and insert "a"

Page 2, line 15, strike "so"

Page 2, line 17, strike "so"

Page 2, line 19, strike "and in such" and insert "in which"

Page 2, line 21, strike "such"

Page 2, line 23, strike "said" and insert "the"

Page 2, line 27, strike "any" and insert "a"

Page 2, line 28, strike "such" and insert "the"

Page 2, after line 28, insert:

"Sec. 2. *This act is effective the day after final enactment.*"

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

Mr. Purfeerst from the Committee on Transportation, 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; repealing Minnesota Statutes 1978, Section 473.438, Subdivisions 5 and 6.

Reports the same back with the recommendation that the bill do pass. Mr. Tennesen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 362: 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.

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

Pages 3 and 4, delete section 3

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "duties and powers" and insert "and duties"

Page 1, lines 5 and 6, delete "and by adding a section;"

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

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

S. F. No. 435: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Hughes 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 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.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 125.05, Subdivision 1, is amended to read:

125.05 [BOARD TO ISSUE LICENSES.] Subdivision 1. [QUALIFICATIONS.] The authority to license teachers as defined herein in section 125.03 is vested in the board of teaching but based solely on criteria and qualifications approved by the state board of education. ~~except that~~ the authority to license superintendents and principals is vested in the state board of education. Licenses shall be issued to such persons as the board of teaching or the state board of education finds to be physically competent and morally fit ~~to teach~~ for their respective positions. Qualifications of teachers and other professional employees ~~except superintendents and principals~~ shall be determined by the board of teaching under the rules which it promulgates. Licenses under the jurisdiction of

the board of teaching shall be issued by the commissioner and the commissioner shall issue licenses to any qualified blind graduates of a school of education through the licensing section of the department of education. Principals' and superintendents' licenses under the jurisdiction of the state board of education shall be issued through the licensing section of the department of education.

Sec. 2. Minnesota Statutes 1978, Section 125.05, Subdivision 2, is amended to read:

Subd. 2. [EXPIRATION AND RENEWAL.] *Each license issued by the board of teaching and each principal's or superintendent's license issued by the state board of education shall bear the date of issue. Licenses shall expire and be renewed in accordance with the respective rules promulgated by the board of teaching or the state board of education. Renewal requirements for the renewal of a license shall include the production of satisfactory evidence of successful teaching experience for at least one school year during the period covered by the license in grades or subjects for which the license is valid or the completion of such additional preparation as the board of teaching shall prescribe. Requirements for the renewal of a principal's or superintendent's license shall be established by the state board of education.*

Sec. 3. Minnesota Statutes 1978, Section 125.08, is amended to read:

125.08 [TEACHERS' AND ADMINISTRATORS' LICENSES, FEES.] *Each application for the issuance, renewal, or extension of a license to teach shall be accompanied by a processing fee in an amount set by the board of teaching by rule. Each application for the issuance, renewal or extension of a superintendent's or principal's license shall be accompanied by a processing fee in an amount set by the state board of education by rule. Except as otherwise provided in this section, these fees The processing fee for a teacher's license shall be paid to the executive secretary of the board of teaching. The processing fee for a superintendent's or principal's license shall be paid to the commissioner, who. The executive secretary of the board of teaching and the commissioner shall deposit them the fees with the state treasurer, as provided by law, and report each month to the commissioner of finance the amount of fees collected. The fees as set by the boards shall be nonrefundable for applicants not qualifying for a license, provided however, that a fee shall be refunded by the state treasurer in any case in which the applicant already holds a valid unexpired license.*

Sec. 4. Minnesota Statutes 1978, Section 125.182, Subdivision 2, is amended to read:

Subd. 2. "Teacher" means a supervisor, classroom teacher, or other similar professional employee required to hold a license from the state department of education, board of teaching.

Sec. 5. Minnesota Statutes 1978, Section 125.183, Subdivision 1, is amended to read:

125.183 [MEMBERSHIP.] Subdivision 1. A board of teaching

consisting of 17 16 members appointed by the governor is hereby established. 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. No member shall be reappointed for more than one additional term.

Sec. 6. Minnesota Statutes 1978, Section 125.183, Subdivision 3, is amended to read:

Subd. 3. Except for the representatives of higher education and the public, to be eligible for appointment to the board of teaching a person must be fully licensed for the position he holds and have at least five years teaching experience in Minnesota, including the two years immediately preceding nomination and appointment. The board shall be composed of one teacher whose responsibilities are those either of a counselor, librarian, psychologist, remedial reading teacher, speech therapist, vocational teacher, or certified school nurse, ~~four~~ *three* elementary school classroom teachers, ~~four~~ *three* secondary classroom teachers, ~~three~~ *two* higher education representatives, from higher education faculties preparing teachers, ~~two~~ *one* of whom shall be ~~representatives~~ *a representative* of state institutions and one of whom shall be a representative of private institutions; one school administrator and ~~four~~ *six* members of the public. Each nominee other than a public nominee shall be selected on the basis of his professional experience, and knowledge of teacher education, accreditation and licensure.

Sec. 7. Minnesota Statutes 1978, Section 125.185, Subdivision 4, is amended to read:

Subd. 4. The board shall develop and create rules for the licensure of public school teachers and interns, ~~which shall be submitted to the state board of education for approval~~, and from time to time the board of teaching shall revise or supplement the rules for licensure of public school teachers subject to ~~approval by the state board of education the provisions of chapter 15~~. It shall be the duty of the board of teaching to establish rules for the approval of teacher education programs ~~subject to approval by the board of education~~. ~~Subject to rules approved by the board of education,~~ . The board of teaching shall also grant licenses to interns and to candidates for original licenses and receive recommendations from local committees as established by the board of teaching for the renewal of teaching licenses, to grant life licenses to those who qualify according to requirements established by the board of teaching, and suspend or revoke licenses pursuant to sections 125.09 and 214.10. With regard to vocational education teachers the board of teaching shall adopt and maintain as its rules the rules of the state board for vocational education.

In the event the state board of education disapproves any proposal from the board of teaching, it shall give written notice of such disapproval within 60 days after the receipt of the proposal including its reasons. Any proposal disapproved by the state board may be resubmitted by the board of teaching at any time after the expiration of 45 days after the date of disapproval.

Sec. 8. Minnesota Statutes 1978, Section 125.185, Subdivision 4a, is amended to read:

Subd. 4a. Prior to the adoption by the board of teaching of any rule which must be submitted to public hearing ~~and to the state board of education for approval~~, a representative of the commissioner shall appear before the board of teaching and at the hearing required pursuant to section 15.0412, subdivision 4, to comment on the cost and educational implications of that proposed rule. ~~If the representative of the commissioner does not carry out the duties required by this subdivision, the state board of education shall not use the cost factor as a reason for disapproval of that rule.~~

Sec. 9. Minnesota Statutes 1978, Section 125.185, Subdivision 6, is amended to read:

Subd. 6. The state board of education shall provide all necessary materials and assistance for the transaction of the business of the board of teaching and all moneys received by the board of teaching shall be paid into the state treasury as provided by law. The expenses of administering sections 125.01 to 125.187 *which are incurred by the board of teaching* shall be paid for from appropriations made to the state board of education and to the board of teaching.

Sec. 10. Minnesota Statutes 1978, Section 125.185, Subdivision 9, is amended to read:

Subd. 9. The board of teaching may adopt rules *subject to the provisions of chapter 15* to implement sections 125.04 to 125.09 and 125.181 to 125.187; ~~after approval by the state board of education.~~

Sec. 11. *Nothing contained in sections 1 to 7 shall be construed as affecting the validity of a permanent license or certificate issued prior to August 1, 1979.*

Sec. 12. *Minnesota Statutes 1978, Section 125.182, Subdivision 4, is repealed."*

Strike the title in its entirety and insert:

"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; 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; repealing Minnesota Statutes 1978, Section 125.182, Subdivision 4."

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

Mr. Davies from the Committee on Judiciary, 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.

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

Mr. Davies from the Committee on Judiciary, 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.

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

Page 1, line 10, delete "to 4" and insert "and 2"

Page 2, line 29, delete "An obscene motion picture"

Page 2, delete line 30 and insert "Subject to the exemptions of section 617.295, a person who exhibits an obscene motion picture at a drive-in theatre is guilty of a misdemeanor."

Pages 2 to 4, delete sections 3 and 4

Amend the title as follows:

Page 1, delete line 4

Page 1, line 5, delete "if a motion picture is obscene;"

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

Mr. Anderson from the Committee on Energy and Housing, to which was referred the following appointment as reported in the Journal for February 26, 1979:

MINNESOTA HOUSING FINANCE AGENCY

DIRECTOR

James J. Solem

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

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

Mr. Tennesen from the Committee on Commerce, to which was referred the following appointment as reported in the Journal for February 19, 1979:

DEPARTMENT OF COMMERCE
DIRECTOR, CONSUMER SERVICES SECTION

Krista Sanda

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

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

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

H. F. Nos. 3 and 9 for comparison with companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their second readings and substituted for their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
3	2				
9	91				

and that the above Senate Files be indefinitely postponed.

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

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

H. F. No. 201 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
201	14				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 201 be amended as follows:

Page 1, delete lines 17 and 18

And when so amended H. F. No. 201 will be identical to S. F. No. 14, and further recommends that H. F. No. 201 be given its second reading and substituted for S. F. No. 14, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted

by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Hanson from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 418, 213, 470, 549, 530, 538, 572, 546, 466, 601 makes the following report:

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

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

SECOND READING OF SENATE BILLS

S. F. Nos. 26, 117, 322, 324, 362 and 606 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3, 201 and 9 were read the second time.

H. F. Nos. 259 and 13 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski moved that the name of Mr. Merriam be added as co-author to S. F. No. 186. The motion prevailed.

Mr. Nichols moved that his name be stricken as co-author to S. F. No. 223. The motion prevailed.

Mr. Strand moved that the name of Mr. Olhoft be added as co-author to S. F. No. 223. The motion prevailed.

Mr. Sikorski moved that his name be stricken as co-author to S. F. No. 766. The motion prevailed.

Mr. Sikorski moved that his name be stricken as co-author to S. F. No. 767. The motion prevailed.

Mr. Hughes moved that the name of Mr. Hanson be added as co-author to S. F. No. 818. The motion prevailed.

Mr. Peterson moved that the name of Mr. Chmielewski be added as co-author to S. F. No. 819. The motion prevailed.

Mr. Peterson moved that the name of Mr. Merriam be added as co-author to S. F. No. 821. The motion prevailed.

Mr. Lessard moved that the name of Mr. Merriam be added as co-author to S. F. No. 825. The motion prevailed.

Mr. Nelson moved that the name of Mr. Frederick be added as co-author to S. F. No. 836. The motion prevailed.

Mr. Anderson moved that the names of Messrs. Vega and

Merriam be added as co-authors to S. F. No. 840. The motion prevailed.

Mr. Penny moved that the name of Mr. Olhoff be added as co-author to S. F. No. 851. The motion prevailed.

Mr. Humphrey moved that the names of Messrs. Merriam, Anderson and Olhoff be added as co-authors to S. F. No. 859. The motion prevailed.

Mr. Vega moved that the name of Mr. Peterson be added as co-author to S. F. No. 862. The motion prevailed.

Mr. Dieterich moved that the name of Mr. Vega be added as co-author to S. F. No. 868. The motion prevailed.

Mr. Anderson moved that the names of Messrs. Vega and Ulland, J. be added as co-authors to S. F. No. 869. The motion prevailed.

Messrs. Dieterich and Coleman introduced—

Senate Resolution No. 18: A Senate resolution congratulating the St. Paul Central High School Basketball Team on winning second place in the State AA Basketball Tournament.

Referred to the Committee on Rules and Administration.

CALENDAR

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Laufenburger	Perpich	Staples
Bang	Gunderson	Lessard	Peterson	Stokowski
Benedict	Hanson	Lewis	Pillsbury	Strand
Bernhagen	Hughes	Luther	Purfeerst	Stumpf
Brataas	Humphrey	McCutcheon	Renneke	Tennessee
Chenoweth	Jensen	Menning	Rued	Ulland, A.
Chmielewski	Johnson	Merriam	Schaaf	Ulland, J.
Coleman	Keefe, J.	Moe	Schmitz	Vega
Davies	Kirchner	Nelson	Schrom	Wegener
Dieterich	Kleinbaum	Nichols	Setzepfandt	Willet
Dunn	Knaak	Olhoff	Sikorski	
Engler	Knoll	Olson	Sillers	
Frederick	Knutson	Penny	Spear	

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S. F. Nos. 218, 207, 72, 484 and H. F. No. 9 which the committee recommends to pass.

S. F. No. 276 which the committee reports progress, subject to the following motion:

Mr. Peterson moved to amend S. F. No. 276 as follows:

Page 3, line 27, strike "Laws 1975, Chapter 359" and insert "*this chapter*"

Page 4, strike lines 5 to 33

Strike page 5

The motion prevailed. So the amendment was adopted.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:30 o'clock a.m., Monday, March 19, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

TWENTY-SIXTH DAY

St. Paul, Minnesota, Monday, March 19, 1979

The Senate met at 9:30 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Ashbach	Gearty	Knoll	Penny	Spear
Bang	Gunderson	Laufenburger	Perpich	Staples
Benedict	Hanson	Lessard	Peterson	Strand
Bernhagen	Hughes	Lewis	Pillsbury	Stumpf
Brataas	Humphrey	Luther	Rued	Tennessee
Chenoweth	Jensen	McCutcheon	Schaaf	Ueland, A.
Chmielewski	Johnson	Menning	Schrom	Ulland, J.
Dieterich	Keefe, S.	Merriam	Setzepfandt	Vega
Dunn	Kirchner	Moe	Sieloff	Willet
Engler	Kleinbaum	Ogdahl	Sikorski	
Frederick	Knaak	Olson	Sillers	

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

Prayer was offered by the Chaplain, Rep. John T. Clawson.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Humphrey was excused from the Session of today at 11:00 o'clock a.m.

REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed by the Secretary of the Senate: Department of Education, Plan and Proposed Legislation that Alters the Makeup of the Council on Quality Education, 1979; Department of Economic Security, 1979; Department of Economic Development, Biennial Report; Family Farm Advisory Council, Recommendations to Promote Family Farms; Department of Agriculture, Family Farm Security Act of 1976, Family Farm Loans; Historical Society, Expenditures of State Money, 1979; Higher Education Coordinating Board, 1979; Department of Revenue, Biennial Report, 1977-78; Department of Public Welfare, Chemical Dependency Programs, 1978; Department of Health, Summary of Reports from Licensing Boards, 1978; Department of Economic Development, Expenditures for Regional Tourism Promotion, 1979; Metropolitan Council, User Charges and Fees, 1979; Metropolitan Council, Resolution Approving the 1979 Metropolitan Sports Facilities Commission Budget and Proposed Change in User Fees; Metropolitan Council, Waste Control Commission, 1979; Housing Finance Agency, Biennial Report, 1978-79; Housing Finance Agency, Energy Conservation in Rental Housing, 1979; Metropolitan Council, Annual Report, 1979; University of Minnesota, Plans for Poultry Research and Teaching Facility; Advisory Council on Workers' Compensation, 1978; Office of the Governor, Budget Message, 1979-81; Legislative Commission on Review of Administrative Rules, 1979; Department of Health, Annual Report on Hospital Administration, 1978; Department of Transportation, Rail Users Loan Guarantee Program, 1978; Higher Education Coordinating Board, Feasibility of Regional System of Optometric Education; Arrowhead Regional Development Commission, 1978; Duluth City Council, Future of Spirit Mountain Project; Department of Commerce, Implementation of the Readability of Insurance Policies Act; Department of Commerce, Feasibility and Practicality of Requiring Life, Accident and Health Insurance Policies to Comply with the Readability of Insurance Policies Act; Department of Education, Effect of the 1976 Amendment, Education of Handicapped Children; Olmsted County Board, Use of Electronic Court Reporting Devices; Ethical Practices Board, Annual Report, 1977-78; Council on Quality Education, Policy Study of Issues Related to Early Childhood and Family Education, 1979; Department of Natural Resources, State and Local Dams in Need of Repair; Department of Education, Library Development Program; Tax Study Commission, Report of Findings and Recommendations for Simplification of the Minnesota Income Tax, 1979; Department of Corrections, Operation of Programs for Battered Women, 1979; State Arts Board, Annual Report, 1978; State Planning Agency, Operation of Human Services Board; State Board of Investment, 1978; State Board of Health, Report

on Malpractice Claims, 1979; Department of Transportation, Progress on Public Transit Assistance; Office of Health Facility Complaints, Annual Report; Department of Public Welfare, Evaluation of Pilot Programs of Dental Care for Senior Citizens; Headwaters Regional Development Commission, Annual Report, 1978; Commissioner of Corrections, Feasibility of Programs for Battered Men; Metropolitan Council, Metropolitan Significance; Metropolitan Council, Planning Activities and Finances; Metropolitan Council, Budget of Commissions; Workers' Compensation Study Commission, Study Commission Findings, 1979.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Stokowski, Ogdahl, Sikorski, Renneke and Kleinbaum introduced—

S. F. No. 918: 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.

Referred to the Committee on Governmental Operations.

Mr. Laufenburger introduced—

S. F. No. 919: 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.

Referred to the Committee on Local Government.

Mr. Ulland, J. introduced—

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.

Referred to the Committee on Governmental Operations.

Messrs. Solon and Ulland, J. introduced—

S. F. No. 921: 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.

Referred to the Committee on Taxes and Tax Laws. Mr. Schaaf questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Solon, Kirchner, Spear, Tennessen and Ulland, J. introduced—

S. F. No. 922: A bill for an act relating to community corrections; crediting counties for the cost of care of certain offenders committed to county correctional facilities or jail; amending Minnesota Statutes 1978, Section 401.13.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Solon and Ulland, J. introduced—

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.

Referred to the Committee on Local Government.

Messrs. Stumpf; Gunderson; Ueland, A.; Mrs. Knaak and Mr. Nichols introduced—

S. F. No. 924: A bill for an act relating to education; authorizing cooperation between certain public libraries and school media centers; appropriating money.

Referred to the Committee on Education.

Messrs. Dieterich, Bernhagen, Sikorski and Hanson introduced—

S. F. No. 925: 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.

Referred to the Committee on Judiciary.

Messrs. McCutcheon, Dieterich, Chenoweth, Stumpf and Sieloff introduced—

S. F. No. 926: A bill for an act relating to the city of Saint Paul; authorizing the port authority to make certain investments.

Referred to the Committee on Governmental Operations. Mr. Wegener questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Stumpf, Sieloff, Dieterich, Chenoweth and McCutcheon introduced—

S. F. No. 927: 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.

Referred to the Committee on Local Government.

Messrs. Willet, Wegener, Solon and Bang introduced—

S. F. No. 928: 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.

Referred to the Committee on Commerce.

Messrs. Peterson; Lewis; Knoll; Keefe, S. and Mrs. Staples introduced—

S. F. No. 929: 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.

Referred to the Committee on Employment.

Messrs. Purfeerst, Wegener, Penny, Engler and Olson introduced—

S. F. No. 930: A bill for an act relating to natural resources; modifying certain trespass laws; amending Minnesota Statutes 1978, Section 100.273, Subdivisions 1 and 2.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Purfeerst introduced—

S. F. No. 931: A bill for an act relating to taxation; inheritance tax; exempting certain estates under \$1,000,000 from the inheritance tax; amending Minnesota Statutes 1978, Section 291.01, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olhoft, Hanson, Peterson, Bernhagen and Setzepfandt introduced—

S. F. No. 932: A bill for an act relating to taxation; deleting requirement of vendor's verification of claim for refund of sales tax paid on electricity used for agricultural purposes; amending Minnesota Statutes 1978, Section 290.501.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olhoft; Merriam; Keefe, S.; Mrs. Staples and Mr. Lewis introduced—

S. F. No. 933: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, Merriam, Kleinbaum and Sillers introduced—

S. F. No. 934: 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.

Referred to the Committee on Employment.

Messrs. Peterson, Nelson, Moe, Hughes and Sillers introduced—

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.

Referred to the Committee on Employment.

Messrs. Peterson, Strand, Vega, Mrs. Staples and Mr. Sillers introduced—

S. F. No. 936: 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.

Referred to the Committee on Employment.

Messrs. Spear, Tennesen, Luther and Mrs. Brataas introduced—

S. F. No. 937: 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 3 and 5; 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.

Referred to the Committee on Commerce.

Messrs. Sillers, Anderson, Dunn and Sieloff introduced—

S. F. No. 938: 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.

Referred to the Committee on Education.

Mmes. Brataas, Knaak, Messrs. Anderson, Rued and Chenoweth introduced—

S. F. No. 939: 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.

Referred to the Committee on Education.

Mr. Penny introduced—

S. F. No. 940: A bill for an act relating to highways; allowing private landowners to install drainage tiles along and across highway right-of-way under certain conditions; prescribing a penalty; amending Minnesota Statutes 1978, Section 160.20, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Johnson, Perpich, Hanson, Lessard and Rued introduced—

S. F. No. 941: A bill for an act relating to predators; establishing an incentive program for the control thereof; providing a penalty; appropriating funds.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Ulland, J. introduced—

S. F. No. 942: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Knoll, Perpich, Coleman, Ogdahl and Mrs. Knaak introduced—

S. F. No. 943: 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.

Referred to the Committee on Energy and Housing.

Messrs. Johnson and Solon introduced—

S. F. No. 944: A bill for an act relating to retirement; authorizing the purchase of prior service credit by certain members of the public employees retirement association.

Referred to the Committee on Governmental Operations.

Messrs. Bang; Kleinbaum; Chenoweth; Ulland, J. and Mrs. Brataas introduced—

S. F. No. 945: A bill for an act relating to licensed occupations; term of public liability insurance; amending Minnesota Statutes 1978, Section 326.40, Subdivision 2.

Referred to the Committee on Commerce.

Messrs. Penny and Ogdahl introduced—

S. F. No. 946: 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.

Referred to the Committee on Commerce.

Messrs. Solon and Ulland, J. introduced—

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 require-

ment; amending Laws 1977, Chapter 438, Section 2; repealing Laws 1977, Chapter 438, Section 1, Subdivision 3.

Referred to the Committee on Local Government.

Messrs. Johnson, Coleman, Vega and Ogdahl introduced—

S. F. No. 948: 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.

Referred to the Committee on Employment.

Messrs. Knutson, Gearty and Olhoft introduced—

S. F. No. 949: 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.

Referred to the Committee on Judiciary.

Mr. Lewis introduced—

S. F. No. 950: 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.

Referred to the Committee on Energy and Housing.

Messrs. Peterson, Strand, Vega and Mrs. Staples introduced—

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.

Referred to the Committee on Employment.

Messrs. Peterson, Strand, Vega and Mrs. Staples introduced—

S. F. No. 952: A bill for an act relating to taxation; reducing the rate of corporate income tax; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.

Referred to the Committee on Employment.

Mr. Laufenburger introduced—

S. F. No. 953: A bill for an act relating to highways; requiring loads on dump trucks to be covered; providing a penalty; amend-

ing Minnesota Statutes 1978, Section 169.81, by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Sieloff introduced—

S. F. No. 954: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Stokowski introduced—

S. F. No. 955: A bill for an act relating to retirement; providing for a reimbursement for one-half of certain employer contributions made to certain public employee retirement funds; appropriating money; amending Minnesota Statutes 1978, Sections 69.77, by adding a subdivision; 353.28, by adding a subdivision; 353.65, by adding a subdivision; and Chapter 422A, by adding a section.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Strand and Renneke introduced—

S. F. No. 956: A bill for an act relating to retirement; providing a post retirement increase in certain retirement annuities and benefits; appropriating money.

Referred to the Committee on Governmental Operations.

Mr. Stokowski introduced—

S. F. No. 957: A bill for an act relating to retirement; providing periodic percentage post retirement increases in certain annuities and benefits; appropriating money.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Strand, Peterson and Renneke introduced—

S. F. No. 958: 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.

Referred to the Committee on Governmental Operations.

Messrs. Stokowski, Strand, Peterson and Renneke introduced—

S. F. No. 959: 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.

Referred to the Committee on Governmental Operations.

Messrs. Strand, Renneke, Ogdahl, Stokowski and Peterson introduced—

S. F. No. 960: 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.

Referred to the Committee on Governmental Operations.

Messrs. Peterson, Strand, Stokowski and Renneke introduced—

S. F. No. 961: A bill for an act relating to retirement; volunteer firefighters' relief associations and independent nonprofit fire-fighting 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.

Referred to the Committee on Governmental Operations.

Mr. Anderson introduced—

S. F. No. 962: 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.

Referred to the Committee on Local Government.

Mr. Anderson introduced—

S. F. No. 963: A bill for an act relating to local government; extending scope of subdivision regulations; amending Minnesota Statutes 1978, Section 462.358, Subdivision 1.

Referred to the Committee on Local Government.

Mr. Solon introduced—

S. F. No. 964: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Solon and Purfeerst introduced—

S. F. No. 965: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Knutson and Kirchner introduced—

S. F. No. 966: 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.

Referred to the Committee on Local Government.

Mr. Johnson introduced—

S. F. No. 967: 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.

Referred to the Committee on Local Government.

Mr. Johnson introduced—

S. F. No. 968: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Johnson introduced—

S. F. No. 969: 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.

Referred to the Committee on Employment.

Messrs. Anderson, Coleman, Kirchner, Perpich and Schmitz introduced—

S. F. No. 970: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Davies introduced—

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, Subdivision 4, and by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Purfeerst introduced—

S. F. No. 972: A bill for an act relating to metropolitan sports facilities; directing the remodeling of the existing stadium; terminating the on-sale liquor tax; removing restrictions on television blackouts; amending Minnesota Statutes 1978, Sections 473.571, Subdivision 1; and 473.591, Subdivisions 2 and 3; repealing Minnesota Statutes 1978, Section 473.568.

Referred to the Committee on Taxes and Tax Laws. Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Ueland, A. introduced—

S. F. No. 973: 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.

Referred to the Committee on Energy and Housing.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 81, 138 and 203.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1979

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 7: A Senate Concurrent Resolution relating to the engrossment and enrolling of bills.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1979

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 300, 444 and 472.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 15, 1979

FIRST READING OF HOUSE BILLS

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

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 546 now on General Orders.

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.

Referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

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

Mr. Willet from the Committee on Agriculture and Natural Resources, 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.

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

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

S. F. No. 344: 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.

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

Page 2, delete section 2

Page 3, line 12, delete "sections 1 and 2" and insert "section 2 and Minnesota Statutes, Section 17.101"

Page 3, line 19, after "2" insert "and Minnesota Statutes, Section 17.101"

Renumber the sections in sequence

Amend the title as follows:

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

Page 1, line 6, delete "; and 17.101"

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

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

S. F. No. 394: 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; and 31.101, Subdivision 8; repealing Minnesota Statutes 1978, Sections 17B.08; 17B.09; and 21.114.

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

Page 2, line 9, delete "\$17.50" and insert "\$22.50"

Page 4, line 11, delete "\$30,000" and insert "\$35,000"

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

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

S. F. No. 420: 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.

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

Page 1, line 21, delete "\$85,000" and insert "\$75,000"

Page 2, after line 7, insert:

"Sec. 2. 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."

Amend the title as follows:

Page 1, line 3, after the semicolon insert "changing the eligibility standards for payment adjustments received pursuant to a family farm security loan;"

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

Page 1, line 4, after "41.55" insert "; and 41.57, Subdivision 3"

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

Mr. Gearty from the Committee on Elections, to which was referred

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.

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

Page 1, line 13, delete everything after the period

Page 1, delete lines 14 and 15 and insert "*The ballot cards which*"

Page 1, line 16, delete "*that*"

Page 1, line 17, delete "*any group of ballot cards*"

Page 1, line 17, delete "*by reason of*"

Page 1, line 18, delete "*improper write-in votes, that group of ballot cards*"

Page 2, line 13, before the comma insert "*, and the precinct summary statements prepared in accordance with section 204A.46*"

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

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

H. F. Nos. 416, 295 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
295	418			416	179

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 416 be amended as follows:

Page 4, line 3, delete "has been" and insert "is"

Page 6, line 16, after "(c)" insert a comma

Page 7, line 28, after "claim." insert a quotation mark

Page 8, delete line 2 and insert "the respondent of any sum adjudged against the claimant. The bond shall be in an amount"

Page 8, line 10, delete "him of the sum as may be" and insert "the claimant of any sum"

Page 8, line 10, delete ";" and insert ". The bond shall be"

- Page 8, line 11, delete "a sum" and insert "an amount"
- Page 9, line 21, after "Require" insert "that"
- Page 9, line 21, after "employees" delete the comma
- Page 9, line 22, delete "to" before "deliver"
- Page 9, line 22, after "claimant" delete the comma
- Page 9, line 22, after "or" delete "to"
- Page 9, line 23, after "and" insert "," and delete "that"
- Page 9, line 24, after "disclosed" insert a comma
- Page 9, line 28, delete "such" and insert "the"
- Page 9, line 30, delete "be" and insert "is"
- Page 9, line 33, delete "he" and insert "the sheriff"
- Page 10, line 1, after "and" insert "shall"
- Page 10, line 3, delete "so"
- Page 10, line 4, delete "so"
- Page 10, line 21, after "taken" insert "which is"
- Page 10, line 22, delete "[565.081]" and insert "[565.08]"

And when so amended H. F. No. 416 will be identical to S. F. No. 179, and further recommends that H. F. No. 416 be given its second reading and substituted for S. F. No. 179, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 295 be amended as follows:

- Page 1, line 8, delete "144A.04" and insert "256B.47"
- Page 1, line 10, delete "7" and insert "4"
- Page 1, line 13, delete "at least 60" and insert "30"
- Page 1, line 18, after "retroactively" insert "or *perspectively*"
- Page 1, line 20, after "by" insert "*section 256B.48, subdivision 1, clause (a) and*"

Further, amend the title as follows:

- Page 1, line 5, delete "144A.04" and insert "256B.47"

And when so amended H. F. No. 295 will be identical to S. F. No. 418, and further recommends that H. F. No. 295 be given its second reading and substituted for S. F. No. 418, and that the Senate File be indefinitely postponed.

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

Mr. Hanson from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 483, 26, 322, 324, 362, 117, 606 and H. F. Nos. 13, 259 makes the following report:

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

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

SECOND READING OF SENATE BILLS

S. F. Nos. 394, 420 and 493 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 416 and 295 were read the second time.

H. F. No. 373 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Ueland, A. moved that the name of Mr. Ulland, J. be added as co-author to S. F. No. 107. The motion prevailed.

Mr. Nelson moved that the names of Messrs. Dunn and Spear be added as co-authors to S. F. No. 628. The motion prevailed.

Mr. Sillers moved that S. F. No. 794 be withdrawn from the Committee on Governmental Operations and returned to its author. The motion prevailed.

Mr. Nichols moved that the name of Mr. Peterson be added as co-author to S. F. No 875. The motion prevailed.

Mr. Merriam moved that the name of Mr. Hughes be added as co-author to S. F. No. 879. The motion prevailed.

Mr. Vega moved that the name of Mr. Johnson be added as co-author to S. F. No. 892. The motion prevailed.

Mr. Dieterich moved that the name of Mr. Lewis be added as co-author to S. F. No. 914. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Bernhagen be added as co-author to S. F. No. 916. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Hanson, for Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 3 a Special Order to be heard immediately.

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.

CALL OF THE SENATE

Mr. Lewis imposed a call of the Senate for the proceedings on H. F. No. 3. The following Senators answered to their names:

Anderson	Gearty	Lessard	Penny	Sillers
Ashbach	Gunderson	Lewis	Peterson	Spear
Bang	Hanson	Luther	Pillsbury	Staples
Benedict	Hughes	McCutcheon	Purfeerst	Stokowski
Bernhagen	Humphrey	Menning	Renneke	Strand
Chenoweth	Jensen	Merriam	Rued	Stumpf
Chmielewski	Keefe, J.	Moe	Schaaf	Tennessee
Davies	Keefe, S.	Nelson	Schmitz	Ueland, A.
Dieterich	Kirchner	Nichols	Schrom	Ueland, J.
Dunn	Kleinbaum	Ogdahl	Setzepfandt	Vega
Engler	Knaak	Olhoff	Sieloff	Wegener
Frederick	Knutson	Olson	Sikorski	Willet

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

Mr. Jensen moved that H. F. No. 3 be laid on the table.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 23 and nays 44, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lessard	Renneke	Ueland, J.
Bernhagen	Jensen	Menning	Rued	Wegener
Brataas	Keefe, J.	Olsoa	Schrom	Willet
Chmielewski	Knaak	Penny	Sieloff	
Dunn	Knutson	Pillsbury	Ueland, A.	

Those who voted in the negative were:

Anderson	Gunderson	Laufenburger	Olhoff	Solon
Bang	Hanson	Lewis	Perpich	Spear
Benedict	Hughes	Luther	Peterson	Staples
Chenoweth	Humphrey	McCutcheon	Purfeerst	Stokowski
Coleman	Johnson	Merriam	Schaaf	Strand
Davies	Keefe, S.	Moe	Schmitz	Stumpf
Dieterich	Kirchner	Nelson	Setzepfandt	Tennessee
Frederick	Kleinbaum	Nichols	Sikorski	Vega
Gearty	Knoll	Ogdahl	Sillers	

The motion did not prevail.

Mr. Frederick moved to amend H. F. No. 3 as follows:

Page 2, after line 10 insert:

“BE IT FURTHER RESOLVED, that if the Congress of the United States shall at any time extend the deadline for ratification of this amendment by the legislatures of three-fourths of the several states beyond seven years, then in that event this ratification shall be void and withdrawn.”

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

H. F. No. 3 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 37 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Lewis	Peterson	Strand
Bang	Humphrey	Luther	Schaaf	Stumpf
Benedict	Johnson	Merriam	Setzepfandt	Tennessee
Coleman	Keefe, S.	Moe	Sikorski	Ulland, J.
Dieterich	Kirchner	Nelson	Solon	Vega
Gearty	Kleinbaum	Nichols	Spear	
Gunderson	Knoll	Ogdahl	Staples	
Hanson	Laufenburger	Perpich	Stokowski	

Those who voted in the negative were:

Ashbach	Engler	Lessard	Pillsbury	Sieloff
Bernhagen	Frederick	McCutcheon	Purfeerst	Sillers
Brataas	Jensen	Menning	Renneke	Ueland, A.
Chmielewski	Keefe, J.	Olhoft	Rued	Wegener
Davies	Knaak	Olson	Schmitz	Willet
Dunn	Knutson	Penny	Schrom	

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Lewis moved that the vote whereby H. F. No. 3 was passed by the Senate on March 19, 1979, be now reconsidered. The motion did not prevail.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Calendar. The motion prevailed.

CALENDAR

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.

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

The question was taken on the passage of the bill.

The roll was called and there were yeas 64 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lessard	Peterson	Spear
Ashbach	Gunderson	Lewis	Pillsbury	Staples
Bang	Hanson	Luther	Purfeerst	Stokowski
Benedict	Hughes	McCutcheon	Renneke	Strand
Bernhagen	Jensen	Menning	Rued	Stumpf
Brataas	Johnson	Merriam	Schaaf	Tennessee
Chenoweth	Keefe, J.	Moe	Schmitz	Ueland, A.
Chmielewski	Keefe, S.	Nelson	Schrom	Ulland, J.
Coleman	Kirchner	Nichols	Setzpfandt	Vega
Davies	Knaak	Ogdahl	Sieloff	Wegener
Dieterich	Knoll	Olson	Sikorski	Willet
Dunn	Knutson	Penny	Sillers	
Engler	Laufenburger	Perpich	Solon	

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Perpich	Solon
Ashbach	Gearty	Lessard	Peterson	Spear
Bang	Gunderson	Lewis	Pillsbury	Staples
Benedict	Hanson	Luther	Purfeerst	Stokowski
Bernhagen	Hughes	McCutcheon	Renneke	Strand
Brataas	Jensen	Menning	Rued	Stumpf
Chenoweth	Johnson	Merriam	Schaaf	Tennessee
Chmielewski	Keefe, J.	Moe	Schmitz	Ueland, A.
Coleman	Keefe, S.	Nelson	Schrom	Ulland, J.
Davies	Kirchner	Nichols	Setzpfandt	Vega
Dieterich	Kleinbaum	Ogdahl	Sieloff	Wegener
Dunn	Knaak	Olhoft	Sikorski	Willet
Engler	Knoll	Olson	Sillers	

Messrs. Knutson and Penny voted in the negative.

So the bill passed and its title was 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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Schaaf moved that S. F. No. 464 be withdrawn from the Committee on Local Government and re-referred to the Committee on Energy and Housing. The motion prevailed.

Mr. Ogdahl moved that his name be stricken as co-author to S. F. No. 745. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, March 22, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

TWENTY-SEVENTH DAY

St. Paul, Minnesota, Thursday, March 22, 1979

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

CALL OF THE SENATE

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

Ashbach	Gunderson	Lessard	Penny	Spear
Bang	Hanson	Lewis	Perpich	Staples
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Jensen	McCutcheon	Purfeerst	Stumpf
Brataas	Johnson	Menning	Rued	Tennessen
Chenoweth	Keefe, J.	Merriam	Schaaf	Ueland, A.
Chmielewski	Keefe, S.	Moe	Schmitz	Ulland, J.
Coleman	Kirchner	Nelson	Schrom	Vega
Davies	Kleinbaum	Nichols	Setzepfandt	Wegener
Dunn	Knaak	Ogdahl	Sieloff	Willet
Engler	Knutson	Olhoft	Sikorski	
Gearty	Laufenburger	Olson	Sillers	

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

Prayer was offered by the Chaplain, Rev. Richard E. Bolling.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Anderson, Humphrey, Knoll, Renneke and Stokowski were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Ulland, J. and Solon introduced—

S. F. No. 974: 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.

Referred to the Committee on Energy and Housing.

Messrs. Ulland, J.; Lewis; Ashbach; Humphrey and Coleman introduced—

S. F. No. 975: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Mrs. Staples introduced—

S. F. No. 976: 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.

Referred to the Committee on Local Government.

Messrs. Hanson, Dieterich, McCutcheon, Davies and Sillers introduced—

S. F. No. 977: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Keefe, S. introduced—

S. F. No. 978: A bill for an act relating to banks and trust companies; allowing substitution of certain banks and trust companies in fiduciary capacities maintained by affiliated banks.

Referred to the Committee on Commerce.

Messrs. Kirchner, Nelson, McCutcheon, Knutson and Keefe, J. introduced—

S. F. No. 979: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Davies and Dieterich introduced—

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.

Referred to the Committee on Judiciary.

Messrs. Nelson, Merriam, Sillers, Peterson and Hanson introduced—

S. F. No. 981: A bill for an act relating to taxation; income tax; increasing the standard deduction; amending Minnesota Statutes 1978, Section 290.09, Subdivision 15.

Referred to the Committee on Taxes and Tax Laws.

Messrs. McCutcheon, Merriam, Sillers and Peterson introduced—

S. F. No. 982: A bill for an act relating to taxation; removing property tax refund return check-off provisions from state elections campaign fund law; amending Minnesota Statutes 1978, Sections 10A.31, Subdivisions 1 and 3; and 10A.335.

Referred to the Committee on Elections.

Messrs. Keefe, S.; Ashbach; Laufenburger; Vega and Nichols introduced—

S. F. No. 983: 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.

Referred to the Committee on Employment.

Messrs. Bang, Kleinbaum, Mrs. Brataas and Mr. Laufenburger introduced—

S. F. No. 984: 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.

Referred to the Committee on Commerce.

Messrs. Nelson, McCutcheon, Setzepfandt, Johnson and Lessard introduced—

S. F. No. 985: 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.

Referred to the Committee on Governmental Operations.

Messrs. Stumpf; Schaaf; Kirchner; Keefe, S. and Ogdahl introduced—

S. F. No. 986: 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.

Referred to the Committee on Governmental Operations.

Messrs. Knoll, Anderson, Humphrey, Olhoft and Sillers introduced—

S. F. No. 987: A bill for an act relating to taxation; providing for an additional homestead credit to be paid on earth-sheltered structures used for homestead purposes; appropriating funds; amending Minnesota Statutes 1978, Section 273.13, Subdivision 15a; and Chapter 273, by adding a section.

Referred to the Committee on Energy and Housing.

Messrs. Willet, Chmielewski, Rued, Peterson and Lessard introduced—

S. F. No. 988: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Kleinbaum, Kirchner, Laufenburger and Penny introduced—

S. F. No. 989: 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.

Referred to the Committee on Commerce.

Mrs. Knaak, Messrs. Frederick, Bang and Sieloff introduced—

S. F. No. 990: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olhoft, Peterson, Johnson and Hanson introduced—

S. F. No. 991: A bill for an act relating to electric utilities; modifying the requirements for annual payments to certain land-owners; providing that transmission and distribution systems of electric utilities be taxed on a situs basis; amending Minnesota Statutes 1978, Sections 116C.635; 273.36; and 273.38; repealing Minnesota Statutes 1978, Sections 273.37 and 273.42.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Tennessen, Davies and Luther introduced—

S. F. No. 992: 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.

Referred to the Committee on Commerce.

Messrs. Sikorski, Chenoweth and Nelson introduced—

S. F. No. 993: A bill for an act relating to health; establishing a council on physical fitness; prescribing its duties; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Solon, Laufenburger and Jensen introduced—

S. F. No. 994: 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.

Referred to the Committee on Commerce.

Mr. Willet introduced—

S. F. No. 995: A bill for an act relating to the county of Cass; providing for the acquisition of land; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Willet and Gearty introduced—

S. F. No. 996: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Olhofft introduced—

S. F. No. 997: A bill for an act relating to agriculture; exempting foliar fertilizers from certain labeling requirements; amending Minnesota Statutes 1978, Section 17.721, Subdivision 2.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Davies, Luther, Tennessen and Mrs. Brataas introduced—

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.

Referred to the Committee on Commerce.

Messrs. Dieterich, Stumpf, Chenoweth and Sieloff introduced—

S. F. No. 999: 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.

Referred to the Committee on Employment.

Mr. Dieterich introduced—

S. F. No. 1000: A bill for an act relating to the city of St. Paul; authorizing an additional wine license within the liquor patrol limits.

Referred to the Committee on Commerce.

Messrs. Peterson, Strand, Frederick, Nichols and Mrs. Staples introduced—

S. F. No. 1001: A bill for an act relating to assumed business names; permitting conduct of business under an assumed name; permitting recording of assumed business names; amending Minnesota Statutes 1978, Section 333.01; repealing Minnesota Statutes 1978, Sections 333.02; and 333.06.

Referred to the Committee on Commerce.

Messrs. Solon and Ulland, J. introduced—

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.

Referred to the Committee on Local Government.

Messrs. Schaaf; Ueland, A.; Jensen; Pillsbury and Gearty introduced—

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, Subdivisor 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.

Referred to the Committee on Elections.

Messrs. Solon, Chmielewski and Ulland, J. introduced—

S. F. No. 1004: A bill for an act relating to transportation; appropriating money for the operation of Amtrak rail passenger service between the Twin Cities and Duluth.

Referred to the Committee on Transportation.

Mr. Lewis introduced—

S. F. No. 1005: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Lessard introduced—

S. F. No. 1006: A bill for an act relating to the Eastern Itasca and Greenway Joint Recreation Boards; regulating their tax levies.

Referred to the Committee on Local Government.

Messrs. Dunn, Wegener, Mrs. Brataas, Messrs. Purfeerst and Peterson introduced—

S. F. No. 1007: A bill for an act relating to agriculture; allowing certain containers for dairy products; repealing Minnesota Statutes 1978, Sections 116F.21 and 116F.22.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Stumpf; Keefe, S.; Schaaf and Ogdahl introduced—

S. F. No. 1008: 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.

Referred to the Committee on Education.

Messrs. Olson, Schrom, Sieloff, Bernhagen and Wegener introduced—

S. F. No. 1009: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Luther; Benedict; Keefe, S.; Keefe, J. and Spear introduced—

S. F. No. 1010: 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.

Referred to the Committee on Elections.

Mr. Chmielewski introduced—

S. F. No. 1011: A bill for an act relating to welfare; medical expenses; providing assistance for certain kidney disease patients; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Hanson, Moe, Strand, Setzepfandt and Dunn introduced—

S. F. No. 1012: A bill for an act relating to agriculture; increasing the state guarantee under the family farm security program; amending Minnesota Statutes 1978, Section 41.52, Subdivision 9.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Ueland, A.; Gearty; Schmitz; Pillsbury and Jensen introduced—

S. F. No. 1013: 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.

Referred to the Committee on Elections.

Mr. Luther introduced—

S. F. No. 1014: A bill for an act relating to insurance; requiring certain agents and solicitors to identify themselves under certain circumstances; prescribing penalties; broadening the rule making power of the commissioner of insurance; amending Minnesota Statutes 1978, Section 72A.19; and Chapter 72A, by adding a section.

Referred to the Committee on Commerce.

Messrs. Wegener, Olhofft, Dunn, Merriam and Hanson introduced—

S. F. No. 1015: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Wegener, Purfeerst, Strand, Knutson and Sillers introduced—

S. F. No. 1016: 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.

Referred to the Committee on Judiciary.

Messrs. Wegener, Purfeerst, Strand, Knutson and Sillers introduced—

S. F. No. 1017: 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.

Referred to the Committee on Judiciary.

Messrs. Chmielewski, Knutson, Rued and Bang introduced—

S. F. No. 1018: 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.

Referred to the Committee on Judiciary.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

January 23, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

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

Charles Weaver, 830 River Lane, Anoka, Anoka County, has been appointed by me, effective February 5, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

Sincerely,
Albert H. Quie, Governor

March 16, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. Nos. 88, 92, 187, 231, and 388.

Sincerely,
Albert H. Quie, Governor

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:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 370, 493, 642, 99, 297 and 360.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 19, 1979

FIRST READING OF HOUSE BILLS

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

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.

Referred to the Committee on Local Government.

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.

Referred to the Committee on Local Government.

H. F. No. 642: A bill for an act relating to commerce; providing attendant services at certain gasoline stations.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Judiciary.

H. F. No. 297: A bill for an act relating to the city of Chisholm; exempting volunteer firefighters from civil service commission jurisdiction.

Referred to the Committee on Local Government.

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.

Referred to the Committee on Commerce.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk, with the exception of the reports on S. F. Nos. 469 and 405 be now adopted. The motion prevailed.

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

S. F. No. 514: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

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

S. F. No. 169: 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.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 125.60, Subdivision 2, is amended to read:

Subd. 2. The board of any district or the board of any cooperative center for vocational education may grant an extended leave of absence without salary to any full time elementary or secondary, cooperative center for vocational education 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. 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. 2. 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 or cooperative centers for vocational education in the state, who has not less than 15 total years of full time teaching service in elementary and , secondary, area vocational-technical schools, and cooperative centers for vocational education, 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. 3. 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 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. 4. Minnesota Statutes 1978, Section 354.091, 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. 5. 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. 6. Notwithstanding section 354.094, subdivision 1, payments for extended leaves of absence granted pursuant to section 5 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. 7. This act is effective the day following final enactment."

Strike the title in its entirety and insert:

"A bill for an act relating to education; extending teacher mobility incentives to area vocational-technical school teachers and cooperative center for vocational education teachers; providing for approval of certain extended leaves of absence; amending Minnesota Statutes 1978, Sections 125.60, Subdivision 2; 125.61, Subdivision 1; 354.66, Subdivision 2; and 354A.091, Subdivision 1."

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

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

S. F. No. 447: 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.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 16.851, is amended to read:

16.851 [STATE BUILDING CODE; APPLICATION.] Subdivision 1. The state building code shall apply state-wide and supersede the building code of any municipality, *except that:*

(a) A municipality may, by resolution, elect to not enforce the code with respect to single family dwellings constructed by the owner or under the direction of the owner for his own residence and not for resale in the ordinary course of trade, if the municipality did not adopt or enforce the code prior to January 1, 1979; and

(b) The state building code shall not apply to agricultural buildings except with respect to state inspections required or rulemaking authorized by sections 104.05, and 326.244 and 116H.12, subdivision 4. Effective July 1, 1977, or as soon thereafter as possible, but in no event later than July 1, 1978, all municipalities shall adopt and enforce the state building code

with respect to new construction within their respective jurisdictions. If a city has adopted or is enforcing the state building code on the effective date of Laws 1977, Chapter 381, or determines by ordinance thereafter to undertake enforcement, it

A municipality shall be charged with proper enforcement of the code within the city municipality. A city may by ordinance extend the enforcement of the code to contiguous unincorporated territory not more than two miles distant from its corporate limits in any direction; provided that where two or more non-contiguous cities which have elected to enforce the code have boundaries less than four miles apart, each is authorized to shall enforce the code on its side of a line equidistant between them. Once enforcement authority is extended extraterritorially by ordinance, the authority may shall continue to be exercised in the designated territory even though another city less than four miles distant later elects to enforce the code. Any city may thereafter enforce the code in the designated area to the same extent as if such property were situated within its corporate limits. A city which, on the effective date of Laws 1977, Chapter 381, has not adopted the code may not commence enforcement of enforce the code within or after the effective date of this act outside of its jurisdiction until it has provided written notice to the commissioner, the county auditor, and the town clerk of each town in which it intends to enforce the code. A public hearing on the proposed enforcement must be held not less than 30 days after the notice has been provided. Enforcement of the code by the city will commence on the first day of January in the year following the notice and hearing. Municipalities may provide for the issuance of permits, inspection and enforcement within their jurisdictions by such means as may be convenient, and lawful, including by means of contracts with other municipalities pursuant to section 471.59, and with qualified individuals. In areas outside of the enforcement authority of a city, the fee charged for the issuance of permits and inspections for single family dwellings may not exceed the greater of \$100 or .005 times the value of the structure, addition or alteration. The other municipalities or qualified individuals may be reimbursed by retention or remission of some or all of the building permit fee collected or by other means. In areas of the state where inspection and enforcement is unavailable from qualified employees of municipalities, it shall be the responsibility of the commissioner to train and designate individuals available to carry out inspection and enforcement on a fee basis.

Subd. 2. If the commissioner determines that a municipality is not properly administering and enforcing the state building code as provided in section 16.867, the commissioner may cause administration and enforcement in the involved municipality to be undertaken by the state building inspector. The commissioner shall notify the affected municipality in writing immediately upon making the determination, and the municipality may challenge the determination as a contested case before the commissioner pursuant to the administrative procedure act. In municipalities not properly administering and enforcing the state building code, and municipalities who determine not to administer and

enforce the state building code, the commissioner shall cause administration and enforcement in the involved municipality to be undertaken by the state building inspector or other inspector certified by the state. The commissioner shall determine appropriate fees to be charged for the administration and enforcement service rendered. Any cost to the state arising from the state administration and enforcement of the state building code shall be borne by the subject municipality.

Sec. 2. Minnesota Statutes 1978, Section 16.861, Subdivision 1, is amended to read:

16.861 [BUILDING OFFICIALS.] Subdivision 1. [APPOINTMENTS.] ~~Not later than 90 days prior to July 1, 1972, the governing body of each municipality shall, unless other means are already provided, appoint a person to administer the code who shall be known as building official. The governing body of every municipality shall appoint a building official. Two or more municipalities may combine in the appointment of a single building official for the purpose of administering the provisions of the code within their communities. In these municipalities for which no building officials have been appointed by the designated date if a municipality fails to appoint a building official as required by this subdivision, the state building inspector, with the approval of the commissioner, may appoint building officials to serve said municipalities that municipality until such time as the municipalities have made the municipality makes an appointment. If the state building inspector is unable to make such appointment he may use such state employees or state agencies as are necessary to perform the duties of the building official. All costs incurred by virtue of an appointment by the state building inspector or services rendered by state employees shall be borne by the involved municipality. Receipts arising therefrom shall be paid into the state treasury and credited to the general fund.~~

Sec. 3. Minnesota Statutes 1978, Section 16.861, Subdivision 4, is amended to read:

Subd. 4. [DUTIES.] Building officials shall, in the municipality for which they are appointed, attend to all aspects of code administration, including the issuance of all building permits and the inspection of all mobile home installations. The commissioner may direct a municipality having a building official to perform services for another municipality, and in such event the municipality being served shall pay the municipality rendering such services the reasonable costs thereof. Such costs may be subject to approval by the commissioner.

A municipality which has been charged with enforcing the state building code after July 1, 1977 may by majority vote of its governing body permit the use of ungraded Minnesota lumber in conventional construction of single family residential buildings and accessory buildings within its jurisdiction if the lumber has been inspected by a building official who has successfully completed an approved course in softwood lumber grading.

Sec. 4. Minnesota Statutes 1978, Section 16.861, is amended by adding a subdivision to read:

Subd. 7. [TRAINING.] The building code division of the department of administration shall prepare a list of approved courses in softwood lumber grading. In cooperation with the University of Minnesota the division shall develop and administer a course in softwood lumber grading using nationally accepted standards.

Any municipal building official who has successfully completed an approved course in softwood lumber grading is eligible for full tuition reimbursement and a per diem of \$35 from the department of administration for each day of attendance at the course, provided that no more than ten municipal building officials from any one county are to be eligible for the reimbursement during any five year period. The course must be taken after November 1, 1978, to be eligible for reimbursement.

Sec. 5. Minnesota Statutes 1978, Section 16.866, Subdivision 1, is amended to read:

16.866 [SURCHARGE.] Subdivision 1. [COMPUTATION.] For the purpose of defraying the costs of administering the provisions of sections 16.83 to 16.867, there is hereby imposed a surcharge on all permits issued by municipalities in connection with the construction of or addition or alteration to, buildings and equipment or appurtenances, on and after July 1, 1971, as follows:

Where the fee for the permit issued is fixed in amount the surcharge shall be equivalent to $\frac{1}{2}$ mill (.0005) of such fee or 50 cents, whichever amount is greater. For all other permits, the surcharge shall be equivalent to $\frac{1}{2}$ mill (.0005) of the valuation of the structure, addition or alteration. Provided however, that where the valuation of the structure, addition, or alteration is equal to or greater than \$1,000,000 but less than \$10,000,000, the surcharge shall be \$1,000, where said valuation is equal to or greater than \$10,000,000 but less than \$20,000,000 the surcharge shall be \$1,500 and where said valuation is equal to or greater than \$20,000,000 the surcharge shall be \$2,000.

By September 1 of each odd numbered year beginning in 1979, the commissioner shall rebate to municipalities any money received pursuant to this section and section 16.851 in the previous biennium in excess of the cost to the building code division in that biennium of carrying out their duties under sections 16.83 to 16.867. The rebate to each municipality shall be in proportion to the amount of the surcharges collected by that municipality and remitted to the state.

Sec. 6. Minnesota Statutes 1978, Section 327A.01, Subdivision 2, is amended to read:

Subd. 2. "Building standards" means the *state building code and any additional structural, mechanical, electrical, and quality*

standards of the home building industry for the geographic area in which the dwelling is situated.

Sec. 7. Minnesota Statutes 1978, Section 327A.02, Subdivision 1, is amended to read:

327A.02 [STATUTORY WARRANTIES.] Subdivision 1. In every sale of a completed dwelling, and in every contract for the sale of a dwelling to be completed, the vendor shall warrant to the vendee that:

(a) During the one year period from and after the warranty date the dwelling shall be free from defects caused by faulty workmanship and defective materials due to noncompliance with building standards *including the state building code*;

(b) During the two year period from and after the warranty date, the dwelling shall be free from defects caused by faulty installation of plumbing, electrical, heating, and cooling systems; and

(c) During the ten year period from and after the warranty date, the dwelling shall be free from major construction defects.

Sec. 8. *The commissioner of administration shall make to each county a one-time payment of \$20,000 per county or \$.50 per capita of the county, whichever is greater. Any municipality having or sharing a building official shall receive from the county a proportionate share of the payment based on the ratio of the 1970 United States census population in its enforcing area to that of the county.*

Sec. 9. [APPROPRIATIONS.] *Subdivision 1. The sum of \$50,000 is appropriated from the general fund to the commissioner of administration for the purposes of section 4 to be available until expended.*

Subd. 2. The sum of \$ is appropriated from the general fund to the commissioner of administration for the purposes of section 8 to be available until June 30, 1981.

Sec. 10. *Laws 1978, Chapter 786, Section 22, is repealed.*

Sec. 11. *This act is effective the day following its final enactment."*

Amend the title as follows:

Page 1, line 9, delete "providing for"

Page 1, line 10, delete "notations in deeds;"

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

Mr. Davies 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.

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

Mr. Davies 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.

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

Page 2, line 11, after "services" insert "*except that upon the filing of an unlawful detainer action a fee of \$10 is payable by the plaintiff, in addition to any library fee otherwise required, when the action is entered in court or when the first paper on the plaintiff's part is filed. A filing fee is not required of the defendant in an unlawful detainer action*"

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

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

S. F. No. 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.

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

Page 1, line 13, strike "All persons" and insert "A person"

Page 1, line 17, strike "said" and insert "the"

Page 1, line 17, strike "hereinafter" and insert "otherwise"

Page 1, line 17, after "provided" insert "*in this section*"

Page 1, line 17, strike "all" and insert "a"

Page 1, line 18, strike "offenses" and insert "*offense*"

Page 1, line 18, strike "any" and insert "a"

Page 2, line 12, strike "Any" and insert "A"

Page 2, line 12, after "have" strike "any" and insert "an"

Page 2, line 13, strike "any" and insert "an"

Page 2, line 14, strike the first "any" and insert "a"

- Page 2, line 14, strike the second "any" and insert "a"
- Page 2, line 15, strike "him in said" and insert "*a party in the*"
- Page 2, line 17, strike "such matters" and insert "*a matter*"
- Page 2, line 18, strike "therein"
- Page 2, line 20, strike the first "any" and insert "a"
- Page 2, line 20, strike "any such" and insert "a"
- Page 2, line 21, strike "him in said" and insert "*a party in the*"
- Page 2, lines 22 to 23, strike "such matters" and insert "*a matter*"
- Page 2, line 23, strike "therein"
- Page 2, line 31, strike "all cases" and insert "*a case*"
- Page 2, line 32, strike "any" and insert "a"
- Page 2, line 32, strike "such matters" and insert "*a matter*"
- Page 2, line 33, strike "any such"
- Page 3, line 1, strike "specifications" and insert "*a specification*"
- Page 3, line 1, strike "said" and insert "*the*"
- Page 3, line 4, strike "hereinafter set out" and insert "*specified in this section*"
- Page 3, line 7, strike "such" and insert "a"
- Page 3, line 8, strike "his" and insert "*an*"
- Page 3, line 10, strike "such" and insert "*the*"
- Page 3, line 11, strike "said" and insert "*the*"
- Page 3, line 12, strike "herein" and after "provided" insert "*in this section*"
- Page 3, line 12, strike "any" and insert "a"
- Page 3, line 13, strike the first "such" and insert "*the*"
- Page 3, line 13, strike the second "such" and insert "a"
- Page 3, line 15, strike the first "such" and insert "*the*"
- Page 3, line 15, strike the second "such" and insert "*the*"
- Page 3, line 16, strike "be" and insert "*are*"
- Page 3, line 16, strike "such" and insert "*the*"
- Page 3, line 17, strike "so"
- Page 3, line 18, strike "be so" and insert "*are*"
- Page 3, line 18, strike "then"
- Page 3, line 21, strike "said" and insert "a"
- Page 3, line 21, after "place" insert "*in*"

Page 3, line 22, strike "such" and insert "the"

Page 3, line 24, after "majority" insert "of the defendants"

Page 3, line 25, strike "any such" and insert "an"

Page 3, line 25, after "from" strike "any"

Page 3, line 26, strike "any other" and insert "another"

Page 3, line 29, strike "is made to appear" and insert "appears"

Page 3, line 29, strike "any" and insert "a"

Page 3, line 32, strike "had" and insert "held"

Page 4, line 3, strike "such" and insert "a"

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

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

S. F. No. 405: 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 interagency 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; 256B.02, Subdivision 8; and 256B.04, Subdivision 12.

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

Page 2, line 33, delete "may" and insert "shall"

Page 7, line 4, before "No" insert "After January 1, 1981,"

Page 8, line 2, after "be" insert "operated pursuant to the rules governing and"

Page 8, line 15, after "council" insert ", a representative of the metropolitan transit commission"

Page 9, line 32, after "project" insert "after January 1, 1981,"

Page 10, line 27, delete ", except regular route transit"

Page 10, delete line 28

Page 10, line 29, delete "or more"

Pages 11 to 13, delete Section 6 in its entirety

Page 14, line 12, delete "as described in section 256B.02, subdivision 8"

Page 14, line 15, after "of" insert "public and private nonprofit"

Page 14, line 15, delete "owned and operated by a"

Page 14, line 16, delete "public agency" and insert "serving the handicapped population generally"

Page 14, after line 29, insert:

"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."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 25, delete "256B.02, Subdivision 8;"

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

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

S. F. No. 50: A bill for an act relating to the Boundary Waters Canoe Area; providing for a temporary citizen's committee thereon; appropriating money.

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

Page 1, line 7, delete "COMMITTEE" and insert "ADVISORY TASK FORCE"

Page 1, lines 9, 20, and 21, delete "committee" and insert "advisory task force"

Page 1, line 21, delete "expire" and insert "be subject to the provisions of Minnesota Statutes, Section 15.059 except that the advisory task force shall not expire until June 30, 1983."

Page 1, delete line 22

Page 2, delete line 1

Page 2, lines 2, 7, and 9, delete "committee" and insert "advisory task force"

Page 2, line 13, delete "committee may employ staff and" and insert "advisory task force"

Page 2, line 14, delete "consulting"

Amend the title as follows:

Line 3, delete "committee" and insert "advisory task force"

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

Mr. Chenoweth from the Committee on Governmental Operations, 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.

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

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

S. F. No. 925: 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, Chapters 11, Section 8; 412, Section 2; Laws 1978, Chapters 538, Section 6; and 720, Section 5.

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

Page 8, line 14, strike "basis"

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

Mr. Davies 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.

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

Page 1, line 8, delete "1975" and insert "1972"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 469: 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.

Reports the same back with the recommendation that the bill do pass. Mr. Wegener questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Wegener from the Committee on Local Government, 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.

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

Mr. Wegener from the Committee on Local Government, 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.

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

Page 2, line 28, delete the period and insert a semicolon

Page 2, line 28, delete "Persons"

Page 2, delete lines 29 through 33

Page 4, lines 11 and 12, delete "*may be removed only for cause shown*" and insert "*shall serve at the pleasure of the board*"

Page 4, line 26, delete "*funds*" and insert "*fund accounts which shall be in accordance with generally accepted accounting principles and such statutes and regulations issued by state or federal regulatory agencies as may be applicable*"

Page 4, line 26, delete "*administer and*"

Page 4, line 27, delete "*The*"

Page 4, delete lines 28 through 31

Page 10, line 19, delete "*Notwithstanding the provisions of any*" and insert "*Where the legislature does not by*"

Page 10, line 19, delete "*which now*"

Page 10, line 20, delete "*establishes*" and insert "*establish*"

Page 10, line 27, delete the language after "*such*" and insert "*services.*"

Page 10, delete lines 28 through 31

Pages 10 and 11, delete subdivision 2

Renumber subdivisions in sequence

Page 11, delete lines 16 through 29 and insert:

"Sec. 9. [FINANCIAL STATEMENTS AND AUDITS.] *Subdivision 1. [FINANCIAL STATEMENTS.] Annually, the board of commissioners shall cause to be prepared a financial report, including financial statements for all of the funds of the county of Hennepin prepared in accordance with generally accepted accounting principles.*

Subd. 2. [AUDIT.] Annually, the board of commissioners shall engage a firm of independent certified public accountants to audit

the books, accounts and financial statements for the county of Hennepin, in accordance with generally accepted auditing standards.

Subd. 3. [PUBLICATION AND DISTRIBUTION.] In lieu of the requirements of Minnesota Statutes, Section 375.17, the board of commissioners shall cause the annual financial statements prepared in accordance with subdivision 1 of this section, together with the independent auditors' opinion relating to such statements prepared in accordance with subdivision 2 of this section, to be published in a legal newspaper within the county. Published statements shall include, at a minimum, a combined balance sheet showing the assets and liabilities of county funds and combined statements of revenues and expenditures and changes in unappropriated fund balances and accompanying notes to financial statements. In addition, the auditors' opinion shall be published. The annual audited financial report shall be made available for public inspection upon request, and a copy shall be filed with the state auditor."

Page 16, line 2, delete "*The superintendent*"

Page 16, delete line 3

Page 20, line 22, delete the language after the period

Page 20, delete lines 23 through 26

Page 20, line 27, delete "*state of Minnesota.*"

Page 22, after line 13, insert:

"Any purchase in excess of \$3,500 shall require the signature of the county administrator."

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

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

S. F. No. 210: 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.

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

Delete everything after the enacting clause and insert:

"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.

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 \$7,500. This amount shall be reduced by \$375 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 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.

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 354.66, 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. 8. 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. 9. 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. 10. 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. 11. 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. 12. 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. 13. 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. 14. 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."

Delete the title and insert:

"A bill for an act relating to education; providing and regulating certain mobility incentives for certain teachers in the community colleges and state universities; amending Minnesota Statutes 1978, Sections 354.094, Subdivisions 1, 2, 3 and 5; 354.66, Subdivisions 1, 2, 7, 9 and 10, and by adding subdivisions; and 354.69."

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

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

S. F. No. 520: A resolution urging the President, Congress and the Secretary of Transportation to retain the Amtrak North Coast Hiawatha in the National Amtrak Transportation System.

Reports the same back with the recommendation that the report from the Committee on Transportation shown in the Journal for March 8, 1979, "And when so amended the bill do pass" be adopted and the bill be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

S. F. No. 685: 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.

Reports the same back with the recommendation that the report from the Committee on Commerce shown in the Journal for March

12, 1979, be amended to read: "And when so amended the bill do pass and be re-referred to the Committee on Energy and Housing." Amendments adopted. Report adopted.

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

S. F. No. 286: 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.

Reports the same back with the recommendation that the report from the Committee on Elections shown in the Journal for March 12, 1979, "And when so amended the bill do pass" be adopted and the bill be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

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

H. F. No. 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.

Reports the same back with the recommendation that the report from the Committee on Transportation shown in the Journal for March 15, 1979, "the bill do pass" be adopted and the bill be referred to the Committee on Governmental Operations. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 444 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
444	546				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 444 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 340.11, Subdivision 11, is amended to read:

Subd. 11. [ON-SALE LICENSES, INCLUDING HOTELS, CLUBS, RESTAURANTS, AND ON-SALE EXCLUSIVE LIQUOR STORES.] "On-sale" licenses may be issued by municipalities for the sale of intoxicating liquors in hotels, clubs, restaurants and establishments for the sale of "on-sale" liquors

exclusively within the number authorized by this section. Except in a city of the first class and in addition to the number of licenses authorized by this section, an "on-sale" license may be issued, if approved by the commissioner of public safety, to a bona fide club which has been in existence for ~~15~~ 10 years or more or to a bona fide club which holds a charter from a state or national organization which has been in existence for 10 years or more ~~congressionally chartered veterans' organization which has been in existence for 10 years~~. Such a club ~~or veterans' organization~~ shall be incorporated in order to be eligible to apply for a license, and the license issued shall be for the sale of intoxicating liquors to members and bona fide guests only. The license fee for such an "on-sale" license is \$100 unless a municipality sets a higher amount. Except in cities of the first, second, and third class, a license may be issued jointly to congressionally chartered veterans' organizations which otherwise qualify under this subdivision.

Sec. 2. This act is effective the day following final enactment."

Further, strike the title and insert:

"A bill for an act relating to intoxicating liquor; allowing clubs in existence for 10 years and clubs affiliated with national organizations in existence for at least 10 years to obtain on-sale intoxicating liquor licenses; amending Minnesota Statutes 1978, Section 340.11, Subdivision 11."

And when so amended H. F. No. 444 will be identical to S. F. No. 546, and further recommends that H. F. No. 444 be given its second reading and substituted for S. F. No. 546, and that the Senate File be indefinitely postponed.

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

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

S. F. Nos. 765, 854, 859, 822, 921, 926 and 972 reports the same back with the recommendation that the bills be re-referred as follows:

S. F. No. 822 to the Committee on Agriculture and Natural Resources.

S. F. Nos. 859, 854 to the Committee on Energy and Housing.

S. F. No. 972 to the Committee on Governmental Operations.

S. F. No. 926 to the Committee on Local Government.

S. F. No. 921 to the Committee on Transportation.

S. F. No. 765 to the Committee on Veterans' Affairs.

Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 332: A bill for an act relating to pipelines; establishing a process for routing and issuing construction permits for certain pipelines; establishing standards for pipelines 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.

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

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 or is plowed, fallow or contains harvested crop residue.

Sec. 2. [PIPELINE PROPOSAL; ACQUISITION OF EASEMENTS; PUBLIC MEETINGS.] Subdivision 1. Any person proposing to construct and 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. An easement or right of way agreement shall be ineffective to transfer any interest in real property for the purpose of constructing or operating a pipeline if it is acquired contrary to the provisions of this section.

Subd. 2. Any person proposing to construct and 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 general circulation in the county 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 and operate an interstate natural gas pipeline and that brings an action 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.

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.

No ordinance shall be adopted pursuant to this subdivision for the purpose of establishing safety standards for interstate natural gas pipelines or transmission facilities which are subject to safety regulations under the federal Natural Gas Pipeline Safety Act of 1968, Public Law 90-481, as amended.

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 hire 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. Each day of violation after written notice by the inspector pursuant to subdivision 7 shall constitute a separate offense.

Subd. 10. [CIVIL PENALTY.] When the court finds that any person has violated the provisions of 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 damage to any underground pipeline utilized for the transportation of coal, anhydrous ammonia, mineral slurries, natural or synthetic gas, crude oil or other petroleum product or derivative 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.] Subdivision 1. 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.

Subd. 2. Section 6, subdivisions 5 to 7 shall not apply to any pipeline described by subdivision 1, clause (b) if the commissioner of natural resources approves the construction plans for the pipeline pursuant to Minnesota Statutes, Section 117.49 upon the condition that construction will conform to reasonable standards for protection of cultivated agricultural land and that the commissioner will require state inspection at the expense of the owner of the pipeline to enforce those standards.

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."

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

SECOND READING OF SENATE BILLS

S. F. Nos. 528, 603, 925, 444 and 622 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 303 and 444 were read the second time.

H. F. Nos. 330 and 157 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Lessard moved that the name of Mr. Penny be added as co-author to S. F. No. 761. The motion prevailed.

Mr. Willet moved that the name of Mr. Vega be added as co-author to S. F. No. 928. The motion prevailed.

Mr. Spear moved that the name of Mr. Schaaf be added as co-author to S. F. No. 937. The motion prevailed.

Mr. Peterson moved that the name of Mr. Pillsbury be added as co-author to S. F. No. 952. The motion prevailed.

Mr. Stokowski moved that the name of Mr. Vega be added as co-author to S. F. No. 956. The motion prevailed.

Mr. Solon moved that the name of Mr. Vega be added as co-author to S. F. No. 964. The motion prevailed.

Mr. Solon moved that the name of Mr. Vega be added as co-author to S. F. No. 965. The motion prevailed.

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

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

Margaret Lynch, transferred from Committee Clerk classification to Committee Administrative Assistant classification, effective March 12, 1979

Cathy McLaughlin, transferred from Page classification to Committee Clerk classification, effective March 12, 1979

Kathleen Buchmeier, Researcher, effective March 19, 1979

Rabbi Barry Starr, Chaplain, effective March 19, 1979

Rev. Harold J. Kost, Chaplain, effective March 26, 1979

Sr. Claudia Riehl, Chaplain, effective March 29, 1979

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

Mr. Penny moved that the name of Mr. Coleman be added as co-author to S. F. No. 610. The motion prevailed.

Mr. Laufenburger moved that the names of Messrs. Kleinbaum and Purfeerst be added as co-authors to S. F. No. 906. The motion prevailed.

Mr. Merriam moved that S. F. No. 301, No. 7 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

CONFIRMATION

Mr. Tennesen moved that the report from the Committee on Commerce, reported February 26, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Tennesen moved that in accordance with the report from the Committee on Commerce, reported February 26, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

PUBLIC SERVICE COMMISSION

Roger Hanson, P.O. Box 128, Vergas, Ottertail County, effective January 29, 1979, for a term expiring the first Monday in January, 1985.

Lillian F. Warren-Lazenberry, 4901 Portland Avenue South, Minneapolis, Hennepin County, effective May 30, 1978, for a term expiring January 2, 1984.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Laufenburger moved that the report from the Committee on Employment, reported March 1, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Laufenburger moved that in accordance with the report from the Committee on Employment, reported March 1, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF ECONOMIC DEVELOPMENT
COMMISSIONER**

David L. Printy, 389 Portland Avenue, St. Paul, Ramsey County, effective February 1, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Chmielewski moved that the report from the Committee on Veterans' Affairs, reported March 1, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Chmielewski moved that in accordance with the report from the Committee on Veterans' Affairs, reported March 1, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF VETERANS' AFFAIRS
COMMISSIONER**

Donald M. Miller, 10910 Dakota Ct., Burnsville, Dakota County, effective January 8, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Willet moved that the report from the Committee on Agriculture and Natural Resources, reported March 1, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Willet moved that in accordance with the report from the Committee on Agriculture and Natural Resources, reported March 1, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF AGRICULTURE
COMMISSIONER**

Mark Seetin, Rural Route 2, Winnebago, Faribault County, effective January 1, 1979, for a term expiring the first Monday in January, 1983.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 51 and nays 6, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Laufenburger	Penny	Solon
Bang	Gearty	Lessard	Peterson	Staples
Benedict	Gunderson	Luther	Pillsbury	Strand
Bernhagen	Hughes	Menning	Purfeerst	Ueland, A.
Brataas	Jensen	Merriam	Rued	Ulland, J.
Chenoweth	Johnson	Moe	Schaaf	Vega
Chmielewski	Keefe, J.	Nelson	Schmitz	Willet
Davies	Kirchner	Nichols	Setzepfandt	
Dieterich	Kleinbaum	Ogdahl	Sieloff	
Dunn	Knaak	Olhoff	Sikorski	
Engler	Knutson	Olson	Sillers	

Those who voted in the negative were:

Keefe, S.	Schrom	Spear	Stumpf	Tennessee
Lewis				

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Tennessee moved that the report from the Committee on Commerce, reported March 12, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Tennessee moved that in accordance with the report from the Committee on Commerce, reported March 12, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

DEPARTMENT OF COMMERCE COMMISSIONER OF BANKS

Michael Pint, 10006 Washburn Avenue South, Bloomington, Hennepin County, effective February 26, 1979, for a term expiring the first Monday in January, 1983.

DEPARTMENT OF COMMERCE COMMISSIONER OF SECURITIES

Mary Alice Brophy, 323 W. 59th Street, Minneapolis, Hennepin County, effective February 15, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Tennessee moved that the report from the Committee on Commerce, reported March 15, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Tennessee moved that in accordance with the report from the Committee on Commerce, reported March 15, 1979, the Senate,

having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF COMMERCE
DIRECTOR, CONSUMER SERVICES SECTION**

Krista Sanda, Route 3, Box 3, Staples, Todd County, effective January 29, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Perpich moved that the report from the Committee on Health, Welfare and Corrections, reported March 12, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

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

Mr. Perpich moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported March 12, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF CORRECTIONS
COMMISSIONER**

Jack G. Young, 569 North 9th Street, Bayport, Washington County, effective February 5, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, March 26, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

TWENTY-EIGHTH DAY

St. Paul, Minnesota, Monday, March 26, 1979

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

CALL OF THE SENATE

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

Bang	Frederick	Kleinbaum	Nelson	Spear
Benedict	Garty	Knaak	Peterson	Staples
Bernhagen	Gunderson	Knoll	Pillsbury	Strand
Brataas	Hanson	Knutson	Purfeerst	Stumpf
Chmielewski	Hughes	Laufenburger	Renneke	Tennessee
Coleman	Humphrey	Lewis	Rued	Ueland, A.
Davies	Johnson	Luther	Schmitz	Ulland, J.
Dieterich	Keefe, J.	McCutcheon	Schrom	Vega
Dunn	Keefe, S.	Merriam	Setzepfandt	Willet
Engler	Kirchner	Moe	Sikorski	

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

Prayer was offered by the Chaplain, Rev. Harold J. Kost.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Anderson, Ashbach, Olson, Perpich and Stokowski were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Ueland A.; Peterson and Renneke introduced—

S. F. No. 1019: 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.

Referred to the Committee on Governmental Operations.

Messrs. Anderson and Dunn introduced—

S. F. No. 1020: A bill for an act relating to Independent School District No. 911; providing for the sale of certain land.

Referred to the Committee on Education.

Messrs. Lewis, Sillers, Hanson, Setzepfandt and Schaaf introduced—

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

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich, Stumpf, Chenoweth and Johnson introduced—

S. F. No. 1022: 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.

Referred to the Committee on Energy and Housing.

Messrs. Engler, Nichols, Johnson and Olson introduced—

S. F. No. 1023: 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.

Referred to the Committee on Judiciary.

Messrs. Tennesen, Knoll, Anderson, Merriam and McCutcheon introduced—

S. F. No. 1024: A bill for an act relating to the collection and dissemination of data; providing that certain data collected by a

housing and redevelopment authority be classified as private data on individuals; amending Minnesota Statutes 1978, Chapter 462, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Bang, Tennessen, Spear, Ashbach and Kleinbaum introduced—

S. F. No. 1025: 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.

Referred to the Committee on Commerce.

Messrs. Lewis, Perpich, Gearty, Willet and Moe introduced—

S. F. No. 1026: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Merriam, Dunn, Wegener, Sillers and Hughes introduced—

S. F. No. 1027: 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.

Referred to the Committee on Education.

Messrs. Tennessen; Luther; Keefe, S.; Bang and Kleinbaum introduced—

S. F. No. 1028: 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.

Referred to the Committee on Commerce.

Messrs. Anderson, Sillers, Dieterich and Stumpf introduced—

S. F. No. 1029: 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.

Referred to the Committee on Education.

Messrs. Davies and Knoll introduced—

S. F. No. 1030: A bill for an act relating to probate; clarifying certain witness requirements for inheritance by illegitimates; amending Minnesota Statutes 1978, Section 525.172.

Referred to the Committee on Judiciary.

Messrs. Merriam, Knutson, Anderson, Sillers and Hughes introduced—

S. F. No. 1031: 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.

Referred to the Committee on Education.

Messrs. Anderson, Kirchner, Moe, Ogdahl and Merriam introduced—

S. F. No. 1032: 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.

Referred to the Committee on Governmental Operations. Mr. Willet questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Stumpf, Spear, McCutcheon, Moe and Kirchner introduced—

S. F. No. 1033: A bill for an act relating to crimes; specifying offenses relating to computers; providing penalties.

Referred to the Committee on Judiciary.

Messrs. Solon and Ulland, J. introduced—

S. F. No. 1034: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Olson, Schrom, Wegener, Engler and Jensen introduced—

S. F. No. 1035: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Kleinbaum introduced—

S. F. No. 1036: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Brataas, Messrs. Laufenburger, Frederick, Lewis and Engler introduced—

S. F. No. 1037: 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.

Referred to the Committee on Transportation.

Mrs. Brataas, Messrs. Spear, Bang and Penny introduced—

S. F. No. 1038: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Keefe, S.; Willet; Ashbach; McCutcheon and Spear introduced—

S. F. No. 1039: 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; 488.A05, Subdivision 2; 488A.22, Subdivision 2; 525.11; 525.111; and 525.112; repealing Minnesota Statutes 1978, Section 486.06.

Referred to the Committee on Employment.

Mr. Davies introduced—

S. F. No. 1040: 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.

Referred to the Committee on Commerce.

Messrs. Menning, Pillsbury and Luther introduced—

S. F. No. 1041: A bill for an act relating to interim claims against the state; appropriating money for the payment thereof.

Referred to the Committee on Finance.

Messrs. Menning and Dieterich introduced—

S. F. No. 1042: 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.

Referred to the Committee on Judiciary.

Messrs. Menning, Setzepfandt and Schmitz introduced—

S. F. No. 1043: 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.

Referred to the Committee on Commerce.

Messrs. Johnson and Solon introduced—

S. F. No. 1044: A bill for an act relating to pollution; establishing procedures for certifying unpaid outstanding charges for solid waste control to county auditors for collection of taxes upon the lands served; amending Minnesota Statutes 1978, Section 400.08.

Referred to the Committee on Local Government.

Messrs. Bernhagen, Engler, Schmitz, Purfeerst and Laufenburger introduced—

S. F. No. 1045: 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.

Referred to the Committee on Transportation.

Messrs. Bernhagen, Frederick, Penny, Laufenburger and Jensen introduced—

S. F. No. 1046: 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.

Referred to the Committee on Commerce.

Messrs. Pillsbury, Laufenburger, Frederick and Mrs. Staples introduced—

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, Subdivision 2.

Referred to the Committee on Employment.

Mr. Spear, Mrs. Staples and Mr. Keefe, S. introduced—

S. F. No. 1048: A bill for an act relating to health; prohibiting misrepresentation on restaurant menus; providing a penalty; appropriating money.

Referred to the Committee on Commerce.

Messrs. Spear, Chmielewski, Stumpf, Sillers and Nelson introduced—

S. F. No. 1049: 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.

Referred to the Committee on Education.

Messrs. Ueland, A.; Dunn and Sillers introduced—

S. F. No. 1050: A bill for an act relating to economic development; providing for training of certain employees; appropriating money.

Referred to the Committee on Employment.

Messrs. Spear, Lewis, Perpich, Willet and Moe introduced—

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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Johnson introduced—

S. F. No. 1052: 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.

Referred to the Committee on Commerce.

Messrs. Keefe, S.; Spear; Solon and Keefe, J. introduced—

S. F. No. 1053: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Wegener introduced—

S. F. No. 1054: A bill for an act relating to Morrison County; allowing free, nonsubscription publications to qualify as legal newspapers in Morrison County.

Referred to the Committee on Local Government.

Messrs. McCutcheon, Lewis, Vega, Nelson and Sikorski introduced—

S. F. No. 1055: A bill for an act relating to health; providing state funds to the Migrants in Action program for health services for certain migrants; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Spear, Willet, Kleinbaum and Nelson introduced—

S. F. No. 1056: 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.

Referred to the Committee on Education.

Messrs. Rued, Ashbach, Knutson and Ueland, A. introduced—

S. F. No. 1057: 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.

Referred to the Committee on Judiciary.

Messrs. Rued, Hanson, Lessard and Engler introduced—

S. F. No. 1058: A bill for an act relating to flood plain management; defining the rule making power of the commissioner of natural resources; amending Minnesota Statutes 1978, Section 104.05.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Rued; Keefe, J. and Sillers introduced—

S. F. No. 1059: 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.

Referred to the Committee on Education.

Mr. Penny introduced—

S. F. No. 1060: 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.

Referred to the Committee on Local Government. Mr. Knoll questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Schaaf, Vega and Purfeerst introduced—

S. F. No. 1061: A bill for an act relating to transportation; providing for performance funding of certain public transit systems; amending Minnesota Statutes 1978, Section 174.28.

Referred to the Committee on Transportation.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 5, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Revenue is hereby respectfully submitted to the Senate for confirmation as required by law:

Clyde Allen, 10750 Penn Avenue South, Bloomington, Hennepin County, has been appointed by me, effective February 1, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Taxes and Tax Laws.)

February 20, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Chairman of the Metropolitan Transit Commission is hereby respectfully submitted to the Senate for confirmation as required by law:

John A. Yngve, 2502 Unity Avenue North, Golden Valley, Hennepin County, has been appointed by me, effective February 21, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Transportation.)

March 6, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Soil and Water Conservation Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Alison D. Fuhr, 6609 Brittany Road, Edina, Hennepin County, has been appointed by me, effective March 6, 1979, for a term expiring the first Monday in January, 1983.

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

March 6, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Higher Education Coordinating Board is hereby respectfully submitted to the Senate for confirmation as required by law:

James W. Krause, 512 Janalyn Circle, Minneapolis, Hennepin County, has been appointed by me, effective March 6, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Education.)

Sincerely,

Albert H. Quie, Governor

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments and the reports on S. F. Nos. 533 and 832. The motion prevailed.

Mr. Purfeerst from the Committee on Transportation, to which was referred

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.

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

Page 1, line 10, delete "(a)"

Page 1, line 12, delete "attended by"

Page 1, line 13, delete the underlined 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, lines 3 to 9, and lines 12 and 13, delete the underlined language and reinstate the stricken language

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

Mr. Chmielewski from the Committee on Veterans' Affairs, to which was referred

S. F. No. 533: 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.

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

Page 1, line 13, delete "any" and insert "a"

Page 1, line 17, after the period, insert "*A veteran shall inform the registrar or other responsible official of the post-secondary vocational-technical school in writing of his intention to use the preference 30 days before the commencement of a designated program.*"

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

Mr. Chmielewski from the Committee on Veterans' Affairs, to which was referred

S. F. No. 832: 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.

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

Page 1, line 18, strike "any"

Page 2, line 3, strike "any" and insert "a"

Page 2, line 3, strike "such" and insert "the"

Page 2, line 5, strike "any" and insert "an"

Page 2, line 6, strike "any" and insert "a"

Page 2, line 7, strike "any" and insert "a"

Page 2, line 8, strike "therefor"

Page 2, line 9, strike "any" and insert "a"

Page 2, line 10, strike "herein"

Page 2, line 11, strike "such" and insert "the"

Page 2, line 12, strike "immediately prior to" and insert "before"

Page 2, line 12, strike "said" and insert "the"

Page 2, line 14, strike "hereunder" and insert "*as provided in this section*"

Page 2, line 16, strike "for herein" and insert "*in this section*"

Page 2, line 18, strike "such" and insert "the"

Page 2, after line 19, insert:

"Sec. 2. [APPROPRIATION.] *The sum of \$44,000 is appropriated to the department of administration from the general fund for the purposes of section 1 for the biennium ending June 30, 1981.*"

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "appropriating money;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Olson from the Committee on General Legislation and Administrative Rules, 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.

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

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 620: 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.

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

Page 1, line 12, delete "training" and insert "continuing education"

Page 1, line 16, delete "training" and insert "continuing education"

Page 2, line 5, delete "TRAINING" and insert "CONTINUING EDUCATION"

Page 2, line 7, delete "training" and insert "continuing education"

Page 2, line 32, delete "and"

Page 2, line 33, delete "board of"

Page 3, line 1, delete "colleges." and insert "college system;"

Page 3, after line 1, insert

"(f) After the initial formation of the board in accordance with paragraphs (a) through (e), additional members may be added by a majority vote of the board from any other association or group comprised in whole or in part of local government officials."

Page 3, line 18, delete ", from time to time,"

Page 4, line 30, delete "shall" and insert "may"

Page 6, line 3, delete "training" and insert "continuing education"

Amend the title as follows:

Page 1, line 3, delete "training" and insert "continuing education"

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

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

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.

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

Page 1, line 15, strike "court, one judge of" and insert "or"

Page 1, line 16, strike "four" and insert "five"

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

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

S. F. No. 758: 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.

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

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,"

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

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

S. F. No. 4: 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.

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

Page 2, line 2, after "distilled" insert "or fermented"

Page 2, line 2, delete "from"

Page 2, line 3, delete "agricultural products produced in this state"

Page 2, line 14, after "effective" insert ", for gasoline received by the distributor,"

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

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

S. F. No. 628: 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.

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

Page 1, line 26, delete "*independency*" and insert "*independence*"

Page 2, line 2, delete "*integration*" and insert "*coordination*"

Page 2, line 13, delete "*community services or*"

Page 2, delete lines 14 to 17 and insert "*the combination of services coordinated and provided for by the mental health authority under section 5 for the prevention or amelioration of mental disabilities, including mental illness, mental retardation, and chemical dependency.*"

Page 2, line 28, delete "*A local mental health*"

Page 2, delete lines 29 and 30

Page 2, line 31, delete everything through the period and insert "*There shall be established for each county a local mental health authority which shall have a minimum population base of 50,000. To accomplish this purpose, the county board of each county shall singly establish or shall combine with one or more counties to establish a local mental health authority. A county board in a county with an existing community mental health board organized under Laws 1957, Chapter 392, as amended, may designate that board as the local mental health authority regardless of population. Each county board shall make appropriations needed to perform the duties specified in section 5, subdivision 1 and shall authorize the mental health authority to apply for state grants, federal aid, and private grants for the program.*"

Page 2, line 31, after "*boards*" insert "*that establish local mental health authorities*"

Page 2, line 32, after "*appropriations*" insert "*needed*"

Page 2, line 32, delete "*operate these programs*" and insert "*perform the duties specified in section 5, subdivision 1.*"

Page 3, delete lines 2 to 5

Page 3, line 6, after "*board*" insert "*or boards*"

Page 3, line 11, after "*funds*" insert "*in excess of any statutory limitation but not exceeding two-thirds of one mill*"

Renumber the subdivisions in sequence

Page 3, line 12, delete "12" and insert "11"

Page 3, lines 14 and 15, delete "*of commissioners of every county, or every combination of counties,*" and insert "*or boards*"

Page 3, line 20, delete everything after "*Subd. 2.*"

Page 3, delete lines 21 to 25 and insert "*The following may be designated as the local mental health authority if all requirements of sections 1 to 11, except section 4, subdivisions 3 to 5, are met:*

(a) *An existing community mental health board organized under Laws 1957, Chapter 392, as amended;*

(b) *A duly constituted human services board organized under sections 402.01 and 402.02; or*

(c) *A county board of commissioners."*

Page 3, line 26, delete "*in*" and insert "*established by a*"

Page 3, line 27, delete "*counties*" and insert "*county*"

Page 3, line 30, delete "*or*" and insert "*and*"

Page 4, line 2, delete everything before the period and insert "*representation from the county board serving at the pleasure of the county board*"

Page 4, line 4, delete "*In any combination of counties,*"

Page 4, line 5, after "*authority*" insert "*established by a combination of counties*"

Page 4, line 10, delete "*or*" and insert "*and*"

Page 4, line 15, delete "*one county commissioner member*" and insert "*representation*"

Page 4, line 15, before the period, insert "*serving at the pleasure of its county board*"

Page 4, line 16, delete "*representatives of lay and*"

Page 4, delete line 17 and insert "*public members.*"

Page 4, line 24, before the period, insert "*, if any, established under subdivision 1*"

Page 4, line 30, delete "*this section*" and insert "*sections 1 to 11*"

Page 4, line 30, delete "*the*" and insert "*applicable*"

Page 4, line 31, delete "*rules promulgated hereunder*" and insert "*rule*"

Page 4, line 31, before "*mental*" insert "*each*"

Page 4, line 31, delete "*authorities*" and insert "*authority*"

Page 4, line 33, delete "*Administration and*"

Page 5, line 4, delete "*mandatory*"

Page 5, line 4, after "*screening*" insert "*and advisory*"

Page 5, line 5, delete "*individuals*" and insert "*each individual who has not been examined by a licensed physician before being*"

Page 5, line 9, delete "*Inpatient and*"

Page 5, line 10, delete "*residential facilities, day treatment,*"

Page 5, lines 13 and 14, delete clause (d) and insert:

"(d) *An emergency system in operation 24 hours a day, seven days a week, for contacting a mental health, mental retardation, or chemical dependency professional staff person;*"

Page 5, line 15, delete "*program*" and insert "*plan*"

Page 5, line 15, delete "*residents*" and insert "*each resident*"

Page 5, line 16, delete "*have*" and insert "*has*"

Page 5, line 16, delete "*mental health, mental*" and insert "*a state facility for the mentally ill, mentally*"

Page 5, line 17, delete everything before the semicolon and insert "*retarded, or chemically dependent*"

Page 5, line 19, delete "*alcoholism and drug abuse*" and insert "*chemical dependency*"

Page 5, line 20, delete "*drug and alcohol*" and insert "*chemical*"

Page 5, line 20, delete the comma and insert a semicolon

Page 5, delete line 21

Page 5, line 22, delete "*A program*" and insert "*Coordination of all available services*"

Page 5, line 26, delete "*allied*"

Page 5, line 26, before the semicolon, insert "*for the mentally retarded*"

Page 5, line 29, delete the second "*mental*"

Page 5, line 30, delete "*retardation, alcoholism*" and insert "*chemical dependency*"

Page 5, line 30, before the semicolon, insert "*, and mental retardation*"

Page 6, line 1, after "*enforcement*" insert "*agencies*"

Page 6, line 5, delete "*Staff*"

Page 6, line 5, before the semicolon, insert "*for all staff with special training for community support groups*"

Page 6, line 5, delete "*and*"

Page 6, after line 5, insert:

"(l) Inpatient care and treatment, residential facilities, day treatment, and subacute detoxification services; and"

Page 6, line 6, delete "(l)" and insert "(m)"

Page 6, line 6, delete "administration,"

Page 6, line 10, delete "long range and intermediate range" and insert "biennial"

Page 6, line 11, before the comma, insert "and annual plan updates"

Page 6, line 12, delete "of services provided by" and insert "between"

Page 6, line 13, after "state" insert "and community operated"

Page 6, line 13, after "facilities" insert "in providing services"

Page 6, line 17, delete "community mental health"

Page 6, line 18, delete "(iv)" and insert "(n)"

Page 6, line 18, delete "community" and insert "local"

Page 6, line 25, delete "(v)" and insert "(o)"

Page 6, line 27, delete "board" and insert "authority"

Page 6, after line 28, insert:

"Subd. 2. The mental health authority may enter into agreements with state residential facilities for specialized services identified by the authority as needed by its patient caseload.

Subd. 3. The mental health authority shall coordinate services for the mentally ill, mentally retarded, and chemically dependent provided by public agencies within its area with state residential services and other human service systems to assure continuity of care and minimize duplication of services."

Page 6, line 31, delete everything after "continuum" and insert a period

Page 6, delete line 32

Renumber the subdivisions in sequence

Page 7, line 9, delete "All of"

Page 7, line 11, delete "shall be" and insert "are"

Page 7, line 17, delete "12" and insert "11"

Page 7, line 19, delete everything after "(b)" and insert "An annual budget and update of the biennial plan;"

Page 7, line 32, delete "specialists" and insert "staff trained or experienced"

Page 8, lines 1 and 2, delete ", as determined by the commissioner,"

Page 8, line 2, delete "*paraprofessional*"

Page 8, line 4, delete "*insure*" and insert "*ensure*"

Page 8, line 6, before "*psychiatrist*" insert "*consulting*"

Page 8, line 7, delete "*nurse*" and insert "*clinical specialist in psychiatric nursing*"

Page 8, line 9, before the period, insert "*as feasible*"

Page 8, line 12, after the comma insert "*an*"

Page 8, line 12, delete "*rules*" and insert "*rule*"

Page 8, after line 15, insert:

"Subd. 2. The commissioner shall establish statewide standards for coordination of state residential services with mental health authority programs."

Page 8, line 27, delete "*12*" and insert "*11*"

Page 8, line 30, delete everything after the first "*program*"

Page 8, delete line 31 and insert "*found to be not in compliance with sections 1 to 11*"

Page 8, line 32, delete "*a 120 day*"

Page 8, line 32, delete "*an opportunity*" and insert "*120 days*"

Page 9, line 2, delete "*may need*" and insert "*needs*"

Page 9, line 2, delete "*program*" and insert "*services and programs funded*"

Page 9, delete line 3

Page 9, lines 4, 12, 16, 21, and 26, delete "*12*" and insert "*11*"

Page 9, line 5, after "*provide*" insert "*consultative staff*"

Page 9, line 6, delete "*authority consultative staff*" and insert "*authorities*"

Page 9, delete subdivision 8

Renumber the subdivisions in sequence

Page 9, line 18, before the period, insert "*provided for under section 5, subdivision 1, clauses (a) to (k) and (m) to (o)*"

Page 9, line 23, before the period, insert "*provided for under section 5, subdivision 1, clause (1)*"

Page 9, after line 29, insert:

"(d) Fees derived from consultation services;"

Reletter the clauses in sequence

Page 10, lines 1 and 20, delete "*12*" and insert "*11*"

Page 10, line 3, delete "*appropriate*" and insert "*the*"

Page 10, line 3, delete "bodies" and insert "standing committees"

Page 10, line 6, delete "programs" and insert "methods of delivering services"

Page 10, line 8, delete "The" and insert "Each"

Page 10, line 9, delete "quality"

Page 10, delete line 10

Page 10, line 11, delete everything before the period and insert "system to evaluate services directly administered, provided, or contracted for by the authority"

Page 10, line 12, delete "evaluate" and insert "review"

Page 10, line 13, delete everything after "programs"

Page 10, line 14, delete "requirements" and insert "for compliance with the requirements of sections 1 to 11"

Page 10, delete lines 15 to 17

Pages 10 to 13, delete sections 12, 13 and 14 and insert:

"Sec. 12. Minnesota Statutes 1978, Section 253A.02, is amended by adding a subdivision to read:

Subd. 23. "Mental health authority" means the community board of directors established under sections 1 to 11.

Sec. 13. Minnesota Statutes 1978, Section 254.10, is amended to read:

254.10 [HEARINGS; ORDERS.] At the time and place specified in the notice, the person named or described in such notice, or his counsel being present, the judge shall hear the evidence presented; and, upon being satisfied that the allegations contained in the affidavit are true, make and file an order requiring such habitual user forthwith to take and continue, until otherwise ordered by the court, treatment for the cure of the habit at a private institution to be selected by the user and approved by the judge, if the user is able to pay therefor, otherwise at some public institution selected by the judge and at the expense of the county. In either case the order shall further require reports to be made to the court at stated intervals therein specified by the person and by the physician or superintendent in charge as to the effect and progress of the treatment. A copy of the order forthwith shall be served upon the user and the local mental health authority established pursuant to sections 1 to 11.

Sec. 14. Minnesota Statutes 1978, Section 254A.02, Subdivision 12, is amended to read:

Subd. 12. "Area mental health board" or "area board" Mental health authority means a board established pursuant to sections ~~245.61 to 245.69~~ 1 to 11.

Sec. 15. Minnesota Statutes 1978, Section 254A.07, is amended to read:

254A.07 [COMPREHENSIVE PROGRAMS; COORDINATION OF LOCAL PROGRAMS.] Subdivision 1. The commissioner of public welfare shall designate the ~~community mental health boards~~ *local mental health authorities* to (a) coordinate all alcohol and other drug abuse services conducted by local agencies, and to (b) review all proposed agreements, contracts, plans, and programs in relation to alcohol and other drug abuse prepared by any such local agencies for funding from any local, state or federal governmental sources.

Subd. 2. The department of public welfare may make grants to ~~community mental health boards~~ *local mental health authorities* for comprehensive programs for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. Grants made for programs serving the native American community shall take into account the guidelines established in section 254A.03, subdivision 1, clause (j). Grants may be made for the cost of these comprehensive programs and services whether provided directly by ~~community mental health boards~~ *local mental health authorities* or by other public and private agencies and organizations, both profit and nonprofit, and individuals, pursuant to contract. Nothing herein shall prevent the state authority from entering into contracts with and making grants to other state agencies for the purpose of providing specific services and programs.

Subd. 3. The expense of administration, operation and maintenance of comprehensive programs shall be financed by equal shares of state and local matching funds except as provided by Laws 1973, Chapter 572 and Minnesota Statutes 1971, Section 245.65, Subdivision 1, Clause (g) section 9.

Sec. 16. Minnesota Statutes 1978, Section 254A.12, is amended to read:

254A.12 [AFFECTED EMPLOYEES.] Participating ~~area boards~~ *local mental health authorities* shall may enter into one or more purchase of service agreements to provide services to employers to develop personnel practices for prevention of alcoholism and other chemical dependency, and to assist affected employees in gaining access to care through identification and referral services.

Sec. 17. Minnesota Statutes 1978, Section 254A.14, is amended to read:

254A.14 [SERVICES TO YOUTH AND OTHER UNDERSERVED POPULATIONS.] Subdivision 1. [IDENTIFICATION.] Participating ~~area boards~~ *local mental health authorities* shall may enter into one or more purchase of service agreements to provide services related to the prevention of chemical dependency to persons and groups which have responsibility for, and access to, youth and other underserved populations. The boards shall may also enter into purchase of service agreements to assist youth and other underserved populations in gaining access to care.

Subd. 2. [TREATMENT FACILITIES.] If, as a result of programs authorized under subdivision 1, significant numbers of persons are identified for whom treatment and aftercare programs are not available, participating ~~area boards~~ *local mental health authorities* may request funds from the commissioner to develop treatment and aftercare capabilities.

Sec. 18. Minnesota Statutes 1978, Section 254A.16, Subdivision 2, is amended to read:

Subd. 2. (a) The commissioner shall provide program guidelines and technical assistance to the ~~area boards~~ *local mental health authorities* in carrying out their responsibilities under sections 254A.12 and 254A.14.

(b) The commissioner shall recommend to the governor and to the legislature means of making the programs funded under sections 254A.031, 254A.12, and 254A.14 wholly or partially self-sustaining.

Sec. 19. Minnesota Statutes 1978, Section 254A.17, is amended to read:

254A.17 [ALLOCATION OF FUNDS BY COMMISSIONER OF PUBLIC WELFARE.] The funds appropriated for sections 254A.031, 254A.12, 254A.14 and 254A.15 to the commissioner of public welfare shall be allocated by him subject to the following provisions:

(a) For the purposes of section 254A.12, the allocation of funds shall be to each participating ~~area board~~ *local mental health authority* on the basis of total numbers of persons in the work force in counties served by the ~~area board~~ *local mental health authority*. For the purposes of section 254A.14, the allocation of funds shall be to each participating ~~area board~~ *local mental health authority* on the basis of the elementary, middle and secondary school populations and the most current United States census data in counties served by the ~~area board~~ *local mental health authority*. ~~Area boards~~ *Local mental health authorities* shall ensure that services are provided in each county in proportion to the population to be served.

(b) Funds in section 254A.12 to assist troubled employees in gaining access to care may be used for private employer or employee groups of under 200 persons, or public employer or employee groups of any number and shall be paid on the following cost sharing basis: During the first year of the program, the participating ~~area board~~ *local mental health authority* shall meet 90 percent of the cost of the program, and the employer or employee group shall meet 10 percent of the cost. During the second year of the program, each party shall pay 50 percent of the cost of the program. Private employer or employee groups of over 200 may participate in programs authorized under section 254A.12, but shall not be eligible for receipt of public funds under Laws 1976, Chapter 125. The ~~area board~~ *local mental health authority* and employer and employee groups must work towards a financially self-sustaining system for each program.

(c) Funds shall not be used to supplant or reduce in any way present local, state, federal, or private expenditure levels supporting existing resources.

(d) Existing program resources shall be fully utilized before new programs are developed.

(e) Allocation of funds to ~~area mental health boards~~ *local mental health authorities* shall be contingent upon the demonstrated capability of the ~~boards~~ *authorities* to adequately plan and coordinate chemical dependency programs.

(f) ~~Area boards~~ *Local mental health authorities* shall be encouraged to plan jointly to develop needed program resources on a multi-area basis.

(g) Programs developed by funds allocated under sections 254A.031, 254A.12, and 254A.14 shall comply with the guidelines established by the commissioner.

(h) No more than five percent of the total allocation to ~~an area mental health board~~ *a local mental health authority* may be used for purposes of administering and monitoring purchased services.

(i) Purchase of service agreements and contracts under sections 254A.12, 254A.14, and 254A.16 shall be contingent on the demonstrated capability of a service provider to adequately fulfill the terms of the agreement or contract.

(j) During the biennium, the commissioner may review the unexpended balance of funds allocated to each ~~area board~~ *local mental health authority* and service provider under sections 254A.12 and 254A.14 and may reallocate unexpended funds within the program categories established by sections 254A.12 and 254A.14 based upon demand for services."

Page 13, line 20, delete "*department*" and insert "*commissioner*"

Page 13, line 21, delete "12" and insert "4, 6 to 11, and section 5, subdivision 1, clauses (a) to (k) and (m) to (o), and the sum of \$. for the purposes of section 5, subdivision 1, clause (1)"

Page 13, line 24, delete "and"

Page 13, line 24, after "245.691" insert "; and 254A.08"

Page 13, line 26, delete "1980" and insert "1979"

Page 13, line 26, after the period, insert "*All other sections are effective the day following final enactment.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "mandatory"

Page 1, line 8, delete "voluntary"

Page 1, line 9, delete "designating mental"

Page 1, delete line 10

Page 1, line 11, delete "medical assistance program;"

Page 1, delete line 13 and insert "253A.02, by adding a subdivision; 254.10; 254A.02, Subdivision 12; 254A.07; 254A.12; 254A.14; 254A.16, Subdivision 2; 254A.17;"

Page 1, line 16, delete "and"

Page 1, line 16, before the period, insert "; and 254A.08"

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 782: 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.

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

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, after "system" insert "which is eligible to receive capital assistance grants under the Urban Mass Transportation Act of 1964, Public Law 88-365, as amended"

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 "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"

Amend the title as follows:

Page 1, line 4, delete "political subdivisions" and insert "public transit systems"

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

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

S. F. No. 272: A bill for an act relating to taxation; property tax; exempting certain wetlands from taxation; providing a wet-

lands 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.

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

Page 4, line 24, delete "*on eligible farms*"

Page 4, delete lines 25 to 30 and insert "*this subdivision, "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 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, line 6, delete "*for every acre of such*" and insert "*in the parcel contiguous to or containing the wetlands multiplied by the number of acres of*"

Page 5, line 6, delete "*Any*"

Page 5, delete lines 7 and 8

Page 5, line 17, after the period 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.*"

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

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

S. F. No. 600: A bill for an act relating to natural resources; exempting racing snowmobiles from registration requirements; amending Minnesota Statutes 1978, Section 84.82, Subdivision 6.

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

Page 1, line 19, after "*organized*" insert "*track*"

Amend the title as follows:

Page 1, line 2, after "*exempting*" insert "*track*"

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

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

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.

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

Page 2, line 7, before the period 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, after line 20, insert:

"Payment made by the insurer under a court order shall discharge it from any liability to any party for the amounts paid."

Page 2, after line 31, insert:

"If the insurer is unable to obtain full reimbursement, the amount payable under the policy shall be reduced to the extent necessary to allow full reimbursement. Failure of the absentee and beneficiary to reimburse the insurer upon demand for payment sent by the insurer by certified mail to the last known address of the absentee and beneficiary shall be sufficient to show the insurer's inability to obtain reimbursement."

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

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

S. F. No. 159: 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.

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

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

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, Section 65B.44, Subdivision 1; 65B.47, by adding a subdivision; and 65B.49, Subdivisions 4 and 6.

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

Page 1, line 19, delete "\$60,000" and insert "\$50,000"

Page 1, line 21, delete "\$40,000" and insert "\$30,000"

Page 2, delete lines 5 to 13 and insert:

"Subd. 7. Unless the language of the policy provides otherwise, an insured may recover basic economic loss benefits only to the extent of coverage maintained on the motor vehicle involved in the accident. If none of the motor vehicles covered by the policy of the insured is involved in the accident, the insured may recover basic economic loss benefits only to the extent of coverage on any one of the motor vehicles with applicable coverage, unless the language of the insured's policy provides otherwise."

Page 3, delete lines 7 to 16 and insert:

"(5) Unless the language of the policy provides otherwise, an insured may recover benefits under uninsured or hit-and-run motor vehicle coverage only to the extent of coverage maintained on the motor vehicle involved in the accident. If none of the motor vehicles covered by the policy of the insured is involved in the accident, the insured may recover benefits under uninsured or hit-and-run motor vehicle coverage only to the extent of coverage on any one of the motor vehicles with applicable coverage, unless the language of the insured's policy provides otherwise."

Page 4, lines 9 to 17, delete the new language and insert:

"Unless the language of the policy provides otherwise, an insured may recover benefits under underinsured motorist coverage only to the extent of coverage maintained on the motor vehicle involved in the accident. If none of the motor vehicles covered by the policy of the insured is involved in the accident, the insured may recover benefits under underinsured motorist coverage only to the extent of coverage on any one of the motor vehicles with applicable coverage, unless the language of the insured's policy provides otherwise."

Page 4, lines 28 to 31, delete the new language

Further, amend the title as follows:

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

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

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

S. F. No. 386: 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.

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

Page 1, line 18, after "health" insert "and health-related supportive social service"

Page 1, line 18, after "assist" insert "elderly and adult"

Page 1, line 19, delete "adults" and insert "persons"

Page 2, line 1, before "PHYSICALLY" insert "ELDERLY AND ADULT"

Page 2, line 1, delete "ADULTS" and insert "PERSONS"

Page 2, line 2, delete "the department of"

Page 2, line 5, after "health" insert "and health-related supportive social service"

Page 2, line 5, after "assist" insert "elderly and adult"

Page 2, line 6, delete "adults" and insert "persons"

Page 2, line 10, delete "the department of"

Page 2, after line 10, insert:

"As used in this section, "elderly" means persons aged 60 or over."

Page 2, line 17, before "adult" insert "elderly and"

Page 2, line 20, after "restore" insert "elderly and adult"

Page 2, line 20, delete "adults" and insert "persons"

Page 2, line 24, before "family" insert "a"

Page 2, line 25, after "of" insert "elderly and adult"

Page 2, line 26, delete "adults" and insert "persons"

Page 2, after line 27, insert:

"Subd. 3. Local boards of health shall not use special grants to replace or substitute for services or programs otherwise funded from other local, state, or federal sources, but shall use special grants only to expand health and health-related supportive social service programs existing on the effective date of this section, or to add programs. This subdivision shall expire on July 1, 1981."

Page 2, line 28, delete "the department of"

Renumber the subdivisions in sequence

Page 2, line 33, delete "department" and insert "commissioner"

Page 3, line 3, delete "department" and insert "commissioner"

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

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred the following appointment as reported in the Journal for February 7, 1979:

**DEPARTMENT OF PERSONNEL
COMMISSIONER**

Barbara Sundquist

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

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 394, 420, 493, 603, 528, 444, 925, 622 and H. F. Nos. 373, 330, 157 makes the following report:

That the above Senate Files and House Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 361, 498, 410, 600, 122, 159 and 58 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Keefe, S. moved that the name of Mr. Olhoft be added as co-author to S. F. No. 213. The motion prevailed.

Mr. Spear moved that the name of Mr. Merriam be added as co-author to S. F. No. 752. The motion prevailed.

Mr. Luther moved that the name of Mr. Dieterich be added as co-author to S. F. No. 1014. The motion prevailed.

Mr. Schaaf introduced—

Senate Resolution No. 19: A Senate Resolution congratulating the Fridley Senior High School Wrestling Team on winning the State Class AA Wrestling Championship.

Referred to the Committee on Rules and Administration.

Mr. Schaaf introduced—

Senate Resolution No. 20: A Senate Resolution congratulating the Irondale High School Hockey Team on participating in the State Hockey Championship Tournament.

Referred to the Committee on Rules and Administration.

Mr. Lessard moved that S. F. No. 1006 be withdrawn from the Committee on Local Government and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Wegener moved that S. F. No. 1054 be withdrawn from the Committee on Local Government and re-referred to the Committee on Judiciary. The motion prevailed.

CALENDAR

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.

With the unanimous consent of the Senate, Mr. Luther moved to amend H. F. No. 416, as amended pursuant to Rule 49, adopted by the Senate March 19, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 179.)

Page 2, line 27, after the period, insert "*Where the property is inventory, accounts receivable or other property where separate valuation is not practicable, claimant may provide a good faith approximation of the current market value of each category of property.*"

Page 10, after line 27, insert

"Sec. 10. Minnesota Statutes 1978, Section 542.06, is amended to read:

542.06 [REPLEVIN.] Actions to recover the possession of personal property wrongfully taken shall be tried in the county in which the taking occurred, or, at ~~plaintiff's~~ *claimant's* election, in the county in which he resides; in other cases in the county in which the property is situated.

Sec. 11. Minnesota Statutes 1978, Section 546.23, is amended to read:

546.23 [VERDICT IN REPLEVIN.] In an action for the recovery of specific personal property, if the property has not been delivered to the ~~plaintiff~~ *claimant* and the jury find that he is entitled to its recovery, or if the property is not in the possession of the ~~defendant~~ *respondent*, and by his answer he claims a return thereof, and the verdict is in his favor, the jury shall assess the value of the property and the damages, if any are claimed in the complaint or answer, which the prevailing party has sustained by reason of the detention, or taking and withholding, of such property. When the verdict is in favor of the party having possession of the property its value shall not be found."

Renumber the remaining section

Underline all the new language

Amend the title as follows:

Page 1, line 4, after the second semicolon, insert "amending Minnesota Statutes 1978, Sections 542.06; and 546.23;"

The motion prevailed. So the amendment was adopted.

H. F. No. 416 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Lessard	Peterson	Spear
Benedict	Hanson	Lewis	Pillsbury	Staples
Bernhagen	Hughes	Luther	Purfeerst	Strand
Brataas	Humphrey	McCutcheon	Renneke	Stumpf
Chenoweth	Jensen	Menning	Rued	Tennessee
Chmielewski	Johnson	Merriam	Schaaf	Ueland, A.
Davies	Keefe, J.	Moe	Schrom	Ulland, J.
Dieterich	Kirchner	Nelson	Setzpfandt	Vega
Dunn	Knaak	Nichols	Sieloff	Wegener
Engler	Knoll	Ogdahl	Sikorski	Willet
Frederick	Knutson	Olhoft	Sillers	
Gearty	Laufenburger	Penny	Solon	

So the bill, as amended, passed and its title was agreed to.

CONSENT CALENDAR

H. F. No. 303: A bill for an act validating and legalizing certain state assignment certificates.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Hanson	Lessard	Peterson	Spear
Benedict	Hughes	Lewis	Pillsbury	Staples
Bernhagen	Humphrey	Luther	Purfeerst	Strand
Brataas	Jensen	McCutcheon	Renneke	Stumpf
Chenoweth	Johnson	Menning	Rued	Tennessee
Chmielewski	Keefe, J.	Merriam	Schaaf	Ueland, A.
Davies	Keefe, S.	Moe	Schrom	Ulland, J.
Dunn	Kirchner	Nelson	Setzpfandt	Vega
Engler	Knaak	Nichols	Sieloff	Wegener
Frederick	Knoll	Ogdahl	Sikorski	Willet
Gearty	Knutson	Olhoft	Sillers	
Gunderson	Laufenburger	Penny	Solon	

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 114, 338, 213, 538, 572, 466, 601 and H. F. No. 444, which the committee recommends to pass.

H. F. No. 201 which the committee recommends to pass, subject to the following motion:

Mr. Nichols moved that the amendment made to H. F. No. 201 by the Committee on Rules and Administration in the report adopted March 15, 1979, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

S. F. No. 340, which the committee recommends to pass with the following amendment offered by Mr. McCutcheon:

Page 3, after line 33, insert:

"Sec. 6. Minnesota Statutes 1978, Section 290.06, Subdivision 11, is amended to read:

Subd. 11. [CONTRIBUTIONS TO POLITICAL PARTIES AND CANDIDATES.] In lieu of the credit against taxable net income provided by section 290.21, subdivision 3, clause (e), a taxpayer may take a credit against the tax due under this chapter of 50 percent but not more than \$25 of his contributions to a political party and candidate. A married couple, filing jointly, may take a similar credit of not more than \$50. No credit shall be allowed under this subdivision for a contribution to any candidate, other than a candidate for elective judicial office, who has not signed an agreement to limit his campaign expenditures as provided in section 10A.32, subdivision 3b. The commissioner of revenue shall provide in the tax instruction booklet language understandable to a person of average intelligence which states that the taxpayer may only claim a credit against his tax due for contributions to candidates for (a) judicial office or (b) statewide or legislative office who have agreed to limit their expenditures. For purposes of this subdivision, "candidate" means a candidate as defined in section 10A.01, subdivision 5 *other than a county court, probate court or county municipal court judgeship*. The department of revenue shall provide on the first page of the Minnesota tax form an appropriate provision for the credit provided by this subdivision.

This credit shall be allowed only if the contribution is verified in the manner the commissioner of revenue shall prescribe."

Amend the title as follows:

Page 1, line 11, delete "and"

Page 1, line 12, after "3" insert "; and 290.06, Subdivision 11"

The motion prevailed. So the amendment was adopted.

S. F. No. 276, which the committee recommends to pass with the following amendment offered by Mr. Renneke:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1978, Chapter 62A, is amended by adding a section to read:

[62A.22] [REFUSAL TO PROVIDE COVERAGE BECAUSE OF OPTION UNDER WORKERS' COMPENSATION.] *No insurer offering an individual or group policy of accident or health coverage in this state shall refuse to provide or renew accident or*

health coverage because the insured has an option to elect coverage of workers' compensation coverage pursuant to section 176.012."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "prohibiting the refusal to cover under accident or health policy because of certain workers' compensation option;"

Page 1, line 5, after "1978," insert "Chapter 62A, by adding a section;"

The motion prevailed. So the amendment was adopted.

S. F. No. 124, which the committee recommends to pass with the following amendment offered by Mr. Olhoft:

Page 4, lines 4, 13, and 20, delete "30" and insert "50"

The motion prevailed. So the amendment was adopted.

H. F. No. 295, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Amend H. F. No. 295, as amended pursuant to Rule 49, adopted by the Senate March 19, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 418.)

Page 1, line 19, delete "*perspectively*" and insert "*prospectively*"

The motion prevailed. So the amendment was adopted.

S. F. No. 470, which the committee recommends to pass with the following amendments offered by Messrs. Purfeerst and Davies:

Mr. Purfeerst moved to amend S. F. No. 470 as follows:

Page 1, line 15, after "CITIZEN" insert "AND HANDICAPPED"

Page 1, line 16, after "*designate*" insert "*a*"

Page 1, line 17, delete "*crossings*" and insert "*or handicapped crossing*"

Page 1, line 18, after "*of*" insert "*a*"

Page 1, line 18, delete "*projects and*" and insert "*project,*"

Page 1, line 19, delete "*homes*" and insert "*home, or residential care facility for handicapped persons*"

Page 1, line 22, after "*citizen*" insert "*or handicapped*"

Page 2, line 1, after "*citizen*" insert "*or handicapped*"

Page 2, line 3, delete "*senior citizen*"

Page 2, line 5, delete "*such a*" and insert "*the*"

Page 2, line 9, after "*citizen*" insert "*or handicapped*"

Page 2, line 13, after "*citizen*" insert "*or handicapped*"

Amend the title as follows:

Page 1, line 4, after "*citizen*" insert "*and handicapped*"

Page 1, line 6, after "*citizen*" insert "*and handicapped*"

Page 1, line 8, after "*citizen*" insert "*and handicapped*"

The motion prevailed. So the amendment was adopted.

Mr. Davies moved to amend S. F. No. 470 as follows:

Page 2, delete subdivision 3

Amend the title as follows:

Page 1, lines 7 and 8, delete "authorizing reduced speed zones in senior citizen crossings;"

The motion prevailed. So the amendment was adopted.

S. F. No. 549, which the committee recommends to pass with the following amendment offered by Mr. Wegener:

Page 2, line 19, delete "*member*" and insert "*resident*"

Page 2, line 20, delete "*the*" and insert "*an*"

The motion prevailed. So the amendment was adopted.

S. F. No. 530, which the committee recommends to pass with the following amendment offered by Mr. Jensen:

Page 2, line 20, delete everything before the comma and insert "the unanimous approval of the land exchange board"

The motion prevailed. So the amendment was adopted.

On motion of Mr. Hanson, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hanson moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, March 29, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

TWENTY-NINTH DAY

St. Paul, Minnesota, Tuesday, March 27, 1979

The House of Representatives met on Tuesday, March 27, 1979, which was the Twenty-Ninth Legislative Day of the Seventy-First Session of the Minnesota State Legislature. The Senate did not meet on this date.

THIRTIETH DAY

St. Paul, Minnesota, Thursday, March 29, 1979

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Gunderson	Lessard	Perpich	Spear
Bang	Hanson	Lewis	Peterson	Staples
Benedict	Hughes	Luther	Pillsbury	Stokowski
Bernhagen	Jensen	McCutcheon	Purfeerst	Strand
Chenoweth	Johnson	Menning	Renneke	Stumpf
Chmielewski	Keefe, J.	Merriam	Rued	Ueland, A.
Coleman	Kirchner	Moe	Schaaf	Wegener
Davies	Kleinbaum	Nelson	Schrom	Willet
Dieterich	Knaak	Nichols	Setzpfandt	
Dunn	Knoll	Olhoft	Sieloff	
Engler	Knutson	Olson	Sikorski	
Gearty	Laufenburger	Penny	Sillers	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Sr. Claudia Riehl.

The roll was called, and the following Senators answered to their names:

Anderson	Gearty	Knutson	Olson	Sikorski
Ashbach	Gunderson	Laufenburger	Penny	Sillers
Bang	Hanson	Lessard	Perpich	Solon
Benedict	Hughes	Lewis	Peterson	Spear
Bernhagen	Humphrey	Luther	Pillsbury	Staples
Chenoweth	Jensen	McCutcheon	Purfeerst	Stokowski
Chmielewski	Johnson	Menning	Renneke	Strand
Coleman	Keefe, J.	Merriam	Rued	Stumpf
Davies	Keefe, S.	Moe	Schaaf	Tennessee
Dieterich	Kirchner	Nelson	Schmitz	Ueland, A.
Dunn	Kleinbaum	Nichols	Schrom	Ulland, J.
Engler	Knaak	Ogdahl	Setzpfandt	Wegener
Frederick	Knoll	Olhoft	Sieloff	Willet

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mrs. Brataas and Mr. Vega were excused from the Session of today. Mr. Lessard was excused from the Session of today at 11:00 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Gunderson introduced—

S. F. No. 1062: A bill for an act relating to appropriations; appropriating funds for establishment of a music library and interpretive center.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Sillers, Schmitz, Knutson, Vega and Menning introduced—

S. F. No. 1063: A bill for an act relating to legal assistance programs for Minnesota Sioux Indian communities; appropriating money; amending Minnesota Statutes 1978, Section 16.97, Subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. McCutcheon, Merriam, Sillers, Peterson and Hanson introduced—

S. F. No. 1064: A bill for an act relating to taxation; income tax; increasing the standard deduction; amending Minnesota Statutes 1978, Section 290.09, Subdivision 15.

Referred to the Committee on Taxes and Tax Laws.

Messrs. McCutcheon, Merriam, Sillers, Peterson and Hanson introduced—

S. F. No. 1065: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Wegener, Purfeerst, Strand, Knutson and Sillers introduced—

S. F. No. 1066: A bill for an act relating to highway traffic regulations; requiring the commissioner of education to promulgate

rules permitting display of certain signs or lettering on school buses; amending Minnesota Statutes 1978, Section 169.45.

Referred to the Committee on Transportation.

Mr. Sikorski introduced—

S. F. No. 1067: A bill for an act relating to pollution; establishing noise limits for motorboats; amending Minnesota Statutes 1978, Section 361.17.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Sikorski introduced—

S. F. No. 1068: 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.

Referred to the Committee on Commerce.

Mr. Sikorski introduced—

S. F. No. 1069: 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.

Referred to the Committee on Judiciary.

Messrs. Sikorski and Nelson introduced—

S. F. No. 1070: A bill for an act relating to the legislature; reducing the membership of the senate and house of representatives; amending Minnesota Statutes 1978, Section 2.021.

Referred to the Committee on Elections.

Messrs. Merriam and Strand introduced—

S. F. No. 1071: A bill for an act relating to education; eliminating the aid for the costs of necessary equipment for certain secondary vocational education programs; authorizing an aid for necessary equipment costs in certain programs; requiring secondary vocational trade and industrial arts courses to be held for a specified amount of time to receive funding; restricting the aids to certain vocational programs which replace non-vocational programs; requiring a report; imposing certain duties on the commissioner of education; eliminating a statement of purpose in an aid section; amending Minnesota Statutes 1978, Section 124.573, Subdivisions 1, 2, and 3, and by adding a subdivision.

Referred to the Committee on Education.

Messrs. Kleinbaum, Chmielewski, Kirchner, Setzepfandt and Bang introduced—

S. F. No. 1072: 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.

Referred to the Committee on Transportation.

Messrs. Ulland, J. and Solon introduced—

S. F. No. 1073: 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.

Referred to the Committee on Local Government.

Messrs. Anderson, Gearty, Kirchner, Schaaf and Chenoweth introduced—

S. F. No. 1074: A bill for an act relating to elections; increasing compensation for presidential electors; amending Minnesota Statutes 1978, Section 204A.23.

Referred to the Committee on Elections.

Mr. Humphrey introduced—

S. F. No. 1075: 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.

Referred to the Committee on Commerce.

Mr. Nichols, Mrs. Brataas, Messrs. Solon, Peterson and Knoll introduced—

S. F. No. 1076: 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.

Referred to the Committee on Commerce.

Mr. Johnson introduced—

S. F. No. 1077: A bill for an act relating to retirement; Eveleth joint retired police and firefighters retirement trust fund; providing for a post retirement adjustment.

Referred to the Committee on Governmental Operations.

Mr. Olhoft introduced—

S. F. No. 1078: A bill for an act relating to the state board of the arts; providing public television assistance; appropriating money.

Referred to the Committee on General Legislation and Administrative Rules.

Mrs. Knaak; Messrs. Knutson; Keefe, J.; Rued and Engler introduced—

S. F. No. 1079: 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.

Referred to the Committee on Finance. Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Peterson, Sillers and Sieloff introduced—

S. F. No. 1080: A bill for an act relating to taxation; real property; providing for the assessment of certain property at 40 percent of market value; amending Minnesota Statutes 1978, Section 273.13, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Pillsbury introduced—

S. F. No. 1081: A bill for an act relating to judgments; providing that a certificate of satisfaction of judgments be filed within 30 days; amending Minnesota Statutes 1978, Section 548.15.

Referred to the Committee on Judiciary.

Messrs. Frederick, Kirchner, Lewis and Merriam introduced—

S. F. No. 1082: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Lessard introduced—

S. F. No. 1083: A bill for an act relating to game and fish; providing that a portion of big game license fees shall be used for deer habitat improvement; appropriating money; amending Minnesota Statutes 1978, Section 97.49, by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Mrs. Staples, Messrs. Hughes, Sillers, Dunn and Anderson introduced—

S. F. No. 1084: A bill for an act relating to economic security; providing for the establishment of placement services for public school employees; appropriating money.

Referred to the Committee on Employment.

Messrs. Hanson, Merriam, Davies, Bernhagen and Sillers introduced—

S. F. No. 1085: A bill for an act relating to courts; venue; authorizing actions against public officers to be retained in a county other than where the public officer resides; amending Minnesota Statutes 1978, Section 542.03.

Referred to the Committee on Judiciary.

Messrs. Peterson, Johnson, Engler, Hanson and McCutcheon introduced—

S. F. No. 1086: 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.

Referred to the Committee on Judiciary.

Mr. Dieterich introduced—

S. F. No. 1087: 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.

Referred to the Committee on Commerce.

Mr. Strand introduced—

S. F. No. 1088: 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.

Referred to the Committee on Local Government.

Mr. Solon introduced—

S. F. No. 1089: A bill for an act relating to civil actions; modifying damages recoverable under rules of comparative fault; amending Minnesota Statutes 1978, Section 604.01, by adding a subdivision; repealing Minnesota Statutes 1978, Section 604.02.

Referred to the Committee on Judiciary.

Mr. Solon introduced—

S. F. No. 1090: A bill for an act relating to civil actions; prohibiting the allowance of punitive damages in certain actions; amending Minnesota Statutes 1978, Chapter 549, by adding a section; repealing Minnesota Statutes 1978, Section 549.20.

Referred to the Committee on Judiciary.

Mr. Ogdahl introduced—

S. F. No. 1091: A bill for an act relating to retirement; annuities and benefits under certain public retirement plans; appropriating funds.

Referred to the Committee on Governmental Operations.

Mr. Ogdahl introduced—

S. F. No. 1092: 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.

Referred to the Committee on Governmental Operations.

Mr. Sieloff introduced—

S. F. No. 1093: 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.

Referred to the Committee on Judiciary.

Messrs. Renneke; Wegener; Ueland, A. and Setzepfandt introduced—

S. F. No. 1094: A bill for an act relating to taxation; income;

increasing the exclusion of certain pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Mr. Dieterich introduced—

S. F. No. 1095: A bill for an act relating to taxation; income; providing an equalization credit in lieu of the homemaker credit; increasing the amount thereof; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3e.

Referred to the Committee on Taxes and Tax Laws.

Mr. Kleinbaum introduced—

S. F. No. 1096: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sikorski introduced—

S. F. No. 1097: 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.

Referred to the Committee on Commerce.

Mr. Sikorski introduced—

S. F. No. 1098: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Peterson introduced—

S. F. No. 1099: A bill for an act relating to newspapers; raising the fees for publishing legal notices; amending Minnesota Statutes 1978, Section 331.08.

Referred to the Committee on Local Government.

Messrs. Hughes, Anderson, Knutson, Merriam and Sillers introduced—

S. F. No. 1100: A bill for an act relating to education; providing for early childhood and family education programs; ap-

propriating money; repealing Minnesota Statutes 1978, Sections 3.9271; 3.9273; 3.9274; and 3.9275.

Referred to the Committee on Education.

Messrs. McCutcheon, Willet, Setzepfandt, Olhoft and Chmielewski introduced—

S. F. No. 1101: 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 and 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Merriam, McCutcheon, Setzepfandt, Olhoft and Chmielewski introduced—

S. F. No. 1102: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Rued, Lessard and Hanson introduced—

S. F. No. 1103: 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.

Referred to the Committee on Education.

Mr. Anderson introduced—

S. F. No. 1104: A bill for an act relating to solar energy; requiring the commissioner of administration to prepare plans for new buildings that utilize alternative energy sources; establishing a state building solar demonstration program; appropriating money; amending Minnesota Statutes 1978, Section 16.32, by adding a subdivision; Chapter 116H, by adding a section; and Section 462A.02, by adding a subdivision.

Referred to the Committee on Energy and Housing.

Messrs. Dunn and Knutson introduced—

S. F. No. 1105: A bill for an act relating to education; providing for technical assistance in basic skills instruction for certain teachers; appropriating money.

Referred to the Committee on Education.

Mr. Perpich introduced—

S. F. No. 1106: 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.

Referred to the Committee on Education.

Mr. Ashbach introduced—

S. F. No. 1107: 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.

Referred to the Committee on Governmental Operations.

Messrs. Sillers, Knutson, Dunn, Strand and Gunderson introduced—

S. F. No. 1108: 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.

Referred to the Committee on Education.

Messrs. Willet, Purfeerst, Dunn and Engler introduced—

S. F. No. 1109: 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 programs; appropriating money; amending Minnesota Statutes 1978, Section 105.482, Subdivisions 3 and 5, and by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Lewis and Keefe, J. introduced—

S. F. No. 1110: A bill for an act relating to Independent School District No. 275; providing for the consolidation of Independent School District No. 275.

Referred to the Committee on Education.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

February 23, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

As you may know, I have appointed John A. Yngve as the part-time Chairman of the Metropolitan Transit Commission, subject to confirmation of the Senate.

Minnesota Statutes, Sec. 15.081, Subd. 7, provides for a salary of \$33,500 for the Chairman of the Metropolitan Transit Commission. This letter is to inform you that since Mr. Yngve will be serving part-time in that position, he will be paid one-half of that amount, or \$16,750 per year.

(Referred to the Committee on Transportation.)

March 6, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Board for Community Colleges is hereby respectfully submitted to the Senate for confirmation as required by law:

Nadine H. Chase, Box 186, Bena, Cass County, has been appointed by me, effective March 6, 1979, for a term expiring the first Monday in January, 1982.

(Referred to the Committee on Education.)

March 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Board for Community Colleges is hereby respectfully submitted to the Senate for confirmation as required by law:

Paul D. Brinkman, 1111 Hamline Avenue North, St. Paul, Ramsey County, has been appointed by me, effective March 19, 1979, for a term expiring the first Monday in January, 1981.

(Referred to the Committee on Education.)

March 15, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Metropolitan Council is here-

by respectfully submitted to the Senate for confirmation as required by law:

Roger H. Scherer, 7118 North Willow Lane, Brooklyn Center, Hennepin County, has been appointed by me, effective March 15, 1979, for a term expiring the first Monday in January, 1981.

(Referred to the Committee on Governmental Operations.)

March 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Pollution Control Agency is hereby respectfully submitted to the Senate for confirmation as required by law:

Virgil C. Herrick, 477 Rice Creek Terrace, Fridley, Anoka County, has been appointed by me, effective March 19, 1979, for a term expiring the first Monday in January, 1980.

(Referred to the Committee on Agriculture and Natural Resources.)

March 8, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Administration is hereby respectfully submitted to the Senate for confirmation as required by law:

James Hiniker, 6833 Oaklawn Avenue, Edina, Hennepin County, has been appointed by me, effective March 12, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

March 21, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Economic Security is hereby respectfully submitted to the Senate for confirmation as required by law:

Rolf Middleton, 624 S.W. 7th Street, Rochester, Olmsted County, has been appointed by me, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Employment.)

March 26, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Ethical Practices Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Karen J. Jensen, 1016 W. Burnsville Parkway, Burnsville, Dakota County, has been appointed by me, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Elections.)

Sincerely,
Albert H. Quie, Governor

March 2, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The Minnesota State Board of Education at its meeting on Monday, December 18, 1978, under authority granted to it by Minnesota Statutes 1978, Section 121.16, Subdivision 1, appointed Howard B. Casmev to the position of Commissioner of Education for the State of Minnesota. As required under provisions of Minnesota Statutes 1978, Section 15.06, the appointment has the approval of Governor Albert H. Quie. The term is co-terminus with that of the Governor as provided in the statutes; therefore, the term is effective January 2, 1979 and expires on the first Monday in 1983.

The State Board of Education takes great pleasure in submitting for the advice and consent of the Senate the name of Howard B. Casmev as its appointee for the position of Commissioner of Education for the State of Minnesota for the term stated above.

Enclosed is a brief biographical summary.

(Referred to the Committee on Education.)

Sincerely,
Erling O. Johnson, President

March 27, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I respectfully approve the following person for confirmation as Commissioner of Education:

Howard B. Casmev

(Referred to the Committee on Education.)

Sincerely,
Albert H. Quie, Governor

March 22, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. Nos. 67 and 411.

Sincerely,
Albert H. Quie, Governor

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:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
	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

March 26, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. Nos. 138, 203 and 81.

Sincerely,
Albert H. Quie, Governor

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:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
	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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. No. 39, 287 and 389.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 26, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 207.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 27, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 327 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 27, 1979

CONCURRENCE AND REPASSAGE

Mr. Chenoweth moved that the Senate concur in the amendments by the House to S. F. No. 327 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 327 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearly	Knoll	Olson	Sikorski
Bang	Gunderson	Knutson	Penny	Sillers
Benedict	Hanson	Laufenburger	Perpich	Solon
Bernhagen	Hughes	Lessard	Peterson	Spear
Chenoweth	Humphrey	Lewis	Pillsbury	Staples
Chmielewski	Jensen	Luther	Purfeerst	Stokowski
Coleman	Johnson	McCutcheon	Renneke	Strand
Davies	Keefe, J.	Menning	Rued	Stumpf
Dieterich	Keefe, S.	Merriam	Schaaf	Ulland, J.
Dunn	Kirchner	Moe	Schrom	Wegener
Engler	Kleinbaum	Nichols	Setzepfandt	Willet
Frederick	Knaak	Olhoft	Sieloff	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

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.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 26, 1979

Referred to the Committee on Transportation.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 610, 643, 638, 52, 67, 270, 279, 515, 633, 229, 396, 487, 534 and 568.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 26, 1979

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 925 now on General Orders.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 213 now on the Calendar.

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.

Referred to the Committee on Agriculture and Natural Resources.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 338 now on the Calendar.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Transportation.

H. F. No. 633: A bill for an act relating to taxation; extending the termination date for a law denying tax deductions relating to substandard housing; amending Laws 1975, Chapter 226, Section 4.

Referred to the Committee on Energy and Housing.

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.

Referred to the Committee on Finance.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 568 now on General Orders.

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.

Referred to the Committee on Education.

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.

Referred to the Committee on Transportation.

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.

Referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the report on H. F. No. 472, the report from the Committee on Rules and Administration on the amendment of Permanent Rules, and reports pertaining to appointments. The motion prevailed.

Mr. Davies 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, after "except" insert "a small amount of"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 728: A bill for an act relating to crimes; controlling telephone communications with certain offenders; allowing police to prevent unauthorized communications; providing penalties.

Reports the same back with the recommendation that the bill be amended as follows:

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 to 21

Page 2, line 3, delete "with a violator"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 109: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, 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 11-½ feet, to be operated on public streets and highways. Permits issued pursuant to this sec-*

tion 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 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 11-½ feet to be transported pursuant to permit; amending Minnesota Statutes 1978, Chapter 169, by adding a section."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 668: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 550: A bill for an act relating to elections; regulating campaign financing; increasing certain expenditure limits; amending Minnesota Statutes 1978, Section 10A.25, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 5, insert:

"Sec. 2. Minnesota Statutes 1978, Section 10A.32, Subdivision 3, is amended to read:

Subd. 3. As a condition of receiving any moneys from the state elections campaign fund, a candidate shall agree by stating in writing to the board that (a) his expenditures and approved expenditures shall not exceed the expenditure limits as set forth in section 10A.25 and that (b) he shall not accept contributions or allow approved expenditures to be made on his behalf for the period beginning with January 1 of the election year or with the registration of his principal campaign committee, whichever occurs later, and ending December 31 of the election year, which aggregate contributions and approved expenditures exceed the difference between the amount which may legally be expended by him or on his behalf, and the amount which he receives from the state elections campaign fund. *The agreement shall not be binding on a candidate unless all of the major political party candidates for that office at the general election have signed and are bound by such an agreement. If there are no other major party candidates for the office at the general election, the agreement shall not be binding unless one or more of the minor party candidates for the office, if any, have signed and are bound by such an agreement.* The agreement, insofar as it relates to the expenditure limits set forth in section 10A.25, remains effective until the dissolution of the principal campaign committee of the candidate or the opening of filings for the next succeeding election to the office held or sought at the time of agreement, whichever occurs first. Beginning in 1980, money in the account of the principal campaign committee of a candidate on January 1 of the election year for the office held or sought shall be considered contributions accepted by that candidate in that year for the purposes of this subdivision. ~~Notwithstanding the effective date of this section, for 1978, the period for determining the aggregate contribution and approved expenditure limit agreed to pursuant to this subdivision shall begin January 1, 1978. That amount of all contributions accepted by a candidate in an election year which equals the amount of noncampaign disbursements made by that candidate in that year, and the amount of contributions received and approved expenditures made between January 1, 1978, and February 28, 1978 which equals the amount of expenditures made between January 1, 1978, and February 28, 1978, for goods consumed and services used before February 28, 1979, shall not count toward the aggregate contributions and approved expenditure limit imposed by this subdivision. Any amount by which his aggregate contributions and approved expenditures agreed to under clause (b) exceed the difference shall be returned to the state treasurer in the manner~~

provided in subdivision 2. In no case shall the amount returned exceed the amount received from the state elections campaign fund.

The candidate ~~may shall~~ submit his signed agreement to the filing officer ~~on the day he files his affidavit during the time for filing affidavits of candidacy or petition to appear on the ballot, or he may submit the agreement to the board no later than September 1 and nominating petitions .~~

The board prior to the first day of filing for office shall forward forms for the agreement to all filing officers. The filing officer shall without delay forward signed agreements to the board. An agreement may not be rescinded after ~~September 1 the filings close .~~

For the purposes of this subdivision only, the total amount to be distributed to each candidate is calculated to be his share of the total estimated funds in his party account as provided in subdivision 3a, plus the total amount estimated as provided in subdivision 3a to be in the general account of the state elections campaign fund and set aside for that office divided by the number of candidates whose names are to appear on the general election ballot for that office. If for any reason the amount actually received by the candidate is greater than his share of the estimate, and his contributions thereby exceed the difference, the agreement shall not be considered violated.

Sec. 3. Minnesota Statutes 1978, Section 10A.32, Subdivision 3b, is amended to read:

Subd. 3b. As a condition of receiving a public subsidy for his election campaign in the form of tax credits against the tax due from individuals who contribute to his principal campaign committee a candidate shall agree by stating in writing to the board ~~at any time beginning with the registration of his principal campaign committee that his expenditures and approved expenditures shall not exceed the expenditure limits as set forth in section 10A.25. The candidate shall submit the signed agreement to the filing officer during the time for filing affidavits of candidacy and nominating petitions. The agreement shall not be binding on a candidate unless all of the major political party candidates for that office at the general election have signed such an agreement. If there are no other major party candidates for the office at the general election, the agreement shall not be binding unless one or more of the minor party candidates for the office, if any, have signed such an agreement.~~ The agreement shall remain effective until the dissolution of the principal campaign committee of the candidate or the opening of filing for the next succeeding election for the office held or sought at the time of agreement, whichever occurs first. An agreement signed under this subdivision may not be rescinded. The commissioner of revenue shall not allow any individual or married couple filing jointly to take a credit against any tax due, pursuant to section 290.06, subdivision 11, for any contribution to a candidate for legislative or statewide office who has not signed the agreement provided in this subdivision. Nothing in this subdivision shall be construed to limit the campaign expenditure of any candi-

date who does not sign an agreement under this subdivision but accepts a contribution for which the contributor claims a credit against tax due. The board shall forward a copy of any agreement signed under this subdivision to the commissioner of revenue. The board shall make available to any candidate signing an agreement a supply of Official Tax Credit Receipt forms which state in bold face type that (a) a contributor who is given a receipt form is eligible to receive a credit against his tax due in an amount equal to 50 percent of his contribution but not more than \$25 for an individual, or not more than \$50 for a married couple filing jointly, and (b) that the candidate to whom he has contributed has voluntarily agreed to abide by campaign expenditure limits. If a candidate does not sign an agreement under this subdivision he may not issue an Official Tax Credit Receipt form, or any facsimile thereof, to any of his contributors. Any candidate who does not voluntarily agree to abide by the expenditure limits imposed in section 10A.25 and who willfully issues Official Tax Credit Receipt forms, or any facsimile thereof, to any contributor is guilty of a misdemeanor."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the second semicolon insert "providing that a candidate's expenditure limit agreement is not binding unless agreements are signed by the candidate's opponents;"

Page 1, line 4, delete "Section" and insert "Sections"

Page 1, line 5, before the period insert "; and 10A.32, Subdivisions 3 and 3b"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 689: A bill for an act relating to state lands; providing for the sale of certain former railroad rights-of-way to private persons.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Agriculture and Natural Resources. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 355: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 1, delete "12" and insert "13"

Page 2, line 14, delete "12" and insert "13"

Page 2, line 22, after "the" insert "public"

Page 2, line 26, delete "Minnesota" and insert "any lands of the county not located within the boundaries of a city of the first class"

Page 2, after line 27, insert:

"(b) During any process of abandonment or removal of any railroad tracks pursuant to the provisions of Minnesota Statutes 1978, Sections 219.681 to 219.751, ascertain whether any lands lying adjacent to the tracks proposed for abandonment or removal are registered in the official records of the county with reference to the tracks proposed for abandonment or removal, and if any lands within the county are so registered, monument the center line of the railroad tracks so as to preserve the description of any lands so registered. Any company operating a line of railroad in this state which proposes to abandon or remove any railroad track shall, in addition to the requirements of sections 219.681 to 219.751, notify the county surveyor of the county in which the tracks proposed for abandonment or removal are located;"

Reletter the clauses in sequence

Page 2, line 32, delete "witness corners" and insert "reference monuments"

Page 3, line 5, after "of" insert "public"

Page 3, line 10, after "recorded" insert "pursuant to section 11, subdivision 2"

Page 3, line 13, delete "12" and insert "13"

Page 3, lines 14 and 15, delete "fixed by the county, but shall not exceed the fee" and insert "those"

Page 3, line 17, delete "and"

Page 3, line 18, after "board" insert "and the advisory committee"

Page 3, line 18, delete "November 15" and insert "January 1"

Page 3, line 22, delete "12." and insert "13; and"

Page 3, after line 22, insert:

“(h) Determine and record ties, as required in the standards, to any existing monument of the National Geodetic Survey published horizontal control network located within one-half mile of a public land survey monument or line being reestablished or resurveyed as part of the county program.”

Page 3, line 26, delete “12” and insert “13”

Page 4, line 21, delete “county recorder” and insert “appropriate county office”

Page 4, line 24, delete “shall” and insert “may”

Page 5, line 1, delete “has not” and insert “cannot”

Page 5, line 1, delete “complied” and insert “comply”

Page 5, lines 1 and 2, delete “within one year after its receipt”

Page 5, line 18, delete “basis” and insert “based”

Page 5, line 20, before the period, insert “, one of whom does not have an interest in the county program”

Page 5, line 21, after “[ADVISORY COMMITTEE.]” insert “Subdivision 1. [APPOINTMENT.]”

Page 5, line 22, delete “shall” and insert “may”

Page 5, lines 22 and 23, delete “of at least five persons one of whom shall be a land surveyor”

Page 5, line 25, delete “12” and insert “13”

Page 5, line 27, after “submit” insert “by March 1”

Page 5, line 30, after “to” insert “the state remonumentation review committee and”

Page 5, line 30, after “requesting” delete “state”

Page 5, line 30, before the period, insert “or parties”

Page 5, after line 30, insert:

“Subd. 2. [REPORTS.] The county board shall submit by May 1 an annual report on the remonumentation program to the state remonumentation review committee.

Sec. 13. [STATE REMONUMENTATION REVIEW COMMITTEE.] *Subdivision 1. [CREATION AND COMPOSITION.] A committee of five land surveyors shall be appointed to comprise the state remonumentation review committee as follows:*

- (a) One designated by the commissioner of transportation;*
- (b) One designated by the commissioner of natural resources;*
- (c) Two designated by the association of Minnesota counties;*
and
- (d) One designated by the governor.*

The commissioner of revenue shall call the first meeting of the committee, appoint a temporary chairman from among the five members and provide the necessary support services for the committee. The members of the committee shall be reimbursed in accordance with Minnesota Statutes, Section 15.059, Subdivision 3.

Subd. 2. [DUTIES.] The committee shall review the annual remonumentation reports submitted by the county boards and any advisory committees and undertake any necessary actions to advise the commissioner of revenue by September 1 on the compliance of the program with the prescribed standards adopted according to section 5.

Subd. 3. [ENFORCEMENT.] If the committee determines that a county's land survey program or the execution of its program is in violation of the minimum prescribed standards, it may recommend that the commissioner of revenue require the county to correct the violations. If the corrections are not made within a reasonable time as determined by the committee, the commissioner of revenue shall cancel all subsequent annual payments due that county until the corrections are made."

Page 7, line 14, delete "November" and insert "September"

Page 7, line 19, after "county" insert "and expenses paid to the state remonumentation review committee"

Page 7, line 25, before the semicolon insert "not located within the boundaries of a city of the first class"

Page 7, line 28, after "from" insert "the area outside a city of the first class in"

Page 7, line 31, delete "12" and insert "13"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "survey;" insert "creating a state remonumentation review committee;"

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 842: A bill for an act relating to aeronautics; appropriating and transferring money for construction of hangars.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 664: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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:

Page 1, line 7, after "bridges" insert "and for certain preliminary studies"

Page 1, line 7, before the period, insert "; amending Minnesota Statutes 1978, Section 174.50, by adding a subdivision"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 640: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 626: A bill for an act relating to natural resources; recodifying statutes relating to certain conservation areas; abolishing consolidated conservation areas fund; repealing obsolete provisions; appropriating money; amending Minnesota Statutes 1978,

Sections 84A.01; 84A.03; 84A.07; 84A.10; 84A.51, Subdivision 4; 84A.52; 84A.55, Subdivisions 1, 3, 6, 8, 9, 10, 11, and 12; 281.23, Subdivision 8; 282.14; 282.16, Subdivision 1, and by adding subdivisions; 282.19; 282.21; and Laws 1961, Chapter 612, Section 1; repealing Minnesota Statutes 1978, Sections 84A.02; 84A.04; 84A.08; 84A.09; 84A.11; 84A.20 to 84A.23; 84A.26 to 84A.33; 84A.36 to 84A.42; 84A.50; 84A.51, Subdivisions 1, 2, and 3; 84A.53; 84A.54; 84A.55, Subdivision 14; and 282.221 to 282.226.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, delete section 4

Page 5, line 25, delete "*cedited*" and insert "*credited*"

Page 16, line 6, after "84A.09;" insert "84A.10;"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "84A.10;"

Page 1, line 14, after "84A.09;" insert "84A.10;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 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; 98.46, Subdivision 3; and Chapter 84, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, delete "Chapter 84" and insert "Section 97.48"

Page 1, line 20, delete "section" and insert "subdivision"

Page 1, line 21, delete "[84.16]" and insert "*Subd. 18a.*"

Amend the title as follows:

Page 1, line 5, after the first semicolon, insert "97.48, by adding a subdivision; and"

Page 1, lines 5 and 6, delete "; and Chapter 84, by adding a section"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 867: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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"*

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was re-referred

S. F. No. 590: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, delete *"energy devices,"* and insert *"collector subsystems"*

Page 1, line 15, delete *"component parts and replacement parts"*

Page 1, line 15, delete *"energy"* and insert *"collector subsystem"*

Delete lines 16 to 22 and insert *"shall mean the assembly for absorbing solar radiation, converting it into thermal energy, and transferring the thermal energy to a heat transfer medium. The exemption shall apply only if the subsystem meets or exceeds the standards promulgated pursuant to section 116H.127 and is certified by the state energy agency."*

Page 2, line 2, before the period insert *"and before December 31, 1981"*

Amend the title as follows:

Page 1, line 3, delete "energy devices" and insert "collector subsystems"

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 439: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after "*acquired*" insert "*by purchase, condemnation, or gift,*"

Page 1, line 17, delete everything after "*owned*"

Page 1, line 18, delete "*gift*"

Page 1, line 21, after "*land*" insert "*, other than platted lots within a city,*"

Page 2, line 2, delete "*finance*" and insert "*natural resources*"

Page 2, line 10, delete "*finance*" and insert "*natural resources*"

Page 2, line 11, delete "*respective*"

Page 2, line 12, delete everything before "*county-administered*"

Page 2, line 13, delete everything before "*other*"

Page 2, line 14, delete "*finance*" and insert "*natural resources*"

Page 2, line 16, after the period, insert "*The commissioner of natural resources shall determine and certify the number of acres of acquired natural resources land and commissioner-administered natural resources land within each county.*"

Page 2, line 22, delete "*and*"

Page 2, line 22, after "*97.49*" insert "*, 272.68, subdivision 3, and Laws 1973, Chapter 567*"

Page 2, line 22, delete "*by*"

Page 2, line 23, delete "*the county auditor*"

Page 2, line 29, delete "*Up to*"

Page 2, line 31, delete "*the county tax-forfeited land fund*" and insert "*a resource development fund to be created within the county treasury*"

Page 3, line 1, after "maintenance" insert "*of county-administered other natural resources land. Any county receiving less than \$5,000 annually for the resource development fund may elect to deposit that amount in the county general revenue fund*"

Page 3, line 3, delete "up to"

Page 3, line 8, after the period, insert "*Payments to counties and townships pursuant to this paragraph shall be used to provide property tax levy reduction.*"

Page 3, line 14, after the period, insert "*Provided that, if the distribution to the county general revenue fund exceeds \$50,000, the excess shall be used to provide property tax levy reduction.*"

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred the following appointment as reported in the Journal for February 15, 1979:

**DEPARTMENT OF TRANSPORTATION
COMMISSIONER**

Richard Braun

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred for proper reference under Rule 35:

S. F. Nos. 1032 and 1060 reports the same back with the recommendation that the bills be re-referred as follows:

S. F. No. 1032 to the Committee on Agriculture and Natural Resources.

S. F. No. 1060 to the Committee on Energy and Housing.

Report adopted.

Mr. Coleman from the Committee on Rules and Administration, 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.

Reports the same back with the recommendation that the resolution do pass.

Mr. Coleman moved that H. F. No. 472 be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 533: 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.

Reports the same back with the recommendation that the report from the Committee on Veterans' Affairs shown in the Journal for March 26, 1979, "And when so amended the bill do pass" be adopted and the bill be re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 405: 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 interagency 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.

Reports the same back with the recommendation that the report from the Committee on Governmental Operations shown in the Journal for March 22, 1979, "And when so amended the bill do pass" be adopted and the bill be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 832: 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.

Reports the same back with the recommendation that the report from the Committee on Veterans' Affairs shown in the

Journal for March 26, 1979, "And when so amended the bill do pass and be re-referred to the Committee on Finance" be amended to read: "And when so amended the bill do pass and be re-referred to the Committee on Education." Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 469: 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.

Reports the same back with the recommendation that the report from the Committee on Local Government shown in the Journal for March 22, 1979, "the bill do pass" be adopted and the bill be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 159, 122, 600, 410, 498, 58, 361 makes the following report:

That the above Senate Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

Mr. Coleman from the Committee on Rules and Administration makes the following report: That the Permanent Rules of the Senate appearing in the Journal for February 15, 1979, be amended as follows:

Rule 62.

Under "Number of Positions" delete "15" before "Committee Secretary" and insert "16"

Under "Salary Per Day" delete "3" before "@ \$39.77" and insert "4"

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 450, 607, 728, 109, 668, 876, 550, 144, 842, 467, 708, 905 and 867 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Lessard moved that his name be stricken as chief author, added as co-author and Mr. Chmielewski be shown as chief author to S. F. No. 47. The motion prevailed.

Mr. Keefe, S. moved that the name of Mr. Sikorski be added as co-author to S. F. No. 213. The motion prevailed.

Mr. Sikorski moved that his name be stricken as co-author to S. F. No. 558. The motion prevailed.

Mr. Davies moved that the names of Messrs. Jensen and Sikorski be added as co-authors to S. F. No. 971. The motion prevailed.

Mr. Olhoff moved that the name of Mr. Wegener be added as co-author to S. F. No. 997. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Merriam be added as co-author to S. F. No. 1011. The motion prevailed.

Mr. Anderson moved that the name of Mr. Johnson be added as co-author to S. F. No. 1029. The motion prevailed.

Mr. Johnson moved that the name of Mr. Ulland, J. be added as co-author to S. F. No. 1044. The motion prevailed.

Mr. Spear moved that the name of Mr. Ulland, J. be added as co-author to S. F. No. 1056. The motion prevailed.

Mr. Coleman moved that the committee report on amendment of Permanent Rules be taken from the table. The motion prevailed.

Mr. Coleman moved the adoption of the foregoing committee report.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knoll	Olson	Sikorski
Bang	Gunderson	Knutson	Penny	Sillers
Benedict	Hanson	Laufenburger	Perpich	Solon
Bernhagen	Hughes	Lessard	Peterson	Spear
Chenoweth	Humphrey	Lewis	Pillsbury	Stokowski
Chmielewski	Jensen	Luther	Purfeerst	Strand
Coleman	Johnson	McCutcheon	Renneke	Stumpf
Davies	Keefe, J.	Menning	Rued	Ulland, J.
Dieterich	Keefe, S.	Merriam	Schaaf	Wegener
Dunn	Kirchner	Moe	Schrom	Willet
Engler	Kleinbaum	Nichols	Setzepfandt	
Frederick	Knaak	Olhoff	Sieloff	

The motion prevailed. Report adopted. So Rule 62 was amended.

Mr. Coleman, from the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed.

Mary Davidson, Page classification, effective March 27, 1979

Eleanor Dierckins, transferred from Secretary classification to Committee Secretary classification, effective January 3, 1979

Rev. Richard E. Bolling, Chaplain, effective March 22, 1979

Rev. Richard Nelson, Chaplain, effective April 5, 1979

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Coleman for the Committee on Rules and Administration introduced—

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.

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Kleinbaum moved that H. F. No. 472 be taken from the table. The motion prevailed.

Mr. Kleinbaum moved the adoption of the Committee report on H. F. No. 472. The motion prevailed. Report adopted.

SUSPENSION OF RULES

Mr. Kleinbaum moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 472 and that the rules of the Senate be so far suspended as to give H. F. No. 472 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 472 was read the second time.

H. F. No. 472 was read the third time and placed on its final passage.

The question was taken on the passage of the resolution.

The roll was called, and there were yeas 49 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knaak	Nichols	Solon
Bang	Frederick	Knutson	Ogdahl	Spear
Benedict	Gearty	Laufenburger	Olhoff	Staples
Bernhagen	Gunderson	Lessard	Olson	Stokowski
Chenoweth	Humphrey	Luther	Peterson	Strand
Chmielewski	Jensen	McCutcheon	Schmitz	Stumpf
Coleman	Johnson	Menning	Schrom	Ulland, J.
Davies	Keefe, J.	Merriam	Setzepfandt	Wegener
Dieterich	Keefe, S.	Moe	Sikorski	Willet
Dunn	Kleinbaum	Nelson	Sillers	

Those who voted in the negative were:

So the resolution passed and its title was agreed to.

Pillsbury	Purfuerst	Rued	Schaaf	Sieloff
Penny	Renneke			

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Lewis moved that the name of Mr. Sikorski be added as co-author to S. F. Nos. 82 and 214. The motion prevailed.

CONFIRMATION

Mr. Anderson moved that the report from the Committee on Energy and Housing, reported March 15, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Anderson moved that the foregoing report be now adopted. The motion prevailed.

Mr. Anderson moved that in accordance with the report from the Committee on Energy and Housing, reported March 15, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**MINNESOTA HOUSING FINANCE AGENCY
DIRECTOR**

James J. Solem, 1520 Raymond Avenue, St. Paul, Ramsey County, effective January 18, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Sillers moved that the name of Mr. Hughes be added as co-author to S. F. No. 938. The motion prevailed.

Mr. Setzepfandt moved that House Concurrent Resolution No. 3 be withdrawn from the Committee on Transportation and referred to the Committee on Rules and Administration. The motion prevailed.

CALENDAR

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Garty	Knutson	Olhoft	Sieloff
Bang	Gunderson	Laufenburger	Olson	Sikorski
Benedict	Hanson	Lessard	Perpich	Sillers
Bernhagen	Humphrey	Lewis	Peterson	Solon
Chenoweth	Jensen	Luther	Pillsbury	Spear
Chmielewski	Johnson	McCutcheon	Purfeerst	Staples
Coleman	Keefe, J.	Menning	Renneke	Stokowski
Davies	Keefe, S.	Merriam	Rued	Strand
Dieterich	Kirchner	Moe	Schaaf	Ueland, A.
Dunn	Kleinbaum	Nelson	Schmitz	Ulland, J.
Engler	Knaak	Nichols	Schrom	Wegener
Frederick	Knoll	Ogdahl	Setzepfandt	Willet

Mr. Penny voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lessard	Perpich	Solon
Bang	Hanson	Lewis	Peterson	Spear
Benedict	Humphrey	Luther	Pillsbury	Staples
Bernhagen	Jensen	McCutcheon	Purfeerst	Stokowski
Chenoweth	Johnson	Menning	Renneke	Strand
Chmielewski	Keefe, J.	Merriam	Rued	Stumpf
Coleman	Keefe, S.	Moe	Schaaf	Ueland, A.
Davies	Kirchner	Nelson	Schmitz	Ulland, J.
Dieterich	Kleinbaum	Nichols	Schrom	Wegener
Dunn	Knaak	Ogdahl	Setzepfandt	Willet
Engler	Knoll	Olhoft	Sieloff	
Frederick	Knutson	Olson	Sikorski	
Garty	Laufenburger	Penny	Sillers	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lessard	Peterson	Spear
Bang	Hanson	Lewis	Pillsbury	Staples
Benedict	Humphrey	Luther	Purfeerst	Stokowski
Bernhagen	Jensen	McCutcheon	Renneke	Strand
Chenoweth	Johnson	Menning	Rued	Tennessee
Chmielewski	Keefe, J.	Merriam	Schaaf	Ueland, A.
Coleman	Keefe, S.	Moe	Schmitz	Vega
Davies	Kirchner	Nelson	Schrom	Wegener
Dieterich	Kleinbaum	Nichols	Setzepfandt	Willet
Dunn	Knaak	Ogdahl	Sieloff	
Engler	Knoll	Olson	Sikorski	
Frederick	Knutson	Penny	Sillers	
Garty	Laufenburger	Perpich	Solon	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Laufenburger	Perpich	Solon
Bang	Hanson	Lessard	Peterson	Staples
Benedict	Hughes	Lewis	Pillsbury	Stokowski
Bernhagen	Humphrey	McCutcheon	Purfeerst	Strand
Chenoweth	Jensen	Menning	Renneke	Stumpf
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schaaf	Ulland, J.
Davies	Keefe, S.	Nelson	Schmitz	Wegener
Dieterich	Kirchner	Nichols	Schrom	Willet
Dunn	Kleinbaum	Ogdahl	Setzepfandt	
Engler	Knaak	Olhoff	Sieloff	
Frederick	Knoll	Olson	Sikorski	
Garty	Knutson	Penny	Sillers	

Messrs. Luther and Spear voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Laufenburger	Penny	Solon
Bang	Hanson	Lessard	Perpich	Spear
Benedict	Hughes	Lewis	Peterson	Staples
Bernhagen	Humphrey	Luther	Pillsbury	Stokowski
Chenoweth	Jensen	McCutcheon	Purfeerst	Strand
Chmielewski	Johnson	Menning	Renneke	Stumpf
Coleman	Keefe, J.	Merriam	Rued	Ueland, A.
Davies	Keefe, S.	Moe	Schaaf	Ulland, J.
Dieterich	Kirchner	Nelson	Schmitz	Wegener
Dunn	Kleinbaum	Nichols	Setzepfandt	Willet
Engler	Knaak	Ogdahl	Sieloff	
Frederick	Knoll	Olhoft	Sikorski	
Gearty	Knutson	Olson	Sillers	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Laufenburger	Penny	Sillers
Bang	Hanson	Lessard	Perpich	Solon
Benedict	Hughes	Lewis	Peterson	Spear
Bernhagen	Humphrey	Luther	Pillsbury	Staples
Chenoweth	Jensen	McCutcheon	Purfeerst	Stokowski
Chmielewski	Johnson	Menning	Renneke	Strand
Coleman	Keefe, J.	Merriam	Rued	Tennessee
Davies	Keefe, S.	Moe	Schaaf	Ueland, A.
Dieterich	Kirchner	Nelson	Schmitz	Vega
Dunn	Kleinbaum	Nichols	Schrom	Wegener
Engler	Knaak	Ogdahl	Setzepfandt	Willet
Frederick	Knoll	Olhoft	Sieloff	
Gearty	Knutson	Olson	Sikorski	

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 324, 362, 117 and 606, which the committee recommends to pass.

S. F. No. 483, which the committee recommends to pass with the following amendments offered by Mr. Ulland, J.:

Page 1, after line 18, insert:

“Sec. 2. [PURCHASE OF LANDS.] If the seller offers the lands specified in section 1 or any part thereof to the state, the

state may purchase the lands and when acquired the lands shall be considered to be a part of Judge C. R. Magney State Park.”

Renumber the sections accordingly

Amend the title as follows:

Page 1, line 4, after “Park” insert “; authorizing the state to buy certain lands for the purpose of adding lands to the Judge C. R. Magney State Park”

The motion prevailed. So the amendment was adopted.

Mr. Ulland, J. then moved to amend S. F. No. 483 as follows:

Page 1, after line 18, insert:

“Sec. 2. [ACQUISITION OF EASEMENT.] Notwithstanding the provisions of section 1, the commissioner 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.”

Renumber the sections accordingly

Amend the title as follows:

Page 1, line 4, after “Park” insert “; authorizing the commissioner of natural resources to acquire a conservation easement along the Brule River and Lake Superior shoreline”

The motion prevailed. So the amendment was adopted.

S. F. No. 322, which the committee recommends to pass with the following amendment offered by Mr. Keefe, J.:

Page 3, line 9, delete “*the court finds that a person for whom*”

Page 3, delete line 10

Page 3, line 11, delete “*otherwise*”

The motion prevailed. So the amendment was adopted.

On motion of Mr. Coleman, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, April 2, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

THIRTY-FIRST DAY

St. Paul, Minnesota, Monday, April 2, 1979

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Hanson imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Frederick	Lewis	Purfeerst	Stokowski
Bang	Gearty	Luther	Renneke	Stumpf
Benedict	Hanson	McCutcheon	Rued	Tennessee
Bernhagen	Hughes	Merriam	Schaaf	Ueland, A.
Brataas	Jensen	Moe	Schmitz	Ulland, J.
Chenoweth	Johnson	Ogdahl	Schrom	Vega
Chmielewski	Kirchner	Olhoff	Sieloff	Wegener
Davies	Kleinbaum	Penny	Sikorski	Willett
Dieterich	Knaak	Perpich	Sillers	
Dunn	Knoll	Peterson	Spear	
Engler	Knutson	Pillsbury	Staples	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the chaplain, Dr. Joseph Simonson.

The roll was called, and the following Senators answered to their names:

Anderson	Gearty	Lessard	Peterson	Spear
Ashbach	Hanson	Lewis	Pillsbury	Staples
Bang	Hughes	Luther	Purfeerst	Stokowski
Benedict	Jensen	McCutcheon	Renneke	Strand
Bernhagen	Johnson	Merriam	Rued	Stumpf
Brataas	Keefe, J.	Moe	Schaaf	Tennessee
Chenoweth	Keefe, S.	Nelson	Schmitz	Ueland, A.
Chmielewski	Kirchner	Nichols	Schrom	Ulland, J.
Davies	Kleinbaum	Ogdahl	Setzepfandt	Vega
Dieterich	Knaak	Olhoff	Sieloff	Wegener
Dunn	Knoll	Olson	Sikorski	Willett
Engler	Knutson	Penny	Sillers	
Frederick	Laufenburger	Perpich	Solon	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Coleman, Gunderson, Humphrey and Menning were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Sikorski introduced—

S. F. No. 1111: 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.

Referred to the Committee on Judiciary.

Messrs. Anderson, Dunn, Knoll and Renneke introduced—

S. F. No. 1112: 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.

Referred to the Committee on Governmental Operations.

Messrs. Hanson; Keefe, J.; Knutson; McCutcheon and Tennesen introduced—

S. F. No. 1113: 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.

Referred to the Committee on Judiciary.

Mrs. Knaak introduced—

S. F. No. 1114: 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.

Referred to the Committee on Local Government.

Messrs. Tennesen, Laufenburger and Sillers introduced—

S. F. No. 1115: A bill for an act relating to real estate; changing interest provisions payable in redemption of mortgages; amending Minnesota Statutes 1978, Section 580.23, Subdivision 1.

Referred to the Committee on Commerce.

Mr. Lessard introduced—

S. F. No. 1116: A bill for an act relating to peace officers benefits; making certain deaths by heart attack compensable; amending Minnesota Statutes 1978, Section 352E.04.

Referred to the Committee on Employment.

Mr. Davies introduced—

S. F. No. 1117: A bill for an act relating to medical malpractice; providing limited liability for health care providers who disclose medically induced injuries to their patients.

Referred to the Committee on Judiciary.

Mr. Chmielewski introduced—

S. F. No. 1118: 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.

Referred to the Committee on Governmental Operations.

Mrs. Staples introduced—

S. F. No. 1119: A bill for an act relating to state lands; authorizing conveyance of certain land to Independent School District No. 281.

Referred to the Committee on Local Government.

Mr. Merriam introduced—

S. F. No. 1120: A bill for an act relating to education; requiring that the district which provides the instruction to a non-resident handicapped child pay the transportation costs for the child in certain cases; requiring the state to reimburse a district for those costs within the limits provided by law; amending Minnesota Statutes 1978, Section 120.17, Subdivisions 4 and 6.

Referred to the Committee on Education.

Messrs. Jensen, Bernhagen, Menning, Renneke and Setzepfandt introduced—

S. F. No. 1121: A bill for an act relating to local government; providing emergency snow removal aid; permitting an emergency levy; appropriating money.

Referred to the Committee on Local Government.

Messrs. Peterson, Merriam, Hanson and Coleman introduced—

S. F. No. 1122: A bill for an act relating to taxation; income tax; changing certain corporate tax rates; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ashbach, Frederick and Mrs. Knaak introduced—

S. F. No. 1123: A bill for an act proposing an amendment to the Minnesota Constitution; adding an article to limit state expenditures.

Referred to the Committee on Finance.

Messrs. Renneke, Bernhagen, Purfeerst, Schrom and Menning introduced—

S. F. No. 1124: A bill for an act relating to education; authorizing the state board of education to enter a contract to provide certain insurance for students at the Minnesota school for the deaf and the Minnesota braille and sight-saving school; providing for the collection of certain fees and for the payment of certain costs; providing that the payment of certain costs will not make the state board or either school liable for certain injuries; amending Minnesota Statutes 1978, Section 128A.02, by adding a subdivision.

Referred to the Committee on Education.

Messrs. Renneke, Nichols, Purfeerst, Schrom and Menning introduced—

S. F. No. 1125: A bill for an act relating to eminent domain; attorney's fees on appeal; amending Minnesota Statutes 1978, Section 117.175, Subdivision 2.

Referred to the Committee on Judiciary.

Messrs. Renneke, Bernhagen, Purfeerst, Schrom and Menning introduced—

S. F. No. 1126: 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 I.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ogdahl and Keefe, J. introduced—

S. F. No. 1127: 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.

Referred to the Committee on Elections.

Messrs. Stokowski, Ogdahl and Strand introduced—

S. F. No. 1128: 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.

Referred to the Committee on Governmental Operations.

Messrs. Sikorski, Willet, Nichols, Knoll and Gunderson introduced—

S. F. No. 1129: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Anderson, Solon, Merriam, Sillers and Sikorski introduced—

S. F. No. 1130: 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.

Referred to the Committee on Education.

Messrs. Lewis, Nelson, Perpich and Vega introduced—

S. F. No. 1131: 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 an assessment on convicted persons; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Laufenburger and Ashbach introduced—

S. F. No. 1132: A bill for an act relating to financial institutions; authorizing securities for investment of deposits of savings banks and other financial institutions and for deposit to secure deposits

of public funds; amending Minnesota Statutes 1978, Sections 50.14, Subdivision 4; and 118.01.

Referred to the Committee on Commerce.

Messrs. Renneke, Rued, Menning, Schrom and Keefe, S. introduced—

S. F. No. 1133: 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.

Referred to the Committee on Governmental Operations.

Messrs. Renneke, Nichols, Purfeerst, Rued and Olhoft introduced—

S. F. No. 1134: A bill for an act relating to partition fences; exempting certain lands from the provisions of chapter 344; providing that when only one owner or occupant is benefited by a fence he shall be assigned the entire expenses of the fence; amending Minnesota Statutes 1978, Section 344.03, Subdivision 1; and Chapter 344, by adding a section.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Lewis, Olson and Mrs. Brataas introduced—

S. F. No. 1135: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Menning, Hanson, Willet and Renneke introduced—

S. F. No. 1136: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Penny, Laufenburger, Sikorski and Renneke introduced—

S. F. No. 1137: 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.

Referred to the Committee on Governmental Operations.

Messrs. Nichols and Menning introduced—

S. F. No. 1138: 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.

Referred to the Committee on Education.

Messrs. Knoll, Ogdahl, Anderson, Willet and Humphrey introduced—

S. F. No. 1139: 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.

Referred to the Committee on Energy and Housing.

Mr. Penny introduced—

S. F. No. 1140: A bill for an act relating to agriculture; providing financial assistance for an agricultural interpretive center; appropriating money.

Referred to the Committee on General Legislation and Administrative Rules.

Mrs. Staples, Messrs. Perpich, Kirchner, Chenoweth and Knutson introduced—

S. F. No. 1141: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Solon and Ulland, J. introduced—

S. F. No. 1142: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Olhoft introduced—

S. F. No. 1143: 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.

Referred to the Committee on Local Government.

Mr. Hanson introduced—

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 1, 2, and 6; 106.651; and Chapter 106, by adding a section.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Ogdahl introduced—

S. F. No. 1145: 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.

Referred to the Committee on Governmental Operations.

Mr. Davies introduced—

S. F. No. 1146: 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.

Referred to the Committee on Judiciary.

Messrs. Peterson; Schaaf; Ueland, A.; Gearty and Jensen introduced—

S. F. No. 1147: 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.

Referred to the Committee on Elections.

Messrs. Anderson, Hughes and Sillers introduced—

S. F. No. 1148: A bill for an act relating to education; eliminating the computation of certain pupil units; changing a formula

for calculating a district's foundation aid; providing additional foundation aid for certain school districts; modifying certain levies; authorizing an additional levy; modifying certain statutory references because of the new levy and eliminating certain obsolete statutory references; amending Minnesota Statutes 1978, Sections 122.531, Subdivision 3; 124.17, Subdivision 1; 124.212, Subdivision 7c, and by adding a subdivision; and 275.125, Subdivision 2a, 2b, 6, 9, 11a and 15.

Referred to the Committee on Education.

Mr. Penny introduced—

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, Section 176.012.

Referred to the Committee on Employment.

Mr. Lewis introduced—

S. F. No. 1150: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Stokowski introduced—

S. F. No. 1151: 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.

Referred to the Committee on Governmental Operations.

Messrs. Schmitz, Ashbach and Wegener introduced—

S. F. No. 1152: 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.

Referred to the Committee on Commerce.

Messrs. Dieterich, Bernhagen, Hanson and McCutcheon introduced—

S. F. No. 1153: A bill for an act relating to taxation; income; providing an equalization credit in lieu of the homemaker credit;

allowing employed single parents to qualify for the credit; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3e.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich, Bang and McCutcheon introduced—

S. F. No. 1154: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Hughes, Merriam and Anderson introduced—

S. F. No. 1155: A bill for an act relating to education; providing for four year averaging of declining enrollments; establishing an aid for the reduction of class size in grades kindergarten through three; allowing alternative use of the aid funds under certain conditions; requiring a separate account for the aid; requiring a report; increasing the foundation aid formula allowance for the 1979-1980 and 1980-1981 school years; decreasing the maintenance levy for the 1980-1981 school year; appropriating money; amending Minnesota Statutes 1978, Sections 124.17, Subdivision 1; and 124.212, Subdivisions 6c and 7c.

Referred to the Committee on Education.

Mr. Penny introduced—

S. F. No. 1156: A bill for an act relating to education; providing for an increased pupil unit count for certain school districts; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

Referred to the Committee on Education.

Mr. Schaaf introduced—

S. F. No. 1157: 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.

Referred to the Committee on Elections.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received and referred to the committee indicated.

March 8, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Director of the Bureau of Mediation Services is hereby respectfully submitted to the Senate for confirmation as required by law:

Peter Obermeyer, 707 Mt. Curve Blvd., St. Paul, Ramsey County, has been appointed by me, effective March 5, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Employment.)

Sincerely,

Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned:

S. F. Nos. 198 and 254.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 29, 1979

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 60, 191, 214, 677, 451, 521, 713, 715 and 206.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 29, 1979

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

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.

Referred to the Committee on Agriculture and Natural Resources.

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.

Referred to the Committee on Agriculture and Natural Resources.

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.

Referred to the Committee on Taxes and Tax Laws.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Finance.

H. F. No. 521: A bill for an act relating to domestic abuse; authorizing judicial intervention to provide protection from domestic abuse; prescribing penalties.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Hanson moved that the Committee Reports at the Desk, with the exception of the reports on S. F. Nos. 919 and 506, be now adopted. The motion prevailed.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 605: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, delete "not more than"

Page 1, line 18, before the period insert "with the approval of the department of public welfare"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

Senate Concurrent Resolution No. 6: A Senate 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.

Reports the same back with the recommendation that the resolution be amended as follows:

Page 3, line 2, delete the semicolon and insert a comma

And when so amended the resolution do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 750: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 23, after "audits" insert "*at the same time as cost report audits required under section 256B.27, subdivision 2a, and at any other time but at least once every three years,*"

Page 2, line 27, before "The" insert "*Subd. 5.*"

Page 2, line 28, after "when" insert "*the recipient or his guardian or conservator designates that person in writing to receive or expend funds on behalf of the recipient and*"

Page 2, line 29, after "certifies" insert "*in writing*"

Page 3, line 3, delete everything after "be" and insert "*sentenced*"

Page 3, line 5, after the period, insert "*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.*"

Page 3, line 12, delete everything after the period

Page 3, delete lines 13 and 14

Renumber the subdivisions in sequence

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 659: A bill for an act relating to health; appropriating money to the University of Minnesota for the Minnesota Regional Sleep Disorders Center.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 851: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 17, after "allocation" insert "*and expenditure*"

Page 2, line 18, strike "to railroads" and delete "*or rail users*"

Page 2, line 18, strike "according to" and insert "*authorized under the rail service improvement program and develop*"

Page 2, line 19, strike "developed by the" and delete "*commissioner*" and insert "*for eligibility and approval of projects under the program*"

Page 3, after line 2, insert:

"Sec. 3. Minnesota Statutes 1978, Section 222.50, Subdivision 4, is amended to read:

Subd. 4. The director may negotiate and enter into contracts for the purpose of rail line rehabilitation *and for the purpose of assisting in the payment of the local share of a rehabilitation project under the federal rail service continuation program*. The participants in these contracts shall be railroads, rail users and the department, and may be political subdivisions of the state and the federal government. In such contracts, participation by all parties shall be voluntary. The director may provide a portion of the money required to carry out the terms of any such contract by expenditure from the rail service improvement account."

Page 3, lines 14 to 16, delete the underlined language

Page 3, line 21, delete "*a portion of the*" and delete "*charges as*"

Page 3, line 22, delete "*provided in section 12*" and insert "*adjustments*"

Page 4, line 2, delete "*the*" and insert "*a*"

Page 4, line 3, after "*maintain*" insert "*, manage*"

Page 4, line 4, delete the period and insert a semicolon

Page 4, after line 4, insert:

"(e) *To assist in the placement of monuments or markers necessary to indicate the boundary lines of tracts of property adjoining*

a railroad right-of-way abandoned after the effective date of this section."

Page 4, line 6, delete *"rolling stock under clause (b) or"*

Page 4, line 7, delete *"disposition of"*

Page 4, line 7, after *"right-of-way"* insert *"acquired"*

Page 4, line 8, after *"program"* insert *"or of any other property acquired pursuant to sections 222.46 to 222.62"*

Page 5, line 22, before the semicolon, insert *"and other transportation modes"*

Page 7, line 29, delete *"up to four percent"* and insert *"a percentage"*

Page 7, line 30, delete *"to the extent"*

Page 7, line 31, delete *"that"* and insert *"equal to the difference between"*

Page 7, line 31, delete *"exceeds"* and insert *"and an interest rate of"*

Page 7, line 32, after the period, insert *"The percentage paid by the commissioner shall not exceed four percent."*

Page 8, line 15, delete *"14"* and insert *"15"*

Page 8, line 30, after *"in"* insert *"any portion of"*

Page 8, line 32, after *"owners"* insert *"of the affected portion"*

Page 9, line 17, before *"The"* insert *"Subd. 3. [PROPERTY MAINTENANCE AND MANAGEMENT.]"*

Page 9, line 17, after *"maintenance"* insert *"and management"*

Page 9, line 18, delete *"included in"* and insert *"acquired under"*

Page 9, line 18, before the period, insert *"program, including control of weeds, maintenance of drainage and protection of public safety. The commissioner shall manage the property in a manner that minimizes maintenance costs and provides a benefit to the state. The commissioner may allow interim uses of the property that are consistent with this section. An interim use other than for agricultural or conservation purposes shall not be continued for more than one year unless the commissioner submits that interim use to the procedures required pursuant to subdivision 5"*

Page 9, line 19, delete *"3"* and insert *"4"*

Page 9, line 27, delete *"4"* and insert *"5"*

Page 9, line 29, delete *"3"* and insert *"4, or to continue an interim use of a right-of-way for more than one year under subdivision 3"*

Page 10, line 12, delete everything after the period

Page 10, delete line 13

Page 10, line 14, delete "and" and insert "The commissioner shall dispose of any property for which"

Page 10, line 14, delete "for that"

Page 10, line 15, delete "property"

Page 10, line 16, delete "the commissioner shall"

Page 10, delete line 17

Page 10, line 18, delete everything before the period

Page 10, line 18, delete "If" and insert "The commissioner shall dispose of any property for which"

Page 10, line 19, delete "for a"

Page 10, line 20, delete "rail bank property" and delete "the property" and insert "which"

Page 10, line 21, delete "3" and insert "4"

Page 10, line 22, after "acquisition" insert a period and delete the remaining language

Page 10, line 23, delete everything through the period

Page 10, after line 28, insert:

"The commissioner may require as a condition of sale to adjacent owners that the property be purchased in its entirety for resale to the individual adjacent owners."

Page 11, line 6, after "Except" insert "for an officer of a state department or agency authorized by law to acquire the specific right-of-way which is the subject of the proceeding or"

Page 11, after line 11, insert:

"Subd. 8. When an abandoned right-of-way is acquired the commissioner shall give notice of the acquisition to the owners of any structures or improvements which are located on the right-of-way. The commissioner, if requested by such an owner, shall: (a) continue in force any agreement under which those structures or improvements were located on the right-of-way; or (b) enter into new agreements or arrangements which allow the owners of the structures or improvements to acquire the property on which they are located or which allow the continued use of the structures and improvements by the owners."

Renumber the subdivisions in sequence

Page 11, line 21, before the comma, insert "or acquisition by a state department or agency authorized by law to acquire a specific right-of-way"

Page 11, after line 32, insert:

"Sec. 16. Minnesota Statutes 1978, Section 174.03, Subdivision 4, is amended to read:

Subd. 4. [OTHER DUTIES.] The commissioner shall:

(a) Construct and maintain transportation facilities as authorized by law;

(b) Cooperate with, and may provide technical and financial assistance to, the metropolitan council and regional development commissions in the regional transportation planning process, in accordance with mutually acceptable terms and conditions;

(c) Cooperate with and may provide planning and technical assistance upon the request of any political subdivision or other governmental agency in accordance with mutually accepted terms and conditions, except as otherwise restricted by laws; and

(d) Develop, revise and monitor a statewide rail transportation plan as part of the statewide transportation planning process, including a study and evaluation of alternative methods for insuring adequate and economical transportation of agricultural commodities, supplies and other goods to and from rural areas of the state. The ~~commissioner~~ *plan* shall include in the study consideration of rail line improvement programs including those adopted or proposed in other states. Based on the study and evaluation, the commissioner shall recommend an appropriate state assistance program to the governor and the legislature no later than July 1, 1978. Upon completion of each stage of any rail improvement study conducted by a state department or agency, the information developed by the study shall be made available to the commissioner an analysis of rail lines in the state for the purpose of determining: (1) eligibility of rail lines for assistance under federal and state rail assistance programs; (2) eligibility of rail lines for inclusion in the state rail bank; and (3) the actions required by the state to insure the continuation of rail service which meets essential state needs and objectives."

Page 12, after line 12, insert:

"Sec. 18. Minnesota Statutes 1978, Chapter 84, is amended by adding a section to read:

[84.0274] [ACQUISITION OF RAILROAD RIGHT-OF-WAY.] *The commissioner of natural resources shall not acquire any interest in any railroad right-of-way, abandoned or otherwise, for the purpose of constructing and operating a trail unless authorized by law to acquire the specific right-of-way. Reference to a specific railroad right-of-way in the description of a trail for which the commissioner is authorized to acquire property shall constitute authorization to acquire that right-of-way. The commissioner shall not intervene in an abandonment proceeding before the interstate commerce commission on the issue of the suitability of a rail line for a public use unless authorized by law to acquire that specific right-of-way.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after the semicolon, insert "prohibiting acquisition of railroad right-of-way for rail purposes without specific legislative authorization;"

Page 1, line 12, after "Sections" insert "174.03, Subdivision 4;"

Page 1, line 13, after "3" insert ", 4"

Page 1, line 16, after the semicolon, insert "Chapters 84, by adding a section;"

Page 1, line 16, delete "Chapter"

And when so amended the bill do pass and be re-referred to the Committee on Agriculture and Natural Resources. Amendments adopted. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 363: A bill for an act relating to crimes; requiring reporting of firearm discharges by private security officers.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 6, delete "PRIVATE SECURITY OFFICER" and insert "SECURITY GUARD"

Page 1, line 8, delete "the" and insert " "security guard" means any person who is paid a fee, wage or salary to perform one or more of the following functions:

(a) Prevention or detection of intrusion, unauthorized entry or activity, vandalism, or trespass on private property;

(b) Prevention or detection of theft, loss, embezzlement, misappropriation, or concealment of merchandise, money, bonds, stocks, notes, or other valuable documents or papers;

(c) Control, regulation, or direction of the flow or movements of the public, whether by vehicle or otherwise, to assure protection of private property;

(d) Protection of individuals from bodily harm; or

(e) Enforcement of policies and rules of his employer related to crime reduction insofar as such enforcement falls within the scope of his duties.

The provisions of this subdivision are not intended to include within the definition of "security guard" auditors, accountants, and accounting personnel whether or not they are employees of a private firm, corporation or independent accounting firm."

Page 1, delete lines 9 to 21

Page 2, delete lines 1 to 33

Page 3, delete lines 1 to 9

Page 3, line 11, delete "private security officer" and insert "security guard"

Page 3, lines 13 and 14, delete "he resides" and insert "the discharge occurred"

Amend the title, as follows:

Page 1, line 3, delete "private security officers" and insert "security guards"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 567: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 499: A bill for an act relating to the Minnesota Historical Society; appropriating money for a Mississippi river historical interpretation center.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations to which was referred

S. F. No. 741: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 14, after "of" insert "*a peacetime*"

Page 3, line 15, after "*plan*" insert "*developed pursuant to section 12.21, subdivision 3,*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was re-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; repealing Minnesota Statutes 1978, Section 473.438, Subdivisions 5 and 6.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, delete "*promissory notes,*"

Page 2, line 22, delete "*Promissory notes,*"

Page 2, line 24, delete "*may be purchased by the state*"

Page 2, delete lines 25 to 27

Page 2, line 32, delete "*Promissory notes,*"

Page 3, line 4, delete "*Promissory notes,*"

Page 3, line 32, delete "*promissory notes,*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 437: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, delete "and upon the receipt of"

Page 1, line 9, delete "nominal consideration"

Page 1, delete all of 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."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 719: A bill for an act relating to education; permitting a school district to sell certain buildings at auction; setting conditions for the sale.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "class" insert "or by an area vocational-technical school student or class"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 506: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 17, insert:

"It is not a violation of this subdivision to have an alcoholic beverage in the trunk or other area of a motor vehicle in compliance with section 169.122, subdivision 3, in a rest area, wayside or tourist information center."

And when so amended the bill do pass. Mr. Schaaf questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 561: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, before "Any" insert "If"

Page 1, line 23, delete "who displays upon the" and insert "parks a"

Page 1, line 23, delete "parked by"

Page 1, line 24, delete "him" and insert "displaying license plates described in this section"

Page 1, line 24, after "or" insert "accompanies a non-handicapped person who parks the vehicle"

Page 1, line 24, delete "the license plates specified in"

Page 1, line 25, delete "this section" and insert ", the driver"

Page 2, line 21, delete "In these"

Page 2, line 22, delete "instances, the" and insert "A"

Page 2, line 23, after "the" insert "parking"

Page 2, line 24, after "is" insert "accompanied by and"

Page 2, line 29, strike "is"

Page 2, line 30, strike "defined as" and insert "means"

Page 2, line 30, reinstate the stricken language

Page 2, line 32, delete everything before "rendering" and insert "material disability of either or both arms or legs, or who has been otherwise disabled in any manner,"

Page 2, line 33, delete ", dangerous or impossible" and insert "and burdensome"

Page 3, lines 9 to 11, delete the underlined language

Page 3, line 25, reinstate "Physically handicapped" and before "Physically" insert "For the purpose of this section"

Page 3, line 26, reinstate "any person who has sustained" and before "any" insert "means"

Page 3, lines 27 to 29, reinstate the stricken language

Page 3, lines 29 to 33, delete the underlined language

Page 4, lines 1 to 10, delete the underlined language

Page 5, line 3, reinstate the stricken language

Page 5, line 4, delete "a gross misdemeanor"

Page 5, line 14, after "is" insert "a"

Page 5, line 14, strike "in a manner"

Page 5, strike line 15

Page 5, line 16, strike everything before "operating" and insert "*person as defined in section 169.345, subdivision 2, or who is accompanied by and is*"

Page 5, line 17, strike "person who is"

Page 5, line 18, strike "in this manner" and insert "person"

Page 5, line 30, delete "*which if posted after July 1, 1979*" and insert ". *The signs, as far as practicable,*"

Page 5, line 32, strike "indicating" and insert "indicate"

Page 6, line 9, after the period, insert "*A sign is effective to designate a parking space under this section regardless of whether it complies with the standards of this subdivision if the sign states that the posted space is reserved for the handicapped.*"

Amend the title as follows:

Page 1, line 7, delete everything after the semicolon

Page 1, delete line 8

Page 1, line 9, delete everything before "recognizing"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 779: A bill for an act relating to commerce; regulating building movers; amending Minnesota Statutes 1978, Chapter 221, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

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."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 11 and 22, delete "fortuitous"

Page 2, delete lines 9 and 10 and insert:

"Sec. 3. Laws 1971, Chapter 330, is repealed.

Sec. 4. This act is effective upon approval by the board of commissioners of Hennepin County and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 5, after "insurance" insert "; repealing Laws 1971, Chapter 330"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 129: 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, 3 and 4 to provide for congressional and legislative apportionments by a commission, removing the requirement that all senators be elected at the first general election following an apportionment and limiting the power of the legislature to change the number of senators and representatives; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Subdivision 1. An amendment to the Minnesota Constitution is proposed to the people as provided by subdivision 2.

Subd. 2. If the amendment is adopted, Article IV, Section 3, will read as follows:

Sec. 3. [CENSUS ENUMERATION APPORTIONMENT; CONGRESSIONAL AND LEGISLATIVE DISTRICT BOUNDARIES; SENATE DISTRICTS.] 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. *Population shall be the controlling factor in determining the bounds of legislative districts, and each district shall be within 5 percent of the average population of the districts. The power to prescribe the bounds of congressional or legislative districts, or both, may be delegated to a commission established by law. If so delegated, the decision of the commission is not subject to veto by the governor or the legislature. Section 5 of this article does not apply to a commission established under this section. The selection of members of a commission may be determined by law. 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.*

Sec. 2. The amendment shall be submitted to the people at the 1980 general election. The question proposed shall be: “Shall the Minnesota Constitution be amended to permit the creation of a commission to establish congressional or legislative districts, or both, and to establish standards for legislative districts?”

Yes.....

No.....” ”

Amend the title as follows:

Delete the title in its entirety and insert

“A bill for an act relating to reapportionment of legislative and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Section 3, to permit the creation by law of a commission to reapportion congressional or legislative districts, or both; establishing standards for legislative districts.”

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 342: A bill for an act relating to professional regulation; regulating architects, engineers, surveyors, and landscape architects; adding an additional member to the board of archi-

ecture, engineering, land surveying and landscape architecture; amending Minnesota Statutes 1978, Sections 326.02, Subdivision 4; and 326.04.

Reports the same back with the recommendation that the bill be amended as follows:

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*"

Page 1, line 22, 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*"

And when so amended the bill do pass and be re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 285: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 7, insert

"Sec. 2. Minnesota Statutes 1978, Section 334.16, is amended by adding a subdivision to read:

Subd. 1a. [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 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."

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "permissible" and insert "permissible"

Page 1, after line 3, insert "providing for calculation of finance charges on open end credit sales;"

Page 1, line 5, before the period, insert “, and by adding a subdivision”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 709: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 26, delete the comma after “Fisher” and insert “and”

Page 2, line 26, delete “and opossum”

Amend the title as follows:

Page 1, line 3, delete “and opossum”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was re-referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, line 10, after the period, insert “Where the pipeline crosses the right of way of any drainage ditch, the pipeline shall be at least six feet below the authorized depth of the ditch, unless waived in the manner provided in subdivisions 2 and 3.”

Page 7, delete lines 27 to 32

Page 8, line 8, delete “hire” and insert “designate”

Page 9, line 7, delete “Each day of”

Page 9, delete lines 8 and 9

Page 9, line 21, delete "damage" and insert "injury"

Page 9, line 22, delete everything after "pipeline"

Page 9, delete lines 23 and 24

Page 9, line 25, delete "derivative" and insert a comma

Page 11, line 29, delete "Subdivision 1"

Page 12, delete lines 8 to 16

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 682: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 11 to 16, reinstate the stricken language

Page 1, line 16, after the period, insert "*Notwithstanding the foregoing,*"

Pages 1 and 2, delete section 2

Amend the title as follows:

Page 1, line 5, delete everything after the comma and insert "Subdivision 2."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 165: A bill for an act relating to agriculture; establishing a swine disease research center; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Davies 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 cer-

tain transactions; amending Minnesota Statutes 1978, Sections 301.25, Subdivision 7; 301.32; and 301.36.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete lines 12 to 23

Page 2, delete lines 1 to 6 and insert:

"Subd. 7. [QUORUM.] Unless otherwise provided in the articles of incorporation, the presence, or the bylaws specify a larger or smaller proportion, the holders of a majority of the shares entitled to vote at a meeting shall be present in person or by proxy; of the holders of a majority of the shares entitled to vote at the meeting shall to constitute a quorum for the transaction of business at the meeting. In the absence of a quorum, any a meeting may be adjourned from time to time. The shareholders If a quorum is present at when a duly called or held meeting at which a quorum is present is convened, the holders present in person or by proxy may continue to transact business until adjournment, notwithstanding that the withdrawal of enough shareholders to leave a number of holders originally present in person or by proxy leaves less than a quorum.

Sec. 2. Minnesota Statutes 1978, Section 301.25, is amended by adding a subdivision to read:

Subd. 8. Subject to the provisions of this chapter establishing special vote requirements, the articles of incorporation or the bylaws may specify the proportions of shares or proportions of votes cast necessary to transact specified types of business at any meeting."

Page 2, line 10, delete "Any" and insert "A"

Page 2, line 11, delete "any" and insert "an"

Page 2, line 12, strike "any" and insert "an"

Page 2, line 13, delete "any" and insert "a"

Page 2, line 15, delete "any" and insert "an"

Page 2, line 17, delete "any such" and insert "the"

Page 2, line 18, delete "such" and insert "the"

Page 2, line 20, after "corporation" insert "and is approved by the majority of the directors"

Page 2, line 22, delete "such" and insert "the"

Page 2, line 31, delete "any" and insert "a"

Page 2, line 32, delete "any" and insert "a"

Page 3, line 4, delete "any" and insert "a"

Page 3, line 8, delete "any" and insert "part"

Page 3, line 10, delete "such" and insert "those"

Page 3, line 11, delete "such" and insert "those"

Page 3, line 14, delete "any such" and insert "which"

Page 3, line 16, strike "any" and insert "a"

Page 3, line 20, strike the first "such" and insert "those"

Page 3, line 20, strike the second "such" and insert "those"

Page 3, line 27, strike "such" and insert "the"

Page 3, line 28, strike "such" and insert "the"

Page 3, line 32, strike "any such" and insert "the"

Page 4, line 1, strike "thereat"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after "7" insert ", and by adding a subdivision"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 766: A bill for an act relating to banks; authorizing the closing of loans at detached facilities; amending Minnesota Statutes 1978, Section 47.53.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, strike "accepting loan applications"

Page 1, line 13, delete the second comma

Page 1, line 14, delete "closing" and insert "making"

Amend the title as follows:

Page 1, line 2, delete "closing" and insert "making"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 767: A bill for an act relating to banks; authorizing detached facilities in towns where there are no banks; amending Minnesota Statutes 1978, Section 47.52.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 5, before the period insert "; or within the premises of an airport, acquired, established, maintained or operated by a political subdivision, public corporation, authority or district in this state, which is within 25 miles of the bank's principal office measured in a straight line from the closest structures involved"

Page 2, after line 14, insert:

“Sec. 2. Minnesota Statutes 1978, Section 48.19, Subdivision 1, is amended to read:

48.19 [LOANS ON REAL ESTATE RESTRICTED.] Subdivision 1. [RESTRICTIONS; EXCEPTION.] No bank or trust company shall make any loan upon the security of real estate unless it is a first lien thereon, except that a bank or trust company may take a junior lien: (a) upon real estate to secure a loan previously contracted; or (b) upon farm real estate to secure a loan made to a farmer who resides in a county which due to weather conditions is a declared federal disaster area at the time the loan contract is signed ; or (c) upon real estate to secure a loan if (1) the total unpaid aggregate of all loans secured by liens against the same real estate does not exceed 80 percent of its appraised value, and (2) the aggregate outstanding indebtedness on all loans made by a bank or trust company which are secured by junior liens otherwise prohibited under this section does not exceed 15 percent of the total time and savings deposits of the bank or trust company as of its most recent published statement . Before any such loans are made the value of the real estate shall be determined by an appraisal made by a committee appointed by the board of directors, which appraisal shall be made a matter of record; except that the board may accept an appraisal made by or for an agency of the United States government when such agency is guaranteeing or insuring the loan or any part thereof.

A bank may take additional liens on the same security and these shall be considered to be part of the same mortgage lien thereon providing it has been established that there are no intervening liens.

Loans in which the small business administration cooperates through agreements to participate on an immediate or deferred basis under the federal small business act or loans or obligations secured or guaranteed by the United States or any department, bureau, board, commission, or establishment of the United States, including any corporation wholly owned directly or indirectly by the United States, shall not be subject to the restrictions or limitations of this section imposed upon loans secured by real estate.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after “banks” insert “and in airports”

Page 1, line 3, after the semicolon insert “permitting banks and trust companies to take junior liens under certain circumstances;”

Page 1, line 4, delete “Section” and insert “Sections”

Page 1, line 4, after “47.52” insert “; and 48.19, Subdivision 1”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after "*banks*" insert "*and savings banks*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

H. F. No. 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 919: 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Mr. Anderson questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 845: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 381: A bill for an act relating to the city of Ely; providing for the salaries of the mayor and council.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 638, 270, 396, 52 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
638	925			270	338
396	568			52	213

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 638 be amended as follows:

Page 8, line 14, strike "basis"

And when so amended H. F. No. 638 will be identical to S. F. No. 925, and further recommends that H. F. No. 638 be given its second reading and substituted for S. F. No. 925, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 270 be amended as follows:

Page 1, line 17, after "*substitute*" insert "*or text or text substitute*"

And when so amended H. F. No. 270 will be identical to S. F. No. 338, and further recommends that H. F. No. 270 be given its second reading and substituted for S. F. No. 338, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 396 be amended as follows:

Page 1, line 13, delete "*licensed for*" and insert "*servicing*"

And when so amended H. F. No. 396 will be identical to S. F. No. 568, and further recommends that H. F. No. 396 be given its second reading and substituted for S. F. No. 568, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 52 be amended as follows:

Page 1, lines 13 and 14, reinstate the stricken language and delete "*of driver and vehicle services*"

Page 1, line 16, reinstate the stricken language

Page 2, line 1, after "*certificate*" insert "*or insignia*"

Page 2, line 2, after "*certificate*" insert "*or insignia*"

Page 2, line 13, reinstate the stricken language

Page 2, lines 20 and 21, reinstate the stricken language

Page 2, lines 21 and 22, delete the underscored language

Page 2, line 27, after "*certificate*" insert "*or insignia*"

Page 2, lines 28 and 29, strike "and punishable as" and delete the underscored language

Page 3, lines 14 and 15, reinstate the stricken language

And when so amended H. F. No. 52 will be identical to S. F. No. 213, and further recommends that H. F. No. 52 be given its second reading and substituted for S. F. No. 213, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 842, 144, 550, 876, 668, 109, 728, 607, 450, 867, 905, 708, and 467 makes the following report:

That the above Senate Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

SECOND READING OF SENATE BILLS

S. F. No. 871 was read the second time.

S. F. Nos. 605, 363, 741, 719, 779, 346, 285, 709, 682, 660, 766, 767, 687, 845 and 381 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 127, 638, 270, 396 and 52 were read the second time.

H. F. Nos. 167, 297, 186, 87 and 360 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Dieterich introduced—

Senate Resolution No. 21: A Senate resolution congratulating the Saint Paul Central High School girls' basketball team on winning the Class AA state high school girls' basketball championship.

Referred to the Committee on Rules and Administration.

Mr. Ueland, A. moved that the name of Mr. Schaaf be added as co-author to S. F. No. 107. The motion prevailed.

Mr. Sikorski moved that the name of Mr. Johnson be added as co-author to S. F. No. 1097. The motion prevailed.

Mr. Anderson moved that the name of Mr. Olhoft be added as co-author to S. F. No. 1104. The motion prevailed.

Mr. Perpich moved that the name of Mr. Johnson be added as co-author to S. F. No. 1106. The motion prevailed.

CALENDAR

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Penny	Sillers
Ashbach	Gearty	Laufenburger	Perpich	Solon
Bang	Hanson	Lessard	Peterson	Spear
Benedict	Hughes	Lewis	Pillsbury	Staples
Bernhagen	Jensen	Luther	Purfeerst	Strand
Brataas	Johnson	Merriam	Rued	Stumpf
Chenoweth	Keefe, J.	Moe	Schaaf	Ueland, A.
Chmielewski	Keefe, S.	Nelson	Schmitz	Ulland, J.
Davies	Kirchner	Nichols	Schrom	Vega
Dieterich	Kleinbaum	Ogdahl	Setzepfandt	Wegener
Dunn	Knaak	Olhoft	Sieloff	Willet
Engler	Knoll	Olson	Sikorski	

So the bill passed and its title was agreed to.

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.

With the unanimous consent of the Senate, Mr. Wegener moved to amend S. F. No. 549 as follows:

Page 2, line 18, before "The" insert "*From a list of three persons submitted by each affected city council,*"

The motion prevailed. So the amendment was adopted.

S. F. No. 549 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Peterson	Staples
Ashbach	Hanson	Lewis	Pillsbury	Strand
Bang	Hughes	Luther	Purfeerst	Stumpf
Benedict	Jensen	McCutcheon	Rued	Tennessee
Bernhagen	Johnson	Merriam	Schaaf	Ueland, A.
Brataas	Keefe, J.	Moe	Schmitz	Ulland, J.
Chenoweth	Keefe, S.	Nelson	Schrom	Vega
Chmielewski	Kirchner	Nichols	Setzepfandt	Wegener
Davies	Kleinbaum	Ogdahl	Sieloff	Willet
Dieterich	Knaak	Olhoft	Sikorski	
Dunn	Knoll	Olson	Sillers	
Engler	Knutson	Penny	Solon	
Frederick	Laufenburger	Perpich	Spear	

So the bill, as amended, passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Peterson	Spear
Ashbach	Hanson	Lewis	Pillsbury	Staples
Bang	Hughes	Luther	Purfeerst	Stokowski
Benedict	Jensen	McCutcheon	Renneke	Strand
Bernhagen	Johnson	Merriam	Rued	Stumpf
Brataas	Keefe, J.	Moe	Schaaf	Tennessee
Chenoweth	Keefe, S.	Nelson	Schmitz	Ueland, A.
Chmielewski	Kirchner	Nichols	Schrom	Ulland, J.
Davies	Kleinbaum	Ogdahl	Setzepfandt	Vega
Dieterich	Knaak	Olhoft	Sieloff	Wegener
Dunn	Knoll	Olson	Sikorski	Willet
Engler	Knutson	Penny	Sillers	
Frederick	Laufenburger	Perpich	Solon	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Luther	Purfeerst	Stokowski
Ashbach	Hanson	McCutcheon	Renneke	Strand
Bang	Hughes	Merriam	Rued	Stumpf
Benedict	Jensen	Moe	Schaaf	Tennesen
Bernhagen	Johnson	Nelson	Schmitz	Ueland, A.
Brataas	Keefe, S.	Nichols	Schrom	Ulland, J.
Chenoweth	Kirchner	Ogdahl	Setzepfandt	Vega
Chmielewski	Kleinbaum	Olhoff	Sieloff	Wegener
Davies	Knaak	Olson	Sikorski	Willet
Dieterich	Knoll	Penny	Sillers	
Dunn	Knutson	Perpich	Solon	
Engler	Laufenburger	Peterson	Spear	
Frederick	Lewis	Pillsbury	Staples	

So the bill passed and its title was agreed to.

S. F. No. 572: A bill for an act relating to the city of Bloomington; authorizing additional on-sale liquor licenses.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 11, as follows:

Those who voted in the affirmative were:

Ashbach	Hughes	Lessard	Pillsbury	Staples
Bang	Jensen	Lewis	Purfeerst	Tennesen
Bernhagen	Johnson	Luther	Rued	Ueland, A.
Brataas	Keefe, J.	Merriam	Schaaf	Ulland, J.
Davies	Keefe, S.	Moe	Schmitz	Vega
Dieterich	Kirchner	Nelson	Schrom	Wegener
Dunn	Kleinbaum	Nichols	Setzepfandt	Willet
Engler	Knaak	Ogdahl	Sieloff	
Frederick	Knoll	Olson	Sillers	
Gearty	Knutson	Penny	Solon	
Hanson	Laufenburger	Perpich	Spear	

Those who voted in the negative were:

Anderson	Chmielewski	Olhoff	Renneke	Strand
Benedict	McCutcheon	Peterson	Sikorski	Stumpf
Chenoweth				

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 34 and nays 25, as follows:

Those who voted in the affirmative were:

Bang	Lessard	Olson	Sikorski	Vega
Dieterich	Lewis	Penny	Sillers	Wegener
Gearty	Luther	Perpich	Solon	
Hanson	McCutcheon	Pillsbury	Spear	
Jensen	Merriam	Purfeerst	Staples	
Johnson	Moe	Schaaf	Stokowski	
Keefe, S.	Nelson	Schmitz	Tennessee	
Kleinbaum	Ogdahl	Setzepfandt	Ueland, A.	

Those who voted in the negative were:

Ashbach	Davies	Kirchner	Olhoft	Sieloff
Benedict	Dunn	Knaak	Peterson	Strand
Bernhagen	Frederick	Knutson	Renneke	Stumpf
Chenoweth	Hughes	Laufenburger	Rued	Ulland, J.
Chmielewski	Keefe, J.	Nichols	Schrom	Willet

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Pillsbury	Staples
Ashbach	Hanson	Luther	Purfeerst	Stokowski
Bang	Hughes	McCutcheon	Renneke	Strand
Benedict	Jensen	Merriam	Rued	Stumpf
Bernhagen	Johnson	Moe	Schaaf	Tennessee
Brataas	Keefe, J.	Nelson	Schmitz	Ueland, A.
Chenoweth	Keefe, S.	Nichols	Schrom	Ulland, J.
Chmielewski	Kirchner	Ogdahl	Setzepfandt	Vega
Davies	Kleinbaum	Olhoft	Sieloff	Willet
Dieterich	Knaak	Olson	Sikorski	
Dunn	Knutson	Penny	Sillers	
Engler	Laufenburger	Perpich	Solon	
Frederick	Lessard	Peterson	Spear	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 3, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Lewis	Peterson	Solon
Bang	Hanson	Luther	Pillsbury	Spear
Benedict	Hughes	McCutcheon	Purfeerst	Staples
Bernhagen	Jensen	Merriam	Renneke	Stokowski
Brataas	Johnson	Moe	Rued	Strand
Chenoweth	Keefe, J.	Nelson	Schaaf	Stumpf
Chmielewski	Keefe, S.	Nichols	Schmitz	Ueland, A.
Davies	Kirchner	Ogdahl	Schrom	Ulland, J.
Dieterich	Kleinbaum	Olhoff	Setzepfandt	Vega
Dunn	Knaak	Olson	Sieloff	Wegener
Engler	Knutson	Penny	Sikorski	Willet
Frederick	Lessard	Perpich	Sillers	

Messrs. Anderson, Laufenburger and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Pillsbury	Stokowski
Ashbach	Hanson	Luther	Purfeerst	Strand
Bang	Hughes	McCutcheon	Renneke	Stumpf
Benedict	Jensen	Merriam	Rued	Tennesen
Bernhagen	Johnson	Moe	Schaaf	Ueland, A.
Brataas	Keefe, J.	Nelson	Schmitz	Ulland, J.
Chenoweth	Keefe, S.	Nichols	Schrom	Vega
Chmielewski	Kirchner	Ogdahl	Setzepfandt	Wegener
Davies	Kleinbaum	Olhoff	Sieloff	Willet
Dieterich	Knaak	Olson	Sikorski	
Dunn	Knutson	Penny	Solon	
Engler	Laufenburger	Perpich	Spear	
Frederick	Lessard	Peterson	Staples	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Luther	Purfeerst	Stokowski
Ashbach	Hanson	McCutcheon	Renneke	Strand
Bang	Hughes	Merriam	Rued	Stumpf
Benedict	Jensen	Moe	Schaaf	Tennessee
Bernhagen	Johnson	Nelson	Schmitz	Ueland, A.
Brataas	Keefe, J.	Nichols	Schrom	Ulland, J.
Chenoweth	Keefe, S.	Ogdahl	Setzepfandt	Vega
Chmielewski	Kirchner	Olhoff	Sieloff	Wegener
Davies	Kleinbaum	Olson	Sikorski	Willet
Dieterich	Knaak	Penny	Sillers	
Dunn	Knutson	Perpich	Solon	
Engler	Laufenburger	Peterson	Spear	
Frederick	Lewis	Pillsbury	Staples	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Luther	Purfeerst	Stokowski
Ashbach	Hanson	McCutcheon	Renneke	Strand
Bang	Hughes	Merriam	Rued	Stumpf
Benedict	Jensen	Moe	Schaaf	Tennessee
Bernhagen	Johnson	Nelson	Schmitz	Ueland, A.
Brataas	Keefe, J.	Nichols	Schrom	Ulland, J.
Chenoweth	Keefe, S.	Ogdahl	Setzepfandt	Vega
Chmielewski	Kirchner	Olhoff	Sieloff	Wegener
Davies	Kleinbaum	Olson	Sikorski	Willet
Dieterich	Knaak	Penny	Sillers	
Dunn	Knutson	Perpich	Solon	
Engler	Laufenburger	Peterson	Spear	
Frederick	Lewis	Pillsbury	Staples	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Purfeerst	Staples
Ashbach	Hanson	Lessard	Renneke	Stokowski
Bang	Hughes	Lewis	Rued	Stumpf
Benedict	Jensen	Luther	Schaaf	Tennessee
Bernhagen	Johnson	McCutcheon	Schmitz	Ueland, A.
Chenoweth	Keefe, J.	Moe	Schrom	Ulland, J.
Chmielewski	Keefe, S.	Nelson	Setzpfandt	Vega
Davies	Kirchner	Ogdahl	Sieloff	Wegener
Dieterich	Kleinbaum	Olhoft	Sikorski	
Dunn	Knaak	Olson	Sillers	
Engler	Knoll	Perpich	Solon	
Frederick	Knutson	Pillsbury	Spear	

Those who voted in the negative were:

Merriam	Penny	Peterson	Strand	Willet
Nichols				

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Peterson	Spear
Ashbach	Hanson	Lewis	Pillsbury	Staples
Bang	Hughes	Luther	Purfeerst	Stokowski
Benedict	Jensen	McCutcheon	Renneke	Strand
Bernhagen	Johnson	Merriam	Rued	Stumpf
Brataas	Keefe, J.	Moe	Schaaf	Tennessee
Chenoweth	Keefe, S.	Nelson	Schmitz	Ueland, A.
Chmielewski	Kirchner	Nichols	Schrom	Ulland, J.
Davies	Kleinbaum	Ogdahl	Setzpfandt	Vega
Dieterich	Knaak	Olhoft	Sieloff	Wegener
Dunn	Knoll	Olson	Sikorski	Willet
Engler	Knutson	Penny	Sillers	
Frederick	Laufenburger	Perpich	Solon	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Peterson	Spear
Ashbach	Hanson	Lewis	Pillsbury	Staples
Bang	Hughes	Luther	Purfeerst	Stokowski
Benedict	Jensen	McCutcheon	Renneke	Strand
Bernhagen	Johnson	Merriam	Rued	Stumpf
Brataas	Keefe, J.	Moe	Schaaf	Tennessee
Chenoweth	Keefe, S.	Nelson	Schmitz	Ueland, A.
Chmielewski	Kirchner	Nichols	Schrom	Ulland, J.
Davies	Kleinbaum	Ogdahl	Setzepfandt	Vega
Dieterich	Knaak	Olhoft	Sieloff	Wegener
Dunn	Knoll	Olson	Sikoraki	Willet
Engler	Knutson	Penny	Sillers	
Frederick	Laufenburger	Perpich	Solon	

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Mrs. Brataas, Messrs. Knutson, Sikorski, Frederick and Sieloff introduced—

S. F. No. 1158: 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.

Referred to the Committee on Judiciary.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 26, 493, 444, 622, H. F. Nos. 259 and 373, which the committee recommends to pass.

S. F. No. 394 which the committee reports progress, subject to the following motion:

Mr. Strand moved to amend S. F. No. 394 as follows:

Page 4, after line 11, insert:

“Sec. 4. Minnesota Statutes 1978, Section 24.25, Subdivision 2, is amended to read:

Subd. 2. Each application for registration shall be accompanied by an inspection fee of \$30 for each product for which registration is requested. All such registration fees collected by the commissioner shall be paid into the state treasury and be credited to the general fund. There shall also be attached to each application for registration the label or labels which are to be used upon the antifreeze and each application shall be accompanied by a properly labeled sample of the antifreeze which shall not be less than one gallon. *The commissioner after examination of the label, may require submission of a properly labeled sample which shall not be less than one gallon.* If after examination the commissioner finds that the sample is not adulterated or misbranded, and if it meets with the standards required by sections 24.24 to 24.31 and the rules and regulations promulgated in relation thereto, the commissioner shall issue a certificate of registration for the product. If the application is denied, the product shall not be offered for sale in this state."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "revising antifreeze registration procedures;"

Page 1, line 7, after the first semicolon, insert "24.25, subdivision 2;"

The motion prevailed. So the amendment was adopted.

S. F. No. 394 was then progressed.

S. F. No. 603, which the committee recommends to pass with the following amendment offered by Mr. Johnson:

Page 2, line 3, strike "the first term of"

Page 2, line 4, strike "court to be held at"

Page 2, lines 4 and 5, strike "at which a grand jury is in session"

The motion prevailed. So the amendment was adopted.

S. F. No. 528, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 2, line 15, delete "A filing fee is" and insert "Library and filing fees are"

The motion prevailed. So the amendment was adopted.

On motion of Mr. Hanson, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

Mr. Hanson moved that the Senate do now adjourn until 10:00 o'clock a. m., Thursday, April 5, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

THIRTY-SECOND DAY

St. Paul, Minnesota, Thursday, April 5, 1979

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Hanson imposed a call of the Senate. The following Senators answered to their names:

Bang	Gunderson	Knoll	Peterson	Spear
Benedict	Hanson	Knutson	Pillsbury	Stokowski
Bernhagen	Hughes	Laufenburger	Purfeerst	Strand
Chenoweth	Humphrey	Lewis	Rued	Stumpf
Coleman	Jensen	Luther	Schaaf	Tennessen
Davies	Johnson	McCutcheon	Schmitz	Ueland, A.
Dieterich	Keefe, S.	Merriam	Schrom	Ulland, J.
Dunn	Kirchner	Moe	Setzpfandt	Vega
Engler	Kleinbaum	Olson	Sikorski	Willet
Frederick	Knaak	Penny	Sillers	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Richard Nelson.

The roll was called, and the following Senators answered to their names:

Anderson	Gunderson	Laufenburger	Perpich	Spear
Bang	Hanson	Lessard	Peterson	Staples
Benedict	Hughes	Lewis	Pillsbury	Stokowski
Bernhagen	Humphrey	Luther	Purfeerst	Strand
Chenoweth	Jensen	McCutcheon	Renneke	Stumpf
Chmielewski	Johnson	Merriam	Rued	Tennessen
Coleman	Keefe, J.	Moe	Schaaf	Ueland, A.
Davies	Keefe, S.	Nelson	Schmitz	Ulland, J.
Dieterich	Kirchner	Nichols	Schrom	Vega
Dunn	Kleinbaum	Ogdahl	Setzpfandt	Wegener
Engler	Knaak	Olhoft	Sikorski	Willet
Frederick	Knoll	Olson	Sillers	
Gearty	Knutson	Penny	Solon	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Ashbach, Mrs. Brataas, Messrs. Menning, Perpich and Sieloff were excused from the Session of today. Mr. Pillsbury

was excused from the Session of today at 11:15 o'clock a.m. Mr. Ogdahl was excused from the Session of today until 11:00 o'clock a.m. Mr. Penny was excused from the Session of today from 11:10 to 11:40 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Stokowski introduced—

S. F. No. 1159: A bill for an act relating to retirement; providing for the membership of certain persons in the public employees police and fire fund.

Referred to the Committee on Governmental Operations.

Messrs. Penny, Gunderson, Schmitz and Kleinbaum introduced—

S. F. No. 1160: A bill for an act relating to veterans; creating a tuition exemption program for certain veterans.

Referred to the Committee on Veterans' Affairs.

Messrs. Bernhagen, Frederick, Rued and Ueland, A. introduced—

S. F. No. 1161: A bill for an act relating to taxation; extending and increasing pollution control equipment credits; amending Minnesota Statutes 1978, Section 290.06, Subdivisions 9 and 9a.

Referred to the Committee on Taxes and Tax Laws.

Mr. Solon introduced—

S. F. No. 1162: A bill for an act relating to statute of limitations; limiting time for certain product liability's actions; amending Minnesota Statutes 1978, Chapter 541, by adding a section.

Referred to the Committee on Judiciary.

Mr. Solon introduced—

S. F. No. 1163: A bill for an act relating to civil actions; shortening the statute of limitations for tort actions; amending Minnesota Statutes 1978, Sections 541.05 and 541.07.

Referred to the Committee on Judiciary.

Messrs. Tennessen and Spear introduced—

S. F. No. 1164: A bill for an act relating to financial institutions; creating a study commission to study services and regulation of financial institutions; appropriating money.

Referred to the Committee on Commerce.

Messrs. Tennessen, Schmitz, Gearty, Sieloff and Lessard introduced—

S. F. No. 1165: A bill for an act relating to courts; providing an executive director and staff for the Minnesota District Judges Association; appropriating money.

Referred to the Committee on Judiciary.

Messrs. Dieterich, Stumpf, Chenoweth and McCutcheon introduced—

S. F. No. 1166: 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.

Referred to the Committee on Elections.

Mr. Wegener introduced—

S. F. No. 1167: A bill for an act relating to state land; authorizing the conveyance by the state of certain lands in Mille Lacs County.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Johnson and Perpich introduced—

S. F. No. 1168: 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.

Referred to the Committee on Energy and Housing.

Messrs. Olhoft, Strand, Moe, Wegener and Menning introduced—

S. F. No. 1169: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davies and Merriam introduced—

S. F. No. 1170: A bill for an act relating to legal notice; requiring notice of various matters of public interest to be published in the state register; amending Minnesota Statutes 1978, Sections 15.051, Subdivision 1; 15.054; 16A.67, Subdivision 4; 18.361, Subdivision 1; 18.371; 25.40, Subdivision 2; 35.05; 43.13, Subdivision 2; 60A.08, Subdivision 7; 85A.03, Subdivision 4a; 92.14; 93.16; 123.33, by adding a subdivision; 144.13; 155.17; 167.50, Subdivision 2; 169.06, Subdivision 2; 182.655, Subdivision 2; 340.63, Subdivision 2; and 360.302, Subdivision 2.

Referred to the Committee on Judiciary.

Messrs. Lewis and Coleman introduced—

S. F. No. 1171: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Peterson introduced—

S. F. No. 1172: 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.

Referred to the Committee on Education.

Mr. Merriam introduced—

S. F. No. 1173: A bill for an act relating to education; modifying the uses of the capital expenditure levy proceeds; amending Minnesota Statutes 1978, Section 275.125, Subdivision 11a.

Referred to the Committee on Education.

Mr. Knutson introduced—

S. F. No. 1174: A bill for an act relating to intoxicating liquor; prohibiting municipal stores from extending credit; amending Minnesota Statutes 1978, Sections 340.353, Subdivision 1; and 340.355.

Referred to the Committee on Commerce.

Messrs. Pillsbury and Jensen introduced—

S. F. No. 1175: 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.

Referred to the Committee on Elections.

Messrs. Vega and McCutcheon introduced—

S. F. No. 1176: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Anderson introduced—

S. F. No. 1177: A bill for an act relating to state parks; specifying use of money for access road to St. Croix Wild River state park in Chisago County; amending Laws 1973, Chapter 567, Section 8.

Referred to the Committee on Transportation.

Mrs. Brataas; Messrs. Merriam; Davies; Keefe, J. and Stokowski introduced—

S. F. No. 1178: 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.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Brataas, Messrs. Frederick, Sieloff, Peterson and Dieterich introduced—

S. F. No. 1179: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Wegener introduced—

S. F. No. 1180: 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.

Referred to the Committee on Education.

Messrs. Hanson, Lessard, Perpich and Johnson introduced—

S. F. No. 1181: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Benedict introduced—

S. F. No. 1182: 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.

Referred to the Committee on Commerce.

Messrs. Solon, Laufenburger, Bang, Penny and Kleinbaum introduced—

S. F. No. 1183: 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.

Referred to the Committee on Commerce.

Mr. Schmitz introduced—

S. F. No. 1184: A bill for an act relating to the city of Shakopee; permitting the city to impose an amusements tax; providing for its administration.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Hanson, Nichols, Setzepfandt and Sillers introduced—

S. F. No. 1185: A bill for an act relating to taxation; eliminating the gift tax; repealing Minnesota Statutes 1978, Sections 292.01 to 292.15.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olson, Penny, Mrs. Knaak, Messrs. Stumpf and Ueland, A. introduced—

S. F. No. 1186: 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.

Referred to the Committee on Governmental Operations.

Messrs. Tennesen, Coleman, Jensen, Ashbach and Laufenburg introduced—

S. F. No. 1187: 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.

Referred to the Committee on Commerce.

Messrs. Tennesen, Coleman, Jensen, Ashbach and Laufenburg introduced—

S. F. No. 1188: A bill for an act relating to insurance; providing that an employer group disability income policy provide coverage for pre-termination claims.

Referred to the Committee on Commerce.

Messrs. Chenoweth, Ashbach and Nelson introduced—

S. F. No. 1189: 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.

Referred to the Committee on Governmental Operations.

Mr. Chmielewski introduced—

S. F. No. 1190: 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.

Referred to the Committee on Transportation.

Mr. Sikorski introduced—

S. F. No. 1191: 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.

Referred to the Committee on Commerce.

Mr. Ashbach introduced—

S. F. No. 1192: 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.

Referred to the Committee on Governmental Operations.

Messrs. Luther and Humphrey introduced—

S. F. No. 1193: A bill for an act relating to the city of Brooklyn Center; authorizing housing and rehabilitation loan and grant program.

Referred to the Committee on Energy and Housing.

Messrs. Schmitz, Purfeerst and Setzepfandt introduced—

S. F. No. 1194: A bill for an act relating to agriculture; providing for weight tickets in certain exchanges involving agricultural products; amending Minnesota Statutes 1978, Chapter 239, by adding a section.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Luther; Schaaf; Keefe, S.; Gearty and Benedict introduced—

S. F. No. 1195: 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.

Referred to the Committee on Judiciary.

Messrs. Keefe, S.; Schaaf; Sikorski; Luther and Vega introduced—

S. F. No. 1196: 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.

Referred to the Committee on Elections.

Messrs. Keefe, S.; Kleinbaum; Nichols; Willet and Vega introduced—

S. F. No. 1197: A bill for an act relating to workers' compensation; establishing a state compensation insurance agency; appropriating money.

Referred to the Committee on Employment.

Mr. Stokowski introduced—

S. F. No. 1198: 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.

Referred to the Committee on Governmental Operations.

Messrs. Strand, Stokowski, Ogdahl and Renneke introduced—

S. F. No. 1199: 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.

Referred to the Committee on Governmental Operations.

Messrs. Strand, Stokowski, Peterson, Renneke and Ogdahl introduced—

S. F. No. 1200: 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 mili-

tary 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.

Referred to the Committee on Governmental Operations.

Messrs. Strand, Stokowski, Peterson, Renneke and Ogdahl introduced—

S. F. No. 1201: 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.

Referred to the Committee on Governmental Operations.

Messrs. Luther, Willet, Peterson, Benedict and Sikorski introduced—

S. F. No. 1202: A bill for an act relating to public safety; regulating the transportation of certain radioactive materials; establishing civil penalties.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Luther, Willet, Peterson, Benedict and Sikorski introduced—

S. F. No. 1203: 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.

Referred to the Committee on Energy and Housing.

Messrs. Luther, Peterson, Dieterich, Benedict and Sikorski introduced—

S. F. No. 1204: 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.

Referred to the Committee on Energy and Housing.

Messrs. Keefe, S.; Stokowski; Knoll; Spear and Gearty introduced—

S. F. No. 1205: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Keefe, S.; Nelson; McCutcheon and Spear introduced—

S. F. No. 1206: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Luther; Ulland, J.; Benedict and Nelson introduced—

S. F. No. 1207: 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.

Referred to the Committee on Education.

Mr. Bernhagen introduced—

S. F. No. 1208: A bill for an act relating to taxation; property tax; providing for reassessment of substantially damaged property; amending Minnesota Statutes 1978, Sections 273.01; 274.01, Subdivision 1; and 274.13, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Laufenburger; Penny; Spear; Keefe, S. and Bang introduced—

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.

Referred to the Committee on Commerce.

Mr. Willet introduced—

S. F. No. 1210: A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in Beltrami County.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Dieterich introduced—

S. F. No. 1211: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Ulland, J.; Chmielewski and Solon introduced—

S. F. No. 1212: 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.

Referred to the Committee on Local Government.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

March 26, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Higher Education Facilities Authority is hereby respectfully submitted to the Senate for confirmation as required by law:

Maxwell O. Ramsland, Jr., 2401 East First Street, Duluth, St. Louis County, has been appointed by me, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Education.)

March 30, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Housing Finance Agency is hereby respectfully submitted to the Senate for confirmation as required by law:

Robert A. Worthington, 10326 Colorado Road, Bloomington, Hennepin County, has been appointed by me, effective March 30, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Energy and Housing.)

Sincerely,
Albert H. Quie, Governor

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 Act of the 1979 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
	3	Res. 1	March 28	March 28

Sincerely,
Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned:

S. F. Nos. 204 and 288.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 2, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 20 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 2, 1979

CALL OF THE SENATE

Mr. Chenoweth imposed a call of the Senate for the proceedings on S. F. No. 20. The following Senators answered to their names:

Anderson	Frederick	Knaak	Penny	Staples
Bang	Gearty	Knutson	Pillsbury	Stokowski
Benedict	Gunderson	Laufenburger	Purfeerst	Strand
Bernhagen	Hanson	Lessard	Renneke	Stumpf
Chenoweth	Humphrey	Lewis	Rued	Tennessee
Chmielewski	Jensen	Luther	Schaaf	Ueland, A.
Coleman	Johnson	McCutcheon	Schmitz	Ulland, J.
Davies	Keefe, J.	Merriam	Schrom	Vega
Dieterich	Keefe, S.	Moe	Setzepfandt	Wegener
Dunn	Kirchner	Nelson	Sikorski	Willet
Engler	Kleinbaum	Olhoft	Spear	

The Sergeant at Arms was instructed to bring in the absent members.

CONCURRENCE AND REPASSAGE

Mr. Chenoweth moved that the Senate concur in the amendments by the House to S. F. No. 20 and that the bill be placed on its repassage as amended.

Mr. Stokowski moved that S. F. No. 20 be laid on the table.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 20 and nays 41, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Keefe, S.	Lewis	Rued
Bernhagen	Frederick	Kirchner	Merriam	Sillers
Chmielewski	Humphrey	Kleinbaum	Pillsbury	Stokowski
Dunn	Jensen	Knoll	Renneke	Ueland, A.

Those who voted in the negative were:

Bang	Hughes	Moe	Schmitz	Tennessee
Benedict	Johnson	Nelson	Schrom	Ulland, J.
Chenoweth	Keefe, J.	Nichols	Setzepfandt	Vega
Coleman	Knaak	Olhoft	Sikorski	Wegener
Davies	Knutson	Olson	Solon	Willet
Dieterich	Laufenburger	Penny	Spear	
Gearty	Lessard	Peterson	Staples	
Gunderson	Luther	Purfeerst	Strand	
Hanson	McCutcheon	Schaaf	Stumpf	

The motion did not prevail.

The question recurred on the motion of Mr. Chenoweth.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 38 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Engler	Hughes	Keefe, J.
Benedict	Davies	Gearty	Humphrey	Knaak
Chenoweth	Dieterich	Gunderson	Johnson	Luther

McCutcheon	Olson	Schmitz	Spear	Vega
Moe	Peterson	Schrom	Staples	Wegener
Nelson	Purfeerst	Setzepfandt	Stokowski	Willet
Nichols	Renneke	Sikorski	Stumpf	
Olhoft	Schaaf	Solon	Tennessee	

Those who voted in the negative were:

Bang	Hanson	Knoll	Merriam	Ueland, A.
Bernhagen	Jensen	Knutson	Ogdahl	Ulland, J.
Chmielewski	Keefe, S.	Laufenburger	Rued	
Dunn	Kirchner	Lessard	Sillers	
Frederick	Kleinbaum	Lewis	Strand	

The motion prevailed.

S. F. No. 20 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 36 and nays 25, as follows:

Those who voted in the affirmative were:

Benedict	Humphrey	Moe	Schrom	Tennessee
Chenoweth	Johnson	Nelson	Sikorski	Vega
Coleman	Keefe, J.	Olhoft	Solon	Wegener
Davies	Kleinbaum	Olson	Spear	Willet
Dieterich	Laufenburger	Penny	Staples	
Engler	Lewis	Purfeerst	Stokowski	
Gunderson	Luther	Renneke	Strand	
Hughes	McCutcheon	Schmitz	Stumpf	

Those who voted in the negative were:

Anderson	Frederick	Kirchner	Merriam	Schaaf
Bang	Gearty	Knaak	Nichols	Setzepfandt
Bernhagen	Hanson	Knoll	Ogdahl	Sillers
Chmielewski	Jensen	Knutson	Peterson	Ueland, A.
Dunn	Keefe, S.	Lessard	Rued	Ulland, J.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 298: A bill for an act relating to the city of South International Falls; authorizing the city to lease municipal buildings.

Senate File No. 298 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 2, 1979

CONCURRENCE AND REPASSAGE

Mr. Lessard moved that the Senate concur in the amendments by the House to S. F. No. 298 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 298 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Lewis	Purfeerst	Stokowski
Bang	Hughes	Luther	Renneke	Strand
Benedict	Humphrey	McCutcheon	Rued	Stumpf
Bernhagen	Jensen	Merriam	Schaaf	Tennessee
Chmielewski	Johnson	Moe	Schmitz	Ueland, A.
Coleman	Keefe, S.	Nelson	Setzepfandt	Ulland, J.
Davies	Kleinbaum	Nichols	Sikorski	Vega
Dunn	Knaak	Ogdahl	Sillers	Wegener
Engler	Knutson	Olhoft	Solon	Willet
Frederick	Laufenburger	Olson	Spear	
Gearty	Lessard	Penny	Staples	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 219, 486 and 810.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 2, 1979

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 159 now on General Orders.

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.

Referred to the Committee on General Legislation and Administrative Rules.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 755: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, delete "SHARED"

Page 1, line 10, delete "for participation in shared service agreements"

Page 1, line 16, delete "Sections" and insert "Section"

Page 1, line 16, delete "and 246.57"

Page 1, line 19, delete "shared service agreements in"

Page 1, line 21, delete "bennial" and insert "biennial"

Page 1, line 22, delete "appropriations" and insert "appropriations"

Amend the title as follows:

Line 3, delete "shared service"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 480: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 800: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 3, delete "may" and insert "shall"

Page 2, line 3, delete "to assist" and insert "on a formula basis to"

Page 2, line 4, delete "in the care of" and insert "for program and support service costs for the"

Page 2, line 5, delete "persons" and insert "based on need of individuals and programming required for the various levels of treatment"

Page 2, line 5, delete "may" and insert "shall"

Page 2, line 5, delete "up to"

Page 2, line 8, after "provides" insert "some or all of"

Page 2, lines 11, 20, 25, and 29, delete the capital "T" on "Treatment" and insert a lower case "t"

Page 2, line 12, delete "centers" and insert "components"

Page 2, lines 12 and 13, delete "nursing homes" and insert "facilities licensed under section 144.50"

Page 2, line 14, before the semicolon insert "for persons who are mentally ill and also may require skilled nursing services"

Pages 2, line 15, delete "Treatment" and insert "treatment of six to twelve months duration with appropriate extensions"

Page 2, line 16, delete "which treatment offers" and insert "including"

Page 2, line 17, after "socialization" insert ", work adjustment skills training,"

Page 2, line 22, delete "and goes" and insert "including motivation to go"

Page 2, line 24, before the semicolon insert "based on individual need. Programming services shall be provided in nonresidential day programs apart from the group living environment"

Page 2, line 25, delete "Safe" and insert "safe"

Page 2, line 26, delete "House" and insert "house"

Page 2, line 27, delete "stressors" and insert "stresses"

Page 2, line 27, delete "and" and insert a comma

Page 2, line 28, before the semicolon insert ", personal care, diagnosis, monitoring of medications, development of treatment

plans, and appropriate referral, with length of stay in the facility limited to three to seven days”

Page 2, line 29, delete “private residential”

Page 2, delete lines 30 to 33 and insert “treatment services for patients and their families designed to help the chronically mentally ill remain in their own homes or foster homes, including services such as day programs, vocational guidance and training, training in daily living skills, socialization skills, and individual, group, and family therapy as needed;”

Page 3, before line 1, insert:

“(f) Day program services, meaning services available to the chronically mentally ill on a regular daily basis, including individual and group therapy, training in daily living skills, socialization skills, and vocational skills, and an outreach component for persons residing in residential facilities or their own homes or foster homes who are unmotivated, unresponsive, and do not attend day programs regularly or at all. “Outreach component” means remotivation therapy and socialization activities conducted by outreach staff within the places of residence to encourage individuals to participate in community programs and activities to the extent possible;”

Page 3, line 1, delete “Management Services” and insert “management services”

Page 3, line 6, delete everything after “Transportation” and insert “services to transport persons to”

Page 3, line 7, delete “whenever” and insert “when other”

Page 3, line 8, delete the period and insert “; and”

Page 3, after line 8, insert:

“(i) Other services or programs consistent with rules promulgated by the commissioner.”

Reletter the clauses in sequence

Page 3, line 10, before “board” insert “community mental health”

Page 3, line 12, delete “each” and insert “some”

Page 3, line 14, before the semicolon insert “as needed”

Page 3, line 18, delete “for the”

Page 3, delete line 19 and insert “to link available services into a meaningful program with access available for all services as needed, based on persons’ individual treatment plans; and”

Page 3, line 21, after “commissioner” insert a period

Page 3, line 21, delete “for” and insert “The plan is a criterion for evaluation of”

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 186: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 299B, is amended by adding a section to read:

[299B.17] [LIMITING COMMERCIAL EXPLOITATION OF CRIMES; PAYMENT OF VICTIMS.] *Subdivision 1. A legal entity that contracts with an individual person or the representative or assignee of a person who has been charged with a crime, or not charged solely by reason of insanity, regarding (a) the reenactment of the crime, by way of a movie, book, newspaper or magazine article, radio or television presentation, or live or recorded entertainment of any kind, or (b) the expression of the person's thoughts, feelings, opinions or emotions about the crime, shall submit a copy of the contract and pay over to the crime victims reparations board a proportion of any moneys owed to that person or his representatives. If the crime occurred in this state, the proportion payable is one hundred percent. If the crime occurred in another jurisdiction having a law applicable to the case which is substantially similar to this section, the proportion payable is zero and this section does not apply. In all other cases, the proportion payable is that which fairly can be allocated to commerce in this state. The board shall deposit the moneys pursuant to subdivision 7 and assign the amount received in each case for the benefit of any victim of crimes committed by the person. The moneys shall be paid by the board to any victim or the legal representative of a victim if (1) the person is convicted of the crime or found not guilty by reason of insanity, and (2) the claimant, within five years of the date of payment to the board in the case, brings a civil action in a court of competent jurisdiction and recovers a money judgment for damages against the person or his representatives. Notwithstanding any provision of law for the timely bringing of an action, an action may be brought pursuant to this section within a five year period which begins to run on the date payment is made to the board in a case.*

Subd. 2. When the board receives a payment pursuant to this section, it shall attempt to notify any known victims of the crime and may publish a notice of that fact in a newspaper having general circulation in the county where the crime was committed. The expenses of notification shall be paid from the amount received for that case.

Subd. 3. When the board has made payments to or on behalf of a crime victim pursuant to sections 299B.01 to 299B.16, to the extent

of payment made, it is subrogated to any claim or judgment of the victim or his representative against the offender.

Subd. 4. Subject to the provisions of subdivision 5, upon disposition of charges favorable to the person accused of committing a crime, other than a finding of not guilty by reason of insanity, or upon a showing by that person that five years have elapsed from the date of payment to the board in the case, and further that no actions are pending against him pursuant to this section, the board shall immediately pay over to him any moneys in the account related to the case.

Subd. 5. When it is found that a person charged with a crime lacks the mental capacity to understand the proceedings against him or assist in his own defense, and money has been received by the board in the case, the board shall bring an interpleader action pursuant to the rules of civil procedure to determine disposition of the money.

Subd. 6. Notwithstanding any other provision of this section, the board shall make payments to a person accused of crime from the account of amounts received with reference to that person upon the order of a court of competent jurisdiction after a showing by that person that the moneys shall be used for the reasonable costs of defense to the criminal charge.

Subd. 7. All moneys received by the board pursuant to this section shall be deposited in the state treasury, credited to a special account, and are appropriated to the board for the purposes of this section. Money in the special account may be invested pursuant to section 11.10. When so invested, any interest or profit shall accrue to, and any loss be borne by, the special account. The board shall allocate money in the special account to each case pursuant to this section.

Subd. 8. Any action taken, whether by way of execution of a power of attorney, creation of corporate or trust entities or otherwise, to defeat the purpose of this section shall be null and void as against the public policy of this state.

Sec. 2. [EFFECTIVE DATE.] This act is effective as to any contract entered into after final enactment."

Amend the title as follows:

Page 1, line 2, delete "convicted person's" and insert "perpetrator's"

Page 1, line 3, delete "for which" and insert "; providing for the payment of crime victims"

Page 1, line 4, delete "he was convicted"

Page 1, line 4, after the semicolon insert "appropriating money;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies 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; repealing Minnesota Statutes 1978, Section 519.08.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, delete "marital and"

Page 2, line 18, after "property" insert "owned at the time of execution of the contract and"

Page 2, line 20, after "Subd. 4." insert "Any"

Page 2, line 20, delete "contracts" and insert "contract"

Page 2, line 20, delete "settlements" and insert "settlement"

Page 2, line 22, delete "such a" and insert "the"

Page 2, line 23, delete "or personal"

Page 2, line 25, delete "or personal"

Page 2, line 29, delete "such" and insert "the"

Page 2, line 30, delete "such" and insert "the"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 835: A bill for an act relating to courts; county or county municipal court jurisdiction of actions for unlawful removal or exclusion; providing for correction of an erroneous reference; amending Minnesota Statutes 1978, Sections 487.17; 488A.01, Subdivision 5; and 488A.18, Subdivision 6.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 866: A bill for an act relating to county recorders; requiring erroneous entries against real estate to be corrected without charge.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 357.18, Subdivision 1, is amended to read:

357.18 [COUNTY RECORDER.] Subdivision 1. The fees to be charged by the county recorder shall be as follows:

(1) For indexing and recording any deed or other instrument \$1 for each page of an instrument, with a minimum fee of \$3;

(2) For certified copies of any records or papers, \$1 for each page of an instrument with a minimum fee of \$3, *except there shall be no fee charged for affidavits of non-identity*;

(3) For an abstract of title, 75 cents for every transfer, \$6 for certificate, and \$1 per page for each exhibit included within an abstract as a part of an abstract entry; provided that county boards may, by resolution duly adopted, establish lower fees for such services rendered by the county recorder in their respective counties;

(4) For a copy of an official plat filed pursuant to section 505.08, the fee shall be \$7.50 and an additional 50 cents shall be charged for the certification of each plat."

Amend the title as follows:

Page 1, line 4, before the period insert "; amending Minnesota Statutes 1978, Section 357.18, Subdivision 1"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 846: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 22, reinstate the stricken language and delete "*six months*"

Page 5, delete lines 10 through 15, and insert:

“Sec. 3. [OFFICES ABOLISHED.] Subdivision 1. [SURVEYOR.] *In Ramsey County, the office of county surveyor is abolished.*

Subd. 2. [COUNTY SUPERINTENDENT OF SCHOOLS.] *In Ramsey County, no county superintendent of schools may be elected; there shall be no office of this kind in Ramsey County.*

Sec. 4. Laws 1974, Chapter 435, Section 3.02, Subdivision 6, as amended by Laws 1978, Chapter 745, Section 1, is amended to read:

Subd. 6. [CLASSIFICATION OF SERVICE.] (a) [DEFINITION OF COVERAGE.] The officers and employees of Ramsey County and of a county or joint county and city agency, board, commission or committee supported in whole or in part by taxation upon the taxable property of the county, or appointed by the judges of the district court or probate court for the county, or by a board or agency composed of representatives of the county and a city in the county and employees employed in hospitals, preventoria, county nursing homes, and the welfare department are divided into the unclassified and classified service.

(b) [UNCLASSIFIED SERVICE.] The unclassified service comprises:

(1) An officer elected by popular vote or a person appointed to fill a vacancy in such an office.

(2) The head or principal administrative officer of a separate department of county government or agency created by law, the director of the welfare department.

(3) A chief deputy or principal assistant for each elected public official and for the county engineer and veterans' service officer.

(4) Each doctor, intern, student nurse and intern dietician employed by the county or a county agency.

(5) Each member of the teaching staff, supervisor and principal in the employ of the county, actually engaged in teaching or the supervision of teaching.

(6) A member of a board or commission appointed by the county, or the county and the city, or acting in an advisory capacity.

(7) A weed inspector, election judge, election clerk or other employee employed by the county for a limited period of time.

(8) A special police officer or special deputy sheriff serving without pay.

(9) A judge, court administrator, court reporter, receiver, referee, examiner or assistant examiner of titles, public defender, arbiter, juror, clerk of probate court or a person appointed by the district or probate courts to make or conduct a special inquiry of a judicial and temporary character.

(10) The director of court services and three principal assistants or division supervisors.

(11) The employees of the municipal court of Ramsey County.

(12) The principal administrative officer of the detention and corrections department, his first assistant, the superintendent of each departmental facility and his first assistant or chief deputy.

(13) The chief executive officer of St. Paul-Ramsey Hospital and seven principal assistants.

(14) The executive secretary or the principal administrative officer of the county and seven principal assistants, appointed and terminated by the executive secretary or the principal administrative officer, except that until January 1, 1980 such appointments and terms shall be submitted to the Ramsey County government study commission. Such consideration shall be advisory only.

(15) *The Ramsey County attorney, his first assistant, six principal assistants and a personal secretary.*

(16) *The Ramsey County sheriff, his chief deputy, four principal assistants and a personal secretary.*

Sec. 5. [REPEALER.] *Laws 1969, Chapter 839, Section 1, as amended by Laws 1974, Chapter 322, Section 25; and Laws 1974, Chapter 435, Section 3.17, are repealed.*

Sec. 6. [EFFECTIVE DATES.] *Subdivision 1. Sections 1, 2, 3, and 5 are effective upon approval of the Board of Ramsey County Commissioners and upon compliance with Minnesota Statutes, Section 645.021. Section 4 is effective on the day following final enactment."*

Amend the title as follows:

Page 1, delete line 4

Page 1, line 5, delete everything before "amending" and insert "amending the Ramsey County code by amending the civil service section; providing for certain unclassified employees; abolishing the office of county surveyor and prohibiting election of county superintendent of schools in Ramsey County; repealing certain obsolete laws and provisions;"

Page 1, line 6, delete "Subdivision" and insert "Subdivisions"

Page 1, line 7, after "amended" insert ", and 6, as amended"

Page 1, line 7, delete everything after "repealing"

Page 1, delete line 8 and insert "Laws 1969, Chapter 839, Section 1, as amended; and Laws 1974, Chapter 435, Section 3.17."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 3, after the period, insert "It is not the purpose of this bill to authorize said municipal corporation to engage in the distribution of gas to the end users."

Page 4, line 8, before the period, 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 19, line 29, delete "ary" and insert "any"

Page 20, line 27, after "[CITY POWERS.]" insert "Subdivision 1. A city may, by resolution of its governing body, elect to join a municipal agency, provided that it shall give written notice by mail to all its gas consumers 20 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 the subdivisions in sequence

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 906: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 847: A bill for an act relating to the humanities; providing support for the Minnesota humanities commission; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

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; amending Minnesota Statutes 1978, Section 3.922, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 10, after "members" insert "*elected in 1977*"

Page 2, line 10, strike "be"

Page 2, line 11, delete "*four*" and strike the balance of the line

Page 2, line 12, strike "qualified" and insert "*expire on April 20, 1981. At large elections shall be held no later than April 14, 1981, and no later than every fourth April 14 thereafter, and the term of office for at large members shall be four years commencing on the April 20 following each at large election and ending at 12:01 a.m., April 20 four years thereafter*"

Amend the title as follows:

Page 1, line 4, after the semicolon insert "providing for future at large elections; defining the term of office for at large members;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 474: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 290.06, is amended by adding a subdivision to read:

Subd. 13. [RESIDENTIAL ENERGY CREDIT.] A credit of 20 percent of the first \$10,000 of renewable energy source expenditures, made by the taxpayer on a Minnesota building of six dwelling units or less in a taxable year, may be deducted from the tax due under this chapter for the taxable year.

A "renewable energy source expenditure" which qualifies shall include:

(a) *Expenditures which qualify for the federal renewable energy credit, pursuant to Section 44C of the Internal Revenue Code of 1954, as amended through December 31, 1978, and any regulations promulgated pursuant thereto;*

(b) *Expenditures for earth sheltered dwelling units. For purposes of this credit, an "earth sheltered dwelling unit" shall mean a structure which complies with applicable building standards and which is constructed so that:*

(1) *80 percent or more of the roof area is covered with a minimum depth of 12 inches of earth;*

(2) *50 percent or more of the wall area is covered with a minimum depth of 12 inches of earth; and*

(3) *Those portions of the structure not insulated with a minimum of seven feet of earth shall have additional insulation;*

(c) *Expenditures for biomass conversion equipment which produces ethanol, methane or methanol for use as a liquid fuel which is not offered for sale; and*

(d) *Expenditures for passive solar energy systems. For purposes of this credit, a "passive solar energy system" is defined to include systems which utilize elements of the building and its operable components to heat or cool a building with the sun's energy by means of conduction, convection, radiation, or evaporation. A passive system shall include:*

(1) *Collection aperture, including glazing installed in south facing walls and roofs; and*

(2) *Storage element, including thermal mass in the form of water, masonry, rock, concrete, or other mediums which is designed to store heat collected from solar radiation.*

A passive system may include:

(1) *Control and distribution element, including fans, louvers, and air ducts; and/or*

(2) *Retention element, including movable insulation used to minimize heat loss caused by nocturnal radiation through areas used for direct solar heat gain during daylight hours.*

Eligible passive expenditures shall be for equipment, materials or devices that are an integral part of the components listed above and essential to the functioning of a passive design which qualifies pursuant to rules promulgated by the commissioner of revenue in cooperation with the director of the energy agency. Expenditures for equipment, materials, or devices which are a part of the normal heating, cooling, or insulation system of a building are not eligible for the credit.

If a credit was allowed to a taxpayer under this subdivision for any prior taxable year with respect to a dwelling unit by reason of energy conservation expenditures or renewable energy source expenditures, the dollar amount of the credit allowable for each kind of expenditure for the current taxable year shall be reduced by the amount of expenditures of that kind taken into account in prior years.

The credit provided in this subdivision shall not be allowed in a taxable year if the amount of the credit would be less than \$10. The credit shall not exceed the amount of tax due under chapter 290.

If the credit allowable under this subdivision exceeds the amount of tax due in a taxable year, the excess credit may be carried forward to the succeeding taxable year and added to the credit allowable for that year. No amount may be carried forward to a taxable year beginning after December 31, 1984.

A shareholder in a family farm corporation and each partner in a partnership operating a family farm shall be eligible for the credit provided by this subdivision in the same manner and to the same extent allowed a joint owner of property under clause (a). "Family farm corporation" and "family farm" have the meanings given in section 500.24.

The credit provided in this subdivision is subject to the provisions of Section 44C, (c) (7), (d) (1) to (3), and (e), of the Internal Revenue Code of 1954, as amended through December 31, 1978, and any regulations promulgated pursuant thereto.

Sec. 2. [RULES.] *The commissioner of revenue in cooperation with the director of the energy agency shall promulgate rules establishing additional qualifications and definitions for the credits provided in clauses (a) to (d).*

Sec. 3. [EFFECTIVE DATE.] *This act is effective for expenditures made during the tax years beginning after December 31, 1978 and before January 1, 1983.*"

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 544: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 7, line 18, delete "*located in a*"

Page 7, delete line 19

Page 7, line 20, delete "*located, and*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, after the comma, insert "*the owner or lessee of the land or an agent of the commissioner,*"

Page 1, line 14, delete "*gross*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 681: A bill for an act relating to game and fish; contracts for removal of rough fish; repealing Minnesota Statutes 1978, Section 97.4861.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 98.46, is amended by adding a subdivision to read:

Subd. 9a. Licenses to net commercial fish in inland waters shall be issued annually and shall be valid for commercial fishing during the period from the day after Labor Day to the day preceding the opening of the season for the taking of walleye. License fees shall be \$50, plus:

(a) Fifty cents for each hoop net pocket;

(b) \$10 for each 1,000 feet of seine. Provided that in the license application to the commissioner, each applicant shall list the number of feet of seine of each depth for which he wishes to be licensed; and

(c) \$5 for each helper's license.

Sec. 2. Minnesota Statutes 1978, Chapter 102, is amended by adding a section to read:

[102.285] [COMMERCIAL FISHING IN INLAND WATERS.] *Subdivision 1. The commissioner shall by order regulate the taking, possession, transportation and sale of commercial fish and the licensing of commercial fishermen in inland waters. For the purposes of sections 1 and 2 "inland waters" means all waters entirely located within the boundaries of the state and the border waters between Minnesota and North Dakota, South Dakota and Iowa, excluding those waters described in section 102.25. Licenses to net commercial fish in inland waters, except for helper's licenses, shall be issued only to Minnesota residents, provided that non-residents may be licensed to fish waters not previously assigned to residents. For purposes of sections 1 and 2, "commercial fish" are carp, buffalo fish, suckers, redhorse, sheepshead, dogfish, eel-pout, tullibees, garfish, goldeyes, bullheads, smelt and whitefish.*

Subd. 2. The commissioner shall delineate inland commercial fishing areas, taking into account the amount of water encompassed, the size and proximity of waters encompassed, the species to be removed and the type and quantity of fishing gear and equipment necessary to provide an adequate removal effort. The commissioner may change inland commercial fishing area boundaries by order prior to a new licensing period after complying with the publication requirements of section 97.53, subdivision 2.

Subd. 3. The commissioner shall assign licensed inland commercial fishermen to commercial fishing areas and each fisherman shall be obligated to fish his assigned area. The commissioner's assignment shall be valid as long as the assigned fisherman continues to purchase a license, continues to provide an adequate removal effort in a good and workmanlike manner and is not convicted of two or more violations of laws or rules governing inland commercial fishing operations during any one license period. In the fisherman assignment, the commissioner shall consider the proximity of the fisherman to the area, the type and quantity of fish gear and equipment possessed, knowledge of the affected waters, and general ability to perform the work well.

Subd. 4. Whenever an area is not assigned, or the fisherman licensed for that area is not fishing that area or is unable to fish that area, the commissioner shall have the authority to issue a special inland commercial fishing permit to any individual holding a valid inland commercial fishing license allowing the fisherman to fish that area and operate beyond the limits of his assigned area. The permit shall indicate the specific waters involved, the county, the species to be removed, the gear to be used and the time period of the total operation.

Subd. 5. A licensed inland commercial fisherman shall submit monthly reports on his licensed activities in each month to the commissioner, on forms provided by the commissioner, prior to the 15th of the following month. These reports shall be submitted regardless of whether or not any fishing activity took place unless the fisherman has a written release from this obligation signed by the commissioner.

Subd. 6. A license to take commercial fish shall become void upon the licensee's death, sale of the commercial fishing business, removal from the state, conviction of two or more violations of inland commercial fishing laws or rules within a license period or failure to apply for a new or renewal license prior to June 15 of any year. A commercial inland fishing license shall not be subject to the license revocation provisions of section 98.52. Commercial fishing rights and area assignments covered by a license which becomes void shall revert to the commissioner for reassignment.

Subd. 7. The commissioner shall consult with representatives of the inland commercial fishermen's trade association when disagreements arise in the areas of license issuance, problems with performance pursuant to the license, area assignments and the entry of new commercial fishermen into the inland commercial fishery.

Sec. 3. Minnesota Statutes 1978, Section 97.4861, is repealed."

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "providing for the licensing and regulation of commercial fishing in inland waters;"

Page 1, line 3, after the semicolon insert "amending Minnesota Statutes 1978, Section 98.46, by adding a subdivision; and Chapter 102, by adding a section;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 884: A bill for an act relating to the city of Marshall; permitting additional per capita revenue base for financing airport facilities.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 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.”

Amend the title as follows:

Delete lines 2 through 4 and insert “relating to aeronautics; amending Minnesota Statutes 1978, Section 360.71.”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 839: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred the following appointment as reported in the Journal for March 26, 1979:

METROPOLITAN TRANSIT COMMISSION

CHAIRMAN

John A. Yngve

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for January 25, 1979:

WATER PLANNING BOARD

CHAIRPERSON

Thomas Kalitowski

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 845, 766, 767, 687, 605, 363, 719, 346, 285, 709 and 660 and H. F. Nos. 186, 87, 360, 167 and 297 makes the following report:

That the above Senate Files and House Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 186, 835, 866, 980, 846, 491, 712, 759, 544, 737, 681, 884 and 839 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. No. 493 was read the second time.

H. F. Nos. 610 and 395 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Willet moved that S. F. No. 1136 be withdrawn from the Committee on Agriculture and Natural Resources and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Sikorski be added as co-author to S. F. No. 186. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Sikorski be added as co-author to S. F. No. 866. The motion prevailed.

Mr. Lessard moved that the name of Mr. Johnson be added as co-author to S. F. No. 1116. The motion prevailed.

Mr. Menning moved that the name of Mr. Olhoft be added as co-author to S. F. No. 1136. The motion prevailed.

Mr. Dieterich moved that the name of Mr. Johnson be added as co-author to S. F. No. 1153. The motion prevailed.

Mr. Dieterich moved that the name of Mr. Johnson be added as co-author to S. F. No. 1154. The motion prevailed.

Mr. Hughes moved that the names of Messrs. Olhoft and Sillers be added as co-authors to S. F. No. 1155. The motion prevailed.

Mr. Ueland, A. moved that the name of Mr. Setzepfandt be added as co-author to S. F. No. 668. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Messrs. Tennesen; Merriam; Keefe, J.; Sikorski and McCutcheon introduced—

S. F. No. 1213: A bill for an act relating to collection and dissemination of data; classifying data; extending the period of time during which emergency classifications of data may be made; clarifying the duties of the responsible authority; providing remedies; amending Minnesota Statutes 1978, Sections 15.162, Subdivisions 1 and 2a, and by adding a subdivision; 15.163; and 15.1642, Subdivisions 3 and 5; 15.166; and Chapter 15, by adding sections; repealing Minnesota Statutes 1978, Sections 15.1641; 15.1642, Subdivision 4; and 15.169.

Referred to the Committee on Judiciary.

Mr. Purfeerst introduced—

S. F. No. 1214: 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.

Referred to the Committee on Governmental Operations.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Davies moved that S. F. No. 1212 be withdrawn from the Committee on Local Government and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Olhoft moved that S. F. No. 355 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Judiciary. The motion prevailed.

SUSPENSION OF RULES

Mr. Willet moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 493 and that the rules of the Senate be so far suspended as to give H. F. No. 493, now on the Consent Calendar, its third reading and place it on its final passage. The motion prevailed.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knoll	Penny	Stokowski
Bang	Gunderson	Knutson	Peterson	Strand
Benedict	Hanson	Laufenburger	Renneke	Stumpf
Bernhagen	Hughes	Lessard	Rued	Tennessee
Chenoweth	Humphrey	Lewis	Schaaf	Ueland, A.
Chmielewski	Jensen	Luther	Schmitz	Ulland, J.
Coleman	Johnson	McCutcheon	Schrom	Vega
Davies	Keefe, J.	Merriam	Setzepfandt	Wegener
Dieterich	Keefe, S.	Moe	Sikorski	Willet
Dunn	Kirchner	Ogdahl	Sillers	
Engler	Kleinbaum	Olhoft	Solon	
Frederick	Knaak	Olson	Staples	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Messrs. McCutcheon and Chenoweth introduced—

Senate Resolution No. 22: A Senate resolution congratulating the Saint Paul Harding High School ice hockey team on participating in the Minnesota state championship ice hockey tournament.

Referred to the Committee on Rules and Administration.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, April 9, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

THIRTY-THIRD DAY

St. Paul, Minnesota, Monday, April 9, 1979

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Johnson imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dieterich	Kirchner	Moe	Schrom
Ashbach	Dunn	Kleinbaum	Olson	Setzepfandt
Bang	Engler	Knaak	Penny	Sikorski
Benedict	Frederick	Knutson	Perpich	Spear
Bernhagen	Gearty	Lewis	Pillsbury	Staples
Brataas	Gunderson	Luther	Purfeerst	Stumpf
Chenoweth	Hanson	McCutcheon	Rued	Ueland, A.
Coleman	Humphrey	Menning	Schaaf	Wegener
Davies	Johnson	Merriam	Schmitz	Willet

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. David Rebeck.

The roll was called, and the following Senators answered to their names:

Anderson	Gearty	Lessard	Peterson	Staples
Ashbach	Gunderson	Lewis	Pillsbury	Stokowski
Bang	Hanson	Luther	Purfeerst	Strand
Benedict	Humphrey	McCutcheon	Renneke	Stumpf
Bernhagen	Jensen	Menning	Rued	Tennessee
Brataas	Johnson	Merriam	Schaaf	Ueland, A.
Chenoweth	Keefe, J.	Moe	Schmitz	Ulland, J.
Chmielewski	Keefe, S.	Nelson	Schrom	Vega
Coleman	Kirchner	Nichols	Setzepfandt	Wegener
Davies	Kleinbaum	Ogdahl	Sieloff	Willet
Dieterich	Knaak	Olhoft	Sikorski	
Dunn	Knoll	Olson	Sillers	
Engler	Knutson	Penny	Solon	
Frederick	Laufenburger	Perpich	Spear	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Hughes was excused from the Session of today. Mr. Sieloff was excused from the Session of today until 10:20 o'clock a.m.

Mrs. Staples and Mr. Humphrey were excused from the Session of today at 11:45 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Peterson introduced—

S. F. No. 1215: A bill for an act relating to public safety; prohibiting scuba diving during certain hours; amending Minnesota Statutes 1978, Section 361.09, Subdivision 2.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Chmielewski introduced—

S. F. No. 1216: A bill for an act relating to legal notice; authorizing supplemental publication of legal notice by radio or television broadcast.

Referred to the Committee on Judiciary.

Mr. Johnson introduced—

S. F. No. 1217: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Moe introduced—

S. F. No. 1218: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Kirchner, Purfeerst, Nichols and Pillsbury introduced—

S. F. No. 1219: 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.

Referred to the Committee on Transportation.

Messrs. Dieterich, Lessard, Sillers and Davies introduced—

S. F. No. 1220: 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.

Referred to the Committee on Judiciary.

Mr. Perpich introduced—

S. F. No. 1221: A bill for an act relating to health; providing for state aid to public and nonproprietary hospitals which convert to nursing care facilities; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Davies introduced—

S. F. No. 1222: 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; 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; 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.

Referred to the Committee on Judiciary.

Mrs. Staples introduced—

S. F. No. 1223: 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.

Referred to the Committee on Judiciary.

Mr. Lessard introduced—

S. F. No. 1224: A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in Beltrami County.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Solon introduced—

S. F. No. 1225: A bill for an act relating to health; establishing an American Indian advisory board to assist the department of public welfare in formulating policies related to chemical dependency and the abuse of alcohol and other drugs by American Indians; amending Minnesota Statutes 1978, Section 254A.03, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Keefe, J. introduced—

S. F. No. 1226: A bill for an act relating to the city of Minnetonka; volunteer firefighters service pensions; amending Laws 1975, Chapter 118, Section 1.

Referred to the Committee on Governmental Operations.

Mr. Sikorski introduced—

S. F. No. 1227: A bill for an act relating to the town of Forest Lake; exempting it from certain tax levy limitations.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Laufenburger, Kleinbaum, Mrs. Brataas and Mr. Davies introduced—

S. F. No. 1228: 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.

Referred to the Committee on Commerce.

Mr. Dieterich introduced—

S. F. No. 1229: A bill for an act relating to taxation; property tax refund; redefining income for purposes of the property tax refund; allowing certain claimants to elect to take the refund as a credit against income tax; providing that certain claimants may receive direct credit against property tax liability; appropriating money; amending Minnesota Statutes 1978, Sections 290A.03, Subdivision 3; 290A.06; and 290A.07, Subdivision 3; and Chapter 290A, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich, Sillers and Davies introduced—

S. F. No. 1230: 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.

Referred to the Committee on Judiciary.

Messrs. Olson, Penny, Dunn, Wegener and Jensen introduced—

S. F. No. 1231: A bill for an act relating to transportation; requiring simplified procedures and additional state assistance in applying for public transit grants; allocating certain paratransit funds for special projects in certain municipalities; allowing flexibility in expenditure of grants for special projects; amending Minnesota Statutes 1978, Sections 174.23, by adding a subdivision; and 174.25, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Knoll, Tennessen and Hanson introduced—

S. F. No. 1232: 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.

Referred to the Committee on Energy and Housing.

Mr. Ogdahl introduced—

S. F. No. 1233: A bill for an act relating to housing; authorizing city housing finance programs; authorizing bond issues for them.

Referred to the Committee on Energy and Housing.

Mr. Merriam introduced—

S. F. No. 1234: A bill for an act relating to taxation; providing that property tax exemption allowed for pollution control property shall not apply to solid waste disposal sites; amending Minnesota Statutes 1978, Section 272.02, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Keefe, J.; Lewis; Schaaf and Knutson introduced—

S. F. No. 1235: A bill for an act relating to public improvements; permitting deferral of special assessments in instances of hardship; amending Minnesota Statutes 1978, Section 435.193.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Anderson, Humphrey, Ogdahl, Knoll and Bernhagen introduced—

S. F. No. 1236: 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.

Referred to the Committee on Energy and Housing.

Mr. Hughes; Mrs. Staples; Messrs. Lewis; Keefe, J. and Kirchner introduced—

S. F. No. 1237: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Hanson, Nichols, Strand and Moe introduced—

S. F. No. 1238: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Ogdahl introduced—

S. F. No. 1239: 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.

Referred to the Committee on Judiciary.

Messrs. Willet, Moe, Strand, Dunn and Gunderson introduced—

S. F. No. 1240: A bill for an act relating to natural resources; setting forth the rights of property owners whose property is purchased for conservation purposes; revising responsibilities of the

commissioner of natural resources and the commissioner of administration in property acquisition; 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; amending Minnesota Statutes 1978, Sections 84.0272; 85.012, Subdivision 1; 85.015, Subdivision 1; 85.021, Subdivisions 1 and 2; 104.37, Subdivision 1; and 117.232, Subdivision 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Knutson; Lewis; Keefe, J. and Knoll introduced—

S. F. No. 1241: A bill for an act relating to children; defining and specifying disposition of endangered children; changing procedures relative to termination of parental rights; amending Minnesota Statutes 1978, Sections 260.015, by adding a subdivision; 260.103, Subdivision 1; 260.111, Subdivision 1; 260.121, Subdivision 1; 260.131, Subdivision 1; 260.135, Subdivision 3; 260.155, Subdivision 4; 260.191, Subdivisions 1, 4, and by adding a subdivision; 260.221; 260.235; 260.255, Subdivisions 1 and 2; 260.291, Subdivision 1; 260.315; 260.35; 260.36; 260.41; 260.44; and 260.45.

Referred to the Committee on Judiciary.

Messrs. Sillers, Dieterich, Sieloff, Strand and Davies introduced—

S. F. No. 1242: 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.

Referred to the Committee on Judiciary.

Messrs. Hanson, Lessard, Engler, Nichols and Rued introduced—

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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Setzepfandt, Rued, Olson and Renneke introduced—

S. F. No. 1244: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Solon and Ulland, J. introduced—

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.

Referred to the Committee on Local Government.

Mr. Johnson introduced—

S. F. No. 1246: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Olhoft, Wegener, Strand, Moe and Peterson introduced—

S. F. No. 1247: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Spear, Davies, Sillers and Hanson introduced—

S. F. No. 1248: A bill for an act relating to guardianship; establishing criteria for the selection of guardians and conservators; amending Minnesota Statutes 1978, Section 525.544.

Referred to the Committee on Judiciary.

Messrs. Lessard and Willet introduced—

S. F. No. 1249: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Luther, Johnson, Chenoweth and Keefe, S. introduced—

S. F. No. 1250: A bill for an act relating to the public service commission; regulating commissioners' conflicts of interest; amending Minnesota Statutes 1978, Section 216A.035.

Referred to the Committee on Commerce.

Mr. Jensen introduced—

S. F. No. 1251: 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.

Referred to the Committee on Governmental Operations.

Messrs. Purfeerst and Vega introduced—

S. F. No. 1252: A bill for an act relating to taxation; exempting certain amounts paid for military service from income taxation; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.06, Subdivision 12.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, Sieloff, Hanson, Olson and Frederick introduced—

S. F. No. 1253: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. McCutcheon, Spear, Stumpf, Coleman and Humphrey introduced—

S. F. No. 1254: 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.

Referred to the Committee on Education.

Mr. Lessard introduced—

S. F. No. 1255: A bill for an act relating to tax-forfeited land sales; increasing the interest rate on the unpaid balance of the purchase price; amending Minnesota Statutes 1978, Sections 282.01, Subdivision 4; 282.15; 282.222, Subdivision 4; 282.261; and 282.35, Subdivisions 2 and 3.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Chmielewski introduced—

S. F. No. 1256: 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 624.714, Subdivision 2.

Referred to the Committee on Judiciary.

Mr. Olhoff introduced—

S. F. No. 1257: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Merriam, McCutcheon, Peterson, Hanson and Sieloff introduced—

S. F. No. 1258: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Knoll introduced—

S. F. No. 1259: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Knoll introduced—

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.

Referred to the Committee on Commerce.

Messrs. Schaaf, Vega, Coleman, Laufenburger and Ashbach introduced—

S. F. No. 1261: 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.

Referred to the Committee on Transportation.

Mr. Schaaf introduced—

S. F. No. 1262: A bill for an act relating to the operation of state government; establishing a system of periodic review of the operation of occupational licensing agencies; creating guidelines; establishing legislative review procedures; setting termination dates.

Referred to the Committee on Governmental Operations.

Mr. Schaaf introduced—

S. F. No. 1263: 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.

Referred to the Committee on Governmental Operations. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Schaaf introduced—

S. F. No. 1264: A bill for an act relating to the operation of state government; abolishing the board of abstractors 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.

Referred to the Committee on Governmental Operations.

Mr. Humphrey introduced—

S. F. No. 1265: A bill for an act relating to education; providing for computer based education for certain schools; appropriating money.

Referred to the Committee on Education.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

March 1, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Metropolitan Council are hereby respectfully submitted to the Senate for confirmation as required by law:

Martin N. Kellogg, 339 Mt. Curve Blvd., St. Paul, Ramsey County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

Charles L. Rafferty, 532 Jessamine Avenue, St. Paul, Ramsey County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

George C. Dahlvang, 4535 Washburn Avenue North, Minneapolis, Hennepin County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

Gladys S. Brooks, 5056 Garfield Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

Ernest A. Lindstrom, 7406 Fremont Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

Dirk deVries, 18600 Woolman Drive, Minnetonka, Hennepin County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

Marcia L. Bennett, 654 48th Avenue NE, Columbia Heights, Anoka County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

Kathleen C. Ridder, 1744 Dodd Road, St. Paul, Dakota County, has been appointed by me, effective March 1, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

March 26, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the State University Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Paul O. Johnson, 115 Outer Drive, Le Sueur, Le Sueur County, has been appointed by me, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

Geneva M. Peterson, R.R. 3, Mora, Kanabec County, has been appointed by me, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Education.)

Sincerely,

Albert H. Quie, Governor

April 6, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the position of Executive Secretary of the State Board of Investment is hereby respectfully submitted to the Senate for confirmation as required by Minnesota Statutes, Section 11.11:

Jonathan P. White, 1485 Transit Avenue, Roseville, Ramsey County, has been appointed by the State Board of Investment, effective April 2, 1979, for an indeterminate term.

(Referred to the Committee on Governmental Operations.)

Sincerely,

Albert H. Quie, Governor

Joan Anderson Growe,
Secretary of State

Arne Carlson, State Auditor

Jim Lord, State Treasurer

Warren Spannaus,
Attorney General

April 3, 1979

The Honorable Edward J. Geary
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. Nos. 389, 39, and 287.

Sincerely,

Albert H. Quie, Governor

April 5, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. No. 207.

Sincerely,

Albert H. Quie, Governor

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:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
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

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 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
207		17	April 4	April 4
	416	18	April 4	April 4

Sincerely,

Joan Anderson Growe,
Secretary of State

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 Act of the 1979 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
	303	19	April 5	April 5

Sincerely,

Joan Anderson Growe,
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 51.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 5, 1979

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 9: A Senate Concurrent Resolution relating to adjournment.

Senate Concurrent Resolution No. 9 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 5, 1979

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 384, 988, 627 and 1029.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 5, 1979

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 525, now in the Subcommittee on Bill Scheduling.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Agriculture and Natural Resources.

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.

Referred to the Committee on Commerce.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments and the reports on S. F. Nos. 802 and 188. The motion prevailed.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 477: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 3, delete "and health maintenance organizations"

Page 2, lines 26 to 28, delete subdivision 3

Page 2, line 29, after "all" insert "clinically related services, diagnostic, treatment, 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 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 5, after line 23, insert:

"Subd. 12. "Develop" means to undertake those activities which on their completion will result in the offer of a new institutional health service or the incurring of a financial obligation in relation to the offering of the service.

Subd. 13. "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. 14. "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."

Renumber the subdivisions in sequence

Page 5, line 25, after "modification" insert "or predevelopment activity"

Page 5, line 26, delete "health maintenance organization" and insert "other person"

Page 5, line 27, after "commenced" insert "or offered"

Page 5, line 29, after the period, insert "The state planning agency, as the administrative authority for the National Health Planning and Resource Development Act of 1974, 42 USC 300k et seq., 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, before the period, 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 7, delete line 15

Page 7, line 16, delete "items" and insert "\$150,000"

Page 8, line 8, delete "or health maintenance organization"

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, line 7, delete ", the home" and insert a period

Page 11, delete line 8

Page 11, delete subdivision 1

Page 11, line 27, delete "Subd. 2" and insert "Subdivision 1"

Page 12, line 1, delete "factors" and insert "criteria"

Page 12, line 7, delete "the health maintenance organization or"

Page 12, lines 10 and 11, delete "and health maintenance organizations"

Page 12, line 25, before the semicolon, 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 13, after line 9, insert:

"(k) 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, line 12, before the semicolon, insert ". If beds proposed to be converted exceed by up to 20 percent the number of long-term care beds projected as needed in the applicable health sys-

tems 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”

Page 13, line 12, after the semicolon, delete “and”

Page 13, after line 12, insert:

“(m) In the case of a construction project: the costs and method 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; and”

Reletter the clauses in sequence

Page 13, line 22, before the semicolon, 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”

Renumber the subdivisions in sequence

Page 15, line 5, delete “3” and insert “2, and the provisions of the National Health Planning and Resources Development Act, 42 USC 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 com-

missioner of health within 10 days of receipt of the request for review shall serve a notice of and 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 section 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 15.0424 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 26, delete "MONITORING" and insert "PERIODIC REPORTS"

Page 15, lines 27 and 28, delete "or health maintenance organizations"

Page 15, line 33, delete everything after "certificate."

Page 16, delete lines 1 to 9

Page 16, line 11, delete "or health maintenance organization"

Page 16, line 14, delete "subdivision 6" and insert "subdivisions 4 and 5"

Page 16, lines 24 and 25, delete "or health maintenance organization"

Page 16, lines 26 and 27, delete "or health maintenance organization"

Page 17, line 8, delete "not"

Page 17, line 8, before "if" insert "controlled and operated as provided in sections 62D.01 to 62D.29"

Page 17, line 9, delete "does not require" and insert "requires"

Page 17, line 10, after "to" insert "predevelopment activity by or construction or modification of"

Page 17, line 19, before the semicolon, insert "et seq."

Page 18, after line 7, insert:

"In this specific instance, the state planning agency shall be exempt from utilizing the services of the hearing examiner."

Amend the title as follows:

Page 1, line 5, delete "and health maintenance organizations" and insert "; providing for membership of health systems agencies"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

H. F. No. 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 975: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 5, after "goods" insert "and artifacts"

Page 2, line 11, delete "gross"

Page 2, line 17, strike "1" and insert "2"

Page 3, delete lines 2 through 6

Page 3, line 14, delete "rules" and insert "provisions"

Page 3, delete line 33

Page 4, delete lines 1 through 5

Page 4, line 7, delete "highways" and insert "transportation"

Page 4, line 17, delete "at" and insert "prior to"

Page 4, delete lines 23 through 27

Renumber the subdivisions in sequence

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chmielewski from the Committee on Veterans' Affairs, to which was re-referred

S. F. No. 765: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Governmental Operations. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 430: A bill for an act relating to federal money; providing for legislative review of requests to expend federal money received by state agencies; amending Minnesota Statutes 1978, Section 3.30, Subdivision 2; and Chapter 3, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, strike "chairman" and insert "chairmen"

Page 1, line 12, strike "committee" and insert "committees"

Page 1, line 12, strike "the chairmen of the"

Page 1, line 13, strike "senate committee on"

Page 1, line 13, after the comma, insert "and governmental operations, the majority and minority leaders of the senate,"

Page 1, lines 13 and 14, delete the new language

Page 1, line 15, strike "chairman" and insert "chairmen"

Page 1, line 15, strike "committee" and insert "committees"

Page 1, line 16, strike "the chairman of the house committee on"

Page 1, line 16, after "and" insert "governmental operations, and the speaker and minority leader of the house, or their designees,"

Page 1, lines 17 and 18, delete the new language

Page 3, line 30, delete "promptly" and insert "within 30 days"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was re-referred

S. F. No. 4: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 680: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, delete lines 22 to 29 and insert:

"[169.885] [FERTILIZER APPLICATORS.] *Subdivision 1. [WIDTH.] The total outside width of a fertilizer applicator operated on any street or highway shall not exceed 12 feet.*

Subd. 2. [BRAKES AND LIGHTS.] A fertilizer applicator shall be equipped with brakes capable of stopping the applicator within the brake performance requirements of section 169.67, subdivision 5, under all conditions of loading. At all times when a fertilizer applicator is operated on a street or highway it shall display two simultaneously flashing amber lamps to the front and two simultaneously flashing amber lamps to the rear of the vehicle. The lamps at each end of the vehicle shall be mounted at the same level and shall be as widely spaced laterally as practicable. When lighted

the lamps shall be visible from a distance of not less than 500 feet under normal atmospheric conditions at night."

Page 2, line 30, delete "2" and insert "3"

Page 2, line 30, delete "180" and insert "240"

Page 2, line 32, delete "prescribing" and insert "*which allow the safe operation of fertilizer applicators, including loaded applicators, on the public streets and highways. The rules shall include*"

Page 2, line 32, delete ". The"

Page 2, line 33, delete "rules shall be"

Page 3, line 4, after the period insert "*The maximum weights allowed under the rules may include weight categories that allow operation of a partially loaded fertilizer applicator up to 50 miles from the retail fertilizer distributor from which the load is carried.*"

Page 3, after line 6, insert:

"No person shall operate a fertilizer applicator upon a street or highway in violation of the rules adopted by the commissioner pursuant to this subdivision."

Page 3, delete lines 7 to 33 and insert:

"Subd. 4. [ANNUAL PERMIT.] No person shall drive or move a fertilizer applicator on any street or highway without a permit issued by the commissioner. The commissioner may issue an annual permit to the owner of a fertilizer applicator. The fee for an annual permit shall be \$50.

Subd. 5. [SPECIAL PERMITS.] The commissioner and local authorities for streets and highways under their respective jurisdictions may grant special permits in the manner provided in section 169.86 to allow a fertilizer applicator to operate in excess of a weight limit or restriction established under section 169.87.

Sec. 5. [TEMPORARY POLICY.] Immediately after this section is effective, the commissioner of transportation shall adopt a policy that allows the safe operation of fertilizer applicators, including loaded applicators, on the public streets and highways subject to limitations of the type required in section 4, subdivision 3. This policy shall be effective until rules are adopted pursuant to section 4, subdivision 3. The adoption of this policy shall not be subject to the procedures of Minnesota Statutes, Chapter 15.

Sec. 6. [EFFECTIVE DATE.] This act is effective the day after final enactment."

Amend the title as follows:

Page 1, line 5, delete "weight" and insert "width and braking and lighting requirements"

Page 1, line 5, delete "loaded"

Page 1, line 7, delete "temporary and permanent"

Page 1, line 7, after "rules" insert "providing maximum weights and other safety standards and to adopt a temporary policy on fertilizer applicator operation"

Page 1, line 7, delete "a"

Page 1, line 8, delete "penalty" and insert "penalties"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 481: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, after the period, insert "This appropriation is available to subsidize operations from February 1, 1979, to June 30, 1979; however for service rendered from April 9, 1979, to June 30, 1979, the subsidy shall be paid only for service that meets the regular route service standards for private operators in the metropolitan area, as submitted by the commissioner of transportation to the legislature on April 5, 1979."

Amend the title as follows:

Page 1, line 5, before the period insert "under certain conditions"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, delete everything after the period

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 constructed, the town board, or the county board in the case of unorganized territory, may by resolution designate the cartway as a private driveway. In this case, after the effective date of the resolution*"

no town road and bridge funds shall be expended for maintenance of the driveway."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 802: 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.

Reports the same back with the recommendation that the bill be amended as follows:

- Page 2, line 1, delete "*and/or*" and insert "*or*"
- Page 2, line 1, after "*treatment*" insert "*or both*"
- Page 2, line 9, after "*planning*" insert "*and documentation*"
- Page 2, line 9, before "*tests*" insert "*appropriate*"
- Page 2, line 10, delete "*referrals*" and insert "*orders*"
- Page 2, line 11, delete "*or dentists*"
- Page 2, delete subdivision 3
- Page 2, line 29, delete "*and physical therapist assistants*"
- Page 2, line 32, strike "*one*" and insert "*two*"
- Page 2, line 33, strike "*doctor*" and insert "*doctors*"
- Page 2, line 33, strike everything after "*medicine*"
- Page 3, line 1, strike "*medicine, and one*" and insert "*and surgery, one being a*"
- Page 3, line 3, after "*one*" insert "*aide or assistant to a*"
- Page 3, line 4, delete "*assistant*"
- Page 4, lines 16 and 17, delete "*Subdivision 1. [PHYSICAL THERAPIST.]*"
- Page 4, line 19, delete "*of \$20*" and insert "*in the amount set by the board*"
- Page 5, delete subdivision 2
- Page 5, line 16, delete "*or as a physical therapist assistant*"
- Page 5, line 20, delete "*or a physical therapist assistant*"
- Page 5, line 23, delete "*or physical therapist assistant*"
- Page 5, line 24, delete everything after "*registered*" and insert a period

Page 5, delete lines 25 to 30

Page 6, line 13, delete "*of \$20*" and insert "*in the amount set by the board*"

Page 6, line 16, delete the colon and "(1)"

Page 6, lines 17 and 18, delete "*or as a physical therapist assistant*"

Page 6, lines 26 and 27, delete "*or to a physical therapist assistant*"

Page 6, line 32, strike the comma

Page 7, line 3, strike "of"

Page 7, line 3, delete "\$20" and insert "*in the amount set by the board*"

Page 7, line 12, after "*therapist*" insert a period

Page 7, delete line 13

Page 7, line 15, after "*issue*" insert "*a certificate of*"

Page 7, line 23, delete "*and physical therapist assistant*"

Page 7, line 26, strike "of"

Page 7, line 26, delete "\$10" and insert "*in the amount set by the board*"

Page 7, line 31, strike "of" and delete "\$10"

Page 8, lines 10 and 11, delete the underlined language

Page 8, line 25, after the period insert "*The board shall set by rule the amounts of the application fee and the annual registration fee.*"

Page 8, lines 30 and 31, delete "*or physical therapist assistant*"

Page 8, line 33, delete the underlined language

Page 9, line 9, delete everything after "*state*"

Page 9, lines 10 and 11, delete the underlined language

Page 9, line 21, delete the underlined language

Page 9, lines 22 and 23, delete "*or physical therapist assistant*"

Page 9, line 23, delete "of"

Page 9, line 31, delete "*Been grossly negligent*" and insert "*Gross negligence*"

Page 9, lines 32 and 33, delete "*or a physical therapist assistant*" and insert a semicolon

Page 9, before the old period insert

"(i) *Treating human ailments by physical therapy except by*

the order of a person licensed in this state to practice medicine and surgery and whose license is in good standing;

(j) Treating human ailments other than by physical therapy unless duly licensed or registered to do so under the laws of this state;

(k) Inappropriate delegation to or inadequate supervision of a physical therapist assistant or aide; and

(l) Treating human ailments other than by performing physical therapy procedures unless duly licensed or registered to do so under the laws of this state”

Page 10, lines 2 and 3, delete “*or a physical therapist assistant*”

Page 10, lines 4 to 15, delete the underlined language

Page 10, lines 21 and 22, delete “*or act as a physical therapist assistant*”

Page 10, line 23, delete “*or physical therapist assistant,*”

Page 10, line 27, reinstate the comma

Page 10, lines 27 and 28 delete “*or physical therapist assistant,*”

Page 10, lines 29 to 32, delete the underlined language

Page 10, line 33, delete “*Physical Therapist Assistant,*”

Page 11, line 1, delete the underlined language

Page 11, line 2, delete “, *P.T.T.A.*,” “*R.P.T.A.*,” and “*or L.P.T.A.,*”

Page 11, lines 4 and 5, delete the underlined language

Page 11, line 5, reinstate the stricken word “*a*”

Page 11, lines 6 and 7, delete the underlined language

Page 11, line 9, delete “*shall constitute*” and insert “*is*”

Page 11, line 12, delete “*or physical therapist assistant*”

Page 11, delete subdivision 3

Page 11, after line 31, insert:

“Sec. 11. Minnesota Statutes 1978, Chapter 148, is amended by adding a section to read:

[148.706] [SUPERVISION OF ASSISTANTS.] *Every physical therapist who uses the services of an assistant or aide for the purpose of assisting in the practice of physical therapy is responsible for functions performed by the assistant or aide while engaged in such assistance. The physical therapist shall permit the assistant or aide to perform only those functions which he is authorized by rule to delegate to a physical therapist assistant or aide and shall provide supervision as specified.”*

Page 12, line 17, reinstate the stricken language and delete “*sections 148.65 to*”

Page 12, line 17, strike "shall be" and insert "is"

Page 12, lines 25 and 26, delete "or as a physical therapist assistant"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "occupations" and insert "occupation"

Page 1, lines 3 and 4, delete "and physical therapist assistant"

Page 1, line 7, delete "a section" and insert "sections"

And when so amended the bill do pass. Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 364: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [626.88] [UNIFORMS; PEACE OFFICERS, SECURITY GUARDS; COLOR.] *Subdivision 1. [DEFINITIONS.] (a) For the purposes of this section, the following terms have the meanings given them.*

(b) "Peace officer" means an employee of a political subdivision or state law enforcement agency who is charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has full power of arrest, and shall also include Minnesota highway patrolmen, state conservation officers, park police, and University of Minnesota police officers.

(c) "Security guard" means any person who is paid a fee, wage or salary to perform one or more of the following functions:

(1) Prevention or detection of intrusion, unauthorized entry or activity, vandalism or trespass on private property;

(2) Prevention or detection of theft, loss, embezzlement, misappropriation, or concealment of merchandise, money, bonds, stocks, notes, or other valuable documents or papers;

(3) Control, regulation, or direction of the flow or movements of the public, whether by vehicle or otherwise, to assure protection of private property;

(4) Protection of individuals from bodily harm; or

(5) Enforcement of policies and rules of his employer related to

crime reduction insofar as such enforcement falls within the scope of his duties.

The provisions of this subdivision are not intended to include within the definition of "security guard" auditors, accountants, and accounting personnel whether or not they are employees of a private firm, corporation or independent accounting firm.

Subd. 2. [UNIFORMS.] Uniforms for peace officers shall be of a uniform color throughout the state as provided herein. The uniforms of peace officers from each type of law enforcement agency specified herein shall be of a basic distinctive color. Uniforms for:

(a) Municipal peace officers, including University of Minnesota peace officers, and peace officers assigned to patrol duties in parks, shall be blue;

(b) Peace officers who are members of the county sheriffs' office shall be brown;

(c) Highway patrolmen shall be maroon;

(d) Conservation officers shall be green.

The uniforms of security guards may be any color other than those specified for peace officers.

This subdivision shall apply to uniforms purchased subsequent to August 1, 1979.

Sec. 2. Minnesota Statutes 1978, Section 169.98, is amended to read:

169.98 [POLICE OR PATROL VEHICLES; SECURITY GUARD VEHICLES; MARKINGS AND COLORS.] *Subdivision 1. Except as provided in this subdivision 2, all motor vehicles which are primarily used in the enforcement of highway traffic regulations by the highway patrol or for general uniform patrol assignment by any municipal police department, highway patrol, or peace officer other law enforcement agency, except conservation officers, shall have basic uniform colors and markings as provided herein. Motor vehicles of:*

(a) Municipal police departments, including the University of Minnesota police department and park police units, shall be blue;

(b) The highway patrol shall be maroon; and

(c) The county sheriffs' office shall be brown.

The commissioner of public safety by rule or regulation shall establish uniform colorings and markings for such motor vehicles which colors and markings shall be both distinctive and contrasting in appearance so as to distinguish such motor vehicles from other motor vehicles and make them easily identifiable.

The identity of the governmental unit operating the vehicle shall be displayed on both front door panels and on the rear of the vehicle. The identity may be in the form of a shield or emblem, or may be the word "police", "sheriff", or the words "state patrol" or "con-

servation officer", as appropriate; with letters not less than two and one-half inches high, one inch wide and of a three-eighths inch brush stroke. The identity shall be of a color contrasting with the background color so that the motor vehicle is easily identifiable as belonging to a specific type of law enforcement agency.

Subd. 2. The commissioner of public safety may authorize the use of specially marked highway patrol vehicles, that have only a marking composed of a shield on the right door with the words inscribed thereon "Minnesota Highway State Patrol" for primary use in the enforcement of highway traffic regulations when in his judgment the use of specially marked highway patrol vehicles will contribute to the safety of the traveling public. The number of such specially marked highway patrol vehicles used in the enforcement of highway traffic regulations shall not exceed 10 percent of the total number of highway patrol vehicles used in traffic law enforcement. All specially marked highway patrol vehicles shall be operated by uniformed members of the highway patrol and so equipped and operated as to clearly indicate to the driver of a car which is signaled to stop that the specially marked highway patrol vehicle is being operated by the highway patrol.

Subd. 3. All motor vehicles which are used by security guards in the course of their employment may have any color other than those specified in subdivision 1 for law enforcement vehicles. The identity of the security service shall be displayed on the motor vehicle as required for law enforcement vehicles.

Subd. 2. 4. Subdivision 1 Subdivisions 1 to 3 shall apply to those motor vehicles used primarily in traffic law enforcement purchased subsequent to the effective date of Laws 1950, Chapter 554 and also subsequent to the effective date of any rules and regulations that the commissioner of public safety shall establish pursuant to the purposes set forth in subdivision 1 August 1, 1979."

Amend the title as follows:

Page 1, line 4, delete "private"

Page 1, line 5, delete "officers" and insert "guards"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 350: A bill for an act relating to state parks; removing certain lands from within the boundaries of Split Rock Lighthouse State Park.

Reports the same back with the recommendation that the bill be amended as follows:

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 (Arrowhead) 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"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 525: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 98.45, Subdivision 6, is amended to read:

Subd. 6. An alien wife or husband spouse or a non-resident child under the age of 21 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."

Amend the title as follows:

Page 1, line 2, delete "resident"

Page 1, line 3, delete everything before "certain"

Page 1, line 4, after "minors" insert "to be treated as Minnesota residents for the purpose of taking wild game"

Page 1, line 5, delete "by adding a subdivision" and insert "Subdivision 6"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 188: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, delete "the pollution control" and insert "any state"

Page 1, line 15, delete everything after "clubs" and insert a period

Page 1, delete lines 16 and 17

Amend the title as follows:

Page 1, line 2, delete "certain"

Page 1, line 3, delete "existing"

Page 1, line 4, delete "the pollution control" and insert "any state"

And when so amended the bill do pass. Mr. Luther questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for March 1, 1979:

**DEPARTMENT OF NATURAL RESOURCES
COMMISSIONER**

Joseph N. Alexander

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Davies from the Committee on Judiciary, to which were referred the following appointments as reported in the Journal for January 8, 1979:

BOARD ON JUDICIAL STANDARDS

David Coleman
Juanita Young

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 486 and 568 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
486	159				
568	605				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 486 be amended as follows:

Page 3, delete lines 25 to 33

Page 4, delete lines 1 to 33

Page 5, delete lines 1 to 33

Page 6, delete lines 1 to 33

Page 7, delete lines 1 to 11

Amend the title in line 5, by deleting "Subdivisions 4, 6 and 9" and inserting "Subdivision 4"

And when so amended H. F. No. 486 will be identical to S. F. No. 159, and further recommends that H. F. No. 486 be given its second reading and substituted for S. F. No. 159, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 568 be amended as follows:

Page 1, line 17, delete "not more than"

Page 1, line 18, after "board" insert "with the approval of the department of public welfare"

Page 2, lines 1 and 2, delete "and with written notice to each state agency that will be affected"

And when so amended H. F. No. 568 will be identical to S. F. No. 605, and further recommends that H. F. No. 568 be given its second reading and substituted for S. F. No. 605, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 741, 835, 980, 491, 846, 866, 186, 712, 759, 839, 884, 681, 737, and 544 and H. F. Nos. 610 and 395 makes the following report:

That the above Senate Files and House Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 477, 757, 30, 478, 364, 350 and 525 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 486 and 568 were read the second time.

H. F. No. 145 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Anderson moved that the name of Mr. Bernhagen be added as co-author to S. F. No. 1104. The motion prevailed.

Mr. Johnson moved that the name of Mr. Solon be added as co-author to S. F. No. 1168. The motion prevailed.

Mr. Hanson moved that the name of Mr. Olhoft be added as co-author to S. F. No. 1185. The motion prevailed.

Mr. Lewis moved that the names of Mrs. Staples and Mr. Humphrey be added as co-authors to S. F. No. 1110. The motion prevailed.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Penny	Solon
Ashbach	Gearty	Lessard	Perpich	Staples
Bang	Gunderson	Lewis	Peterson	Stokowski
Benedict	Hanson	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessee
Chenoweth	Johnson	Merriam	Rued	Ueland, A.
Chmielewski	Keefe, S.	Moe	Schaaf	Ulland, J.
Coleman	Kirchner	Nelson	Schmitz	Vega
Davies	Kleinbaum	Nichols	Schrom	Wegener
Dieterich	Knaak	Ogdahl	Setzepfandt	Willet
Dunn	Knoll	Olhoft	Sikorski	
Engler	Knutson	Olson	Sillers	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 44 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Pillsbury	Staples
Ashbach	Hanson	Lewis	Renneke	Stokowski
Bang	Humphrey	Moe	Rued	Strand
Bernhagen	Johnson	Nelson	Schaaf	Stumpf
Brataas	Keefe, J.	Nichols	Schrom	Ueland, A.
Chmielewski	Keefe, S.	Olson	Sieloff	Ulland, J.
Coleman	Kleinbaum	Penny	Sikorski	Vega
Dieterich	Knaak	Perpich	Sillers	Willet
Engler	Knoll	Peterson	Spear	

Those who voted in the negative were:

Benedict	Frederick	McCutcheon	Ogdahl	Setzepfandt
Chenoweth	Gunderson	Menning	Olhoff	Tennessee
Davies	Luther	Merriam	Schmitz	Wegener
Dunn				

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Humphrey	Luther	Pillsbury	Spear
Bang	Jensen	McCutcheon	Purfeerst	Staples
Benedict	Johnson	Menning	Renneke	Stokowski
Bernhagen	Keefe, J.	Merriam	Rued	Strand
Chenoweth	Keefe, S.	Moe	Schaaf	Stumpf
Chmielewski	Kirchner	Nelson	Schmitz	Ueland, A.
Dieterich	Kleinbaum	Ogdahl	Schrom	Ulland, J.
Dunn	Knaak	Olhoff	Setzepfandt	Vega
Engler	Knoll	Olson	Sieloff	Wegener
Gearty	Laufenburger	Penny	Sikorski	Willet
Gunderson	Lessard	Perpich	Sillers	
Hanson	Lewis	Peterson	Solon	

Those who voted in the negative were:

Ashbach	Davies	Frederick	Knutson	Nichols
Brataas				

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Perpich	Solon
Ashbach	Gunderson	Lewis	Peterson	Spear
Bang	Hanson	Luther	Pillsbury	Staples
Benedict	Humphrey	McCutcheon	Purfeerst	Stokowski
Bernhagen	Johnson	Menning	Renneke	Strand
Brataas	Keefe, J.	Merriam	Rued	Stumpf
Chenoweth	Keefe, S.	Moe	Schaaf	Tennessee
Chmielewski	Kirchner	Nelson	Schmitz	Ulland, J.
Davies	Kleinbaum	Nichols	Schrom	Vega
Dieterich	Knaak	Ogdahl	Setzepfandt	Wegener
Dunn	Knoll	Olhoft	Sieloff	Willet
Engler	Knutson	Olson	Sikorski	
Frederick	Laufenburger	Penny	Sillers	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Sillers
Ashbach	Gunderson	Lessard	Perpich	Solon
Bang	Hanson	Lewis	Peterson	Spear
Benedict	Humphrey	Luther	Pillsbury	Staples
Bernhagen	Jensen	McCutcheon	Purfeerst	Stokowski
Brataas	Johnson	Menning	Renneke	Strand
Chenoweth	Keefe, J.	Merriam	Rued	Stumpf
Chmielewski	Keefe, S.	Moe	Schaaf	Tennessee
Davies	Kirchner	Nelson	Schmitz	Ulland, A.
Dieterich	Kleinbaum	Nichols	Schrom	Ulland, J.
Dunn	Knaak	Ogdahl	Setzepfandt	Vega
Engler	Knoll	Olhoft	Sieloff	Wegener
Frederick	Knutson	Olson	Sikorski	Willet

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearly	Lessard	Peterson	Staples
Ashbach	Gunderson	Lewis	Pillsbury	Stokowski
Bang	Hanson	Luther	Purfeerst	Strand
Benedict	Humphrey	McCutcheon	Renneke	Stumpf
Bernhagen	Jensen	Menning	Rued	Tennessee
Brataas	Johnson	Merriam	Schaaf	Ueland, A.
Chenoweth	Keefe, J.	Moe	Schmitz	Ulland, J.
Chmielewski	Keefe, S.	Nelson	Schrom	Vega
Coleman	Kirchner	Nichols	Setzepfandt	Wegener
Davies	Kleinbaum	Ogdahl	Sieloff	Willet
Dieterich	Knaak	Olhoft	Sikorski	
Dunn	Knoll	Olson	Sillers	
Engler	Knutson	Penny	Solon	
Frederick	Laufenburger	Perpich	Spear	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearly	Lessard	Peterson	Staples
Ashbach	Gunderson	Lewis	Pillsbury	Stokowski
Bang	Hanson	Luther	Purfeerst	Strand
Benedict	Humphrey	McCutcheon	Renneke	Stumpf
Bernhagen	Jensen	Menning	Rued	Tennessee
Brataas	Johnson	Merriam	Schaaf	Ueland, A.
Chenoweth	Keefe, J.	Moe	Schmitz	Ulland, J.
Chmielewski	Keefe, S.	Nelson	Schrom	Vega
Coleman	Kirchner	Nichols	Setzepfandt	Wegener
Davies	Kleinbaum	Ogdahl	Sieloff	Willet
Dieterich	Knaak	Olhoft	Sikorski	
Dunn	Knoll	Olson	Sillers	
Engler	Knutson	Penny	Solon	
Frederick	Laufenburger	Perpich	Spear	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Davies	Frederick	Humphrey
Bang	Chenoweth	Dieterich	Gearly	Jensen
Benedict	Chmielewski	Dunn	Gunderson	Johnson
Bernhagen	Coleman	Engler	Hanson	Keefe, J.

Keefe, S.	Luther	Olson	Schmitz	Strand
Kirchner	McCutcheon	Penny	Setzepfandt	Stumpf
Kleinbaum	Menning	Perpich	Sieloff	Tennessee
Knaak	Merriam	Peterson	Sikorski	Ueland, A.
Knoll	Moe	Pillsbury	Sillers	Ulland, J.
Knutson	Nelson	Purfeerst	Solon	Vega
Laufenburger	Nichols	Renneke	Spear	Wegener
Lessard	Ogdahl	Rued	Staples	Willet
Lewis	Olhoff	Schaaf	Stokowski	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olson	Solon
Ashbach	Gearty	Laufenburger	Penny	Spear
Bang	Gunderson	Lessard	Perpich	Staples
Benedict	Hanson	Lewis	Pillsbury	Stokowski
Bernhagen	Humphrey	Luther	Purfeerst	Strand
Brataas	Jensen	McCutcheon	Renneke	Stumpf
Chenoweth	Johnson	Menning	Rued	Tennessee
Chmielewski	Keefe, J.	Merriam	Schaaf	Ueland, A.
Coleman	Keefe, S.	Moe	Schmitz	Ulland, J.
Davies	Kirchner	Nelson	Setzepfandt	Vega
Dieterich	Kleinbaum	Nichols	Sieloff	Wegener
Dunn	Knaak	Ogdahl	Sikorski	
Engler	Knoll	Olhoff	Sillers	

Messrs. Peterson, Schrom and Willet voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 18, as follows:

Those who voted in the affirmative were:

Benedict	Hanson	Luther	Peterson	Spear
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stokowski
Chenoweth	Jensen	Menning	Renneke	Strand
Chmielewski	Johnson	Merriam	Rued	Stumpf
Davies	Keefe, S.	Moe	Schaaf	Vega
Dieterich	Kirchner	Nelson	Schmitz	Wegener
Dunn	Kleinbaum	Nichols	Schrom	Willet
Engler	Laufenburger	Olhoff	Setzpfandt	
Gearty	Lessard	Olson	Sikorski	
Gunderson	Lewis	Penny	Solon	

Those who voted in the negative were:

Anderson	Frederick	Knutson	Sieloff	Ueland, A.
Ashbach	Keefe, J.	Ogdahl	Sillers	Ulland, J.
Bang	Knaak	Perpich	Staples	
Brataas	Knoll	Pillsbury	Tennessee	

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S. F. No. 871: A bill for an act relating to Anoka County; permitting redistricting of commissioner districts to seven for the 1982 election.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Luther	Purfeerst	Stokowski
Ashbach	Hanson	McCutcheon	Renneke	Strand
Bang	Humphrey	Menning	Rued	Stumpf
Bernhagen	Jensen	Merriam	Schaaf	Tennessee
Chenoweth	Johnson	Moe	Schmitz	Ueland, A.
Chmielewski	Keefe, S.	Nelson	Schrom	Ulland, J.
Coleman	Kirchner	Nichols	Setzpfandt	Vega
Davies	Kleinbaum	Ogdahl	Sieloff	Wegener
Dieterich	Knaak	Olhoff	Sikorski	Willet
Dunn	Knoll	Olson	Sillers	
Engler	Laufenburger	Penny	Solon	
Frederick	Lessard	Perpich	Spear	
Gearty	Lewis	Pillsbury	Staples	

Mr. Benedict; Mrs. Brataas; Messrs. Keefe, J. and Peterson voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 127: A bill for an act relating to the Minnesota historical society; repealing Minnesota Statutes 1978, Section 138.02.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Peterson	Staples
Ashbach	Gunderson	Lewis	Pillsbury	Stokowski
Bang	Hanson	Luther	Purfeerst	Strand
Benedict	Humphrey	McCutcheon	Renneke	Stumpf
Bernhagen	Jensen	Menning	Rued	Tennessee
Brataas	Johnson	Merriam	Schaaf	Ueland, A.
Chenoweth	Keefe, J.	Moe	Schmitz	Ulland, J.
Chmielewski	Keefe, S.	Nelson	Schrom	Vega
Coleman	Kirchner	Nichols	Setzepfandt	Wegener
Davies	Kleinbaum	Ogdahl	Sieloff	Willet
Dieterich	Knaak	Oihof	Sikorski	
Dunn	Knoll	Olson	Sillers	
Engler	Knutson	Penny	Solon	
Frederick	Laufenburger	Perpich	Spear	

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 420, 498, 58, 600, 842, 144, H. F. Nos. 396, 638, 330 and 157 which the committee recommends to pass.

S. F. No. 122, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 1, line 13, delete "*absentee's life*"

Page 1, line 13, after "*policy*" insert "*on the life of an absentee*"

Page 1, line 18, after the period, insert "*Beneficiary*" under this section includes an heir at law of the person whose life is insured if the policy is payable to his estate."

Page 2, line 1, delete "*absentee's life*"

Page 2, line 2, before the period, insert "*on the life of an absentee*"

Page 2, line 20, delete "*certainty*" and insert "*likelihood*"

The motion prevailed. So the amendment was adopted.

S. F. No. 410 which the committee reports progress, subject to the following motion:

Mr. Davies moved to amend S. F. No. 410 as follows:

Page 1, line 22, delete "*their*" and insert "*the*"

Page 1, line 22, after "*respective*" insert "*district and county*"

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."

The motion prevailed. So the amendment was adopted.

S. F. No. 410 was then progressed.

On motion of Mr. Coleman, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 7:00 o'clock p.m., Wednesday, April 11, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

THIRTY-FOURTH DAY

St. Paul, Minnesota, Wednesday, April 11, 1979

The Senate met at 7:00 o'clock p.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Willet imposed a call of the Senate. The following Senators answered to their names:

Anderson	Gunderson	Luther	Perpich	Spear
Benedict	Hanson	Menning	Peterson	Strand
Chenoweth	Humphrey	Merriam	Purfeerst	Stumpf
Chmielewski	Johnson	Moe	Schmitz	Vega
Coleman	Keefe, S.	Nelson	Setzepfandt	Wegener
Davies	Laufenburger	Nichols	Sikorski	Willet
Gearty	Lewis	Penny	Solon	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. David Rebeck.

The roll was called, and the following Senators answered to their names:

Anderson	Gearty	Laufenburger	Penny	Solon
Ashbach	Gunderson	Lessard	Perpich	Spear
Bang	Hanson	Lewis	Peterson	Staples
Benedict	Hughes	Luther	Pillsbury	Stokowski
Bernhagen	Humphrey	McCutcheon	Purfeerst	Strand
Brataas	Jensen	Menning	Renneke	Stumpf
Chenoweth	Johnson	Merriam	Rued	Tennessee
Chmielewski	Keefe, J.	Moe	Schaaf	Ueland, A.
Coleman	Keefe, S.	Nelson	Schmitz	Ulland, J.
Davies	Kirchner	Nichols	Setzepfandt	Vega
Dunn	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knaak	Olhoft	Sikorski	Willet
Frederick	Knutson	Olson	Sillers	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Dieterich, Knoll and Schrom were excused from the Session of today. Mr. Olson was excused from the Session of today until 8:30 o'clock p.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Olson introduced—

S. F. No. 1266: A bill for an act relating to the city of Windom; authorizing the purchase of annuity contracts for retiring firefighters.

Referred to the Committee on Governmental Operations.

Messrs. Kirchner, Solon, Chenoweth and Knutson introduced—

S. F. No. 1267: A bill for an act relating to health; altering certain requirements for members of the board of examiners for nursing home administrators; amending Minnesota Statutes 1978, Section 144A.19, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Humphrey introduced—

S. F. No. 1268: 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.

Referred to the Committee on Governmental Operations.

Mr. Humphrey introduced—

S. F. No. 1269: 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.

Referred to the Committee on Education.

Messrs. Luther, Merriam, Davies and Spear introduced—

S. F. No. 1270: 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.

Referred to the Committee on Judiciary.

Messrs. Setzepfandt, Olhoft, Chmielewski, Bernhagen and Nichols introduced—

S. F. No. 1271: A bill for an act relating to taxation; clarifying the method of computing the agricultural credit; clarifying dis-

tribution 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Schaaf introduced—

S. F. No. 1272: A bill for an act relating to the operation of state government; reorganizing the department of commerce; providing for appointment of a commissioner of commerce; prescribing his powers and duties; transferring certain powers and duties from the secretary of state and the commissioners of administration and public safety and from the department of public service; abolishing certain positions and divisions in the departments of commerce, public safety and public service; making necessary revisions; providing penalties; appropriating money; amending Minnesota Statutes 1978, Sections 15.06, Subdivision 1; 15A.081, Subdivision 1; 46.01; 46.04; 46.05; 46.06; 46.07, Subdivision 1; 46.08; 46.12; 46.131, Subdivisions 1, 2, 3, 4 and 5; 46.23, Subdivision 3; 47.01, by adding a subdivision; 47.0151, Subdivision 2; 47.08; 47.16, Subdivision 1; 47.28; 47.29; 47.30; 47.51; 47.61, Subdivision 2; 48.01, Subdivision 3; 48.15, Subdivision 2; 48.151; 48.89, Subdivision 1; 49.215, Subdivision 3; 49.37; 49.44; 51A.02, Subdivision 3; 51A.03, Subdivisions 1, 3, 4 and 5; 51A.05, Subdivision 4; 51A.06, Subdivision 1; 51A.08, Subdivision 2; 53.01; 53.015, by adding a subdivision; 53.03; 55.01; 59A.02, Subdivision 4; 60A.02, Subdivisions 2 and 16; 60A.03, Subdivisions 2, 3, 5 and 6; 60A.31, Subdivision 1; 60A.051, Subdivision 2; 60A.07, Subdivision 6; 60A.16, Subdivision 2; 60B.03, Subdivision 2; 60C.03, Subdivision 1, and by adding a subdivision; 60D.01, Subdivision 3; 61B.03, Subdivision 14; 62A.01; 62B.02, Subdivision 7; 62C.02, Subdivision 2; 62C.06; 62D.02, Subdivision 2; 62E.02, Subdivision 6; 62F.03, Subdivision 3; 62G.04, Subdivision 2; 62G.08; 64A.09; 65A.06; 65A.33, Subdivision 8; 65B.02, Subdivision 8; 65B.43, Subdivision 14; 66A.08, Subdivision 4; 66A.21, Subdivisions 2 and 3; 67A.40, Subdivision 2; 69.011, Subdivision 1; 70A.03; 72A.18, by adding a subdivision; 72A.34, by adding a subdivision; 72B.02, Subdivision 3; 72C.04, Subdivision 2; 79.01, Subdivision 5; 80B.01, Subdivision 4; 80C.01,

Subdivision 3; 82.17, Subdivision 3; 82.34, Subdivision 19; 83.20, Subdivision 4; 116H.12, Subdivision 4; 116H.121, Subdivision 1; 116H.124; 116H.126; 116H.127; 116H.129, Subdivisions 1, 5, 6 and 8; 168.021, Subdivision 2; 214.04, Subdivision 1; 222.09; 222.11; 222.17; 222.21; 222.28; 222.31; 222.32; 238.04, Subdivisions 1 and 7; 239.003; 239.004; 239.01; 239.02; 239.05, Subdivision 1, and by adding a subdivision; 239.06; 239.07; 239.08; 239.09; 239.10; 239.12; 239.23; 239.24; 239.37; 239.52; 299F.011, Subdivision 4; 299F.391, Subdivision 3; 300.026, Subdivision 2; 300.06; 300.07; 300.112, Subdivision 1; 300.114, Subdivision 1; 300.115, Subdivision 1; 300.12, Subdivision 2; 300.14, Subdivision 2; 300.16; 301.05, Subdivisions 3 and 4; 301.06; 301.07; 301.071; 301.14, Subdivision 5; 301.26, Subdivision 11; 301.33, Subdivisions 2 and 3; 301.37, Subdivisions 3 and 4; 325A.06, Subdivision 1; 326.243; 333.01; 333.04; 333.055; 336.6-104; 336.9-401; 340.001, Subdivision 3; 340.02, Subdivision 4; 340.10; 340.401, Subdivision 7; 340.44; 341.12; 462.591, Subdivision 1; 462.595; 462.601; 501.75; 501.76; 501.77; 501.78, Subdivision 4; 507.09; 507.10; 508.61, Subdivision 3; 509.01; 556.12; Chapters 46, by adding a section; 50, by adding a section; 52, by adding a section; 54, by adding a section; 56, by adding a section; 61A, by adding a section; 66A, by adding a section; 67A, by adding a section; 71A, by adding a section; and 80A, by adding a section; repealing Minnesota Statutes 1978, Sections 16.83; 16.84; 16.85; 16.851; 16.852; 16.853; 16.854; 16.86; 16.861; 16.862; 16.863; 16.8632; 16.864; 16.865; 16.866; 16.869; 45.01; 45.02; 45.021; 45.03; 45.031; 45.032; 45.033; 45.034; 45.04; 45.05; 45.06; 45.07; 45.08; 45.15; 45.16; 45.17; 46.03; 46.30, Subdivision 3; 47.16, Subdivision 2; 60A.03, Subdivision 1; 60A.051, Subdivision 4; 67A.44; 80A.14; 80A.19, Subdivision 1; 239.521; 299A.02; and 340.081.

Referred to the Committee on Commerce.

Messrs. Willet, Schrom, Luther, Dunn and Peterson introduced—

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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Willet, Luther, Dunn, Olson and Peterson introduced—

S. F. No. 1274: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Keefe, J. introduced—

S. F. No. 1275: 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.

Referred to the Committee on Education.

Messrs. Johnson and Solon introduced—

S. F. No. 1276: 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.

Referred to the Committee on Governmental Operations.

Messrs. Johnson, Solon, Willet and Engler introduced—

S. F. No. 1277: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Renneke, Dunn, Purfeerst, Wegener and Engler introduced—

S. F. No. 1278: 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.

Referred to the Committee on Governmental Operations.

Messrs. Kleinbaum and Vega introduced—

S. F. No. 1279: 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.

Referred to the Committee on Employment.

Messrs. Merriam, Vega, Schmitz, Schaaf and Keefe, J. introduced—

S. F. No. 1280: 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.

Referred to the Committee on Judiciary.

Mrs. Brataas, Messrs. Frederick and Laufenburger introduced—

S. F. No. 1281: 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.

Referred to the Committee on Governmental Operations.

Messrs. Keefe, S.; Spear; Bang and Stokowski introduced—

S. F. No. 1282: 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.

Referred to the Committee on Commerce.

Mr. Chmielewski introduced—

S. F. No. 1283: A bill for an act relating to crime victims reparations; pertaining to the powers of the crime victims reparations board; clarifying and revising the definition of dependent; establishing the power of the board to appoint an executive director in the unclassified civil service; authorizing the board to receive and administer federal funds; amending Minnesota Statutes 1978, Sections 299B.02; and 299B.06.

Referred to the Committee on Judiciary.

Mr. Laufenburger introduced—

S. F. No. 1284: 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.

Referred to the Committee on Employment.

Mr. Anderson introduced—

S. F. No. 1285: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Knutson introduced—

S. F. No. 1286: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Gearty, Ashbach, Frederick and Coleman introduced—

S. F. No. 1287: 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.

Referred to the Committee on Governmental Operations.

Messrs. Hanson and Moe introduced—

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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Setzepfandt, Schmitz and Nichols introduced—

S. F. No. 1289: 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.

Referred to the Committee on Local Government.

Messrs. McCutcheon, Merriam, Setzepfandt, Stokowski and Hanson introduced—

S. F. No. 1290: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. McCutcheon, Sillers, Olhoft, Stokowski and Solon introduced—

S. F. No. 1291: A bill for an act relating to taxation; 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; 477A.01, Subdivisions 1, 4 and 4a; repealing Minnesota Statutes 1978, Section 477A.01, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Peterson, Willet and Lessard introduced—

S. F. No. 1292: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Strand, Penny, Davies, Rued and Ogdahl introduced—

S. F. No. 1293: 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.

Referred to the Committee on Commerce.

Messrs. Strand, Rued, Davies, Ogdahl and Bang introduced—

S. F. No. 1294: A bill for an act relating to insurance; providing for payments of certain expenses incurred in prosecuting a claim.

Referred to the Committee on Commerce.

Messrs. Davies, Sieloff, Knutson and Merriam introduced—

S. F. No. 1295: A bill for an act relating to contracts; making certain contracts unenforceable unless in writing.

Referred to the Committee on Judiciary.

Messrs. Purfeerst, Nelson and Vega introduced—

S. F. No. 1296: A bill for an act relating to public welfare; authorizing grants for community residential facilities; amending Minnesota Statutes 1978, Section 252.30.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Schmitz introduced—

S. F. No. 1297: 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.

Referred to the Committee on Commerce.

Mr. Schmitz introduced—

S. F. No. 1298: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Schmitz introduced—

S. F. No. 1299: A bill for an act relating to sheriffs; requiring licensure within one year of assuming office; amending Minnesota Statutes 1978, Section 387.01.

Referred to the Committee on Local Government.

Messrs. Luther and Humphrey introduced—

S. F. No. 1300: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Nelson, Sikorski, Mrs. Staples and Mr. Coleman introduced—

S. F. No. 1301: A bill for an act relating to hospitals; providing exemption from rate review for certain hospitals; amending Minnesota Statutes 1978, Chapter 144, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Nelson, Mrs. Staples, Messrs. Sikorski and Coleman introduced—

S. F. No. 1302: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Olhoft, Gunderson and Nelson introduced—

S. F. No. 1303: A bill for an act relating to public welfare; specifying that the cost of certain household task services shall be reimbursable under medical assistance; further explaining the policy of the state with regard to medical assistance; amending Minnesota Statutes 1978, Sections 256B.01; and 256B.02, Subdivision 8.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Ueland, A.; Knutson; Stokowski; Dieterich and Dunn introduced—

S. F. No. 1304: A bill for an act relating to education; decreasing the number of years of allowable service required for benefits under a teacher mobility provision; amending Minnesota Statutes 1978, Section 354.66, Subdivision 2.

Referred to the Committee on Governmental Operations.

Mr. Davies introduced—

S. F. No. 1305: A bill for an act relating to taxation; income; clarifying the taxable status of certain organizations; clarifying the procedure by which certain organizations establish an exemption; amending Minnesota Statutes 1978, Sections 290.05, Subdivision 1; and 501.76, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Davies introduced—

S. F. No. 1306: 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.

Referred to the Committee on Judiciary.

Messrs. Luther and Sikorski introduced—

S. F. No. 1307: A bill for an act relating to courts; conciliation courts; raising the jurisdictional limit; requiring night or weekend sessions of court; prohibiting attorneys from participating in conciliation court hearings; providing costs and disbursements to the prevailing party in a cause removed to county or county municipal court; requiring notification of the opposing party before removal to county or county municipal court; amending Minnesota Statutes 1978, Sections 487.30, Subdivisions 1 and 2, and by adding subdivisions; 488A.12, Subdivision 3; 488A.13, Subdivision 5; 488A.15, Subdivision 2; 488A.17, Subdivisions 2 and 10; 488A.29, Subdivision 3; 488A.30, Subdivision 4; 488A.32, Subdivision 2; and 488A.34, Subdivisions 2 and 9.

Referred to the Committee on Judiciary.

Mr. Schaaf introduced—

S. F. No. 1308: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Nelson introduced—

S. F. No. 1309: A bill for an act relating to local government; providing that mileage allowances be set locally; amending Minnesota Statutes 1978, Section 471.665.

Referred to the Committee on Local Government.

Mr. Spear introduced—

S. F. No. 1310: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Purfeerst and Engler introduced—

S. F. No. 1311: 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.

Referred to the Committee on Governmental Operations.

Messrs. Laufenburger; Frederick; Mrs. Brataas; Messrs. Keefe, S. and Nelson introduced—

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, 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.

Referred to the Committee on Employment.

Mr. Willet introduced—

S. F. No. 1313: 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.

Referred to the Committee on Agriculture and Natural Resources.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

April 2, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Director of the Department of Public Service, Administrative Division, is hereby respectfully submitted to the Senate for confirmation as required by law:

Eugene Avery, 5909 Lee Valley Road, Edina, Hennepin County, has been appointed by me, effective March 28, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Commerce.)

April 2, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of the Department of Human Rights is hereby respectfully submitted to the Senate for confirmation as required by law:

Marilyn McClure, 1908 Arona, Falcon Heights, Ramsey County, has been appointed by me, effective March 31, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

April 2, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Crime Control Planning Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Robert V. Campbell, 5802 London Road, Duluth, St. Louis County, has been appointed by me, effective April 2, 1979, for a term expiring the first Monday in January, 1983.

Kenneth D. Kraft, P.O. Box 194, Bemidji, Beltrami County, has been appointed by me, effective April 2, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Health, Welfare and Corrections.)

April 4, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Public Employment Relations Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Thomas G. Arneson, 1159 Pike Lake Drive, New Brighton, Ramsey County, has been appointed by me, effective April 4, 1979, for a term expiring the first Monday in January, 1980.

(Referred to the Committee on Governmental Operations.)

Sincerely,
Albert H. Quie, Governor

April 9, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. Nos. 198, 327, 288, 204, and 254.

Sincerely,

Albert H. Quie, Governor

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:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
	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	Res. 2	April 9	April 9

Sincerely,

Joan Anderson Growe,
Secretary of State

April 10, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. No. 20.

Sincerely,

Albert H. Quie, Governor

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 Act of the 1979 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
20		26	April 10	April 10

Sincerely,

Joan Anderson Growe,
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 530.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 9, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 57 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 11, 1979

Mr. Davies moved that S. F. No. 57 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which

amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 72 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 11, 1979

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 72 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 72 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 42 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Menning	Pillsbury	Strand
Benedict	Hughes	Merriam	Purfeerst	Stumpf
Chenoweth	Humphrey	Moe	Schaaf	Tennessee
Chmielewski	Johnson	Nelson	Schmitz	Vega
Coleman	Keefe, S.	Nichols	Setzepfandt	Wegener
Davies	Laufenburger	Olhoff	Sikorski	Willet
Dunn	Lessard	Penny	Spear	
Gearty	Lewis	Perpich	Staples	
Gunderson	Luther	Peterson	Stokowaki	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 572: A bill for an act relating to the city of Bloomington; authorizing additional on-sale liquor licenses.

Senate File No. 572 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 11, 1979

Mr. Bang moved that the Senate do not concur in the amendments by the House to S. F. No. 572, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 31, 103, 122, 768, 253, 299, 588, 624, 389, 479, 656, 843, 740, 757, 819 and 823.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 9, 1979

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 235, 248, 594 and 1033.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 11, 1979

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

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.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 103: A bill for an act relating to highway traffic regulations; allowing loads of round baled hay with a width of 11½ feet to be transported pursuant to permit; amending Minnesota Statutes 1978, Chapter 169, by adding a section.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 109 now on General Orders.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 394 now on General Orders.

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.

Referred to the Committee on General Legislation and Administrative Rules.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 741 now on General Orders.

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.

Referred to the Committee on Finance.

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.

Referred to the Committee on Local Government.

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.

Referred to the Committee on Taxes and Tax Laws.

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 cover-

age; amending Minnesota Statutes 1978, Sections 62D.01, by adding a subdivision; 62D.02, Subdivision 7; 62D.07, Subdivision 4; and 62D.20.

Referred to the Committee on Health, Welfare and Corrections.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 867 now on General Orders.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 845 now on General Orders.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 884 now on General Orders.

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.

Referred to the Committee on Local Government.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 350 now in the Subcommittee on Bill Scheduling.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 320, now in the Subcommittee on Bill Scheduling.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 552, now in the Subcommittee on Bill Scheduling.

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.

Referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments, the report on House Concurrent Resolution No. 3, and S. F. Nos. 929, 966, 1015 and 936. The motion prevailed.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 702: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, after "health" insert "organized under section 145.50"

Page 1, line 23, after "assess" insert a comma

Page 2, line 1, after "home" insert "licensed under section 144A.02,"

Page 2, lines 1 and 2, delete "all"

Page 2, line 4, after the period, insert "In counties not organized under section 145.50, the county agency shall contract with the local public health nursing service to establish a screening team to assess those individuals."

Page 2, line 4, delete "The" and insert "Each"

Page 2, line 5, before "public" insert "staff member from the local"

Page 2, line 5, delete "nurse" and insert "nursing service"

Page 2, line 6, delete "health and"

Page 2, line 6, delete "agencies" and insert "agency"

Page 2, line 8, before the period, insert "and shall utilize individuals' attending physicians' physical assessment forms, if any, in assessing needs"

Page 2, line 12, delete "community agencies" and insert "public and private agencies in the community"

Page 2, line 22, delete "indentification" and insert "identification"

Page 2, line 27, delete "served" and insert "screened"

Page 2, line 30, delete the period, and insert "and designation of a lead agency to implement each individual's plan of care;"

Page 3, line 1, delete "PARTICIPATION" and insert "SCREENING OF PERSONS"

Page 3, line 1, before "All" insert "Prior to nursing home admission, screening teams shall assess the needs of"

Page 3, line 2, delete everything after "assistance"

Page 3, line 3, delete everything before "All" and insert "and of"

Page 3, line 5, delete "shall participate" and insert ", except patients admitted from acute care facilities or transferred from other nursing homes"

Page 3, line 6, delete "participate in this program" and insert "be assessed by a screening team upon payment of a fee"

Page 3, line 11, delete the first comma and insert "and"

Page 3, lines 11 and 12, delete ", and criteria for nursing home placement"

Page 3, line 26, after "recipients" insert "admitted"

Page 3, line 26, after the period, insert "The commissioner shall not deny reimbursement for 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."

Page 3, line 28, after "program" insert "established pursuant to this section,"

Page 4, line 4, delete "this act" and insert "section 1"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 856: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, 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.

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 application 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"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 872: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 16 to 18, delete the new language and insert "Responsibility of the child for the cost of care shall be up to the maximum amount of the total income and resources attributed to the child except for the clothing and personal needs allowance as

provided in section 256B.35, subdivision 1. Responsibility of the parents for the cost of care shall be up to a maximum of \$60 per month."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 723: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 3, delete "*disregard available to*" and insert "*disregarded*"

Page 3, line 4, delete "*disabled persons*"

Page 3, line 6, delete "*applied to disabled persons*" and insert "*disregarded in determining eligibility*"

Page 4, line 29, after "*persons*" insert "*and persons age 65 or over, respectively,*"

Page 4, line 30, after "*persons*" insert "*and persons age 65 or over*"

Page 5, after line 5, insert:

"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 disabled individuals and persons age 65 or over, 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 disabled individuals and persons age 65 or over, respectively, 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.”

Amend the title as follows:

Page 1, line 7, delete “Subdivision 1” and insert “Subdivisions 1 and 2”

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 608: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 679: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, strike “, in a”

Page 1, strike lines 15 and 16

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was re-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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 927: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 936: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete section 1

Delete the underlining in the bill

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 3

Page 1, line 4, delete "management programs;"

Page 1, line 6, delete "; amending Minnesota" and insert a period

Page 1, delete lines 7 and 8

And when so amended the bill do pass and be re-referred to the Committee on Finance. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Laufenburger from the Committee on Employment, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 7, after "includes" insert "racial minorities," and after "women" insert a comma

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 929: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 9, delete "20" and insert "15"

Page 2, delete lines 18 and 19 and insert:

"Sec. 3. [APPROPRIATION.] The sum of \$58,000 is appropriated from the general fund to the commissioner of administration for purposes of this act for the biennium beginning July 1, 1979. The commissioner of administration shall submit to the governor and the legislature on or before January 15, 1980, a report on implementation of this act.

Sec. 4. Sections 1 and 2 of this act are effective October 1, 1979. Section 3 of this act is effective July 1, 1979."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "appropriating money;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 934: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Laufenburger from the Committee on Employment, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 24, delete "20" and insert "15"

Page 2, line 31, delete "20" and insert "15"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 952: A bill for an act relating to taxation; reducing the rate of corporate income tax; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 966: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 5, insert:

"Subd. 2. [VOTER APPROVAL.] The governing body of a county, prior to the issuance of any bonds authorized by subdivision 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 county. The bonds may be issued without the submission of the question of their issuance to the voters of the county 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 county voting in the last general election, is filed with the county auditor. If a petition is filed, no bonds shall be issued unless approved by a majority of the voters of the county voting on the question of their issuance at a regular or special election."

Renumber the subdivisions in sequence

Page 3, line 32, delete "In any event,"

Page 3, line 33, before the semicolon insert "except as provided in subdivision 2"

And when so amended the bill do pass. Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 473: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, delete "GOVERNOR'S"

Page 1, line 10, delete "governor's"

Page 2, line 20, delete "council" and insert "commissioner"

Page 2, line 26, after "The" insert "commissioner, with the advice of the"

Page 2, line 26, after "council" insert a comma

Page 3, line 1, delete "such" and insert "the"

Page 3, line 4, delete "[299F.481]"

Page 3, line 12, delete "governor's council on fire prevention and control" and insert "commissioner of public safety"

Amend the title as follows:

Page 1, line 3, delete "governor's"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, delete "or" and insert "not to exceed \$25"

Page 1, line 17, strike "compensation"

Page 1, line 17, delete "and" and insert "plus"

Page 1, line 18, reinstate "necessary"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, strike "conviction"

Page 1, line 20, delete "for"

Page 1, line 21, delete everything after "(1)"

Page 1, delete lines 22 and 23

Page 2, line 1, delete everything before "doing" and insert "a conviction for a violation relating to big game which is classified as a gross misdemeanor, or for"

Page 2, line 17, after the period insert "*The commissioner shall review records of convictions for violations of the provisions of chapters 97 to 102 or rules or orders promulgated subsequent thereto, and shall allow the relicensing of any person who would be eligible for relicensing if this act were in effect at the time of his conviction.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 1109: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 7, delete the comma

Page 3, line 8, delete everything before the period

Page 3, line 25, after "SMALL" insert "STATE AND LOCAL DAM"

Page 3, line 28, delete "dam"

Page 3, line 29, delete "projects that" and insert "of state dams pursuant to section 105.482, subdivision 3, where the expenditures"

Page 3, line 29, after "approval" insert "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" 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, delete lines 23 and 24

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"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 1015: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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 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"

And when so amended the bill do pass. Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 509: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 833: A bill for an act relating to appropriations; providing funds for the programs of the Minnesota International Center.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 1062: A bill for an act relating to appropriations; appropriating funds for establishment of a music library and interpretive center.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after "*Chatfield.*" insert "*This appropriation is for a permanent improvement and is subject to the lapse provisions of Minnesota Statutes, Section 16A.28, that relate to permanent improvements. Construction and management of the improvement are subject to the supervision of the Minnesota Historical Society.*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 996: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 626.84, is amended to read:

626.84 [DEFINITIONS.] For the purposes of sections 626.84 to 626.855, the following terms shall have the meanings given them:

(a) "Board" means the Minnesota board of peace officer standards and training;

(b) "Director" means the executive director of the board;

(c) "Peace officer" means an employee of a political subdivision or state law enforcement agency who is charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has the full power of arrest, and shall also include the Minnesota highway patrol and state conservation officers.

(d) "Constable" shall have the meaning assigned to it in section 367.40.

(e) "Deputy constable" shall have the meaning assigned to it in section 367.40.

(f) "*Part-time officer*" means an individual whose services are utilized by a law enforcement agency no more than an average of 14 hours per week, not including time spent on call when no call to active duty is received, calculated on an annual basis, who has either full powers of arrest or authorization to carry a firearm while on active duty. The term shall apply even though the individual receives no compensation for time spent on active duty, and shall apply irrespective of the title conferred upon the individual by the law enforcement agency.

(g) "*Reserve officer*" means an individual whose services are utilized by a law enforcement agency for purposes including, but not limited to, providing supplementary assistance at special events, traffic or crowd control, or administrative or clerical assistance; provided that the individual's duties do not include enforcement of the general criminal laws of the state unless accompanied by a licensed peace officer; further provided that the individual does not have full powers of arrest or authorization to carry a firearm on duty. The term shall apply even though the individual receives no compensation and irrespective of the number of hours worked by, or the title conferred upon, the individual by the law enforcement agency.

Sec. 2. Minnesota Statutes 1978, Section 626.841, is amended to read:

626.841 [BOARD; MEMBERS.] The board of peace officer standards and training shall be composed of the following 11 members:

(a) Two members to be appointed by the governor from among the county sheriffs in Minnesota;

(b) Four members to be appointed by the governor from among peace officers in Minnesota municipalities, at least two of whom shall be chiefs of police;

(c) The superintendent of the Minnesota bureau of criminal apprehension or his designee;

(d) Two members appointed by the governor experienced in law enforcement at a local, state or federal level who are not currently employed as peace officers;

(e) Two members to be appointed by the governor from among the general public.

A chairman shall be appointed by the governor from among the members. *In making appointments the governor shall strive to achieve representation from among the geographic areas of the state.*

Sec. 3. Minnesota Statutes 1978, Chapter 626, is amended by adding a section to read:

[626.8465] [PART-TIME OFFICERS.] *Subdivision 1. [POLICY.] The legislature finds and declares that it is necessary to establish minimum training requirements for part-time officers in certain specified areas to maximize protection of the rights and safety of the public and to minimize liability on the part of Minnesota counties and municipalities. The legislature further finds that part-time officers are most effectively utilized as a supplement to regular, fully trained and licensed peace officers and does not encourage the use of part-time officers when needs for service would otherwise justify the use of full-time officers.*

Subd. 2. [SCOPE.] Notwithstanding any provision of this chapter or rule of the board to the contrary, this section shall govern the licensing of part-time officers appointed or employed on or after the effective date of this act.

Subd. 3. [ELIGIBILITY.] No law enforcement agency shall continue to utilize the services of any individual appointed or employed as a part-time officer on or before the effective date of this act if that individual has within six months of the effective date of this act failed to provide proof to the board that he has met board selection requirements in effect on January 1, 1979, relating to minimum medical qualifications, past criminal record, and psychological screening.

Subd. 4. [FIRST AID, FIREARMS.] No law enforcement agency shall continue to utilize the services of any individual appointed or employed as a part-time officer on or before the effective date of this act if, within 12 months of the effective date of this

act, that individual has failed to provide proof to the board that he has successfully completed a board certified course, or a professionally recognized program, in first aid and, if authorized to carry a firearm on duty, firearms training, including legal limitations on the justifiable use of deadly force.

Subd. 5. [PART-TIME LICENSE.] No law enforcement agency shall continue to utilize the services of any individual appointed or employed as a part-time officer on or before the effective date of this act if, within 24 months of the effective date of this act, that individual has not successfully passed a board part-time officer licensing examination.

Subd. 6. [COMPETENCY REQUIREMENTS.] Part-time officer licensing examinations shall be designed to insure competency in the following areas reasonably achievable in courses of the indicated hourly maximums:

- (a) Law of arrest, including probable cause, 6 hours;*
- (b) Law of search and seizure, 6 hours;*
- (c) Confessions and interrogations, oral and written, 3 hours;*
- (d) Law and rules of evidence, 4 hours;*
- (e) Minnesota criminal code, 6 hours;*
- (f) Juvenile law, 7 hours;*
- (g) General principles of criminal investigations, 4 hours;*
- (h) Crime scene search and investigation, 8 hours;*
- (i) Preservation and collection of crime scene evidence, 4 hours;*
- (j) Traffic enforcement, including accident investigation, 6 hours.*

Upon request, the board shall provide to any sheriff or chief of police lesson plans and instructional materials reasonably necessary to conduct classes in the required areas of study in the indicated period of time. Nothing herein shall be construed to prohibit a requirement for more comprehensive training imposed by a local law enforcement agency.

Subd. 7. [NEW PART-TIME OFFICERS.] Any individual appointed or employed as a part-time officer after the effective date of this act shall:

(a) Within 6 months of his appointment provide proof to the board that he has satisfied the selection standards of the board then in effect;

(b) Within 12 months of his appointment provide proof to the board that he has successfully completed a board certified course, or a professionally recognized program, in first aid, and if authorized to carry a firearm on duty, firearms training, including legal limitations on the justifiable use of deadly force;

(c) *Within 24 months of his appointment successfully pass a board part-time officer licensing examination.*

Subd. 8. [SUPERVISION OF PART-TIME OFFICERS.] No law enforcement agency shall utilize the services of a part-time officer unless the part-time officer exercises his powers and duties under the supervision of a licensed peace officer designated by the chief law enforcement officer, via radio communications. With the consent of the county sheriff, the designated supervising officer may be a member of the county sheriff's department.

Subd. 9. [PART-TIME LICENSE, RESTRICTION.] Any individual licensed by the board as a part-time officer shall be eligible for appointment or employment anywhere in the state as a part-time officer but not as a peace officer unless he meets board training and licensing requirements then in effect for peace officers.

Subd. 10. [EMERGENCY APPOINTMENT.] Upon application of a law enforcement agency the board shall exempt from the provisions of this section the number of individuals necessary to secure and maintain the public safety in the case of an emergency arising from a natural disaster, civil disorder, fire, explosion, or similar catastrophic event; provided that no exemption shall be valid for a period exceeding 30 days. In the event the emergency requires an exemption immediately, the director or, in case of his absence, the chief law enforcement officer of the municipality or township, or the sheriff of the county in which the emergency has arisen, shall grant an exemption which shall be valid only until the board has met and approved or rejected the application, but in no event shall an exemption granted by the director, the chief law enforcement officer of the municipality or township, or a county sheriff, be valid for a period exceeding seven days.

Sec. 4. Minnesota Statutes 1978, Chapter 626, is amended by adding a section to read:

[626.8467] [RESERVE OFFICERS.] *Notwithstanding any provision of this chapter or rule of the board to the contrary, no reserve officer shall be subject to mandatory training, licensing, or continuing education requirements except as may be established by the agency utilizing the services of the reserve officer.*

Sec. 5. [APPROPRIATION.] *There is appropriated to the Minnesota board of peace officer standards and training the sum of \$20,000 from the general fund to implement and administer the provisions of this act during the biennium ending June 30, 1981.*

Sec. 6. [EFFECTIVE DATE.] *This act is effective the day following its final enactment."*

Amend the title as follows:

Page 1, line 4, delete "Section" and insert "Sections" and after the semicolon insert "and 626.841;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 273: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 6, 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 commitment for a conventional loan, whether or not an actual loan follows such commitment. The term service charge shall not include developer's commitment fees. The service charge shall not exceed one percent of the original bona fide principal amount of the conventional loan, except that in the case of a construction loan, the service charge shall not exceed two percent of the original bona fide principal amount of the loan. That portion of the service charge imposed because the loan is a construction loan shall be itemized and a copy of the itemization furnished the borrower. A lender shall not collect from a borrower the additional one percent service charge permitted for a construction loan if it does not perform the service for which the

charge is imposed 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) *“Contract for deed” means an executory contract for the conveyance of real estate containing one or more residential units or upon which at the time the contract is executed, it is intended that one or more residential units are to be constructed, the original principal amount of which is less than \$100,000.*

(2) (3) *“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 “mortgage” shall not include contracts for deed or installment land contracts.*

(3) (4) *“Developer’s commitment fee” means a fee or other consideration paid to a lender by a person in the business of building or arranging for building residential units for the purpose of securing a commitment by the lender to make conventional loans to credit worthy purchasers of residential units, or a fee or other consideration paid to a lender for the purpose of securing a commitment by the lender to make conventional loans to credit worthy purchasers of apartments as defined in section 515.02 to be created out of existing structures pursuant to the Minnesota condominium act, by a person creating the apartments.*

(4) (5) *“Finance charge” means the total cost of a conventional loan including extensions or grant of credit regardless of the characterization of the same and includes interest, finders fees, and other charges levied by a lender directly or indirectly against the person obtaining the conventional loan or against a seller of real property securing a conventional loan, or any other party to the transaction except any actual closing costs and any developer’s commitment fee. The finance charges plus the actual closing costs and any developer’s commitment fee, charged by a lender shall include all charges made by a lender other than the principal of the conventional loan.*

(5) (6) *“Lender” means any person making a conventional loan. The term shall also include the holder or assignee at any time of a conventional loan.*

(6) (7) *“Loan yield” means the annual rate of return obtained by a lender over the term of a conventional loan and shall be com-*

puted 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)~~ (8) "Monthly index of long term United States government bond yields" means the monthly unweighted average of the daily unweighted average of the closing bid yield quotations in the over the counter market for all outstanding United States treasury bond issues, based on available statistics, which are either maturing or callable in ten years or more. This index is expressed in terms of percentage interest per annum.

~~(8)~~ (9) "Person" means an individual, corporation, business trust, partnership or association or any other legal entity.

~~(9)~~ (10) "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."

Page 1, lines 15 to 17, delete the new language

Page 3, after line 27, insert:

"Sec. 3. Minnesota Statutes 1978, Section 47.20, is amended by adding a subdivision to read:

Subd. 14. Any contract for deed having an interest rate in excess of the maximum lawful interest rate provided for in subdivision 4 shall be usurious. Persons who have paid usurious interest may recover twice the total interest paid under the contract for deed from the person to whom the interest has been paid. The penalty provisions of Minnesota Statutes, Chapter 334, shall not apply to usurious contracts for deed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "deed" insert "on residential property"

Page 1, line 4, delete "Subdivision" and insert "Subdivisions 2 and"

Page 1, line 4, after "4" insert ", and by adding a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

H. F. No. 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 8, delete "*pending*" and insert "*issued less than 18 months prior to*"

Page 2, line 9, delete "*on or after*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, delete "approval" and insert "approval"

And when so amended the bill do pass. Amendment adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, 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.

Reports the same back with the recommendation that the resolution be adopted.

Mr. Coleman moved that House Concurrent Resolution No. 3 be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 1212: 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.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Transportation. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 129: 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, 3 and 4 to provide for congressional and legislative apportionments by a commission, removing the requirement that all senators be elected at the first general election following an apportionment and limiting the power of the legislature to change the number of senators and representatives; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Governmental Operations. Report adopted.

Mr. Coleman from the Committee on Rules and Administration to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 188: 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.

Reports the same back with the recommendation that the report from the Committee on Agriculture and Natural Resources shown in the Journal for April 9, 1979, "And when so amended the bill do pass" be adopted. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 802: 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.

Reports the same back with the recommendation that the report from the Committee on Health, Welfare and Corrections shown in the Journal for April 9, 1979, "And when so amended the bill do pass" be adopted and the bill be re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 919: 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.

Reports the same back with the recommendation that the report from the Committee on Local Government shown in the Journal for April 2, 1979, "the bill do pass and be placed on the Consent Calendar" be adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 506: 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.

Reports the same back with the recommendation that the report from the Committee on Transportation shown in the Journal for April 2, 1979, "And when so amended the bill do pass" be adopted. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred the following appointment as reported in the Journal for March 29, 1979:

**DEPARTMENT OF ECONOMIC SECURITY
COMMISSIONER**

Rolf Middleton

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Laufenburger from the Committee on Employment, to which was referred the following appointment as reported in the Journal for April 2, 1979:

**BUREAU OF MEDIATION SERVICES
DIRECTOR**

Peter Obermeyer

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 381, 779, 682, 350, 364, 478, 30, 757, 477, 525 and H. F. No. 145 makes the following report:

That the above Senate Files and House File be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred for proper reference under Rule 35:

S. F. Nos. 1263 and 1079 reports the same back with the recommendation that the bills be re-referred as follows:

S. F. No. 1079 to the Committee on Governmental Operations.

S. F. No. 1263 to the Committee on Judiciary.

Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 926 and 919 were read the second time.

S. F. Nos. 856, 608, 679, 927, 951, 935, 920, 799, 801, 509, 273, 807, 188 and 506 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. No. 116 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Coleman, for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed.

Dr. Joseph Simonson, Chaplain, effective April 2, 1979

Rev. David Rebeck, Chaplain, effective April 9, 1979

Patrice Cullen, Page, effective March 28, 1979

Margit Ernst, Page, effective April 16, 1979

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Moe introduced—

Senate Resolution No. 23: A Senate resolution congratulating Thelma Barnes upon being selected as the 1979 Minnesota Mother.

Referred to the Committee on Rules and Administration.

Mr. Laufenburger introduced--

Senate Resolution No. 24: A Senate resolution relating to the city of Winona; extending congratulations upon being selected an All-America City.

Referred to the Committee on Rules and Administration.

Mr. Nichols moved that the name of Mr. Sikorski be added as co-author to S. F. No. 420. The motion prevailed.

Mr. Dieterich moved that the name of Mr. Solon be added as co-author to S. F. No. 999. The motion prevailed.

Mr. Solon moved that the name of Mr. Johnson be added as co-author to S. F. No. 1225. The motion prevailed.

Mr. Knoll moved that the name of Mr. Willet be added as co-author to S. F. No. 1259. The motion prevailed.

Mr. Setzefandt moved that House Concurrent Resolution No. 3 be taken from the table. The motion prevailed.

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.

Mr. Setzefandt moved that House Concurrent Resolution No. 3 be now adopted. The motion prevailed. So the resolution was adopted.

Mr. Ueland, A. moved that the name of Mr. Kleinbaum be added as co-author to S. F. No. 1050. The motion prevailed.

Mr. Davies moved that the appointment of Marilyn McClure as Commissioner of the Department of Human Rights be withdrawn from the Committee on Governmental Operations and referred to the Committee on Judiciary. The motion prevailed.

CALENDAR

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Benedict	Chenoweth	Davies	Gearty
Ashbach	Bernhagen	Chmielewski	Dunn	Gunderson
Bang	Brataas	Coleman	Engler	Hanson

Hughes	Laufenburger	Ogdahl	Setzepfandt	Stumpf
Humphrey	Lessard	Penny	Sieloff	Tennessee
Jensen	Lewis	Perpich	Sikorski	Ueland, A.
Johnson	Luther	Peterson	Sillers	Ulland, J.
Keefe, S.	Menning	Pillsbury	Spear	Vega
Kirchner	Merriam	Purfeerst	Staples	Willet
Kleinbaum	Moe	Schaaf	Stokowski	
Knaak	Nichols	Schmitz	Strand	

Those who voted in the negative were:

Frederick	Knutson	Renneke	Rued	Wegener
Keefe, J.	Olhoff			

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 54 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Perpich	Spear
Ashbach	Gunderson	Lessard	Peterson	Staples
Bang	Hanson	Lewis	Pillsbury	Stokowski
Benedict	Hughes	Luther	Purfeerst	Strand
Chenoweth	Humphrey	Menning	Renneke	Stumpf
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schaaf	Ulland, J.
Davies	Keefe, S.	Nichols	Schmitz	Vega
Dunn	Kirchner	Ogdahl	Setzepfandt	Wegener
Engler	Kleinbaum	Olhoff	Sieloff	Willet
Frederick	Knaak	Penny	Sikorski	

Those who voted in the negative were:

Bernhagen	Jensen	Knutson	Sillers	Tennessee
Brataas				

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Penny	Spear
Ashbach	Gearty	Knutson	Peterson	Staples
Bang	Gunderson	Laufenburger	Pillsbury	Stokowski
Benedict	Hanson	Lessard	Purfeerst	Strand
Bernhagen	Hughes	Lewis	Renneke	Stumpf
Brataas	Humphrey	Luther	Rued	Tennessee
Chenoweth	Jensen	Menning	Schaaf	Ueland, A.
Chmielewski	Johnson	Merriam	Schmitz	Ulland, J.
Coleman	Keefe, J.	Moe	Setzepfandt	Vega
Davies	Keefe, S.	Nichols	Sieloff	Wegener
Dunn	Kirchner	Ogdahl	Sikorski	Willet
Engler	Kleinbaum	Olhoff	Sillers	

Mr. Perpich voted in the negative.

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Laufenburger	Peterson	Spear
Bang	Hanson	Lessard	Pillsbury	Staples
Benedict	Hughes	Lewis	Purfeerst	Stokowski
Bernhagen	Humphrey	Luther	Renneke	Strand
Brataas	Jensen	Menning	Rued	Stumpf
Chenoweth	Johnson	Merriam	Schaaf	Tennessee
Chmielewski	Keefe, J.	Moe	Schmitz	Ueland, A.
Davies	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Dunn	Kirchner	Ogdahl	Sieloff	Vega
Engler	Kleinbaum	Olhoff	Sikorski	Wegener
Frederick	Knaak	Penny	Sillers	Willet
Gearty	Knutson	Perpich	Solon	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Gunderson	Lessard	Purfeerst	Strand
Bang	Hanson	Lewis	Renneke	Stumpf
Benedict	Hughes	Luther	Rued	Tennesen
Bernhagen	Humphrey	Menning	Schaaf	Ueland, A.
Brataas	Jensen	Merriam	Schmitz	Ulland, J.
Chenoweth	Johnson	Moe	Setzepfandt	Vega
Chmielewski	Keefe, J.	Nichols	Sieloff	Wegener
Coleman	Keefe, S.	Ogdahl	Sikorski	Willet
Davies	Kirchner	Olhoft	Sillers	
Dunn	Kleinbaum	Penny	Solon	
Engler	Knaak	Perpich	Spear	
Frederick	Knutson	Peterson	Staples	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Pillsbury	Stokowski
Ashbach	Gunderson	Lewis	Purfeerst	Strand
Bang	Hanson	Luther	Renneke	Stumpf
Benedict	Hughes	Menning	Rued	Tennesen
Bernhagen	Humphrey	Merriam	Schaaf	Ueland, A.
Brataas	Jensen	Moe	Schmitz	Ulland, J.
Chenoweth	Johnson	Nelson	Setzepfandt	Vega
Chmielewski	Keefe, J.	Nichols	Sieloff	Wegener
Coleman	Keefe, S.	Ogdahl	Sikorski	Willet
Davies	Kleinbaum	Olhoft	Sillers	
Dunn	Knaak	Penny	Solon	
Engler	Knutson	Perpich	Spear	
Frederick	Laufenburger	Peterson	Staples	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 10, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Lewis	Purfeerst	Stokowski
Bang	Hanson	Merriam	Renneke	Strand
Bernhagen	Hughes	Moe	Rued	Stumpf
Brataas	Johnson	Nelson	Schaaf	Tennessee
Chenoweth	Keefe, S.	Nichols	Schmitz	Ulland, J.
Chmielewski	Kirchner	Ogdahl	Setzpfandt	Vega
Coleman	Kleinbaum	Olhoff	Sieloff	Wegener
Davies	Knaak	Penny	Sikoraki	Willet
Dunn	Knutson	Perpich	Solon	
Engler	Laufenburger	Peterson	Spear	
Gearty	Lessard	Pillsbury	Staples	

Those who voted in the negative were:

Benedict	Humphrey	Keefe, J.	McCutcheon	Sillers
Frederick	Jensen	Luther	Menning	Ueland, A.

So the bill passed and its title was agreed to.

S. F. No. 842: A bill for an act relating to aeronautics; appropriating and transferring money for construction of hangars.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Peterson	Staples
Ashbach	Gunderson	Lessard	Pillsbury	Stokowski
Bang	Hanson	Lewis	Purfeerst	Strand
Benedict	Hughes	Luther	Renneke	Stumpf
Bernhagen	Humphrey	McCutcheon	Rued	Tennessee
Brataas	Jensen	Menning	Schaaf	Ueland, A.
Chenoweth	Johnson	Moe	Schmitz	Ulland, J.
Chmielewski	Keefe, J.	Nelson	Setzpfandt	Vega
Coleman	Keefe, S.	Nichols	Sieloff	Wegener
Davies	Kirchner	Ogdahl	Sikoraki	Willet
Dunn	Kleinbaum	Olhoff	Sillers	
Engler	Knaak	Penny	Solon	
Frederick	Knutson	Perpich	Spear	

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Benedict	Chenoweth	Davies	Frederick
Ashbach	Bernhagen	Chmielewski	Dunn	Gearty
Bang	Brataas	Coleman	Engler	Gunderson

Hanson	Knutson	Nichols	Schaaf	Stumpf
Hughes	Laufenburger	Ogdahl	Schmitz	Tennessee
Humphrey	Lessard	Olhoft	Setzepfandt	Ueland, A.
Jensen	Lewis	Penny	Sieloff	Ulland, J.
Johnson	Luther	Perpich	Sikorski	Vega
Keefe, J.	McCutcheon	Peterson	Sillers	Wegener
Keefe, S.	Menning	Pillsbury	Solon	Willet
Kirchner	Merriam	Purfeerst	Spear	
Kleinbaum	Moe	Renneke	Staples	
Knaak	Nelson	Rued	Strand	

Mr. Stokowski voted in the negative.

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 361, 876, 728, 607, 450, 905, 708, 467, 687, 363, 346, 660, 709, 980, 491, 866, 712 and 759, which the committee recommends to pass.

S. F. No. 410 which the committee recommends to pass, after the following motion:

The question was taken on the recommendation to pass S. F. No. 410.

The roll was called, and there were yeas 42 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	McCutcheon	Pillsbury	Stumpf
Ashbach	Hughes	Menning	Rued	Tennessee
Bernhagen	Humphrey	Nelson	Schmitz	Ueland, A.
Chenoweth	Jensen	Ogdahl	Sieloff	Vega
Chmielewski	Keefe, J.	Olhoft	Sillers	Wegener
Davies	Kleinbaum	Olson	Spear	Willet
Dunn	Knaak	Penny	Staples	
Frederick	Knutson	Perpich	Stokowski	
Gearty	Laufenburger	Peterson	Strand	

Those who voted in the negative were:

Benedict	Johnson	Merriam	Schaaf	Sikorski
Brataas	Kirchner	Purfeerst	Setzepfandt	Ulland, J.
Coleman	Luther			

The motion prevailed. So S. F. No. 410 was recommended to pass.

H. F. No. 486, which the committee recommends to pass with the following amendments offered by Messrs. Kleinbaum and Johnson.

Mr. Kleinbaum moved to amend H. F. No. 486, as amended pursuant to Rule 49, adopted by the Senate April 9, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 159.)

Page 3, after line 24, insert:

"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 passbook savings account carrying the current rate of interest being paid on such accounts by the mortgagee in which the mortgagor can deposit the funds previously paid into the escrow account; or

(c) 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."

Amend the title as follows:

Page 1, line 5, delete "Subdivision 4" and insert "Subdivisions 4 and 9"

The motion prevailed. So the amendment was adopted.

Mr. Kleinbaum then moved to amend H. F. No. 486, as amended pursuant to Rule 49, adopted by the Senate April 9, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 159.)

Page 3, after line 24, insert

"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 made on or after the effective date of Laws 1977, Chapter 250 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. If the purpose of a conventional loan is to enable a borrower to purchase a one to four family dwelling for his or her primary residence, the lender shall consent to the subsequent transfer of the real estate if the existing borrower continues after transfer to be obligated for repayment of the entire remaining indebtedness. The lender shall release the existing borrower from all obligations under the loan instruments, if the transferee (1) meets the standards of credit worthiness normally used by persons in the business of making conventional loans, including but not limited to the ability of the transferee to make the loan payments and satisfactorily maintain the real estate used as collateral, 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 remaining 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. This subdivision shall apply to conventional loans made on or after the effective date of this act."

Amend the title as follows:

Page 1, line 4, after the semicolon insert "regulating assumptions of certain mortgages;"

Page 1, line 5, delete "Subdivision" and insert "Subdivisions"

Page 1, line 5, after "4" insert "and 6"

The motion prevailed. So the amendment was adopted.

Mr. Johnson moved to amend H. F. No. 486, as amended pursuant to Rule 49, adopted by the Senate April 9, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 159.)

Page 3, lines 16 to 24, reinstate the stricken language

Page 3, lines 19 and 24, strike "1979" and insert "1983"

Amend the title as follows:

Page 1, line 2, delete "removing" and insert "extending"

Page 1, line 3, delete "from" and insert "on"

Delete the prior amendments to page 1, line 5, adopted on April 9, 1979 and April 11, 1979

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Luther	Olhoft	Stokowski
Benedict	Hughes	McCutcheon	Perpich	Strand
Chenoweth	Humphrey	Merriam	Schaaf	Stumpf
Chmielewski	Johnson	Moe	Sikorski	Vega
Coleman	Keefe, S.	Nelson	Solon	Willet
Gearty	Lessard	Nichols	Spear	
Gunderson	Lewis	Ogdahl	Staples	

Those who voted in the negative were:

Ashbach	Frederick	Laufenburger	Renneke	Ueland, A.
Bang	Jensen	Menning	Rued	Ulland, J.
Bernhagen	Keefe, J.	Olson	Schmitz	Wegener
Brataas	Kirchner	Penny	Setzepfandt	
Davies	Kleinbaum	Peterson	Sieloff	
Dunn	Knaak	Pillsbury	Sillers	
Engler	Knutson	Purfeerst	Tennessee	

The motion prevailed. So the amendment was adopted.

S. F. No. 550 which the committee recommends to pass, subject to the following motions:

Mr. Pillsbury moved to amend S. F. No. 550 as follows:

Page 2, line 22, delete "The"

Page 2, delete lines 23 through 29

Page 2, line 30, delete "bound by such an agreement."

Page 4, line 29, delete "The agreement shall"

Page 4, delete lines 30 through 33

Page 5, delete lines 1 and 2

Page 5, line 3, delete "have signed such an agreement."

Amend the title as follows:

Page 1, delete lines 4 and 5

Page 1, line 6, delete "signed by the candidate's opponents;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Kleinbaum	Renneke	Ueland, A.
Bang	Frederick	Knaak	Rued	Ulland, J.
Bernhagen	Jensen	Knutson	Sieloff	
Brataas	Keefe, J.	Ogdahl	Sillers	
Dunn	Kirchner	Pillsbury	Tennessee	

Those who voted in the negative were:

Benedict	Hughes	Merriam	Peterson	Strand
Chenoweth	Humphrey	Moe	Purfeerst	Stumpf
Chmielewski	Johnson	Nelson	Schaaf	Wegener
Coleman	Keefe, S.	Nichols	Schmitz	Willet
Davies	Lessard	Olhoft	Setzepfandt	
Gearty	Luther	Olson	Sikorski	
Gunderson	McCutcheon	Penny	Spear	
Hanson	Menning	Perpich	Stokowski	

The motion did not prevail. So the amendment was not adopted.

Mr. Davies moved to amend S. F. No. 550 as follows:

Page 2, line 30, after the period, insert "*The agreement shall not be binding on a candidate if a candidate for that office, of no political party, spends in excess of the spending limits.*"

Page 5, line 3, after the period, insert "*The agreement shall not be binding on a candidate if a candidate for that office, of no political party, spends in excess of the spending limits.*"

The motion prevailed. So the amendment was adopted.

S. F. No. 668, which the committee recommends to pass with the following amendment offered by Mr. Setzepfandt:

Page 1, line 11, strike "county" and insert ", Redwood, Kandiyohi, and Renville counties"

Page 1, delete lines 20, 21 and 22 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.*"

The motion prevailed. So the amendment was adopted.

S. F. No. 719, which the committee recommends to pass with the following amendment offered by Mr. Jensen:

Page 2, after line 6, insert:

"Sec. 2. *This act is effective the day following final enactment.*"

The motion prevailed. So the amendment was adopted.

H. F. No. 186, which the committee recommends to pass with the following amendment offered by Mr. Vega:

Page 1, line 15, after the period, insert "*Borrowing for the purposes of acquisition or betterment of property or other improvements of a capital nature shall be subject to the provisions of subdivision 4.*"

Page 2, line 24, after "commission" insert "*to which tax levies have been pledged pursuant to section 473.446, subdivision 1*"

Page 2, line 28, after "by any" insert "bank,"

Page 2, line 29, after "bank," insert "*savings and loan association, credit union,*"

Page 2, line 30, after "bank" insert "*, savings bank, savings and loan association, credit union,*"

Page 3, line 5, before "certificates" insert "*The commission shall not issue any*"

Page 3, delete line 6

Page 3, line 7, delete "section 473.438,"

Page 3, line 7, delete "and" and insert "or"

Page 3, line 8, delete "and" and insert "or"

Page 3, line 8, delete the comma and insert "*in excess of amounts from time to time expressly permitted by law.*"

Page 3, delete line 9, and insert

"*Subd. 5. [BUS PURCHASES AND OTHER IMPROVEMENTS.] In addition to obligations outstanding on July 1, 1977, the commission may issue certificates of indebtedness, bonds or other obligations in an amount not exceeding*"

Page 3, line 10, delete "and shall be issued only"

The motion prevailed. So the amendment was adopted.

S. F. No. 186, which the committee recommends to pass with the following amendments offered by Messrs. Chmielewski and Davies:

Mr. Chmielewski moved to amend S. F. No. 186 as follows:

Page 2, line 7, after the period insert "*This section does not apply to crimes occurring outside the United States.*"

The motion prevailed. So the amendment was adopted.

Mr. Davies moved to amend S. F. No. 186 as follows:

Page 4, lines 4 and 5, delete "*as to any contract entered into*" and insert "*the day*"

Page 4, line 5, before the period insert "*and applies to contracts entered into after that date*"

The motion prevailed. So the amendment was adopted.

On the motion of Mr. Coleman, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

Without objection, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Messrs. Pillsbury, Laufenburger, Bang and Keefe, S. introduced—

S. F. No. 1314: 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.

Referred to the Committee on Employment

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 6:00 o'clock p.m., Monday, April 16, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

THIRTY-FIFTH DAY**St. Paul, Minnesota, Thursday, April 12, 1979**

The House of Representatives met on Thursday, April 12, 1979, which was the Thirty-Fifth Legislative Day of the Seventy-First Session of the Minnesota State Legislature. The Senate did not meet on this date.

THIRTY-SIXTH DAY

St. Paul, Minnesota, Monday, April 16, 1979

The Senate met at 6:00 o'clock p.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Bang	Frederick	Knutson	Perpich	Spear
Benedict	Gearty	Laufenburger	Peterson	Staples
Bernhagen	Gunderson	Lessard	Pillsbury	Stokowski
Brataas	Hanson	Luther	Purfeerst	Strand
Chenoweth	Humphrey	McCutcheon	Renneke	Stumpf
Chmielewski	Johnson	Menning	Rued	Tennessee
Coleman	Keefe, S.	Merriam	Schmitz	Ulland, J.
Davies	Kirchner	Moe	Setzpfandt	Vega
Dunn	Kleinbaum	Nelson	Sieloff	Wegener
Engler	Knoll	Olson	Solon	Willet

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Monsignor Terrence J. Murphy.

The roll was called, and the following Senators answered to their names:

Anderson	Gearty	Laufenburger	Penny	Spear
Bang	Gunderson	Lessard	Perpich	Staples
Benedict	Hanson	Lewis	Peterson	Stokowski
Bernhagen	Hughes	Luther	Pillsbury	Strand
Brataas	Humphrey	McCutcheon	Purfeerst	Stumpf
Chenoweth	Johnson	Menning	Renneke	Tennessee
Chmielewski	Keefe, J.	Merriam	Rued	Ulland, J.
Coleman	Keefe, S.	Moe	Schaaf	Vega
Davies	Kirchner	Nelson	Schmitz	Wegener
Dieterich	Kleinbaum	Nichols	Setzpfandt	Willet
Dunn	Knaak	Ogdahl	Sieloff	
Engler	Knoll	Olhoff	Sikorski	
Frederick	Knutson	Olson	Solon	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Schrom, Sillers and Ueland, A. were excused from the Session of today. Mr. Setzepfandt was excused from the Session of today at 6:50 o'clock p.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Schmitz introduced—

S. F. No. 1315: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Sieloff introduced—

S. F. No. 1316: 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.

Referred to the Committee on Commerce.

Messrs. Dieterich, Kleinbaum, Stokowski and Sieloff introduced—

S. F. No. 1317: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Strand introduced—

S. F. No. 1318: A bill for an act relating to education; increasing the vocational foundation aid allowed for certain disadvantaged or handicapped students; amending Minnesota Statutes 1978, Section 124.562, Subdivision 2.

Referred to the Committee on Education.

Mr. Strand introduced—

S. F. No. 1319: 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, Sections 11.117, Subdivisions 4 and 6; 11.118; and 11.145.

Referred to the Committee on Governmental Operations.

Messrs. Lewis and Humphrey introduced—

S. F. No. 1320: 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.

Referred to the Committee on Judiciary.

Mr. Sieloff introduced—

S. F. No. 1321: A bill for an act relating to taxation; income; providing that certain employment related payments be taxed as a lump sum distribution; amending Minnesota Statutes 1978, Section 290.032, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Schmitz and Wegener introduced—

S. F. No. 1322: A bill for an act relating to local government; providing for municipal planning; authorizing regulation of subdivisions; providing a penalty; amending Minnesota Statutes 1978, Sections 462.351; 462.352, by adding subdivisions; 462.355, Subdivision 4; 462.358, by adding subdivisions; repealing Minnesota Statutes 1978, Section 462.358, Subdivisions 1, 2, 3 and 4.

Referred to the Committee on Local Government.

Mr. Sillers introduced—

S. F. No. 1323: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Rued introduced—

S. F. No. 1324: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sikorski, Nelson, Coleman and Mrs. Staples introduced—

S. F. No. 1325: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Knutson introduced—

S. F. No. 1326: 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.

Referred to the Committee on Commerce.

Messrs. Tennessen, Merriam and Sieloff introduced—

S. F. No. 1327: 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.

Referred to the Committee on Commerce.

Mr. Laufenburger introduced—

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.

Referred to the Committee on Employment.

Mr. Engler introduced—

S. F. No. 1329: 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.

Referred to the Committee on Transportation.

Messrs. Pillsbury, Ogdahl and Ashbach introduced—

S. F. No. 1330: A bill for an act relating to the legislative audit commission; increasing the membership on the commission; amending Minnesota Statutes 1978, Section 3.97, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Sieloff, Gearty, Olhoft, Johnson and Knutson introduced—

S. F. No. 1331: 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.

Referred to the Committee on Judiciary. Mr. Perpich questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Bang, Davies, Tennessen, Ashbach and Jensen introduced—

S. F. No. 1332: A bill for an act relating to commerce; exempting from regulation corporate take-over offers filed with the Securities and Exchange Commission; amending Minnesota Statutes 1978, Section 80B.01, Subdivision 8.

Referred to the Committee on Commerce.

Messrs. Knutson, Purfeerst, Engler, Vega and McCutcheon introduced—

S. F. No. 1333: 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.

Referred to the Committee on Transportation.

Messrs. Willet, Engler, Lessard, Penny and Strand introduced—

S. F. No. 1334: A bill for an act relating to economic security; providing for coordination of certain residential weatherization programs; appropriating money.

Referred to the Committee on Energy and Housing.

Messrs. Bang and Engler introduced—

S. F. No. 1335: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sikorski introduced—

S. F. No. 1336: 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.

Referred to the Committee on Commerce.

Mr. Sikorski introduced—

S. F. No. 1337: A bill for an act relating to elections; providing for a presidential primary election; regulating the selection of convention delegates; appropriating money.

Referred to the Committee on Elections.

Messrs. Bang and Pillsbury introduced—

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.

Referred to the Committee on Employment.

Messrs. Bang, Solon and Laufenburger introduced—

S. F. No. 1339: 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.

Referred to the Committee on Commerce.

Messrs. Kleinbaum, Chmielewski, Kirchner, Setzepfandt and Bang introduced—

S. F. No. 1340: 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.

Referred to the Committee on Transportation.

Mr. Purfeerst introduced—

S. F. No. 1341: A bill for an act relating to the city of Waterville; clarifying its governing statutes.

Referred to the Committee on Local Government.

Messrs. Setzepfandt, Hanson, McCutcheon, Bang and Sieloff introduced—

S. F. No. 1342: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Solon, Spear, Tennessen and Ashbach introduced—

S. F. No. 1343: 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.

Referred to the Committee on Commerce.

Messrs. Johnson, McCutcheon, Perpich, Davies and Hanson introduced—

S. F. No. 1344: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Schaaf, Sikorski, Stokowski, Ashbach and Mrs. Brataas introduced—

S. F. No. 1345: 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.

Referred to the Committee on Commerce.

Mr. Solon introduced—

S. F. No. 1346: A bill for an act relating to building contractors; establishing a system for licensing and regulating building contractors.

Referred to the Committee on Commerce.

Messrs. Solon and Ulland, J. introduced—

S. F. No. 1347: 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.

Referred to the Committee on Governmental Operations.

Messrs. Solon, Johnson and Lessard introduced—

S. F. No. 1348: A bill for an act relating to regional development; setting a maximum tax levy for region 3.

Referred to the Committee on Taxes and Tax Laws. Mr. Wegener questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mrs. Brataas, Messrs. Frederick, Sillers, Gunderson and Lauf-
enburger introduced—

S. F. No. 1349: A bill for an act relating to taxation; real property; reassessment of real property damaged in a federally declared disaster area.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Staples, Messrs. Coleman, Nelson and Sikorski introduced—

S. F. No. 1350: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Keefe, S.; Johnson; Hanson; Stokowski and Ogdahl introduced—

S. F. No. 1351: 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.

Referred to the Committee on Governmental Operations.

Messrs. Keefe, S.; Vega; Menning; Humphrey and Spear introduced—

S. F. No. 1352: 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 dis-

criminy advertisement; amending Minnesota Statutes 1978, Sections 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.

Referred to the Committee on Judiciary.

Messrs. Nelson and Nichols introduced—

S. F. No. 1353: A bill for an act relating to state government; prohibiting certain expense accounts expenditures for alcoholic beverages; amending Minnesota Statutes 1978, Section 16A.16.

Referred to the Committee on Governmental Operations.

Messrs. Chenoweth, Nelson, Coleman, Schaaf and Ashbach introduced—

S. F. No. 1354: A bill for an act relating to civil service; establishing and empowering a temporary joint legislative and public commission on civil service and public employment policy; appropriating money.

Referred to the Committee on Governmental Operations.

Messrs. Chenoweth, McCutcheon, Schaaf and Humphrey introduced—

S. F. No. 1355: A bill for an act relating to retirement; eliminating corporate common stock as a permissible investment for the Minnesota adjustable fixed benefit fund; providing for an automatic post retirement adjustment mechanism indexed to the consumer price index with certain limitations; amending Minnesota Statutes 1978, Section 11.25, Subdivisions 2, 4, 5, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 11.25, Subdivisions 12, 13, 14, 15 and 16.

Referred to the Committee on Governmental Operations.

Messrs. Chenoweth, Ashbach, Olson, Penny and McCutcheon introduced—

S. F. No. 1356: 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.

Referred to the Committee on Governmental Operations.

Messrs. Chenoweth, Nelson, Setzepfandt and Stumpf introduced—

S. F. No. 1357: A bill for an act relating to municipal liquor stores; prohibiting credit sales; amending Minnesota Statutes 1978, Sections 340.353, Subdivision 1; and 340.355.

Referred to the Committee on Commerce.

Messrs. Bang, Davies, Tennessen, Ashbach and Jensen introduced—

S. F. No. 1358: A bill for an act relating to insurance; clarifying provisions regarding acquisition of control of domestic insurers; changing the time period after which a hearing must be held under the insurance holding company systems act; changing the time period under which discovery must be completed for these hearings; eliminating an exemption from the insurance holding company systems act; amending Minnesota Statutes 1978, Section 60D.02, Subdivisions 4 and 6.

Referred to the Committee on Commerce.

Mr. Johnson introduced—

S. F. No. 1359: A bill for an act relating to public safety; requiring marking of plowed roads on lakes.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Setzepfandt and Gunderson introduced—

S. F. No. 1360: 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.

Referred to the Committee on Commerce.

Messrs. Gearty, Knutson, Jensen, Davies and Keefe, J. introduced—

S. F. No. 1361: A bill for an act relating to courts; providing for appeals from probate court; amending Minnesota Statutes 1978, Section 525.712; repealing Minnesota Statutes 1978, Sections 525.713; and 525.72.

Referred to the Committee on Judiciary.

Messrs. Gearty, Knutson, Jensen, Davies and Keefe, J. introduced—

S. F. No. 1362: A bill for an act relating to health; specifying a time limit for district court hearing of appeals under the Minnesota hospitalization and commitment act; amending Minnesota Statutes 1978, Section 253A.21, Subdivision 5.

Referred to the Committee on Judiciary.

Messrs. Gearty, Knutson, Jensen, Davies and Keefe, J. introduced—

S. F. No. 1363: 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.

Referred to the Committee on Judiciary.

Messrs. Ashbach, Rued, Mrs. Knaak, Messrs. Bang and Engler introduced—

S. F. No. 1364: A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, adding a section; providing constitutional limits on state spending.

Referred to the Committee on Finance.

Mrs. Knaak, Messrs. Sieloff, Ashbach, Hughes and Rued introduced—

S. F. No. 1365: A bill for an act relating to education; creating a school finance study commission; appropriating money.

Referred to the Committee on Education.

Messrs. Sikorski, Hughes and Nelson introduced—

S. F. No. 1366: 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.

Referred to the Committee on Education.

Messrs. Hughes, Humphrey, Gunderson, Dunn and Knutson introduced—

S. F. No. 1367: A bill for an act relating to education; providing for pupil support services; appropriating money.

Referred to the Committee on Education.

Messrs. Willet, Hanson, Purfeerst, Laufenburger and Kirchner introduced—

S. F. No. 1368: A bill for an act relating to transportation; requiring regulated motor carriers to issue and carry a record of the weight of certain shipments and requiring that the record be available for inspection by law enforcement officers; prohibiting certain persons from unloading overweight shipments transported by motor vehicles and requiring record keeping for shipments unloaded; allowing the use of certain records as prima facie evidence of exceeding vehicle weight limits or unloading overweight vehicles; imposing civil and criminal penalties; amending Minnesota Statutes 1978, Chapter 169, by adding sections; and Chapter 221, by adding a section.

Referred to the Committee on Transportation.

Mr. Knutson, Mrs. Brataas and Mr. Frederick introduced—

S. F. No. 1369: 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.

Referred to the Committee on Education.

Mr. Sikorski introduced—

S. F. No. 1370: 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.

Referred to the Committee on Judiciary.

Messrs. Knutson and Keefe, J. introduced—

S. F. No. 1371: 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.

Referred to the Committee on Judiciary.

Mr. Hughes introduced—

S. F. No. 1372: A bill for an act relating to employment; providing for paid periods of absence for reserve police, reserve deputy sheriffs and volunteer firefighters; amending Minnesota Statutes 1978, Chapter 181, by adding a section.

Referred to the Committee on General Legislation and Administrative Rules.

Mrs. Staples; Messrs. Tennesen; Keefe, J.; Sieloff and Nelson introduced—

S. F. No. 1373: 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.

Referred to the Committee on Judiciary.

Mrs. Staples, Messrs. Merriam, Johnson, Setzepfandt and Spear introduced—

S. F. No. 1374: 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.

Referred to the Committee on Education.

Mr. McCutcheon introduced—

S. F. No. 1375: 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.

Referred to the Committee on Judiciary.

Messrs. McCutcheon, Schaaf, Dunn, Moe and Schmitz introduced—

S. F. No. 1376: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Schaaf introduced—

S. F. No. 1377: A bill for an act relating to the legislature; removing the requirement that bill requests to the revisor of statutes be signed; changing the confidentiality requirements on bill requests; amending Minnesota Statutes 1978, Sections 482.11; and 482.12, Subdivision 1.

Referred to the Committee on Rules and Administration.

Mr. Schaaf introduced—

S. F. No. 1378: A bill for an act relating to public utilities; requiring utilities to make the use of pre-authorized drafts available to customers; amending Minnesota Statutes 1978, Chapter 216B, by adding a section.

Referred to the Committee on Commerce.

Mr. Schaaf introduced—

S. F. No. 1379: 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.

Referred to the Committee on Governmental Operations.

Mr. Schaaf introduced—

S. F. No. 1380: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Schaaf introduced—

S. F. No. 1381: A bill for an act relating to crimes; defining criminal trespass; prohibiting smoking in posted schools; amending Minnesota Statutes 1978, Section 609.605.

Referred to the Committee on Judiciary.

Mr. Schaaf introduced—

S. F. No. 1382: 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.

Referred to the Committee on Judiciary.

Mr. Schaaf introduced—

S. F. No. 1383: A bill for an act relating to intoxicating liquor; limiting the dramshop liability of licensed bottle clubs; amending Minnesota Statutes 1978, Section 340.95.

Referred to the Committee on Judiciary.

Mr. Chmielewski introduced—

S. F. No. 1384: 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.

Referred to the Committee on Transportation.

Mr. Schaaf introduced—

S. F. No. 1385: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Sillers introduced—

S. F. No. 1386: 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.

Referred to the Committee on Local Government.

Mr. Chenoweth introduced—

S. F. No. 1387: 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 2; 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.

Referred to the Committee on Governmental Operations.

Mr. Lewis introduced—

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.

Referred to the Committee on Local Government.

Mr. Dieterich introduced—

S. F. No. 1389: 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.

Referred to the Committee on Taxes and Tax Laws. Mr. Tennesen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Laufenburger, Frederick, Purfeerst, Kirchner and Knutson introduced—

S. F. No. 1390: 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.

Referred to the Committee on Transportation.

Mr. Jensen introduced—

S. F. No. 1391: 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.

Referred to the Committee on Local Government.

Mr. Willet introduced—

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.

Referred to the Committee on Local Government.

Mr. Rued introduced—

S. F. No. 1393: 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.

Referred to the Committee on Taxes and Tax Laws.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

April 9, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Crime Victims Reparations Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Dr. Johanna B. Miller, 2909 Drew Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective April 9, 1979, for a term expiring the first Monday in January, 1980.

(Referred to the Committee on Judiciary.)

April 9, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Cable Communications Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Jim Bormann, 1415 Brenner Pass, Golden Valley, Hennepin County, has been appointed by me, effective April 9, 1979, for a term expiring the first Monday in January, 1983.

Robert D. Anderson, 15825 Quality Trail North, Scandia, Washington County, has been appointed by me, effective April 9, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Commerce.)

April 2, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Commissioner of Iron Range Resources and Rehabilitation is hereby respectfully submitted to the Senate for confirmation as required by law:

Patrick J. McGauley, 2808 5th Ave. West, Hibbing, St. Louis County, has been appointed by me, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Agriculture and Natural Resources.)

March 20, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Board of the Arts is hereby respectfully submitted to the Senate for confirmation as required by law:

Katherine Murphy, 3139 S. Rivershore Drive, Moorhead, Clay County, has been appointed by me, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on General Legislation and Administrative Rules.)

April 9, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Higher Education Facilities Authority is hereby respectfully submitted to the Senate for confirmation as required by law:

Frederick J. Bentz, 2778 Thomas Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective April 9, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Education.)

Sincerely,

Albert H. Quie, Governor

April 12, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. No. 298.

Sincerely,

Albert H. Quie, Governor

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 603.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 12, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 307 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 12, 1979

CONCURRENCE AND REPASSAGE

Mr. Merriam moved that the Senate concur in the amendments by the House to S. F. No. 307 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 307: A bill for an act relating to health; permitting placement of pets in certain institutions; amending Minnesota Statutes 1978, Chapters 144, by adding a section; and 144A, by adding a section.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 52 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Olson	Spear
Bang	Gunderson	Laufenburger	Penny	Staples
Benedict	Hanson	Lewis	Perpich	Stokowski
Bernhagen	Hughes	Luther	Peterson	Strand
Chenoweth	Humphrey	McCutcheon	Pillsbury	Stumpf
Chmielewski	Johnson	Menning	Schaaf	Ulland, J.
Davies	Keefe, J.	Merriam	Schmitz	Vega
Dieterich	Keefe, S.	Moe	Setzepfandt	Willet
Dunn	Kirchner	Nelson	Sieloff	
Engler	Kleinbaum	Nichols	Sikorski	
Frederick	Knoll	Olhoff	Solon	

Those who voted in the negative were:

Brataas	Ogdahl	Renneke	Tennessee	Wegener
Knaak	Purfeerst	Rued		

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 399, 555 and 623.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 12, 1979

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 357, 499, 523, 606, 982, 728, 813, 842, 936, 976 and 1158.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 16, 1979

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

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.

Referred to the Committee on Health, Welfare and Corrections.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Agriculture and Natural Resources.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Local Government.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 666, now in the Subcommittee on Bill Scheduling.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Transportation.

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.

Referred to the Committee on Education.

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.

Referred to the Committee on General Legislation and Administrative Rules.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 927, now in the Subcommittee on Bill Scheduling.

H. F. No. 936: A bill for an act relating to education; expanding a definition of "American Indian child"; amending Minnesota Statutes 1978, Section 126.47, Subdivision 2.

Referred to the Committee on Education.

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.

Referred to the Committee on General Legislation and Administrative Rules.

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.

Referred to the Committee on Education.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 31, after "may" insert "*after consultation with the department of education,*"

Page 3, line 6, delete "*entering into*" and insert "*making final*"

Page 5, line 3, delete "*with the parents of pupils*"

Page 5, line 4, delete "*who would be affected by the plan, and*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 436: A bill for an act relating to financial institutions; permitting variable payment home mortgages; amending Minnesota Statutes 1978, Chapter 47, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete lines 11 to 18, and insert:

"[DEFINITIONS.] *For the purposes of this section, the terms defined in this subdivision shall have the meanings given them:*

(1) "*Financial institution*" means a state bank or trust company, a national banking association, a state or federally chartered savings and loan association, a mortgage bank or mutual savings bank.

(2) "*Graduated payment home loan*" means a conventional loan made pursuant to section 47.20 and subject to the provisions

therein, whereunder initial periodic repayments are lower than those under the standard conventional loan having equal periodic repayments, and gradually rise to a predetermined point after which they remain constant.

Subd. 2. [AUTHORIZATION.] Notwithstanding the provisions of sections 334.01, subdivision 1, and 51A.37, subdivision 3, clause (d), any financial institution is authorized to make graduated payment home loans and purchases representing graduated payment home 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 section 47.20, subdivision 4. Notwithstanding the provisions of section 334.01, subdivision 1, where initial repayments of a graduated payment home loan are less than the total accrued outstanding interest, the excess accrued and unpaid interest may be added to the outstanding loan balance on which interest accrues at the contracted rate.

Subd. 3. [GRADUATED PAYMENTS.] Periodic repayments of principal and interest on variable payment loans may increase annually in amounts not exceeding the following: "

Page 1, lines 19, 20, 21, and 22, after "for" insert "a period of"

Page 2, lines 1 and 2, after "for" insert "a period of"

Page 2, line 4, after "The increases" insert "in payments of principal and interest"

Page 2, after line 32, insert:

"Subd. 7. [SAVINGS AND LOAN ASSOCIATIONS; FIRST LIEN.] Capitalization of interest resulting from any negative amortization of a graduated payment home loan made by a savings and loan association shall not change the status of the mortgage as a first lien against the property securing the loan pursuant to section 51A.38, subdivision 5. The capitalization of interest in a negative amortization shall not be considered as a loan or debt separate from the graduated payment mortgage contracted for at the time of loan origination.

Sec. 2. Minnesota Statutes 1978, Chapter 52, is amended by adding a section to read:

[52.165] [GRADUATED PAYMENT HOME LOAN.] Subdivision 1. [DEFINITION.] As used in this section, "graduated payment home loan" means a real estate loan made pursuant to section 52.16, whereunder initial periodic repayments are lower than those under the standard real estate loan having equal periodic repayments, and gradually rise to a predetermined point after which they remain constant.

Subd. 2. [AUTHORIZATION.] Notwithstanding the provisions of section 334.01, subdivision 1, and subject to the provisions of section 1, subdivisions 4 to 6, a credit union may make graduated payment home loans and purchases representing graduated payment home 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 rate prescribed in section 52.14. Notwithstanding the provisions of section 334.01, subdivision 1, where initial repayments of a graduated payment home loan are less than the total accrued outstanding interest, the excess accrued and unpaid interest may be added to the outstanding loan balance on which interest accrues at the contracted rate."

Renumber the subdivisions in sequence

Amend the title as follows:

Page 1, line 3, delete "variable" and insert "graduated"

Page 1, line 4, delete "Chapter" and insert "Chapters"

Page 1, line 5, before the period insert "; and 52, by adding a section"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 513: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 33, insert:

"Sec. 5. Minnesota Statutes 1978, Section 340.034, Subdivision 1, is amended to read:

340.034 [SALES, CLOSING HOURS.] Subdivision 1. No sale of non-intoxicating malt liquor shall be made between the hours of one a.m. and eight a.m. on any weekday Monday through Saturday inclusive. Neither shall any sale of such liquor be made on any Sunday between the hours of one a.m. and twelve o'clock noon, nor between the hours of one a.m. and eight o'clock p.m. on the day of any statewide election.

No "off-sale" shall be made before eight o'clock a.m. or after ten o'clock p.m. of any day. However, in cities of the first class, and in all cities located within a radius of 15 miles of a city of the first class within the same county, off-sale may be made only until eight o'clock p.m. of any day except Friday and Saturday, on which days off-sale may be made until ten o'clock p.m. No off-sale shall be made on New Years Day, January 1; Independence Day, July 4; Thanksgiving Day; or Christmas Day, December 25; but on the evenings preceding such days, if the sale of liquor is not otherwise prohibited on such evenings, off-sales may be made until ten o'clock p.m., except that no off-sale shall be made on December 24 after eight o'clock p.m."

Page 4, after line 11, insert:

“Sec. 10. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall substitute the word “beer” for the words “non-intoxicating malt liquor” or “non-intoxicating malt beverage” wherever they occur in the Minnesota Statutes.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete “classification of” and insert “redefining non-intoxicating”

Page 1, line 3, after the semicolon insert “making uniform the excise tax on fermented malt beverages; changing the hours of off-sale of non-intoxicating malt liquor;”

Page 1, line 5, after the semicolon insert “340.034, Subdivision 1;”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 843: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 340.11, Subdivision 20, is amended to read:

Subd. 20. [ON-SALE WINE LICENSES.] (a) “On-sale wine and beer licenses” shall mean licenses authorizing the sale of wine not exceeding 14 percent alcohol by volume, and any beer not exceeding 7 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 liquor 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."

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."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1055: A bill for an act relating to health; providing state funds to the Migrants in Action program for health services for certain migrants; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 666: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 12, delete "\$1.50" and insert "\$3"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was re-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 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 pur-

suant to chapter 15; eliminating certain requirements for rule-making; 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; repealing Minnesota Statutes 1978, Section 125.182, Subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 29, strike "and" and insert a comma

Page 1, line 29, after "principals" insert "*and supervisors*"

Page 2, line 1, after the period, insert "*The state board of education shall not require previous teaching experience as a qualification for superintendents.*"

Page 2, line 3, strike "physically"

Page 2, line 4, strike "and morally fit"

Page 2, line 6, delete "and" and insert a comma

Page 2, line 6, after "principals" insert "*and supervisors*"

Page 2, line 12, delete "and" and insert a comma

Page 2, line 13, after "*superintendents*" insert "*and supervisors*"

Page 2, line 15, after the period, insert "*A person shall not be required to hold a license as a supervisor unless that person devotes 50 percent or more of his time to administrative or supervisory duties over other personnel.*"

Page 2, line 19, delete "or" and insert a comma

Page 2, line 20, after "*superintendent's*" insert "*or supervisor's*"

Page 2, line 31, delete "or" and insert a comma

Page 2, line 31, after "*superintendent's*" insert "*or supervisor's*"

Page 3, line 7, strike "or" and insert a comma

Page 3, line 7, after "principal's" insert "*or supervisor's*"

Page 3, line 13, delete "or" and insert a comma

Page 3, line 13, after "*principal's*" insert "*or supervisor's*"

Page 3, line 25, strike "supervisor,"

Page 3, line 26, strike the comma

Page 3, line 28, after the period, insert "*Teacher*" does not include counselors, nurses, coaches and other persons when involved in non-classroom activities who shall be subject to reasonable requirements established by the state board of education."

Page 3, line 32, delete "16" and insert "14"

Page 4, line 21, strike the comma

Page 4, line 21, delete "one" and strike "of whom shall be"

Page 4, line 21, delete "a"

Page 4, line 22, delete "representative" and strike "of state institutions and one of whom shall"

Page 4, line 23, strike "be a representative of private institutions"

Page 4, line 24, delete "six" and reinstate "four"

Page 4, line 24, after "public" insert ", two of whom shall be present or former members of local school boards"

Page 6, after line 21, insert:

"Sec. 11. Minnesota Statutes 1978, Section 179.63, Subdivision 13, is amended to read:

Subd. 13. "Teacher" means any person other than a superintendent or assistant superintendent, employed by a school district in a position for which the person must be certificated by the state board of education *teaching* or in a position as a physical therapist or an occupational therapist; and such employment does not come within the exceptions stated in subdivision 7, or defined in subdivisions 8, 9, or 14.

Sec. 12. Minnesota Statutes 1978, Section 179.63, Subdivision 14, is amended to read:

Subd. 14. "Principal" and "assistant principal" means any person so certificated by the state ~~department~~ *board* of education who devotes more than 50 percent of his time to administrative or supervisory duties."

Page 6, line 22, delete "7" and insert "9"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "eliminating the authority of the state board to require that superintendents have teaching experience;"

Page 1, line 18, after the semicolon insert "and 179.63, Subdivisions 13 and 14;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was re-referred

S. F. No. 264: A bill for an act relating to families; establishing a council on families; prescribing membership procedures and functions of the council; transferring personnel and functions from the governor's task force on the family; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, delete "COUNCIL" and insert "ADVISORY TASK FORCE"

Page 1, lines 12 and 13, delete "council" and insert "advisory task force"

Page 1, line 14, delete the comma and insert ". Eleven members shall be public members"

Page 1, lines 17 and 19, delete "council" and insert "advisory task force"

Page 1, line 20, after "bodies" insert "pursuant to their rules"

Page 1, line 20, delete "The commissioners of"

Page 1, delete lines 21 and 22

Page 1, line 23, delete "the council."

Page 1, line 23, delete the second "council" and insert "advisory task force"

Page 2, lines 4, 5, 6, 9, 11, 13, 16, and 19, delete "council" and insert "advisory task force"

Page 2, line 15, delete "council"

Page 2, line 33, delete "for"

Page 3, line 1, delete "services to" and insert "affecting"

Page 3, lines 5 and 9, delete "council" and insert "advisory task force"

Amend the title as follows:

Page 1, line 2, delete "a council" and insert "an advisory task force"

Page 1, line 4, delete "council" and insert "advisory task force"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 808: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, delete *"lakes, ponds or flowages"* and insert *"water basins"*

Page 1, line 20, delete *"and waterbasins greater"* and insert *"except wetlands less"*

Page 1, line 21, delete *"by"*

Page 1, line 22, delete everything before the semicolon

Page 2, line 30, delete *"to"* and insert *“, 105.38 and”*

Page 3, line 7, delete *"and have an"*

Page 3, delete line 8

Page 3, line 9, delete everything before the period

Page 3, line 13, after *"be"* insert *"an elevation delineating"*

Page 3, line 18, after the period insert *"For watercourses, 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."*

Page 5, line 31, after the period, insert *"Within 30 days after receiving the county board's recommendations,"*

Page 6, line 11, delete *"last"*

Page 6, line 12, delete everything after *"the"* and insert *"waters"*

Page 6, line 17, delete *"45"* and insert *"60"*

Page 6, line 21, delete everything after the first *"person"* and insert *"who shall be selected by the other two members at least 20 days prior to the hearing date"*

Page 7, line 7, after *"waters"* insert *"and wetlands"*

Page 8, line 18, after *"9."* insert *"In order to protect the public health or safety,"*

Page 8, line 32, after *"to"* insert *"existing"*

Page 9, delete section 12

Page 10, line 10, reinstate *"types 3"* and insert a comma after *"3"*

Page 10, line 10, reinstate *"4,"* and after the comma insert *"or 5"* and reinstate *"as"*

Page 10, line 11, reinstate the stricken language

Page 10, line 12, reinstate *"(1971 edition); (b)"*

Page 10, line 15, delete *"(b)"* and insert *"(c)"*

Page 10, after line 32, insert:

"Sec. 14. Minnesota Statutes 1978, Section 105.42, Subdivision 1, is amended to read:

105.42 [PERMITS; WORK IN PUBLIC WATERS.] 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; or in any manner, to change or diminish the course, current or cross-section of any public waters, 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, 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.

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 .

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 hangars in or adjacent to public waters of the state except within the corporate limits of cities."

Page 11, line 1, after "*appropriated*" insert "*for grants to counties*"

Page 11, line 9, delete "*Section*" and insert "*Sections 105.37, Subdivision 6; and*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, after the semicolon insert "*and 105.42, Subdivision 1;*"

Page 1, line 10, delete "*Section*" and insert "*Sections 105.37, Subdivision 6; and*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was re-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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 28, delete "*chapter 290A*" and insert "*section 273.13*"

Page 5, line 16, delete "*chapter 290A*" and insert "*section 273.13*"

Page 9, line 23, delete "*47.581*" and insert "*1*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 11, before the comma, insert "and section 2"

Page 2, after line 17, insert:

"Sec. 2. The governing body of the city of Duluth, 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. 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."

Renumber the sections in sequence

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1143: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1073: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1114: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, strike lines 8 through 17

Reletter the clauses in sequence

Page 3, line 19, after "finance" insert "*department of personnel*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 963: A bill for an act relating to local government; extending scope of subdivision regulations; amending Minnesota Statutes 1978, Section 462.358, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Delete 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."

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, delete "; amending Minnesota" and insert "within its corporate boundaries."

Page 1, delete line 4

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 552: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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, after "*respondent*" insert "*and his attorney if he is represented by counsel*"

Page 2, line 24, delete "*registered*"

Page 2, line 25, delete "*or certified*" and insert "*first class*"

Page 2, line 25, delete "*finding of probable cause which*" and insert "*notice setting forth a short plain written statement of the alleged facts which support the finding of probable cause and an enumeration of the provisions*"

Page 2, delete lines 26 and 27

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 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 5, strike "thereto" and insert "*to the practice*"

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

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 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 subdivisions.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after "person" insert "who is 18 years of age or older"

Page 1, line 10, delete "violates" and insert "commits an act constituting a violation of"

Page 1, line 12, after "or" insert "knowing"

Pages 1 and 2, delete section 2

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "subdivisions" and insert "a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 303: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 169, is amended by adding a section to read:

[169.421] [CIVIL LIABILITY FOR LITTERING.] *Subdivision 1. [FINDING.] The legislature finds that the cost of removal and disposal of litter from vehicles is an onerous burden*

upon the public, and that the criminal law is not always adequate in dealing with the problem. This requires the imposition of civil liability as provided in this section.

Subd. 2. [DEFINITION.] For purposes of this section, "owner" as to a vehicle means the owner of the vehicle, but in the case of a leased vehicle means the lessee.

Subd. 3. [CIVIL LIABILITY IMPOSED.] If any litter, including glass, nails, tacks, wire, cans, bottles, garbage, papers, refuse, trash, or any form of offensive matter is thrown, deposited, placed, or dumped from a vehicle upon any street or highway, public land, or upon private land without the consent of the owner of the land, a violation of this subdivision occurs and civil liability is imposed upon the owner of the vehicle. The driver and passengers riding in a vehicle are constituted as the agents of the owner of the vehicle for purposes of this subdivision. It is a defense to any action brought pursuant to this section that the vehicle was stolen. This section is not applicable to the owner of a vehicle transporting persons for hire or transporting school children.

Subd. 4. [DAMAGES.] Any person or governmental body injured by a violation of subdivision 3 may bring a civil action and recover as damages the actual costs of removal and disposal of the litter plus exemplary damages not to exceed \$100, together with costs and disbursements, including reasonable attorney's fees, as determined by the court.

Subd. 5. [PROCEDURES.] A civil action may be commenced as is any civil action or by the issuance of a citation to the owner of the vehicle by any law enforcement officer who has reason to believe that a violation has occurred. Actions commenced by the issuance of a citation by a law enforcement officer shall be tried by the prosecuting authority responsible for misdemeanor prosecutions in the jurisdiction where a violation occurs. Any damages recovered in an action brought by a public agency shall be deposited in the treasury of the jurisdiction trying the action. Any county or county municipal court may establish a separate civil calendar for cases brought under this section.

Subd. 6. [RELATIONSHIP TO CRIMINAL LAW; ELECTION OF REMEDIES.] If an act is a violation of this section and of a statute or ordinance providing a criminal penalty, a public agency elects its remedy by commencing either an action under this section or a criminal prosecution, and the commencement of one type of action by a public agency is a bar to its bringing of the other.

Subd. 7. [PAYMENT.] Any county or county municipal court may establish a schedule of costs and civil damages, and procedures for payment, in cases brought by a public agency under which the defendant may consent to default judgment and make payment according to the schedule without making a personal appearance in court.

Subd. 8. [CITATION.] This section may be cited as the civil litter act."

Amend the title as follows:

Page 1, line 2, delete "crimes;"

Page 1, line 2, delete "prohibiting" and insert "imposing civil liability on"

Page 1, line 3, delete "or operator"

Page 1, line 3, delete "certain vehicles" and insert "a vehicle"

Page 1, line 3, after "from" insert "which"

Page 1, line 4, delete "permitting"

Page 1, line 4, delete "being" and insert "are"

Page 1, line 5, delete "from vehicles"

Page 1, line 6, after "prescribing" insert "procedures, civil damages, and"

Page 1, line 7, delete "Sections 169.42" and insert "Chapter 169"

Page 1, line 7, delete "subdivision;" and insert "section"

Page 1, line 8, delete "and 609.68"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was re-referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 15, delete "and " and insert "or"

Page 5, line 26, delete "and" and insert "or"

Page 5, line 27, delete "brings an action" and insert "has power"

Page 10, line 11, after "3," insert "3a,"

Page 11, after line 2, insert:

"Sec. 9. [ADJUSTMENT OF LEVY.] When preparing tax lists pursuant to section 275.28 for the first levy year for which credits will be payable under section 8, the county auditor shall deduct from the assessed valuation of the property within the county an amount equal to ten percent of the assessed valuation of pipelines with respect to which a credit is to be paid. The mill rate necessary to be applied to this reduced total valuation in order to raise the required amount of tax revenue for the local taxing authorities shall be applied to the value of all taxable property in the county, including the entire valuation of those pipelines. The proceeds of the tax levied against the excluded ten percent of the value of those pipelines shall be available for purposes of funding of the credit provided in section 8. If the amount of that portion of the levy exceeds the amount necessary to fund the credits, the excess shall be distributed to the taxing districts within which the affected property is located in proportion to their respective mill rates, to be used for general levy purposes."

Renumber the sections in sequence

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 153: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 500.19, Subdivision 2, is amended to read:

Subd. 2. [CONSTRUCTION OF GRANTS AND DEVISES.] 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. 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 of this act, or a severance of a joint tenancy pursuant to section 4 of this act, 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 of this act; 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;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 133: A bill for an act relating to partnerships; enacting the 1976 uniform limited partnership act.

Reports the same back with the recommendation that the bill be amended as follows:

Page 28, delete section 61, and insert:

"Sec. 61. [RELATIONSHIP TO SECTIONS 322.01 to 322.31.] A domestic limited partnership existing on January 1, 1981, shall be governed by sections 322.01 to 322.31 unless (1) the limited partnership elects to come under the provisions of sections 1 to 60, and the certificate of limited partnership is amended to reflect the intention and is filed with the secretary of state; and (2) to so elect is not prohibited by the terms of the certificate of limited partnership in effect prior to January 1, 1981. A domestic limited partnership formed after December 31, 1980 shall be governed by sections 1 to 60."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 1074: A bill for an act relating to elections; increasing compensation for presidential electors; amending Minnesota Statutes 1978, Section 204A.23.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 722: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [PUNCHCARD ABSENTEE BALLOT DEMONSTRATION PROJECTS.] The secretary of state may supervise and direct demonstration projects in one or more municipalities that use punchcard ballots and automatic tabulating equipment pursuant to Minnesota Statutes, Chapter 206, at an election held in 1979. A municipality participating in such a project is authorized to use punchcard ballots for persons voting by absentee ballot in the manner directed by the secretary of state. The secretary of state shall evaluate the results of each project and submit a report and recommendations concerning the future use of punchcard ballots for absentee voting to the legislature no later than January 15, 1980.

Sec. 2. [EFFECTIVE DATE.] This act is effective the day following final enactment and shall expire January 31, 1980."

Strike the title and insert:

"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."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 704: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert

"Section 1. Minnesota Statutes 1978, Chapter 50, is amended by adding a section to read:

[50.1465] [SERVICE CORPORATION.] *Subdivision 1. In addition to other investments authorized by law, a mutual savings bank may invest in the following:*

The capital stock, obligations, or other securities of any corporation organized under the laws of this state, if all or a majority of the capital stock of the corporation is owned by the

mutual savings bank, and if substantially all of the activity of the corporation consists of originating, making, purchasing, selling and servicing loans, and participation in loans, secured by real estate including brokerage and warehousing of such real estate loans.

Subd. 2. No mutual savings bank may make any investment under subdivision 1 if its aggregate outstanding investment under this section exceeds five percent of the assets of the mutual savings bank.

Sec. 2. Minnesota Statutes 1978, Chapter 50, is amended by adding a section to read:

[50.245] [DETACHED FACILITIES OF A MUTUAL SAVINGS BANK.] *Subdivision 1. A mutual savings bank may establish detached facilities pursuant to sections 47.51 to 47.57, without regard to the numerical limitation contained in section 47.52, in any municipality located within the metropolitan area as defined in section 473.121, subdivision 2, and having a population of more than 10,000, according to the 1970 United States census. A mutual savings bank may make loans at detached facilities authorized by this section.*

Subd. 2. This section shall not apply to any bank with a stock form of ownership."

Amend the title by deleting it in its entirety and inserting

"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."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

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, Subdivision 4, and by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, before "An" insert "*Except for a pawnbroker's possessory lien,*"

Page 1, line 17, delete "*listed in*" and insert "*exempt under*"

Page 1, after line 17, insert:

"A creditor may take a security interest in property of the type described in this subdivision only to the extent the value exceeds the exemption, and only if it is clearly disclosed to the debtor the property will be eligible for protection under this subdivision if the exemption is not otherwise exhausted."

Page 1, after line 21, insert:

"Sec. 3. Minnesota Statutes 1978, Section 550.37, Subdivision 19," is amended to read:

Subd. 19. The exemption of the property listed in subdivisions 2, 3, and 5 to 11, and 12a may not be waived except by a statement in substantially the following form, in bold face type of a minimum size of 12 points, signed and dated by the debtor at the time of the execution of the contract surrendering the exemption, immediately adjacent to the listing of the property: "I understand that some or all of the above property is normally protected by law from the claims of creditors, and I voluntarily give up my right to that protection for the above listed property with respect to claims arising out of this contract." "

Amend the title as follows:

Page 1, line 4, delete "Subdivision 4" and insert "Subdivisions 4 and 19"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

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, Section 176.012.

Reports the same back with the recommendation that the bill be amended as follows:

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 *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 350 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 6, delete "Section" and insert "Sections"

Page 1, line 6, after "176.012" insert "; and 176.041, Subdivision 1"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 579: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 19, delete "2a" and insert "2"

Page 2, lines 20 to 28, delete subdivision 2a and insert:

"Subd. 2. [CHANGE OF PHYSICIANS, PODIATRISTS, OR CHIROPRACTORS.] The commissioner of the department of labor and industry shall make the necessary rules for a change of physicians, *podiatrists*, or chiropractors in the case that either the employee or the employer desire a change and for the designation of a physician, *podiatrist*, or chiropractor suggested by the injured employee or the commissioner of the department of labor and industry. In such case the expense thereof shall be borne by the employer upon the same terms and conditions as provided in subdivision 1 and for medical, *podiatric*, chiropractic and surgical treatment and attendance."

Amend the title as follows:

Page 1, line 7, delete "2a" and insert "2"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 406: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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, and one representative of each of the following groups to be appointed by the governor:

- (a) Labor;
- (b) Industry;
- (c) Blacks;
- (d) American Indians;
- (e) Latinos;
- (f) Women;
- (g) Agriculture;
- (h) Veterans;
- (i) Youths;
- (j) Handicapped;
- (k) Local government; and
- (l) Recipient 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 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;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 221: A bill for an act relating to migrant labor; establishing a study commission on migrant labor; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

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 "the commissioner of labor and industry or" and insert "and the director of the spanish speaking council"

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"

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"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

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, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1978, Section 176.521, Subdivision 1, is amended to read:

176.521 [SETTLEMENT OF CLAIMS.] Subdivision 1. [VALIDITY.] An agreement between an employee or his dependent and the employer or insurer to settle any claim, which is not upon appeal before the workers' compensation court of appeals, for compensation under this chapter is valid where it has been executed in writing and signed by the parties, *and intervenors in the matter*, and the division has approved the settlement and made an award thereon. If the matter is upon appeal before the workers' compensation court of appeals, the workers' compensation court of appeals is the approving body."

Page 1, line 18, after "*insurer*" insert "*and intervenors in the matter*"

Renumber the remaining section

Amend the title as follows:

Page 1, line 4, delete "Subdivision" and insert "Subdivisions 1 and"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 562: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 983: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was re-referred

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 certain procedures; establishing

variance committees and prescribing their duties; imposing fees and providing compensation to committee members; 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, delete the underlined language

Page 1, line 21, after the period, insert "*A political subdivision in which a county state-aid highway is located or is proposed to be located may submit a written request to the commissioner for a variance for that highway. The commissioner shall publish notice of the request in the state register and give notice to all persons known to the commissioner to have an interest in the matter. The commissioner may grant or deny the variance within 30 days of providing notice of the request. If a written objection to the request is received within 20 days of providing notice, the variance shall be granted or denied only after a contested case hearing has been held on the request. If no timely objection is received and the variance is denied without hearing, the political subdivision may request, within 30 days of receiving notice of denial, and shall be granted a contested case hearing.*"

Page 2, line 21, delete "3" and insert "1"

Pages 2 to 4, delete section 3

Page 5, line 2, delete the underlined language

Page 5, line 5, after the period, insert "*A political subdivision in which a municipal state-aid street is located or is proposed to be located may submit a written request to the commissioner for a variance for that street. The commissioner shall publish notice of the request in the state register and give notice to all persons known to the commissioner to have an interest in the matter. The commissioner may grant or deny the variance within 30 days of providing notice of the request. If a written objection to the request is received within 20 days of providing notice, the variance shall be granted or denied only after a contested case hearing has been held on the request. If no timely objection is received and the variance is denied without hearing, the political subdivision may request, within 30 days of receiving notice of denial, and shall be granted a contested case hearing.*"

Page 5, line 29, delete "6" and insert "3"

Pages 5 to 8, delete section 6

Page 8, after line 7, insert:

"Sec. 5. [RULES.] *The commissioner shall adopt rules, no later than January 1, 1980, in accordance with sections 15.041 to 15.052, setting forth the criteria to be considered by the commissioner in evaluating requests for variances under sections 1 and 3. The rules shall include, but are not limited to, economic,*

engineering and safety guidelines. The engineering standards adopted pursuant to section 162.07, subdivision 2, or section 162.13, subdivision 2, shall be adopted pursuant to the requirements of chapter 15 by July 1, 1980."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "certain" and insert "contested case"

Page 1, line 6, delete everything after the semicolon

Page 1, delete lines 7 and 8

Page 1, line 11, before "162.13" insert "and"

Page 1, line 12, delete "; and Chapter 162, by adding sections"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 554: A bill for an act relating to the operation of state government; requiring zero-based budgeting by selected departments.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, delete "1981-1983 biennium, at least three" and insert "biennium commencing July 1, 1981, the"

Page 1, line 9, after "departments" insert "of finance and natural resources"

Page 2, line 4, delete "select the" and insert "develop a zero-based budgeting system which is tailored to Minnesota state government and which reflects the successful experiences of other governmental units in zero-based budgeting."

Page 2, delete lines 5 to 8

Page 2, line 9, delete "system."

Page 2, line 9, delete "commissioner" and insert "commissioners"

Page 2, line 9, after "finance" insert "and natural resources"

Page 2, after line 15, insert:

"Subd. 3. No later than January 15, 1980, the commissioner of finance shall transmit the proposed zero-based budgeting system to the senate finance and house appropriations committees for their review and comment.

Sec. 2. [APPROPRIATION.] There is appropriated to the commissioner of finance from the general fund the sum of \$18,000 for the biennium ending June 30, 1981, for the system development function specified in section 1, subdivision 2.

Sec. 3. [EFFECTIVE DATE; EXPIRATION.] This act is effective July 1, 1979, and shall expire June 30, 1981."

Amend the title as follows:

Page 1, line 4, after "departments" insert "and agencies; appropriating money"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

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 that competitive bids be solicited for the development or operation for computer systems; repealing Minnesota Statutes 1978, Section 16.07, Subdivision 14.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 16.90, is amended to read:

16.90 [ADMINISTRATION OF STATE COMPUTER FACILITIES.] Subdivision 1. The commissioner of administration is charged with the ~~integration and~~ *integrated* operation of the state's computer facilities serving the needs of the state government, *when found to be cost effective in light of available alternatives*. Except as otherwise provided by law, all plans and ~~programs~~ for ~~systems and procedures analysis, the design, development and operation of computerized~~ information systems *developed by state agencies*, and ~~related computer efforts of all state agencies~~ shall be submitted to the commissioner prior to implementation *of those plans* for review and approval, modification or rejection; *provided that reasons for substantial modification or rejection shall be explicitly stated in writing and shall be filed with the report required by subdivision 7.*

Subd. 2. In consultation with the attorney general and appropriate heads of state agencies, the commissioner shall develop, install, and administer state data security systems consistent with state law to assure the integrity of computer based and all other data and to assure confidentiality of such data, consistent with the public's right to know.

Subd. 3. The commissioner may, within available funding, join with the federal government, other states, local governments and organizations representing such groups either jointly or severally in the development and implementation of systems analysis, information services, and computerization projects.

Subd. 4. The commissioner, after consultation with the state information systems advisory council and the intergovernmental in-

formation systems advisory council, shall design and maintain a master plan for information systems in the state and its political subdivisions and shall report thereon to the governor and legislature at the beginning of each regular session; establish standards for information systems *design, development and operation, provided that no standard shall directly or indirectly preclude the design, development, or operation of computer systems by all parties except the department of administration*; maintain a library of systems and programs developed by the state and its political subdivisions for use by agencies of government; and administer the communications for the state information system.

Subd. 5. No state agency's design, development or operational plan shall directly or indirectly preclude the use of all commercial computer services.

Subd. 6. All computer system design, development, or operation with an annualized cost in excess of \$10,000 shall be pursuant to contract.

Subd. 7. Prior to the execution of any contract for computer services with an annualized cost in excess of \$10,000, the head of the state agency shall file with the legislative audit commission a report which shall indicate: (a) the nature of the services to be obtained; (b) whether competitive bids from non-state agencies were solicited, and if not, the reasons; (c) the cost proposed by the second lowest responsible bidder if competitive bids were solicited.

Subd. 8. The commissioner shall prepare and submit to the governor and the commissioner of finance a budget request for the 1981 fiscal year and biennially thereafter for the direct funding of personnel, hardware, software, prorata telecommunication cost, and other expenses, including all contracting costs, relating to data processing systems and services provided by the department of administration.

Sec. 2. [TRANSITION.] *For the purposes of section 1, subdivision 6 of this act, systems currently operated by state agencies are deemed to be under a contract.*

Sec. 3. [REPEALER.] *Minnesota Statutes 1978, Section 16.07, Subdivision 14, is repealed.*

Sec. 4. [EFFECTIVE DATE.] *This act is effective July 1, 1979."*

Amend the title as follows:

Page 1, delete lines 5 and 6 and insert "a report prior to execution of a contract; amending Minnesota Statutes 1978, Section 16.90;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred the following appointment as reported in the Journal for March 26, 1979:

**DEPARTMENT OF REVENUE
COMMISSIONER**

Clyde Allen

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 740, 843, 103 for comparison with companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their second reading and substituted for their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
740	845				
843	867				
103	109				

and that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 819, 299, 384, 768 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
819	884				
299	741				
384	525				
768	394				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 819 be amended as follows:

Amend the title as follows:

Page 1, lines 2 and 3 delete "local government; fixing a maximum amount for airport revenue certificates" and insert "aeronautics"

And when so amended H. F. No. 819 will be identical to S. F. No. 884, and further recommends that H. F. No. 819 be given

its second reading and substituted for S. F. No. 884, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 299 be amended as follows:

Page 2, lines 14 and 15, delete the underscored language and reinstate the stricken language

Page 3, line 16, after "*subdivision 3*" insert a comma

And when so amended H. F. No. 384 will be identical to S. F. No. 741, and further recommends that H. F. No. 299 be given its second reading and substituted for S. F. No. 741, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 384 be amended as follows:

Page 1, line 11, reinstate "An alien", delete "A" and after "or" insert "a"

Page 1, line 12, delete "*minor*" and after "*child*" insert "*under the age of 21*"

Page 1, line 14, reinstate "other"

Further, amend the title as follows:

Page 1, line 3, delete "and spouses"

And when so amended H. F. No. 384 will be identical to S. F. No. 525, and further recommends that H. F. No. 384 be given its second reading and substituted for S. F. No. 525, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 768 be amended as follows:

Amend the title as follows:

Page 1, line 4, after "requirements;" insert "revising antifreeze registration procedures;"

And when so amended H. F. No. 768 will be identical to S. F. No. 394, and further recommends that H. F. No. 768 be given its second reading and substituted for S. F. No. 394, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 937: 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 3 and 5; 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, delete section 3 and insert:

“Sec. 3. Minnesota Statutes 1978, Section 340.11, Subdivision 4, is amended to read:

Subd. 4. [OFF-SALE LICENSES.] *A local governing body issuing an “off-sale” licenses issued by any municipality license shall not be effective until approved, together with the bond, by , within ten days after issuance, submit to the commissioner of public safety ; but no fee shall be payable to such commissioner for such approval the full name and address of each person granted a license, and other information, including the trade name, the effective date of the license, the date of expiration, and, within ten days after occurrence, any change of address, transfer, cancellation or the revocation of an “on-sale” license by the local governing body during the license period.”*

Pages 8 to 11, delete section 12

Page 12, lines 19 to 25, reinstate the stricken language and delete the new language

Page 12, line 29, reinstate the stricken language and delete the new language

Page 12, lines 32 and 33, reinstate the stricken language

Page 13, line 1, reinstate the stricken language

Page 15, line 33, reinstate the stricken language

Page 16, line 1, reinstate the stricken language

Page 16, line 3, delete “Sections 340.11, Subdivision 4, and” and insert “Section”

Page 16, line 3, delete “are” and insert “is”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete “on-sale and”

Page 1, line 6, after the semicolon insert “requiring filing of off-sale licenses with the commissioner of public safety;”

Page 1, line 11, delete “5” and insert “4”

Page 1, line 12, delete “340.12;”

Page 1, line 15, delete “Sections 340.11,” and insert “Section”

Page 1, line 16, delete "Subdivision 4; and"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 756: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 and 2, delete section 1 and insert:

"Section 1. Minnesota Statutes 1978, Section 290.06, Subdivision 11, is amended to read:

Subd. 11. [CONTRIBUTIONS TO POLITICAL PARTIES AND CANDIDATES.] In lieu of the credit against taxable net income provided by section 290.21, subdivision 3, clause (e), a taxpayer may take a credit against the tax due under this chapter of 50 percent but not more than \$25 of his contributions to a political party and any candidate for elective state, federal or local public office and to any political party. The maximum credit for an individual shall not exceed \$25 and, for a married couple, filing jointly, may take a similar credit of shall not more than exceed \$50. No credit shall be allowed under this subdivision for a contribution to any candidate as defined in section 10A.01, subdivision 5, other than a candidate for elective judicial office or a candidate in a special election, who has not signed an agreement to limit his campaign expenditures as provided in section 10A.32, subdivision 3b. The commissioner of revenue shall provide in the tax instruction booklet language understandable to a person of average intelligence which states that the taxpayer may only not claim a credit against his tax due for contributions to candidates a candidate for (a) judicial office or (b) statewide or legislative office who have unless he has agreed to limit their his expenditures or was a candidate in a special election. For purposes of this subdivision, "candidate" means a candidate as defined in section 10A.01, subdivision 5. The department of revenue shall provide on the first page of the Minnesota tax form an appropriate provision for the credit provided by this subdivision.

This credit shall be allowed only if the contribution is verified in the manner the commissioner of revenue shall prescribe."

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was re-referred

S. F. No. 446: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 33, delete "COMMISSION" and insert "ADVISORY TASK FORCE"

Page 4, line 2, delete "*a commission*" and insert "*an advisory task force*"

Page 4, line 3, delete "*The*" and insert "*Six members, three of whom shall be licensed barbers and three of whom shall be licensed cosmetologists, shall be appointed by the chairman of the commerce commission. In making the appointments, the chairman of the commerce commission shall give consideration to nominations made by unions, associations and other groups representing licensed barbers and cosmetologists. Four public members, one of whom shall be designated as chairman of the advisory task force, shall be appointed by the commissioner of health. The current public members of the board of barber examiners and the board of cosmetology shall, if they desire, be appointed as public members by the commissioner of health. One member of the senate, appointed by the majority leader of the senate, and one member of the house of representatives, appointed by the speaker of the house, shall serve as ex officio members.*"

Page 4, delete lines 4 to 9

Page 4, line 10, delete "*its membership*" and insert:

"*Subd. 2*"

Page 4, line 10, delete "*upon*" and insert "*by the commissioner of health.*"

Page 4, delete lines 11 to 13

Page 4, line 14, delete "*chairman shall determine.*"

Page 4, line 15, delete "*15.0575*" and insert "*15.059*"

Page 4, lines 16 and 19, delete "*commission*" and insert "*advisory task force*"

Page 4, line 19, after "*shall*" insert "*, prior to January 1, 1981,*"

Page 4, line 20, delete "*the commission's*" and insert "*their*"

Page 4, line 21, after "*and*" insert "*specific*"

Page 4, line 21, after "*recommendations*" insert "*, including proposed legislation, if necessary, in bill form.*"

Page 4, line 24, delete "*and reasonableness of*"

Page 4, line 25, after "regulations" insert "of barbering and cosmetology. If the advisory task force determines that a need for regulation exists, it shall proceed to the issues raised by clauses (b) to (h)"

Page 4, line 26, delete "need for additional forms of" and insert "reasonableness of existing"

Page 4, line 26, after "regulation" insert " , including an examination of the provisions of chapter 186 and rules promulgated thereunder to determine which provisions, if any, contained in them should be retained"

Page 4, line 27, delete "regulation" and insert "the present form of regulation, including alternatives to licensure"

Page 4, line 31, before the semicolon insert "in meeting public needs and protecting the public health"

Page 5, delete lines 6 to 8

Page 5, lines 10 and 13, delete "commission" and insert "advisory task force"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 917: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 31, delete "a subdivision" and insert "subdivisions"

Page 2, after line 1, insert:

"Subd. 7. [INTERESTED PARTY.] Interested party means

any person or association acting on behalf of its members who is directly affected by a change in the schedule of rates and includes the staff of the insurance division.

Subd. 8. [SCHEDULE OF RATES.] Schedule of rates means the rate level applicable to the various industry groupings or classes, including the risk classifications thereunder upon which the determination of workers' compensation premiums are based, including but not limited to all systems for merit or experience rating, retrospective rating, and premium discounts."

Pages 2 and 3, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1978, Chapter 79, is amended by adding a section to read:

[79.071] [RATES; HEARINGS.] Subdivision 1. The commissioner shall adopt a schedule of workers' compensation insurance rates for use in this state for each classification under which business is written. The schedule of rates shall not be excessive, inadequate, or unfairly discriminatory. In adopting a schedule of rates, the commissioner may act on the written petition of the association or any other interested party requesting that a hearing be held for modification of the schedule of rates. The commissioner may include the expense of a reasonable charge for the services of an agent of record, for the service of rejected risks as set forth in sections 79.24 to 79.27.

Subd. 2. Upon receipt of a petition requesting a hearing for modification of an existing schedule of rates, the commissioner shall determine whether the petition sufficiently sets forth facts which show that the existing schedule of rates is excessive, inadequate, unfairly discriminatory, or otherwise in need of modification so as to indicate the need to hold a hearing. The commissioner may decline to grant a hearing if the association has failed to provide information requested by previous orders modifying the schedule of rates provided that the request was not unreasonable. The commissioner may accept or reject the petition for a hearing and shall give notice of his determination to the petitioning party within 30 days of receipt of the petition. In the event the commissioner rejects the petition, the petitioning party shall be notified of the reasons for the rejection.

Subd. 3. If the commissioner accepts the petition for hearing, the commissioner shall order a hearing with respect to matters set forth in the petition requesting modification of the schedule of rates. The hearing shall be held pursuant to the contested case procedures set forth in sections 15.0411 to 15.052, provided that the burden of proof shall be on the petitioning party and the hearing examiner may admit documentary and statistical evidence accepted and relied upon by an expert whose field of expertise may have some relevance to workers' compensation rate matter without the requirement of traditional evidentiary foundation. Within 30 days after the close of the hearing record, the hearing examiner shall transmit to the commissioner the entire record of the hearing, including the transcript, exhibits, and all

other material properly accepted into evidence, together with the finding of facts, conclusions, and recommended order as the hearing examiner shall make. The time for filing the report may be extended by the chief hearing examiner for good cause.

Subd. 4. The commissioner may accept, reject, or modify, in whole or in part, matters raised in the petition for modification of the schedule of rates or matters raised in the findings and recommendations of the hearing examiner; provided that the commissioner's determination shall be based upon substantial evidence.

Subd. 5. The commissioner shall make a final determination with respect to adoption of a schedule of rates within 90 days after receipt of the hearing examiner's report. In the event that the commissioner fails to act within the 90 day period, the findings, conclusions, and recommended order of the hearing examiner shall become a final order of the commissioner.

Subd. 6. The commissioner is authorized to hire a consulting actuary and other experts as he deems necessary to assist in the hearing for modification of the schedule of rates. The costs of conducting the hearing provided under subdivision 3, including the costs of hiring a consulting actuary and other experts, shall be assessed against the rating association and its members.

Subd. 7. The office of hearing examiners, upon approval of the chief hearing examiner, is authorized to hire consultants necessary to assist the hearing examiner assigned to a given workers' compensation rate proceeding.

Sec. 3. Minnesota Statutes 1978, Chapter 79, is amended by adding a section to read:

[79.072] [PETITION FOR REHEARING.] *Subdivision 1. Any interested party may petition the commissioner for rehearing and reconsideration of a determination made pursuant to section 2 of this act. The petition for rehearing and reconsideration shall be served upon the commissioner and all parties to the rate hearing within 30 days after service of the commissioner's final order. The petition shall set forth factual grounds the petitioning party deems to exist in support of its petition. Any interested party adversely affected by a petition for review and reconsideration shall be afforded 15 days to respond to factual matters so alleged in the petition.*

Subd. 2. At his discretion, the commissioner may grant a rehearing upon the filing of a petition under subdivision 1. Upon rehearing, the commissioner may limit the scope of factual matters which shall be subject to rehearing and reconsideration. The rehearing shall be subject to the provisions of section 2 of this act.

Subd. 3. Following rehearing, the commissioner may modify the terms of the initial order adopting a change in the schedule of rates upon a determination that adequate factual grounds exist to support modification. Adequate factual grounds shall include, but need not be limited to, erroneous testimony by any witness or party to the hearing, material change in Minnesota loss or expense data

occurring after petition for modification of the schedule of rates has been filed, or any other mistake of fact which has a substantial effect upon the schedule of rates adopted in the initial order of the commissioner.

Sec. 4. Minnesota Statutes 1978, Chapter 79, is amended by adding a section to read:

[79.073] [JUDICIAL REVIEW.] *Final orders of the commissioner pursuant to sections 2 and 3 of this act are subject to judicial review by writ of certiorari brought in the district court in Ramsey County by any interested party of record adversely affected thereby. The operation of the commissioner's order shall not be suspended during such review; provided that in the event of a judicial determination against the validity of the commissioner's order, any subsequent order shall be modified so as to give effect to the court's ruling. For purposes of further judicial review, the commissioner shall be deemed to be an aggrieved party to the extent that his orders are modified or set aside by the district court.*

Sec. 5. Minnesota Statutes 1978, Chapter 79, is amended by adding a section to read:

[79.074] [DISCRIMINATION.] *Subdivision 1. [RATES.] One rate is unfairly discriminatory in relation to another if it clearly fails to reflect equitably the differences in expected losses, expenses, and the degree of risk. Rates are not unfairly discriminatory because different premiums result for policyholders with like loss exposures but different expense factors, or like expense factors but different loss exposures, so long as the rates reflect the differences with reasonable accuracy.*

Subd. 2. [DIVIDENDS.] Dividend plans shall not be deemed to be unfairly discriminatory where different premiums result for different policyholders with similar loss exposures but different expense factors, or where different premiums result for different policyholders with similar expense factors but different loss exposures, so long as the respective premiums reflect the differences with reasonable accuracy. Every insurer referred to in section 79.20 who issues participating policies shall file with the commissioner a true copy or summary as the commissioner shall direct of its participating dividend rates as to policyholders. The commissioner may study such participating dividend rates and make recommendations to the legislature concerning possible basis for unfair discrimination.

Sec. 6. Minnesota Statutes 1978, Chapter 79, is amended by adding a section to read:

[79.075] [AUTOMATIC ADJUSTMENT OF RATES.] *The commissioner shall, by rule, establish a formula by which a schedule of rates may be automatically adjusted to reflect benefit changes which have been mandated by operation of law subsequent to the most recent change in the statewide schedule of rates. This adjustment shall also reflect the annual change in the maximum weekly compensation made pursuant to section 176.101, and adjustment in the assessment rate for the financing of the special fund, and the annual adjustment made pursuant to section 176.645. Any*

automatic adjustment made pursuant to this subdivision shall be effective on October 1 or as soon thereafter as possible and shall not otherwise be subject to sections 15.0411 to 15.052.

At each rate hearing held pursuant to section 2 of this act or rehearing pursuant to section 3 of this act, following an automatic adjustment, the commissioner shall review the rate adjustment to assure that the schedule of rates adopted subsequent to the adjustment are not excessive, inadequate, or unfairly discriminatory. If the commissioner finds that the schedule of rates adopted subsequent to the adjustment are excessive, inadequate, or unfairly discriminatory, the commissioner shall order appropriate remedial action.

Sec. 7. Minnesota Statutes 1978, Chapter 79, is amended by adding a section to read:

[79.076] [RATE REVISION ORDER; EFFECT.] *Subdivision 1. Following adoption of a revised schedule of rates pursuant to sections 2 or 3 of this act, the revised rates shall be applicable to new and renewal policies issued after the effective date of the commissioner's final order.*

Subd. 2. The revised schedule of rates shall be applied to all insureds and prospective insureds pursuant to the provisions of the workers' compensation rating manual adopted by the association and approved by the commissioner, provided that the manual:

(1) Shall be deemed to have met the applicable requirements of sections 15.0411 to 15.052 as of the effective date of sections 2 and 3 of this act.

(2) Shall not be amended except by a contested case proceeding held pursuant to sections 2 and 3 of this act."

Page 3, line 30, delete "; CERTIORARI"

Page 3, line 30, strike "The"

Page 3, strike lines 31 to 33

Page 4, lines 1 to 4, strike the old language and delete the new language

Page 4, lines 9 to 13, strike the old language

Page 4, line 10, delete "the"

Page 4, line 19, after the stricken period, insert "*The insurance division staff may investigate on the request of any person or on its own initiative the acts of the rating association, an insurer, or an agent which are subject to provisions of sections 79.01 to 79.23 and may make findings and recommendations that the commissioner issue an order requiring compliance with the provisions thereof. The proposed findings and recommended order shall be served on all affected parties at the same time that the staff transmits its findings and recommendations to the commissioner. Any party adversely affected by the proposed findings and recommended order may request that a hearing be held concerning the issues*

raised therein within 15 days after service of the findings and recommended order. This hearing shall be conducted as a contested case pursuant to sections 15.0411 to 15.052. If a hearing is not requested within the time specified in this section, the proposed findings and recommended order may be adopted by the commissioner as a final order.

Sec. 10. Minnesota Statutes 1978, Section 79.21, is amended to read:

79.21 [RATES TO BE UNIFORM; EXCEPTIONS.] No insurer shall write insurance at a rate ~~other than~~ *which exceeds* that made and put into force by the bureau and approved as ~~adequate and~~ *reasonable* by the commissioner. The bureau may reduce or increase a rate by the application to individual risks of the system of merit or experience rating which has been approved by the commissioner. This reduction or increase shall be set forth in the policy or by indorsement thereon. *An insurer may write insurance at rates which are lower than the rates approved by the commissioner provided the rates are not unfairly discriminatory.*

Sec. 11. Minnesota Statutes 1978, Chapter 79, is amended by adding a section to read:

[79.210] [CERTAIN WAGES EXCLUDED FOR RATE MAKING.] *The rating association or an insurer shall not include wages paid for a vacation, holiday, or sick leave in the determination of workers' compensation insurance premium."*

Page 4, line 22, delete everything after "2."

Page 4, delete lines 23 to 26 and insert "*The commissioner shall annually examine the reopened case fund established in section 29 of this act to determine whether the fund has sufficient assets to cover claims charged against the fund including the maintenance of reasonable reserves. If upon this examination the commissioner deems it necessary for the maintenance of the required assets he shall determine the amount to be assessed against insurers and self-insured employers and shall notify the commissioner of labor and industry of the determination.*"

Page 9, lines 31 to 33, reinstate the stricken language

Page 10, lines 1 to 16, reinstate the stricken language

Page 10, line 3, after the reinstated second comma, insert "*as a forest officer by the department of natural resources,*"

Page 10, line 11, after the reinstated first comma, insert "*department of natural resources,*"

Page 11, lines 11 to 30, reinstate the stricken language

Page 11, line 31, reinstate "other compensation."

Page 14, line 28, delete the new language

Page 15, delete section 14

Page 16, line 7, delete the new language

Page 19, lines 21 and 22, delete the new language

Page 19, line 22, strike "resulting in permanent partial disability"

Page 19, line 24, strike "the" and insert "its"

Page 19, line 25, after "disability" insert "*to the entire body*"

Page 19, line 30, delete "*of the*"

Page 19, line 30, reinstate the stricken "organ"

Page 19, line 31, delete the new language and insert "*not covered by the schedule of internal organs established by the commissioner of labor and industry*"

Page 19, lines 32 and 33, delete the new language

Page 20, line 5, delete the colon and reinstate the semicolon

Page 20, delete lines 6 to 22

Page 20, line 30, after the stricken word "as" insert "*the parties agree to or*"

Page 22, line 11, delete "*award*" and insert "*settlement or judgement*"

Page 22, line 11, delete "*provision*" and insert "*agreement*"

Page 22, line 12, after "*law*" insert a comma

Page 23, line 28, delete the new language

Page 24, line 15, delete "*two*"

Page 24, line 16, delete "*times*"

Page 25, line 26, delete "*may*" and insert "*shall*"

Page 26, line 3, after "*industry*" insert "*or his designee, who shall serve as an ex officio member,*"

Page 26, line 5, before the period insert "*, and one member representing chiropractors*"

Page 26, line 9, after "*shall*" insert "*(a) review and make a final determination with respect to appeals regarding rehabilitation plans; (b) hold revocation of certification approval hearings; (c)*"

Page 26, line 9, before "*and*" insert a semicolon

Page 26, line 9, after "*and*" insert "*(d)*"

Page 26, line 9, after "*recommend*" insert "*rehabilitation*"

Page 26, line 9, after "*rules*" insert "*, as necessary,*"

Page 26, line 15, delete "*may be*" and insert "*is*"

Page 26, line 28, after the comma, insert "*the commissioner of labor and industry shall notify the employer and insurer that*

should they fail to provide rehabilitation consultation within 15 days from the receipt of the commissioner's notice,"

Page 26, line 29, after "shall" insert "be authorized to"

Page 27, lines 12, 20, and 32, delete "net" and insert "after tax"

Page 27, line 23, after the period, insert "After tax wage shall be determined by subtracting federal and state income tax from the employee's gross wage."

Page 28, line 12, delete "shall" and insert "may"

Page 28, line 12, delete ", if any"

Page 28, line 14, after the comma, insert "insurer or employer,"

Page 28, line 16, after "industry" insert ", insurer and employer"

Page 29, line 16, delete "additional"

Page 29, line 28, delete "additional" and insert "retraining"

Page 30, line 9, delete ". At the"

Page 30, lines 10 to 13, delete the new language

Page 30, line 31, after the period, insert "Registration subsequent to the injury shall be based on a medical report made prior to the injury indicating the pre-existing physical impairment."

Page 31, line 6, before "compensation" insert "medical expenses and"

Page 31, line 6, delete "for the disability"

Page 31, line 7, delete "caused by the aggravation"

Page 31, line 9, after "compensation" insert "and medical expense which is attributable to the aggravated injury"

Page 34, line 15, delete "January" and insert "October"

Page 34, line 18, after "1." insert "[CREATED.]"

Page 34, delete lines 20 to 23 and insert "The commissioner of labor and industry shall assess insurers and self-insured employers the amount determined as necessary by the commissioner of insurance pursuant to section 12 of this act and shall deposit these assessments with the state treasurer for the benefit of the reopened case fund."

Page 34, line 27, delete everything after "2."

Page 34, delete lines 28 to 33 and insert "[LIABILITY.]
When a claim for compensation is made pursuant to this chapter by an employee or a claim for death benefits is made pursuant to this chapter on behalf of the dependents of a deceased employee after seven years from the date of the personal injury or death and

no compensation has previously been paid for the injury or death, the claim shall be against and paid from the reopened case fund.

If compensation has previously been paid for the personal injury or death for which compensation is being claimed, the claim shall be against and paid from the reopened case fund only if the claim is made after seven years from the date of injury or death or after three years from the date of last payment or compensation, whichever is later."

Page 35, delete line 1

Page 35, line 2, after "3." insert "[STATUTE OF LIMITATIONS.] *If compensation has not previously been paid pursuant to this chapter,*"

Page 35, line 6, delete the new language after "death"

Page 35, delete line 7

Page 35, line 8, delete everything before the period

Page 35, line 8, after the period insert:

"If compensation has previously been paid pursuant to this chapter, no award of compensation or death benefits shall be made against the reopened case fund or against an employer or insurance carrier when the application or claim for compensation is made after 18 years from the date of the personal injury or death or after eight years from the last payment of compensation, whichever is later."

Page 35, line 10, after "of" delete "a" and insert "the"

Page 35, line 12, after "4." insert "[LAST PAYMENT OF COMPENSATION.]"

Page 35, line 19, after "5." insert "[ADMINISTRATION.]"

Page 35, after line 20, insert:

"Subd. 6. The reopened case fund shall be liable pursuant to this section for injuries which occur after the effective date of this section."

Page 35, line 23, delete "ELECTIVE" and insert "NON-EMERGENCY"

Page 35, line 23, delete "MEDICAL" and insert "SURGICAL"

Page 35, lines 26 and 31, delete "medical" and insert "surgical"

Page 36, after line 1, insert:

"Sec. 31. Minnesota Statutes 1978, Chapter 176, is amended by adding a section to read:

[176.136] [MEDICAL FEE REVIEW.] *The commissioner of labor and industry shall by rule establish procedures for determining whether the charge for a health service is excessive. In order to accomplish this purpose, the commissioner shall consult with insurers, associations and organizations representing the medical and other providers of treatment services and other appropriate groups.*

If the commissioner determines that the charge for a health service is excessive, he may limit payment to the reasonable charge for that service; however, the commissioner shall by rule establish procedures allowing for a provider to appeal such determination. The commissioner may contract with a review organization as defined in section 145.61 in making any determinations as to whether or not a charge is excessive."

Page 36, line 5, after "rights" insert "and obligations"

Page 37, delete lines 6 to 10 and insert:

"The knowledge or notice requirement of this section is not satisfied where the employer has mere knowledge or notice of the employees' inability to work or mere knowledge or notice that the employee is receiving medical treatment or payment for treatment unless the knowledge includes the fact or the notice expressly indicates that the inability to work or that the receipt of medical treatment or payment is as a result of a work related condition."

Page 39, line 26, strike "per annum" and insert "a year"

Page 40, line 1, delete everything after "2." and insert "Where compensation benefits are payable under this chapter"

Page 40, line 2, delete everything before the comma

Page 40, line 5, after "commissioner" insert "of labor and industry"

Page 40, line 14, delete "twelve" and insert "12"

Page 40, line 14, delete "per annum" and insert "a year"

Page 40, line 17, delete "a medical insurance"

Page 40, line 18, delete "carrier, the medical carrier" and insert "an insurer pursuant to chapters 62A, 62C and 62D, that insurer"

Page 40, line 22, delete "medical carrier" and insert "insurer that made the payments"

Page 40, line 23, delete "medical carrier" and insert "insurer"

Page 40, line 24, delete "twelve" and insert "12"

Page 40, line 24, delete "per annum" and insert "a year"

Page 40, after line 24, insert:

"If the employee's medical expenses for a personal injury are paid pursuant to any program administered by the commissioner of public welfare and it is subsequently determined that the injury is compensable pursuant to this chapter, the workers' compensation insurer shall reimburse the commissioner of public welfare for the medical expenses paid and attributable to the personal injury including interest at a rate of 12 percent a year."

Page 41, line 31, after "brochure" insert a comma

Page 41, line 31, delete "plain"

Page 41, line 32, after "language" insert "*easily readable and understandable by a person of average intelligence and education,*"

Page 41, line 33, strike "duties" and insert "obligations"

Page 42, line 12, after "prepare" insert a comma

Page 42, line 12, delete "plain"

Page 42, line 12, after "language" insert "*easily readable and understandable by a person of average intelligence and education,*"

Page 43, line 3, delete "the provisions of"

Page 43, line 4, delete "sections 176.134, subdivision 2, or" and insert "section"

Page 43, line 4, after "176.151" insert "or other sections"

Page 43, after line 16, insert:

"Sec. 42. Minnesota Statutes 1978, Section 176.521, Subdivision 1, is amended to read:

176.521 [SETTLEMENT OF CLAIMS.] Subdivision 1. [VALIDITY.] An agreement between an employee or his dependent and the employer or insurer to settle any claim, which is not upon appeal before the workers' compensation court of appeals, for compensation under this chapter is valid where it has been executed in writing and signed by the parties, *and intervenors in the matter*, and the division has approved the settlement and made an award thereon. If the matter is upon appeal before the workers' compensation court of appeals, the workers' compensation court of appeals is the approving body."

Pages 43 to 49, delete sections 35 to 46

Page 49, line 14, before "The" insert "Subdivision 1."

Page 49, line 16, after the period insert:

"Subd. 2. *The commissioner shall by rule establish a schedule of internal organs which are compensable and indicate in the schedule to what extent the organs are compensable under section 176.101, subdivision 3.*

Subd. 3."

Page 49, delete section 49

Page 49, line 29, after "50." insert [ADDITIONAL HEARING ROOMS.]"

Page 49, after line 32, insert:

"Sec. 46. [SECOND OPINION STUDY.] *The commissioner of labor and industry shall conduct a study on the effect of requiring a mandatory second surgical opinion for non-emergency surgical procedures pursuant to section 30 of this act. The study shall include data regarding the quality and cost of medical care, and other appropriate information. The commissioner shall report his findings to the legislature no later than January 1, 1983.*"

Page 51, line 7, after "79.06;" insert "79.07; 175.092;"

Page 51, line 9, after "1" insert ", Subdivision 6,"

Renumber the sections in sequence

Correct the internal cross references

Amend the title as follows:

Page 1, line 3, after the semicolon insert "increasing the membership of the workers' compensation court of appeals;"

Page 1, line 7, delete "and procedures"

Page 1, line 8, delete "obtaining" and insert "certain"

Page 1, line 8, after "benefits;" insert "changing rehabilitation procedures;"

Page 1, line 11, delete everything after "fund"

Page 1, line 12, delete "providing a penalty"

Page 1, line 14, delete "a subdivision; 79.07" and insert "subdivisions"

Page 1, line 14, after "79.10;" insert "79.21;"

Page 1, line 18, delete "2,"

Page 1, lines 22 and 23, delete ", and by adding subdivisions"

Page 1, lines 24 and 25, delete ", and by adding a subdivision"

Page 1, line 26, delete "176.645" and insert "176.521, Subdivision 1"

Page 1, line 26, after the semicolon insert "Chapters 79, by adding sections; and 176, by adding a section;"

Page 1, line 27, after "79.06;" insert "79.07; 175.092;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

APPOINTMENTS

Mr. Coleman from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S. F. No. 572: Messrs. Bang, Spear, and Solon.

Mr. Coleman moved that the foregoing appointments be approved. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 486, 436, 513, 843, 666, 618, 808, 27, 1002, 923, 1143, 1073, 1114, 1245, 963, 552, 119, 303, 332, 153, 133, 1074, 722, 704, 971, 1149, 579, 1047, 562, 983, 263, 683, 937 and 756

were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 740, 843, 103, 819, 299, 384 and 768 were read the second time.

H. F. Nos. 487 and 757 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Chenoweth introduced—

Senate Resolution No. 25: A Senate resolution naming Rod Carew Day in Minnesota.

Referred to the Committee on Rules and Administration.

Mr. Keefe, S. moved that the name of Mr. Lessard be added as co-author to S. F. No. 1282. The motion prevailed.

CALENDAR

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, Chapters 11, Section 8; 412, Section 2; Laws 1978, Chapters 538, Section 6; and 720, Section 5.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Spear
Bang	Gunderson	Lessard	Perpich	Staples
Benedict	Hanson	Lewis	Peterson	Stokowski
Bernhagen	Hughes	Luther	Pillsbury	Strand
Brataas	Humphrey	McCutcheon	Purfeerst	Stumpf
Chenoweth	Johnson	Menning	Renneke	Tennessee
Chmielewski	Keefe, J.	Merriam	Rued	Ulland, J.
Coleman	Keefe, S.	Moe	Schaaf	Vega
Davies	Kirchner	Nelson	Schmitz	Wegener
Dieterich	Kleinbaum	Nichols	Setzepfandt	Willett
Dunn	Knaak	Ogdahl	Sieloff	
Engler	Knoll	Olhoft	Sikorski	
Frederick	Knutson	Olson	Solon	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Lessard	Perpich	Staples
Benedict	Hughes	Lewis	Peterson	Stokowski
Bernhagen	Humphrey	Luther	Pillsbury	Strand
Chenoweth	Johnson	Menning	Purfeerst	Stumpf
Chmielewski	Keefe, J.	Merriam	Renneke	Tennessee
Davies	Keefe, S.	Moe	Rued	Ulland, J.
Dieterich	Kirchner	Nelson	Schmitz	Vega
Dunn	Kleinbaum	Nichols	Setzepfandt	Wegener
Engler	Knaak	Ogdahl	Sieloff	Willett
Frederick	Knoll	Olhoft	Sikorski	
Gearty	Knutson	Olson	Solon	
Gunderson	Laufenburger	Penny	Spear	

Mrs. Brataas, Messrs. Coleman, McCutcheon and Schaaf voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Frederick	Keefe, J.	Knutson
Bang	Coleman	Gearty	Keefe, S.	Laufenburger
Benedict	Davies	Gunderson	Kirchner	Lessard
Bernhagen	Dieterich	Hanson	Kleinbaum	Lewis
Brataas	Dunn	Hughes	Knaak	Luther
Chenoweth	Engler	Humphrey	Knoll	McCutcheon

Menning	Olson	Rued	Solon	Ulland, J.
Merriam	Penny	Schaaf	Spear	Vega
Moe	Peterson	Schmitz	Staples	Wegener
Nelson	Pillsbury	Setzepfandt	Stokowski	Willet
Nichols	Purfeerst	Sieloff	Strand	
Ogdahl	Renneke	Sikorski	Tennessee	

Messrs. Johnson, Olhoff, Perpich and Stumpf voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Penny	Staples
Bang	Gunderson	Laufenburger	Perpich	Stokowski
Bernhagen	Hanson	Lessard	Peterson	Strand
Brataas	Hughes	Lewis	Pillsbury	Stumpf
Chenoweth	Humphrey	McCutcheon	Purfeerst	Tennessee
Chmielewski	Johnson	Menning	Renneke	Ulland, J.
Coleman	Keefe, J.	Moe	Rued	Vega
Davies	Keefe, S.	Nelson	Schmitz	Wegener
Dieterich	Kirchner	Nichols	Setzepfandt	Willet
Dunn	Kleinbaum	Ogdahl	Sieloff	
Engler	Knaak	Olhoff	Solon	
Frederick	Knoll	Olson	Spear	

Those who voted in the negative were:

Benedict	Luther	Merriam	Schaaf	Sikorski
----------	--------	---------	--------	----------

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Engler	Hughes	Kirchner
Bang	Chmielewski	Frederick	Humphrey	Kleinbaum
Benedict	Davies	Gearty	Johnson	Knaak
Bernhagen	Dieterich	Gunderson	Keefe, J.	Knoll
Brataas	Dunn	Hanson	Keefe, S.	Knutson

Laufenburger	Nelson	Peterson	Setzepfandt	Stumpf
Lessard	Nichols	Pillsbury	Sieloff	Tennessee
Lewis	Ogdahl	Purfeerst	Sikorski	Ulland, J.
Luther	Olhoff	Renneke	Solon	Vega
Menning	Olson	Rued	Spear	Wegener
Merriam	Penny	Schaaf	Staples	Willet
Moe	Perpich	Schmitz	Strand	

Mr. McCutcheon voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 41 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Humphrey	Menning	Peterson	Strand
Benedict	Johnson	Merriam	Purfeerst	Stumpf
Chenoweth	Keefe, S.	Moe	Schaaf	Vega
Chmielewski	Kleinbaum	Nelson	Schmitz	Wegener
Coleman	Knoll	Nichols	Sikorski	Willet
Davies	Lessard	Olhoff	Solon	
Dieterich	Lewis	Olson	Spear	
Gearty	Luther	Penny	Staples	
Hanson	McCutcheon	Perpich	Stokowski	

Those who voted in the negative were:

Bang	Engler	Kirchner	Pillsbury	Tennessee
Bernhagen	Frederick	Knaak	Renneke	Ulland, J.
Brataas	Gunderson	Knutson	Rued	
Dunn	Keefe, J.	Ogdahl	Sieloff	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Gearty	Keefe, S.	Lessard
Bang	Davies	Gunderson	Kirchner	Lewis
Benedict	Dieterich	Hanson	Kleinbaum	Luther
Bernhagen	Dunn	Humphrey	Knaak	McCutcheon
Brataas	Engler	Johnson	Knoll	Menning
Chenoweth	Frederick	Keefe, J.	Knutson	Merriam

Moe	Penny	Rued	Spear	Ulland, J.
Nelson	Perpich	Schaaf	Staples	Vega
Nichols	Peterson	Schmitz	Stokowski	Wegener
Ogdahl	Pillsbury	Sieloff	Strand	Willet
Olhoft	Purfeerst	Sikorski	Stumpf	
Olson	Renneke	Solon	Tennessee	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Garty	Knutson	Olhoft	Sikorski
Benedict	Gunderson	Laufenburger	Olson	Solon
Bernhagen	Hanson	Lessard	Penny	Spear
Brataas	Hughes	Lewis	Perpich	Stokowski
Chenoweth	Humphrey	Luther	Peterson	Strand
Chmielewski	Johnson	McCutcheon	Pillsbury	Stumpf
Coleman	Keefe, J.	Menning	Purfeerst	Tennessee
Davies	Keefe, S.	Merriam	Renneke	Ulland, J.
Dieterich	Kirchner	Moe	Rued	Vega
Dunn	Kleinbaum	Nelson	Schaaf	Wegener
Engler	Knaak	Nichols	Schmitz	Willet
Frederick	Knoll	Ogdahl	Sieloff	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Garty	Knutson	Olhoft	Sikorski
Benedict	Gunderson	Laufenburger	Olson	Solon
Bernhagen	Hanson	Lessard	Penny	Spear
Brataas	Hughes	Lewis	Perpich	Staples
Chenoweth	Humphrey	Luther	Peterson	Stokowski
Chmielewski	Johnson	McCutcheon	Pillsbury	Strand
Coleman	Keefe, J.	Menning	Purfeerst	Stumpf
Davies	Keefe, S.	Merriam	Renneke	Tennessee
Dieterich	Kirchner	Moe	Rued	Ulland, J.
Dunn	Kleinbaum	Nelson	Schaaf	Vega
Engler	Knaak	Nichols	Schmitz	Wegener
Frederick	Knoll	Ogdahl	Sieloff	Willet

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Staples
Bang	Gunderson	Lessard	Perpich	Stokowski
Benedict	Hanson	Lewis	Peterson	Strand
Bernhagen	Hughes	Luther	Pillsbury	Stumpf
Brataas	Humphrey	McCutcheon	Purfeerst	Tennessee
Chenoweth	Johnson	Menning	Renneke	Ulland, J.
Chmielewski	Keefe, J.	Merriam	Rued	Vega
Coleman	Keefe, S.	Moe	Schaaf	Wegener
Davies	Kirchner	Nelson	Schmitz	Willet
Dieterich	Kleinbaum	Nichols	Sieloff	
Dunn	Knaak	Ogdahl	Sikorski	
Engler	Knoll	Olhoff	Solon	
Frederick	Knutson	Olson	Spear	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Olhoff	Sikorski
Bang	Gunderson	Laufenburger	Olson	Solon
Benedict	Hanson	Lessard	Penny	Spear
Bernhagen	Hughes	Lewis	Perpich	Staples
Brataas	Humphrey	Luther	Peterson	Stokowski
Chenoweth	Johnson	McCutcheon	Pillsbury	Strand
Chmielewski	Keefe, J.	Menning	Purfeerst	Stumpf
Coleman	Keefe, S.	Merriam	Renneke	Tennessee
Dieterich	Kirchner	Moe	Rued	Ulland, J.
Dunn	Kleinbaum	Nelson	Schaaf	Vega
Engler	Knaak	Nichols	Schmitz	Wegener
Frederick	Knoll	Ogdahl	Sieloff	Willet

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Staples
Bang	Gunderson	Lessard	Perpich	Stokowski
Benedict	Hanson	Lewis	Peterson	Strand
Bernhagen	Hughes	Luther	Pillsbury	Stumpf
Brataas	Humphrey	McCutcheon	Purfeerst	Tennessee
Chenoweth	Johnson	Menning	Renneke	Ulland, J.
Chmielewski	Keefe, J.	Merriam	Rued	Vega
Coleman	Keefe, S.	Moe	Schaaf	Wegener
Davies	Kirchner	Nelson	Schmitz	Willet
Dieterich	Kleinbaum	Nichols	Sieloff	
Dunn	Knaak	Ogdahl	Sikorski	
Engler	Knoll	Olhoff	Solon	
Frederick	Knutson	Olson	Spear	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 13, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Knoll	Penny	Staples
Benedict	Hanson	Knutson	Perpich	Stokowski
Bernhagen	Hughes	Laufenburger	Pillsbury	Stumpf
Brataas	Humphrey	Lessard	Purfeerst	Tennessee
Chmielewski	Johnson	Lewis	Rued	Vega
Coleman	Keefe, J.	Menning	Schaaf	Wegener
Dieterich	Keefe, S.	Moe	Schmitz	Willet
Dunn	Kirchner	Nelson	Sieloff	
Engler	Kleinbaum	Nichols	Sikorski	
Gearty	Knaak	Olhoff	Solon	

Those who voted in the negative were:

Chenoweth	Luther	Ogdahl	Renneke	Ulland, J.
Davies	McCutcheon	Olson	Spear	
Frederick	Merriam	Peterson	Strand	

So the bill passed and its title was agreed to.

S. F. No. 363: A bill for an act relating to crimes; requiring reporting of firearm discharges by security guards.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Penny	Stokowski
Bang	Gunderson	Lewis	Perpich	Strand
Benedict	Hanson	Luther	Peterson	Stumpf
Bernhagen	Hughes	McCutcheon	Pillsbury	Tennessee
Chenoweth	Humphrey	Menning	Purfeerst	Ulland, J.
Chmielewski	Johnson	Merriam	Schaaf	Vega
Coleman	Keefe, J.	Moe	Schmitz	Wegener
Davies	Keefe, S.	Nelson	Sieloff	Willet
Dieterich	Kirchner	Nichols	Sikorski	
Dunn	Kleinbaum	Ogdahl	Solon	
Engler	Knaak	Olhoff	Spear	
Frederick	Knoll	Olson	Staples	

Those who voted in the negative were:

Brataas	Knutson	Laufenburger	Renneke	Rued
---------	---------	--------------	---------	------

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Laufenburger	Penny	Stokowski
Bang	Hanson	Lessard	Perpich	Strand
Benedict	Hughes	Lewis	Pillsbury	Stumpf
Bernhagen	Humphrey	Luther	Purfeerst	Tennessee
Brataas	Johnson	McCutcheon	Renneke	Ulland, J.
Chenoweth	Keefe, J.	Menning	Rued	Vega
Chmielewski	Keefe, S.	Moe	Schaaf	Wegener
Coleman	Kirchner	Nelson	Schmitz	Willet
Dieterich	Kleinbaum	Nichols	Sieloff	
Dunn	Knaak	Ogdahl	Sikorski	
Engler	Knoll	Olhoff	Solon	
Gearty	Knutson	Olson	Staples	

Messrs. Davies, Frederick, Merriam and Peterson voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olhoft	Sikorski
Bang	Gearty	Laufenburger	Olson	Solon
Benedict	Gunderson	Lessard	Penny	Spear
Bernhagen	Hanson	Lewis	Perpich	Staples
Brataas	Hughes	Luther	Peterson	Stokowski
Chenoweth	Humphrey	McCutcheon	Pillsbury	Strand
Chmielewski	Johnson	Menning	Purfeerst	Stumpf
Coleman	Keefe, J.	Merriam	Renneke	Tennessee
Davies	Keefe, S.	Moe	Rued	Ulland, J.
Dieterich	Kirchner	Nelson	Schaaf	Vega
Dunn	Kleinbaum	Nichols	Schmitz	Wegener
Engler	Knoll	Ogdahl	Sieloff	Willet

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Staples
Bang	Gunderson	Lessard	Perpich	Stokowski
Benedict	Hanson	Lewis	Peterson	Strand
Bernhagen	Hughes	Luther	Pillsbury	Stumpf
Brataas	Humphrey	McCutcheon	Purfeerst	Tennessee
Chenoweth	Johnson	Menning	Renneke	Ulland, J.
Chmielewski	Keefe, J.	Merriam	Rued	Vega
Coleman	Keefe, S.	Moe	Schaaf	Wegener
Davies	Kirchner	Nelson	Schmitz	Willet
Dieterich	Kleinbaum	Nichols	Sieloff	
Dunn	Knaak	Ogdahl	Sikorski	
Engler	Knoll	Olhoft	Solon	
Frederick	Knutson	Olson	Spear	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Olhoft	Spear
Bang	Gearty	Knutson	Olson	Staples
Benedict	Gunderson	Laufenburger	Perpich	Stokowski
Bernhagen	Hanson	Lewis	Pillsbury	Stumpf
Chenoweth	Hughes	Luther	Purfeerst	Tennessen
Chmielewski	Humphrey	McCutcheon	Rued	Vega
Coleman	Johnson	Menning	Schaaf	Wegener
Davies	Keefe, S.	Merriam	Schmitz	
Dieterich	Kirchner	Moe	Sieloff	
Dunn	Kleinbaum	Nelson	Sikorski	
Engler	Knaak	Ogdahl	Solon	

Those who voted in the negative were:

Keefe, J.	Nichols	Peterson	Strand	Willet
Lessard	Penny	Renneke	Ulland, J.	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Staples
Bang	Gunderson	Lessard	Perpich	Stokowski
Benedict	Hanson	Lewis	Peterson	Strand
Bernhagen	Hughes	Luther	Pillsbury	Stumpf
Brataas	Humphrey	McCutcheon	Purfeerst	Tennessen
Chenoweth	Johnson	Menning	Renneke	Ulland, J.
Chmielewski	Keefe, J.	Merriam	Rued	Vega
Coleman	Keefe, S.	Moe	Schaaf	Wegener
Davies	Kirchner	Nelson	Schmitz	Willet
Dieterich	Kleinbaum	Nichols	Sieloff	
Dunn	Knaak	Ogdahl	Sikorski	
Engler	Knoll	Olhoft	Solon	
Frederick	Knutson	Olson	Spear	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Staples
Bang	Gunderson	Lessard	Perpich	Stokowski
Benedict	Hanson	Lewis	Peterson	Strand
Bernhagen	Hughes	Luther	Pillsbury	Stumpf
Brataas	Humphrey	McCutcheon	Purfeerst	Tennessee
Chenoweth	Johnson	Menning	Renneke	Ulland, J.
Chmielewski	Keefe, J.	Merriam	Rued	Vega
Coleman	Keefe, S.	Moe	Schaaf	Wegener
Davies	Kirchner	Nelson	Schmitz	Willet
Dieterich	Kleinbaum	Nichols	Sieloff	
Dunn	Knaak	Ogdahl	Sikorski	
Engler	Knoll	Olhoft	Solon	
Frederick	Knutson	Olson	Spear	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Staples
Bang	Gunderson	Lessard	Perpich	Stokowski
Benedict	Hanson	Lewis	Peterson	Strand
Bernhagen	Hughes	Luther	Pillsbury	Stumpf
Brataas	Humphrey	McCutcheon	Purfeerst	Tennessee
Chenoweth	Johnson	Menning	Renneke	Ulland, J.
Chmielewski	Keefe, J.	Merriam	Rued	Vega
Coleman	Keefe, S.	Moe	Schaaf	Wegener
Davies	Kirchner	Nelson	Schmitz	Willet
Dieterich	Kleinbaum	Nichols	Sieloff	
Dunn	Knaak	Ogdahl	Sikorski	
Engler	Knoll	Olhoft	Solon	
Frederick	Knutson	Olson	Spear	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olson	Spear
Bang	Gearty	Laufenburger	Penny	Staples
Benedict	Gunderson	Lessard	Perpich	Stokowski
Bernhagen	Hanson	Lewis	Peterson	Strand
Brataas	Hughes	Luther	Pillsbury	Stumpf
Chenoweth	Humphrey	McCutcheon	Purfeerst	Tennessee
Chmielewski	Johnson	Menning	Renneke	Ulland, J.
Coleman	Keefe, J.	Merriam	Rued	Vega
Davies	Keefe, S.	Moe	Schaaf	Wegener
Dieterich	Kirchner	Nelson	Schmitz	Willet
Dunn	Kleinbaum	Nichols	Sikorski	
Engler	Knaak	Olhoff	Solon	

Mr. Sieloff voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olhoff	Sikorski
Bang	Gearty	Laufenburger	Olson	Solon
Benedict	Gunderson	Lessard	Penny	Spear
Bernhagen	Hanson	Lewis	Perpich	Staples
Brataas	Hughes	Luther	Peterson	Stokowski
Chenoweth	Humphrey	McCutcheon	Pillsbury	Strand
Chmielewski	Johnson	Menning	Purfeerst	Stumpf
Coleman	Keefe, J.	Merriam	Renneke	Tennessee
Davies	Keefe, S.	Moe	Rued	Ulland, J.
Dieterich	Kleinbaum	Nelson	Schaaf	Vega
Dunn	Knaak	Nichols	Schmitz	Wegener
Engler	Knoll	Ogdahl	Sieloff	Willet

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Staples
Bang	Gunderson	Lessard	Perpich	Stokowski
Benedict	Hanson	Lewis	Peterson	Strand
Bernhagen	Hughes	Luther	Pillsbury	Stumpf
Brataas	Humphrey	McCutcheon	Purfeerst	Tennessee
Chenoweth	Johnson	Menning	Renneke	Ulland, J.
Chmielewski	Keefe, J.	Merriam	Rued	Vega
Coleman	Keefe, S.	Moe	Schaaf	Wegener
Davies	Kirchner	Nelson	Schmitz	Willet
Dieterich	Kleinbaum	Nichols	Sieloff	
Dunn	Knaak	Ogdahl	Sikorski	
Engler	Knoll	Olhoff	Solon	
Frederick	Knutson	Olson	Spear	

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S. F. No. 926: A bill for an act relating to the city of Saint Paul; authorizing the port authority to make certain investments.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Ogdahl	Sieloff
Bang	Gearty	Knutson	Olhoff	Sikorski
Benedict	Gunderson	Laufenburger	Olson	Solon
Bernhagen	Hanson	Lessard	Penny	Spear
Brataas	Hughes	Lewis	Perpich	Staples
Chenoweth	Humphrey	Luther	Peterson	Strand
Chmielewski	Johnson	McCutcheon	Pillsbury	Stumpf
Coleman	Keefe, J.	Menning	Purfeerst	Tennessee
Davies	Keefe, S.	Merriam	Renneke	Ulland, J.
Dieterich	Kirchner	Moe	Rued	Vega
Dunn	Kleinbaum	Nelson	Schaaf	Wegener
Engler	Knaak	Nichols	Schmitz	Willet

So the bill passed and its title was agreed to.

S. F. No. 919: 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.

Mr. Laufenburger moved that S. F. No. 919, No. 2 on the Consent Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, April 19, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

THIRTY-SEVENTH DAY

St. Paul, Minnesota, Wednesday, April 18, 1979

The House of Representatives met on Wednesday, April 18, 1979, which was the Thirty-Seventh Legislative Day of the Seventy-First Session of the Minnesota State Legislature. The Senate did not meet on this date.

THIRTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, April 19, 1979

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Frederick	Lewis	Peterson	Strand
Ashbach	Gearty	McCutcheon	Pillsbury	Stumpf
Bang	Gunderson	Menning	Purfeerst	Tennessee
Bernhagen	Hughes	Moe	Renneke	Ueland, A.
Chmielewski	Jensen	Nelson	Rued	Ulland, J.
Coleman	Johnson	Nichols	Schmitz	Vega
Davies	Keefe, S.	Ogdahl	Setzepfandt	Wegener
Dieterich	Kirchner	Olson	Sieloff	Willet
Dunn	Kleinbaum	Penny	Spear	
Engler	Knaak	Perpich	Stokowski	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. George C. Stierwald.

The roll was called, and the following Senators answered to their names:

Anderson	Gearty	Knutson	Penny	Solon
Ashbach	Gunderson	Laufenburger	Perpich	Spear
Bang	Hanson	Lessard	Peterson	Staples
Benedict	Hughes	Lewis	Pillsbury	Stokowski
Bernhagen	Humphrey	Luther	Purfeerst	Strand
Chenoweth	Jensen	McCutcheon	Renneke	Stumpf
Chmielewski	Johnson	Menning	Rued	Tennessee
Coleman	Keefe, J.	Moe	Schaaf	Ueland, A.
Davies	Keefe, S.	Nelson	Schmitz	Ulland, J.
Dieterich	Kirchner	Nichols	Setzepfandt	Vega
Dunn	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knaak	Olhoff	Sikorski	Willet
Frederick	Knoll	Olson	Sillers	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mrs. Brataas, Messrs. Merriam and Schrom were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Messrs. Peterson, Hanson, Sieloff, Sillers and Johnson introduced—

S. F. No. 1394: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Hughes, Stumpf and Strand introduced—

S. F. No. 1395: 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.

Referred to the Committee on Education.

Mr. Hughes introduced—

S. F. No. 1396: 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.

Referred to the Committee on Governmental Operations.

Mr. Davies introduced—

S. F. No. 1397: A bill for an act relating to education; providing for school bus safety education; eliminating certain requirements relating to the use of stop signal arms, flashing red signals and school patrol flags and signals in connection with school buses; imposing a duty on the driver of a school bus; amending Minnesota Statutes 1978, Section 169.44, Subdivision 2.

Referred to the Committee on Transportation.

Mr. Davies introduced—

S. F. No. 1398: A bill for an act relating to accounting; providing for the licensing of public accountants and certified public accountants; specifying additional means of satisfying experience requirements; amending Minnesota Statutes 1978, Section 326.19, Subdivision 4.

Referred to the Committee on Commerce.

Messrs. Johnson, Nelson, Hughes, Anderson and Dunn introduced—

S. F. No. 1399: A bill for an act relating to education; establishing a basic skills program; appropriating money.

Referred to the Committee on Education.

Mr. Strand introduced—

S. F. No. 1400: 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.

Referred to the Committee on Local Government.

Mr. Nichols introduced—

S. F. No. 1401: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Pillsbury, Schmitz and Dunn introduced—

S. F. No. 1402: A bill for an act relating to elections; regulating campaign financing; prohibiting contributions and loans between principal campaign committees; amending Minnesota Statutes 1978, Section 10A.27, by adding a subdivision.

Referred to the Committee on Elections.

Messrs. Jensen, Frederick, Laufenburger, Renneke and Peterson introduced—

S. F. No. 1403: 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.

Referred to the Committee on Employment.

Mr. Menning introduced—

S. F. No. 1404: A bill for an act relating to retirement; authorizing retirement plans for certain ambulance drivers and attendants; providing for the financing thereof.

Referred to the Committee on Governmental Operations.

Messrs. Olhoft, Nelson, Sikorski, Kirchner and Gunderson introduced—

S. F. No. 1405: A bill for an act relating to welfare; establishing a pilot program of subsidies to families caring in the home for cer-

tain physically handicapped or developmentally disabled children or for physically impaired or chronically ill persons over the age of 65; appropriating money; amending Minnesota Statutes 1978, Section 256B.51; and Chapter 245, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Solon introduced—

S. F. No. 1406: 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.

Referred to the Committee on Transportation.

Mr. Chmielewski introduced—

S. F. No. 1407: 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.

Referred to the Committee on Transportation.

Mr. Keefe, S. introduced—

S. F. No. 1408: A bill for an act relating to taxation; motor vehicle excise; exempting used motor vehicle sales; amending Minnesota Statutes 1978, Section 297B.03.

Referred to the Committee on Taxes and Tax Laws.

Mr. Keefe, S. introduced—

S. F. No. 1409: 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.

Referred to the Committee on Elections.

Messrs. Kleinbaum, Stokowski and Ogdahl introduced—

S. F. No. 1410: 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.

Referred to the Committee on Governmental Operations.

Messrs. Kleinbaum, Stokowski and Ogdahl introduced—

S. F. No. 1411: 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.

Referred to the Committee on Governmental Operations.

Messrs. Kleinbaum, Stokowski and Ogdahl introduced—

S. F. No. 1412: 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.

Referred to the Committee on Governmental Operations.

Mr. Perpich introduced—

S. F. No. 1413: A bill for an act relating to the county of St. Louis; permitting the sale of certain tax-forfeited land.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Kirchner, Nelson, Coleman, Solon and Knutson introduced—

S. F. No. 1414: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. McCutcheon, Solon and Stokowski introduced—

S. F. No. 1415: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Nelson introduced—

S. F. No. 1416: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Solon introduced—

S. F. No. 1417: 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 nonpublic school teachers; amending Minnesota Statutes 1978, Chapter 354, by adding a section.

Referred to the Committee on Governmental Operations.

Messrs. Knutson and Kirchner introduced—

S. F. No. 1418: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Schaaf introduced—

S. F. No. 1419: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Anderson, Schaaf, Stokowski and Merriam introduced—

S. F. No. 1420: A bill for an act relating to the county of Anoka; authorizing housing finance programs; providing for the issuance of revenue bonds.

Referred to the Committee on Energy and Housing.

Messrs. Davies, Schaaf and Keefe, J. introduced—

S. F. No. 1421: A bill for an act relating to crimes; immunity from prosecution; changing the current transactional immunity to conform with federal use immunity; amending Minnesota Statutes 1978, Section 609.09, Subdivision 1.

Referred to the Committee on Judiciary.

Mr. Knutson introduced—

S. F. No. 1422: 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.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Knutson introduced—

S. F. No. 1423: 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.

Referred to the Committee on Energy and Housing.

Messrs. Olhoft, McCutcheon, Peterson, Johnson and Davies introduced—

S. F. No. 1424: 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; providing a credit for sale of automobile in computing motor vehicle excise tax; 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; 297A.39, Subdivision 3; and 297B.01, Subdivision 8.

Referred to the Committee on Taxes and Tax Laws.

Mr. Schmitz introduced—

S. F. No. 1425: 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.

Referred to the Committee on Local Government.

Mrs. Staples and Mr. Renneke introduced—

S. F. No. 1426: 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 the 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.

Referred to the Committee on Governmental Operations.

Mr. Engler introduced—

S. F. No. 1427: A bill for an act relating to energy; encouraging municipalities to use diseased trees as firewood.

Referred to the Committee on Energy and Housing.

Mr. Sikorski introduced—

S. F. No. 1428: 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.

Referred to the Committee on Judiciary.

Mr. Sikorski introduced—

S. F. No. 1429: 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.

Referred to the Committee on Energy and Housing.

Messrs. Bang, Engler and Olson introduced—

S. F. No. 1430: 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.

Referred to the Committee on Commerce.

Mr. Engler introduced—

S. F. No. 1431: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sikorski introduced—

S. F. No. 1432: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Sikorski introduced—

S. F. No. 1433: A bill for an act relating to Washington County; providing for the appointment and compensation of probation officers; amending Laws 1978, Chapter 693, Section 2.

Referred to the Committee on Local Government.

Mr. Sikorski introduced—

S. F. No. 1434: 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.

Referred to the Committee on Governmental Operations.

Messrs. Sieloff, Knutson, Spear and Dieterich introduced—

S. F. No. 1435: A resolution memorializing the Federal Republic of Germany to repeal the statute of limitations for Nazi crimes.

Referred to the Committee on Judiciary.

Mr. Knutson introduced—

S. F. No. 1436: A bill for an act relating to human services; altering provisions related to membership of human services boards; establishing procedures for planning by the boards; prescribing additional duties of the state planning officer; providing for reports by the board; amending Minnesota Statutes 1978, Sections 402.01; 402.02; 402.03; 402.04, Subdivision 1; 402.045; 402.05, by adding

a subdivision; 402.06; 402.065; 402.07; and 402.095; and Chapter 402, by adding a section; repealing Minnesota Statutes 1978, Sections 402.046; and 402.05, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Merriam introduced—

S. F. No. 1437: A bill for an act relating to education; teachers; modifying and providing procedures for termination, discharge or demotion of certain teachers; amending Minnesota Statutes 1978, Sections 125.12, Subdivisions 3, 4, 6b, 8 and 11; 125.17, Subdivisions 2 and 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.

Referred to the Committee on Education.

Mr. Olhoft introduced—

S. F. No. 1438: A bill for an act relating to towns; providing for the date and notice of town meetings; amending Minnesota Statutes 1978, Section 365.51.

Referred to the Committee on Local Government.

Mr. Moe introduced—

S. F. No. 1439: 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.

Referred to the Committee on Judiciary.

Mr. Spear introduced—

S. F. No. 1440: 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.

Referred to the Committee on Commerce.

Mr. Solon introduced—

S. F. No. 1441: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Laufenburger introduced—

S. F. No. 1442: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Laufenburger introduced—

S. F. No. 1443: 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 Whitewater State Park; including within the study the feasibility and cost of relocating certain park facilities; appropriating money.

Referred to the Committee on Transportation.

Messrs. Davies, Merriam, Bang, Ashbach and Laufenburger introduced—

S. F. No. 1444: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. McCutcheon introduced—

S. F. No. 1445: A bill for an act relating to taxation; redefining "sales price" to omit federal excise tax on tires for purposes of determining sales tax; amending Minnesota Statutes 1978, Section 297A.01, Subdivision 8.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Stumpf, McCutcheon, Mrs. Knaak, Messrs. Ashbach and Chenoweth introduced—

S. F. No. 1446: 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.

Referred to the Committee on Local Government.

Mr. Olson introduced—

S. F. No. 1447: 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.

Referred to the Committee on Education.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

February 21, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Chairperson of the Crime Control Planning Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Robert J. Griesgraber, 1995 Prosperity Road, St. Paul, Ramsey County, has been appointed by me, effective February 26, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Health, Welfare and Corrections.)

March 26, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Occupational Safety and Health Review Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Homer A. Childs, 8004 Pennsylvania Road, Bloomington, Hennepin County, has been appointed by me, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Employment.)

April 10, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Crime Control Planning Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Robert A. Barrett, 112 Center St., Mankato, Blue Earth County, has been appointed by me, effective April 13, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Health, Welfare and Corrections.)

April 12, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Board of the Arts is hereby respectfully submitted to the Senate for confirmation as required by law:

Carole R. Achterhof, Rural Route 2, Luverne, Rock County, has been appointed by me, effective April 12, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on General Legislation and Administrative Rules.)

April 13, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Gillette Hospital Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Herbert G. Lancaster, 5345 Hodgson Road, St. Paul, Ramsey County, has been appointed by me, effective April 13, 1979, for a term expiring the first Monday in January, 1982.

(Referred to the Committee on Health, Welfare and Corrections.)

April 13, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Public Employment Relations Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Karen A. Olsen, 1809 41st Avenue NE, Minneapolis, Anoka County, has been appointed by me, effective April 13, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

Sincerely,
Albert H. Quie, Governor

April 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. Nos. 530, 51, and 72.

Sincerely,
Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 322.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 18, 1979

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 318, 455, 748, 749, 914, 1065, 1226, 1227, 1235 and 1245.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 18, 1979

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 153, now in the Subcommittee on Bill Scheduling.

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.

Referred to the Committee on Education.

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.

Referred to the Committee on Governmental Operations.

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; 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; 354A.22; Laws 1976, Chapter 238, Section 12; and Laws 1977, Chapter 429, Section 60.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk, with the exception of the reports on S. F. Nos. 765, 787 and 1141, be now adopted. The motion prevailed.

Mr. Olson from the Committee on General Legislation and Administrative Rules, 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; providing for use of original plates on certain vehicles; amending Minnesota Statutes 1978, Section 168.10.

Reports the same back with the recommendation that the bill be amended as follows:

Page 11, line 17, after the period, insert "*Original Minnesota number plates shall not be used if the number on the original plate is identical to a number on any current street rod plate or any other plate in a numbering system used by the registrar.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 624: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 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 include 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.

(10) "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)~~ (11) "Person" means an individual, corporation, business trust, partnership or association or any other legal entity.

~~(9)~~ (12) "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 the state register on or before the last day of that month and in a legal newspaper in Ramsey County on or before the first day of the next succeeding month, or as soon thereafter as practicable; the maximum lawful rate of interest to be effective on the first day of the next succeeding 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 commis-*

sioner 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. No conventional loan or loan authorized in subdivision 1 made on or after the effective date of Laws 1977, Chapter 350

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. *If the purpose of a conventional loan is to enable a borrower to purchase a one to four family dwelling for his or her primary residence, the lender shall consent to the subsequent transfer of the real estate if the existing borrower continues after transfer to be obligated for repayment of the entire remaining indebtedness. The lender shall release the existing borrower from all obligations under the loan instruments, if the transferee (1) meets the standards of credit worthiness normally used by persons in the business of making conventional loans, including but not limited to the ability of the transferee to make the loan payments and satisfactorily maintain the real estate used as collateral, 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 remaining 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.*

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.*"

Delete the title and insert:

"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, Section 47.20, Subdivisions 2, 3, 4, 6, 7, and 13, and by adding subdivisions."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was re-referred

S. F. No. 921: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, before "A" insert "A taxpayer may take"

Page 1, line 8, delete "in" and insert "against tax due under chapter 290 of one-half"

Page 1, line 8, delete "an"

Page 1, line 9, delete "individual" and insert "the taxpayer"

Page 1, line 10, delete "the individual's" and insert "his"

Page 1, line 10, delete "may be"

Page 1, delete line 11

Page 1, line 12, delete everything before the period, and after the period insert "The credit shall not exceed \$75 for an individual or \$150 for a married couple filing jointly."

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 1061: A bill for an act relating to transportation; providing for performance funding of certain public transit systems; amending Minnesota Statutes 1978, Section 174.28.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 174.23, Subdivision 2, is amended to read:

Subd. 2. [FINANCIAL ASSISTANCE.] The commissioner shall seek out and select eligible recipients of financial assistance under sections 174.21 to 174.27. The commissioner shall establish by rule the procedures and standards for review and approval of applications for financial assistance submitted to the commissioner pursuant to sections 174.21 to 174.27. Any applicant shall provide to the commissioner any financial or other information required by the commissioner to carry out his duties. The commissioner may require local contributions from applicants as a condition for receiving financial assistance. *Before the commissioner shall not approve approves any grant unless: (1) the application for the grant has been shall be reviewed and approved by the appropriate regional development commission or the metropolitan council only for consistency with regional transportation plans and development guides; and (2) in the case of a project to be operated in the metropolitan area, . If an applicant proposes a project within the jurisdiction of any transit authority or commission or any transit system assisted or operated by a city or county the application has been shall also be reviewed by the metropolitan transit that commission , authority or political subdivision for consistency with its transportation development program transit programs, policies and plans .* Any regional development commission that has not adopted a transportation plan may review but may not approve or disapprove of any application.

Sec. 2. Minnesota Statutes 1978, Section 174.24, Subdivision 2, is amended to read:

Subd. 2. [ELIGIBILITY; APPLICATIONS.] Any legislatively established public transit commission or authority, any county or

statutory or home rule charter city providing financial assistance to or operating public transit, any private operator of regular route public transit, or any combination thereof is eligible to receive financial assistance through the public transit subsidy program.

Sec. 3. Minnesota Statutes 1978, Section 174.24, Subdivision 3, is amended to read:

Subd. 3. [FINANCIAL ASSISTANCE.] Payment of financial assistance shall be by contract between the commissioner and an eligible recipient. The commissioner shall determine the operating deficit of any public transit system receiving or applying for assistance in accordance with generally accepted accounting principles, provided that any financial assistance received from any agency of the federal government for the operation of a public transit system shall be treated as revenue for the purposes of determining the operating deficit. *To be eligible for financial assistance an applicant or recipient shall provide to the commissioner all financial records and other information and shall permit any inspection reasonably necessary to determine the amount of assistance which may be paid to the applicant or recipient.* Where more than one county or municipality contributes assistance to the operation of a public transit system the commissioner shall identify one as lead agency for the purpose of receiving moneys under this section. *The commissioner may adopt rules establishing performance standards for public transit systems for use in determining the amount of assistance which may be paid to an eligible recipient. Except as otherwise provided in this subdivision, payments shall not exceed two-thirds of the operating deficit of a public transit system; except that . The commissioner shall adopt rules establishing uniform performance standards for private operators of regular route transit systems in the transit taxing district as defined in section 473.446, subdivision 2.* Payments to eligible recipients ~~who are those private operators in the transit taxing district defined in section 473.446, subdivision 2;~~ may be up to ~~shall be based on the uniform performance standards and shall not exceed~~ 100 percent of the operating deficit. Payments to the metropolitan transit commission shall be based upon a performance funding system established by the commissioner or otherwise as provided by law in section 174.28 .

Sec. 4. Minnesota Statutes 1978, Section 174.24, Subdivision 4, is amended to read:

Subd. 4. [SOCIAL FARE REIMBURSEMENT.] The commissioner shall reimburse the metropolitan transit commission and any private operators in the transit taxing district defined in section 473.446, subdivision 2 for the difference between the full fare otherwise charged by the commission or private operator and the fare actually charged for any regular route transit service passenger pursuant to the social fare provisions of section 473.408, subdivision 3. Reimbursement shall be paid ~~monthly~~ *bimonthly* upon a report by the commission or private operator of the number of reduced fare passengers carried ~~for during the preceding calendar month~~ *reimbursement period* in each reduced fare category and the total

amount that otherwise would have been charged for the service by the commission or private operator on a full fare basis.

Sec. 5. Minnesota Statutes 1978, Section 174.25, Subdivision 1, is amended to read:

174.25 [PARATRANSIT GRANT PROGRAM.] Subdivision 1. **[PURPOSE.]** A paratransit service demonstration grant program is established to ~~plan, promote, demonstrate, and evaluate the effectiveness, cost, and efficiency of~~ *provide grants for paratransit as a means of accomplishing projects designed to accomplish the following objectives:*

(a) to provide transportation services in those areas inefficiently or inadequately served by regular route transit;

(b) to provide transportation services which improve the accessibility and productivity of regular route transit;

(c) to provide transportation services for persons who because of age or incapacity are unable to drive a private automobile or use existing modes of public transit.

Grants may be made for demonstration projects or for projects of a type which the commissioner has determined to be successful on the basis of demonstration projects already implemented and evaluated. Except as otherwise provided in this subdivision, grants for a paratransit project shall not exceed two-thirds of the operating deficit and 50 percent of any non-federal share of the capital costs. Grants for a demonstration project, other than grants to the metropolitan transit commission, shall not exceed 90 percent of the capital costs and operating deficit of the project. Grants to the metropolitan transit commission for any paratransit project may be up to 100 percent of the operating deficit but may not include any portion of the capital costs.

Sec. 6. Minnesota Statutes 1978, Section 174.26, Subdivision 1, is amended to read:

174.26 [REGULAR ROUTE TRANSIT IMPROVEMENT PROGRAM.] Subdivision 1. **[PURPOSE.]** A regular route transit ~~demonstration improvement~~ program is established to ~~demonstrate new regular route transit services and provide temporary financial assistance for the operation of new regular routes for a period necessary to determine the effectiveness and efficiency of the routes but not to exceed one year for any route.~~ *Grants may also be made under the program for projects designed to improve the patronage and productivity of existing regular route transit services.*

Sec. 7. Minnesota Statutes 1978, Section 174.28, is amended to read:

174.28 [PERFORMANCE FUNDING.] Subdivision 1. **[DEFINITIONS.]** For the purpose of this section the following terms have the meanings given them in this subdivision.

(a) "Commissioner" means the commissioner of transportation.

(b) "Contract" means a contract made pursuant to section 174.24.

(c) "Subsidy per passenger" means the amount calculated pursuant to subdivision 3, clause (b) plus the amount paid under any contract pursuant to subdivision 2, divided by the number of passengers carried on regular route bus service operated by the commission during that year, excluding passengers carried on demonstration routes for which assistance is received pursuant to section 174.26 transfers.

(d) "Municipality" means any statutory or home rule charter city, county or town.

(e) "Route" means any route on which the commission operates regular route bus service.

(f) "Revenue attributable to the route" means the total of: (i) the fares actually paid on the route; (ii) amounts reimbursed social fare reimbursement paid pursuant to section 174.24, subdivision 4 attributable to service on the route; and (iii) all payments received by the commission from municipalities for retention of service on the route.

(g) "Route deficit" means the difference between the actual operating cost of any route and the revenue attributable to the route divided by the number of passengers carried on that route including transfers.

Subd. 2. [BASIS AND FORM OF CONTRACT.] Any contract entered into by the commissioner and the commission which provides financial assistance to the commission during any year subsequent to December 31, 1977, shall provide for payment to the commission of an amount which, when added to the amount calculated under subdivision 3, clause (b), and divided by the passengers carried during that period, will provide the commission with a 48 cent subsidy per passenger in calendar year 1978 and a 49 cent subsidy in the first half of 1979. In addition the commissioner shall provide assistance by contract with the commission for general administrative and planning expenses. Pursuant to the public transit subsidy program the commissioner shall enter one or more contracts with the commission to pay amounts sufficient to provide the commission with a subsidy per passenger of 47 cents in the last half of calendar year 1979, 48 cents in calendar year 1980, and 48 cents in the first half of calendar year 1981. Except as otherwise provided in this subdivision, the amount paid under all contracts entered during fiscal years 1980 and 1981 shall not exceed an amount specifically appropriated for such contracts.

If the commission becomes eligible as a result of ridership increases to receive an additional contract payment in excess of an amount specifically appropriated, the commissioner shall submit a report to the governor showing the amount of the additional payment, the contractual provisions and ridership statistics on which the payment is based and the commissioner's recommendation concerning whether the payment should be made. The governor, after

consultation with the legislative advisory commission as provided in section 3.30, may authorize the payment to the commission.

Subd. 3. [SUBSIDY PER PASSENGER.] (a) After the close of each month, the commission shall report to the commissioner the number of passengers carried during that month on regular route bus service operated by the commission. The commissioner shall use these figures reported by the commission in computing payments due under any contract entered into pursuant to this section. The commission shall make available to the commissioner any information required to permit the commissioner to carry out his duties under this section.

(b) The commissioner shall calculate the total amount of money received by the commission from all sources to pay the expenses of operating regular route bus service *including all planning and administration expenses of the commission* during the calendar year and shall include the following items in that amount:

(i) *grants for operating assistance and transit planning received from the federal government pursuant to 49 U.S.C. 1604 ;*

(ii) *proceeds of any property tax levied by the commission under section 473.446, clause (a);*

(iii) *financial assistance received from political subdivisions, public agencies other than the department of transportation, or private entities or persons whether received as a grant, payment of a contractual obligation or otherwise. The commissioner shall exclude from that amount any revenue received by the commission from in the form of regular route bus fares paid for regular route bus service and money paid by the commissioner to reimburse the commission for providing reduced , social fare service reimbursement pursuant to section 473.408 174.24, subdivision 4 or to permit the commission to operate and regular route demonstration services improvement grants pursuant to section 174.26. The commissioner shall periodically examine the commission's data concerning the number of passengers carried on regular route bus service and the procedures for collecting that data.*

Subd. 4. [PROCEDURE FOR BIMONTHLY PAYMENT.] Sums owed under any contract made pursuant to this section shall be paid *monthly bimonthly* in a manner determined by the commissioner consistent with subdivisions 1 to 3.

Subd. 5. [ROUTE DEFICIT LIMIT.] *The commission shall set a maximum route deficit limit which shall not be exceeded on any of its routes except a route which provides the only regular route bus service to a statutory or home rule charter city located within the transit taxing district as defined in section 473.446, subdivision 2. A route deficit limit set by the commission shall remain in effect for at least six months before a new limit may be set. The commission shall set a route deficit limit and implement that limit not later than January 1, 1980.*

Sec. 8. Minnesota Statutes 1978, Section 473.411, Subdivision 1, is amended to read:

473.411 [TRANSPORTATION DEVELOPMENT PROGRAM.] Subdivision 1. **[DEVELOPMENT PROGRAM.]** The commission shall prepare and submit in the manner provided in and satisfying the requirements of section 473.161, a transportation development program, providing for the implementation of the policy plan adopted by the council. In preparing the program, the commission shall consult with counties and municipalities in the metropolitan area, the state transportation department and the state planning agency, and for that purpose may create such advisory committees as may be necessary.

Such program shall provide for coordination of routes and operations of all publicly and privately owned transportation facilities within the transit area to the end that combined efficient and rapid transportation may be provided for the use of the public in the entire area. The commission may designate a segment of the system planned as a pilot or demonstration transportation project using, without limitation, new technology including airborne systems, or traditional systems of evolved or modern form. The transportation development program shall include the general alignment and profile, approximate points of access, facility classification, approximate cost, relation to other existing and planned transportation routes and facilities, and a statement of the expected general effect on present and future use of the property within the corridor. The program shall be accompanied with a statement of need for the proposed construction or improvement, a description of alternate routes which were considered, and an explanation of the advantages and disadvantages in the selection of any route considered. The transportation development program shall also contain a description of the type of right of way or routes required; the type of transit service to be provided in each portion of the system; designation of transit mode; and appropriate general operating criteria. The program shall also contain an operational improvement program which shall at least describe performance objectives and standards which the commission proposes to achieve in satisfying policies, purposes, and goals established by the legislature and the council; identify performance indicators by which to monitor and assess progress in achieving the objectives and standards; and establish a route deficit limit *as provided in section 174.28; subdivision 5*. The program may include such other information as the council or the commission deems necessary.

Delete the title in its entirety and insert:

"A bill for an act relating to public transit; providing for certain administrative procedures under the public transit subsidy program; authorizing grants for ongoing paratransit projects; establishing matching fund formulas for paratransit grants; clarifying the purposes of the regular route improvement program; establishing subsidy per passenger levels for the metropolitan transit commission; requiring the metropolitan transit commission to establish a route deficit limit; amending Minnesota Statutes 1978, Sections 174.23, Subdivision 2; 174.24, Subdivisions 2, 3 and 4; 174.25, Subdivision 1; 174.26, Subdivision 1; 174.28; and 473.411, Subdivision 1."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 913: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 320: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 445: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 7, 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*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1158: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after "after" insert "a"

Page 1, line 17, strike "findings" and insert "*finding*"

Page 1, line 17, strike "such" and insert "*the*"

Page 1, line 17, strike "for" and insert "*in*"

Page 1, line 19, delete "*such a*" and insert "*the*"

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 2, strike "Such" and insert "*The*"

Page 2, line 4, strike "such" and insert "*the*"

Page 2, line 5, strike "for" and insert "*in*"

Page 2, line 6, delete "*such a*" and insert "*the*"

Page 2, line 10, after the period, insert "*The proceedings shall be conducted so as to preserve the confidentiality of the adoption process.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 1211: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Notwithstanding any provision of law, franchise, or charter to the contrary, the city of Saint 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 Saint 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 Saint Paul and compliance with Minnesota Statutes, Section 645.021."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was re-referred

S. F. No. 272: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, delete lines 12 and 13

Page 5, line 14, delete "wetlands" and insert "average level of estimated market value of tillable land in the township of the qualifying wetland"

Page 5, line 19, delete "based on valuations of"

Page 5, delete line 20

Page 5, line 24, after the period, insert "The amount of revenue lost as a result of the exemption shall be computed each year by applying the current mill rates of the taxing jurisdictions in which the wetlands are located to the assessed valuation of the wetlands for purposes of taxes levied in 1979, payable in 1980."

Page 5, line 27, delete "Any prior year"

Page 5, delete line 28

Page 5, line 29, delete "lists."

Page 6, after line 19, insert:

"Sec. 3. Minnesota Statutes 1978, Section 275.51, Subdivision 3d, is amended to read:

Subd. 3d. The property tax levy limitation for governmental subdivisions in 1977 payable in 1978 and subsequent years shall be calculated as follows:

(a) The sum of the following amounts shall be computed: (1) the property tax permitted to be levied in 1976 payable 1977 computed pursuant to Minnesota Statutes 1976, Section 275.51, Subdivision 3c, plus

(2) the amount of any state aids the governmental subdivision was entitled to receive in calendar year 1977 pursuant to sections 477A.01; 298.26; 298.28, subdivisions 1 and 1a; 298.281, subdivision 1; 298.282; and 294.26, plus

(3) the amount levied in 1976 payable 1977 pursuant to Minnesota Statutes 1976, Section 275.50, Subdivision 5, Clauses (a), (c), (d), (e), and (f), except for levies made to pay tort judgments and make settlements of tort claims or to pay the salaries and benefits of municipal and probate court judges, plus

(4) the amount levied in 1976 payable 1977 pursuant to Minnesota Statutes 1976, Section 275.50, Subdivision 5, Clause (g) for the administrative costs of public assistance programs or county welfare systems, plus

(5) one-half of the amount of the special levy authorized under section 275.50, subdivision 5, clause (n) shall be added to the permanent levy limit base of the governmental subdivision in the year following the year in which it has been discontinued as a special levy pursuant to the provisions of section 275.50, subdivision 5, clause (n).

(b) The sum computed in clause (a) shall be increased annually in the manner provided in section 275.52 to derive the levy limit base for successive years.

(c) For taxes levied in 1978 payable 1979 and subsequent years, the levy limit base is the levy limit base which was computed for the immediately preceding year under the provisions of this section increased according to the provisions of section 275.52. Any amount levied in 1976 payable 1977 under the provisions of section 275.50, subdivision 5, clauses (a), (c), (d), (e) or (f) to meet the costs of programs, services or legal requirements which cease to exist in a subsequent year shall be subtracted from the levy limit base in the year in which the programs, services or legal requirements for which the levy was made cease to exist.

(d) The levy limit base shall be reduced by the total amount of state formula aids pursuant to section 477A.01 and taconite taxes and aids pursuant to sections 294.26; 298.26; 298.28, subdivision 1; and 298.282 ; and *state reimbursements for wetlands property tax exemptions* , to be paid in the calendar year in which property taxes are payable. As provided in section 298.28, subdivision 1, for taxes payable in 1978 and 1979, two cents per taxable ton, and for taxes payable in 1980 and thereafter, one cent per taxable ton of the amount distributed under section 298.28, subdivision 1, clause (4)(c) shall not be deducted from the levy limit base of the counties that receive that aid. The resulting figure is the amount of property taxes which a governmental subdivision may levy for all purposes other than those for which special levies and special assessments are made."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "revenues;" insert "reducing local levies to the extent of state reimbursement;"

Page 1, line 6, delete "Section" and insert "Sections"

Page 1, line 7, after "1" insert "; and 275.51, Subdivision 3d"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was re-referred

S. F. No. 859: A bill for an act relating to municipal industrial development; excepting certain projects; amending Minnesota Statutes 1978, Section 474.02, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [462C.01] [AUTHORIZATION.] *Subdivision 1. A statutory or home rule charter city may develop and administer programs of purchasing mortgage loans to finance the acquisition of single family housing by low and moderate income persons and families anywhere within its boundaries upon the following conditions:*

(a) *The city develops a housing plan as required by section 2;*

(b) *A public hearing is held thereon after one publication of notice in a newspaper circulating generally in the city, at least 30 days before the hearing, after which the plan may be adopted by resolution of the governing body with or without amendment; and*

(c) *The plan is submitted to and approved by the Minnesota housing finance agency.*

Subd. 2. "Single family housing" in sections 1 to 6 means new or existing housing occupied by the owner of the housing and containing not more than one additional dwelling unit, or an individual condominium dwelling unit.

Sec. 2. [462C.02] [CITY HOUSING PLAN.] *Subdivision 1. The housing plan shall set forth:*

(a) *The housing needs of the city and the data demonstrating those needs;*

(b) *The plan of the city to meet identified housing needs, and the specific methods to be used to carry out the plan;*

(c) *Target areas of the city for each method;*

(d) *The financing program or programs to be included in the plan;*

(e) *The number and qualifications of lenders eligible to participate in the program;*

(f) *The estimated amount of mortgage loans to be purchased in each program and the estimated amounts and timing of the sale of revenue bonds required to finance such loans, fund appropriate reserves, and pay costs of issuance;*

(g) *Methods for monitoring the implementation by participants to insure that the programs will be consistent with the plan and its objectives;*

(h) *The administrative capacity of the city to monitor and supervise housing finance programs;*

(i) *The cost to the city, including administrative costs; and*

(j) *An analysis of how the programs will meet the needs of low and moderate income families in the city.*

Subd. 2. For each program limits on gross income for persons and families to be served shall be established. The moderate income limit may not exceed 110 percent of the median family income as estimated by the United States department of housing and urban development for the nonmetropolitan county or standard metropolitan statistical area, as the case may be, in which the city is located; except that if a city proposes special target areas in which redevelopment requires reestablishment of a proper balance of income levels among residents or target areas with a high concentration of incomes below the HUD median, no more than a maximum of 20 percent of the bonds issued may be used for mortgage loans with no income limits for programs serving those areas. The Minnesota housing finance agency shall provide the relevant income data to any city requesting the data.

Subd. 3. The plan shall establish maximum purchase prices or appraised values for homes eligible for mortgage loans in each program. The maximum price allowable shall not exceed three times the median family income established for any area served except for special target areas as provided in subdivision 2. The maximum purchase price for special target areas shall be three times the income limit established for the area.

Subd. 4. Any financial institution as defined in Minnesota Statutes, Section 47.0151, doing business within the city which is an approved FHA/VA or FNMA/FHLMC lender shall be eligible for consideration for origination of loans in any city housing finance program. Other lenders may be eligible as provided in the program. Origination of loans in the program may not be limited to a single lender unless other eligible lenders are not interested in participating or the program clearly sets forth why a public purpose would be served by confining participation to one lender.

Subd. 5. Financing under a single family housing bond issue may not be provided to a developer or builder or restricted to housing provided by one developer or builder.

Sec. 3. [462C.03] [PLAN REVIEW.] Upon receiving a city's housing plan, the Minnesota housing finance agency shall determine whether the plan appears to:

(a) *Further local, regional and statewide housing policies;*

(b) *Be capable of implementation without material adverse effect on financing programs of the agency, and without exceeding the limitation provided in section 5;*

(c) *Provide for administrative and bond issuance costs which are reasonable;*

(d) *Meet adequately the stated housing needs of the city; and*

(e) *Comply with all other requirements of sections 1 to 10.*

Sec. 4. [462C.04] [MULTIFAMILY HOUSING DEVELOPMENTS.] *Subdivision 1. A statutory or home rule charter city may also plan, administer, and make a loan or loans to finance one or more multifamily housing facilities anywhere within its boundaries, upon the following conditions:*

(a) *The facility consists of one or more buildings with four or more dwelling units, each intended and designed for rental or for sale, to a person or family as a permanent residence;*

(b) *Except as permitted in clause (c), a rental facility is intended for occupancy by persons and families of low or moderate income, and by other persons and families when determined to be necessary in furtherance of the policy of economic integration stated in section 462A.02, subdivision 6, and will receive, upon completion, housing assistance payments for the benefit of the occupants of at least 10 percent of the dwelling units under section 8 of the United States Housing Act of 1937, as amended, or another amendatory or supplemental law of the United States; or*

(c) *The facility is restricted to occupancy primarily by elderly or handicapped persons.*

Subd. 2. *Each plan for a multifamily housing development described in subdivision 1 shall be adopted after public hearing and approved by the agency as provided in section 1, on the basis of the considerations stated in section 3.*

Subd. 3. *The plan shall demonstrate need for the rental or sale development, describe the method of financing proposed, provide for a limit on income for persons and families of low and moderate income to be served which shall not exceed the limits provided in section 2, subdivision 2. The plan shall also state whether the development is intended for special target areas, for occupancy by the elderly or handicapped, or for a stated percentage of section 8 subsidy recipients.*

Sec. 5. [462C.05] [HOUSING REVENUE BONDS.] *To finance a program or development described in any plan the city council may, upon approval of the plan as provided in section 1, subdivision 1, clause (c), issue and sell revenue bonds or obligations which shall be payable exclusively from the revenues of the program or development. In the purchase of single family housing loans and the making of multifamily housing loans and the issuance of revenue bonds or other obligations the city may exercise or authorize an existing agency or one created by ordinance*

to exercise, within the corporate limits of the city, any of the powers the Minnesota housing finance agency may exercise under chapter 462A. The aggregate principal amount of revenue bonds or other obligations issued by all cities after the effective date of this section, for the purpose of single family housing programs referred to in section 1, shall not exceed \$300,000,000 for the biennium unless otherwise provided by law.

Sec. 6. [462A.05] [OTHER HOUSING LEGISLATION.] Sections 1 to 6 do not impair or otherwise affect the validity or provisions for the security of any obligations issued or agreements made pursuant to law before the effective date of these sections. Sections 1 to 6 do not preclude the issuance of bonds or obligations under authority of any other general or special law in effect on the effective date of these sections, except that no city or agency thereof may issue obligations after January 1, 1980, for the purpose of financing single family housing programs, unless its plan therefor has previously been reviewed and approved by the agency.

Sec. 7. 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 the purposes stated in this section, 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 therefor, and the commissioner shall state this in communicating approval.

Sec. 8. 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. 9. Minnesota Statutes 1978, Section 474.02, is amended by adding a subdivision to read:

Subd. 1d. Notwithstanding any provision of this chapter, the term "project" shall not include any property to be sold or to be affixed to or consumed in the production of property for sale, and shall not include any housing facility to be rented or used as a permanent residence.

Sec. 10. [EFFECTIVE DATE.] *This act is effective the day following final enactment. Sections 7 and 8 do not apply to a project which has been given preliminary approval by the governing body of a municipality or redevelopment agency before the effective date. Section 9 does not apply to multi-family rental projects approved by the commissioner of securities prior to April 15, 1979.*

Amend the title as follows:

Delete the title and insert

"A bill for an act relating to municipal development; limiting the objects and methods of financing residential, industrial, and economic development; regulating the planning and implementation of single family housing programs and multifamily housing developments; amending Minnesota Statutes 1978, Sections 474.01, Subdivision 7a, and by adding a subdivision; and 474.02, by adding a subdivision."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 134: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 24, delete "*uniform*"

Page 2, line 3, delete "*extends equally to every child*"

Page 2, line 4, delete "*and to every parent,*" and insert "*may exist*"

Page 8, lines 1 to 15, delete subdivision 2

Renumber the subdivisions in sequence

Page 8, line 21, delete "*require*" and insert "*request*"

Page 8, after line 29, insert:

"Subd. 4. The refusal to submit to blood tests or genetic tests, or both, may be admitted into evidence."

Page 10, line 20, after "*tests*" insert "*or genetic tests, or both,*"

Page 11, line 14, delete "*may*" and insert "*shall*"

Page 11, line 16, delete "*already incurred*"

Page 11, line 16, after "*just*" insert "*, which were incurred in the immediate preceding two years*"

Page 16, line 5, delete everything after the comma and insert "*notice of the adoption proceeding shall be given as required by sections 259.26 and 259.261, and further as required by due process.*"

Page 16, delete lines 6 to 12

Pages 16 and 17, delete subdivisions 3 to 6

Page 23, line 17, reinstate "*not entitled to notice of the*"

Page 23, line 18, reinstate "*proceedings*"

Page 23, lines 18 and 19, delete the new language

Page 25, lines 9 to 30, reinstate the stricken language

Page 25, lines 30 and 31, delete the new language

Page 26, lines 1 and 2, reinstate the stricken language

Page 26, line 3, reinstate "*section 259.261 has been successfully challenged,*"

Pages 27 to 29, delete sections 39 and 40

Page 29, lines 9 to 12, reinstate the stricken language

Page 29, line 25, delete "*259.261;*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "*requiring a notice to be*"

Page 1, delete lines 5 to 6

Page 1, line 7, delete "uniform parentage act;"

Page 1, line 14, delete "260.111, Subdivision 2;"

Page 1, line 15, delete "260.221;"

Page 1, line 20, delete "259.261;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was re-referred

S. F. No. 765: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 1, strike "but" and insert "and"

Page 2, line 2, strike "not"

Page 2, line 3, after "be" insert "*in accordance with*"

Page 2, line 3, strike the first "as"

And when so amended the bill do pass. Mr. Tennesen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 1186: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 13, delete the first "a" and insert "*one*"

Page 2, line 14, delete "*upon paying the issuing agency for costs incurred*" and insert "*without charge*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 999: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 17, insert:

"Sec. 2. Minnesota Statutes 1978, Section 124.572, is amended by adding a subdivision to read:

Subd. 10. Notwithstanding the provisions of subdivision 4, an employee of a business in this state which was the subject of an agreement between the business and the pollution control agency to stay open in violation of pollution standards no later than April 1, 1981, which business is forced to close by order of a federal or state court or a federal agency for environmental reasons prior to April 1, 1981, shall be entitled to enroll in an adult vocational education program free of charge until April 1, 1981."

Page 2, line 4, delete "employee's" and insert "employer's"

Page 2, delete sections 3 and 4 and insert:

"Sec. 4. [268.072] [ENVIRONMENTAL CLOSING BENEFITS.] *Subdivision 1. [ELIGIBILITY.] Benefits are payable to persons who:*

(1) Exhausted entitlement to benefits as defined by sections 268.03 to 268.25 and cannot establish entitlement to unemployment compensation under the law of any other state or the federal government; and

(2) Last worked for an employing unit in this state at a work location which was the subject of an agreement between the employing unit and the pollution control agency to stay open no later than April 1, 1981, notwithstanding the provisions of the Federal Clean Air Act of 1977, which employing unit is forced to close at an earlier date by a final order of a federal or state court or a federal agency issued because of a violation of the Federal Clean Air Act of 1977 and lost his employment because of the closure order.

Subd. 2. [ELIGIBILITY REQUIREMENTS FOR ENVIRONMENTAL CLOSING BENEFITS.] An individual shall be eligible to receive benefits with respect to any week of unemployment if the commissioner finds that with respect to the week:

(1) He has exhausted benefits as defined in subdivision 1 of this section; or

(2) *He has satisfied the eligibility requirements of sections 268.03 to 268.25 for the receipt of regular benefits including not being subject to a disqualification from receipt of benefits.*

Subd. 3. [WEEKLY EXTENDED BENEFIT AMOUNT.] *The weekly benefit amount payable to an individual for a week of total unemployment shall be an amount equal to the weekly benefit amount payable to him during his most recent benefit year.*

Subd. 4. [DURATION OF BENEFITS.] *Benefits payable to any eligible individual under this law shall not be denied by expiration of a benefit year, provided payment shall not be made for any week of unemployment ending after April 1, 1981.*

Subd. 5. [EFFECT OF STATE LAW PROVISIONS RELATING TO REGULAR BENEFITS ON CLAIMS FOR, AND THE PAYMENT OF, EXTENDED BENEFITS.] (1) *Except when the result would be inconsistent with the other provisions of this section, the provisions of chapter 268 which apply to claims for, or the payment of, regular benefits shall apply to claims for, and the payment of, benefits under this section.*

(2) *For the purposes of this section, regular and extended benefits means benefits payable to any individual under the Minnesota unemployment services law.*

Subd. 6. [ENVIRONMENTAL BENEFIT FUND.] *There is established a special fund, separate and apart from all public moneys or funds of this state, which shall be administered by the commissioner exclusively for the purpose of this section. Any balance of moneys after payment of all claims and administrative expenses shall be redeposited in the state treasury.*

Subd. 7. [NONLIABILITY OF THE STATE.] *Benefits shall be deemed to be due and payable under this section only to the extent provided therein and to the extent that moneys are available, and neither the state nor the commissioner shall be liable for any amount in excess of such sums.*

Subd. 8. [SEVERANCE PAYMENTS.] *The provisions of section 268.08, subdivision 3 notwithstanding, severance payments received by an individual who qualifies under subdivision 1 of this section shall not have such payments deducted from regular, extended or benefits under this section."*

Page 3, line 2, delete "section" and insert "sections"

Page 3, line 2, after "1" insert "and 2"

Page 3, delete subdivision 3 and insert:

"Subd. 3. There is appropriated from the general fund in the state treasury to the commissioner of economic security \$, or as much of that as is necessary for reasonable administrative costs and benefits, for the biennium ending June 30, 1981, for the purposes of section 3."

Renumber the sections in sequence

Underline all new language in the bill

Amend the title as follows:

Page 1, line 5, before the period, insert “; amending Minnesota Statutes 1978, Section 124.572, by adding a subdivision”

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

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, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 29 to 31, delete section 11

Page 47, after line 17, insert:

“Sec. 19. Minnesota Statutes 1978, Section 268.08, Subdivision 6, as amended by Laws 1979, Chapter 24, is amended to read:

Subd. 6. [SERVICES PERFORMED FOR STATE, MUNICIPALITIES OR CHARITABLE CORPORATION.] Effective January 1, 1978 benefits based on service in employment defined in section 268.04, subdivision 12, clauses (7), (8) and (9), shall be payable in the same amount, on the same terms and subject to the same conditions as benefits payable on the basis of other service subject to this chapter; except that

(a) With respect to weeks of unemployment after December 31, 1977, benefits based upon service performed in an instructional, research, or principal administrative capacity for an institution of higher education or a public school, or a nonpublic school or the Minnesota school for the deaf or Minnesota braille and sight saving school, ~~or in a public or nonpublic school for an educational cooperative service unit established under section 123.58, or any other educational service agency as defined in section 3304 (a) (6) (A) (IV) of the federal unemployment tax act, or a developmental achievement center operating pursuant to sections 252.21 to 252.26 and licensed pursuant to section 245.783,~~ shall not be paid for any week of unemployment commencing during the period between two successive academic years or terms, or during a similar period be-

tween two regular but not successive terms, or during a period of paid sabbatical leave provided for in the individual's contract, to any individual if the individual performs the services in the first of the academic years or terms and if there is a contract or a reasonable assurance that the individual will perform services in any such capacity for any institution of higher education, public school, non-public school, state deaf and sight saving schools, an educational cooperative service unit, other educational service agency, or developmental achievement center in the second of the academic years or terms, and

(b) With respect to service performed after December 31, 1977 in any capacity, other than those capacities described in clause (a) of this subdivision, for a public school or nonpublic school, or the Minnesota school for the deaf or Minnesota braille and sight saving school, and for service with a political subdivision with respect to a school, or in a public or nonpublic school for an educational cooperative service unit established under section 123.58, or any other educational service agency as defined in section 3304 (a) (6) (A) (IV) of the federal unemployment tax act, or a developmental achievement center operating pursuant to sections 252.21 to 252.26 and licensed pursuant to section 245.783, benefits shall not be paid on the basis of these services to any individual for any week which commences during a period between two successive academic years or terms if the individual performs the services in the first of the academic years or terms and there is a reasonable assurance that the individual will perform the services in the second of the academic years or terms, and

(c) With respect to any services described in clause (a) or (b), ~~compensation~~ *benefits* payable on the basis of the services shall not be paid to any individual for any week which commences during an established and customary vacation period or holiday recess if the individual performs the services in the period immediately before the vacation period or holiday recess, and there is a reasonable assurance that the individual will perform the services in the period immediately following the vacation period or holiday recess. ~~School year for a developmental achievement center operating pursuant to sections 252.21 to 252.26 and licensed pursuant to section 245.783,~~ means that period established by resolution of its board of directors.

Sec. 20. [EFFECTIVE DATES.] *Subdivision 1. Sections 1, 2 and 3 of this act shall be effective January 1, 1979.*

Subd. 2. Sections 5 and 6 of this act shall be effective January 1, 1980.

Subd. 3. Sections 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of this act shall be effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 15, after "3" delete the comma and insert "and"

Page 1, line 15, after "4" insert a comma

Page 1, line 15, after "6" insert ", as amended"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 787: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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.*"

Pages 3 and 4, delete subdivision 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, delete subdivision 1

Renumber the subdivisions in sequence

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 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 the legislature by January 1,"

Page 6, delete line 28

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"

Pages 7 and 8, delete section 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "; repealing Minnesota Statutes" and insert a period

Page 1, delete line 8

And when so amended the bill do pass and be re-referred to the Committee on Finance. Mr. Schaaf questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 815: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, delete "building"

Delete lines 16 to 21 and insert "structure which complies with applicable building standards and which is constructed so that:

(1) 80 percent or more of the roof area is covered with a minimum depth of twelve inches of earth;

(2) 50 percent or more of the wall area is covered with a minimum depth of twelve inches of earth; and

(3) Those portions of the structure not insulated with a minimum of seven feet of earth shall have additional insulation."

Page 3, line 8, delete "*shall*" and insert "*may*"

Page 3, line 20, delete "*building*"

Page 3, delete lines 21 to 26 and insert "*structure which complies with applicable building standards and which is constructed so that:*

(1) *80 percent or more of the roof area is covered with a minimum depth of twelve inches of earth;*

(2) *50 percent or more of the wall area is covered with a minimum depth of twelve inches of earth; and*

(3) *Those portions of the structure not insulated with a minimum of seven feet of earth shall have additional insulation."*

Page 5, line 24, delete "*shall*" and insert "*may*"

Page 6, line 4, delete "*Minnesota energy agency*" and insert "*department of administration, building code division,*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 943: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 16, after "*health*" insert "*, and the governor's board on aging*"

Page 2, line 21, after "*health*" insert "*, and area agencies on aging*"

Page 3, line 10, delete "\$3,000,000" and insert "\$....."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 760: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, delete section 2

Page 2, line 27, delete "3. Section 1" and insert "2. This act"

Amend the title as follows:

Page 1, line 4, delete "fixing the terms and other"

Page 1, delete line 5

Page 1, line 6, delete "bonds;"

Page 1, line 6, delete "Sections" and insert "Section"

Page 1, line 7, delete "; and 474.06"

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

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; 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 25 and 26, strike "superintendent of the tuberculosis sanatorium or" and insert "*chief medical officer of the*"

Page 2, line 2, strike "said superintendent or" and insert "*the*"

Page 2, line 7, strike "the tuberculosis unit at"

Page 2, line 10, strike "sanatorium or"

Page 2, line 13, strike "sanatorium or"

Page 2, line 15, strike "the superintendent of"

Page 2, line 15, delete "*the*" and strike "sanatorium or"

Page 2, line 28, strike "or sanatorium"

Page 3, line 3, strike "or sanatorium"

Page 3, line 15, strike everything after the period

Page 3, strike lines 16 to 21

Page 3, line 22, strike everything before "Any"

Page 3, line 28, strike "public sanatorium or"

Page 3, line 31, strike "sanatorium or"

Page 4, line 2, strike "county sanatorium or"

Page 4, line 7, strike "institution" and insert "*hospital*"

Page 4, lines 7 and 8, strike "superintendent or"

Page 4, line 8, strike "thereof"

Page 4, line 10, strike "superintendent or"

Page 4, lines 13 and 14, strike "superintendent and the"

Page 4, line 22, strike "sanatorium or"

Page 4, line 23, strike "superintendent or"

Page 4, line 24, strike everything after the comma

Page 4, line 32, strike everything after "commissioner"

Page 4, strike line 33 before the period and insert "*designates*"

Page 5, line 3, strike "*The*"

Page 5, lines 4 to 22, strike the old language and delete the underlined language

Page 5, line 23, delete "*the person's*" and strike "residence" and insert "*The commissioner of public welfare shall arrange appropriate medical care for any patient who contracts tuberculosis at a state-operated hospital or nursing home. The cost of the care including transportation costs shall be paid from appropriations to the commissioner for state-operated hospitals and nursing homes.*"

Page 6, line 6, strike "superintendent,"

Page 6, line 7, strike "insane"

Page 6, lines 9 and 10, strike "or sanatorium for consumptives"

Page 7, line 8, strike "tuberculosis"

Page 7, line 9, strike everything before the comma and insert "*hospital or nursing home*"

Page 7, line 10, strike "department of social"

Page 7, strike lines 11 and 12

Page 7, line 13, strike "sanatoria" and insert "*commissioner of public welfare*"

Page 7, line 16, after "department" strike the old language and delete "any"

Page 7, strike line 17

Page 7, line 18, strike "body may determine"

Page 7, line 26, strike everything before "where" and insert "*chief medical officer of the hospital*"

Page 8, line 8, strike "SANATORIUM" and insert "HOSPITAL"

Page 10, line 31, strike "feble-minded" and insert "mentally retarded"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1141: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, line 20, delete "section" and insert "sections"

Page 6, line 20, after "9" insert "and 10"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Mr. Schaaf questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 1215: A bill for an act relating to public safety; prohibiting scuba diving during certain hours; amending Minnesota Statutes 1978, Section 361.09, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete line 8 and insert "is amended by adding a subdivision to read:"

Page 1, delete lines 9 to 14 and insert:

"Subd. 3. No person shall scuba or skin dive in any waters of this state at any time from one hour after sunset to sunrise on the day following unless the diver has in his possession a diver's light visible from a distance of at least 150 feet. No person shall scuba or skin dive from one hour after sunset to sunrise on the day following while in possession of a spear."

Amend the title as follows:

Page 1, line 2, after "scuba" insert "or skin"

Page 1, line 3, after "hours" insert "and under certain conditions"

Page 1, line 4, delete "Subdivision 2" and insert "by adding a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 797: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, delete "*or dark house*"

Page 1, line 18, delete "\$10" and insert "\$15"

Page 1, line 18, delete "*or dark house*"

Page 2, line 2, delete "*or dark houses*"

Amend the title as follows:

Page 1, line 3, delete "*or dark*"

Page 1, line 4, delete "*houses*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 1313: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 235 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS CONSENT CALENDAR CALENDAR

H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
235	350				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 608, 927, 856, 935, 951, 801, 920, 799, 509, 807, 273, 506, 188, 683, 704, 971, 1149, 579, 1047, 562, 983, 263, 486, 436, 843, 666, 618, 1245, 963, 552, 119, 303, 808, 27, 1002, 923, 1143, 1073, 332, 153, 133, 1074, 722, 937, 756, and H. F. Nos. 116, 757 and 487 makes the following report:

That the above Senate Files and House Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1110: A bill for an act relating to Independent School District No. 275; providing for the consolidation of Independent School District No. 275.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 929: 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.

Reports the same back with the recommendation that the report from the Committee on Employment shown in the Journal for April 11, 1979, be amended to read: "And when so amended the bill do pass and the bill be re-referred to the Committee on Governmental Operations." Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 966: 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.

Reports the same back with the recommendation that the report from the Committee on Local Government shown in the Journal

for April 11, 1979, "And when so amended the bill do pass," be adopted and the bill be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 936: 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.

Reports the same back with the recommendation that the report from the Committee on Employment shown in the Journal for April 11, 1979, "And when so amended the bill do pass and be re-referred to the Committee on Finance" be adopted. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 1015: 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.

Reports the same back with the recommendation that the report from the Committee on Agriculture and Natural Resources shown in the Journal for April 11, 1979, "And when so amended the bill do pass" be adopted and the bill be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred for proper reference under Rule 35:

S. F. Nos. 1331, 1348 and 1389 reports the same back with the recommendation that the bills be re-referred as follows:

S. F. No 1331 to the Committee on Judiciary.

S. F. No. 1348 to the Committee on Local Government.

S. F. No. 1389 to the Committee on Taxes and Tax Laws.

Report adopted.

SECOND READING OF SENATE BILLS

S. F. No. 1110 was read the second time.

S. F. Nos. 624, 913, 320, 445, 1158, 1211, 859, 134, 107, 1312, 888, 1215, 732, 797 and 1313 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. No. 235 was read the second time.

H. F. No. 810 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS.

Mr. Lewis moved that H. F. No. 1158 be withdrawn from the Committee on Education and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1110 now on the Consent Calendar. The motion prevailed.

Mr. Willet moved that the name of Mr. Chmielewski be added as co-author to S. F. No. 791. The motion prevailed.

Mr. Peterson moved that the names of Messrs. Schmitz and Wegener be added as co-authors to S. F. No. 1099. The motion prevailed.

Mr. Lewis moved that his name be stricken as co-author to S. F. No. 1241. The motion prevailed.

Mr. Knoll moved that the name of Mr. Frederick be added as co-author to S. F. No. 1259. The motion prevailed.

Mr. Strand moved that the names of Mr. Schmitz and Mrs. Knaak be added as co-authors to S. F. No. 1318. The motion prevailed.

Mr. Sieloff moved that the name of Mr. Johnson be stricken and Mr. Penny be added as co-author to S. F. No. 1331. The motion prevailed.

Mr. Sikorski moved that the names of Messrs. Nelson and Johnson be added as co-authors to S. F. No. 1336. The motion prevailed.

Mr. Laufenburger moved that the name of Mr. Lessard be added as co-author to S. F. No. 1442. The motion prevailed.

Mr. Menning moved that S. F. No. 160 be withdrawn from the Committee on Finance and re-referred to the Committee on Health, Welfare and Corrections. The motion prevailed.

Mr. Coleman, for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed.

Monsignor Terrence J. Murphy, Chaplain, effective April 16, 1979

Rev. George C. Stierwald, Chaplain, effective April 19, 1979

Rev. Ralph Loges, Chaplain, effective April 23, 1979

Rev. Katherine Austin Mahle, Chaplain, effective April 26, 1979

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

CALENDAR

S. F. No. 668: 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.

Mr. Ueland, A. moved to amend S. F. No. 668 as follows:

Amend the title as follows:

Page 1, line 2, delete "County" and insert ", Redwood, Kandiyohi, and Renville Counties"

Page 1, line 3, delete "county" and insert "counties"

The motion prevailed. So the amendment was adopted.

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.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lessard	Peterson	Spear
Ashbach	Hughes	Luther	Pillsbury	Stokowski
Bang	Humphrey	McCutcheon	Purfeerst	Strand
Benedict	Jensen	Menning	Renneke	Stumpf
Bernhagen	Johnson	Moe	Rued	Tennessen
Chenoweth	Keefe, J.	Nelson	Schaaf	Ueland, A.
Chmielewski	Keefe, S.	Nichols	Schmitz	Ulland, J.
Dieterich	Kirchner	Ogdahl	Setzepfandt	Vega
Dunn	Knaak	Olhoft	Sieloff	Wegener
Engler	Knoll	Olson	Sikorski	
Frederick	Knutson	Penny	Sillers	
Gearty	Laufenburger	Perpich	Solon	

So the bill, as amended, passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lessard	Peterson	Stokowski
Ashbach	Hughes	Lewis	Pillsbury	Strand
Bang	Humphrey	Luther	Purfeerst	Stumpf
Benedict	Jensen	McCutcheon	Renneke	Tennessee
Bernhagen	Johnson	Menning	Rued	Ueland, A.
Chenoweth	Keefe, J.	Moe	Schaaf	Ulland, J.
Chmielewski	Keefe, S.	Nelson	Schmitz	Vega
Coleman	Kirchner	Nichols	Setzepfandt	Wegener
Dieterich	Kleinbaum	Ogdahl	Sieloff	Willet
Dunn	Knaak	Olhoff	Sikorski	
Engler	Knoll	Olson	Sillers	
Frederick	Knutson	Penny	Solon	
Gearty	Laufenburger	Perpich	Spear	

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Keefe, S. moved that S. F. No. 1351 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. No. 919, which the committee recommends to pass with the following amendment offered by Mr. Laufenburger:

Delete everything after the enacting clause and insert:

"Section 1. [TOWN OF WINONA; EMPLOYMENT OF A BUILDING OFFICIAL.] The town of Winona in Winona County may employ a building official to administer the provisions of the state building code within the town. Any building official appointed by the town of Winona shall serve at the pleasure of the town board and shall exercise the duties and authority of a building official notwithstanding the provisions of Minnesota Statutes, Section 16.861, relating to the qualifications and certification of a building official.

Sec. 2. This act is effective upon the approval of the town board of supervisors of the town of Winona and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, delete "buildings" and insert "the town of Winona"

Page 1, line 3, delete "certain towns;" and insert "the town of Winona."

Page 1, delete lines 4 and 5

The motion prevailed. So the amendment was adopted.

H. F. No. 13 which the committee recommends to pass, after the following motions:

Mr. McCutcheon moved that the amendment made to H. F. No. 13 by the Committee on Judiciary, adopted by the Senate March 15, 1979, be stricken.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 30 and nays 30, as follows:

Those who voted in the affirmative were:

Bernhagen	Jensen	Lessard	Penny	Setzepfandt
Chmielewski	Johnson	McCutcheon	Peterson	Solon
Engler	Keefe, J.	Menning	Purfeerst	Strand
Frederick	Kirchner	Moe	Renneke	Vega
Gearty	Knaak	Olhoff	Rued	Wegener
Hanson	Knutson	Olson	Schmitz	Willet

Those who voted in the negative were:

Anderson	Davies	Laufenburger	Pillsbury	Staples
Ashbach	Dieterich	Lewis	Schaaf	Stokowski
Bang	Dunn	Luther	Sieloff	Stumpf
Benedict	Humphrey	Nelson	Sikorski	Tennessee
Chenoweth	Keefe, S.	Ogdahl	Sillers	Ueland, A.
Coleman	Knoll	Perpich	Spear	Ulland, J.

The motion did not prevail.

Mr. Anderson moved to amend H. F. No. 13 as follows:

Page 2, delete subdivisions 3 and 4

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 18 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Nelson	Penny	Sikorski	Stumpf
Ashbach	Nichols	Perpich	Sillers	Ulland, J.
Humphrey	Ogdahl	Pillsbury	Spear	
Keefe, S.	Olson	Schaaf	Staples	

Those who voted in the negative were:

Benedict	Frederick	Laufenburger	Peterson	Strand
Bernhagen	Gearty	Lessard	Purfeerst	Vega
Chenoweth	Gunderson	Luther	Renneke	Wegener
Chmielewski	Hanson	McCutcheon	Schmitz	Willet
Dieterich	Jensen	Menning	Setzepfandt	
Dunn	Johnson	Moe	Sieloff	
Engler	Knoll	Olhoff	Solon	

The motion did not prevail. So the amendment was not adopted.

Mr. Olhoff moved to amend H. F. No. 13 as follows:

Page 1, after line 8, insert:

"ARTICLE I"

Page 4, after line 6, insert:

"ARTICLE II"

Section 1. Minnesota Statutes 1978, Chapter 609, is amended by adding a section to read:

[609.691] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 4, the terms defined in this section have the meanings given them.*

Subd. 2. "Work" means any material or performance.

Subd. 3. "Material" means anything tangible which is capable of being used or adapted to arouse interest, whether through the medium of reading, observation, sound or in any other manner.

Subd. 4. "Performance" means any play, motion picture, dance or other exhibition performed before an audience.

Subd. 5. "An obscene work" is a work which taken as a whole appeals to the prurient interest in sex, which portrays sexual conduct in a patently offensive way, and which, taken as a whole, does not have serious literary, artistic, political or scientific value. In determining whether or not a work is an obscene work the trier of the fact must find (a) that the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest in sex and (b) that the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by section 1, subdivision 9 or conduct authoritatively construed by the courts of this state as being a patently offensive portrayal of sexual conduct and (c) that the work, taken as a whole, lacks serious literary, artistic, political or scientific value.

Subd. 6. "Community standards" means the standards of the community from which the jury is drawn or would be drawn if it were the trier of the fact.

Subd. 7. "Patently offensive" means so offensive on its face as to affront current standards of decency.

Subd. 8. "Standards of decency" means community standards of decency.

Subd. 9. "Sexual conduct" includes any of the following depicted or described sexual or excretory conduct:

(a) An act of sexual intercourse, normal or perverted, actual or simulated, including genital-genital, anal-genital, or oral-genital intercourse, whether between human beings or between a human being and an animal.

(b) Sado-masochistic abuse, meaning flagellation or torture by or upon a person who is nude or clad in undergarments or in a revealing costume or the condition of being fettered, bound or otherwise physically restrained on the part of one who is so clothed as an act of sexual stimulation or gratification.

(c) *Masturbation, excretory functions and lewd exhibitions of the genitals including any explicit, close up representation of a human genital organ.*

(d) *Physical contact or simulated physical contact with the clothed or unclothed pubic areas or buttocks of a human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification.*

(e) *Use of a device designed and marketed as useful primarily for stimulation of the human genital organs.*

(f) *Male or female genitals in a state of sexual stimulation or arousal.*

(g) *Covered male genitals in a discernably turgid state.*

Subd. 10. "Promote" means to manufacture, issue, sell, give, provide, lend, mail, deliver, transfer, transmute, publish, distribute, circulate, disseminate, present, exhibit or advertise, or to offer or agree to do the same.

Subd. 11. "Wholesale promote" means to manufacture, issue, sell, provide, mail, deliver, transfer, transmute, publish, distribute, circulate, disseminate or to offer or agree to do the same for purposes of resale.

Sec. 2. Minnesota Statutes 1978, Chapter 609, is amended by adding a section to read:

[609.692] [OBSCENITY IN THE FIRST DEGREE.] *Subdivision 1. A person is guilty of obscenity in the first degree when, knowing its content and character, he wholesale promotes, or possesses with intent to wholesale promote any obscene material.*

Subd. 2. (a) A person convicted of a violation of subdivision 1 is guilty of a gross misdemeanor, and shall be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$1,000 or both.

(5) Any person convicted of a second or subsequent violation of subdivision 1 within a period of three years is guilty of a felony, and shall be sentenced to imprisonment for not less than one year nor more than five years or to payment of a fine of not less than \$1,000 nor more than \$10,000, or both.

Sec. 3. Minnesota Statutes 1978, Chapter 609, is amended by adding a section to read:

[609.693] [OBSCENITY IN THE SECOND DEGREE.] *Subdivision 1. A person is guilty of obscenity in the second degree when, knowing its content and character, he:*

(a) Promotes for profit, or possesses with intent to promote for profit, any obscene material; or

(b) For profit produces, presents or directs an obscene performance or participates in a portion thereof which is obscene or which contributes to its obscenity.

Subd. 2. (a) A person convicted of a violation of subdivision 1 is guilty of a misdemeanor, and may be sentenced to imprisonment for not more than 90 days, or to payment of a fine of not more than \$500, or both.

(b) Any person convicted of a second or subsequent violation of subdivision 1 within a three year period is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$5,000, or both.

Sec. 4. Minnesota Statutes 1978, Chapter 609, is amended by adding a section to read:

[609.695] [SEVERABILITY PROVISION.] *If any depiction or description of sexual conduct described in section 1, subdivision 9 is declared by a court of competent jurisdiction to be unlawfully included therein because the depiction or description is constitutionally protected or for any other reason, the declaration shall not invalidate sections 2 to 4 as to patently offensive depictions or descriptions of other sexual conduct included in section 1, subdivision 9.*

Sec. 5. Minnesota Statutes 1978, Section 617.291, Subdivision 2, is amended to read:

Subd. 2. It is in the best interest of the health, welfare and safety of the citizens of this state, and especially of minors within the state, that commercial dissemination of such sexually provocative written, photographic, printed, sound or published materials deemed harmful to minors be restricted to persons over the age of 17 years; or, if available to minors under the age of 18 years, that the availability of such materials be restricted to sources within established and recognized schools, churches, museums, medical clinics and physicians, hospitals, public libraries, or government sponsored organization.

Sec. 6. Minnesota Statutes 1978, Section 617.292, Subdivision 4, is amended to read:

Subd. 4. "Sexual conduct" means acts of masturbation, ~~homosexuality~~ sodomy, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such a the person be a female, her breast.

Sec. 7. Minnesota Statutes 1978, Section 617.292, Subdivision 6, is amended to read:

Subd. 6. "Sadomasochistic abuse" means flagellation or torture by or upon a person *who is nude, or clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one who is so clothed as an act of sexual stimulation or gratification.*

Sec. 8. Minnesota Statutes 1978, Section 617.292, Subdivision 7, is amended to read:

Subd. 7. "Harmful to minors" means that quality of any description or representation, in whatever form, of nudity, sexual

conduct, sexual excitement, or sadomasochistic abuse, when *taken as a whole* it:

(1) ~~predominantly~~ appeals to the prurient, ~~shameful or merbid~~ interest *in sex* of minors, and

(2) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors, and

(3) is ~~utterly without redeeming social importance~~ lacks serious literary, artistic, political or scientific value for minors.

Sec. 9. Minnesota Statutes 1978, Section 617.292, Subdivision 8, is amended to read:

Subd. 8. "Knowingly" means having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry or both; of:

(1) the character and content of any material which is reasonably susceptible of examination by the defendant, and

(2) the age of the minor, provided however that an honest mistake shall constitute an excuse from liability hereunder *under sections 617.291 to 617.297* if the defendant made a reasonable bona fide attempt to ascertain the true age of ~~such~~ *the* minor.

Sec. 10. Minnesota Statutes 1978, Section 617.26, is amended to read:

617.26 [MAILING AND CARRYING OBSCENE MATTER.] Every person who shall deposit or cause to be deposited in any post office in the state, or place in charge of any express company or other common carrier or person for transportation, any of the *materials*, articles or things specified in ~~section 617.241 section 1, subdivision 5,~~ or 617.25, or any circular, book, pamphlet, advertisement or notice relating thereto, with the intent of having the same conveyed by mail, express, or in any other manner; or who shall knowingly or wilfully receive the same with intent to carry or convey it, or shall knowingly carry or convey the same by express, or in any other manner except by United States mail, ~~shall be~~ *is* guilty of a misdemeanor. The provisions of this section and section 617.25 shall not be construed to apply to an article or instrument used by physicians lawfully practicing, or by their direction or prescription, for the cure or prevention of disease.

Sec. 11. Minnesota Statutes 1978, Section 617.27, is amended to read:

617.27 [SEARCH WARRANT; DESTRUCTION OF PROPERTY.] ~~Every municipal~~ *A county court and justice of the peace judge*, upon complaint under oath that any person has in his possession or under his control, *in violation of sections 1 to 4 of this article, or sections 617.243, 617.25 and 617.26,* any of the obscene books, papers, or other matter specified in ~~sections 617.241 to 617.26~~ *those sections*, shall issue a warrant directed to the sheriff or any constable of the county, therein directing him to search for, seize, and take possession of ~~such~~ *the* obscene matter; and,

upon conviction of the person in whose possession the same shall be found, shall cause such *the* matter to be destroyed, and the fact to be entered upon the records of the court.

Sec. 12. [REPEALER.] *Minnesota Statutes 1978, Section 617.241, is repealed.*"

Underline new language in the bill

Amend the title as follows:

Page 1, line 2, after the semicolon insert "prohibiting the promotion and dissemination of obscene materials;"

Page 1, line 6, after "penalties" insert "; 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."

Mr. Olhoff moved to amend the Olhoff amendment to H. F. No. 13, as follows:

Page 5, delete section 5

Renumber the sections in sequence

Amend the title amendment as follows:

Page 8, lines 7 and 8, delete "617.291, Subdivision 2;"

The motion prevailed. So the amendment to the Olhoff amendment was adopted.

Mr. Sieloff moved to amend the Olhoff amendment to H. F. No. 13, as follows:

Page 1, lines 14 to 17, delete subdivision 3

Page 3, line 32, delete "material" and insert "work"

Renumber the subdivisions in sequence

The question was taken on the adoption of the amendment to the amendment.

The roll was called, and there were yeas 33 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lewis	Penny	Strand
Benedict	Humphrey	Luther	Pillsbury	Stumpf
Chenoweth	Keefe, J.	Moe	Renneke	Tennessee
Coleman	Keefe, S.	Nelson	Schaaf	Ueland, A.
Davies	Kleinbaum	Nichols	Sieloff	Ulland, J.
Dunn	Knoll	Ogdahl	Sillers	
Engler	Laufenburger	Olson	Spear	

Those who voted in the negative were:

Ashbach	Johnson	Menning	Schmitz	Vega
Bernhagen	Knaak	Olhoff	Setzepfandt	Wegener
Chmielewski	Lessard	Perpich	Sikorski	Willet
Gearty	McCutcheon	Rued	Solon	

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the Olhoff amendment, as amended.

The question was taken on the adoption of the Olhoff amendment, as amended.

The roll was called, and there were yeas 19 and nays 38, as follows:

Those who voted in the affirmative were:

Bernhagen	Hanson	McCutcheon	Rued	Solon
Chmielewski	Kleinbaum	Menning	Schmitz	Wegener
Engler	Knaak	Olhoff	Setzepfandt	Willet
Gearty	Lessard	Renneke	Sikorski	

Those who voted in the negative were:

Anderson	Dunn	Lewis	Perpich	Strand
Ashbach	Gunderson	Luther	Pillsbury	Stumpf
Bang	Humphrey	Moe	Purfeerst	Tennessee
Benedict	Johnson	Nelson	Schaaf	Ueland, A.
Chenoweth	Keefe, J.	Nichols	Sieloff	Ulland, J.
Coleman	Keefe, S.	Ogdahl	Sillers	Vega
Davies	Knutson	Olson	Spear	
Dieterich	Laufenburger	Penny	Staples	

The motion did not prevail. So the Olhoff amendment, as amended, was not adopted.

The question was taken on the recommendation to pass H. F. No. 13.

The roll was called, and there were yeas 49 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Penny	Solon
Ashbach	Gunderson	Lewis	Pillsbury	Stokowski
Benedict	Hanson	Luther	Purfeerst	Strand
Bernhagen	Humphrey	McCutcheon	Renneke	Stumpf
Chenoweth	Johnson	Menning	Rued	Ueland, A.
Chmielewski	Keefe, J.	Moe	Schaaf	Ulland, J.
Coleman	Kleinbaum	Nelson	Schmitz	Vega
Dieterich	Knaak	Nichols	Setzepfandt	Wegener
Dunn	Knoll	Olhoff	Sieloff	Willet
Engler	Laufenburger	Olson	Sikorski	

Those who voted in the negative were:

Davies	Ogdahl	Spear	Staples	Tennessee
Keefe, S.	Sillers			

The motion prevailed. So H. F. No. 13 was recommended to pass.

On motion of Mr. Coleman, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Saturday, April 21, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

THIRTY-NINTH DAY

St. Paul, Minnesota, Saturday, April 21, 1979

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Engler	Knaak	Purfeerst	Staples
Bang	Frederick	Laufenburger	Rued	Stokowski
Brataas	Gearty	Lessard	Schaaf	Stumpf
Chmielewski	Hanson	Luther	Schmitz	Ueland, A.
Coleman	Johnson	Menning	Setzepfandt	Vega
Davies	Keefe, S.	Moe	Sikorski	Willet
Dieterich	Kirchner	Nelson	Sillers	
Dunn	Kleinbaum	Ogdahl	Solon	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Robert E. Keane.

The roll was called, and the following Senators answered to their names:

Ashbach	Frederick	Knutson	Penny	Solon
Bang	Gearty	Laufenburger	Perpich	Spear
Bernhagen	Hanson	Lessard	Purfeerst	Staples
Brataas	Hughes	Luther	Renneke	Stokowski
Chenoweth	Johnson	McCutcheon	Rued	Strand
Chmielewski	Keefe, J.	Menning	Schaaf	Stumpf
Coleman	Keefe, S.	Merriam	Schmitz	Ueland, A.
Davies	Kirchner	Moe	Setzepfandt	Vega
Dieterich	Kleinbaum	Nelson	Sieloff	Willet
Dunn	Knaak	Ogdahl	Sikorski	
Engler	Knoll	Olhoft	Sillers	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Anderson, Benedict, Gunderson, Humphrey, Lewis, Nichols, Olson, Peterson, Pillsbury, Schrom, Tennessen, and Wegener were excused from the Session of today. Mr. Lessard was excused from the Session of today from 12:30 to 1:30 o'clock p.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mrs. Knaak, Messrs. Rued and Engler introduced—

S. F. No. 1448: 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.

Referred to the Committee on Commerce.

Mr. Solon introduced—

S. F. No. 1449: 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.

Referred to the Committee on Employment.

Mr. Solon introduced—

S. F. No. 1450: 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.

Referred to the Committee on Judiciary.

Messrs. Olhoft, Johnson, Jensen, Hanson and Stokowski introduced—

S. F. No. 1451: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bang, Jensen and Johnson introduced—

S. F. No. 1452: 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.

Referred to the Committee on Commerce.

Messrs. Bang, Jensen, Davies and Johnson introduced—

S. F. No. 1453: 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.

Referred to the Committee on Commerce.

Mr. Vega introduced—

S. F. No. 1454: A bill for an act relating to the city of South St. Paul; permitting certain methods of financing equipment purchases.

Referred to the Committee on Local Government.

Messrs. Sieloff, Frederick, Bernhagen, Bang and Sillers introduced—

S. F. No. 1455: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson and Perpich introduced—

S. F. No. 1456: A bill for an act relating to mines and mining; regulating blasting; establishing air overpressure and ground vibration standards.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Laufenburger, Frederick, Vega, Peterson and Ashbach introduced—

S. F. No. 1457: A bill for an act relating to transportation; providing for a transportation board; providing for transfer of certain duties, powers and functions of the public service commission and the commissioner of transportation to the transportation regulation board; regulating railroads and other common carriers of persons or property for hire; providing penalties; appropriating funds; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 1; 174.02, Subdivision 4; 174.03, Subdivision 2; 174.10, Subdivi-

sions 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.

Referred to the Committee on Transportation.

Messrs. McCutcheon, Nichols and Stumpf introduced—

S. F. No. 1458: A bill for an act relating to education; establishing a categorical aid formula for English as a second language programs; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section.

Referred to the Committee on Education.

Mr. Chmielewski introduced—

S. F. No. 1459: 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.

Referred to the Committee on Veterans' Affairs.

Messrs. Chmielewski, Olson and Schrom introduced—

S. F. No. 1460: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Johnson introduced—

S. F. No. 1461: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson and Perpich introduced—

S. F. No. 1462: 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.

Referred to the Committee on Employment.

Messrs. Pillsbury and Davies introduced—

S. F. No. 1463: A bill for an act relating to marriage; changing liability of spouses for certain debts and expenses; amending Minnesota Statutes 1978, Section 519.05.

Referred to the Committee on Judiciary.

Messrs. Pillsbury and Davies introduced—

S. F. No. 1464: A bill for an act relating to crimes; prohibiting non-support of spouse and children; providing penalties; amending Minnesota Statutes 1978, Section 609.375, Subdivision 1.

Referred to the Committee on Judiciary.

Messrs. Willet, Johnson, Chmielewski, Peterson and Dunn introduced—

S. F. No. 1465: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Johnson, Humphrey, Willet, Dunn and Anderson introduced—

S. F. No. 1466: A bill for an act relating to energy; establishing and empowering a commission on nuclear power; appropriating funds.

Referred to the Committee on Energy and Housing.

Messrs. Sillers and Knutson introduced—

S. F. No. 1467: 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.

Referred to the Committee on Education.

Messrs. Wegener, Purfeerst, Anderson and Dunn introduced—

S. F. No. 1468: 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.

Referred to the Committee on Transportation.

Mr. Ueland, A. introduced—

S. F. No. 1469: A bill for an act relating to commerce; protecting employed persons; providing for the filing of economic impact statements; prohibiting certain officials from enforcing rules under certain circumstances; granting powers to the governor; appropriating money.

Referred to the Committee on Employment.

Messrs. Solon and Benedict introduced—

S. F. No. 1470: 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.

Referred to the Committee on Commerce.

Mr. Solon introduced—

S. F. No. 1471: 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.

Referred to the Committee on Elections.

Messrs. Pillsbury; Frederick; Keefe, S.; Schaaf and Ueland, A. introduced—

S. F. No. 1472: 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 contribution and approved expenditure limits; removing obsolete provisions; amending Minnesota Statutes 1978, Section 10A.32, Subdivision 3.

Referred to the Committee on Elections.

Mr. Sikorski introduced—

S. F. No. 1473: A bill for an act relating to retirement; mandatory retirement age for corrections officers; optional extensions; social security offset; amending Minnesota Statutes 1978, Section 43.051, Subdivision 3; repealing Minnesota Statutes 1978, Section 352.93, Subdivision 3.

Referred to the Committee on Governmental Operations.

Messrs. Hanson, Schaaf and Keefe, J. introduced—

S. F. No. 1474: A bill for an act relating to the administration of criminal justice; establishing special inquiry judges and special inquiry judge proceedings; providing for the power to subpoena witnesses; establishing procedures for proceedings; providing for the use of evidence obtained at proceedings.

Referred to the Committee on Judiciary.

Messrs. Keefe, S.; Schaaf; Dieterich and Ogdahl introduced—

S. F. No. 1475: 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.

Referred to the Committee on Governmental Operations.

Mr. Bang, Mrs. Brataas, Messrs. Knutson, Laufenburger and Kleinbaum introduced—

S. F. No. 1476: A bill for an act relating to banks; authorizing certain additional facilities for banks; amending Minnesota Statutes 1978, Section 47.52.

Referred to the Committee on Commerce.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committee indicated.

April 17, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

This is to inform you that Jim Bormann, 1415 Brenner Pass, Golden Valley, Hennepin County, has resigned from the Cable Communications Board.

I, therefore, respectfully request that the name of Mr. Bormann be removed from Senate consideration.

(Referred to the Committee on Commerce.)

Sincerely,

Albert H. Quie, Governor

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:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 52, 63 and 122.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 606 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 19, 1979

CONCURRENCE AND REPASSAGE

Mr. Gearty moved that the Senate concur in the amendments by the House to S. F. No. 606 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 606: 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.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Coleman	Frederick	Keefe, J.	Knoll
Bang	Davies	Gearty	Keefe, S.	Knutson
Bernhagen	Dieterich	Hanson	Kirchner	Laufenburger
Brataas	Dunn	Hughes	Kleinbaum	Lessard
Chmielewski	Engler	Johnson	Knaak	Luther

McCutcheon	Penny	Schmitz	Spear	Ueland, A.
Menning	Purfeerst	Setzepfandt	Staples	Ulland, J.
Moe	Renneke	Sikorski	Stokowski	Vega
Nelson	Rued	Sillers	Strand	Willet
Ogdahl	Schaaf	Soion	Stumpf	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

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.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 19, 1979

Mr. Coleman moved that House Concurrent Resolution No. 5 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 183, 222, 282, 361, 475, 198, 294, 519, 659, 711, 644, 177 and 260.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 19, 1979

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

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.

Referred to the Committee on Agriculture and Natural Resources.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Agriculture and Natural Resources.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 555, now in the Subcommittee on Bill Scheduling.

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 144.50, Subdivision 1.

Referred to the Committee on Health, Welfare and Corrections.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 509 now on General Orders.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 839 now on General Orders.

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.

Referred to the Committee on Health, Welfare and Corrections.

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.

Referred to the Committee on Health, Welfare and Corrections.

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.

Referred to the Committee on Taxes and Tax Laws.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 477 now on General Orders.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 1261: 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 partici-

pation 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.

Reports the same back with the recommendation that the bill be amended as follows: -

Delete everything after the enacting clause and insert:

“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 board.

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.

Subd. 9. “Revenue service” means days the system is actually operating and available for use by the general public.

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 manage and supervise the people mover system. The board shall have the powers and responsibilities provided for in this act and in the agreement. The board shall be composed of seven members. Two shall be members of the commission appointed by the chairman of the commission with the approval of the commission. Not more than one of these members shall be a resident of the city of St. Paul. Two members of the St. Paul

city council and two members representing property owners in the area served by the people mover shall be appointed by and serve at the pleasure of the mayor of the city of St. Paul and shall be confirmed by the council. Notwithstanding the provisions of section 471.59, subdivision 2, the seventh member and chairman of the board shall be appointed by the chairman of the metropolitan council established by Minnesota Statutes, Section 473.123 and shall not be a resident of the city of St. Paul. The city and the commission acting together, pursuant to the joint powers agreement or any amendment thereof, may exercise all powers conferred upon either or both of them by law or charter, to provide for the acquisition, betterment, operation, maintenance and promotion of a people mover system. The board shall be the recipient of any capital or operating assistance grants provided by the federal government for the acquisition, betterment, operation, maintenance or promotion of the people mover system. The commission shall agree as part of the joint powers agreement to issue bonds as needed for the system as provided in section 7. The joint powers agreement shall include an agreement providing for coordination of the people mover system with transit service operated by the commission to encourage and enhance ridership on both systems and a parking, traffic and pedestrian management plan to improve and facilitate access to the people mover system, including construction of fringe parking facilities and skyways. 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. In addition to filing copies of the report as provided in section 3.195, the board shall provide an oral presentation to the appropriate standing committees of the legislature.

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 con-*

siderations: 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, environmental, 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 ability of the bidder to meet requirements imposed as contract conditions in any grant contract entered into with the federal government. Bids may not be solicited without approval by the board of the functional and physical specifications proposed for the vehicle system purchase contract. Eligible bidders shall be limited to suppliers who have provided people mover systems which have successfully served the public.

Subd. 2. [CONTRACT AWARD.] Contracts for equipment purchase and for construction may not be awarded without approval of the board. The purchase contract for the vehicle system shall require the supplier to assure that the system operates within the specifications of the contract and to maintain the vehicle system for a five year period of revenue operation at a fixed base price with escalation clauses. The five year period shall be extended for the period of time equal to the time when the system is not in service because of a failure of the system to perform according to the specifications of the contract. The contract shall contain a provision permitting termination of the operation and maintenance portion of the contract 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 or the part proposed to be operated 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.

Sec. 6. [ACCESS FACILITIES.] By December 15, 1980 the board, 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. In addition to filing copies of the reports as provided in section 3.195, the board, the city and the commission shall provide oral presentations of the reports to the appropriate standing committees of the legislature. The commission, subject to the approval of the board, shall produce a plan for managing the relationship between transit vehicles and the people mover to enhance ridership, revenue and patron satisfaction on both systems. The city, subject to the approval of the board, shall produce parking and traffic and pedestrian management plans, including plans for the construction of fringe parking ramps or lots and skyways to improve and facilitate access to the system. 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, maintenance and promotional costs of the parking and other access facilities.

Sec. 7. [BONDS OF COMMISSION.] Notwithstanding the limitations contained in Minnesota Statutes, Sections 473.401 to 473.451, and in addition to all other powers conferred upon it by law, the commission by resolution may issue its bonds or other obligations in an aggregate principal amount, not exceeding \$9,000,000, for the purpose of acquisition and betterment of the people mover system. The proceeds of the obligations shall be expended as provided in the joint powers agreement. Proceeds of the obligations which are not needed for acquisition and betterment of the people mover system shall be expended to pay the operating deficit of the people mover system pursuant to section 9. No bonds shall be issued under this subdivision until the commission determines that agreements have been executed between the authority that will let the construction contract for the people mover system and the appropriate labor organizations and construction contractor organizations which provide that no labor strike or management lockout will halt, delay or impede construction.

Sec. 8. [FARE AND TRANSFER POLICIES.] Subdivision 1. [REDUCED OR SOCIAL FARES.] Fares charged during non-peak hours for elderly and handicapped riders shall not exceed one-half of the peak hour fares for the general public. The board may charge the social fares provided in Minnesota Statutes, Section 473.408, Subdivision 3, during non-peak hours. The board shall determine the peak and non-peak hours of the people mover system for purposes of the reduced fares provided in this subdivision. Reduced or social fares charged by the board shall be reimbursed by the Minnesota department of transportation as provided in Minnesota Statutes, Section 174.24, Subdivision 4.

Subd. 2. [TRANSFER POLICY.] All fares charged to riders of the people mover system who transfer from the system to transit service provided by the commission shall be paid to the commission. No additional fare shall be charged to any rider who transfers

to the people mover system from transit service provided by the commission.

Sec. 9. [OPERATING DEFICIT; DETERMINATION AND PAYMENT.] *Subdivision 1. Any operating deficit of the people mover system shall be paid as provided in this section and section 10.*

Subd. 2. For the purposes of this section and section 10, "operating deficit" means that portion of the costs of operating, maintaining and promoting the people mover system during the period of revenue service which exceeds the amount received from revenues of the system, reimbursement for reduced or social fares, federal operating assistance and other sources exclusive of payments by the city, the commission and owners of benefited properties as provided in this section and section 10.

Subd. 3. As soon as practicable before the start of revenue service, the board shall:

(a) Establish an operating deficit account for the deposit of all money required to be paid pursuant to this section by the city, the commission and owners of benefited properties and for the payment of the operating deficit;

(b) Determine the estimated operating deficit for the calendar year in which revenue service is expected to begin and for the first year of revenue service;

(c) Determine the amount of the share required from the city, the commission and the owners of benefited properties to pay the estimated operating deficit as provided in section 10. If the system is expected to be in revenue service for only a portion of the first calendar year of revenue service, the shares shall be prorated according to the percentage of the year the system is expected to be in revenue service; and

(d) Establish procedures which assure that an amount equal to the estimated operating deficit as determined under clause (b) is paid to the operating deficit account by the city and the commission not later than the first day of revenue service and that additional amounts will be paid by the city and the commission if necessary to pay the actual operating deficit through the end of the first full calendar year of revenue service. The amounts which the city and commission may be required to pay pursuant to this clause are not limited to the amounts provided in section 10.

The city shall levy assessments on benefited properties pursuant to section 5 in the amount the board determines is required from the owners of the properties to pay the estimated operating deficit as determined under clause (c) of this subdivision. These assessments shall be levied at the earliest possible time consistent with the provisions of section 5.

Subd. 4. Not later than July 1 of the first full calendar year of revenue service and at one year intervals thereafter the board shall:

(a) Determine the actual operating deficit for the preceding calendar year;

(b) Determine the amounts paid into the operating deficit account during the preceding calendar year by the city, the commission and owners of benefited properties. Deductions and additions carried over from another year shall be included in payments made during the year subject to the determination;

(c) Determine the amounts which are required from the city, the commission and owners of benefited properties to pay the operating deficit for the preceding calendar year pursuant to section 10;

(d) Determine whether the city, the commission or owners of benefited properties have paid to the operating deficit account during the preceding calendar year an amount that is more or less than that required under clause (c) of this subdivision and deduct the excess from or add the deficiency to the required payment by that party for the following calendar year;

(e) Determine the estimated operating deficit for the following calendar year and the amounts which are required from the city, the commission and owners of benefited properties to pay that estimated operating deficit pursuant to section 10;

(f) Establish a schedule of payments by the city and the commission for the following calendar year which assures the payment of the estimated operating deficit in a timely manner; and

(g) Report its findings and determinations to the city and the commission.

For the purpose of the determination made in the first full calendar year of revenue service, the preceding calendar year is deemed to include all preceding calendar years in which an operating deficit was incurred or payments were made by the city, the commission and owners of benefited property.

Subd. 5. At the earliest possible time after receiving a report of the board as provided in subdivision 4, the city shall levy assessments for the amount determined by the board to be required from owners of benefited properties to pay the estimated operating deficit less any amount previously assessed which was not due and payable before the close of the previous year. The assessments shall be levied pursuant to section 5.

Subd. 6. The city and the commission shall pay the amounts determined by the board to be required from them to pay the estimated operating deficit according to the schedule established by the board.

Sec. 10. [OPERATING DEFICIT SHARING FORMULA.]
Subdivision 1. The city, the commission and the owners of benefited properties shall share in the payment of the operating deficit according to the provisions of subdivisions 2 to 5.

Subd. 2. Owners of benefited properties shall pay the first \$300,000 of any operating deficit for any year of revenue service, subject

to escalation as provided in subdivision 5. Payments shall be pursuant to assessments levied by the city pursuant to section 5.

Subd. 3. If the operating deficit for any year exceeds the amount required to be paid pursuant to subdivision 2, the city, the commission and owners of benefited properties shall each pay one-third of the remaining portion up to a maximum of \$500,000, subject to escalation as provided in subdivision 5. Payments by owners of benefited properties shall be pursuant to assessments levied by the city pursuant to section 5.

Subd. 4. If the operating deficit for any year exceeds the amounts required to be paid pursuant to subdivisions 2 and 3, the city shall pay the additional amount.

Subd. 5. The maximum payments provided in subdivisions 2 and 3 shall be increased beginning July 1, 1978, to the close of the first year of revenue service by an amount equal to the local consumer price index not to exceed eight percent, compounded annually. After the first year of revenue service, the amount calculated under the preceding sentence shall be increased by the actual rate of inflation of the cost of operating and maintaining the people mover system, compounded annually.

Sec. 11. [CAPITOL AREA FACILITIES; STATE OWNED PROPERTY.] *Subdivision 1. 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 commission and the 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. 2. 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. The value of these easements and facilities shall be applied to the commissioner's share of the local contributions.

Subd. 3. 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 board 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. 4. 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 3.

Sec. 12. Minnesota Statutes 1978, Section 473.446, Subdivision 1, is amended to read:

473.446 [TRANSIT TAX LEVIES.] Subdivision 1. [AMOUNT.] For the purposes of sections 473.401 to 473.451 and the metropolitan transit system, the metropolitan transit commission shall levy each year upon all taxable property within the metropolitan transit taxing district, defined herein, a transit tax consisting of:

(a) An amount equal to 1.72 mills times the assessed value of all such property, the proceeds of which shall be used for payment of the expenses of operating regular route bus service;

(b) An additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations outstanding on July 1, 1977, to which property taxes under this section have been pledged; and

(c) An additional amount necessary to provide full and timely payment of bonds in the principal amount of \$9,000,000 which the commission is authorized to sell for the purpose of purchasing buses and related equipment, and constructing maintenance and other buildings, bus shelters and road related improvements; and

(d) An additional amount necessary to provide for the full and timely payment of bonds or other obligations in an aggregate principal amount not exceeding the amount authorized under section 7 for the purpose of acquisition and betterment of the people mover system.

Sec. 13. [JUDICIAL PROCEEDINGS; TIME TO COMMENCE.] *No action shall be commenced or maintained, nor defense interposed in an eminent domain proceeding, questioning the public purpose, propriety of expenditure of public funds, or validity of any law authorizing the acquisition, betterment, operation, maintenance or financing of the people mover system, except by lawsuit commenced in the district court of Ramsey County within 90 days of the date of publication of the metropolitan council recommendation given pursuant to section 3, or within 90 days of the date of written notice mailed to persons whose property may be taken by subsequent proceedings in eminent domain for the people mover system or right of way. Such action timely commenced by any taxpayer, any person whose property is or may be taken or interfered with by reason of the proposed implementation of the people mover system, or other person with standing, shall be maintained in the manner provided by law, including Minnesota*

Statutes, Chapter 562. Nothing in this subdivision nor notice given pursuant thereto shall be construed as a taking of private property, nor as limiting a property owner's right to just compensation for the taking of private property to be litigated in proceedings in eminent domain subsequently instituted under charter or Minnesota Statutes, Chapter 117, for such taking and assessment and award of damages.

Sec. 14. [REPEALER.] *Laws 1977, Chapter 454, Section 45, is repealed.*

Sec. 15. [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."*

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 1210: A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in Beltrami County.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, delete "and"

Page 1, delete lines 19 to 21 and insert:

"(c) Lot 9, Block 1, Rosemilne Addition;

(d) East one half of that part of vacated Milne Avenue, Rosemilne Addition which lies easterly of and adjacent to the extended lot lines of Lots 4, 5, 6, 7, 8, 9, and the North half of 10, Block 1, Rosemilne Addition; and

(e) West one half of that part of vacated Milne Avenue, Rosemilne Addition, which lies easterly of and adjacent to Lot 9, Block 1, Rosemilne Addition."

Page 2, delete line 1

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 10, before the period, insert "and the West 738.44 feet of the North 40 feet of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Section Thirty-three (33), Township One Hundred Sixty-one (161) North, Range Forty-six (46) west, Kittson County, Minnesota, containing 0.7 acres. The state reserves an easement for the purpose of constructing and maintaining a recreational trail over that part of the above premises described as follows: The East 78.44 feet of the West 738.44 feet of the North 40 feet of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Section Thirty-three (33), Township One Hundred Sixty-one (161) North, Range Forty-six (46) West"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 844: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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 26, after "security" insert a comma

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 everything after "4."

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" and insert a period

Page 3, delete lines 8 to 10

Page 3, line 11, delete "to other counties."

Page 3, after line 25, insert:

"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, delete "welfare agency" and insert "board" and after "shall" insert "designate an agency to"

Page 4, line 7, delete "welfare"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 701: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete line 14

Page 1, line 15, after "availability" insert "and risks"

Page 1, line 16, delete the period, and insert "; and"

Page 1, after line 16, insert:

"(c) Any other medical tests available, and their risks, for detection of chromosomal abnormalities."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

S. F. No. 832: A bill for an act relating to veterans; increasing the maximum amount of certain educational grants to certain persons; appropriating money; amending Minnesota Statutes 1978, Section 197.75, Subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 830: A bill for an act relating to education; requiring the commissioner of education and the higher education coor-

minating 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, delete "*commissioner of*" and insert "*state board for vocational*"

Page 1, line 18, delete "*commissioner*" and insert "*board*"

Page 1, after line 19, insert:

"Upon receipt of the plan or proposal the board shall transmit a copy to the higher education coordinating board."

Page 1, line 21, delete "*commissioner*" and insert "*board*"

Page 1, line 23, after "*institute*" insert "*and the higher education coordinating board*"

Page 2, line 3, delete "*commissioner*" and insert "*board*"

Page 2, line 5, delete "*and all necessary information*"

Page 4, line 5, after "*of*" insert "*approval of*"

Page 4, line 6, delete "*commissioner of*" and insert "*state board for vocational*"

Amend the title as follows:

Page 1, line 2, delete "*commissioner*" and insert "*state board for vocational*"

Page 1, line 3, delete "*of*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 333: A bill for an act relating to education; adding a member to the council on quality education, expanding its purpose, extending eligibility for developing proposals; providing for non-public 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, Sections 3.924, Subdivision 1; 3.925; 3.926, Subdivision 1; 123.58, Subdivisions 2, 4, 5, 6, 7, and 8; and Laws 1976, Chapter 271, Section 8, Subdivision 1, as amended.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 123.58, Subdivision 2, is amended to read:

Subd. 2. [ESTABLISHMENT OF EDUCATIONAL COOPERATIVE SERVICE UNITS.] (a) In furtherance of this policy, ten educational cooperative service units are designated. Each unit, should it become operational, shall be termed an educational cooperative service unit, hereafter designated as an ECSU. Geographical boundaries for each ECSU shall coincide with those identified in governor's executive orders 8, dated September 1, 1971, and 59, dated May 29, 1973, issued pursuant to the regional development act of 1969, Minnesota Statutes, Sections 462.381 to 462.397, with the following exceptions:

(i) Development regions one and two shall be combined to form a single ECSU;

(ii) Development regions six east and six west shall be combined to form a single ECSU;

(iii) Development regions seven east and seven west shall be combined to form a single ECSU.

The ESCU shall cooperate with the regional development commission for the region with which its boundaries coincide but shall not be responsible to nor governed by that regional development commission.

(b) The geographic location of the central administrative office of a school district shall determine the membership of the total school district in a particular ECSU. Existing school district boundaries shall not be altered as a result of this section.

(c) Two or more identified ECSU units may, upon approval by a majority of school boards of participating school districts in each affected ECSU, be combined and administered as a single ECSU unit but state assistance shall be allocated on the basis of two or more ECSU units.

(d) The initial organization of each ECSU may occur only upon petition to the state board of education by a majority of all school districts in an ECSU. The state board of education shall, upon receipt of this petition, invite representation from all public school districts *and shall encourage the participation of nonpublic school administrative units to the extent allowed by law* in an ECSU at a regional meeting. The state board of education shall then assist in the necessary organizational activities for establishment of an ECSU pursuant to the requirements of this section.

Sec. 2. Minnesota Statutes 1978, Section 123.58, Subdivision 4, is amended to read:

Subd. 4. [MEMBERSHIP AND PARTICIPATION.] Full membership in an ECSU shall be limited to public school districts of the state but non-voting associate memberships shall be available to non-public school administrative units within the ECSU. Participation in programs and services provided by the ECSU shall be discretionary and no school district shall be compelled to par-

ticipate in these services under authority of this section, except that all school districts whose central administrative offices are within that ECSU whose boundaries coincide with those of development region 11 shall participate in the planning and planning research functions of that ECSU. No planning or planning research decision of that ECSU shall be binding on these region 11 districts. Non-public school students and personnel *may be encouraged to participate* in programs and services to the extent allowed by law.

Sec. 3. Minnesota Statutes 1978, Section 123.58, Subdivision 5, is amended to read:

Subd. 5. [GOVERNING BOARD.] (a) The care, management, and control of an ECSU shall be vested in a board of directors composed of not less than six nor more than 15 members. Members of the ECSU board of directors shall be current members of school boards of participating public school districts. Election to the ECSU board of directors shall be by vote of all current school board members of participating public school districts with each school board member having one vote.

(b) At the initial election, not less than six nor more than 15 members shall be elected at large from the ECSU, one-third of the members for a one year term from July 1 next following the election, one-third of the members for a two year term, and one-third of the members for a three year term, to serve until a successor is elected and qualifies; provided that if the number of members is not evenly divisible by three, the membership will be as evenly distributed as possible among one, two, and three year terms with the remaining members serving the three year term. Elections shall occur after the third Tuesday in May but not later than June 15, or within 90 days following the filing of the initial petition with the state board of education. Thereafter, members shall be elected to serve a term of three years beginning on July 1 next following the election.

(c) Notwithstanding any contrary provisions in (a) and (b), the school boards of districts within that ECSU whose boundaries coincide with those of development region 11 may form a representative assembly composed of one current school board member from each district. The care, management, and control of that ECSU shall be vested in the representative assembly if one is formed. The representative assembly shall elect an executive committee of not less than six nor more than 15 members to terms as provided in clause (b) to have those powers and to carry out those duties delegated to it by the representative assembly. In the election of its executive committee, the representative assembly shall establish such electoral districts as necessary to ensure proportional representation based on school enrollments within the ECSU. The provisions of clauses (d), (e), (f) and (g) of this subdivision shall apply to the executive committee of this ECSU.

(d) A vacancy on the board which results in an unexpired term shall be filled by appointment by the board of directors until such vacancy can be filled at the next annual election.

(e) The first meeting of the ECSU board shall be at a time mutually agreed upon by board members. At this meeting, the ECSU board shall choose its officers and conduct any other necessary organizational business. The ECSU board may, in its discretion, appoint up to three superintendents of school districts within the ECSU as ex officio, non-voting members of the board and shall encourage the advisory participation of administrators of nonpublic school administrative units within the ECSU to the extent allowed by law.

(f) The officers of the ECSU board shall be a chairman, vice chairman, clerk and treasurer, no two of whom when possible shall be from the same school district.

(g) A member of the ECSU board shall have the same liability applicable to a member of an independent school board.

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.

(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 *and nonpublic school administrative units* 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 123.58, Subdivision 7, is amended to read:

Subd. 7. [APPOINTMENT OF AN ADVISORY COUNCIL.] There shall be an advisory council selected to give advice and counsel to the ECSU board of directors. This council shall be composed of superintendents, central office personnel, principals, teachers, parents, and lay persons. *Nonpublic school administrative units are encouraged to participate on the council to the extent allowed by law.* A plan detailing procedures for selection of membership in this council shall be submitted by the ECSU board of directors to the state board of education.

Sec. 6. Minnesota Statutes 1978, Section 123.58, Subdivision 8, is amended to read:

Subd. 8. [EDUCATIONAL PROGRAMS AND SERVICES.] Pursuant to subdivision 6, and rules and regulations of the state board of education, the board of directors of each operational ECSU shall submit annually a plan to the *public* school districts within the ECSU, *the nonpublic school administrative units*, and the state board of education. The plan shall identify the programs and services which are suggested for implementation by the ECSU during the following school year and shall contain components of long range planning determined by the ECSU in cooperation with the state board of education and other appropriate agencies. The state board of education may review and recommend modification of the proposed plan and conduct ongoing program reviews. These programs and services may include, but are not limited to, the following areas:

(a) Administrative services and purchasing

- (b) Curriculum development
- (c) Data processing
- (d) Educational television
- (e) Evaluation and research
- (f) In-service training
- (g) Media centers
- (h) Publication and dissemination of materials
- (i) Pupil personnel services
- (j) Regional planning, joint use of facilities, and flexible and year-round school scheduling
- (k) Secondary, post-secondary, community, adult, and adult vocational education
- (l) Individualized instruction and services, including services for students with special talents and special needs
- (m) Teacher personnel services
- (n) Vocational rehabilitation
- (o) Health, diagnostic, and child development services and centers
- (p) Leadership or direction in early childhood and family education
- (q) Community services
- (r) Shared time programs.

Sec. 7. Laws 1976, Chapter 271, Section 8, Subdivision 1, as amended by Laws 1977, Chapter 447, Article 7, Section 31, is amended to read:

Sec. 8. [COMMITTEE ON NONPUBLIC SCHOOLS.] Subdivision 1. The governor shall appoint a five member advisory task force committee on nonpublic schools within 30 days of the effective date of this section. The five members shall be representative of the various areas of the state and shall be knowledgeable about nonpublic schools. The task force shall expire May 15, 1978, and The compensation, removal of members and , filling of vacancies and expiration date shall be as provided in Minnesota Statutes, Section 15.059.

Sec. 8. *If a part of this act is invalid, all valid parts of this act that are severable from the invalid part remain in effect.*

Sec. 9. *Section 7 is effective May 15, 1979.*"

Delete the title and insert:

"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."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1180: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 1, delete "loan"

Page 2, line 1, after "approval" insert "of the bond issue by the voters"

Page 2, line 5, after "approval" insert "of the bond issue by the voters"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 352: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, delete "*June 1, 1979*" and insert "*January 1, 1980*"

Page 1, line 17, delete "*June 1, 1980*" and insert "*January 1, 1981*"

Page 1, line 18, delete "*June 1, 1981*" and insert "*January 1, 1982*"

Page 1, line 20, delete "\$2.75" and insert "\$2.61"

Page 1, line 20, delete "*June 1, 1979, \$2.95*" and insert "*January 1, 1980, \$2.79*"

Page 1, line 21, delete "*June 1, 1980*" and insert "*January 1, 1981*"

Page 1, line 21, delete "\$3.18" and insert "\$3.02"

Page 1, line 22, delete "June 1, 1981" and insert "January 1, 1982"

Pages 1 and 2, delete sections 2 and 3

Amend the title as follows:

Page 1, delete line 3

Page 1, line 4, delete "required;"

Page 1, line 5, delete "Sections" and insert "Section"

Page 1, line 5, delete "; and 177.25," and insert a period

Page 1, delete line 6

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 205: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, delete ", and a credit of ten percent of the"

Delete lines 14 to 17

Page 1, line 19, before the period, insert "if the expenditures are eligible for the federal residential energy conservation credit"

Page 1, line 20, delete "terms" and insert "term"

Page 1, line 21, delete "and "renewable energy source"

Page 1, line 21, delete "expenditure" "

Page 1, line 22, delete "meanings given them" and insert "meaning given"

Page 2, line 6, delete "or renewable energy source expenditures"

Page 2, line 7, delete "each kind of" and insert "an"

Page 2, line 9, delete "of that kind"

Page 2, line 20, after "The" insert "residential energy conservation"

Page 2, line 21, after "44C" insert "(c) (1), (3), (4), (7) C and D; and (8);"

Page 2, line 21, after "(3)" and before "and" delete the comma and insert a semicolon

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 555: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, lines 10 and 16, after "contract" insert "*for a public improvement*"

Page 2, line 21, delete everything after the period

Page 2, delete lines 22 to 33

Page 3, delete lines 1 to 12

Page 3, lines 18 and 19, delete "*public contracting agency*" and insert "*appropriate local or state financial officer*"

Page 4, after line 17, insert:

"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."

Page 4, lines 25 to 33, reinstate the stricken language

Page 4, lines 26 and 30, strike "90" and insert "95"

Page 5, lines 1 to 18, reinstate the stricken language

Page 5, line 18, delete the underscored language and insert "*, or if the delay is caused by the contractor*"

Page 5, lines 26 to 33, reinstate the stricken language

Page 5, lines 27 and 31, strike "90" and insert "95"

Page 6, lines 1 to 19, reinstate the stricken language

Page 6, line 19, delete the underscored language and insert "*, or if the delay is caused by the contractor*"

Page 6, after line 19, insert:

"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.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "Sections" insert "161.322;"

Page 1, line 5, delete "and"

Page 1, line 5, before the period, insert "*;* and 429.041, Subdivision 6"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 1157: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, after "5a." insert "*A member of a labor organization may prohibit the transfer of any of his dues to the organization's political fund.*"

Page 1, line 22, delete "*in writing*"

Page 3, line 1, delete "*given to*" and insert "*notified*"

Page 3, line 2, delete "*written notice*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1295: A bill for an act relating to contracts; making certain contracts unenforceable unless in writing.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Chmielewski from the Committee on Veterans' Affairs, to which was referred

S. F. No. 1160: A bill for an act relating to veterans; creating a tuition exemption program for certain veterans.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 27, insert:

"Sec. 2. [APPROPRIATION.] The sum of \$. is appropriated to the commissioner of veterans' affairs from the general fund for the purposes of section 1 for the period ending June 30, 1981."

Amend the title as follows:

Page 1, line 3, after "veterans" insert "; appropriating money"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 1387: 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 1h; 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 7, line 24, strike “, subject to the approval”

Page 7, strike line 25

Page 7, line 26, strike “Minnesota;”

Page 7, line 28, strike “, with the approval of the commissioner of”

Page 7, line 29, delete “finance” and strike the comma

Page 7, line 32, strike “, with the”

Page 7, line 33, strike “approval of the commissioner of”

Page 7, line 33, delete “personnel” and strike the comma

Page 22, after line 10, insert:

“Section 1. Minnesota Statutes 1978, Section 15.0412, Subdivision 2, is amended to read:

Subd. 2. To assist interested persons dealing with it, each agency shall, in a manner prescribed by the commissioner of administration, prepare a description of its organization, stating the process whereby the public may obtain information or make submissions or requests. The commissioner of administration shall annually publish these descriptions *at least in every even-numbered year commencing in 1980 in a guidebook of state agencies. Notice of the publication of the guidebook shall be published in the state register.*"

Page 24, after line 23, insert:

"Sec. 7. Minnesota Statutes 1978, Section 16.125, is amended to read:

16.125 [TRANSFER OF PERSONNEL, POWERS, DUTIES.]
 Subdivision 1. The commissioner of administration, in order to improve efficiency or avoid duplication, may transfer personnel, powers, or duties, or any combination of them, from a department or agency to another department or agency ~~that has been in existence for at least one year prior to the date of transfer~~. A transfer must have received *receive* the prior approval of the governor. The commissioner of administration shall no later than January 15 of each *odd numbered* year submit to the legislature a bill making all statutory changes required by reorganization orders *and ratifying all other reorganization orders affecting state law* issued by the commissioner during the preceding *two calendar year years*. *If the bill or some part of it is not enacted into law by the end of the regular legislative session in the even numbered year after the bill is required to be submitted, the reorganizations or appropriate part of them shall be deemed disapproved and shall be of no effect, and the commissioner shall not thereafter issue a reorganization order accomplishing the same result.*

Subd. 2. A transfer made pursuant to subdivision 1 shall be in the form of a reorganization order. A reorganization order shall be filed with the secretary of state, shall be uniform in format and shall be numbered consecutively. An order shall be effective upon filing with the secretary of state and shall remain in effect until amended or superseded. Copies of the filed order shall be delivered promptly by the commissioner to the secretary of the senate and the chief clerk of the house. ~~A reorganization order which transfers all or substantially all of the powers or duties or personnel of a department, the energy agency, the housing finance agency or the pollution control agency shall not be effective until ratified by concurrent resolution or enacted into law.~~

Subd. 3. The commissioner of finance shall determine ~~the what~~ fractional part of the appropriation to the ~~transferor~~ department or agency from which the personnel, power, or duty is transferred represented by ~~that is attributable to the~~ transferred personnel, power, or duty, and that part of the appropriation is hereby reappropriated to the transferee department or agency."

Page 32, line 18, delete "five" and insert "ten"

Page 34, line 15, delete "due to new"

Page 34, line 16, delete "*programs*"

Renumber the sections of Article II in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "providing for legislative review of reorganization orders;"

Page 1, line 18, after the semicolon, insert "15.0412, Subdivision 2;"

Page 1, line 21, after "9;" insert "16.125;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 326: A bill for an act relating to retirement; providing a retirement allowance for members of the legislature after eight years of service; amending Minnesota Statutes 1978, Section 3A.02, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, reinstate "without"

Page 1, line 13, after the stricken word "application" insert "*applying the provisions*"

Page 1, line 13, reinstate "of section 3A.10,"

Page 1, line 14, reinstate "subdivision 2,"

Page 1, line 14, strike "four"

Page 1, line 15, strike "regular" and insert "*eight annual*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 1189: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, after "*officers,*" insert "*highway patrolmen,*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 1190: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, delete "The purpose"

Page 1, delete lines 16 to 19

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 560: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.481] [ASSISTANCE FOR THE FINANCIALLY DISADVANTAGED.] *Subdivision 1. [PURPOSE.] It is in the interest of the state of Minnesota that every resident, regardless of financial means, has the opportunity to acquire the necessary skills, training and education to be gainfully employed to that person's full potential. The purpose of this section is to assist the person who desires to obtain certain additional skills, training or education but who lacks the financial means.*

Subd. 2. [JOB AND CAREER TRAINING GRANTS.] The state board of education may, on the basis of criteria recommended by the council established by subdivision 3, award a job and career training grant to a Minnesota resident who needs financial assistance and for whom other funds are not available, are insufficient or have been exhausted. The job and career training grant shall be used for specialized education in preparation for entry into a business, technical or vocational school or job training program, including prevocational programs, preapprenticeship training programs and English language programs, or for attendance at a business, technical or vocational school or any other job or career training program. A job and career training grant shall be used only at a school or for a program approved by the state board. Job and career training grants shall be used to pay for tuition, room and board, incidental fees, books, supplies, transportation or other expenses for which payment is authorized by the state board. No student shall receive a job and career training grant under this section for more than one year.

Subd. 3. [ADVISORY COUNCIL.] *There is hereby created an advisory council on job and career training grants for the financially disadvantaged. The council shall be composed of five individuals knowledgeable about the needs and concerns of financially disadvantaged students. The members shall include a representative of the American Indian community, a representative of the black community, a representative of the Hispanic community and two other citizens, all of whom shall have extensive experience in or knowledge about job and career training and placement. The members shall be appointed by the state board of education after consultation with major organizations within the state representing the American Indian community, the black community, and the Hispanic community. The council shall make recommendations to the state board for the establishment of rules and guidelines on: (a) the criteria for eligibility for a job and career training grant; (b) the amount and type of each grant; (c) the recipients of the grants; (d) programs and schools for or at which grants may be spent; and (e) the purposes for which grants may be spent. The terms, compensation and removal of members shall be governed by Minnesota Statutes, Section 15.059.*

Subd. 4. [REPORT TO THE GOVERNOR AND LEGISLATURE.] *The state board shall evaluate the job and career training grants program and shall by January 15, 1981, and every two years thereafter, by January 15 of the reporting year, report its findings to the governor and the legislature. The report shall include a statement of the number of students who have received grants, the type of education for which the grants were awarded, the amounts of the grants and other information which would assist the governor and the legislature in evaluating the job and career training grants program.*

Sec. 2. *The sum of \$1,000,000 is appropriated from the general fund to the state board of education for the purposes of section 1 and shall be available until June 30, 1981. Of this amount, \$..... shall be available for the year ending June 30, 1980, for the employment of one professional and one clerical employee beyond the existing complement of the department of education; \$..... shall be available for the year ending June 30, 1981, for the employment of one professional and one clerical employee beyond the existing complement of the department of education; and \$..... shall be available until June 30, 1981, for the payment of other necessary expenses incurred in the administration of section 124.481."*

Amend the title by striking it and inserting:

"A bill for an act relating to education; establishing a job and career training grant program for financially disadvantaged students; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was re-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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, delete "15" and insert "31"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 49: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 48.159, is amended to read:

48.159 [LIMITED TRUSTEESHIP.] *Subdivision 1.* A commercial bank, upon approval by the commissioner of banks of an application in the prescribed form filed with him together with a filing fee of \$100, shall have the power to act as trustee or custodian within the contemplation of the federal self-employed individuals tax retirement act of 1962, as amended and shall have the power to act as trustee or custodian within the contemplation of the federal employee retirement income security act of 1974, as amended, to establish an individual retirement account. The funds shall be invested only in savings or time deposits in the bank in amounts fully insured by federal deposit insurance. Funds held in the fiduciary capacity may be commingled for purposes of investment, but individual records shall be maintained by the fiduciary for each participant and show in detail all transactions engaged in under authority of this section. In passing upon applications, the commissioner shall take into consideration the investment policies, amount, type, and adequacy of reserves, fidelity bonds, and legally required deposits of the applicant, and other pertinent facts and circumstances, and may grant or refuse the application accordingly.

Subd. 2. Upon application to and approval by the commissioner, a commercial bank shall have the power to act as trustee of individual housing accounts established pursuant to the provisions of section 290.09, subdivision 30.

Sec. 2. Minnesota Statutes 1978, Section 50.157, is amended to read:

50.157 [LIMITED TRUSTEESHIP.] *Subdivision 1.* A savings bank shall have the power to act as trustee or custodian within the contemplation of the federal self-employed individuals tax retirement act of 1962, as amended, and also within the contemplation of the employee retirement income security act of 1974, as amended. The trustee or custodian may accept such trust funds provided such funds are invested only in savings accounts or deposits in such bank or in obligations or securities issued by such bank. All funds held in such fiduciary capacity may be commingled for appropriate purposes of investment, but individual records shall be maintained by the fiduciary for each participant and shall show in proper detail all transactions engaged in under authority of this section.

Subd. 2. Upon application to and approval by the commissioner, a savings bank shall have the power to act as trustee of individual housing accounts established pursuant to the provisions of section 290.09, subdivision 30.

Sec. 3. Minnesota Statutes 1978, Section 51A.21, is amended by adding a subdivision to read:

Subd. 16a. Upon application to and approval by the commissioner, to act as trustee of individual housing accounts established pursuant to the provisions of section 290.09, subdivision 30.

Sec. 4. Minnesota Statutes 1978, Chapter 52, is amended by adding a section to read:

[52.136] [INDIVIDUAL HOUSING ACCOUNTS.] *Upon application to and approval by the commissioner of banks, a credit union shall have the power to act as trustee of individual housing accounts established pursuant to the provisions of section 290.09, subdivision 30.*

Sec. 5. Minnesota Statutes 1978, Section 290.09, is amended by adding a subdivision to read:

Subd. 30. [INDIVIDUAL HOUSING ACCOUNTS.] (a) *There shall be allowed as a deduction the amount, not to exceed \$2,500, paid in cash during the taxable year by an individual taxpayer to an individual housing account established for his benefit to provide funding for the purchase of his first principal residence, together with all interest paid or accrued within the taxable year on the account. In the case of a married couple filing separate returns or filing separately on a combined return, the sum of the deductions allowable to each of them for the taxable year may not exceed \$2,500. No deduction may be taken for an amount on deposit in the account for less than six months before withdrawal. Any amount deposited earlier than six months before the close of the taxpayer's taxable year may be taken as a deduction only for the next succeeding taxable year.*

The amount allowable as a deduction under this subdivision to an individual for all taxable years may not exceed \$10,000. In the

case of a married individual, the \$10,000 amount shall be reduced by an amount equal to the sum of the amounts allowed as deductions pursuant to this subdivision for all taxable years to his spouse.

(b) For purposes of this subdivision, the term "individual housing account" means a trust created or organized in Minnesota for the exclusive benefit of an individual, or, in the case of a married individual, for the exclusive benefit of the individual and his spouse jointly, but only if the written governing instrument creating the trust meets the following requirements:

(1) Contributions will not be accepted for the taxable year in excess of \$2,500 or in excess of \$10,000 for all taxable years, exclusive of interest paid or accrued.

(2) The trustee is a financial institution, as defined in section 47.015, or a credit union, chartered or supervised under federal or state law, whose accounts are insured by the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation, the National Credit Union Administration or any agency of this state or any federal agency established for the purpose of insuring accounts in these financial institutions. The financial institution must actively make residential real estate mortgage loans in Minnesota.

(3) The assets of the trust shall be invested only in savings or time deposits in amounts fully insured as prescribed in paragraph (2). Funds held in the trust may be commingled for purposes of investment, but individual records shall be maintained by the trustee for each individual housing account holder which show all transactions in detail.

(4) The entire interest of an individual or married couple for whose benefit the trust is maintained will be distributed to him, or them, not later than 120 months after the date on which the first contribution is made to the trust.

(5) Except as provided in clause (c) (2) or clause (d) in the case of a disability or death the trustee will distribute no part of the funds in the account unless it: (a) verifies that the money is to be used for the purchase of a residence located in Minnesota, and it provides that the instrument of payment is payable to the mortgagor, construction contractor, or other vendor of the property purchased; or (b) withholds an amount equal to ten percent of the amount withdrawn from the account and remits this amount to the commissioner of revenue within ten days after the date of the withdrawal. The amount so withheld shall be applied to the liability of the taxpayer under clauses (c) (1) and (d).

(c) (1) Except as otherwise provided in this clause, any amount paid or distributed out of an individual housing account shall be included in gross income by the payee or distributee for the taxable year in which the payment or distribution is received, unless the amount is used exclusively in connection with the first purchase of a principal residence in Minnesota for the payee or distributee.

(2) Paragraph (1) shall not apply to the distribution of any contribution paid during a taxable year to an individual housing account to the extent that the contribution exceeds the amount allowable as a deduction under this subdivision if:

(A) The distribution is received on or before the day prescribed by law including extensions of time for filing such individual's return for the taxable year;

(B) No deduction is allowed under this subdivision with respect to the excess contribution; and

(C) The distribution is accompanied by the amount of net income attributable to the excess contribution. This net income shall be included in the gross income of the individual for the taxable year in which it is received.

(3) The transfer of an individual's interest in an individual housing account to his former spouse under a dissolution of marriage decree or under a written instrument incident to a dissolution of marriage is not to be considered a taxable transfer made by the individual and the interest, at the time of the transfer, is to be treated as an individual housing account of the transferee, and not of the transferor. After the transfer, the account is to be treated, for purposes of this subdivision, as maintained for the benefit of the spouse.

(d) If a distribution from an individual housing account to an individual for whose benefit the account was established is made and not used in connection with the first purchase of a principal residence in Minnesota for the individual, the tax liability of the individual under chapter 290 for the taxable year in which the distribution is received shall be increased by an amount equal to ten percent of the amount of the distribution which is includable in his gross income for the taxable year. If, during any taxable year, the individual uses the account or any portion thereof as security for a loan, the portion so used is treated as distributed to that individual. No such liability shall be imposed if the payment or distribution is attributable to the taxpayer dying or becoming disabled as provided in section 290A.03, subdivision 10. An individual shall not be considered to be disabled unless he furnishes proof of the disability in the form and manner as the commissioner of revenue may require. Upon the death of an individual for whose benefit the account had been established, the funds in the account shall be payable to the estate of the individual, provided that, if the account was held jointly by the decedent and a spouse of the decedent, the account shall remain as the individual housing account of the surviving spouse.

(e) The trustee of an individual housing account shall make reports regarding the account to the commissioner of revenue and to the individual for whom the account is maintained with respect to contributions, distributions, and other matters as the commissioner may require under rules. The reports required by this clause shall be filed at a time and in a manner as may be required by the rules. A person who fails to file a required report will be subject

to a penalty of \$10 to be paid to the commissioner of revenue for each instance of failure to file.

(f) For purposes of this clause, in the case of an individual housing account, the term "excess contributions" means the amount by which the amount contributed for the taxable year to the account exceeds the amount allowable as a deduction under clause (b) (1) for the taxable year. For purposes of this clause, any contribution which is distributed out of the individual housing account and a distribution to which clause (d) (2) applies shall be treated as an amount not contributed.

There is imposed for each taxable year a tax not to exceed six percent of the value of the amount of the excess contributions to an individual's individual housing account.

Sec. 6. Minnesota Statutes 1978, Section 290.17, Subdivision 2, is amended to read:

Subd. 2. [OTHER TAXPAYERS.] In the case of taxpayers not subject to the provisions of subdivision 1, items of gross income shall be assigned to this state or other states or countries in accordance with the following principles:

(1) The entire income of all resident or domestic taxpayers from compensation for labor or personal services, or from a business consisting principally of the performance of personal or professional services, shall be assigned to this state, and the income of nonresident taxpayers from such sources shall be assigned to this state if, and to the extent that, the labor or services are performed within it; all other income from such sources shall be treated as income from sources without this state;

(2) Income from the operation of a farm shall be assigned to this state if the farm is located within this state and to other states only if the farm is not located in this state. Income and gains received from tangible property not employed in the business of the recipient of such income or gains, and from tangible property employed in the business of such recipient if such business consists principally of the holding of such property and the collection of the income and gains therefrom, shall be assigned to this state if such property has a situs within it, and to other states only if it has no situs in this state. Income or gains from intangible personal property not employed in the business of the recipient of such income or gains, and from intangible personal property employed in the business of such recipient if such business consists principally of the holding of such property and the collection of the income and gains therefrom, wherever held, whether in trust, or otherwise, shall be assigned to this state if the recipient thereof is domiciled within this state; income or gains from intangible personal property wherever held, whether in trust or otherwise shall be assigned to this state if the recipient of such income or gains is domiciled within this state, or if the grantor of any trust is domiciled within this state and such income or gains would be taxable to such grantor under sections 290.28 or 290.29;

(3) Income derived from carrying on a trade or business, including in the case of a business owned by natural persons the income imputable to the owner for his services and the use of his property therein, shall be assigned to this state if the trade or business is conducted wholly within this state, and to other states if conducted wholly without this state. This provision shall not apply to business income subject to the provisions of clause (1);

(4) When a trade or business is carried on partly within and partly without this state, the entire income derived from such trade or business, including income from intangible property employed in such business and including, in the case of a business owned by natural persons, the income imputable to the owner for his services and the use of his property therein, shall be governed, except as otherwise provided in sections 290.35 and 290.36, by the provisions of section 290.19, notwithstanding any provisions of this section to the contrary. This shall not apply to business income subject to the provisions of clause (1). For the purposes of this clause, a trade or business located in Minnesota is carried on partly within and partly without this state if tangible personal property is sold by such trade or business and delivered or shipped to a purchaser located outside the state of Minnesota.

In determining whether or not intangible property is employed in a unitary business carried on partly within and partly without this state so that income derived therefrom is subject to apportionment under section 290.19 the following rules and guidelines shall apply.

(a) Intangible property is employed in a business if the business entity owning intangible property holds it as a means of furthering the business operation of which a part is located within the territorial confines of this state.

(b) Where a business operation conducted in Minnesota, is owned by a business entity which carries on business activity outside of the state different in kind from that conducted within this state, and such other business is conducted entirely outside the state, it will be presumed that the two business operations are unitary in nature, interrelated, connected and interdependent unless it can be shown to the contrary.

(5) *In the case of a nonresident who is liable for payment of a penalty for having withdrawn funds from an individual housing account established pursuant to section 290.09, subdivision 30, the amount so withdrawn shall be an item of income assignable to this state, and the penalty tax of ten percent shall remain an additional liability of that taxpayer.*

(6) All other items of gross income shall be assigned to the taxpayer's domicile.

Sec. 7. Section 5 may be cited as the "Young Family Housing Act".

Sec. 8. *This act is effective for the taxable years beginning after December 31, 1978.*"

Amend the title as follows:

Page 1, line 8, delete "Section" and insert "Sections 48.159; 50.157; 51A.21, by adding a subdivision;"

Page 1, line 9, after "subdivision" insert "and 290.17, Subdivision 2; and Chapter 52, by adding a section"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1309: A bill for an act relating to local government; providing that mileage allowances be set locally; amending Minnesota Statutes 1978, Section 471.665.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, after "471.665," insert "Subdivision 1,"

Pages 1 and 2, delete subdivisions 2 and 3

Amend the title as follows:

Page 1, line 4, before the period, insert ", Subdivision 1"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1213: A bill for an act relating to collection and dissemination of data; classifying data; extending the period of time during which emergency classifications of data may be made; clarifying the duties of the responsible authority; providing remedies; amending Minnesota Statutes 1978, Sections 15.162, Subdivisions 1 and 2a, and by adding a subdivision; 15.163; and 15.1642, Subdivisions 3 and 5; 15.166; and Chapter 15, by adding sections; repealing Minnesota Statutes 1978, Sections 15.1641; 15.1642, Subdivision 4; and 15.169.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, delete "8 to 10" and insert "10 to 12"

Page 2, line 12, strike "an emergency" and insert "a temporary"

Page 2, line 25, strike "On or"

Page 2, line 26, strike "before August 1, 1976,"

Page 3, line 26, after "1975," insert "and which have not been treated as public data,"

Page 4, line 11, after the period insert "*Informed consent shall not be deemed to have been given by an individual subject of the data by the signing of any statement authorizing any person or agency to disclose information about him or her to an insurer or its authorized representative, unless the statement is:*

(1) *In plain language;*

(2) *Dated;*

(3) *Specific as to the persons and agencies he or she is authorizing to disclose information about him or her who are known at the time the authorization is signed, and general as to others whose specific identity is not known at the time the authorization is signed;*

(4) *Specific as to the nature of the information he or she is authorizing to be disclosed;*

(5) *Specific as to the persons or agencies to whom he or she is authorizing information to be disclosed;*

(6) *Specific as to the purpose(s) for which the information may be used by any of the parties named in clause (5), both at the time of the disclosure and at any time in the future;*

(7) *Specific as to its expiration date which should be for a reasonable period of time, not to exceed one year, and in the case of life insurance or noncancelable or guaranteed renewable health insurance, two years after the date of the policy."*

Page 4, line 19, delete "8" and insert "10"

Page 4, line 24, delete "8 to 10" and insert "10 to 12"

Page 5, after line 15, insert:

"Sec. 5. Minnesota Statutes 1978, Section 15.1642, Subdivision 1, is amended to read:

15.1642 [TEMPORARY CLASSIFICATION.] Subdivision 1. [APPLICATION.] The responsible authority of a state agency, political subdivision or statewide system may apply to the commissioner for permission to classify data or types of data on individuals as private or confidential, for its own use and for the use of other similar agencies, political subdivisions or statewide systems on an emergency a temporary basis until a proposed statute can be acted upon by the legislature. The application for emergency temporary classification is public.

Upon the filing of an application for emergency temporary classification, the data which is the subject of the application shall be deemed to be classified as set forth in the application for a period of 30 days, or until the application is disapproved or granted by the commissioner, whichever is earlier.

Sec. 6. Minnesota Statutes 1978, Section 15.1642, Subdivision 2, is amended to read:

Subd. 2. [CONTENTS OF APPLICATION.] An application for emergency temporary classification shall include and the applicant shall have the burden of clearly establishing at least the following information:

(a) That no statute currently exists which either allows or forbids classification as private or confidential;

(b) That data similar to that for which the emergency temporary classification is sought has been treated as either private or confidential by other state agencies or political subdivisions, and by the public or that release of the data would constitute an unwarranted intrusion into an individual's personal privacy, or render unworkable a program authorized by law; and

(c) That a compelling need exists for immediate emergency temporary classification, which if not granted could adversely affect the public interest or the health, safety, well being or reputation of the data subject."

Page 5, line 19, strike "emergency" and insert "temporary"

Page 5, line 29, strike "emergency" and insert "temporary"

Page 6, line 14, strike "emergency" and insert "temporary"

Page 6, delete lines 27 to 31 and insert:

"Subd. 5. [EXPIRATION OF EMERGENCY CLASSIFICATION.] *Emergency classifications granted before the effective date of this act are redesignated as temporary classifications. All emergency temporary classifications granted under this section prior to the effective date of this act and still in effect shall expire on July 31, 1979 1980. No emergency classifications shall be granted after July 31, 1979. On or before January 15 of each year, the commissioner shall submit all temporary classifications granted in the prior year in bill form for legislative consideration. For purposes of this section, all temporary classifications granted prior to December 1, 1979, shall be treated as if they were granted in 1979. Unless enacted by law, each temporary classification so submitted shall expire one year after being granted and may not be renewed.*"

Page 7, line 4, delete "8" and insert "10"

Page 7, line 5, delete "10" and insert "12"

Page 7, line 16, delete "8 to 10" and insert "10 to 12"

Page 7, line 20, delete "8 to 10" and insert "10 to 12"

Page 7, line 24, delete "8 to 10" and insert "10 to 12"

Page 8, line 1, delete "8 to 10" and insert "10 to 12"

Page 8, line 7, after the headnote insert "(a) "Directory information" means name of the patient, date admitted, general condition, and date released."

Page 8, line 7, delete "(a)" and insert "(b)"

Page 8, line 9, delete "medical"

Page 8, line 10, delete "(b)" and insert "(c)"

Page 8, line 13, delete "(c)" and insert "(d)"

Page 9, delete lines 18 to 21 and insert:

"Subd. 4. [LICENSING DATA.] All data pertaining to persons licensed or registered under the authority of the commissioner of public welfare, except for personal and financial data submitted by applicants and licensees under the home day care program and the family foster care program, is public data. Personal and financial data on home day care program and family foster care program applicants and licensees is private data pursuant to section 15.162, subdivision 5a."

Page 9, line 31, after the period, insert:

"Subd. 6."

Page 10, line 1, delete "6" and insert "7"

Page 10, line 2, delete "state"

Page 10, after line 8, insert:

"Directory information about an emergency patient which is public under this subdivision shall not be released until a reasonable effort is made to notify the next of kin. Although an individual has requested that directory information be private, the hospital may release directory information to a law enforcement agency pursuant to a lawful investigation pertaining to that individual."

Page 10, line 9, delete "7" and insert "8"

Page 10, line 24, after "benefits," insert "the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;"

Page 12, line 25, delete "1232g (6) (1) (I)" and insert "1232g (b) (1) (I)"

Page 12, line 28, after "(b) (4) (B)," insert "(b) (1) (B),"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, after "Subdivisions" insert "1, 2,"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 1078: A bill for an act relating to the state board of the arts; providing public television assistance; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 6, delete "state board" and insert "department"

Page 1, line 7, delete "the arts" and insert "administration"

Page 1, line 8, delete "\$67,000" and insert "\$42,000"

Amend the title as follows:

Page 1, line 2, delete "state board of the arts" and insert "department of administration"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 940: A bill for an act relating to highways; allowing private landowners to install drainage tiles along and across highway right-of-way under certain conditions; prescribing a penalty; amending Minnesota Statutes 1978, Section 160.20, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, delete everything after "right-of-way"

Page 1, line 17, delete everything before the period and insert "*along the general course of the natural drainageway, provided further that there will be no diversion of drainage waters away from the natural receiving drainageway immediately downstream from the highway*"

Page 2, after line 24, insert:

"(f) The road authority having jurisdiction will issue no permit for installation of new drainage tile which facilitate the drainage of public waters unless a permit has first been issued by the commissioner of natural resources pursuant to section 105.42."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 791: 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 sub-

division; and 104.37, Subdivision 1; repealing Minnesota Statutes 1978, Sections 104.35, Subdivision 4; and 104.39.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 18, insert:

“Section 1. Minnesota Statutes 1978, Section 104.31, is amended to read:

104.31 [SCENIC RIVERS ACT.] Sections 104.31 to 104.40 may be cited as the “Minnesota wild and scenic rivers act.”

Sec. 2. Minnesota Statutes 1978, Section 104.33, Subdivision 1, is amended to read:

104.33 [SYSTEM; CRITERIA FOR INCLUSION.] Subdivision 1. The whole or a segment of any river and its adjacent lands in this state that possesses outstanding scenic, recreational, natural, historical, scientific, or similar values shall be eligible for inclusion within the Minnesota wild and scenic rivers system. “River” means a flowing body of water such as a stream or a segment or tributary thereof, and may include lakes through which the river or stream flows.”

Page 1, line 23, strike “wild and”

Page 2, line 21, delete “wild and”

Page 2, line 25, after “administer” insert “its land use controls for”

Page 3, line 4, strike “wild and”

Page 5, line 2, after “shall” insert “not”

Page 5, line 3, delete “when” and insert “unless”

Page 5, line 4, delete “or upon the expiration of” and insert “within”

Page 5, line 4, delete “if the”

Page 5, delete line 5

Page 5, line 6, delete “period”

Page 6, line 7, delete “wild and”

Page 6, line 10, after the period, insert “The ten percent limitation applies only to land specifically acquired for the scenic rivers program.”

Page 6, line 24, delete “wild and”

Page 6, after line 26, insert:

“Sec. 9. Minnesota Statutes 1978, Section 104.40, is amended to read:

104.40 [CONFLICT WITH OTHER LAWS.] Each river in the wild and scenic rivers system shall be subject to the provisions of

sections 104.31 to 104.40, provided that in case of conflict with some other law of this state the more protective provision shall apply."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "wild and"

Page 1, line 4, delete "wild and"

Page 1, line 6, delete "wild and"

Page 1, line 12, after "Sections" insert "104.31; 104.33, Subdivision 1;"

Page 1, line 14, delete "and"

Page 1, line 14, after the second semicolon insert "and 104.40;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was re-referred

S. F. No. 376: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 8, after line 19, insert:

"Sec. 12. [APPROPRIATION.] *The sum of \$3,000,000 is appropriated from the general fund to the department of corrections for the biennium ending June 30, 1981, for the purposes enumerated in Minnesota Statutes, Section 241.022.*"

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "appropriating money;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1391: 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1299: A bill for an act relating to sheriffs; requiring licensure within one year of assuming office; amending Minnesota Statutes 1978, Section 387.01.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 824: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1150: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 13, after "or" delete the comma and after "who" insert a comma

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 through 17

Page 5, line 23, delete "director" and insert "chief executive officer of the facility"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 1050: A bill for an act relating to economic development; providing for training of certain employees; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, after "considering" insert "locating,"

Page 1, line 9, delete "expansion" and insert "expanding,"

Page 1, line 10, delete "relocation" and insert "relocating"

Page 1, line 18, after "are" insert "locating,"

Page 1, line 18, after "expanding" insert a comma

Page 2, line 11, after "it" insert "creates new jobs or substantially"

Page 2, line 11, delete "by at"

Page 2, line 12, delete "least ten full-time positions"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 1037: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 1177: A bill for an act relating to state parks; specifying use of money for access road to St. Croix Wild River state park in Chisago County; amending Laws 1973, Chapter 567, Section 8.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 1072: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 661: A bill for an act relating to public welfare; increasing grants under certain state income assistance programs; appropriating money; amending Minnesota Statutes 1978, Section 256D.01, Subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1301: A bill for an act relating to hospitals; providing exemption from rate review for certain hospitals; amending Minnesota Statutes 1978, Chapter 144, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, delete "*annually*"

Page 1, line 13, before "*charges*" insert "*gross acute care*"

Page 1, line 14, delete "*revenues*" and insert "*gross acute care charges*"

Page 1, line 14, delete "*75 percent of*"

Page 1, line 16, delete the comma and insert a period

Page 1, delete line 17

Page 1, line 18, before "If" insert "*As part of the income statement in its annual financial report required by section 144.698, each hospital shall include a separate statement of its total hospital gross acute care charges.*"

Page 1, line 19, delete "75 percent of"

Page 1, line 20, delete "retrospective"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 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 1, 2, and 6; 106.651; and Chapter 106, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 4, after "system" insert "*or affect public waters*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 302: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 519: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 32, after "property" insert "*and the planting of any species of tree or shrub*"

Page 4, line 33, after the period insert "*The governing body of any municipality which receives a reforestation grant pursuant to this section shall appoint up to seven residents of the municipality or designate an existing municipal board or committee to serve as a reforestation advisory committee to advise the governing body of the municipality in the administration of the reforestation program.*"

Page 5, line 30, reinstate the stricken language

Page 5, line 31, after the stricken "1978" insert "1980"

Page 5, line 31, reinstate ", payable in"

Page 5, line 31, after the stricken "1979" insert "1981"

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, delete everything after the period

Page 2, delete lines 1 to 4 and insert "*Notwithstanding the provisions of any rules promulgated pursuant to this section establishing a flood protection level higher than the elevation of the regional flood, a local governmental unit may elect to adopt and enforce a flood protection level at the elevation of the regional flood in its flood plain ordinance.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 895: A bill for an act relating to intoxicating liquor; hours for Sunday sale; amending Minnesota Statutes 1978, Section 340.14, Subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, reinstate the stricken language and delete the new language

Page 1, line 18, after the period insert *"If the governing body of the municipality issuing the license adopts an ordinance authorizing the earlier sale, the licensees may serve intoxicating liquors between the hours of 10 o'clock a.m. and 12 o'clock midnight on Sundays in conjunction with the serving of food."*

Page 2, line 19, strike "360.101" and insert "473.601"

Page 2, line 19, strike "360.125" and insert "473.624"

Page 2, line 23, strike "360.126" and insert "473.625"

Page 2, line 23, strike "360.132" and insert "473.641"

Amend the title as follows:

Page 1, line 2, after the semicolon insert "permitting earlier"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 744: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1978, Section 72B.02, is amended by adding a subdivision to read:

Subd. 13. "Appraiser identification" means a writing including the appraiser's name, place of business, business telephone number and the name of the insurer or other business entity employing the appraiser, if any."

Page 1, line 13, delete "the"

Page 1, delete line 14

Page 1, line 15, delete "commissioner of insurance" and insert "appraiser identification"

Page 2, line 2, delete "license number,"

Page 2, line 17, delete "telephone" and insert "any oral or written communication"

Page 2, delete subdivision 6

Renumber the subdivisions in sequence

Page 3, line 6, delete everything after "(a)"

Page 3, line 7, delete everything before "limit"

Page 3, line 16, delete "third party"

Page 3, line 17, after the semicolon insert "or"

Page 3, delete lines 18 to 22

Reletter the clauses in sequence

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "1978," insert "Section 72B.02, by adding a subdivision; and"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 1040: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, strike "its" and insert "insurance"

Page 1, line 13, strike "its" and insert "the"

Page 1, line 14, after "directors" insert "of the insurer"

Page 1, line 14, delete "Any" and strike "of"

Page 1, line 15, strike "a"

Page 1, line 15, strike "signature" and insert "signatures"

Page 1, delete the new language on lines 19 to 23

Page 2, line 6, delete "if a sample of the facsimile signature" and insert a period

Page 2, delete lines 7 to 9

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 1010: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, delete "17" and insert "18"

Page 1, line 17, delete "govern" and insert "apply to"

Page 1, delete lines 18 to 23 and insert "campaigns for county elections in Hennepin County and for city and school district elections in home rule charter cities, statutory cities and school districts located wholly or partially within Hennepin County and having a population of 5,000 or more in Hennepin County, and to disclosure of economic interests by candidates and elected public officials of those jurisdictions. The provisions of Minnesota Statutes, Sections 210A.22 to 210A.33 do not apply to the financing of campaigns for elections subject to the provisions of sections 1 to 18."

Page 1, line 25, delete "17" and insert "18"

Page 2, line 24, before the period, insert "and having a population of 5,000 or more in Hennepin County"

Page 2, line 26, before the period, insert "and having a population of 5,000 or more in Hennepin County"

Page 3, line 16, before the period, insert "and having a population of 5,000 or more in Hennepin County"

Page 3, line 20, delete "a county, city or school district" and insert "any"

Page 3, line 20, delete "in Hennepin"

Page 3, delete lines 21 and 22

Page 3, line 23, delete "county"

Page 3, line 28, delete the colon

Page 3, line 29, delete "(a)" and delete "county"

Page 3, line 30, delete "in that" and insert "for Hennepin"

Page 3, line 30, delete ", with" and insert a period

Page 3, delete lines 31 to 33

Page 4, delete lines 1 to 3

Page 4, line 17, delete "county, city or school district" and delete "in Hennepin"

Page 4, delete lines 18 and 19

Page 4, line 20, delete "county"

Page 4, line 27, delete "county, city or school district"

Page 4, delete lines 28 and 29

Page 4, line 30, delete everything before the period

Page 4, line 33, delete "governed by the provisions of sections"

Page 5, line 1, delete "1 to 17"

Page 5, lines 10 and 11, delete "governed by the provisions of sections 1 to 17"

Page 5, lines 23 and 24, delete "governed by the provisions of sections 1 to 17"

Page 5, lines 24 and 25, delete "as defined in section 2, subdivision 10,"

Page 5, line 29, delete ", as defined in section 2, subdivision 14,"

Page 6, line 18, delete "governed by the provisions of sections 1 to 17"

Page 6, lines 29 and 30, delete "governed by the provisions of sections 1 to 17"

Page 6, line 30, delete "appropriate"

Page 7, lines 24 and 25, delete "governed by the provisions of sections 1 to 17"

Page 8, line 2, delete "governed by the provisions of sections 1 to 17"

Page 8, lines 7 and 8, delete "governed by the provisions of sections 1 to 17"

Page 8, line 22, delete "with whom the committee is registered"

Page 9, line 4, delete "begining" and insert "beginning"

Page 10, after line 11, insert:

"Subd. 3. Expenditures by a political party as defined in Minnesota Statutes, Section 200.02, Subdivision 7, or a substate unit of such a party, for the preparation, display and distribution of an official party sample ballot containing the names of three or more individuals whose names are to appear on the ballot shall not be considered contributions or expenditures on behalf of any candidate."

Renumber the subdivisions in sequence

Page 10, lines 13 and 14, delete "governed by the provisions of sections 1 to 17"

Page 11, lines 11 and 12, delete "governed by the provisions of sections 1 to 17"

Page 11, line 17, delete "17" and insert "8"

Page 11, line 21, after "individual" insert a comma

Page 12, line 1, before "misdemeanor" insert "petty"

Page 12, line 26, delete "appropriate"

Page 12, line 32, delete "appropriate"

Page 13, line 14, delete "is valued" and insert "has a market value"

Page 13, line 14, delete the semicolon and insert "as shown on the real estate tax statement for the property"

Page 13, line 21, delete "is"

Page 13, line 22, delete "valued" and insert "has a market value"

Page 13, line 22, after "\$2,500" insert "as shown on the real estate tax statement for the property"

Page 14, after line 5, insert:

"Subd. 2. The filing officer shall promptly transmit to the appropriate city or school district a copy of each statement and report filed by a candidate for city or school district office, a political committee or fund that discloses contributions or expenditures to influence a city or school district election or an elected city or school district official."

Page 14, line 9, delete "appropriate"

Page 14, line 26, delete "appropriate"

Page 15, line 19, delete "county or" and insert "Hennepin"

Page 15, lines 20 and 21, delete "of the county in which his office is located"

Page 15, line 22, delete "4" and insert "5"

Page 15, line 23, delete everything after "of"

Page 15, line 24, delete "officer" and insert "Hennepin County"

Page 15, line 25, after "individual" insert "other than a county official or candidate for county office"

Page 15, line 27, delete "4" and insert "5"

Page 15, line 28, before "county" insert "Hennepin"

Page 15, line 28, delete "of the"

Page 15, line 29, delete everything before "that"

Page 15, line 31, after the period insert "If a county official or candidate fails to file a report or statement after a second notice as provided in subdivision 5, the filing officer shall notify the attorney general."

Renumber the subdivisions in sequence

Page 16, lines 6 and 21, delete "17" and insert "18"

Page 16, line 22, after "by" insert "the filing officer or"

Page 17, after line 20, insert:

"Sec. 17. [PROSECUTION OF VIOLATIONS.] Except as otherwise provided in this section, a violation of a criminal provision of sections 1 to 16 shall be prosecuted by the Hennepin County attorney in the Hennepin County municipal court. A violation by a county official or candidate shall be prosecuted by the attorney general in the district court of Ramsey County."

Renumber the sections in sequence

Page 17, line 24, delete "16" and insert "17"

Page 17, line 32, after "adopt" insert "or continue in force"

Page 18, line 8, delete "or statutory"

Page 18, line 9, delete "16" and insert "17"

Page 18, line 11, delete "secretary of state" and insert "ethical practices board"

Page 18, line 12, delete "17" and insert "18"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, delete the new language on lines 12 to 14

Page 3, delete the new language on lines 8 to 10

Page 3, line 13, strike the period, delete everything thereafter and insert ", except that if the"

Page 3, line 14, delete "subdivision of a"

Page 3, line 14, after "contract" insert "is issued"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 992: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, delete "*June 30, 1978*" and insert "*January 1, 1980*"

Page 1, line 15, delete "*liquor control*"

Page 1, line 16, after "*commissioner*" insert "*of public safety*"

Page 1, line 16, after "*the*" insert "*issuance or*"

Page 1, line 20, delete "\$250,000" and insert "\$50,000"

Page 1, line 22, delete "\$500,000" and insert "\$100,000"

Page 2, line 3, delete "\$250,000" and insert "\$50,000"

Page 2, lines 5, 10, and 12, delete "\$500,000" and insert "\$100,000"

Page 2, after line 12, insert:

"Nothing in this subdivision shall prohibit a local governing unit from requiring higher insurance or bond coverages, or a larger deposit of cash or securities than is required hereunder, as a condition of issuance or renewal of a retail intoxicating liquor on-sale or off-sale license."

Page 2, line 13, delete "*by rule organize*" and insert "*establish a program to assist licensees and municipalities subject to the financial responsibility requirements of this subdivision in obtaining insurance coverage. The establishment and operation of the program shall be exempt from the provisions of chapter 15.*"

Page 2, delete lines 14 to 19

Page 6, line 23, after "*commencement*" insert "*or continuation*"

Page 6, line 23, after "*operation*" insert "*after January 1, 1980*"

Page 6, line 26, delete "*July*" and insert "*January*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 1000: A bill for an act relating to the city of St. Paul; authorizing an additional wine license within the liquor patrol limits.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 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 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 on 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 within 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."

Amend the title as follows:

Delete the title and insert

“A bill for an act relating to liquor; permitting an additional wine license near a University of Minnesota campus; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3.”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 693: A bill for an act relating to insurance; excepting certain policies from readability requirements; amending Minnesota Statutes 1978, Sections 72C.03; and 72C.09.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, after line 11, insert

“Sec. 3. Minnesota Statutes 1978, Section 72C.11, Subdivision 1, is amended to read:

72C.11 [APPLICATION TO POLICIES, DATES; DUTIES OF THE COMMISSIONER.] Subdivision 1. The filing requirements of section 72C.10 shall apply as follows:

(a) To all policies of private passenger vehicle insurance, as described in chapter 65B, and to all policies of homeowner's insurance as defined in the general custom and usage of the business or by a ruling of the commissioner or a court, which are made, issued, amended or renewed after July 1, 1979;

(b) To all policies of life insurance as defined in section 60A.06, subdivision 1, clause (4), to all certificates of a fraternal beneficiary association, as defined in section 64A.31, to all policies of accident and health insurance, as defined in section 60A.06, subdivision 1, clause (5), paragraph (a), to all subscriber contracts of nonprofit health service corporations as defined in section 62.02, and to all health maintenance contracts as defined in section 62D.02, which are made ; or issued ; ~~amended or renewed~~ after July 1, 1980; *the commissioner may grant delays of not more than one year in full or partial compliance of accident and health policies;* and

(c) To all policies of any additional line or type of insurance within the scope of sections 72C.01 to 72C.13, as provided by any rule promulgated by the commissioner not later than July 1, 1981.”

Amend the title as follows:

Page 1, line 3, after the semicolon insert “limiting the applicability of readability requirement with respect to certain forms of insurance policies; permitting delays in compliance for certain forms of insurance policies;”

Page 1, line 4, delete “and”

Page 1, line 4, before the period insert “; and 72C.11, Subdivision 1”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 831: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, strike “To provide”

Page 1, strike lines 21 and 22

Page 2, lines 1 through 9, strike the old language and delete the new language

Page 2, line 23, delete “Chapter 475. The”

Page 2, delete lines 24 through 29

Page 2, line 29, strike the period

Amend the title as follows:

Page 1, line 3, strike “and bond issues”

Page 1, line 4, strike “for the purposes of the district”

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1400: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, delete “Benson-Swift County” and insert “Swift-County Benson”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1341: A bill for an act relating to the city of Waterville; clarifying its governing statutes.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, delete "1878" and insert "1870"

Page 1, line 8, delete "4" and insert "31"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1446: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1425: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1044: A bill for an act relating to pollution; establishing procedures for certifying unpaid outstanding charges for solid waste control to county auditors for collection of taxes upon the lands served; amending Minnesota Statutes 1978, Section 400.08.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 5, delete "*determined by*" and reinstate "*shall*"

Page 2, line 6, reinstate "*determine*"

Page 2, line 6, delete "*board*" and insert "*auditor*"

Page 2, line 7, delete "*auditor*" and insert "*board*"

Page 2, line 8, delete "*under this section*" and insert "*hereunder*"

Page 2, line 11, after "*auditor*" insert "*, upon order of the county board,*"

Page 2, line 11, after "*interest*" insert "*not to exceed six percent*"

Page 2, line 14, delete "*The assessment*"

Page 2, line 15, after "*15*" and before "*shall*" insert "*the assessment with interest*"

Page 2, line 19, delete the comma and insert a period

Page 2, delete lines 20 and 21

Page 2, line 22, delete everything before "*The*"

Amend the title as follows:

Page 1, delete lines 2 through 6, and insert the following:

"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."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 842, 1158 for comparison with companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their second reading and substituted for their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
842	927	1158	1110		

and that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 523, 318, 594 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
523	666				
318	153				
594	552				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 523 be amended as follows:

Page 2, line 12, delete "\$1.50" and insert "\$3"

And when so amended H. F. No. 523 will be identical to S. F. No. 666, and further recommends that H. F. No. 523 be given its second reading and substituted for S. F. No. 666, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 318 be amended as follows:

Page 1, line 22, delete the headnote

Page 2, line 25, after "3" insert "*of this act*"

Page 2, line 26, after "4" insert "*of this act*"

Page 3, line 20, after "3" insert "*of this act*"

And when so amended H. F. No. 318 will be identical to S. F. No. 153, and further recommends that H. F. No. 318 be given its second reading and substituted for S. F. No. 153, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 594 be amended as follows:

Page 2, line 25, after "*respondent*" insert "*and his attorney if he is represented by counsel*"

Page 2, line 26, after "*plain*" insert "*written*"

Page 3, line 29, reinstate "*such*"

Page 3, line 30, delete "*the*"

And when so amended H. F. No. 594 will be identical to S. F. No. 552, and further recommends that H. F. No. 594 be given its second reading and substituted for S. F. No. 552, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 1180, 1391, 1388, 1341 and 1392 were read the second time.

S. F. Nos. 1210, 1288, 701, 830, 333, 352, 555, 1157, 1295, 326, 1189, 947, 49, 1309, 1213, 940, 791, 1299, 824, 1150, 1051, 1037, 1072, 1301, 1144, 1273, 1243, 895, 744, 1040, 1010, 998, 992,

1000, 693, 1400, 1446, 1425 and 1044 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 842, 1158, 523, 318 and 594 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Ueland, A. moved that the name of Mr. Hughes be added as co-author to S. F. No. 1050. The motion prevailed.

Mr. Dieterich moved that the name of Mr. McCutcheon be added as co-author to S. F. No. 1211. The motion prevailed.

Mr. Knoll moved that his name be stricken as co-author to S. F. No. 1241. The motion prevailed.

Mr. Knoll moved that the name of Mr. Ogdahl be added as co-author to S. F. No. 1259. The motion prevailed.

Mr. Chmielewski moved that the names of Messrs. Olson and Penny be added as co-authors to S. F. No. 1384. The motion prevailed.

Mr. Kleinbaum moved that the name of Mr. Lessard be added as co-author to S. F. No. 1411. The motion prevailed.

Mr. Sikorski moved that the names of Messrs. Johnson and Gunderson be added as co-authors to S. F. No. 1432. The motion prevailed.

CONFIRMATION

Mr. Chenoweth moved that the report from the Committee on Governmental Operations, reported March 26, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Chenoweth moved that the foregoing report be now adopted. The motion prevailed.

Mr. Chenoweth moved that in accordance with the report from the Committee on Governmental Operations reported March 26, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF PERSONNEL COMMISSIONER

Barbara Sundquist, 579 Westwood Village II, Roseville, Ramsey County, effective January 17, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Purfeerst moved that the report from the Committee on Transportation, reported March 29, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Purfeerst moved that the foregoing report be now adopted. The motion prevailed.

Mr. Purfeerst moved that in accordance with the report from the Committee on Transportation, reported March 29, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF TRANSPORTATION
COMMISSIONER**

Richard Braun, 1275 Lincoln Terrace N. E., Columbia Heights, Anoka County, effective January 1, 1979, for a term expiring January 3, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Purfeerst moved that the report from the Committee on Transportation, reported April 5, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Purfeerst moved that the foregoing report be now adopted. The motion prevailed.

Mr. Purfeerst moved that in accordance with the report from the Committee on Transportation, reported April 5, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**METROPOLITAN TRANSIT COMMISSION
CHAIRMAN**

John A. Yngve, 2502 Unity Avenue North, Golden Valley, Hennepin County, effective February 21, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Willet moved that the report from the Committee on Agriculture and Natural Resources, reported April 5, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Willet moved that the foregoing report be now adopted. The motion prevailed.

Mr. Willet moved that in accordance with the report from the Committee on Agriculture and Natural Resources, reported April 5, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**WATER PLANNING BOARD
CHAIRPERSON**

Thomas Kalitowski, 2230 Spruce Trail, Golden Valley, Hennepin County, effective January 1, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Willet moved that the report from the Committee on Agriculture and Natural Resources, reported April 9, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Willet moved that the foregoing report be now adopted. The motion prevailed.

Mr. Willet moved that in accordance with the report from the Committee on Agriculture and Natural Resources, reported April 9, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF NATURAL RESOURCES
COMMISSIONER**

Joseph N. Alexander, 931 Kennard, St. Paul, Ramsey County, effective February 6, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Davies moved that the report from the Committee on Judiciary, reported April 9, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Davies moved that the foregoing report be now adopted. The motion prevailed.

Mr. Davies moved that in accordance with the report from the Committee on Judiciary, reported April 9, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

BOARD ON JUDICIAL STANDARDS

David Coleman, 130 North Virginia, St. Paul, Ramsey County, effective April 28, 1978, for a term expiring the first Monday in January, 1982.

Juanita Young, 7007 45th Avenue North, Minneapolis, Hennepin County, effective April 28, 1978, for a term expiring the first Monday in January, 1982.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Laufenburger moved that the report from the Committee on Employment, reported April 11, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Laufenburger moved that the foregoing report be now adopted. The motion prevailed.

Mr. Laufenburger moved that in accordance with the report from the Committee on Employment, reported April 11, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

**DEPARTMENT OF ECONOMIC SECURITY
COMMISSIONER**

Rolf Middleton, 624 S. W. 7th Street, Rochester, Olmsted County, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

**BUREAU OF MEDIATION SERVICES
DIRECTOR**

Peter Obermeyer, 707 Mt. Curve Blyd., St. Paul, Ramsey County, effective March 5, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. McCutcheon moved that the report from the Committee on Taxes and Tax Laws, reported April 16, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. McCutcheon moved that the foregoing report be now adopted. The motion prevailed.

Mr. McCutcheon moved that in accordance with the report from the Committee on Taxes and Tax Laws, reported April 16, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF REVENUE
COMMISSIONER**

Clyde Allen, 10750 Penn Avenue South, Bloomington, Hennepin County, effective February 1, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

Without objection, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Mr. Chenoweth introduced—

S. F. No. 1477: 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 658.44, Subdivision 3.

Referred to the Committee on Commerce.

CALENDAR

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Lessard	Renneke	Stokowski
Bang	Gearty	Luther	Rued	Strand
Bernhagen	Hughes	McCutcheon	Schaaf	Stumpf
Brataas	Johnson	Menning	Schmitz	Ueland, A.
Chenoweth	Keefe, J.	Moe	Setzepfandt	Ulland, J.
Chmielewski	Kirchner	Nelson	Sieloff	Vega
Coleman	Kleinbaum	Ogdahl	Sikoraki	Willet
Davies	Knaak	Olhoft	Sillers	
Dieterich	Knoll	Penny	Solon	
Dunn	Knutson	Perpich	Spear	
Engler	Laufenburger	Purfeerst	Staples	

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 766, 381, 757, 856, 801, 920, 799, 807, 263, 486, 843, 618, 1245, 119, 27, H. F. Nos. 768, 103, 843, 167, 297, 299 and 384, which the committee recommends to pass.

S. F. No. 835, which the committee recommends be returned to its author.

S. F. No. 285 which the committee recommends to pass, subject to the following motions:

Mr. Sieloff moved to amend S. F. No. 285 as follows:

Page 2, line 25, before the period, insert "*but shall not apply to account balances outstanding on the effective date of this act, and the finance charge on outstanding balances shall not exceed the amounts permitted under laws existing immediately preceding the effective date of this act*"

The motion prevailed. So the amendment was adopted.

Mr. Schaaf moved to amend S. F. No. 285 as follows:

Page 2, line 4, after "month" insert "*on that part of the balance of each account which is \$500 or less and one percent per month on that part of the balance of each account which is more than \$500,*"

The motion prevailed. So the amendment was adopted.

Mr. Luther moved to amend S. F. No. 285 as follows:

Page 2, line 4, delete the new language

Page 2, line 8, after the period, insert "*With respect to sellers with gross sales of \$1,000,000 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.

The roll was called, and there were yeas 17 and nays 31, as follows:

Those who voted in the affirmative were:

Chenoweth	Johnson	Moe	Sikorski	Willet
Dieterich	Lessard	Nelson	Spear	
Gearty	Luther	Olhoft	Stumpf	
Hughes	Menning	Perpich	Vega	

Those who voted in the negative were:

Ashbach	Engler	Knoll	Schaaf	Strand
Bang	Frederick	Knutson	Schmitz	Ueland, A.
Bernhagen	Hanson	Laufenburger	Setzpfandt	Ulland, J.
Brataas	Keefe, J.	Penny	Sieloff	
Coleman	Kirchner	Purfeerst	Sillers	
Davies	Kleinbaum	Renneke	Solon	
Dunn	Knaak	Rued	Staples	

The motion did not prevail. So the amendment was not adopted.

Mr. Menning moved to amend S. F. No. 285 as follows:

Page 2, line 4, delete the new language

Page 2, line 8, after the period, insert "*With respect to sellers with gross sales of \$200,000,000 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.

The roll was called, and there were yeas 25 and nays 25, as follows:

Those who voted in the affirmative were:

Chenoweth	Hughes	Menning	Purfeerst	Stokowski
Coleman	Johnson	Moe	Schmitz	Strand
Dieterich	Keefe, S.	Nelson	Sikorski	Stumpf
Dunn	Lessard	Olhoft	Spear	Vega
Gearty	Luther	Perpich	Staples	Willet

Those who voted in the negative were:

Ashbach	Engler	Kleinbaum	Merriam	Setzpfandt
Bang	Frederick	Knaak	Penny	Sieloff
Bernhagen	Hanson	Knoll	Renneke	Sillers
Brataas	Keefe, J.	Knutson	Rued	Solon
Davies	Kirchner	Laufenburger	Schaaf	Ulland, J.

The motion did not prevail. So the amendment was not adopted.

Mr. Dieterich moved to amend S. F. No. 285 as follows:

Page 2, line 4, delete "half" and insert "fourth"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 28, as follows:

Those who voted in the affirmative were:

Chenoweth	Keefe, S.	Merriam	Sikorski	Vega
Dieterich	Knoll	Moe	Spear	Willet
Hanson	Lessard	Nelson	Stokowski	
Hughes	Luther	Olhoft	Strand	
Johnson	Menning	Perpich	Stumpf	

Those who voted in the negative were:

Ashbach	Engler	Knaak	Rued	Solon
Bang	Frederick	Knutson	Schaaf	Staples
Bernhagen	Gearty	Laufenburger	Schmitz	Ueland, A.
Brataas	Keefe, J.	Penny	Setzpfandt	Ulland, J.
Davies	Kirchner	Purfeerst	Sieloff	
Dunn	Kleinbaum	Renneke	Sillers	

The motion did not prevail. So the amendment was not adopted.

The question was taken on the recommendation to pass S. F. No. 285.

The roll was called, and there were yeas 32 and nays 17, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Knutson	Rued	Staples
Bang	Frederick	Laufenburger	Schaaf	Strand
Bernhagen	Hanson	Moe	Schmitz	Ueland, A.
Brataas	Keefe, J.	Nelson	Setzepfandt	Ulland, J.
Coleman	Kirchner	Penny	Sieloff	
Davies	Kleinbaum	Purfeerst	Sillers	
Dunn	Knaak	Renneke	Solon	

Those who voted in the negative were:

Chenoweth	Johnson	Merriam	Spear	Willet
Dieterich	Keefe, S.	Olhoft	Stokowski	
Gearty	Luther	Perpich	Stumpf	
Hughes	Menning	Sikorski	Vega	

The motion prevailed. So S. F. No. 285 was recommended to pass.

S. F. No. 737, which the committee recommends to pass with the following amendment offered by Mr. Lessard:

Page 1, line 12, after "*land*" insert "*, or his agent,*"

The motion prevailed. So the amendment was adopted.

H. F. No. 610, which the committee recommends to pass with the following amendment offered by Mr. Sieloff:

Page 1, line 22, after the period, insert "This act shall not be construed to make invalid or unenforceable any antenuptial agreement or settlement made and executed in conformity with this act because the agreement or settlement covers or includes marital property, if the agreement or settlement would be valid and enforceable without regard to this act."

Page 2, line 10, after "property" insert "and sets forth the legal description of the real estate granted or affected by the agreement"

Page 2, line 11, after "estate" insert "so described is situated"

Page 2, line 11, delete "may be situated which is"

Page 2, line 12, delete "granted or affected by the agreement"

Page 2, line 16, delete "Antenuptial contracts or settlements affecting"

Page 2, delete lines 17, 18 and 19

Page 3, after line 2, insert:

"Subd. 6. This act shall apply to all antenuptial contracts and settlements executed on or after August 1, 1979."

Renumber the remaining subdivision

The motion prevailed. So the amendment was adopted.

S. F. No. 364, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 3, line 11, delete "*basic*"

Page 3, line 16, after "*be*" insert "*predominantly*"

Page 3, line 17, after "*be*" insert "*predominantly*"

Page 3, line 18, after "*be*" insert "*predominantly*"

The motion prevailed. So the amendment was adopted.

H. F. No. 145, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 123.69 is repealed."

Amend the title as follows:

Page 1, line 2, delete "changing requirements for"

Page 1, delete lines 3 to 5 and insert "repealing Minnesota Statutes 1978, Section 123.69."

The motion prevailed. So the amendment was adopted.

S. F. No. 683, which the committee recommends to pass with the following amendment offered by Mr. McCutcheon:

Page 3, line 17, after "*thereafter*" insert "*showing all money requested by state agencies*"

Page 3, line 18, delete "*the direct funding of*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1149, which the committee recommends to pass with the following amendment offered by Mr. Penny:

Page 3, line 8, strike "*such*" and insert "*the*"

Page 3, line 9, strike "*such*" and insert "*the*"

Page 3, line 17, strike "Laws 1975, Chapter 359" and insert "*this chapter*"

The motion prevailed. So the amendment was adopted.

S. F. No. 983, which the committee recommends to pass with the following amendment offered by Mr. Keefe, S.:

Page 2, line 1, strike "*such*" and insert "*the*"

Page 2, line 7, reinstate the stricken language and delete the new language

Page 2, line 15, strike "*such*" and insert "*the*"

Page 2, line 21, reinstate the stricken language and delete the new language

Page 3, line 10 strike "*Such*" and insert "*The*"

The motion prevailed. So the amendment was adopted.

H. F. No. 523 which the committee recommends to pass, subject to the following motion:

Mr. Knutson moved that the amendment made to H. F. No. 523 by the Committee on Rules and Administration in the report adopted April 21, 1979, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

S. F. No. 779, which the committee recommends to pass with the following amendment offered by Mr. Schaaf:

Page 1, line 17, after "*file*" delete "*a*" and insert "*an*"

Page 1, line 18, delete "*petition*" and insert "*application*"

Page 2, line 2, delete "*petitioner's*" and insert "*applicant's*"

Page 2, line 3, delete "*petitioner*" and insert "*the applicant*"

Page 2, line 9, delete "*not*"

Page 2, line 9, delete "*denied*" and insert "*issued*"

Page 2, line 10, after "*license*" insert "*without a hearing*"

Page 2, line 10, after "*unless*" insert "*, within 30 days after notice of the application is published in the state register by the commission,*"

Page 2, line 11, after "*shall*" insert "*file with the commission written notice of intent to*"

Page 2, line 12, after "*at*" delete "*the*" and insert "*a*"

Page 2, line 12, delete "*petitioner*" and insert "*applicant*"

Page 2, line 13, after "*case*" insert "*a hearing shall be held and*"

Page 2, line 14, delete "*mover*" and insert "*applicant*"

Amend the title as follows:

Page 1, line 2, after "*movers;*" insert "*providing for penalties;*"

The motion prevailed. So the amendment was adopted.

On motion of Mr. Coleman, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, April 23, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FORTIETH DAY

St. Paul, Minnesota, Monday, April 23, 1979

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Hanson imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Gearty	Menning	Renneke	Strand
Bang	Hanson	Moe	Rued	Stumpf
Bernhagen	Hughes	Nelson	Schmitz	Tennessee
Brataas	Johnson	Olhoft	Setzpfandt	Ueland, A.
Chmielewski	Keefe, S.	Olson	Sieloff	Ulland, J.
Coleman	Kirchner	Penny	Sikorski	Vega
Davies	Kleinbaum	Perpich	Sillers	Willet
Dieterich	Knaak	Peterson	Solon	
Dunn	Laufenburger	Pillsbury	Staples	
Engler	Luther	Purfeerst	Stokowski	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Ralph G. Loges.

The roll was called, and the following Senators answered to their names:

Anderson	Gearty	Laufenburger	Perpich	Staples
Ashbach	Gunderson	Lessard	Peterson	Stokowski
Bang	Hanson	Lewis	Pillsbury	Strand
Benedict	Hughes	Luther	Purfeerst	Stumpf
Bernhagen	Humphrey	McCutcheon	Renneke	Tennessee
Brataas	Jensen	Menning	Rued	Ueland, A.
Chenoweth	Johnson	Merriam	Schaaf	Ulland, J.
Chmielewski	Keefe, J.	Moe	Schmitz	Vega
Coleman	Keefe, S.	Nelson	Setzpfandt	Wegener
Davies	Kirchner	Nichols	Sieloff	Willet
Dieterich	Kleinbaum	Ogdahl	Sikorski	
Dunn	Knaak	Olhoft	Sillers	
Engler	Knoll	Olson	Solon	
Frederick	Knutson	Penny	Spear	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Humphrey and Schrom were excused from the Session of today. Mr. Gunderson was excused from the Session of today until 10:45 o'clock a.m. Mr. Lessard was excused from the Session of today from 10:00 to 11:20 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Messrs. Olson, Renneke, Setzepfandt and Frederick introduced—

S. F. No. 1478: A bill for an act relating to agriculture; providing for corn industry promotion; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Schaaf introduced—

S. F. No. 1479: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Chmielewski introduced—

S. F. No. 1480: A bill for an act relating to state land; permitting the sale of certain tax forfeited land in St. Louis County.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. McCutcheon and Chenoweth introduced—

S. F. No. 1481: 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.

Referred to the Committee on Commerce.

Messrs. Stumpf, Hughes, Spear, Chenoweth and Dieterich introduced—

S. F. No. 1482: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dieterich, Johnson and Davies introduced—

S. F. No. 1483: A bill for an act relating to taxation; providing homestead taxation for certain apartments.

Referred to the Committee on Taxes and Tax Laws.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk, with the exception of the reports on S. F. Nos. 770 and 962 and H. F. No. 219, be now adopted. The motion prevailed.

Mr. Tennessen from the Committee on Commerce, 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.

Reports the same back with the recommendation that the bill do pass. Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 1025: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 340.13, Subdivision 3, is amended to read:

Subd. 3. [LIMITATIONS ON A LICENSE ISSUED TO A PERSON OR PLACE; PENALTY.] No more than one *off-sale* intoxicating liquor license shall be directly or indirectly issued to any one person or for any one place in each municipality. It is a gross misdemeanor for any person, partnership, or corporation to knowingly have or possess a direct or indirect interest in more than one *off-sale* license in each municipality and upon conviction therefor the governing body of such municipality may immediately revoke all licenses in which such person, partnership or corporation has an interest. The term “interest” includes any pecuniary interest in the ownership, operation, management, or profits of a retail liquor establishment, but does not include: bona fide loans; bona fide rental agreements; bona fide open accounts or other obligations held with or without security arising out of the ordinary and regular course of business of selling or leasing merchandise, fixtures or supplies to such establishment; an interest in a corporation

owning or operating a hotel but having at least 150 or more rental units holding a liquor license in conjunction therewith; or 10 percent or less interest in any other corporation holding a license. A person who receives moneys from time to time directly or indirectly from a licensee, in the absence of a bona fide consideration therefor and excluding bona fide gifts or donations, shall be deemed to have a pecuniary interest in such retail license. In determining "bona fides" the reasonable value of the goods or things received as consideration for any payment by the licensee and all other facts reasonably tending to prove or disprove the existence of any purposeful scheme or arrangement to evade the prohibitions of this subdivision shall be considered.

Sec. 2. Minnesota Statutes 1978, Section 340.13, Subdivision 7, is amended to read:

Subd. 7. [LICENSES IN CONNECTION WITH PREMISES OF ANOTHER.] No license shall be issued to any person in connection with the premises of another to whom no license could be issued under the provisions of the intoxicating liquor act; provided, that this provision shall not prevent the granting of a license to a proper lessee by reason of the fact that he shall lease premises of a minor, non-citizen, or a person who has been convicted of a crime other than a violation of the intoxicating liquor act. ~~No more than one license shall be issued to any person in any municipality except as otherwise specifically provided for in the intoxicating liquor act.~~

Amend the title as follows:

Page 1, line 3, after "one" insert "on-sale"

Page 1, line 4, delete "340.11" and insert "340.13"

Page 1, delete lines 5 and 6 and insert "Subdivisions 3 and 7."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 1184: A bill for an act relating to the city of Shakopee; permitting the city to impose an amusements tax; providing for its administration.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, before "The" insert "Notwithstanding Minnesota Statutes, Section 477A.01, Subdivision 18, or any other law or ordinance,"

Page 1, line 8, delete "amusements tax on all or any class of sales of"

Page 1, delete lines 9 to 12 and insert "amusement admissions tax on amounts paid for the privilege of admittance to a premises at which entertainment events or amusement facilities are provided

to the public, and which premises have a capacity to accommodate at least 500 people. The tax imposed pursuant to this provision shall not apply to fees charged for admittance to events conducted or facilities provided by a religious, educational or non-profit organization, or to theaters or playhouses”

Page 1, line 13, delete “the patrons” and after “city” insert “, not to exceed one percent”

Page 2, line 6, delete “may” and insert “shall” and delete “any” and insert “law enforcement expenses incurred by the city in relation to services provided to patrons of the facilities, admissions to which are subject to this tax”

Page 2, line 7, delete “authorized purpose”

Amend the title as follows:

Page 1, line 3, delete “amusements” and insert “amusement admissions”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 488: A bill for an act relating to taxation; income; providing for a deduction from gross income for a dependent enrolled as a full time student at an institution of higher education; amending Minnesota Statutes 1978, Chapter 290, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 22, after “taxpayer” insert “, who is enrolled as a full time student,”

Page 3, line 25, after “dependent” insert “or the taxpayer”

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 770: 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 decision; amending Minnesota Statutes 1978, Section 124.212, Subdivision 20, and by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Mr. Tennessen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1265: A bill for an act relating to education; providing for computer based education for certain schools; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "students" insert "or school districts with declining enrollments"

Page 1, line 18, delete "and" and insert a comma

Page 1, line 18, after "history" insert "and the basic skills areas"

Page 2, line 21, after "schools" insert "or school districts with declining enrollments"

Page 2, line 27, delete "a contract" and insert "one or more contracts"

Page 3, line 16, after "lines," insert "video systems, video technology,"

Page 5, line 6, after the period, insert "No contract shall be executed without an express provision reserving to the state of Minnesota and its political subdivisions the right to at any time alter, amend, modify, enhance or manipulate in any manner whatsoever courseware developed pursuant to the contract."

Page 5, line 23, after the period, insert "The state board shall consult with the Minnesota educational computing consortium in order to coordinate the board's responsibilities under this subdivision."

Page 9, line 15, after "\$" insert "500,000"

Page 9, line 20, after "\$" insert "500,000"

Page 9, line 26, after "\$" insert "13,000"

Page 9, line 28, after the period, insert "The commissioner of the department of education shall hire no more than one person who will be added to the department's present complement to assist in the implementation of this act."

Page 9, line 31, after "\$" insert "50,000"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 168: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 136A, is amended by adding a section to read:

[136A.075] [REGIONAL AND STATE COMPREHENSIVE PLANS.] *Subdivision 1. The higher education coordinating board shall develop a series of comprehensive regional and state plans for higher education and post-secondary vocational education.*

Subd. 2. The comprehensive plans shall include:

(a) *A statement of goals and priorities relating to higher education and post-secondary vocational education and the data and assumptions upon which the goals and priorities are based;*

(b) *A description of the organization and mission of higher education and post-secondary vocational education services in Minnesota;*

(c) *Studies of projected enrollment for the next 5, 10 and 15 years and an assessment of the impact of declining enrollment on higher education and post-secondary vocational education;*

(d) *A detailed statement of the projected need for programs and facilities in adult education, continuing education and lifelong learning for the next 5, 10 and 15 years;*

(e) *A description and assessment of procedures to improve fiscal and program reporting, including a format for annual institutional financial reports and the development of improved management information systems to support the audit budget and reporting functions;*

(f) *The development of a common and comparable format for collecting from each post-secondary institution physical facilities information which includes but is not limited to (1) gross and net usable square feet by space type, program and building, and (2) space utilization rates by space type, program and building so that facilities information can be related to long range enrollment projections, program planning and requests for new construction and major renovation appropriations; and*

(g) *A summary of opportunities for coordination and cooperation with neighboring states and agencies of the federal government.*

Subd. 3. The comprehensive regional plans shall:

(a) *Take into account the educational planning developed pursuant to sections 122.86 and 122.87; and*

(b) *Provide a summary of opportunities for coordination and cooperation in the regions among institutions of higher education*

and post-secondary vocational education and local elementary and secondary educational institutions and agencies.

Subd. 4. The higher education coordinating board, pursuant to section 136A.02, subdivision 5, may appoint advisory task forces to assist it in the development of the comprehensive regional and state plans. In the development of its plans, the higher education coordinating board shall confer with interested persons, and shall hold public meetings as necessary.

Subd. 5. The higher education coordinating board shall submit status reports on the comprehensive regional and state plans to the appropriate committees of the legislature and to the governor annually.

Sec. 2. [APPROPRIATION.] \$36,000 is appropriated to the higher education coordinating board from the general fund for the purposes of section 1. This appropriation is available until expended."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 1292: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 3, 4 and 5, delete section 3

Pages 5 and 6, delete section 6

Pages 6 and 7, delete section 8

Page 7, delete section 9

Page 7, line 9, delete "Sections 1, 2, 3, 4, 5, 6,"

Page 7, line 10, delete "8, and 9 are" and insert "This act is"

Page 7, delete line 11

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "98.47,"

Page 1, line 7, delete "Subdivision 1;"

Page 1, line 7, after "4;" insert "and"

Page 1, line 8, delete " , 14,"

Page 1, line 8, delete everything after "30" and insert a period

Page 1, delete line 9

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was re-referred

S. F. No. 851: 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; prohibiting acquisition of railroad right-of-way for rail purposes without specific legislative authorization; amending Minnesota Statutes 1978, Sections 174.03, Subdivision 4; 222.48; 222.50, Subdivisions 3, 4 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; Chapters 84, by adding a section; and 222, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, line 4, delete "*shall*" and insert "*may*"

Page 11, line 21, delete everything after the period

Page 11, delete lines 22 to 26

Page 12, line 7, delete everything after the period

Page 12, delete lines 8 to 14

Page 12, line 27, delete "*shall*" and insert "*may*"

Pages 12 and 13, delete section 15

Page 14, line 4, strike "*shall*" and insert "*may*"

Page 14, line 23, delete "*shall*" and insert "*may*"

Pages 14 and 15, delete section 18

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 12 and 13

Page 1, line 14, delete "authorization;"

Page 1, line 19, delete everything after the semicolon

Page 1, line 20, delete "section;" and after "and" insert "Chapter"

Page 1, line 20, delete "sections" and insert "a section"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 962: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. For the city of Ham Lake in Anoka County, the term “urban district” as defined in Minnesota Statutes, Section 169.01, Subdivision 59, shall include those portions of all roads in platted or unplatted areas having residential use, where the adjacent land is built up with structures situated at intervals of less than 300 feet. This definition shall not apply to any road or street which is a part of the trunk highway system, the county state aid highway system, or the municipal state aid street system.

Sec. 2. This act is effective upon approval of the governing body of the city of Ham Lake and upon compliance with Minnesota Statutes, Section 645.021.”

Amend the title as follows:

Page 1, line 2, delete “highway traffic regulations” and insert “the city of Ham Lake”

Page 1, delete lines 3 to 5 and insert “changing the application of urban district in the Minnesota Highway Traffic Regulation Act.”

And when so amended the bill do pass. Mr. Purfeerst questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1099: A bill for an act relating to newspapers; raising the fees for publishing legal notices; amending Minnesota Statutes 1978, Section 331.08.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 6, insert:

“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 state-

ment 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. Wilful 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."

Amend the title as follows:

Page 1, line 4, delete "Section" and insert "Sections 3.21;"

Page 1, line 4, before the period insert "; 375.12; and 375.17"

And when so amended the bill do pass. Amendments adopted.
 Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 615: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 17, insert

“Authority to provide the post retirement adjustment shall expire on December 31, 1982.”

Page 3, delete lines 15 through 25

Renumber the clauses in sequence

Pages 3 and 4, delete section 2

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete “; appropriating funds”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 816: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 956: A bill for an act relating to retirement; providing a post retirement increase in certain retirement annuities and benefits; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, delete “or permanent disability benefit”

Page 2, line 1, delete “or permanent”

Page 2, line 2, delete “disability benefit”

Page 2, line 4, after "funds," insert "or who began receiving prior to January 1, 1978, and is receiving a "\$2 bill and annuity" from the Minneapolis municipal employees retirement fund pursuant to Minnesota Statutes, Section 422A.15, Subdivision 3,"

Page 2, line 5, after "years" insert ", or who is receiving a permanent disability benefit based on laws in effect prior to the determinant date from a covered retirement fund or any combination of covered retirement funds,"

Page 2, line 27, delete "and pro rata for each period of service less"

Page 2, line 28, delete "than a full year"

Page 3, after line 19, insert:

"(6) To the Minneapolis municipal employees retirement fund, the amount of"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 810: A bill for an act relating to retirement; prohibiting volunteer firefighters relief association membership for fire chiefs.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [RESTRICTION ON MEMBERSHIP IN A VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION BY CERTAIN PERSONS.] Subdivision 1. [DEFINITIONS.] For purposes of this section, unless the context clearly indicates otherwise, the following terms shall have the meanings given to them:

(a) "Salaried fire chief" means any person who is regularly employed full time for compensation by a municipality as defined in Minnesota Statutes, Section 69.011, Subdivision 1, Clause (b), or by an independent nonprofit firefighting corporation in the civil service commission classified position of fire chief or in the chief administrative or executive position in charge of the operation of the municipal fire department or the independent nonprofit firefighting corporation and is a member of the public employees retirement association, the public employees police and fire fund or a local salaried firefighters' relief association to which Minnesota Statutes, Section 69.77 applies by virtue of that employment.

(b) "Volunteer firefighter" means any person who serves on call for emergency duty as a regular active member of a municipal fire department or an independent nonprofit firefighting corporation, where the compensation for that service is not based on or is not a multiple of any rate of compensation being paid

to the person by the municipal fire department or independent nonprofit firefighting corporation for duty other than on call emergency duty, and is not used as a basis for the making of employee or employer contributions to the public employees retirement association or to the public employees police and fire fund.

Subd. 2. [RESTRICTION ON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION MEMBERSHIP.] No person who is employed as a salaried fire chief or who does not perform substantial services as a volunteer firefighter shall be entitled during any period while employed as a salaried fire chief or while not performing substantial services as a volunteer firefighter after the effective date of this act to be a member of or to accrue any service credit in a volunteer firefighters' relief association to which Minnesota Statutes, Sections 69.771 to 69.776, apply.

Sec. 2. [PROPORTIONATE SERVICE PENSION IN CERTAIN CASES.] Any salaried fire chief or volunteer firefighter who is prohibited from further membership in or from accruing further service credit in a volunteer firefighters' relief association to which Minnesota Statutes, Sections 69.771 to 69.776, apply by operation of section 1, and who has not as of the effective date of this act received credit for sufficient years of service with the municipal fire department or the independent nonprofit firefighting corporation or for sufficient years of membership with the volunteer firefighters' relief association specified in the by-laws of the volunteer firefighters' relief association, shall be entitled when otherwise qualified to receive a proportionate service pension based on the number of completed years of service rounded to the nearest full year of service.

Sec. 3. [EFFECTIVE DATE.] This act is effective the day following final enactment."

Amend the title as follows:

Page 1, delete lines 2 to 4 and insert "relating to retirement; prohibiting membership in a volunteer firefighters' relief association by certain persons."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 519 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
519		509			

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 659, 260 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
659	839				
260	477				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 659 be amended as follows:

Page 3, delete lines 10 and 11

Renumber the remaining section

Further, amend the title as follows:

Page 1, line 6, delete “; repealing” and insert a period

Page 1, delete line 7

And when so amended H. F. No. 659 will be identical to S. F. No. 839, and further recommends that H. F. No. 659 be given its second reading and substituted for S. F. No. 839, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 260 be amended as follows:

Page 1, line 14, delete “13” and insert “14”

Page 1, line 21, after “facilities” insert “and health maintenance organizations”

Page 1, line 22, delete “13” and insert “14”

Page 2, line 5, delete “13” and insert “14”

Page 2, line 8, delete “13” and insert “14”

Page 2, line 25, after “diagnostic” insert “, treatment,”

Page 4, line 1, delete “13” and insert “14”

Page 4, line 6, after “facility” insert a comma

Page 4, line 17, delete “13” and insert “14”

Page 4, line 19, delete “13” and insert “14”

Page 4, line 26, delete “13” and insert “14”

Page 4, line 32, delete “12” and insert “24”

Page 5, line 1, delete "12" and insert "24"

Page 5, line 4, delete "12" and insert "24"

Page 5, line 17, delete "offering" and insert "offer"

Page 5, line 18, after "to" insert "the" and after "offering" insert "of"

Page 5, line 23, delete the semicolon and insert a comma

Page 5, line 24, after "estate" delete the semicolon and insert a comma and after "partnership" delete the semicolon and insert a comma and after "corporation" delete the comma and before "including" insert a parenthesis

Page 5, line 26, after "companies" delete the semicolon and insert a parenthesis and a comma and after "state" delete the semicolon

Page 5, line 27, before "including" and after "corporation" insert parentheses

Page 5, line 30, delete "of"

Page 5, line 31, delete "activities" and insert "activity of or" and after "facility" insert "or other person"

Page 6, line 1, delete "13" and insert "14"

Page 6, line 3, after "and" insert "Resource" and delete "U.S.C.," and insert "USC"

Page 6, line 4, delete "Section" and after "300k" insert "et seq."

Page 6, line 7, delete "13" and insert "12"

Page 6, line 10, after "enforce" insert a comma

Page 6, line 11, delete "13" and insert "12"

Page 6, line 17, after "facility" delete the comma

Page 7, line 5, delete "13" and insert "14"

Page 8, line 1, delete "13" and insert "14"

Page 8, line 7, delete "13" and insert "14"

Page 8, line 11, delete "13" and insert "14"

Page 8, line 31, delete "13" and insert "14"

Page 11, line 25, delete "13" and insert "14"

Page 12, after line 23, insert

"(h) The compliance by the health care facility or health maintenance organization with state and federal licensing and certification standards as evidenced by the records of the department of health and the department of welfare,"

Page 13, delete lines 3 to 8

Page 13, lines 9 and 10, delete ", with 100 beds or less,"

Page 13, line 12, delete "ten" and insert "20"

Page 13, line 17, after "exceeded" delete the period and insert a semicolon

Page 13, after line 17, insert

"(m) In the case of a construction project: the costs and method 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; and

(n) The special requirements of health maintenance organizations to meet the health care needs of their present and future subscribers."

Reletter the clauses accordingly

Page 13, line 24, after "hearing" insert a semicolon

Page 14, line 13, delete "13" and insert "14"

Page 14, line 23, delete "3" and insert "4"

Page 14, line 24, delete "7" and insert "14"

Page 14, line 27, after "facility" insert ", or health maintenance organization"

Page 15, line 11, delete "1" and insert "2"

Page 15, line 13, delete "U.S.C., Section" and insert "USC" and delete the comma after "300k" and delete the period after "et"

Page 16, line 10, after "agency" insert a comma

Page 16, line 16, delete the semicolon and insert a comma

Page 16, line 33, insert a comma after "subdivision 4"

Page 17, line 1, delete "15.0414" and insert "15.0424"

Page 17, line 20, after "facility" insert ", health maintenance organization"

Page 17, line 21, delete "13" and insert "14"

Page 17, after line 23, insert

"Sec. 9. [145.84] [PERIODIC REPORTS.] The commissioner of health shall, by rule, require health care facilities, upon completion of a construction or modification for which a certificate of need was issued, to furnish financial information which compares actual costs of the construction or modification with those estimated costs used in the application for a certificate."

Page 17, line 27, delete "subdivision" and insert "subdivisions 4 and"

Page 17, line 30 delete "13" and insert "14"

Page 17, line 32, delete the period after "violation"

Page 17, line 33, lowercase the "A" in "At"

Page 18, line 19, delete "[144.844] [HEALTH MAINTENANCE ORGANIZATION.]" and insert "[145.844] [EXEMPTIONS.]"

Page 18, line 20, delete "11" and insert "14"

Page 18, line 21, delete "to the extent that" and insert "controlled and operated as provided in sections 62D.01 to 62D.29 if"

Page 18, line 23, after "to" insert "predevelopment activity by or construction or modification of"

Page 18, line 31, after "300k" insert "et seq."

Page 19, after line 2, insert

"(4) Provide for representation of health maintenance organizations in those health service areas where they exist;"

Renumber the clauses accordingly

Page 19, line 11, delete "13" and insert "14"

Page 19, line 14, delete "13" and insert "14"

Page 19, line 16, begin a paragraph with "In"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 5, after "services;" insert "providing for membership of health systems agencies;"

And when so amended H. F. No. 260 will be identical to S. F. No. 477, and further recommends that H. F. No. 260 be given its second reading and substituted for S. F. No. 477, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 624, 913, 320, 445, 1158, 1211, 1313, 1312, 797, 732, 1215, 888, 107, 134, 859 and H. F. No. 810 makes the following report:

That the above Senate Files and House File be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

SECOND READING OF HOUSE BILLS

S. F. Nos. 1025, 1184, 1292, 851, 1099, 615 and 810 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 519, 659 and 260 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Sikorski moved that the name of Mrs. Staples be stricken as co-author to S. F. No. 1325. The motion prevailed.

Mr. Chmielewski moved that the names of Messrs. Ashbach and Frederick be added as co-authors to S. F. No. 1384. The motion prevailed.

Mr. Chenoweth moved that S. F. No. 178 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Finance. The motion prevailed.

Mr. Chenoweth moved that S. F. No. 1214 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Chmielewski moved that S. F. No. 608, No. 18 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

CALENDAR

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Lewis	Pillsbury	Staples
Bang	Hanson	Luther	Purfeerst	Stokowski
Benedict	Hughes	McCutcheon	Renneke	Strand
Bernhagen	Johnson	Menning	Rued	Stumpf
Brataas	Keefe, J.	Moe	Schaaf	Tennessen
Chenoweth	Keefe, S.	Nelson	Schmitz	Ueland, A.
Chmielewski	Kirchner	Nichols	Setzefandt	Ulland, J.
Coleman	Kleinbaum	Olhoft	Sieloff	Vega
Davies	Knaak	Olson	Sikorski	Wegener
Dieterich	Knoll	Penny	Sillers	Willet
Dunn	Knutson	Perpich	Solon	
Engler	Laufenburger	Peterson	Spear	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 49 and nays 7, as follows:

Those who voted in the affirmative were:

Ashbach	Hughes	Luther	Peterson	Solon
Benedict	Johnson	McCutcheon	Pillsbury	Stokowski
Bernhagen	Keefe, J.	Menning	Purfeerst	Strand
Chenoweth	Kirchner	Moe	Renneke	Stumpf
Chmielewski	Kleinbaum	Nelson	Rued	Ueland, A.
Dieterich	Knaak	Nichols	Schaaf	Ulland, J.
Dunn	Knoll	Olhoff	Schmitz	Vega
Engler	Knutson	Olson	Setzepfandt	Wegener
Gearty	Laufenburger	Penny	Sieloff	Willet
Hanson	Lewis	Perpich	Sikorski	

Those who voted in the negative were:

Brataas	Keefe, S.	Spear	Staples	Tennesen
Davies	Sillers			

So the bill passed and its title was 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, Sections 17B.08; 17B.09; and 21.114.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	McCutcheon	Renneke	Strand
Bang	Hughes	Menning	Rued	Stumpf
Benedict	Johnson	Moe	Schaaf	Tennesen
Bernhagen	Keefe, S.	Nelson	Schmitz	Ueland, A.
Brataas	Kirchner	Nichols	Setzepfandt	Ulland, J.
Chenoweth	Kleinbaum	Olhoff	Sieloff	Vega
Chmielewski	Knaak	Olson	Sikorski	Wegener
Davies	Knoll	Penny	Sillers	Willet
Dieterich	Knutson	Perpich	Solon	
Dunn	Laufenburger	Peterson	Spear	
Engler	Lewis	Pillsbury	Staples	
Gearty	Luther	Purfeerst	Stokowski	

So the bill passed and its title was 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 11½ feet to be transported pursuant to permit; amending Minnesota Statutes 1978, Chapter 169, by adding a section.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Luther	Purfeerst	Stokowski
Bang	Hughes	McCutcheon	Renneke	Strand
Benedict	Johnson	Menning	Rued	Stumpf
Bernhagen	Keefe, J.	Moe	Schaaf	Ueland, A.
Brataas	Keefe, S.	Nelson	Schmitz	Ulland, J.
Chenoweth	Kirchner	Nichols	Setzepfandt	Vega
Chmielewski	Kleinbaum	Olhoff	Sieloff	Wegener
Coleman	Knaak	Olson	Sikorski	Willet
Dieterich	Knoll	Penny	Sillers	
Dunn	Knutson	Perpich	Solon	
Engler	Laufenburger	Peterson	Spear	
Gearty	Lewis	Pillsbury	Staples	

Messrs. Davies and Tennesen voted in the negative.

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Luther	Purfeerst	Stokowski
Bang	Hughes	McCutcheon	Renneke	Strand
Benedict	Johnson	Menning	Rued	Stumpf
Bernhagen	Keefe, J.	Moe	Schaaf	Tennesen
Brataas	Keefe, S.	Nelson	Schmitz	Ueland, A.
Chenoweth	Kirchner	Nichols	Setzepfandt	Ulland, J.
Chmielewski	Kleinbaum	Olhoff	Sieloff	Vega
Coleman	Knaak	Olson	Sikorski	Wegener
Dieterich	Knoll	Penny	Sillers	Willet
Dunn	Knutson	Perpich	Solon	
Engler	Laufenburger	Peterson	Spear	
Gearty	Lewis	Pillsbury	Staples	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 30 and nays 26, as follows:

Those who voted in the affirmative were:

Bang	Brataas	Davies	Gearty	Johnson
Benedict	Coleman	Dieterich	Hughes	Keefe, S.

Knaak	Luther	Perpich	Sillers	Stumpf
Knoll	McCutcheon	Peterson	Spear	Tennessee
Laufenburger	Nichols	Pillsbury	Staples	Ulland, J.
Lewis	Ogdahl	Schaaf	Stokowski	Vega

Those who voted in the negative were:

Bernhagen	Kirchner	Olhoft	Schmitz	Wegener
Chmielewski	Kleinbaum	Olson	Setzepfandt	Willet
Dunn	Knutson	Penny	Sieloff	
Engler	Menning	Purfeerst	Sikorski	
Frederick	Moe	Renneke	Solon	
Hanson	Nelson	Rued	Strand	

So the bill failed to pass.

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.

Mr. Johnson moved that S. F. No. 285, No. 7 on the Calendar, be stricken and returned to the top of General Orders.

Mr. Tennessee moved that S. F. No. 285, No. 7 on the Calendar be stricken and re-referred to the Committee on Commerce.

The question being taken on the adoption of the motion of Mr. Tennessee.

The roll was called, and there were yeas 26 and nays 38, as follows:

Those who voted in the affirmative were:

Benedict	Johnson	Merriam	Sikorski	Wegener
Chenoweth	Keefe, S.	Moe	Spear	Willet
Chmielewski	Lewis	Nelson	Stokowski	
Dieterich	Luther	Olhoft	Stumpf	
Hughes	McCutcheon	Perpich	Tennessee	
Humphrey	Menning	Schaaf	Vega	

Those who voted in the negative were:

Ashbach	Frederick	Knaak	Peterson	Sillers
Bang	Gearty	Knoll	Pillsbury	Solon
Bernhagen	Gunderson	Knutson	Purfeerst	Staples
Brataas	Hanson	Laufenburger	Renneke	Strand
Coleman	Jensen	Nichols	Rued	Ueland, A.
Davies	Keefe, J.	Ogdahl	Schmitz	Ulland, J.
Dunn	Kirchner	Olson	Setzepfandt	
Engler	Kleinbaum	Penny	Sieloff	

The motion did not prevail.

The question recurred on the motion of Mr. Johnson.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 32 and nays 30, as follows:

Those who voted in the affirmative were:

Benedict	Hughes	Menning	Schaaf	Tennessee
Chenoweth	Humphrey	Merriam	Setzepfandt	Vega
Chmielewski	Johnson	Moe	Sikorski	Wegener
Coleman	Keefe, S.	Nelson	Spear	Willet
Dieterich	Lewis	Nichols	Stokowski	
Gearty	Luther	Olhoff	Strand	
Hanson	McCutcheon	Perpich	Stumpf	

Those who voted in the negative were:

Ashbach	Engler	Kleinbaum	Peterson	Sieloff
Bang	Frederick	Knaak	Pillsbury	Sillers
Bernhagen	Gunderson	Knutson	Purfearst	Solon
Brataas	Jensen	Laufenburger	Renneke	Staples
Davies	Keefe, J.	Olson	Rued	Ueland, A.
Dunn	Kirchner	Penny	Schmitz	Ulland, J.

The Johnson motion prevailed.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Penny	Solon
Bang	Gunderson	Laufenburger	Perpich	Spear
Benedict	Hanson	Lewis	Peterson	Staples
Bernhagen	Hughes	Luther	Pillsbury	Stokowski
Brataas	Humphrey	McCutcheon	Purfearst	Strand
Chenoweth	Jensen	Menning	Renneke	Stumpf
Chmielewski	Johnson	Merriam	Rued	Tennessee
Coleman	Keefe, J.	Moe	Schaaf	Ueland, A.
Davies	Keefe, S.	Nelson	Schmitz	Ulland, J.
Dieterich	Kirchner	Nichols	Setzepfandt	Vega
Dunn	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knaak	Olhoff	Sikorski	Willet
Frederick	Knoll	Olson	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 297: A bill for an act relating to the City of Chisholm; exempting volunteer firefighters from civil service commission jurisdiction.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Bernhagen	Chmielewski	Dieterich	Frederick
Bang	Brataas	Coleman	Dunn	Gearty
Benedict	Chenoweth	Davies	Engler	Gunderson

Hanson	Knoll	Nichols	Rued	Stokowski
Hughes	Knutson	Ogdahl	Schaaf	Strand
Humphrey	Laufenburger	Olhoff	Schmitz	Stumpf
Jensen	Lewis	Olson	Setzepfandt	Tennessen
Johnson	Luther	Penny	Sieloff	Ueland, A.
Keefe, J.	McCutcheon	Perpich	Sikorski	Ulland, J.
Keefe, S.	Menning	Peterson	Sillers	Vega
Kirchner	Merriam	Pillsbury	Solon	Wegener
Kleinbaum	Moe	Purfeerst	Spear	Willet
Knaak	Nelson	Renneke	Staples	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Garty	Knutson	Penny	Solon
Bang	Gunderson	Laufenburger	Perpich	Spear
Benedict	Hanson	Lewis	Peterson	Staples
Bernhagen	Hughes	Luther	Pillsbury	Stokowski
Brataas	Humphrey	McCutcheon	Purfeerst	Strand
Chenoweth	Jensen	Menning	Renneke	Stumpf
Chmielewski	Johnson	Merriam	Rued	Tennessen
Coleman	Keefe, J.	Moe	Schaaf	Ueland, A.
Davies	Keefe, S.	Nelson	Schmitz	Ulland, J.
Dieterich	Kirchner	Nichols	Setzepfandt	Vega
Dunn	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knaak	Olhoff	Sikorski	Willet
Frederick	Knoll	Olson	Sillers	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Hughes	Kleinbaum	McCutcheon
Bang	Dunn	Humphrey	Knaak	Menning
Benedict	Engler	Jensen	Knoll	Merriam
Brataas	Frederick	Johnson	Knutson	Moe
Chenoweth	Garty	Keefe, J.	Laufenburger	Nelson
Coleman	Gunderson	Keefe, S.	Lewis	Ogdahl
Davies	Hanson	Kirchner	Luther	Olhoff

Olson	Renneke	Sikoraski	Strand	Wegener
Penny	Rued	Sillers	Stumpf	Willet
Perpich	Schaaf	Solon	Tennessee	
Peterson	Schmitz	Spear	Ueland, A.	
Pillsbury	Setzepfandt	Staples	Ulland, J.	
Purfeerst	Sieloff	Stokowski	Vega	

Mr. Nichols voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 381: A bill for an act relating to the city of Ely; providing for the salaries of the mayor and council.

Mr. Johnson moved that S. F. No. 381, No. 13 on the Calendar, be stricken and returned to its author.

The question was taken on the adoption of the motion of Mr. Johnson.

The roll was called, and there were yeas 26 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knaak	Penny	Ueland, A.
Benedict	Gunderson	Knutson	Pillsbury	Ulland, J.
Bernhagen	Humphrey	Luther	Rued	
Chmielewski	Jensen	Menning	Schmitz	
Dieterich	Johnson	Ogdahl	Spear	
Dunn	Kirchner	Oihoff	Tennessee	

Those who voted in the negative were:

Bang	Hanson	Lewis	Perpich	Sikoraski
Brataas	Hughes	McCutcheon	Peterson	Solon
Chenoweth	Keefe, J.	Merriam	Purfeerst	Strand
Coleman	Keefe, S.	Moe	Renneke	Stumpf
Davies	Kleinbaum	Nelson	Schaaf	Vega
Engler	Laufenburger	Nichols	Setzepfandt	Wegener
Gearty	Lessard	Olson	Sieloff	Willet

The motion did not prevail.

Mr. Johnson moved that S. F. No. 381, No. 13 on the Calendar, be stricken and returned to the top of General Orders. 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Chenoweth	Dunn	Hanson	Keefe, J.
Bang	Chmielewski	Engler	Hughes	Keefe, S.
Benedict	Coleman	Frederick	Humphrey	Kirchner
Bernhagen	Davies	Gearty	Jensen	Kleinbaum
Brataas	Dieterich	Gunderson	Johnson	Knaak

Knoll	Merriam	Perpich	Sieloff	Stumpf
Knutson	Moe	Peterson	Sikorski	Tennessee
Laufenburger	Nelson	Pillsbury	Sillers	Ueland, A.
Lessard	Nichols	Purfeerst	Solon	Ulland, J.
Lewis	Ogdahl	Rued	Spear	Vega
Luther	Olhoft	Schaaf	Staples	Wegener
McCutcheon	Olson	Schmitz	Stokowski	Willet
Menning	Penny	Setzepfandt	Strand	

Mr. Renneke voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 364: A bill for an act relating to peace officers; requiring uniform colors for law enforcement motor vehicles and uniforms of peace officers and security guards; amending Minnesota Statutes 1978, Section 169.98.

With the unanimous consent of the Senate, Mr. Merriam moved to amend S. F. No. 364 as follows:

Page 4, line 3, after the period insert *"Each vehicle shall be marked with its own identifying number on the rear of the vehicle. The number shall be printed in the same size and color required pursuant to this subdivision for identifying words which may be displayed on the vehicle."*

Amend the title as follows:

Page 1, line 3, after "colors" insert "and identification"

The motion prevailed. So the amendment was adopted.

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.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 54 and nays 11, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Knoll	Olhoft	Solon
Benedict	Hanson	Laufenburger	Olson	Spear
Bernhagen	Hughes	Lessard	Perpich	Staples
Brataas	Humphrey	Lewis	Peterson	Stokowski
Chenoweth	Jensen	Luther	Purfeerst	Strand
Coleman	Johnson	McCutcheon	Rued	Stumpf
Davies	Keefe, J.	Merriam	Schaaf	Tennessee
Dieterich	Keefe, S.	Moe	Schmitz	Ueland, A.
Dunn	Kirchner	Nelson	Sieloff	Vega
Engler	Kleinbaum	Nichols	Sikorski	Wegener
Gearty	Knaak	Ogdahl	Sillers	

Those who voted in the negative were:

Bang	Knutson	Penny	Renneke	Ulland, J.
Chmielewski	Menning	Pillsbury	Setzepfandt	Willet
Frederick				

So the bill, as amended, passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Olson	Sillers
Bang	Gunderson	Laufenburger	Penny	Solon
Benedict	Hanson	Lessard	Perpich	Spear
Bernhagen	Hughes	Lewis	Peterson	Staples
Brataas	Humphrey	Luther	Pillsbury	Stokowski
Chenoweth	Jensen	McCutcheon	Purfeerst	Strand
Chmielewski	Johnson	Menning	Renneke	Stumpf
Coleman	Keefe, J.	Merriam	Rued	Tennessee
Davies	Keefe, S.	Moe	Schaaf	Ueland, A.
Dieterich	Kirchner	Nelson	Schmitz	Ulland, J.
Dunn	Kleinbaum	Nichols	Setzepfandt	Vega
Engler	Knaak	Ogdahl	Sieloff	Wegener
Frederick	Knoll	Olhoft	Sikorski	Willet

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 3, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Laufenburger	Peterson	Staples
Bang	Hanson	Lessard	Pillsbury	Stokowski
Benedict	Hughes	Lewis	Purfeerst	Strand
Bernhagen	Humphrey	Luther	Renneke	Stumpf
Brataas	Jensen	Menning	Rued	Tennessee
Chenoweth	Johnson	Merriam	Schaaf	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ulland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sikorski	Willet
Engler	Knaak	Olhoft	Sillers	
Frederick	Knoll	Olson	Solon	
Gearty	Knutson	Penny	Spear	

Messrs. Chmielewski, McCutcheon and Perpich voted in the negative.

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Laufenburger	Penny	Solon
Bang	Gunderson	Lessard	Perpich	Spear
Benedict	Hanson	Lewis	Peterson	Staples
Bernhagen	Hughes	Luther	Pillsbury	Stokowski
Brataas	Humphrey	McCutcheon	Purfeerst	Strand
Chenoweth	Jensen	Menning	Renneke	Stumpf
Chmielewski	Johnson	Merriam	Rued	Tennessee
Coleman	Keefe, S.	Moe	Schaaf	Ueland, A.
Davies	Kirchner	Nelson	Schmitz	Ulland, J.
Dieterich	Kleinbaum	Nichols	Setzepfandt	Vega
Dunn	Knaak	Ogdahl	Sieloff	Wegener
Engler	Knoll	Olhoff	Sikorski	Willett
Frederick	Knutson	Olson	Sillers	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Olson	Sillers
Bang	Gunderson	Laufenburger	Penny	Solon
Benedict	Hanson	Lessard	Perpich	Spear
Bernhagen	Hughes	Lewis	Peterson	Staples
Brataas	Humphrey	Luther	Pillsbury	Stokowski
Chenoweth	Jensen	McCutcheon	Purfeerst	Strand
Chmielewski	Johnson	Menning	Renneke	Stumpf
Coleman	Keefe, J.	Merriam	Rued	Tennessee
Davies	Keefe, S.	Moe	Schaaf	Ueland, A.
Dieterich	Kirchner	Nelson	Schmitz	Ulland, J.
Dunn	Kleinbaum	Nichols	Setzepfandt	Vega
Engler	Knaak	Ogdahl	Sieloff	Wegener
Frederick	Knoll	Olhoff	Sikorski	Willett

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Lessard	Perpich	Spear
Bang	Hughes	Lewis	Peterson	Staples
Benedict	Humphrey	Luther	Pillsbury	Stokowski
Bernhagen	Jensen	McCutcheon	Purfeerst	Strand
Brataas	Johnson	Menning	Renneke	Stumpf
Chenoweth	Keefe, J.	Merriam	Rued	Tennessee
Coleman	Keefe, S.	Moe	Schaaf	Ueland, A.
Davies	Kirchner	Nelson	Schmitz	Ulland, J.
Dieterich	Kleinbaum	Nichols	Setzepfandt	Vega
Dunn	Knaak	Ogdahl	Sieloff	Wegener
Engler	Knoll	Olhoff	Sikorski	Willet
Frederick	Knutson	Olson	Sillers	
Gunderson	Laufenburger	Penny	Solon	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Olson	Sillers
Bang	Gunderson	Laufenburger	Penny	Solon
Benedict	Hanson	Lessard	Perpich	Spear
Bernhagen	Hughes	Lewis	Peterson	Staples
Brataas	Humphrey	Luther	Pillsbury	Stokowski
Chenoweth	Jensen	McCutcheon	Purfeerst	Strand
Chmielewski	Johnson	Menning	Renneke	Stumpf
Coleman	Keefe, J.	Merriam	Rued	Tennessee
Davies	Keefe, S.	Moe	Schaaf	Ueland, A.
Dieterich	Kirchner	Nelson	Schmitz	Ulland, J.
Dunn	Kleinbaum	Nichols	Setzepfandt	Vega
Engler	Knaak	Ogdahl	Sieloff	Wegener
Frederick	Knoll	Olhoff	Sikorski	Willet

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Olson	Sillers
Bang	Gunderson	Laufenburger	Penny	Solon
Benedict	Hanson	Lessard	Perpich	Spear
Bernhagen	Hughes	Lewis	Peterson	Staples
Brataas	Humphrey	Luther	Pillsbury	Stokowski
Chenoweth	Jensen	McCutcheon	Purfeerst	Strand
Chmielewski	Johnson	Menning	Renneke	Stumpf
Coleman	Keefe, J.	Merriam	Rued	Tennesen
Davies	Keefe, S.	Moe	Schaaf	Ueland, A.
Dieterich	Kirchner	Nelson	Schmitz	Ulland, J.
Dunn	Kleinbaum	Nichols	Setzepfandt	Vega
Engler	Knaak	Ogdahl	Sieloff	Wegener
Frederick	Knoll	Olhoff	Sikorski	Willet

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 4, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knaak	Olhoff	Sikorski
Bang	Gearty	Knoll	Olson	Sillers
Benedict	Gunderson	Knutson	Penny	Solon
Bernhagen	Hanson	Laufenburger	Perpich	Staples
Brataas	Hughes	Luther	Peterson	Strand
Chenoweth	Humphrey	McCutcheon	Pillsbury	Tennesen
Chmielewski	Jensen	Menning	Purfeerst	Ulland, J.
Coleman	Johnson	Merriam	Renneke	Vega
Davies	Keefe, J.	Moe	Rued	Wegener
Dieterich	Keefe, S.	Nelson	Schmitz	Willet
Dunn	Kirchner	Nichols	Setzepfandt	
Engler	Kleinbaum	Ogdahl	Sieloff	

Messrs. Lewis, Schaaf, Spear and Stumpf voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called and there were yeas 52 and nays 13, as follows:

Those who voted in the affirmative were:

Ashbach	Garty	Knoll	Penny	Staples
Bang	Hanson	Lessard	Pillsbury	Stokowski
Bernhagen	Hughes	Lewis	Purfeerst	Tenessen
Brataas	Humphrey	Luther	Schaaf	Ueland, A.
Chenoweth	Jensen	McCutcheon	Schmitz	Ulland, J.
Coleman	Johnson	Merriam	Setzepfandt	Vega
Davies	Keefe, J.	Moe	Sieloff	Wegener
Dieterich	Keefe, S.	Nelson	Sikorski	Willet
Dunn	Kirchner	Nichols	Sillers	
Engler	Kleinbaum	Ogdahl	Solon	
Frederick	Knaak	Olson	Spear	

Those who voted in the negative were:

Benedict	Knutson	Olhoft	Renneke	Stumpf
Chmielewski	Laufenburger	Perpich	Rued	
Gunderson	Menning	Peterson	Strand	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Laufenburger	Perpich	Spear
Bang	Hanson	Lessard	Peterson	Staples
Benedict	Hughes	Lewis	Pillsbury	Stokowski
Bernhagen	Humphrey	Luther	Purfeerst	Strand
Brataas	Jensen	McCutcheon	Renneke	Stumpf
Chenoweth	Johnson	Menning	Rued	Ueland, A.
Chmielewski	Keefe, J.	Moe	Schaaf	Ulland, J.
Davies	Keefe, S.	Nelson	Schmitz	Vega
Dieterich	Kirchner	Nichols	Setzepfandt	Wegener
Dunn	Kleinbaum	Ogdahl	Sieloff	Willet
Engler	Knaak	Olhoft	Sikorski	
Frederick	Knoll	Olson	Sillers	
Garty	Knutson	Penny	Solon	

Mr. Tennessen voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Laufenburger	Penny	Solon
Bang	Hanson	Lessard	Perpich	Spear
Benedict	Hughes	Lewis	Peterson	Staples
Bernhagen	Humphrey	Luther	Pillsbury	Stokowski
Brataas	Jensen	McCutcheon	Purfeerst	Strand
Chenoweth	Johnson	Menning	Renneke	Stumpf
Chmielewski	Keefe, J.	Merriam	Rued	Tennessee
Davies	Keefe, S.	Moe	Schaaf	Ueland, A.
Dieterich	Kirchner	Nelson	Schmitz	Ulland, J.
Dunn	Kleinbaum	Nichols	Setzepfandt	Vega
Engler	Knaak	Ogdahl	Sieloff	Wegener
Frederick	Knoll	Olhoft	Sikorski	Willet
Gearty	Knutson	Olson	Sillers	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Penny	Solon
Ashbach	Gearty	Lessard	Perpich	Spear
Bang	Gunderson	Lewis	Peterson	Staples
Benedict	Hanson	Luther	Pillsbury	Stokowski
Bernhagen	Hughes	McCutcheon	Purfeerst	Strand
Brataas	Humphrey	Menning	Renneke	Stumpf
Chenoweth	Jensen	Merriam	Rued	Tennessee
Chmielewski	Johnson	Moe	Schaaf	Ueland, A.
Coleman	Keefe, J.	Nelson	Schmitz	Ulland, J.
Davies	Keefe, S.	Nichols	Setzepfandt	Vega
Dieterich	Kirchner	Ogdahl	Sieloff	Wegener
Dunn	Knaak	Olhoft	Sikorski	Willet
Engler	Knoll	Olson	Sillers	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Lewis	Perpich	Staples
Ashbach	Hughes	Luther	Pillsbury	Stokowski
Bang	Humphrey	McCutcheon	Purfeerst	Stumpf
Benedict	Jensen	Menning	Renneke	Ueland, A.
Bernhagen	Johnson	Merriam	Rued	Ulland, J.
Brataas	Keefe, J.	Moe	Schaaf	Vega
Chmielewski	Keefe, S.	Nelson	Schmitz	Wegener
Dunn	Kirchner	Nichols	Setzepfandt	Willet
Engler	Knaak	Ogdahl	Sieloff	
Frederick	Knoll	Olhoff	Sikorski	
Gearty	Knutson	Olson	Sillers	
Gunderson	Lessard	Penny	Solon	

Those who voted in the negative were:

Chenoweth	Dieterich	Spear	Strand	Tennessee
Davies	Peterson			

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Purfeerst	Staples
Ashbach	Hanson	Luther	Rued	Stokowski
Bang	Hughes	Merriam	Schaaf	Stumpf
Bernhagen	Humphrey	Moe	Schmitz	Tennessee
Brataas	Jensen	Nelson	Setzepfandt	Ueland, A.
Coleman	Johnson	Nichols	Sieloff	Ulland, J.
Davies	Keefe, J.	Olson	Sikorski	Vega
Dunn	Keefe, S.	Penny	Sillers	Wegener
Engler	Knaak	Perpich	Solon	
Frederick	Knutson	Pillsbury	Spear	

Those who voted in the negative were:

Benedict	Dieterich	Knoll	Olhoff	Strand
Chenoweth	Gunderson	McCutcheon	Peterson	Willet
Chmielewski	Kirchner	Menning	Renneke	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Penny	Solon
Ashbach	Gearty	Lessard	Perpich	Spear
Bang	Gunderson	Lewis	Peterson	Staples
Benedict	Hanson	Luther	Pillsbury	Stokowski
Bernhagen	Hughes	McCutcheon	Purfeerst	Strand
Brataas	Humphrey	Menning	Renneke	Stumpf
Chenoweth	Jensen	Merriam	Rued	Tennessee
Chmielewski	Johnson	Moe	Schaaf	Ueland, A.
Coleman	Keefe, J.	Nelson	Schmitz	Ulland, J.
Davies	Keefe, S.	Nichols	Setzepfandt	Vega
Dieterich	Kirchner	Ogdahl	Sieloff	Wegener
Dunn	Knaak	Olhoff	Sikoraki	Willet
Engler	Knoll	Olson	Sillers	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knaak	Olhoff	Spear
Ashbach	Frederick	Knutson	Penny	Staples
Bang	Gearty	Lewis	Perpich	Stokowski
Benedict	Gunderson	Luther	Purfeerst	Strand
Bernhagen	Hanson	McCutcheon	Renneke	Stumpf
Brataas	Hughes	Menning	Schaaf	Ueland, A.
Chenoweth	Humphrey	Merriam	Setzepfandt	Ulland, J.
Chmielewski	Jensen	Moe	Sieloff	Vega
Coleman	Johnson	Nelson	Sikoraki	Willet
Davies	Keefe, J.	Nichols	Sillers	
Dunn	Kirchner	Ogdahl	Solon	

Those who voted in the negative were:

Dieterich	Knoll	Peterson	Rued	Wegener
Keefe, S.	Olson	Pillsbury	Tennesen	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Perpich	Spear
Ashbach	Gearty	Lessard	Peterson	Staples
Bang	Gunderson	Lewis	Pillsbury	Stokowski
Benedict	Hanson	Luther	Purfeerst	Strand
Bernhagen	Hughes	McCutcheon	Renneke	Stumpf
Brataas	Humphrey	Menning	Rued	Tennesen
Chenoweth	Jensen	Merriam	Schaaf	Ueland, A.
Chmielewski	Johnson	Moe	Schmitz	Ulland, J.
Coleman	Keefe, J.	Nelson	Setzepfandt	Vega
Davies	Keefe, S.	Nichols	Sieloff	Wegener
Dieterich	Kirchner	Ogdahl	Sikorski	Willet
Dunn	Knaak	Olson	Sillers	
Engler	Knoll	Penny	Solon	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Penny	Solon
Ashbach	Gearty	Lessard	Perpich	Spear
Bang	Gunderson	Lewis	Peterson	Staples
Benedict	Hanson	Luther	Pillsbury	Stokowski
Bernhagen	Hughes	McCutcheon	Purfeerst	Strand
Brataas	Humphrey	Menning	Renneke	Stumpf
Chenoweth	Jensen	Merriam	Rued	Tennesen
Chmielewski	Johnson	Moe	Schaaf	Ueland, A.
Coleman	Keefe, J.	Nelson	Schmitz	Ulland, J.
Davies	Keefe, S.	Nichols	Setzepfandt	Vega
Dieterich	Kirchner	Ogdahl	Sieloff	Wegener
Dunn	Knaak	Olhoft	Sikorski	Willet
Engler	Knoll	Olson	Sillers	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Penny	Solon
Bang	Gearty	Lessard	Peterson	Spear
Benedict	Gunderson	Lewis	Pillsbury	Staples
Bernhagen	Hanson	Luther	Purfeerst	Stokowski
Brataas	Hughes	Menning	Renneke	Strand
Chenoweth	Humphrey	Merriam	Rued	Stumpf
Chmielewski	Jensen	Moe	Schaaf	Tennessee
Coleman	Keefe, J.	Nelson	Schmitz	Ueland, A.
Davies	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Dieterich	Kirchner	Ogdahl	Sieloff	Wegener
Dunn	Knaak	Olhoft	Sikorski	Willet
Engler	Knoll	Olson	Sillers	

Messrs. Johnson, McCutcheon, Perpich and Vega voted in the negative.

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Bang moved that the rules of the Senate be so far suspended that H. F. No. 116, No. 47 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Bang	Bernhagen	Chenoweth	Davies
Asbach	Benedict	Brataas	Coleman	Dieterich

Dunn	Keefe, J.	Menning	Pillabury	Stokowski
Engler	Keefe, S.	Merriam	Purfeerst	Stumpf
Frederick	Kirchner	Moe	Rued	Ueland, A.
Garty	Knaak	Nelson	Schaaf	Ulland, J.
Hanson	Knoll	Ogdahl	Schmitz	Vega
Hughes	Knutson	Olhoft	Setzepfandt	Wegener
Humphrey	Lewis	Olson	Sieloff	Willet
Jensen	Luther	Perpich	Solon	
Johnson	McCutcheon	Peterson	Spear	

Those who voted in the negative were:

Chmielewski	Lessard	Penny	Sikorski	Strand
Gunderson	Nichols			

So the bill passed and its title was agreed to.

NOTICE OF RECONSIDERATION

Mr. Moe gave notice of intention to move for reconsideration of S. F. No. 486.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Wednesday, April 25, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FORTY-FIRST DAY

St. Paul, Minnesota, Wednesday, April 25, 1979

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Frederick	Knutson	Penny	Spear
Ashbach	Gearty	Laufenburger	Perpich	Staples
Bang	Gunderson	Lessard	Peterson	Stokowski
Benedict	Hanson	Luther	Pillsbury	Strand
Bernhagen	Hughes	McCutcheon	Renneke	Stumpf
Brataas	Humphrey	Menning	Rued	Tennesen
Chenoweth	Jensen	Merriam	Schaaf	Ueland, A.
Chmielewski	Johnson	Moe	Schmitz	Ulland, J.
Coleman	Keefe, J.	Nelson	Setzpfandt	Vega
Davies	Keefe, S.	Nichols	Sieloff	Wegener
Dieterich	Kleinbaum	Ogdahl	Sikorski	Willet
Dunn	Knaak	Olhoft	Sillers	
Engler	Knoll	Olson	Solon	

The Sergeant at Arms was instructed to bring in the absent members.

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

Mr. Coleman moved that the reading of the roll be dispensed with. The motion prevailed.

Prayer was offered by the Chaplain, Mr. Tom Tipton.

Tributes to the late Senator B. Robert Lewis were offered by Majority Leader Nicholas D. Coleman, Senator George F. Perpich, Minority Leader Robert O. Ashbach and Senator Emily Anne Staples.

MOTIONS AND RESOLUTIONS

Mr. Davies moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, April 26, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FORTY-SECOND DAY

St. Paul, Minnesota, Thursday, April 26, 1979

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Gearty	McCutcheon	Purfeerst	Stumpf
Bang	Gunderson	Menning	Schaaf	Tennessee
Benedict	Hanson	Merriam	Schmitz	Ueland, A.
Bernhagen	Hughes	Moe	Setzepfandt	Ulland, J.
Brataas	Humphrey	Nelson	Sieloff	Vega
Chmielewski	Keefe, S.	Nichols	Sikorski	Wegener
Coleman	Kleinbaum	Olhoft	Solon	Willet
Davies	Knaak	Olson	Spear	
Dieterich	Knoll	Perpich	Staples	
Engler	Laufenburger	Peterson	Stokowski	
Frederick	Luther	Pillsbury	Strand	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Katherine Austin Mahle.

The roll was called, and the following Senators answered to their names:

Anderson	Frederick	Knutson	Penny	Solon
Ashbach	Gearty	Laufenburger	Perpich	Spear
Bang	Gunderson	Lessard	Peterson	Staples
Benedict	Hanson	Luther	Pillsbury	Stokowski
Bernhagen	Hughes	McCutcheon	Purfeerst	Strand
Brataas	Humphrey	Menning	Renneke	Stumpf
Chenoweth	Jensen	Merriam	Rued	Tennessee
Chmielewski	Johnson	Moe	Schaaf	Ueland, A.
Coleman	Keefe, J.	Nelson	Schmitz	Ulland, J.
Davies	Keefe, S.	Nichols	Setzepfandt	Vega
Dieterich	Kleinbaum	Ogdahl	Sieloff	Wegener
Dunn	Knaak	Olhoft	Sikorski	Willet
Engler	Knoll	Olson	Sillers	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Schrom was excused from the Session of today. Mr. Johnson was excused from the Session of today until 10:20 o'clock a.m. Mr. Sieloff was excused from the Session of today from 12:00 noon to 12:30 o'clock p.m. Mr. Solon was excused from the Session of today from 11:15 o'clock a.m. to 12:00 o'clock noon. Mr. Anderson was excused from the Session of today from 12:30 to 1:00 o'clock p.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Messrs. Dieterich, Sieloff, Solon and Luther introduced—

S. F. No. 1484: 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.

Referred to the Committee on Commerce.

Messrs. Hanson, Coleman, Ashbach, Johnson and Merriam introduced—

S. F. No. 1485: A bill for an act relating to labor; requiring operators of motor vehicles to stop and proceed with caution at certain entrances and exits.

Referred to the Committee on Transportation.

Mr. Sillers introduced—

S. F. No. 1486: A bill for an act relating to taxation; excluding amounts received as child support payments from income for purposes of property tax refund and low income credit; amending Minnesota Statutes 1978, Sections 290.012, Subdivision 3; and 290A.03, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Mr. Knutson introduced—

S. F. No. 1487: 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.

Referred to the Committee on Governmental Operations.

Mr. Perpich introduced—

S. F. No. 1488: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Perpich introduced—

S. F. No. 1489: A bill for an act relating to state lands; providing for a conveyance to the city of Buhl.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Ulland, J.; Solon; Lewis; Mrs. Knaak and Mr. Keefe, J. introduced—

S. F. No. 1490: A bill for an act relating to health; providing for an automatic fine in certain instances relating to nursing home inspections; setting a penalty; amending Minnesota Statutes 1978, Section 144A.10, by adding a subdivision.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Vega and Chmielewski introduced—

S. F. No. 1491: 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.

Referred to the Committee on Veterans' Affairs.

Messrs. Ueland, A. and Frederick introduced—

S. F. No. 1492: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, by adding a section; requiring a two thirds majority of each house of the legislature to increase taxes or impose new taxes.

Referred to the Committee on Taxes and Tax Laws.

Mr. Strand introduced—

S. F. No. 1493: A bill for an act relating to elections; providing an exception to the party list appointment requirements for elec-

tion judges; allowing town officers to serve as election judges without being named on party lists; amending Minnesota Statutes 1978, Section 204A.17, Subdivision 5.

Referred to the Committee on Elections.

Messrs. Strand and Peterson introduced—

S. F. No. 1494: 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.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Strand introduced—

S. F. No. 1495: 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.

Referred to the Committee on Judiciary.

Mr. Ashbach introduced—

S. F. No. 1496: 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.

Referred to the Committee on Governmental Operations.

Mr. Pillsbury introduced—

S. F. No. 1497: 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.

Referred to the Committee on Energy and Housing.

Mr. Chmielewski introduced—

S. F. No. 1498: A bill for an act relating to health; establishing an experimental program related to assessing needs for nursing care in long-term care facilities; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Chmielewski introduced—

S. F. No. 1499: A bill for an act relating to public health; authorizing waiver of minimum health maintenance organization requirements for certain experimental projects; amending Minnesota Statutes 1978, Chapter 62D, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Chmielewski introduced—

S. F. No. 1500: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Luther introduced—

S. F. No. 1501: A bill for an act relating to Independent School District No. 279; authorizing the issuance of bonds authorized by the electors.

Referred to the Committee on Education.

Messrs. Luther, Spear, Johnson and Keefe, S. introduced—

S. F. No. 1502: A bill for an act relating to usury; redefining actual closing costs on conventional home loans; amending Minnesota Statutes 1978, Section 47.20, Subdivision 2.

Referred to the Committee on Commerce.

Messrs. Jensen, Olson, Purfeerst and Renneke introduced—

S. F. No. 1503: 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.

Referred to the Committee on Commerce.

Mr. Moe, for the Committee on Finance, introduced—

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, Subdivisions 1 and 2.

Under the rules of the Senate, laid over one day.

Mr. Moe, for the Committee on Finance, introduced—

S. F. No. 1505: A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes, including the department of education, aids to libraries, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals, with certain conditions; amending Minnesota Statutes 1978, Sections 120.81, Subdivision 2; 123.38, Subdivision 3; and 124.572, by adding a subdivision.

Under the rules of the Senate, laid over one day.

Messrs. Wegener, Rued, Willet, Peterson and Ashbach introduced—

S. F. No. 1506: 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.

Referred to the Committee on Taxes and Tax Laws.

Mr. Chenoweth introduced—

S. F. No. 1507: 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.

Referred to the Committee on Governmental Operations.

Messrs. Chenoweth and Bang introduced—

S. F. No. 1508: A bill for an act relating to public welfare; permitting execution on welfare checks for judgment debts for rent; amending Minnesota Statutes 1978, Section 550.37, Subdivision 14.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Peterson introduced—

S. F. No. 1509: 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.

Referred to the Committee on Governmental Operations.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

April 16, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the State Zoological Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Richard M. Arndt, 669 Laura Court, Mendota Heights, Dakota County, has been appointed by me, effective April 16, 1979, for a term expiring the first Monday in January, 1983.

Patricia Davies, 3424 Edmund Blvd., Minneapolis, Hennepin County, has been appointed by me, effective April 16, 1979, for a term expiring the first Monday in January, 1983.

James L. Hetland, Jr., 5850 Irving Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective April 16, 1979, for a term expiring the first Monday in January, 1983.

Dr. Paul E. Zollman, 200 1st Street SW, Rochester, Olmsted County, has been appointed by me, effective April 16, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on General Legislation and Administrative Rules.)

April 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Housing Finance Agency is hereby respectfully submitted to the Senate for confirmation as required by law:

Shirley Van Dyck, Route 2, Tract 33, Cass Lake, Cass County, has been appointed by me, effective April 19, 1979, for a term expiring the first Monday in January, 1980.

(Referred to the Committee on Energy and Housing.)

April 23, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Council on Quality Education is hereby respectfully submitted to the Senate for confirmation as required by law:

Lorraine Ziemer, 10211 Cedar Lake Road, Minnetonka, Hennepin County, has been appointed by me, effective April 23, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Education.)

April 5, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Chairman of the Metropolitan Waste Control Commission is hereby respectfully submitted to the Senate for confirmation as required by law:

Salisbury Adams, 60 Myrtlewood Road, Wayzata, Hennepin County, has been appointed by me, effective April 7, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

Sincerely,

Albert H. Quie, Governor

April 23, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. Nos. 603 and 307.

Sincerely,

Albert H. Quie, Governor

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:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 346.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 23, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 61 and 728.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 25, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 361 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 23, 1979

CONCURRENCE AND REPASSAGE

Mrs. Staples moved that the Senate concur in the amendments by the House to S. F. No. 361 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 361 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 57 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Peterson	Staples
Ashbach	Frederick	Lessard	Pillsbury	Stokowski
Bang	Gearty	Luther	Purfeerst	Strand
Benedict	Gunderson	Menning	Renneke	Stumpf
Bernhagen	Hanson	Merriam	Schaaf	Tennessee
Brataas	Hughes	Moe	Schmits	Ueland, A.
Chenoweth	Humphrey	Nelson	Setzepfandt	Ulland, J.
Chmielewski	Keefe, J.	Nichols	Sieloff	Vega
Coleman	Keefe, S.	Olhoff	Sikoraki	Willet
Davies	Kleinbaum	Olson	Sillers	
Dieterich	Knaak	Penny	Solon	
Dunn	Knoll	Perpich	Spear	

Mr. McCutcheon voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 384 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

CONCURRENCE AND REPASSAGE

Mr. Wegener moved that the Senate concur in the amendments by the House to S. F. No. 384 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 384 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Engler	Keefe, J.	Luther
Ashbach	Chmielewski	Frederick	Keefe, S.	McCutcheon
Bang	Coleman	Gearty	Kleinbaum	Menning
Benedict	Davies	Gunderson	Knaak	Merriam
Bernhagen	Dieterich	Hanson	Knoll	Moe
Brataas	Dunn	Hughes	Lessard	Nelson

Nichols	Pillsbury	Sikorski	Strand	Wegener
Olhoff	Purfeerst	Sillers	Stumpf	Willet
Olson	Renneke	Solon	Tennessee	
Penny	Schaaf	Spear	Ueland, A.	
Perpich	Schmitz	Staples	Ulland, J.	
Peterson	Sieloff	Stokowski	Vega	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 219 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 25, 1979

Mr. Nelson moved that S. F. No. 219 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 340 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 25, 1979

CONCURRENCE AND REPASSAGE

Mr. Keefe, S. moved that the Senate concur in the amendments by the House to S. F. No. 340 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 340: A bill for an act relating to ethics in government; defining administrative action; excluding persons presenting legislative claims from the definition of "lobbyist" under certain conditions; 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, 5 and 11; 10A.14, Subdivision 1; 10A.20, Subdivision 2; 210A.01, Subdivision 3; and 290.06, Subdivision 11.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Peterson	Staples
Ashbach	Gunderson	Lessard	Pillsbury	Stokowski
Benedict	Hanson	Luther	Purfeerst	Strand
Bernhagen	Hughes	McCutcheon	Renneke	Stumpf
Brataas	Humphrey	Menning	Schaaf	Tennessee
Chenoweth	Jensen	Merriam	Schmitz	Ueland, A.
Chmielewski	Johnson	Moe	Setzepfandt	Ulland, J.
Davies	Keefe, J.	Nelson	Sieloff	Vega
Dieterich	Keefe, S.	Nichols	Sikoraki	Wegener
Dunn	Kleinbaum	Olhoft	Sillers	Willet
Engler	Knaak	Olson	Solon	
Frederick	Knoll	Perpich	Spear	

Mr. Penny voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 493 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 25, 1979

CONCURRENCE AND REPASSAGE

Mr. Benedict moved that the Senate concur in the amendments by the House to S. F. No. 493 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 493 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Peterson	Stokowski
Ashbach	Gearty	Lessard	Pillsbury	Strand
Bang	Gunderson	Luther	Purfeerst	Stumpf
Benedict	Hanson	McCutcheon	Renneke	Tennessee
Bernhagen	Hughes	Menning	Schaaf	Ueland, A.
Brataas	Humphrey	Merriam	Schmitz	Ulland, J.
Chenoweth	Jensen	Moe	Setzepfandt	Vega
Chmielewski	Johnson	Nelson	Sieloff	Wegener
Coleman	Keefe, S.	Nichols	Sikorski	Willet
Davies	Kleinbaum	Olhoff	Sillers	
Dieterich	Knaak	Olson	Solon	
Dunn	Knoll	Penny	Spear	
Engler	Knutson	Perpich	Staples	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 815, 882, 954, 1011, 1023, 1063, 898, 1101, 1268, 1381, 313, 386, 508 and 747.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 23, 1979

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1256, 1329, 1377, 1411, 1436, 966, 1018, 1062, 1093, 581, 430, 774, 900, 913, 1214, 148, 192, 220, 607, 921, 227, 317, 614, 969, 1251, 123, 998, 1220, 686, 792, 912, 1353 and 564.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 25, 1979

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee on the amendments adopted by the House to the following Senate File:

S. F. No. 572: A bill for an act relating to the city of Bloomington; authorizing additional on-sale liquor licenses.

Four members of the House have been appointed to such committee on the part of the House as follows:

Peterson, Schreiber, Pehler and Casserly.

Senate File No. 572 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 25, 1979

Mr. Coleman moved that the foregoing message be laid on the table. The motion prevailed.

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

H. F. No. 815: A bill for an act relating to state lands; authorizing the sale of certain lands within Beltrami County.

Referred to the Committee on Agriculture and Natural Resources.

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.

Referred to the Committee on Agriculture and Natural Resources.

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.

Referred to the Committee on Local Government.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 562 now on General Orders.

H. F. No. 1023: A bill for an act relating to Independent School District No. 911; providing for the sale of certain land.

Referred to the Committee on Education.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1073 now on General Orders.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1037, now in the Subcommittee on Bill Scheduling.

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.

Referred to the Committee on General Legislation and Administrative Rules.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1143 now on General Orders.

H. F. No. 1381: A bill for an act relating to the county of St. Louis; permitting the sale of certain tax-forfeited land.

Referred to the Committee on Agriculture and Natural Resources.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 445 now on General Orders.

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.

Referred to the Committee on Employment.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1212, now in the Subcommittee on Bill Scheduling.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1313 now on General Orders.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1391 now on the Consent Calendar.

H. F. No. 966: A bill for an act relating to workers' compensation; providing employer's action for recovery of insurance premi-

ums against certain third parties; amending Minnesota Statutes 1978, Section 176.061, Subdivisions 5 and 6.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 983 now on the Calendar.

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.

Referred to the Committee on Commerce.

H. F. No. 1062: A bill for an act relating to the city of Windom; authorizing the purchase of annuity contracts for retiring firefighters.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Education.

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.

Referred to the Committee on Elections.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Local Government.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1180, now on the Consent Calendar.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 227, now in the Subcommittee on Bill Scheduling.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 963 now on General Orders.

H. F. No. 227: A bill for an act relating to insurance; regulating homeowner's insurance; requiring insurers to disclose and file in-

formation; 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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1150 now on General Orders.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 667 now in the Subcommittee on Bill Scheduling.

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, Section 352.01, Subdivisions 11 and 16; 473.417; 473.418; and Laws 1978, Chapter 538, Section 21.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Health, Welfare and Corrections.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1098 now in the Subcommittee on Bill Scheduling.

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.

Referred to the Committee on General Legislation and Administrative Rules.

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 Min-

nesota Statutes 1978, Sections 169.223, Subdivision 1; 169.685, Subdivision 1; and 171.02, Subdivision 3.

Referred to the Committee on Transportation.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 624, now on General Orders.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S. F. No. 1390 and the report from the Committee on Rules and Administration on the amendment of Permanent Rules. The motion prevailed.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was re-referred

S. F. No. 1032: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 15, insert:

“Sec. 2. The commissioner of finance, upon request by the governor, shall sell and issue state bonds in the amount of \$15,550,000 to provide amounts appropriated in this act for expenditure from the state building fund, in the manner, upon the terms and with the effect prescribed by Minnesota Statutes, Sections 16A.63 to 16A.67 and by Article XI, Sections 4 to 7, of the Constitution.

Sec. 3. The following sums are appropriated from the state building fund to the commissioner of natural resources for the acquisition and betterment of public outdoor recreation lands and capital improvements described as follows, respectively:

- | | |
|--|-------------------|
| <i>(1) For acquisition of state trails listed and described in Minnesota Statutes, Section 85.015, and pursuant to Minnesota Statutes, Section 84.029, Subdivision 2</i> | <i>\$ 250,000</i> |
| <i>(2) For betterment of state trails</i> | <i>1,800,000</i> |

No further expenditure of money shall be made on the Luce Line Trail west of the eastern corporate limits of the city of Winsted.

No further expenditure of money for development of the Luce Line trail shall be made until the commissioner of natural resources has prepared a comprehensive fiscal management plan covering all costs associated with development of the trail, submitted the plan to the senate agriculture and natural resources committee, to the house environment and natural resources committee, the house appropriations committee, and the senate finance committee for the purpose of consultation, and received their recommendations thereon. The recommendations are advisory only.

- | | |
|---|-----------|
| (3) For betterment of public land and improvements needed for trails for skiing, hiking and bicycling within state parks and recreation areas as listed and described in sections 85.012 and 85.013 and state forests, as listed and described in section 89.021 | 1,105,000 |
| (4) For acquisition of state forests listed and described in Minnesota Statutes, Section 89.021 | 2,000,000 |
| (5) For betterment of state forests | 180,000 |
| (6) For acquisition of fishing management lands including riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to Minnesota Statutes, Section 97.48, Subdivision 8, 11 and 15 | 1,008,000 |
| (7) For acquisition of wildlife management areas pursuant to Minnesota Statutes, Section 97.48, Subdivision 13 and Section 97.481 | 4,000,000 |
| (8) For betterment of such wildlife management areas | 500,000 |
| (9) For acquisition of natural and scientific areas designated pursuant to Minnesota Statutes, Section 84.033 | 538,000 |
| (10) For costs of staff and independent professional services necessary for the acquisition and betterment of the lands and improvements described above | 1,669,000 |
| (11) For acquisition of lands to provide access for the public to public waters outside the counties of Hennepin, Ramsey, Anoka, Dakota, Washington, Scott and Carver | 1,500,000 |
| (12) For maintenance, development and improvement of lands, owned by the state or any of its subdivisions, which give the public free access to and use of public waters | 1,000,000 |

Sec. 4. Lands shall be acquired by the commissioner of administration upon request of the commissioner of natural re-

sources and in accordance with the policies established in Minnesota Statutes, Sections 86A.01 to 86A.09. Those acquired for each unit of the outdoor recreation system shall be suited for the purpose of that unit and suited for management in accordance with the principles applicable to it. The commissioner of natural resources shall submit semiannual work progress reports to the legislative commission on Minnesota resources, in the form requested by the commission, and shall submit a work program to the commission and request its recommendation thereon before expending any funds appropriated by this act for any purpose. The commission's recommendation shall be advisory only. Failure to respond to a request within 60 days after receipt shall be deemed a negative recommendation.

Sec. 5. Laws 1977, Chapter 421, Section 13, Subdivision 3, is amended to read:

Subd. 3. For acquisition of state trails, as listed and described in section 85.015, and pursuant to section 84.029, subdivision 2	1,805,000
For betterment of the trails	1,800,000

No further expenditure of money for development of the Luce Line Trail shall be made until the commissioner of natural resources has prepared a comprehensive fiscal management plan covering all costs associated with development of the trail, submitted the plan to the senate agriculture and natural resources committee, to the house environment and natural resources committee, the house appropriations committee, and the senate finance committee for the purpose of consultation, and received their recommendations thereon. The recommendations are advisory only."

Underline the new language in the bill

Amend the title as follows:

Page 1, delete lines 2 to 6 and insert "relating to open space and recreation; providing for the acquisition and betterment of open space lands, state trails, forests, fish and wildlife management, natural and scientific areas, and accesses to public waters; authorizing the issuance of bonds; appropriating money; amending Laws 1977, Chapter 421, Section 13, Subdivision 3."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 768: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, before "The" insert "Subdivision 1."

Page 2, after line 32, insert:

"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, mutually agreed upon, shall be granted 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."

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon and insert "requiring"

Page 1, line 3, delete "requirement of"

Page 1, line 3, after "board" insert "or land exchange board"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 874: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, delete "that" and insert "the"

Page 2, line 7, delete "such"

Page 2, line 9, after "lands or" insert "access"

Page 2, line 10, delete "protaction" and insert "protection"

Page 2, line 14, delete "appears" and insert "can be demonstrated"

Page 2, line 15, delete "or" and insert a comma

Page 2, line 15, after "historical" insert "or scientific"

Page 2, line 18, after the period, insert "If the application for exemption is not decided by the commission within 90 days, the application shall be deemed to have been denied."

Sec. 2. Monies collected pursuant to this act shall be deposited in the forest management account for memorial hardwood forest management purposes."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, before the period, insert "; appropriating money"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 1191: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, delete "issuing, or renewing" and insert "or issuing"

Page 2, lines 25 and 26, delete the new language

Page 2, line 33, after "of" insert "the offer of"

Page 4, line 1, delete "such"

Page 6, lines 1 to 13, reinstate the stricken language

Page 6, lines 9 and 13, delete the new language

Page 8, line 1, delete "7" and insert "8"

Page 10, line 26, after "against" insert "the income tax or"

Page 10, line 29, after the period insert "*The commissioner of revenue shall annually, on or before January 15, report to the chairmen of the senate finance and house appropriations 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:

"Sec. 10. [REPEALER.] *Minnesota Statutes 1978, Section 62E.10, Subdivision 5, is repealed.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, before the period, insert "; repealing Minnesota Statutes 1978, Section 62E.10, Subdivision 5"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 11, after the period, insert "*Any such banking office shall constitute a separate bank.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 227: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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,"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 255: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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.*"

Amend the title as follows:

Page 1, line 2, after "by" insert "surviving"

Page 1, line 3, delete "relatives of"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 1115: A bill for an act relating to real estate; changing interest provisions payable in redemption of mortgages; amending Minnesota Statutes 1978, Section 580.23, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, after "mortgage" insert "*note*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 1164: A bill for an act relating to financial institutions; creating a study commission to study services and regulation of financial institutions; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 25, delete "compensation" and insert "removal"

Page 2, line 25, delete ", their"

Page 2, line 26, delete "removal"

Page 3, line 1, delete "achieve" and insert "satisfy"

Page 4, line 16, delete "to the legislative coordinating commission"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 989: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 7, after "*thereon*" insert "*up to an amount not exceeding \$1,000*"

And when so amended the bill be re-referred to the Committee on Health, Welfare and Corrections. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 717: A bill for an act relating to taxation; income; increasing the political contribution credit; amending Minnesota Statutes 1978, Sections 290.06, Subdivision 11; and 290.21, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 290.06, Subdivision 11, is amended to read:

Subd. 11. [CONTRIBUTIONS TO POLITICAL PARTIES AND CANDIDATES.] In lieu of the credit against taxable net income provided by section 290.21, subdivision 3, clause (e), a taxpayer may take a credit against the tax due under this chapter of 50 percent but not more than \$25 of his contributions to a political party and any candidate for elective state, federal or local public office and to any political party. The maximum credit for an individual shall not exceed \$50 and, for a married couple, filing jointly, may take a similar credit of shall not more than \$50 exceed \$100. No credit shall be allowed under this subdivision for a contribution to any candidate as defined in section 10A.01, subdivision 5, other than a candidate for elective judicial office or a candidate in a special election, who has not signed an agreement to limit his campaign expenditures as provided in section 10A.32, subdivision 3b. The commissioner of revenue shall provide in the tax instruction booklet language understandable to a person of average intelligence which states that the taxpayer may only not claim a credit against his tax due for contributions to candidates a candidate for (a) judicial office or (b) statewide or legislative office who have unless he has agreed to limit their his expenditures or was a candidate in a special election. For purposes of this subdivision, “candidate” means a candidate as defined in section 10A.01, subdivision 5. The department of revenue shall provide on the first page of the Minnesota tax form an appropriate provision for the credit provided by this subdivision.

This credit shall be allowed only if the contribution is verified in the manner the commissioner of revenue shall prescribe.

Sec. 2. [EFFECTIVE DATE.] *This act is effective for contributions made during taxable years beginning after December 31, 1978.*”

Amend the title as follows:

Page 1, line 3, before the semicolon insert “and allowing a credit for contributions to local and federal candidates”

Page 1, line 4, delete “Sections” and insert “Section”

Page 1, line 4, delete the semicolon

Page 1, line 5, delete everything except the period

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 1013: A bill for an act relating to elections; prohibiting persons from being in polling places in anticipation of vouching; amending Minnesota Statutes 1978, Section 204A.37.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, delete "or she"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 74: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 and 2, delete Sections 1 and 2 and insert:

"Section 1. Minnesota Statutes 1978, Section 204A.32, Subdivision 4, is amended to read:

Subd. 4. [CHALLENGE OF VOTER; DISPOSITION OF BALLOTS.] At any time before the ballots of any voter are deposited in the ballot boxes, the judges or , any person who was not present at the time the voter procured the ballots, but not otherwise, authorized challenger or other voter may challenge the qualifications of that voter and the deposit of any received absentee ballots in the ballot boxes. The judges shall determine the qualifications of any voter who is present in the polling place in the manner provided in section 204A.39, and if the voter is found to be disqualified, shall place the ballots of that voter unopened among the spoiled ballots. The judges shall determine whether to receive or reject the ballots of an absent voter and whether to deposit received absentee ballots in the ballot boxes in the manner provided in sections 207.11, 207.24 and 207.25, and shall dispose of any absentee ballots not received or deposited in the manner provided in section 207.11.

Sec. 2. Minnesota Statutes 1978, Section 209.02, Subdivision 3, is amended to read:

Subd. 3. [NOTICE OF CONTEST, FILING, SERVICE.] The notice of contest shall be filed within seven ten days after the canvass is completed, except that if the contest relates to a primary election, the time for filing the notice of contest shall be limited to five days. Within the same period ~~copies thereof~~ the contestant shall be served ~~serve one copy of the notice~~ upon the candidate whose election is contested ~~contestee~~ and , if the contestee is a candidate, upon the official authorized to issue the candidate's notice of nomination or certificate of election. When the contest relates to the nomination or election of a candidate, that candidate shall be designated the contestee. When the contest relates to a

constitutional amendment or other question to be voted for statewide or to a question to be voted for in more than one county, the secretary of state shall be designated the contestee, and a copy of the notice of contest shall be served upon him within seven days, or five days in the case of a primary, after the canvass is completed. When the contest relates to a question that affects a single county or a single municipality, the county auditor or the clerk of the municipality, as the case may be, shall be designated the contestee, and a copy of the notice of contest shall be served upon him within seven days, or five days in the case of a primary, after the canvass is completed. In all cases where the contest relates to an irregularity in the conduct of the election or canvass of votes a copy of the notice of contest shall also be served within seven ten days, or five days in the case of a primary, after the canvass is completed upon the county auditor of the county in which the irregularity is said *alleged* to have existed.

Sec. 3. Minnesota Statutes 1978 Section 209.02, Subdivision 4, is amended to read:

Subd. 4. [NOTICE OF CONTEST, HOW SERVED.] Service of the notice of contest shall be made in the same manner as provided for the service of summons in civil actions. ~~In all cases two copies of the notice shall be furnished the official authorized to issue the certificate of election at the time of service upon him, and the official shall send one copy thereof by certified mail to the contestee at his last known address. If the sheriff contestant is unable to make personal or substituted service upon the contestee, then the contestant's affidavit of the sheriff to that effect and the an affidavit of the official authorized to issue the certificate of election that he sent a copy to the contestee by certified mail to his the contestee's last known address shall be sufficient to confer jurisdiction upon the proper court to hear and determine the contest. The affidavits shall be made and filed with the court within the period for filing the notice of contest as provided in subdivision 3.~~

Page 3, line 3, after the period insert "*In addition, but not as a jurisdictional requirement,*"

Page 3, line 8, delete "*, county and county municipal*"

Page 3, lines 18 and 19, delete the new language

Page 4, after line 1, insert:

"Sec. 5. Minnesota Statutes 1978, Chapter 209, is amended by adding a section to read:

[209.055] [CHALLENGE OF BALLOT BASED ON VOTER'S ACTS; VOTER'S PRIVILEGE TO SECRECY OF BALLOT.] *A party to a contest of an election may challenge the counting of any ballot cast at that election on the grounds that the voter who cast the ballot was not eligible to vote or that the voter did not comply with a provision of law requisite to the casting or counting of the ballot. If a challenge on these grounds is sustained, the voter shall*

not be compelled to reveal how he voted in the contested election unless the party seeking to compel the testimony shows that the voter:

(a) Cast the ballot knowing that he was not an eligible voter or knowing that he was not a resident of the precinct in which he voted; or

(b) Knowingly violated a provision of law requisite to the casting or counting of the ballot.

A voter may waive the right not to disclose how he voted."

Page 4, line 11, strike "of such"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after "Subdivisions" insert "3,"

Page 1, line 8, after the semicolon, delete "and"

Page 1, line 8, before the period, insert "; and Chapter 209, by adding a section"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1361: A bill for an act relating to courts; providing for appeals from probate court; amending Minnesota Statutes 1978, Section 525.712; repealing Minnesota Statutes 1978, Sections 525.713; and 525.72.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, strike "Such" and insert "The"

Page 1, line 13, strike "such"

Page 1, line 14, strike "such" and insert "the"

Page 2, line 15, delete "such" and insert "the"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1362: A bill for an act relating to health; specifying a time limit for district court hearing of appeals under the Minnesota hospitalization and commitment act; amending Minnesota Statutes 1978, Section 253A.21, Subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, strike "give" and insert "hear"

Page 1, line 17, strike the old language and delete the new language

Page 1, line 18, delete "*appeal shall be heard*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1363: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

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, Section 300.082, Subdivision 7.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 300.082, Subdivision 4, is amended to read:

Subd. 4. Any indemnification under subdivision 1 or 2, unless ordered by a court, shall be made by the corporation only as authorized in the specific case upon a determination that indemnification of the director, officer, employee, or agent is proper in the circumstances because he has met the applicable standard of conduct set forth in subdivision 1 or 2. ~~Such~~ *The* determination shall be made (1) by the board of directors by a majority vote of a quorum consisting of directors who were not parties to ~~such the~~ *the* action, suit, or proceeding, or (2) if such a quorum is not obtainable, or, even if obtainable a quorum of disinterested directors so directs, by independent legal counsel in a written opinion, or (3) by the stockholders. ~~Any indemnification under subdivision 2 must be ordered by a court.~~

Sec. 2. Minnesota Statutes 1978, Section 300.082, Subdivision 5, is amended to read:

Subd. 5. Expenses, *including attorneys' fees*, incurred in defending a civil or criminal action, suit, or proceeding may be paid by the corporation in advance of the final disposition of ~~such the~~ *the* action, suit, or proceeding as authorized by the ~~board of directors~~ in the manner provided in subdivision 4 upon receipt of an under-

taking by or on behalf of the director, officer, employee, or agent to repay ~~such the~~ amount unless it shall ultimately be determined that he is entitled to be indemnified by the corporation as authorized in this section.

Sec. 3. Minnesota Statutes 1978, Section 301.095, Subdivision 4, is amended to read:

Subd. 4. Any indemnification under subdivision 1 or 2, unless ordered by a court, shall be made by the corporation only as authorized in the specific case upon a determination that indemnification of the director, officer, employee, or agent is proper in the circumstances because he has met the applicable standard of conduct set forth in subdivision 1 or 2. ~~Such~~ *The* determination shall be made (1) by the board of directors by a majority vote of a quorum consisting of directors who were not parties to ~~such the~~ action, suit, or proceeding, or (2) if such a quorum is not obtainable, or, even if obtainable a quorum of disinterested directors so directs, by independent legal counsel in a written opinion, or (3) by the stockholders. ~~Any indemnification under subdivision 2 must be ordered by a court.~~

Sec. 4. Minnesota Statutes 1978, Section 301.095, Subdivision 5, is amended to read:

Subd. 5. Expenses, *including attorneys' fees*, incurred in defending a civil or criminal action, suit, or proceeding may be paid by the corporation in advance of the final disposition of ~~such the~~ action, suit, or proceeding as authorized by the board of directors in the manner provided in subdivision 4 upon receipt of an undertaking by or on behalf of the director, officer, employee, or agent to repay ~~such the~~ amount unless it shall ultimately be determined that he is entitled to be indemnified by the corporation as authorized in this section."

Amend the title as follows:

Page 1, line 5, delete "Section" and insert "Sections"

Page 1, line 6, delete "Subdivision 7" and insert "Subdivisions 4 and 5; and 301.095, Subdivisions 4 and 5"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1248: A bill for an act relating to guardianship; establishing criteria for the selection of guardians and conservators; amending Minnesota Statutes 1978, Section 525.544.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 721: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 and 2, delete section 1 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 be considered."

Page 2, lines 9 and 10, restore the stricken language

Page 2, delete line 17, and insert "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."

Page 2, line 18, restore the stricken language and delete the new language

Page 2, line 19, delete "shall be removed"

Page 2, line 19, strike "would be" and insert "is"

Page 2, line 20, delete the new language

Page 2, line 28, after the period insert "*In determining the best interests of the estate, the personal representative's compensation and fees, and administrative expenses, shall be considered.*"

Page 3, line 14, delete "limit its" and insert "give"

Amend the title as follows:

Page 1, line 3, delete "corporate"

Page 1, line 4, delete "changing"

Page 1, delete line 5 and insert "providing that cost considerations are a factor in the removal of trustees and personal representatives;"

Page 1, line 6, after "Sections" insert "501.43;"

Page 1, line 7, after "524.3-611;" insert "and"

Page 1, line 7, delete "; and Chapter 501, by adding a"

Page 1, line 8, delete "section"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 783: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, delete "10" and insert "seven"

Page 1, line 20, delete "21" and insert "14"

Page 2, line 4, delete "ten" and insert "seven"

Page 3, line 1, delete "14 days" and reinstate the stricken language

Pages 3 and 4, delete section 3 and insert:

"Sec. 3. Minnesota Statutes 1978, Section 566.09, is amended to read:

566.09 [JUDGMENT; FINE; EXECUTION.] If, upon the trial, the justice or jury find for the plaintiff, the justice shall immediately thereupon enter judgment that the plaintiff have restitution of the premises, and tax the costs for him. The justice shall issue execution in favor of the plaintiff for such *the* costs, and also, *unless stayed*, immediately issue a writ of restitution. No stay of the *issuance of the* writ of restitution may be granted except upon a showing by the defendant that the restitution would work a substantial hardship upon ~~the defendant~~ *him or his family or upon a finding by the justice that the defendant in good faith contested the action.* Upon a proper showing by the defendant of substantial hardship *or upon a finding by the justice that the defen-*

dant in good faith contested the action, the justice may shall stay the issuance of the writ of restitution for a reasonable period not to exceed seven 14 days from the date that judgment is entered, except that no stay of the writ of restitution shall extend later than three days prior to the date that the rent is next due. If the justice or jury shall find for the defendant, he shall enter judgment for the defendant, tax the costs against the plaintiff, and issue execution therefor."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1042: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after the first "dog" insert "*but the owner shall be primarily liable*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 739: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 168, is amended by adding a section to read:

[168.042] [REFUSAL TO ISSUE NUMBER PLATES OR TABS.] *Subdivision 1. [DEFINITIONS.] For the purposes of this section, the following terms shall have the meanings given them:*

(a) "*Parking violation*" means a violation of the provisions of sections 169.32, 169.34 to 169.36, or any law or ordinance adopted by a local authority in conformance with these sections or with section 169.04, clause (1), or any other law or ordinance

providing for or regulating the parking, stopping or standing of a motor vehicle.

(b) "Participating jurisdiction" means any city, town, other political subdivision or public corporation lying in whole or in part within Anoka, Carter, Dakota, Hennepin, Ramsey, Scott or Washington counties, or within any other county which delivers to the registrar a duly enacted resolution of the county board requesting treatment as a participating jurisdiction for purposes of this section.

(c) "Owner" means any person, firm, association, or corporation owning or renting a motor vehicle, or having the exclusive use thereof, under a lease or otherwise, except that if the vehicle is the subject of a lease where the lessor, his agent or employee is the operator of the vehicle, the lessor shall be deemed the owner.

Subd. 2. [PROCEDURE IN LIEU OF WARRANT.] In lieu of issuing a warrant for the arrest of a person charged with a parking violation, a court within a participating jurisdiction may, after giving the notice required by rule of the court prior to issuing a warrant, elect to utilize the provisions of this section.

Subd. 3. [NOTICE TO REGISTRAR.] Whenever any person has failed to appear in response to a parking citation or has refused to pay the fine imposed, the court may give notice of that fact to the registrar. Whenever thereafter an appearance is made or the fine is paid, the court shall immediately notify the registrar and give to the person a certificate which may be presented to the registrar to obtain license plates or tabs.

Subd. 4. [REFUSAL TO ISSUE PLATES OR TABS.] The registrar shall refuse to issue license plates or tabs for the vehicle named in the citation until notified by the court that an appearance has been made or the fine has been paid, or until the owner furnishes a certificate to that effect pursuant to subdivision 3.

Subd. 5. [NOTICE PRIOR TO RENEWAL.] The registrar shall include on each registration card or pre-bill issued for use at the time of renewal, or on an accompanying document, a notice showing the amount of any unpaid fine which the owner is required to pay and the court or courts which issued the notice of violation. The registration card shall indicate that plates or tabs will not be issued until an appearance has been made or the fine paid.

Subd. 6. [PROCEDURE FOR TRANSFERRED VEHICLES.] If the vehicle named in the citation is transferred to another owner after the citation was issued, the registrar shall issue license plates or tabs to the new owner but not for any other vehicle owned by the owner of the vehicle named in the citation until notified by the court that an appearance has been made or the fine has been paid, or until the owner furnishes a certificate to that effect pursuant to subdivision 3.

Sec. 2. Minnesota Statutes 1978, Section 169.99, Subdivision 1, is amended to read:

169.99 [UNIFORM TRAFFIC TICKET.] Subdivision 1. Except as provided in subdivision 3 subdivisions 3 and 4, there shall be a uniform ticket issued throughout the state by the police and peace officers or by any other person for violations of the highway traffic regulations, which are Minnesota Statutes 1957, Chapter 169 and acts amendatory thereof, and ordinances in conformity thereto. Such uniform traffic ticket shall be in the form and have the effect of a summons and complaint. There shall also be included on the uniform ticket a receipt in lieu of bail which, when signed by the defendant, shall be a guarantee by him of his appearance in the court having jurisdiction over the matter. The uniform traffic ticket shall consist of four parts, on paper sensitized so that copies may be made without the use of carbon paper, as follows:

(1) The complaint, with reverse side for officer's notes for testifying in court, driver's past record, and court's action, printed on white paper;

(2) The abstract of court record for the department of public safety, which shall be a copy of the complaint with the certificate of conviction on the reverse side, printed on yellow paper;

(3) The police record, which shall be a copy of the complaint and of the reverse side of copy (1), printed on pink paper;

(4) The summons, with, on the reverse side, such information as the court may wish to give concerning the traffic violations bureau, and a plea of guilty and waiver, printed on off-white tag stock.

Sec. 3. Minnesota Statutes 1978, Section 169.99, is amended by adding a subdivision to read:

Subd. 4. [SPECIAL NOTICE REQUIRED.] The copy of the uniform traffic ticket provided to the violator within a participating jurisdiction as defined in section 1, subdivision 1, clause (b), shall include a notice specifying the consequences which may result pursuant to section 1, if the violator fails to respond to the citation.

Sec. 4. Minnesota Statutes 1978, Section 171.16, Subdivision 3, is amended to read:

Subd. 3. [SANCTIONS FOR FAILURE TO APPEAR OR PAY FINE.] When any court reports to the commissioner that a person: (1) has been convicted of *charged with* violating a law of this state or an ordinance of a political subdivision which regulates the operation of parking of motor vehicles, and has failed to appear in response to the citation, or (2) has been convicted of violating a law of this state or an ordinance of a political subdivision which regulates the operation of motor vehicles, has been sentenced to the payment of a fine only, and ~~(3)~~ has refused or failed to comply with that sentence notwithstanding and the fact that the court has determined that the person has the ability to pay the fine, the

commissioner shall suspend the driver's license of such *the person* for 30 days for a refusal or failure to pay or until notified by the court that *an appearance has been made or the fine has been paid.*

Sec. 5. [APPROPRIATION.] *There is appropriated to the department of public safety the sum of \$. for modifications of the motor vehicle record system necessary to effectuate the purposes of this act, which shall be available until June 30, 1981.*

Sec. 6. [EFFECTIVE DATE.] *Subdivision 1. Sections 1 to 4 of this act are effective July 1, 1980, and apply to all proceedings pending on that date, or commenced on or after that date.*

Subd. 2. Section 5 of this act is effective the day following final enactment."

Amend the title as follows:

Delete the title in its entirety and insert:

"A bill for an act relating to motor vehicles; limiting the issuance of vehicle registration plates or tabs under certain circumstances; authorizing a procedure in lieu of issuing 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, Chapter 168, by adding a section; Sections 169.99, Subdivision 1, and by adding a subdivision; and 171.16, Subdivision 3."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 1084: A bill for an act relating to economic security; providing for the establishment of placement services for public school employees; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 1403: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 176.011, is amended by adding a subdivision to read:

Subd. 9a. For purposes of this chapter "employee" does not include farmers or members of their family who exchange work with other farmers in the same community.

Sec. 2. Minnesota Statutes 1978, Section 176.011, Subdivision 11a, is amended to read:

Subd. 11a. [FAMILY FARM.] "Family farm" means any farm operation which pays or is obligated to pay less than \$4,000 in cash wages, exclusive of machine hire, to farm laborers for services rendered during the preceding calendar year. For purposes of this subdivision, farm laborer does not include any spouse, parent or child, regardless of age, of a farmer employed by the farmer, or any executive officer of a family farm corporation as defined in section 500.24, subdivision 1 2, or any spouse, parent or child, regardless of age, of such an officer employed by that family farm corporation, or other farmers in the same community or members of their families exchanging work with the employer. Notwithstanding any law to the contrary, a farm laborer shall not be considered as an independent contractor for the purposes of this chapter; *provided that a commercial baler or commercial thresherman shall be considered an independent contractor.*"

Amend the title as follows:

Page 1, line 3, delete everything after "farmers" and insert "shall not be considered employees"

Page 1, delete line 4

Page 1, line 5, delete "contractors"

Page 1, line 6, delete "12" and insert "11a, and by adding a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

S. F. No. 1376: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 21, after "board" insert " *, consisting of three members,*"

Page 1, line 22, delete "one member" and insert "two members"

Page 1, line 23, before "board" delete "a"

Page 1, line 23, delete "member" and insert "members"

Page 1, line 23, delete "is not a" and insert "are"

Page 1, line 24, delete "officer" and insert "officers"

Page 2, line 4, after "party" insert " *, the chief law enforcement officer of the agency employing the peace officer who is a party to the action,*"

Page 2, line 28, delete "shall" and insert "may"

Page 2, line 31, after "investigated" insert " *, or any requested information has not been supplied,*"

Page 3, line 10, after the period insert "*The executive director shall immediately notify the chief law enforcement officer of the agency employing the peace officer who is a party to the action of the results of the subcommittee's vote.*"

Page 3, line 25, after "board" insert "*the results*"

Page 3, line 27, delete "as specified in" and insert "*pursuant to*"

Page 3, after line 33 insert:

"Sec. 4. For purposes of sections 1 to 3 of this act the term "appropriate law enforcement agency" means the agency employing the peace officer who is a party to the complaint. In the event all of the peace officers employed by the agency are parties to the complaint, the board shall designate the appropriate law enforcement agency.

Sec. 5. Minnesota Statutes 1978, Section 214.10, Subdivision 3, is amended to read:

Subd. 3. [DISCOVERY; SUBPOENAS.] In all matters pending before it relating to its lawful regulation activities, a board may issue subpoenas and compel the attendance of witnesses and the production of all necessary papers, books, records, documents, and other evidentiary material. Any person failing or refusing to appear or testify regarding any matter about which he may be lawfully questioned or produce any papers, books, records, documents, or other evidentiary materials in the matter to be heard, after having been required by order of the board or by a subpoena of the board

to do so may, upon application to the district court in any district, be ordered to comply therewith ; *provided that in matters to which the peace officers standards and training board is a party, application shall be made to the district court having jurisdiction where the event giving rise to the matter occurred.* The chairman of the board acting on behalf of the board may issue subpoenas and any board member may administer oaths to witnesses, or take their affirmation. Depositions may be taken within or without the state in the manner provided by law for the taking of depositions in civil actions. A subpoena or other process or paper may be served upon any person named therein, anywhere within the state by any officer authorized to serve subpoenas or other process or paper in civil actions, with the same fees and mileage and in the same manner as prescribed by law for service of process issued out of the district court of this state. Fees and mileage and other costs shall be paid as the board directs."

Renumber the remaining section

Amend the title as follows:

Page 1, line 7, after "214.10," insert "Subdivision 3, and"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 961: 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; repeal-

ing 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 7, line 1, after "*positions*" insert "*and perform the functions of a fire chief or assistant fire chief*"

Page 23, line 22, after "*auditor*" insert "*and one copy of the report shall be filed with the municipality in which the relief association is located*"

Page 25, line 25, delete "COMMISSIONER AND"

Page 33, line 9, delete "7" and insert "8"

Page 33, line 13, delete "*depending*" and insert a colon

Page 33, delete line 14

Page 33, line 33, after "*that*" insert "*the total amount of*"

Page 33, line 33, delete "*amount*" and insert "*due to each retired member receiving a lump sum service pension in installment payments at the time of retirement bears to \$1,000*"

Page 34, delete lines 1 and 2

Page 34, line 3, delete "*service pension of \$50 per year of service*"

Page 34, line 19, delete "*actuarial*" and insert "*funding*"

Page 34, line 27, delete "*actuarial*" and insert "*funding*"

Page 43, line 18, after "*in*" insert "*any or all of*"

Page 43, line 20, delete "*or*" and insert a comma and after "*in*" insert "*the bylaws of the relief association governing*"

Page 43, line 22, after "*fund*" insert "*or a change in the actuarial cost method used to value all or a portion of the special fund*" and delete "*produces*" and insert "*change or changes, which by themselves without inclusion of any other items of increase or decrease, produce*"

Page 43, line 27, delete "*or*" and insert a comma and after "*in*" insert "*the bylaws of the relief association governing*"

Page 43, line 29, after "*fund*" insert "*or a change in the actuarial cost method used to value all or a portion of the special fund*" and delete "*produces*" and insert "*change or changes, which by themselves without inclusion of any other items of increase or decrease, produce*"

Page 44, line 8, after "*The*" insert "*level*" and after "*annual*" insert "*dollar*"

Page 44, line 21, after "*The*" insert "*level*" and after "*annual*" insert "*dollar*"

Page 48, line 16, strike "*The*" and insert "*An*"

Page 48, line 17, before "*shall*" insert "*which has a subsidiary relief association which pays a monthly benefit service pension*"

Page 48, line 21, after "*3*" insert "*, and an independent non-profit 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*"

Page 48, line 23, after "*association*" insert "*which pays a monthly benefit service pension*"

Page 48, line 25, after "*4*" insert "*, 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*"

Page 52, line 25, after "*account*" insert "*, 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,*"

Page 53, line 5, delete "*and*" and insert "*or*"

Page 54, line 26, delete the period and insert a colon

Page 56, after line 11, insert:

"*Subd. 4. [DEFINED CONTRIBUTION LUMP SUM SERVICE PENSIONS.] If the bylaws governing the volunteer firefighters' relief association or volunteer 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."

Page 56, line 12, delete "4" and insert "5"

Page 56, line 23, delete "5" and insert "6"

Page 57, line 10, delete "6" and insert "7"

Page 58, line 14, delete "7" and insert "8"

Page 58, line 28, after "annual" insert "payment per \$1,000 of the total amount of the lump sum service pension due to each retired member receiving a lump sum service pension in installment payments shall be an amount equal to \$219.97."

Page 58, delete lines 29 through 33

Page 59, delete lines 1 through 15

Page 59, line 17, delete "amounts for the" and insert "amount"

Page 59, line 18, delete "respective period of service"

Page 59, line 20, delete "\$50" and insert "each \$1,000"

Page 59, line 20, after "of" insert "the total amount of the"

Page 59, line 21, delete "accrued per year of service" and insert "due to the retired member receiving a lump sum service pension in installment payments at the time of retirement"

Page 59, line 22, delete "8" and insert "9"

Page 60, line 25, delete "9" and insert "10"

Page 62, line 30, delete "largest"

Page 62, line 31, delete "in population" and after "contracts" insert "or the municipalities which contract"

Page 63, line 1, after "trustees" insert ", if the relief association is directly associated with the fire department of a municipality,"

Page 63, line 2, delete "or the"

Page 63, line 3, delete "independent nonprofit firefighting corporation"

Page 63, line 3, after the period, insert "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."

Page 64, line 16, after "records" insert "and the bylaws of the relief association"

Page 71, after line 30, insert:

"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*."

Page 72, after line 12, insert:

"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."

Page 74, after line 7, insert:

"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 *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 by statute."

Page 78, after line 1, insert:

"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."

Page 78, line 26, delete "*Subdivision 1*"

Page 78, line 27, after the first "*Section 1*" insert "*Subdivision 2*"

Page 78, line 27, delete "*Subdivision*"

Page 78, line 28, before "; 815," delete "1"

Page 79, line 3, before "464" insert "and"

Page 79, line 4, delete "and 472;" and delete "and 208, Section 1;"

Page 79, line 7, after "100" insert "*Section 1, Subdivisions 1 and 3*"

Page 79, line 9, delete "and" and after "295;" insert "and 374, Section 50, Subdivision 1;"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 31, delete the first "Chapter" and insert "Chapters 575, Sections 1, Subdivision 1; and 2;"

Page 1, line 31, delete the second "Chapter" and insert "Chapters 526, Section 2a, as added;"

Page 1, line 33, after "Section 1;" insert "140, Section 7;"

Page 1, line 37, after "Section 1;" insert "Laws 1977, Chapter 374, Sections 41; 50, Subdivision 2; 51; and 57;"

Page 2, lines 2 and 3, delete ", Subdivision 1"

Page 2, line 3, after "Section 1" insert ", Subdivision 2"

Page 2, line 4, delete ", Subdivision 1"

Page 2, line 15, after "311;" insert "and" and delete "and 472;"

Page 2, line 16, delete "and 208, Section 1;"

Page 2, line 19, after "100" insert ", Section 1, Subdivisions 1 and 3"

Page 2, line 21, delete "and" and after "295;" insert "and 374, Section 50, Subdivision 1;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was re-referred

S. F. No. 169: A bill for an act relating to education; extending teacher mobility incentives to area vocational-technical school teachers and cooperative center for vocational education teachers; providing for approval of certain extended leaves of absence; amending Minnesota Statutes 1978, Sections 125.60, Subdivision 2; 125.61, Subdivision 1; 354.66, Subdivision 2; and 354A.091, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was re-referred

S. F. No. 620: A bill for an act relating to local government; authorizing the establishment of a local government continuing education board; prescribing the board's powers and duties; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. The legislature finds that there is a need for development, coordination, presentation and evaluation of training programs for local government officials. The legislature further finds that these functions can best be accomplished by working through organizations which represent governmental units and local government officials.

Sec. 2. Minnesota Statutes 1978, Section 471.59, is amended by adding a subdivision to read:

Subd. 9. For the purposes of the development, coordination, presentation and evaluation of training programs for local government officials, governmental units may exercise their powers under this section in conjunction with organizations representing governmental units and local government officials.

Sec. 3. [APPROPRIATION.] *There is appropriated to the state planning agency from the general fund the sum of \$85,000 to be made available to the organization established pursuant to section 2 for the purposes provided for. The organization which receives the funds shall report to the legislature, on or before January 1, 1981, as to the expenditure of funds and as to its recommendations for future state action on training of local government officials."*

Amend the title as follows:

Page 1, line 3, delete "a"

Page 1, line 3, delete "continuing" and insert "official"

Page 1, delete line 4, and insert "training programs;"

Page 1, line 5, delete "and duties"

Page 1, line 5, before the period, insert "; amending Minnesota Statutes 1978, Section 471.59, by adding a subdivision"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 1128: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, delete "1980" and insert "1981"

Page 2, line 5, delete "1980" and insert "1981"

Page 5, after line 19, insert:

"Sec. 2. The senate and house committees on governmental operations shall study the benefit levels, administration and funding level of police and firefighter relief associations. They shall report their findings and recommendations in the form of proposed legislation to the legislature on or before January 1, 1980."

Page 5, line 20, before "This" insert "Section 1 of"

Page 5, line 21, delete "1980" and insert "1981. Section 2 of this act is effective upon final enactment"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "providing for a study of police and firefighter relief associations;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 1293: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, after "*because*" insert "*of*"

Page 1, line 14, delete "*has been made*"

Page 1, line 15, after "*coverage*" insert "*or in the group contract applicable to the person*"

Page 1, line 15, after the period, insert "*Insurance Company*" shall include a service plan corporation under chapter 62C or 62D.

The commissioner shall promulgate rules to carry out this section. Nothing in this section shall preclude an employer, union or association from reducing the level of benefits under any group insurance policy or plan.

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 984: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, delete everything after the first "*reserve*" and insert "*of at least seven percent*"

Page 1, delete line 23

Page 2, line 1, delete "*Bank, whichever is applicable, of*" and insert "*against*"

Page 2, line 1, after "*its*" insert "*interest or*"

Page 2, line 18, after "*be*" insert "*less than seven percent, nor*"

Page 2, line 21, before the period, insert "*unless these reserve requirements are less than seven percent*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 1151: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1978, Section 275.51, Subdivision 3d, is amended to read:

Subd. 3d. The property tax levy limitation for governmental subdivisions in 1977 payable in 1978 and subsequent years shall be calculated as follows:

(a) The sum of the following amounts shall be computed: (1) the property tax permitted to be levied in 1976 payable 1977 computed pursuant to Minnesota Statutes 1976, Section 275.51, Subdivision 3c, plus

(2) the amount of any state aids the governmental subdivision was entitled to receive in calendar year 1977 pursuant to sections 477A.01; 298.26; 298.28, subdivisions 1 and 1a; 298.281, subdivision 1; 298.282; and 294.26, plus

(3) the amount levied in 1976 payable 1977 pursuant to Minnesota Statutes 1976, Section 275.50, Subdivision 5, Clauses (a), (c), (d), (e), and (f), except for levies made to pay tort judgments and make settlements of tort claims or to pay the salaries and benefits of municipal and probate court judges, plus

(4) the amount levied in 1976 payable 1977 pursuant to Minnesota Statutes 1976, Section 275.50, Subdivision 5, Clause (g) for the administrative costs of public assistance programs or county welfare systems, plus

(5) one-half of the amount of the special levy authorized under section 275.50, subdivision 5, clause (n) shall be added to the permanent levy limit base of the governmental subdivision in the year following the year in which it has been discontinued as a special levy pursuant to the provisions of section 275.50, subdivision 5, clause (n).

(b) The sum computed in clause (a) shall be increased annually in the manner provided in section 275.52 to derive the levy limit base for successive years.

(c) For taxes levied in 1978 payable 1979 and subsequent years, the levy limit base is the levy limit base which was computed for the immediately preceding year under the provisions of this sec-

tion increased according to the provisions of section 275.52. Any amount levied in 1976 payable 1977 under the provisions of section 275.50, subdivision 5, clauses (a), (c), (d), (e) or (f) to meet the costs of programs, services or legal requirements which cease to exist in a subsequent year shall be subtracted from the levy limit base in the year in which the programs, services or legal requirements for which the levy was made cease to exist.

(d) The levy limit base shall be reduced by the total amount of state formula aids pursuant to section 477A.01, *reimbursements paid pursuant to section 2 for employer contributions*, and taconite taxes and aids pursuant to sections 294.26; 298.26; 298.28, subdivision 1; and 298.282, to be paid in the calendar year in which property taxes are payable. As provided in section 298.28, subdivision 1, for taxes payable in 1978 and 1979, two cents per taxable ton, and for taxes payable in 1980 and thereafter, one cent per taxable ton of the amount distributed under section 298.28, subdivision 1, clause (4) (c) shall not be deducted from the levy limit base of the counties that receive that aid. The resulting figure is the amount of property taxes which a governmental subdivision may levy for all purposes other than those for which special levies and special assessments are made.

Sec. 2. [REIMBURSEMENT FOR CERTAIN EMPLOYER CONTRIBUTIONS.] *On or before March 1 of each year, the clerk of each municipality and the chief administrative officer of each county shall prepare and shall certify to the commissioner of finance the name of the municipality or county and the amount of employer contributions made by the municipality or county to the public employees retirement association or to the Minneapolis municipal employees retirement fund during the preceding calendar year for employees other than police and firemen. Within 30 days of the receipt of the required certification, the commissioner of finance shall reimburse the municipality or county for an amount equal to one-tenth of the certified amount of employer contributions made during the preceding calendar year.*

Sec. 3. 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 em-*

ployee 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. 4. 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 $7\frac{1}{4}$ 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."

Page 2, after line 8, insert:

"Sec. 6. [DETERMINATION OF SERVICE CREDIT.] *Notwithstanding the provisions of section 422A.15, subdivision 1, no*

employee of the contributing class of the Minneapolis municipal employees retirement fund shall be entitled to receive a year of service credit during the employee's final year of service unless the employee is employed and has received compensation from the city of Minneapolis or other applicable employing unit during each of the calendar months making up the year for which the employee would usually be employed. Any employee of the contributing class who is employed and receives compensation in fewer than the usual number of calendar months during the final year of service shall receive credit for that portion of a year that the employee's completed months of employment and receipt of compensation bears to the usual number of months which the employee would usually be employed.

Sec. 7. [APPROPRIATION.] *The moneys required to make the reimbursement provided for in section 2 are appropriated annually to the commissioner of finance from the general fund in the state treasury."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "providing for the reimbursement of certain employer contributions; providing determination of service credits;"

Page 1, line 4, after the semicolon, insert "appropriating money;"

Page 1, line 5, delete "Section" and insert "Sections 275.51, Subdivision 3d; 422A.08, Subdivision 2; and"

Page 1, line 5, before the period insert "; and Chapter 355, by adding a section"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 177: A bill for an act relating to state civil service; eliminating certain required qualifications for commissioner of personnel; amending Minnesota Statutes 1978, Section 43.001, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1978, Section 4.11, Subdivision 2, is amended to read:

Subd. 2. The state planning officer shall appoint a director of planning who is in the unclassified service of the state. He shall be professionally competent in the fields of public administration and planning and shall possess demonstrated ability based upon experience and past performance, to perform the duties of state plan-

ning director. He need not be a resident of the state of Minnesota at the time of his appointment.

Sec. 2. Minnesota Statutes 1978, Section 11.12, is amended to read:

11.12 [DUTIES OF EXECUTIVE SECRETARY; BOND.] The executive secretary shall manage and direct the work of the board of investment on a full time basis. He shall be a chartered financial analyst or a person of equivalent qualifications. He shall be well qualified by training to administer and invest the money available for investment and have at least seven years experience in the management of institutional investment portfolios. He shall have free access to all files and records of the various funds assigned to the board for investment purposes, and may inspect and audit the various accounts thereof as he deems necessary. He shall devote his full time and attention to the duties of his office, and shall not engage in any other occupation or profession. He shall be paid such salary as is determined by the board, subject to such maximum amount as may be set by the legislature. He shall perform duties prescribed by the board. He shall attend all board meetings and report to the board all operations and negotiations under his control and supervision. Before he assumes the office to which he has been appointed, the executive secretary shall give bond to the state in the sum of at least \$100,000 conditioned for the faithful discharge of his official duties.

Sec. 3. Minnesota Statutes 1978, Section 16A.01, Subdivision 2, is amended to read:

Subd. 2. The commissioner of finance is appointed by the governor under the provisions of section 15.06. The commissioner shall have broad experience as an executive financial manager."

Page 1, after line 15, insert:

"Sec. 5. Minnesota Statutes 1978, Section 121.16, Subdivision 1, is amended to read:

121.16 [COMMISSIONER OF EDUCATION.] Subdivision 1. The department shall be under the administrative control of the commissioner of education which office is established. The commissioner shall be the secretary of the state board. He shall be appointed by the state board with the approval of the governor under the provisions of section 15.06. For purposes of section 15.06, the board shall be the appointing authority.

The commissioner shall be a person who possesses educational attainment and breadth of experience in the administration of public education and of the finances pertaining thereto commensurate with the spirit and intent of this code. Notwithstanding any other law to the contrary, the commissioner may appoint two deputy commissioners who shall serve in the unclassified service. The commissioner shall also appoint other employees as may be necessary for the organization of the department. He shall perform such duties as the law and the rules of the state board may provide and be held responsible for the efficient administration and discipline of

the department. He shall make recommendations to the board, and he shall be charged with the execution of powers and duties which the state board may prescribe, from time to time, to promote public education in the state, to safeguard the finances pertaining thereto, and to enable the state board to carry out its duties.

Sec. 6. Minnesota Statutes 1978, Section 144.011, Subdivision 1, is amended to read:

144.011 [DEPARTMENT OF HEALTH.] Subdivision 1. [COMMISSIONER.] The department of health shall be under the control and supervision of the commissioner of health who shall be appointed by the governor under the provisions of section 15.06. The state board of health is abolished and all powers and duties of the board are transferred to the commissioner of health. The commissioner shall be selected without regard to political affiliation but with regard to ability and experience in matters of public health.

Sec. 7. Minnesota Statutes 1978, Section 216A.03, Subdivision 1, is amended to read:

216A.03 [COMMISSION.] Subdivision 1. [MEMBERS.] As of January 1, 1975 the public service commission shall consist of five members, three of whom shall be the members then serving, who shall continue to serve for the balance of their elective or appointive terms. There shall be two additional commissioners appointed by the governor with the advice and consent of the senate, one for a term expiring December 31, 1975, and one for a term expiring December 31, 1977. Thereafter the terms of all subsequent members of the commission shall be six years and until their successors have been appointed and qualified. Each commissioner shall be appointed by the governor by and with the advice and consent of the senate. Not more than three commissioners shall belong to the same political party. The governor in his selection of commissioners shall give consideration to persons learned in the law or persons who have engaged in the profession of engineering, public accounting or property and utility valuation as well as being representative of the general public.

Sec. 8. Minnesota Statutes 1978, Section 241.01, Subdivision 1, is amended to read:

241.01 [CREATION OF DEPARTMENT.] Subdivision 1. [COMMISSIONER.] The department of corrections is created under the control and supervision of the commissioner of corrections which office is established. The commissioner of corrections shall be selected without regard to political affiliation and shall have wide and successful administrative experience in correctional programs embodying rehabilitative concepts. The commissioner shall be appointed by the governor under the provisions of section 15.06.

Sec. 9. Minnesota Statutes 1978, Section 245.03, is amended to read:

245.03 [DEPARTMENT OF PUBLIC WELFARE ESTABLISHED; COMMISSIONER.] There is created a department of public welfare. A commissioner of public welfare shall be appointed by the governor under the provisions of section 15.06. The commissioner shall be selected on the basis of ability and experience in welfare and without regard to political affiliations. The commissioner shall appoint a deputy commissioner.

Sec. 10. Minnesota Statutes 1978, Section 270.02, Subdivision 2, is amended to read:

Subd. 2. [TERMS.] The commissioner of revenue shall be appointed by the governor under the provisions of section 15.06. The commissioner shall be selected on the basis of ability and experience in the field of tax administration and without regard to political affiliations.

Sec. 11. Minnesota Statutes 1978, Section 362.09, Subdivision 1, is amended to read:

362.09 [COMMISSIONER; ADVISORY COMMITTEE.] Subdivision 1. The department shall be under the supervision and control of a commissioner of economic development who shall be appointed by the governor under the provisions of section 15.06. He shall be chosen with regard to his knowledge, training, experience, and ability in administering the functions of the department.

The commissioner shall appoint a deputy commissioner.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete “commissioner” and insert “commissioners”

Page 1, line 4, delete “personnel” and insert “departments and certain other agency branch heads”

Page 1, line 5, delete “Section” and insert “Sections 4.11, Subdivision 2; 11.12; 16A.01, Subdivision 2;”

Page 1, line 5, before the period, insert “; 121.16, Subdivision 1; 144.011, Subdivision 1; 216A.03, Subdivision 1; 241.01, Subdivision 1; 245.03; 270.02, Subdivision 2; and 362.09, Subdivision 1”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 1264: 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; Chapters 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, after line 32, insert:

“Sec. 4. Minnesota Statutes 1978, Section 148.181, Subdivision 2, is amended to read:

Subd. 2. On expiration of the term of a member who is a registered nurse, the governor may appoint a registered nurse from a list of members submitted by professional nursing groups. Likewise on expiration of the term of a member who is a licensed practical nurse, the governor may appoint a licensed practical nurse from a list of members submitted by licensed practical nursing groups. Such lists should contain names of persons in number at least twice the number of places to be filled. Vacancies occurring on the board, when the member is a registered nurse or a licensed practical nurse, may be filled for the unexpired terms by appointments to be made by the governor from nominations submitted by nursing groups in the manner aforesaid. No board member shall be appointed to consecutive terms. Members shall hold office until a successor is appointed and qualified.

Sec. 5. Minnesota Statutes 1978, Section 148.191, Subdivision 2, is amended to read:

Subd. 2. The board is authorized to adopt and, from time to time, revise rules not inconsistent with the law, as may be necessary to enable it to carry into effect the provisions of sections 148.171 to 148.299. The board shall prescribe by rule curricula and standards for schools and courses preparing persons for licensure under sections 148.171 to 148.299. It shall conduct or provide for surveys of such schools and courses at such times as it may deem necessary. It shall approve such schools and courses as meet the requirements of sections 148.171 to 148.299 and board rules. It shall examine, license and renew the license of duly qualified applicants. It shall hold examinations at least once in each year at such time and place as it may determine. It shall by rule adopt, evaluate and periodically revise, as necessary, requirements for licensure and for registration and renewal of registration as defined in section 148.231. It shall cause the prosecution of all persons violating sections 148.171

to 148.299 and have power to incur such necessary expense therefor. It shall keep a record of all its proceedings. The board shall appoint an advisory task force on nursing education consisting of 11 members for the purposes of advising the board on matters pertaining to career progression and the approval and operation of nursing programs, assisting with surveys of nursing programs, collecting nursing education data and providing liaison between the board and nursing education. Three members shall be either an administrator or supervisor in one of the following types of agencies at the time of appointment and throughout his term: hospital, nursing home or community nursing service. The remaining eight members shall be either an administrator or faculty member in one of the following types of educational programs at the time of appointment and throughout his term: nursing assistant program, practical nursing program preparing for licensure, professional nursing program preparing for licensure, or advanced nursing program for licensed practical or registered nurses. The task force shall expire and the compensation and removal of members shall be as provided in section 15.059."

Page 10, after line 4, insert:

"Sec. 8. Minnesota Statutes 1978, Section 148.271, is amended to read:

148.271 [ALLOWABLE UNLICENSED PRACTICES.] The provisions of sections 148.171 to 148.285 shall not prohibit:

(1) The furnishing of nursing assistance in an emergency.

(2) The practice of nursing by any legally qualified nurse of another state who is employed by the United States government or any bureau, division or agency thereof while in the discharge of his or her official duties.

(3) Under the direct supervision of a registered nurse, the practice of nursing by a graduate of a school of professional nursing approved by the board between the date of graduation and the date of notification to such graduate of the board action upon his or her application for licensure hereunder, provided that such graduate will take the first examination for licensure hereunder following graduation given by the board and will be issued a permit by the board to engage in supervised practice of professional nursing while awaiting notification of the results of such examination. The board is authorized to issue permits to such graduates which shall permit the practice of professional nursing under direct supervision from the date of graduation until the date that the board shall notify such graduates of the results of their applications for registration conditioned upon such graduates making prompt application for registration and taking the first examination given by the board which they are eligible to take following graduation. Such permits shall not be renewable.

(4) The practice of any profession or occupation licensed by the state, other than professional nursing, by any person duly licensed to practice such profession or occupation, or the per-

formance by such a person of any acts properly coming within the scope of such a profession, occupation or license.

(5) The performance of any act in the nursing care of the sick by a nurse's aide under the direction of a registered nurse.

(6) The practice of nursing by a person licensed as a professional nurse in another jurisdiction and qualified for licensure in the state of Minnesota pursuant to a temporary permit issued by the board of nursing which permit shall be issued by the board pursuant to such rules and regulations as it may promulgate, for the period between the submission of a proper application for licensure by such person and the date of action upon such application by the board.

(7) The care of the sick, injured or infirm in a private home by any person who does not assume or represent to be a registered or professional nurse.

(8) Care of the sick with or without compensation when done in a nursing home covered by the provisions of section 144A.09, subdivision 1.

(9) The practice of nursing by a graduate of an approved professional nursing program in another jurisdiction provided the graduate has applied for licensure in the state of Minnesota by interstate endorsement and has written the first examination for licensure following graduation. Practice under this clause is allowable only under a temporary permit issued by the board which shall be issued pursuant to rules as the board may promulgate, and which shall be valid only for the period between submission of a proper application and completion of the examination by the person and the date of action upon the application by the board. The examination must be the same examination required of applicants for licensure by examination in Minnesota. The permit shall authorize the practice of nursing only under the direct supervision of a licensed professional nurse. The permit shall not be renewable."

Page 10, after line 31, insert:

"Sec. 10. Minnesota Statutes 1978, Section 148.295, is amended to read:

148.295 [ALLOWABLE UNLICENSED PRACTICES.] The provisions of sections 148.29 to 148.297 shall not prohibit:

(1) The practice of practical nursing by any legally qualified licensed practical nurse of another state who is employed by the United States government or any bureau, division or agency thereof while in the discharge of his or her official duties;

(2) Under the direct supervision of a registered nurse, the practice of practical nursing by a graduate of a school of practical nursing approved by the board between the date of graduation and the date of notification to the graduate of the board action upon his application for licensure hereunder, provided that the graduate will take the first licensure examination following gradu-

ation and will be issued a permit by the board to engage in supervised practice. The permits shall not be renewable.

(3) *The practice of practical nursing by a graduate of an approved practical nursing program in another jurisdiction provided the graduate has applied for licensure in the state of Minnesota by interstate endorsement and has written the first examination for licensure following graduation. Practice under this clause is allowable only under a temporary permit issued by the board which shall be issued pursuant to rules as the board may promulgate, and which shall be valid only for the period between submission of a proper application and completion of the examination by the person and the date of action upon the application by the board. The examination must be the same examination required of applicants for licensure by examination in Minnesota. The permit shall authorize the practice of nursing only under the direct supervision of a licensed professional nurse. The permit shall not be renewable.*

(4) *The practice of practical nursing by a person licensed as a licensed practical nurse in another jurisdiction and qualified for licensure in the state of Minnesota. Practice under this clause is allowable only under a temporary permit issued by the board which shall be issued by the board pursuant to rules as the board may promulgate, and which shall be valid only for the period between the submission of a proper application for licensure by the person and the date of action upon the application by the board."*

Page 18, after line 2, insert:

"Sec. 21. Minnesota Statutes 1978, Chapter 153, is amended by adding a section to read:

[153.105] [BOARD TO REGULATE; RULES.] *The board shall regulate the practice of podiatry. For this purpose it shall adopt and publish rules in accordance with the administrative procedure act to effectuate the provisions of this chapter."*

Pages 22 to 24, delete sections 22 to 24

Page 30, line 32, delete "and the office of hearing examiners"

Page 31, line 2, delete "and the chief hearing examiner"

Page 34, after line 8, insert:

"Sec. 36. Minnesota Statutes 1978, Section 214.13, is amended by adding a subdivision to read:

Subd. 6. Any complaint or other communication, whether oral or written, received by the commissioner of health which alleges or implies a violation of a statute or rule which the commissioner is empowered to enforce relating to a specific occupational group for which a registration requirement has been created pursuant to this section shall be processed under the provisions of section 214.10. The responsibilities of the executive secretary or board member specified in section 214.10, subdivision 2, shall be performed by the advisory council established under section 214.13,

subdivision 4, or if no such council has been created, by the health related licensing board which has been delegated the administration of regulation activities, or if no such delegation has been made, by a staff member appointed by the commissioner. The commissioner may exercise the powers contained in section 214.10, subdivision 3, in carrying out the duties of this subdivision."

Page 35, delete section 36

Page 42, line 9, delete "February" and insert "November"

Page 42, line 15, delete "In sections 270.41 to"

Page 42, delete lines 16 to 17

Page 42, line 18, delete " "commissioner" as appropriate."

Page 42, line 25, delete "270.41;"

Page 42, line 26, delete "270.42; 270.43;"

Page 42, line 26, delete the last semicolon

Page 42, line 27, delete "and Chapter 186"

Page 42, delete lines 28 to 29 and insert:

"Sec. 48. [EFFECTIVE DATE.] Sections 34 to 38 and 45 are effective the day following final enactment. Section 5 is effective October 1, 1979. The remaining sections are effective July 1, 1979."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "and the board"

Page 1, line 4, delete "of assessors"

Page 1, line 4, delete "their respective" and insert "its"

Page 1, line 15, before "148.211" insert "148.181, Subdivision 2; 148.191, Subdivision 2;"

Page 1, line 16, before "148.291" insert "148.271;"

Page 1, line 16, before "148.57" insert "148.295;"

Page 1, line 20, delete "154.22; 155.04; 155.05;"

Page 1, line 24, after "2;" insert "214.13, by adding a subdivision;"

Page 1, line 26, delete "Chapter" and insert "Chapters 153, by adding a section;"

Page 1, line 26, delete "270, by"

Page 1, line 27, delete "adding a section;"

Page 1, line 29, delete "270.41;"

Page 1, line 30, delete "270.42; 270.43;"

Page 1, line 31, delete "; and Chapter 186"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Elections, to which was referred

S. F. No. 1166: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 205, is amended by adding a section to read:

[205.201] [FIRST CLASS CITIES; ELECTION DAY.] *The regular election of all elected officers of a city of the first class, including city council members, the mayor, elected members of city boards and commissions, and the board members of any school district principally situated in the city, shall be held on the first Tuesday after the first Monday in November in odd-numbered years. A primary election shall be held six weeks before the regular election day. No primary shall be held to select candidates for any nonpartisan office when only two persons file for nomination for that office, or when not more than twice the number of persons to be elected file for nomination for that office. The time for the filing of any affidavit, application, petition or other document required to place the name of any person on the ballot for election to any office to be filled as provided in this section shall commence 14 weeks before the day of the regular election and shall conclude 12 weeks before that day. Any general or special law or home rule charter provision inconsistent with the provisions of this section is superseded to the extent that it is inconsistent with those provisions.*

Sec. 2. Minnesota Statutes 1978, Section 123.51, is amended to read:

123.51 [SPECIAL SCHOOL DISTRICTS, LAWS APPLICABLE.] *Special districts as now organized shall continue to operate under the special legislation and charter provisions governing them until conversion to independent districts. The provisions of Laws 1957, Chapter 947, relating to independent districts shall apply to and govern each special district unless the special laws and charter provisions governing the special district provide for the matter, in which case the special laws and charter provisions relating to the special district shall apply and control. The provisions of section 1 of this act shall control and shall supersede inconsistent provisions of special laws or charters in the matter of school district elections in special districts principally situated in cities of the first class.*

Sec. 3. Minnesota Statutes 1978, Section 410.21, is amended to read:

410.21 [APPLICATION OF GENERAL ELECTION LAWS.]

Except as provided otherwise in section 1 of this act, the provisions of any charter of any such city adopted pursuant to this chapter shall be valid and shall control as to nominations, primary elections, and elections for municipal offices, notwithstanding that such charter provisions may be inconsistent with any general law relating thereto, and such general laws shall apply only in so far as consistent with such charter.

Sec. 4. [ADJUSTMENT OF TERMS; CITY OF SAINT PAUL; REFERENDUM.] *The city council of the city of St. Paul by ordinance may extend the terms of all officers of that city who will be elected at the regular city election in 1980 to the first business day in January of 1984. If adopted, the ordinance shall be placed on the city ballot at the regular city election in 1980 and shall be effective upon approval by a majority of those voting on the question at that election. The terms of all officers of the school district principally situated in the city of St. Paul who are elected at the regular city election in 1980 shall be extended in the same manner as the terms of city officers if an ordinance concerning the terms of city officers is adopted and approved as provided in this subdivision. If an ordinance is adopted and approved as provided in this subdivision, all regular St. Paul city elections beginning in 1983 shall be held as provided in section 1. If an ordinance is not adopted and approved as provided in this subdivision, the terms of all officers described in section 2 of this act who are elected at the regular city election in 1980, including the officers of the school district principally situated in the city of St. Paul, shall be reduced to the first business day in January of 1982, and the regular St. Paul city elections beginning in 1981 shall be held as provided in section 1."*

Amend the title as follows:

Page 1, line 3, delete "certain" and insert "first class"

Page 1, line 3, after "districts" insert "principally situated in those cities; providing for extension or reduction of the terms of certain elected officials"

Page 1, line 4, delete "123.32,"

Page 1, delete line 5, and insert "123.51; 410.21; and Chapter 205, by adding a section."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1026: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 667: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1310: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 21, strike "when reasonably able to do so" and delete "failure"

Page 2, line 1, before the period, insert "when reasonably able to do so"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1296: A bill for an act relating to public welfare; authorizing grants for community residential facilities; amending Minnesota Statutes 1978, Section 252.30.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, after "months" insert "of"

Page 2, line 16, after "or" insert "of"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 777: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 5, after "*recipients*" insert "*who are not residents of long-term care facilities*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1302: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 1, delete everything after "*program*"

Page 2, line 2, delete everything before the comma

Page 2, line 3, delete "*shall*" insert "*may*"

Page 2, line 4, after "*shall*" insert "*annually*"

Page 2, delete lines 5 to 7

Page 2, line 8, delete "*state*" and insert "*comparative list of not less than 25 nor more than 75 illnesses, injuries or conditions. The list shall specify, according to hospital, the respective price or charge of each hospital for treatment by surgical or medical means of each of the illnesses, injuries, or conditions*"

Page 2, line 10, delete "*a copy*" and insert "*copies*"

Page 2, line 11, delete "*a patient*" and insert "*patients*"

Page 2, line 11, after "*prospective*" delete "*patient*" and insert "*patients*"

Page 2, line 16, delete "*lists*" and insert "*list*"

Page 4, line 5, after "*escalate*" insert "*more*"

Page 4, line 5, before the period insert "*than other components of the consumer price index*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1098: A bill for an act relating to claims against the state; providing for claims arising out of injury or death of per-

sons conditionally released by the Minnesota corrections board to perform community service; amending Minnesota Statutes 1978, Section 3.738, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, delete the colon and 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" and delete "or service"

Page 2, line 2, delete "such" and insert "the" and 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"

Page 1, delete lines 4 and 5 and insert "various restitution programs to be heard by the legislature;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1436: A bill for an act relating to human services; altering provisions related to membership of human services boards; establishing procedures for planning by the boards; prescribing additional duties of the state planning officer; providing for reports by the board; amending Minnesota Statutes 1978, Sections 402.01; 402.02; 402.03; 402.04, Subdivision 1; 402.045; 402.05, by adding a subdivision; 402.06; 402.065; 402.07; and 402.095; and Chapter 402, by adding a section; repealing Minnesota Statutes 1978, Sections 402.046; and 402.05, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 6, after "1a." insert "*If a single county forms a human services board,*"

Page 3, line 7, delete "for" and insert a period

Page 3, delete lines 8 and 9

Page 3, line 10, after "Subd. 2." insert "*Notwithstanding the population requirements of Minnesota Statutes, Sections 145.911 to 145.922, 245.61 to 245.69 and Chapter 401,*"

Page 5, line 24, strike "three"

Page 7, line 18, delete "*state planning officer*" and insert "*commissioner of public welfare, with the approval of the commissioners of health and corrections,*"

Page 8, strike lines 9 through 15

Page 8, line 32, after the period, insert "*Each affected state agency shall accept the plan of the human services board in lieu of separate plan requirements for individual programs.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1257: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 8, before "*Notwithstanding*" insert "*The vendor of medical care shall receive notification from the commissioner at least 24 hours before the commissioner gains access to such records.*"

Pages 3 and 4, delete Section 3

Page 4, after line 14, insert:

"Sec. 4. 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 section 256B.064, subdivision 1a*"

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, 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 the 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 everything before "*and*"

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 need not be proven as a precondition to monetary recovery for false claims, duplicate claims, claims for services not medically necessary, or false statements."

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 such 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, 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 such records."*

Page 8, line 10, delete "No" and insert "A"

Page 8, line 12, after "records" insert *"unless the vendor already has received written authorization"*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 14, delete everything before "256B.04"

Page 1, line 15, after "10" insert ", and by adding a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Elections, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 8, delete "I" and insert "III"

Page 2, line 9, delete "VII" and insert "VI"

Page 2, line 9, reinstate the stricken "200"

Page 2, line 9, before "202A" insert ", 201,"

Page 2, line 9, delete "203A,"

Page 3, line 3, delete "or decide public questions"

Page 5, lines 11 and 12, delete the new language and strike the old

Renumber the subdivisions in sequence

Page 5, line 14, delete "the room or building designated as"

Page 6, line 26, delete "the" and strike "political"

Page 6, line 27, strike "party as stated in"

Page 6, line 28, delete "the" and reinstate the stricken "that"

Page 6, line 30, delete "the" and insert "that"

Page 7, line 10, delete "permanent"

Page 7, line 12, delete "permanently leaving" and insert "moving"

Page 7, line 15, delete "permanent"

Page 7, line 20, delete "permanent"

Page 7, line 22, delete "permanent"

Page 7, delete lines 29 to 33 and insert:

"(f) Except as otherwise provided in this section, an individual's residence is located in the precinct where his family lives, unless his family is living in that precinct only temporarily;

"(g) If an individual's family lives in one precinct and the individual lives or does business in another, the individual's residence is located in the precinct where his family lives, unless he establishes a home in the other precinct and intends to remain there, with or without his family;"

Page 8, delete lines 1 to 3

Page 8, line 10, delete "live" and insert "remain"

Page 8, line 10, delete "permanently"

Page 9, line 8, after "Under" insert "a"

Page 9, delete lines 17 to 20

Page 10, line 21, reinstate the stricken language

Page 10, line 22, delete "in each"

Page 10, line 23, delete “. Any county”

Page 11, line 9, delete “*knowingly*” and insert “*intentionally*”

Page 13, line 2, delete “*voter*” and insert “*individual*”

Page 14, line 31, delete “4” and insert “5”

Page 15, line 6, delete “5” and insert “6”

Page 15, line 19, delete “6” and insert “7”

Page 17, line 23, strike “complete” and insert “*correct*”

Page 17, line 23, strike “that” and insert “*if it*”

Page 20, line 1, strike “the” and insert “a”

Page 20, line 2, delete “*the*” and reinstate the stricken “a”

Page 20, line 4, delete “*the*” and reinstate the stricken “a”

Page 23, line 12, delete “A”

Page 23, lines 12 and 13, strike “return of the notice by the”

Page 23, lines 14 and 15, delete the new language and strike the old language

Page 23, line 16, strike “election”

Page 23, line 17, strike the period

Page 23, line 18, after “notice” insert “*by the postal service*”

Page 23, line 30, delete “*section 201.061*” and insert “Article V, Section 12”

Page 24, line 14, after “notice” insert “*by the postal service*”

Page 24, line 20, delete “*section 201.061*” and insert “Article V, Section 12”

Page 27, line 20, reinstate the stricken period

Page 28, line 17, strike “shall” and insert “*may*”

Page 29, line 9, delete “A” and insert “*If a challenge is affirmed, the*”

Page 29, line 9, delete “*denied*” and insert “*challenged*”

Page 29, line 10, delete “*as provided under subdivision 1*”

Page 29, line 10, delete “*denial*” and insert “*ruling*”

Page 29, line 14, delete “*denial*” and insert “*ruling*”

Page 31, line 11, strike “municipality” and after “shall have” insert “*municipal official*”

Page 34, after line 17, insert:

“(c) *Apply for absentee ballots more than once in any election with the intent to cast an illegal ballot;*”

Reletter the clauses in sequence

Page 35, delete lines 32 and 33

Page 36, delete lines 1 and 2

Page 37, line 22, after the comma, insert "*Section 4, Subdivision 2, and*"

Page 38, line 20, delete "*to voters*" and insert "*for casting an absentee ballot*"

Page 41, line 5, delete "*in turn*"

Page 41, line 6, delete "*those endorsed*" and insert "*the*"

Page 41, line 6, delete "*together with*" and insert "*received from the county auditor and*"

Page 41, line 9, after the period, insert "*Applications received on election day pursuant to Article III, Section 4, Subdivision 2, shall be promptly delivered to the election judges in the precincts.*"

Page 41, delete lines 20 to 23

Page 41, line 24, delete "*party.*"

Page 44, lines 17 and 18, delete "*, in the manner required by the rules of the secretary of state*"

Page 45, lines 2 and 3, delete "*in the manner required by the rules of the secretary of state*"

Page 45, line 22, delete "*the following items.*" and insert "*administering the provisions of Article III, Sections 4 to 15.*"

Page 45, delete lines 23 to 32

Page 46, lines 32 and 33, delete "*may request absentee ballots for more than one election*" and insert "*for a primary shall also constitute an application for absentee ballots for the ensuing general election*"

Page 47, delete lines 10 and 11 and insert:

"(b) A statement indicating that the voter is in the military, or is the spouse or dependent of an individual serving in the military, or is temporarily outside the territorial limits of the United States, or is living permanently outside the territorial limits of the United States and voting under federal law;"

Page 48, line 21, after the second "*the*" insert "*voter's*"

Page 49, line 24, delete everything after "*equivalent*" and insert a period

Page 49, delete lines 25 to 28

Page 51, line 14, delete "*absentee ballot*" and insert "*return envelope*"

Page 51, line 16, delete "*ballot*" and insert "*ballots in the return envelope*"

Page 51, lines 23 and 24, delete "*in the same manner as rejected*" and insert "*with the unused*"

Page 52, lines 5 and 6, delete “; GENERAL ELECTION LAWS”

Page 52, lines 8 and 9, delete “OF GENERAL ELECTION LAWS”

Page 52, line 10, after the comma insert “*except school district elections and*”

Page 54, line 4, after “state” insert “*on the affidavit of candidacy*”

Page 54, line 11, delete “or” and insert “and”

Page 54, line 33, after “and” insert a comma

Page 55, line 1, after “election” insert a comma

Page 55, line 8, delete “by” and insert “on”

Page 56, line 11, delete “an” and insert “a partisan”

Page 56, line 15, delete the first “a”

Page 58, line 18, after “for” insert “*county, state and federal*”

Page 59, line 13, delete “and” and insert “. *The petitions*”

Page 59, delete lines 14 to 18 and insert “*shall be retained as provided in Article IV, Section 40, and shall be available for public inspection during that period.*”

Page 60, line 11, delete the first “the”

Page 61, delete lines 3 to 11 and insert:

“(a) *For a state office voted on statewide or for United States senator, 2,000;*

(b) *For a congressional office, \$1,000;*

(c) *For a county or legislative office, or for the office of district, county or county municipal judge, 500; and*”

Page 61, line 16, delete “municipal”

Page 61, line 17, after “election” insert “*at which that office was on the ballot*”

Page 62, line 7, delete the second “a”

Page 62, line 9, delete the second “a”

Page 62, line 18, delete the second “a”

Page 62, line 32, delete the second “a”

Page 63, line 14, delete “five” and insert “four”

Page 63, line 27, delete “2” and insert “3”

Page 65, line 33, delete “, 5”

Page 66, line 7, delete “and” and insert “. *The board shall*”

Page 66, line 8, after “place” insert “*for the new precinct*”

Page 66, line 9, delete "*petitioning individuals*" and insert "*individuals residing in it*"

Page 70, line 20, delete "*subdivision*" and insert "*section*"

Page 71, delete lines 6 to 33 and insert:

"Subdivision 1. [APPOINTMENT LISTS; DUTIES OF POLITICAL PARTIES AND COUNTY AUDITOR.] At least 65 days before any election for a partisan political office, the county or legislative district chairmen of each major political party, whichever is designated by the state party, shall prepare a list of eligible voters to act as election judges in each election precinct in the county or legislative district. The chairmen shall furnish the lists to the county auditor of the county in which the precinct is located.

At least 55 days before the date of the election, the county auditor shall furnish to the appointing authorities a list of the appropriate names for each election precinct in the jurisdiction of the appointing authority. Separate lists shall be submitted by the county auditor for each major political party."

Page 72, delete lines 1 to 4

Page 72, line 7, delete "*the municipal clerk with the approval of*"

Page 72, line 10, delete "*the county auditor with the approval of*"

Page 74, line 18, delete "*not members of the same*" and insert "*members of different*"

Page 74, line 19, delete "*party*" and insert "*parties*"

Page 74, line 27, delete "[204A.27]" and insert "[204B.27]"

Page 76, line 16, before "*The*" insert "*Except as otherwise provided for absentee ballots in Article IV, Section 35, Subdivision 4,*"

Page 76, line 28, delete "*balots*" and insert "*ballots*"

Page 77, line 22, after "*furnished*" insert "*with 100 ballots of each kind for every 85 individuals who voted in that precinct at the last election for the same office or on similar questions, or*"

Page 77, line 25, after "*election*" insert "*, whichever supply of ballots is greater*"

Page 78, line 32, delete "*at least*"

Page 79, line 3, delete "*at least*"

Page 79, line 10, delete "*at least*"

Page 79, line 30, before "*state*" insert "*the*" and after "*state*" insert "*and county*"

Page 81, line 13, after "*election*" insert "*, except a school district election,*"

Page 81, line 28, delete everything after "*with*" and insert "*a sufficient number of ballots of each kind as required by Article IV, Section 29, Subdivision 1.*"

Page 81, delete lines 29 and 30

Page 82, line 11, delete "*legible*" and insert "*readable*"

Page 82, line 32, delete "*who*" and insert "*whose names*"

Page 83, line 1, after the period, insert "*At a primary election, no blank lines shall be provided for writing in the names of individuals whose names do not appear on the primary ballot.*"

Page 83, line 1, begin a new paragraph with "*On*"

Page 83, line 6, after "*(X)*" insert "*in the square*"

Page 83, line 7, delete "*,* *in the square indicated by the arrow*"

Page 85, line 33, after "*retained*" insert "*for one year or*"

Page 86, line 1, after "*determined*" insert "*,* *whichever is later*"

Page 88, line 27, after "*state*" insert "*,* *except school district elections and*"

Page 90, line 25, after "*congregate*" insert "*in any number*"

Page 92, line 8, after "*shall*" insert "*enter or remain in a polling place or*"

Page 92, lines 9 and 10, delete "*or enter or remain in the polling place*"

Page 92, line 12, before "*It*" insert "*During the time an election is being held*"

Page 92, line 24, delete "*in*" and insert "*for*"

Page 92, line 25, after "*party*" insert "*for each precinct*"

Page 92, line 28, after "*each*" insert "*nonpartisan*"

Page 92, line 30, delete "*in*" and insert "*for*"

Page 92, line 32, after "*place*" insert "*for each precinct*"

Page 93, line 6, delete the second "*in*" and insert "*for*"

Page 93, line 30, delete "*printed*" and insert "*official*"

Page 94, line 6, before "*voting*" insert "*the hours for*"

Page 94, line 7, delete "*has ended*" and insert "*have ended and all voting has been concluded*"

Page 94, line 22, delete "*thereafter*" and insert "*after it begins*"

Page 94, line 28, delete "*polling place*" and insert "*room containing the voting booths*"

Page 95, line 4, delete "*a voter*" and insert "*an individual seeking to vote*"

Page 95, line 5, delete "*voter*" and insert "*individual*"

Page 95, line 7, delete "*voter*" and insert "*individual*"

Pages 95 and 96, delete section 11 and insert:

"Sec. 11. [204C.11] [PRECINCTS WITHOUT PERMANENT REGISTRATION; ELECTION REGISTER.] *Subdivision 1. [ELECTION REGISTERS; FORM.] Two election registers shall be provided for each election precinct without a permanent registration system by the county auditor in unorganized territory or the municipal clerk in a municipality. Two election judges shall have charge of them, each using one election register as provided in this section. Each election register shall be headed by the name of the precinct, and shall contain one column headed "Name of Voter," one headed "Residence," one headed "Address of Most Recent Prior Registration" and one headed "Remarks". Each election register shall contain the names of the voters in alphabetical order according to the first letter of their surnames. Names beginning with the same letter of the alphabet shall be grouped together with not more than one group on each page. The names in each group shall be separately numbered beginning with the numeral "1".*

Subd. 2. [EVIDENCE OF ELIGIBILITY TO VOTE.] In election precincts without a permanent registration system, an individual seeking to vote shall give his first and last name, middle initial, street or route, city and county of residence and the address of most recent prior registration to the election judges in charge of the election registers. The individual shall also give the election judges sufficient evidence to satisfy them that he maintains residence in the precinct and shall state under oath that he is at least 18 years of age and has been a resident of the state for at least 20 days immediately preceding the election. An individual who refuses to provide the information required by this subdivision shall not be allowed to vote.

Subd. 3. [ENTRIES IN ELECTION REGISTERS.] When the election judges in charge of the election registers are satisfied that an individual is eligible to vote in that precinct, they shall enter the individual's name, residence and address of most recent prior registration in the proper place in the election registers."

Page 97, line 8, after "ballots" insert "but not yet deposited them in the ballot boxes"

Page 97, line 10, after "placed" insert "unopened"

Page 99, line 30, after the period, insert "A violation of this subdivision by an election judge is a gross misdemeanor."

Page 100, line 25, delete "not members of the same" and insert "members of different"

Page 100, line 26, delete "party" and insert "parties"

Page 100, line 30, delete "not members of the same" and insert "members of different"

Page 100, line 31, delete "party" and insert "parties"

Page 101, line 5, delete "one" and insert "voter"

Page 101, line 5, delete "a voter" and insert "another voter as provided in the preceding sentence"

Page 101, line 21, delete "not members of the same" and insert "members of different"

Page 101, line 22, delete "party" and insert "parties"

Page 103, line 22, delete "membership of" and insert "election judges on"

Page 103, line 22, delete "conform to the" and insert "be members of at least two different major political parties"

Page 103, delete line 23

Page 103, line 24, delete everything before the period

Page 103, line 33, delete "scheduled for voting" and insert "when voting is scheduled"

Page 104, line 23, after "marked" insert "with the initials of the election judges"

Page 105, line 11, delete "a pile" and insert "the proper ballot box"

Page 106, line 23, after "by" insert "major"

Page 110, line 10, delete "red"

Page 113, line 30, after "ballots" insert "as provided in Article IV, Section 40"

Page 114, lines 17 and 18, delete "in cases in which" and insert "when"

Page 115, line 33, delete "upon" and insert "on"

Page 116, line 6, delete "they" and insert "the canvassing board"

Page 117, line 2, after "certified" insert "copies of the county canvassing board"

Page 118, line 11, after "reports" insert "received from the county auditors"

Page 119, line 32, delete "If"

Page 119, lines 32 and 33, delete "concurs with the agreement of the candidates, it"

Page 120, line 1, delete "that" and insert "the"

Page 120, line 7, delete "If"

Page 120, lines 7 and 8, delete "concurs with the agreement of the candidates, it"

Page 120, line 9, delete "that" and insert "the"

Page 120, line 21, delete "if" and insert "present the agreement to it."

Page 120, lines 21 and 22, delete "*concur with the agreement of the candidates, it*"

Page 126, line 20, delete "*persons*" and insert "*individuals*"

Page 126, after line 30, insert:

"*Subd. 2. [BLANK LINES PROHIBITED.] At a primary election, no blank lines shall be provided for writing in the names of individuals whose names do not appear on the primary ballot.*"

Renumber the subdivisions in sequence

Page 127, line 28, underscore the period

Page 130, line 10, after "*and*" insert "*candidates*"

Page 130, line 16, after "*envelopes*" insert "*required*"

Page 130, line 17, delete "*containing*"

Page 131, line 15, delete "*Ballot.*" and insert "*Ballot.*"

Page 132, line 4, delete "*is*" and insert "*may be*"

Page 132, line 32, after "*any*" insert "*partisan*"

Page 134, line 3, delete "*the*" and insert "*each*"

Page 134, line 3, delete "*of each county*"

Page 139, line 5, delete "*person*" and insert "*individual*"

Page 144, line 17, delete "*lieu*" and insert "*place*"

Page 145, line 6, delete "*a person*" and insert "*an individual*"

Page 156, line 1, after "*judges*" insert "*belonging to*"

Page 156, line 2, delete "*not members of the same*" and insert "*members of different*"

Page 156, lines 2 and 3, reinstate the stricken "*, if such there be*"

Page 157, line 9, after "*judge*" insert "*who is a member*" and reinstate the stricken "*of a*"

Page 157, line 10, reinstate the stricken "*different*" and delete "*who is not a member of the same*"

Page 157, line 24, after "*judges*" insert "*who are members*", reinstate the stricken language and delete "*who are*"

Page 157, line 25, delete "*not members of the same*"

Page 157, lines 25 and 26, reinstate the stricken language

Page 159, line 23, delete "*red*"

Page 170, after line 10, insert:

"*Sec. 32. [RULES OF SECRETARY OF STATE; CONTINUATION.] The rules of the secretary of state in force on the effective date of this act shall remain effective until they are modified or repealed as provided by law. Any rulemaking proceeding initiated by the secretary of state prior to the effective date of this act may*

be continued and the proposed rule or rules may be promulgated in the manner authorized by this act. With respect to those subjects which were within the rulemaking authority of the secretary of state prior to the effective date of this act, and rulemaking authority given to the secretary of state by this act shall be construed as a continuation of that previously existing authority and not as a new delegation of rulemaking authority."

Renumber the sections in sequence

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 1199: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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."

Page 7, line 7, delete the new language and reinstate the old 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 ill-*

ness 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, as amended by Laws 1977, Chapter 429, Section 53, Subdivision 3, is amended to read:

Subd. 3. The payments shall be made either in a 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.

Sec. 18. The minimum age requirement for normal retirement applicable to any member as defined in Minnesota Statutes, Section 3A.01, Subdivision 3, who has, prior to January 1, 1981, acquired sufficient service credit to qualify for a normal retirement allowance under Minnesota Statutes, Section 3A.02, shall not be increased by the provisions of Laws 1978, Chapter 796, Section 3."

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, as amended, and by adding a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 1329: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 1390: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 3, delete everything after "index"

Page 2, delete lines 4 and 5 and insert "*is the January, 1978, revised all urban consumer price index for the Minneapolis-St. Paul metropolitan area, prepared by the United States Department of Labor, with 1967 as the base year.*"

Page 2, line 12, before "consumer" insert "*revised all urban*"

Page 2, line 12, delete "*in the Twin*"

Page 2, line 13, delete "*Cities*" and insert "*for the Minneapolis-St. Paul*"

Page 2, line 13, after "area" insert "*, prepared by the United States Department of Labor,*"

Page 2, line 15, delete everything after the period

Page 2, delete line 16

Page 2, line 19, delete "*June*" and insert "*July*"

Page 2, after line 19, insert:

"If the consumer price index for February of the current year is computed using a base year other than 1967, the value of the current index shall be adjusted by recomputing it using 1967 as the base year. The adjusted value of the current index shall be used to determine the tax rate under clause (a).

Sec. 3. Notwithstanding the provisions of section 1 of this act, the rate of the gasoline excise tax imposed pursuant to Minnesota Statutes, Section 296.02, Subdivision 1, shall be nine cents per gallon until July 1, 1979.

Sec. 4. [REPORT TO LEGISLATURE.] Prior to January 1, 1981, the commissioners of transportation and revenue shall report to the legislature on the consumer price index based gasoline excise tax."

Renumber the sections in sequence

And when so amended the bill do pass. Mr. McCutcheon questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was re-referred

S. F. No. 1351: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 473, is amended by adding a section to read:

[473.572] [REVISED FINAL DETERMINATION.] *Subdivision 1. Notwithstanding any final determination reached by the commission on or before December 1, 1978, pursuant to section 473.571, subdivision 6, the commission shall make a revised determination on a sports facility or sports facilities which facility or facilities (1) shall not be covered, (2) may include remodeling the existing metropolitan stadium for baseball, and (3) shall be located in Hennepin County. The decision shall be made within 30 days after the effective date of this act. In making its decision the commission may rely on data previously submitted and reviewed pursuant to section 473.571 and need not require new data even if modifications are made in an alternative previously considered. The principal amount for construction of a sports facility or sports facilities shall be limited to \$46,000,000.*

Subd. 2. Except as provided in this section, the council shall make all determinations required by section 473.581, subdivision 3, before it authorizes the issuance of bonds.

Subd. 3. It is the intent of the legislature that the commission shall, to the maximum extent possible consistent with the provisions of section 473.581, subdivision 3, impose rates, rentals and other charges in the operation of the sports facility which will make the sports facility self supporting so that the taxes imposed by the municipality under section 6 will be at the lowest possible rate consistent with the obligations of the county under bonds issued pursuant to this section.

Sec. 2. Minnesota Statutes 1978, Section 473.581, Subdivision 2, is amended to read:

Subd. 2. [PROCEDURE.] The bonds shall be sold, issued, and secured in the manner provided in chapter 475 for bonds payable solely from revenues, except as otherwise provided in sections 473.551 to 473.595, and the council shall have the same powers and duties as a municipality and its governing body in issuing bonds under that chapter. The bonds may be sold at any price and at public or private sale as determined by the council. *The full faith and credit and taxing powers of Hennepin County, with respect to the commercial-industrial property located therein shall be pledged to the payment of these general obligation bonds until the principal and interest on the bonds have been paid in full.* They shall be payable solely from tax and other revenues referred to in sections 473.551 to 473.595, shall not be a general obligation or debt of the council or of the commission, and shall not be included in the net debt of any city, county, or other subdivision of the state for the purpose of any net debt limitation. No election shall be required. The principal amount shall not be limited except as provided in subdivision 3.

Sec. 3. Minnesota Statutes 1978, Section 473.581, Subdivision 3, as amended by Laws 1979, Chapter 26, Section 1, 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 \$40,000,000. 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.~~ 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~~ *\$46,000,000*. 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 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 to be determined by the commission and the organizations and to be set forth in the agreements~~. 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 taxes under section 6*, 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 appro-

priate 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 taxes under section 6* 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.

Sec. 4. Minnesota Statutes 1978, Section 473.581, Subdivision 4, as amended by Laws 1979, Chapter 26, Section 1, is amended to read:

Subd. 4. [SECURITY.] To the extent and in the manner provided in ~~section sections 6 and 473.595, the taxes described in section 6,~~ the tax and other revenues of the commission described in section 473.595, and any other revenues of the commission shall be and remain pledged and appropriated for the payment of all necessary and reasonable expenses of the operation, administration, maintenance, and debt service of the commission's sports facilities until all bonds referred to in section 473.564, subdivision 2, and all bonds and certificates issued pursuant to this section are fully paid or discharged in accordance with law. The revenue bonds and interest thereon referred to in section 473.564, subdivision 2, may be refunded, whether at a lower or a higher rate of interest, by the issuance of new bonds pursuant to subdivision 1, clause (b), for the purpose of pledging revenues of the metropolitan sports area for the payment and security of bonds issued hereunder, and the council may provide that a portion of the new bonds shall be payable solely from the interest earnings derived from the investment of the bond proceeds. Until these revenue bonds are fully paid or the council's obligation thereon is discharged in accordance with law they shall be deemed a first and prior charge on those revenues and shall be secured by all provisions of the revenue bond resolution and the ownership and operations agreement. Bonds issued pursuant to this section may be secured by a bond resolution, or by a trust indenture entered into by the council with a corporate trustee within or outside the state, which shall define the tax and other revenues pledged for the payment and security of the bonds. The pledge shall be a valid charge on the tax and other revenues referred to in sections 473.551 to 473.595 from the date when bonds are first issued under the resolution or indenture and shall secure the payment of principal and interest and redemption premiums when due and the maintenance at all times of a reserve securing such payments. No mortgage of or security interest in any tangible real or personal property shall be granted to the bondholders or the trustee, but they shall have a valid security interest in all tax and other revenues received and accounts receivable by the commission or council hereunder, as against the claims of all other persons in tort, contract, or otherwise, irrespective of whether such parties have notice thereof, and without possession or filing as provided in the uniform commercial code or any other law. In the bond resolution or trust indenture the council may make such covenants, which shall be binding upon the commission, as are determined to be usual

and reasonably necessary for the protection of the bondholders. No pledge, mortgage, covenant, or agreement securing revenue bonds may be impaired, revoked, or amended by law or by action of the council or commission, except in accordance with the terms of the resolution or indenture under which the bonds are issued, until the obligations of the council thereunder are fully discharged.

Sec. 5. Minnesota Statutes 1978, Section 473.581, Subdivision 5, as amended by Laws 1979, Chapter 26, Section 1, is amended to read:

Subd. 5. [REVENUE ANTICIPATION CERTIFICATES.] At any time or times after approval by the council and final adoption by the commission of an annual budget of the commission for operation, administration, and maintenance of its sports facilities, and in anticipation of *the proceeds from the tax under section 6 and the revenues of the commission provided for in the budget, but subject to any limitation or prohibition in a bond resolution or indenture, the council may authorize the issuance, negotiation, and sale, in such form and manner and upon such terms as it may determine, of revenue anticipation certificates. The principal amount of the certificates outstanding shall at no time exceed 25 percent of the total amount of the tax and other revenues anticipated. The certificates shall mature not later than three months after the close of the budget year. Prior to the approval and final adoption of the first annual budget of the commission, the council may authorize up to \$300,000 in revenue anticipation certificates under this subdivision. So much of the anticipated tax and other revenues as may be needed for the payment of the certificates and interest thereon shall be paid into a special debt service fund established for the certificates in the council's financial records. If for any reason the anticipated tax and other revenues are insufficient, the certificates and interest shall be paid from the first tax and other revenues received, subject to any limitation or prohibition in a bond resolution or indenture. The proceeds of the certificates may be used for any purpose for which the anticipated revenues of the commission may be used or for any purpose for which bond proceeds under subdivision 1 may be used, provided that the proceeds of certificates issued after the first issuance of bonds under subdivision 1, clause (a), shall not be used to pay capital costs of sports facilities constructed or remodeled pursuant to sections 473.551 to 473.595.*

Sec. 6. Minnesota Statutes 1978, Chapter 473, is amended by adding a section to read:

[473.592] [TAX REVENUES TO SUPPORT SPORTS FACILITY.] *Subdivision 1. [LOCAL SALES TAX.] Upon designation of a site for a sports facility, subject to the provisions of section 1, the governing body of the municipality in which the facility is to be located may elect to impose a sales tax as provided herein. If the governing body of the municipality does not elect to impose the tax, the stadium shall not be located in that municipality. The tax shall be supplemental to the general sales tax imposed in chapter 297A, and may be imposed on the gross receipts from 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 municipality, or on the gross receipts from the furnishing for consideration of lodging at a hotel, motel, rooming house, tourist court or trailer camp for a period of less than 30 days, or on both. The tax shall be levied in an amount sufficient together with other revenues available to the commission to produce revenues equal to the payments required for principal and interest on bonds outstanding under section 473.581, subdivision 1 and to meet operating cost deficits. 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.

Subd. 2. [PROCEEDS; USE.] The collections of the tax, less refunds and a proportionate share of the cost of collection, shall be remitted at least quarterly to the municipality. The commissioner of revenue shall deduct from the proceeds remitted to the municipality an amount that equals the indirect statewide costs as well as the direct and indirect department costs necessary to administer, audit, and collect this tax. The amount deducted shall be deposited in the general fund of the state. The proceeds remitted 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. Collection of the tax imposed by subdivision 1 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 the sum of \$7,000,000. 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 one year period.

Subd. 3. [HENNEPIN COUNTY PROPERTY TAX.] Upon designation of a site pursuant to section 1, the Hennepin County board of commissioners shall enter into an agreement with the council and commission to levy a tax to secure the payment of any bonds issued to finance the construction (or to refund bonds issued to finance the construction) and any revenue anticipation certificates issued for expenses of operation, administration, maintenance, and debt service thereof, as contemplated in section 473.581, subdivisions 3 and 5. The tax shall be levied only in the event the revenues derived from section 473.595 and subdivision 1 are insufficient to meet payment of the principal and interest on the bonds. The tax shall be levied upon all parcels of taxable real estate, including buildings and improvements thereon, which are situated in the county and are devoted to a commercial or industrial use. For the purpose of this subdivision, commercial and industrial property includes all real property in class 4 as described in section 273.13, subdivision 9, except real property and buildings and improvements thereon which are used exclusively to provide residential, nontransient housing, and for functionally related and subordinate purposes. The agreement for the levy of the tax shall be made by resolution of the county board of commissioners before

the issuance of the bonds, and shall constitute a contract with and for the security of all holders of the bonds and revenue anticipation certificates and shall not be subject to termination, revocation, or amendment until the pledge of the tax and other revenues for the payment of the bonds and certificates has been fully satisfied and discharged. The council shall notify the board of commissioners and the director of finance of Hennepin County not later than October 1 in each year of the amount of cash and cash-equivalent securities then on hand in the debt service fund (whether derived from tax and other revenues, investment income, or bond proceeds pledged thereto), and the aggregate amount of principal and interest due and to become due on the bonds to and including June 30 in the second calendar year thereafter. If the amount of principal and interest exceeds the amount on hand, the director of finance shall be authorized and directed by the agreement to extend and assess the tax on the tax rolls of the county in the current year for collection in the year following, in an amount equal to the excess, and to remit the collections thereof to the council for deposit in the debt service fund.

Sec. 7. 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 6 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.

Sec. 8. This act is effective in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 9. Minnesota Statutes 1978, Section 473.568, is repealed.

Sec. 10. This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 3, after the semicolon insert "authorizing a revised site determination and establishing conditions for issuance of bonds;"

Page 1, line 5, delete "Sections" and insert "Section" and delete "Subdivision 3" and insert "Subdivisions 2, 3, as amended, 4, as amended, and 5, as amended"

Page 1, delete line 6

Page 1, line 7, delete "subdivision" and insert "Chapter 473, by adding sections"

And when so amended the bill be referred to the Senate without recommendation. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 529: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, after "transient" insert ", other than the renting or leasing thereof for a continuous period of 30 days or more"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was re-referred

S. F. No. 1006: A bill for an act relating to the Eastern Itasca and Greenway Joint Recreation Boards; regulating their tax levies.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 21, after "that the" insert "revised national"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was re-referred

S. F. No. 831: A bill for an act relating to the Hennepin county park reserve district; regulating tax levies; amending Laws 1967, Chapter 721, Section 2, as amended.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was re-referred

S. F. No. 519: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 1393: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 315: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

“ARTICLE I

FOUNDATION AID PROGRAM

Section 1. 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 handicapped pre-kindergarten pupils, as defined in section 120.03, enrolled in programs approved by the commissioner, one-half 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 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 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 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. A district shall base its count of pupil units on the greater number obtained from either subclause (a) or (b) of this clause. Only pupil units as computed in clauses (1) and (2) shall be included for purposes of the computation made pursuant to this clause.

(a) Where the total pupil units of a district are used as a multiplier in determining foundation aids and spending and levy limitations and where the actual number of pupil units is less than the average of actual pupil units in the district for the three prior years and the current year, the number of pupil units shall equal the average of actual pupil units for three prior years and the current year.

(b) Where the total pupil units of a district are used as a multiplier in determining foundation aids and spending and levy limitations and where the actual number of pupil units has decreased from the prior year, the number of pupil units shall equal the 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.

(7) In districts maintaining classified secondary schools where the actual number of pupils units has increased from the prior year by two percent or more, the additional pupil units over the prior year, as computed in clauses (1) and (2), shall be multiplied times one-tenth for each percent of increase over the prior year and a number of pupil units equal to the product shall be added to the other units for the district. The percent of increase shall be rounded up to the next whole percent for purposes of this clause, provided that in districts where the percent of increase is less than two, no additional pupil units shall be added to the other units for the district and provided further that the number of pupil units of increase over the prior year shall under no circumstances be multiplied by more than five-tenths.

(8) Only pupil units in clauses (1) and (2) shall be used in computing adjusted maintenance cost per pupil unit.

(9) A district shall base its count of pupil units on the greater number obtained from clauses (1) and (2) or the greater number obtained from either clause (6) or (7).

Sec. 2. Minnesota Statutes 1978, Section 124.19, is amended by adding a subdivision to read:

Subd. 2. In an elementary school where the number of instructional hours in the school day is greater than the number of instructional hours prescribed in the rules of the state board for the school day, the excess number of instructional hours for those days may be calculated to fulfill the requirements of subdivision 1, provided that the school is in session for not less than 160 days during the school year, and provided that no instructional hours are included from half-day sessions or any school day which has less instructional hours than the number of instructional hours prescribed in the rules of the state board.

Sec. 3. Minnesota Statutes 1978, Section 124.20 is amended to read:

124.20 [EDUCATION; STATE AID; SUMMER SCHOOL AND FLEXIBLE SCHOOL YEAR CLASSES.] Foundation aid for (1) summer school classes which are not a part of the regular school term in hospitals, sanatoriums, and home instruction programs, (2) inter-session classes of flexible school year programs, and (3) summer school classes in elementary and secondary schools, and ~~(4) summer school instruction in teachers college laboratory schools or in the university laboratory school,~~ shall be paid at a proportionate rate for foundation aids paid *but not less than 50 percent of the foundation aid formula allowance for the preceding regular school year; provided that no district shall re-*

ceive aid for programs under this section in an amount greater than its actual expenditures for these programs; provided further, that for purposes of computing summer school foundation aid, a district's foundation aid for the regular school year shall be reduced by the amount of the agricultural tax credit included in that foundation aid.

Sec. 4. 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. 5. 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. 6. 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~~ \$1,265 per pupil unit less ~~27~~ 22 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. 7. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.224] [SPARSITY AID.] *Subdivision 1. The sparsity aid allowance program for school years 1979-1980 and 1980-1981 shall be governed by the terms and 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.

(b) "Secondary average daily membership" means the following:

(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 high school means the average daily membership of resident secondary pupils enrolled in the high school, as defined in section 124.17, subdivision 2, plus the average

daily membership of resident pupils in grades 7, 8 and 9 attending public school who are not currently enrolled in that high school but who would ordinarily progress to grades 10, 11 and 12 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 in miles measured by the usual traveled routes 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, a district must have at least one qualifying high school.*

Subd. 4. [COMPUTATION.] *A district which qualifies for aid under this section 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) *93 percent of 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. 4a. [ISOLATED ELEMENTARY SCHOOLS.] *Any school district which operates an elementary school, as defined in Minnesota Statutes, Section 120.05, Subdivision 2, enrolling fewer than 20 pupils, and which is at least 50 miles by the most direct paved roads from the nearest other Minnesota elementary school, shall receive an amount equal to the foundation aid formula allowance times the number of pupils enrolled in that school in addition to all other aids the district is entitled to pursuant to chapter 124.*

Subd. 5. [AID PAYMENTS.] *The aid in this section shall be in addition to all other aids a school district receives. The aid payments in this section shall be paid to a district pursuant to section 124.11.*

Subd. 6. [DUTIES OF DEPARTMENT OF EDUCATION.] *The department of education shall determine the measurement and calculation of the isolation index and all other data necessary to implement this section.*

Sec. 8. 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 22~~ 22 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~~ 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 district. 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. 9. [REPEALER.] *Minnesota Statutes 1978, Section 124.212, Subdivisions 6b and 7b are repealed.*

Sec. 10. [DEFICIENCY APPROPRIATION.] *There is appropriated from the general fund to the department of education the sum of \$1,155,000 for a deficiency in fiscal year 1979 for 1978 summer school programs.*

Sec. 11. [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. [FOUNDATION AID.] *For foundation aid there is appropriated:*

\$640,740,000 1980,

This amount includes \$58,600,000 for aid for fiscal year 1979 payable in fiscal year 1980, and \$582,140,000 for aid for fiscal year 1980 payable in fiscal year 1980.

\$696,530,000 1981.

This amount includes \$60,000,000 for aid for fiscal year 1980 payable in fiscal year 1981, and \$636,530,000 for aid for fiscal year 1981 payable in fiscal year 1981.

Subd. 3. [SUMMER SCHOOL.] *For state aid for summer school there is appropriated:*

\$11,760,000 1980,

This amount is for 1979 summer school programs.

\$12,620,000 1981.

This amount is for 1980 summer school programs.

Subd. 4. [SPARSITY AID.] *For sparsity aid pursuant to section 7 of this article there is appropriated:*

\$1,547,000 1980,

\$1,903,000 1981.

(a) *The appropriation in this subdivision for fiscal year 1981 includes an amount not to exceed \$170,500 for the payment of the final sparsity aid distribution for fiscal year 1980, and \$1,719,500 for aid for fiscal year 1981, payable in fiscal year 1981.*

Subd. 5. [EDUCATIONAL PROGRAMS THROUGH GRADE THREE.] *The legislature recognizes the importance of the early*

years of learning to the child and to society. This appropriation shall provide additional resources for educational programs before grade four. For aid pursuant to this subdivision there is appropriated \$2,000,000 for the biennium ending June 30, 1981.

Subd. 6. Any unexpended balance remaining from the appropriation in this section for 1980 shall cancel and shall not 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 amounts in subdivisions 4 and 5 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 II

TRANSPORTATION AID PROGRAM

Sec. 1. Minnesota Statutes 1978, Section 120.17, Subdivision 4 is amended to read:

Subd. 4. [SPECIAL INSTRUCTIONS FOR NON-RESIDENT CHILDREN.] When a school district provides instruction and services outside the district of residence, ~~transportation or board and lodging,~~ and any tuition to be paid, shall be paid by the district of residence. *Transportation costs shall be paid by the district providing the transportation, and the state shall reimburse the district within the limits provided by law.* The tuition rate to be charged for any handicapped child shall be the actual cost of providing special instruction and services to the child including a proportionate amount for capital outlay and debt service minus the amount of special aid for handicapped children received on behalf of that child. If the boards involved do not agree upon the tuition rate, either board may apply to the commissioner to fix the rate. The commissioner shall then set a date for a hearing, giving each board at least ten days' notice, and after the hearing the commissioner shall make his order fixing the tuition rate, which shall be binding on both school districts.

For the purposes herein, any school district may enter into an agreement, upon such terms and conditions as may be mutually agreed upon, to provide special instruction and services for handicapped children. In that event, one of the participating units may employ and contract with necessary qualified personnel to offer services in the several districts, and each participating unit shall reimburse the employing unit a proportionate amount of the actual cost of providing the special instruction and services, less the amount of state special education aid, which shall be claimed in full by the employing district.

Sec. 2. Minnesota Statutes 1978, Section 120.17, Subdivision 6, is amended to read:

Subd. 6. [PLACEMENT IN ANOTHER DISTRICT; RESPONSIBILITY.] The responsibility for special instruction and

services for a handicapped child temporarily placed in another district for care and treatment shall be determined in the following manner:

(a) The school district of residence of such a child shall be the district in which his parent resides, if living, or his guardian, or the district designated by the commissioner of education if neither parent nor guardian is living within the state.

(b) The district providing the instruction shall maintain an appropriate educational program for such a child and shall bill the district of the child's residence for the actual cost of providing the program, as outlined in subdivision 4, except that the board, lodging, and treatment costs incurred in behalf of a handicapped child placed outside of the school district of his residence by the commissioner of public welfare or the commissioner of corrections or their agents, for reasons other than for making provision for his special educational needs shall not become the responsibility of either the district providing the instruction or the district of the child's residence.

(c) The district of residence shall pay tuition and other program costs to the district providing the instruction and the district of residence may claim foundation aid for the child as provided by law. Special transportation costs shall be paid by the district of the child's residence *providing the transportation* and the state shall reimburse *the district* for such costs within the limits set forth in section 124.22, subdivision 3 provided by law.

Sec. 3. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.224] [TRANSPORTATION AID ENTITLEMENT.]
Subdivision 1. [DEFINITIONS.] (a) "FTE" means each transported authorized full time equivalent student. (b) "Total authorized cost" includes all authorized transportation expenditures in section 124.223. (c) "Total authorized predicted cost" is based on all authorized transportation expenditures in section 124.223 and includes an amount equal to 12½ percent of the original cost of the district's bus fleet as of July 1 of each year plus 33½ percent of the cost to the district as of July 1 of each year for school bus reconditioning done by the department of corrections.

Subd. 2. For the 1979-1980 school year, the state shall pay to each school district for all pupil transportation and related services which the district is authorized by law to receive state aid an amount determined according to a linear regression formula for each planning region determined by the department of education to be within the appropriated amount and to maximize the amount of variance accounted for between the total actual authorized cost per FTE for the 1977-1978 school year and the formula predicted amount for the 1977-1978 school year. This amount shall be adjusted according to the provisions of subdivisions 5 and 7.

Subd. 3. For the 1980-1981 school year the state shall pay to each school district for all pupil transportation and related services which the district is authorized by law to receive state aid an

amount determined according to a linear regression formula determined by the department of education to be within the appropriated amount and to maximize the amount of variance accounted for between the total actual authorized cost per FTE for the 1978-1979 school year and the formula predicted amount for the 1978-1979 school year. This amount shall be adjusted according to the provisions of subdivisions 6 and 7.

Subd. 4. To predict the natural logarithm of the total authorized cost per FTE transported authorized by law, the linear regression formula shall use the variables and all cross products of the following logarithmic terms:

(1) The natural logarithm of 1.00 divided by the total authorized FTE transported;

(2) The natural logarithm of the sum of 100 plus the difference between the state average of the square root of the regular and summer school authorized FTE transported per square mile minus the square root of the regular and summer FTE transported per square mile;

(3) The natural logarithm of the ratio of regular and summer school authorized FTE transported to the district's total average daily membership;

(4) The natural logarithm of regular and summer school authorized FTE transported per square mile;

(5) The natural logarithm of the district's average daily membership;

(6) The natural logarithm of the size of the district measured in square miles; and

(7) The natural logarithm of the total FTE transported by the district authorized for aid pursuant to section 124.223 minus the regular and summer school authorized FTE transported.

Subd. 5. The amount predicted per FTE in subdivision 2 for 1977-1978 shall be increased by 17 percent. This amount shall be a district's basic aid for the 1979-1980 school year.

Subd. 6. The amount predicted per FTE in subdivision 3 for 1978-1979 shall be increased by 17 percent. This amount shall be a district's basic aid for the 1980-1981 school year.

Subd. 7. (A) For each school year the department shall apply the formula in subdivision 4 as adjusted by subdivision 5 or 6 to the actual number of FTE transported in each district. The amount predicted by the formula for that year shall then be compared to the total actual expenditure per FTE for authorized transportation for each district for that year.

(B) The comparison in clause (A) shall be used to determine the total aid entitlement for a district.

(C) If the predicted amount is greater than the district's actual expenditure per FTE, its aid entitlement shall equal the predicted

amount minus 10 percent of the first \$10 of difference between the predicted amount and the actual expenditure; minus 20 percent of the next \$20; minus 40 percent of the next \$20; minus 60 percent of the next \$50; and minus 75 percent of the difference which exceeds \$100.

(D) If the predicted amount is less than the district's actual authorized expenditure per FTE, its aid entitlement shall equal the predicted amount plus 10 percent of the first \$10 of difference between the predicted amount and the actual expenditure; plus 20 percent of the next \$20; plus 40 percent of the next \$20; plus 60 percent of the next \$50; and plus 75 percent of the difference which exceeds \$100.

(E) The aid a district receives pursuant to this subdivision shall be reduced by the amount raised by one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the corresponding aid year.

(F) Before August 15 of each year, districts shall provide the department with the information from the previous school year the department determines is necessary to compute the final transportation payment.

Subd. 8. (A) Each district shall report to the department before July 1 of each year an estimate for the next school year of the total number of FTE transported by category and an estimate of the district's total authorized cost.

(B) The department shall determine an estimated total authorized cost per FTE for each district. The department shall compare the basic aid amount predicted according to the formula in subdivision 4 for the appropriate year with the total estimated authorized cost per FTE for authorized transportation for each district for that year.

(C) If the predicted basic aid amount for that year is greater than the estimated authorized cost per FTE, the amount a district receives for that year shall equal the predicted basic aid amount minus 10 percent of the first \$10 of difference between the estimated authorized cost per FTE and the predicted base aid amount minus 20 percent of the next \$20; minus 40 percent of the next \$20; minus 60 percent of the next \$50; and minus 75 percent of the amount which exceeds \$100.

(D) If the predicted basic aid amount for that year is less than the estimated authorized cost per FTE, the amount a district receives shall equal the predicted basic aid amount for that year plus 10 percent of the first \$10 of difference between the estimated authorized cost per FTE and the predicted basic aid amount plus 20 percent of the next \$20; plus 40 percent of the next \$20; plus 60 percent of the next \$50; and plus 75 percent of the amount which exceeds \$100.

(E) The aid a district receives pursuant to this subdivision shall be reduced by the amount raised by one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the corresponding aid year.

Subd. 9. Any school district which owns school buses shall transfer annually from its transportation fund to its bus purchase fund an amount equal to 12½ percent of the original cost of each bus until the original cost of each bus is fully amortized plus 33⅓ of the cost to the district as of July 1 of each year for school bus reconditioning done by the department of corrections. Any school district may transfer any amount from its transportation fund to its bus purchase fund.

Sec. 4. Minnesota Statutes 1978, Section 124.222, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT SCHEDULE.] Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, the state shall pay to each school district 30 percent of its estimated school transportation aid entitlement for the fiscal year on or before each of the following dates: August 31, December 31, and March 31. The amount of transportation aid for school bus depreciation shall be paid on or before September 30. The final aid distribution to each district shall be made on or before October 31 of the following fiscal year.

Sec. 5. [REPEALER.] *Minnesota Statutes 1978, Section 124.222, Subdivisions 1a, 1b, 2a, 2b and 6 are repealed.*

Sec. 6. [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. [TRANSPORTATION AID.] *For transportation aid there is appropriated:*

\$89,138,000 1980

This amount includes \$7,600,700 for aid for fiscal year 1979 payable in fiscal year 1980, and \$81,537,300 for aid for fiscal year 1980 payable in fiscal year 1980.

\$92,502,000 1981

This amount includes \$9,000,000 for aid for fiscal year 1980 payable in fiscal year 1981.

Subd. 3. *Any unexpended balance remaining from the appropriation in this section for 1980 shall cancel and shall not 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.*

ARTICLE III

SPECIAL AND COMPENSATORY EDUCATION AID

Section 1. 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 in-

volving identification, assessment and educational placement of handicapped children:

(a) Parents and guardians shall receive prior written notice of: (1) any proposed 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) 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) Parents and guardians shall have an opportunity to obtain an informal 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 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 mutually agreed to by the school board and the parent or guardian, or (3) , if they are unable to reach agreement, before 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. No member of the school board of the district where the child resides or of the child's school district of residence or no employee of the school district or of either district, if the two districts are different, shall preside at the hearing. The proceedings shall be recorded and preserved, at the expense of the school district, pending ultimate disposition of the action.~~

(d) Within ~~five~~ 45 days of receipt of a written request for a hearing or review pursuant to clause (c), the person or persons conducting the hearing or review shall issue a local decision which shall be binding on all parties unless appealed to the commissioner by the parent, or guardian or school board 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 reason-

ably 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) Any local decision issued pursuant to clauses (c) and (d) may be appealed to the commissioner within 15 days of receipt of that written decision, by the parent, or guardian or school board. The parent, guardian or school board shall *may* 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 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 (e) (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 review of the local decision and the entire record within 30 days after receipt of the local decision and the transcript. However, in appeals of local decisions issued by school boards or their designees concerning proposals set forth in clause (e) (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 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) 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.

(g) 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.

Sec. 2. 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 Min-

nesota 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 the amount of tuition charged shall not exceed ~~\$2,000~~ \$2,500 for any an entire school year or a pro-rated amount based on the number of days of attendance of the child if less than an entire school year. 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. 3. 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 and each handicapped kindergarten pupil, as defined in section 120.03, enrolled in programs 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 in the school year required 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 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 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 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.

(7) In districts maintaining classified secondary schools where the actual number of pupil units has increased from the prior year by two percent or more, the additional pupil units over the prior year, as computed in clauses (1) and (2), shall be multiplied times one-tenth for each percent of increase over the prior year and a number of pupil units equal to the product shall be added to the other units for the district. The percent of increase shall be rounded up to the next whole percent for purposes of this clause, provided that in districts where the percent of increase is less than two, no additional pupil units shall be added to the other units for the district and provided further that the number of pupil units of increase over the prior year shall under no circumstances be multiplied by more than five-tenths.

(8) Only pupil units in clauses (1) and (2) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 4. Minnesota Statutes 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. 5. 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. 6. 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. 7. 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. 8. 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. 9. 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. 10. 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; 69 percent of the salary of essential personnel in 1977-1978 and the greater of:

(1) (a) 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 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; plus

(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; or

(2) 70 percent of the salary of essential personnel 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.

(3) A district shall receive aid pursuant to only one clause of clauses (1) and (2) of this subdivision for a school year.

Sec. 11. 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 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. 12. 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 \$925,000~~ for ~~1977-1978 1979-1980~~ and ~~\$600,000 \$1,015,000~~ for ~~1978-1979 1980-1981~~ shall be paid for the purposes of this subdivision. If that amount does not suffice, the aid shall be prated 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. 13. 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 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. 14. [DEFICIENCY AUTHORIZATION.] *Subdivision 1. The department of education is authorized to make an additional payment of \$209,839 for the fiscal year ending June 30, 1978 for aid pursuant to section 124.32, subdivision 5, from funds available for special education aids in fiscal year 1978.*

Subd. 2. The department of education is authorized to make an additional payment of \$230,000 for the fiscal year ending June 30, 1979 for aid pursuant to section 124.32, subdivision 5, from funds available for special education aids in fiscal year 1979.

Sec. 15. [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 in 1980 there is appropriated: \$87,155,600. This amount includes:

- (A) \$74,747,300 for aid for fiscal year 1980 payable in fiscal year 1980;
- (B) \$ 7,278,000 for the payment of the final special education aid distribution to each district for fiscal year 1979, payable in fiscal year 1980;
- (C) \$ 4,206,000 for special education aid for 1979 summer school program payable in fiscal year 1980; and
- (D) \$ 924,300 for aid pursuant to section 124.32, subdivision 5, payable in fiscal year 1980.

Any unexpended balance remaining from the appropriations in clauses (A), (B), (C) or (D) of this subdivision shall cancel and shall not be available for the second year of the biennium. None of the amounts appropriated in clause (A), (B), (C) or (D) of this subdivision shall be expended for a purpose other than the purpose indicated by that clause.

Subd. 3. For special education aid in 1981 there is appropriated: \$96,026,100. This amount includes:

- (A) \$81,756,600 for aid for fiscal year 1981 payable in fiscal year 1981;
- (B) \$ 8,305,200 for the payment of the final special education aid distribution to each district for fiscal year 1980, payable in fiscal year 1981;
- (C) \$ 4,950,000 for special education aid for 1980 summer school program payable in fiscal year 1981; and
- (D) \$ 1,014,300 for aid pursuant to section 124.32, subdivision 5, payable in fiscal year 1981.

Any unexpended balance remaining from the appropriations in clauses (A), (B), (C) or (D) of this subdivision shall cancel. None of the amounts appropriated in clause (A), (B), (C) or (D) shall be expended for a purpose other than the purpose indicated by that clause.

Subd. 4. If the appropriation amount in subdivision 2 or subdivision 3 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.

Subd. 5. For grants to pilot bilingual education programs pursuant to section 126.41, subdivision 1, there is appropriated:

\$400,000.....1980.

Subd. 6. For grants to pilot American Indian language and culture education programs pursuant to section 126.54, subdivision 1, there is appropriated:

\$600,000.....1980.

Subd. 7. There is appropriated from the general fund to the department of education for the purposes of section 123.581 the sum of \$1,500,000 to be available until July 1, 1981. Of this amount \$17,000 shall be available for the year ending June 30, 1980 for the employment of one-half professional and one-half clerical employee beyond the existing complement of the department of education; \$17,000 shall be available for the year ending June 30, 1981 for the employment of one-half professional and one-half clerical employee beyond the existing complement of the department; and \$3,000 shall be available until June 30, 1981 for the payment of other necessary expenses incurred in the administration of section 123.581.

Sec. 16. [EFFECTIVE DATE.] Section 14 of this article shall be effective the day following final enactment.

ARTICLE IV

COMMUNITY AND ADULT EDUCATION

Section 1. Minnesota Statutes 1978, Section 124.26, Subdivision 1, is amended to read:

124.26 [EDUCATION PROGRAMS FOR ADULTS.] Subdivision 1. For evening schools and continuing education programs for adults established for persons over 16 years of age and not in attendance upon regular day schools, the state shall compensate any district maintaining such programs in accordance with requirements established by the state board from funds appropriated for that purpose, or such funds combined with federal funds insofar as federal funds are available. The state shall pay these aids on a current funding basis. The portion of such compensation from state appropriation shall be 90 percent of the compensation paid each teacher for his services in such programs up to \$8,000

\$18,000 per year for a full time teacher or a prorated amount for a part time teacher based on the costs in that current year. All classes shall be tuition free when taught by teachers subsidized under this section and there shall be no charge for registration, materials and supplies, or G.E.D. tests. Evening school and continuing education programs are defined as those public day or evening school programs which are established for persons over 16 years of age not in attendance at the full time elementary or secondary schools and which qualify such persons for the high school diploma, the high school equivalency certificate or for academic achievement at the secondary level.

Sec. 2. Minnesota Statutes 1978, Section 124.271, is amended by adding a subdivision to read:

Subd. 1a. In fiscal year 1980, 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. 3. Minnesota Statutes 1978, Section 124.271, Subdivision 2, is amended to read:

Subd. 2. In fiscal year ~~1978~~ 1981 and each year thereafter, the state shall pay ~~the greater of 75 cents per capita or \$7,000~~ 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 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~~ \$2.50 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. 5. [DEFICIENCY APPROPRIATION.] *The sum of \$185,677 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 aid for adult education pursuant to section 124.26 in that year.*

Sec. 6. [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. [ADULT EDUCATION AID.] *For adult education aid pursuant to section 124.26, there is appropriated:*

\$829,000 1980

This amount includes \$80,630 for aid for fiscal year 1979 payable in fiscal year 1980, and \$748,370 for aid for fiscal year 1980 payable in fiscal year 1980.

\$908,000 1981

This amount includes \$83,150 for aid for fiscal year 1980 payable in fiscal year 1981 and \$824,850 for aid for fiscal year 1981 payable in fiscal year 1981.

Subd. 3. [G.E.D. REIMBURSEMENT AID.] *For G.E.D. reimbursement aid, there is appropriated:*

\$75,000 1980,

\$81,000 1981.

Subd. 4. [COMMUNITY EDUCATION AID.] *For community education aid, there is appropriated:*

\$3,150,000 1980,

\$3,600,000 1981.

Subd. 5. *Any unexpended balance remaining from the appropriation in this section for 1980 shall cancel and shall not 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.*

ARTICLE V
VOCATIONAL AID PROGRAM

Section 1. Minnesota Statutes 1978, Section 121.21, Subdivision 6, is amended to read:

Subd. 6. The state board for vocational education shall promulgate, pursuant to chapter 15, such rules governing the operation and maintenance of schools so classified as will afford the people of the state an equal opportunity to acquire public vocational and technical education. Rules relating to post-secondary vocational-technical education shall not incorporate the provisions of the state plan for vocational education by reference.

The rules shall provide for, but are not limited to, the following:

(a) The area to be served by each school, which may include one or more districts or parts thereof;

(b) Curriculum and standards of instruction and scholarship;

(c) Attendance requirements, age limits of trainees, and Minnesota non-resident attendance, and the determination of the actual costs of providing individual programs, all to be determined in accordance with the provisions of sections 124.561 to 124.565;

~~(d) The distribution and apportionment to the local districts of all funds, whether state or federal or other funds, which may be made available to the state board for vocational education for carrying out the purposes of post-secondary vocational-technical education in accordance with law;~~

~~(e) (d) Transportation requirements and payment of aid therefor; and~~

~~(f) (e) General administrative matters.~~

Sec. 2. Minnesota Statutes 1978, Section 124.11, Subdivision 2, is amended to read:

Subd. 2. *Ninety percent of the estimated post-secondary vocational foundation instructional aid shall be paid to districts in 12 equal monthly payments on the 15th of each month beginning July 15, 1976 in July 1979 except that for the 1979-80 school year the first payment shall be made September 15. The commissioner of education shall be authorized to advance payment of instructional aid to a district prior to September 15, 1979. The September 15, 1979 payment shall include the July 15 and August 15, 1979 payments minus any advance payments of instructional aid made. A final ten percent payment shall be made in September 1980 and September 1981 for the previous school years. These payments shall be adjusted to reflect the actual average daily membership for the previous school year. A final ten percent payment shall be made in September 1982 and each year thereafter. This payment shall be adjusted to reflect the actual annual student count for the prior school year. For the 1979-80 and 1980-81 school years, ninety*

percent of the estimated post-secondary vocational foundation instructional aid shall be paid on the basis of the prior year's department of education's estimates of the current year's average daily membership adjusted in September, December, March and June to reflect any increases or decreases in enrollment. Beginning with the 1981-82 school year the estimated post-secondary vocational instructional aid shall be paid on the basis of the department of education's estimates of the current year's annual student count, except that the average daily membership and the payments based thereon may be adjusted in September, December, March and June to reflect any increases or decreases in enrollment, pursuant to section 9, subdivision 11 of this article. The September payment in each fiscal year shall be increased or decreased to reflect any deficit or excess in post-secondary vocational foundation aid received in the prior fiscal year. The state board for vocational education shall be authorized to transfer excess instructional aid to support services aid pursuant to section 11, subdivision 4 of this article when the board determines that there is an excess of instructional aid.

Sec. 3. Minnesota Statutes 1978, Section 124.561, Subdivision 2, is amended to read:

Subd. 2. [CURRENT AID.] Beginning July 1, 1975, the state board for vocational education shall not enter into agreements to pay reimbursements but shall be obligated for reimbursement payments incurred in fiscal year 1975. Beginning July 1, 1976, All post-secondary vocational foundation instructional aid and post-secondary vocational categorical, capital expenditure, supply aid, capital expenditure aid, support services aid and debt service aid shall be paid for the current fiscal year in accordance with sections 124.561 to 124.565.

Sec. 4. Minnesota Statutes 1978, Section 124.561, Subdivision 3, is amended to read:

Subd. 3. [ALLOCATIONS.] Before January 1 of each year, post-secondary vocational technical school budgets for the following fiscal year shall be submitted to the state board for vocational education. The state board for vocational education shall approve authorize the budgets allocations of supply aid, support services aid, and capital expenditure aid for each district prior to August 15, 1979 and June 1 of each subsequent year after a consolidated public hearing held pursuant to subdivision 3a. No district shall increase its operating deficit during any fiscal year unless authorized to do so by the state board for vocational education. The state board for vocational education shall promulgate rules and may promulgate emergency rules which establish the approval criteria for budgets, including responsiveness to current and projected manpower needs of population groups to be served in the various geographic areas and communities of the state, particularly disadvantaged and handicapped persons; adequacy of evaluation of programs; and other criteria set forth in the state plan for vocational education allocations of supply aid, support services aid, and capital expenditure aid. The commissioner, in cooperation with the department of finance, shall establish program budget standards by which post

secondary vocational-technical schools shall submit financial requests for *supply aid, support services aid, and capital expenditure aid*.

Sec. 5. 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~~ *budgets for supply aid, support services aid, and capital expenditure aid*, 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~~ *allocations of budgets aids to the appropriate committees of the legislature and 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 *final proposed final disposition allocations of budgets aids*. This report shall contain findings and conclusions based on substantial evidence from the hearing record to support the *final proposed final disposition allocations of aids*. 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 authorizing allocations of aids~~. Any district which is adversely affected by the *final proposed final disposition allocations of budgets aids* may demand and shall be given an opportunity to be heard in support of modification of the proposed ~~disposition allocations of aids~~ at the meeting at which the state board takes final action ~~on the budgets authorizing allocations of aids~~; provided, the state board may place reasonable restrictions on the length of time allowed for testimony.

Sec. 6. 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 pupil permanently leaves the school or the date it is officially known that he has left or has been legally excused; provided that any pupil, regardless of age, who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and

classified as withdrawn. 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 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 program time extension for a student identified by a local district as disadvantaged or handicapped. The extension shall not exceed ten percent of the approved program length*. 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 to meet individual student needs.

Sec. 7. Minnesota Statutes 1978, Section 124.562, Subdivision 3, is amended to read:

Subd. 3. All funds, whether state, federal, or from other sources, which may be made available to the department of education for carrying out the purposes of post-secondary vocational-technical education shall be apportioned by the state board for vocational education to the various school districts in accordance with law and shall be distributed by the state aids, statistics and research section of the state department of education. ~~All post-secondary vocational foundation and categorical aids shall be paid to the school district where the pupil is in attendance.~~

Sec. 8. Minnesota Statutes 1978, Section 124.562, Subdivision 4, is amended to read:

Subd. 4. Each district providing post-secondary vocational-technical education programs shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to these post-secondary vocational-technical education programs. ~~All post-secondary vocational foundation and categorical aids and~~ All funds received pursuant to the levy authorized by section 275.125, subdivision 13, ~~and tuition authorized by section 14 of this article~~ shall be utilized solely for the purposes of post-secondary vocational-technical education programs.

Sec. 9. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.5621] [POST SECONDARY VOCATIONAL INSTRUCTIONAL AID.] *Subdivision 1. [DEFINITION.] For the purposes of this section the following words, terms and phrases have the meanings ascribed to them.*

Subd. 2. "Post secondary vocational instructional aid" means state and federal funds exclusive of capital expenditure aid, supply aid, support services aid and debt service aid apportioned by the state board for vocational education to local school districts for instructional programs. Post secondary vocational instructional aid shall be utilized solely for the purposes of post secondary vocational education, except for equipment and other capital expenditures.

Subd. 3. "AVTI" means a post secondary area vocational technical institute.

Subd. 4. "Base year" means the second year prior to the current school year for which aid is paid.

Subd. 5. "Instructional program" means a post secondary vocational technical program or course as classified with a six-digit number by the federal office of education, excluding special needs programs and related instruction.

Subd. 6. "Instructional program cost" means the actual expenditure in the base year for an instructional program at an AVTI. Actual expenditures shall be computed as follows:

- (1) instructional salaries; plus*
- (2) instructional employee fringe benefits (excluding teachers' retirement and social security); plus*
- (3) travel for instructional, administrative and professional development purposes; plus*
- (4) purchased services for instructional purposes; plus*
- (5) student activities; plus*
- (6) other instructional expenses detailed according to the uniform financial accounting and reporting system; minus*
- (7) other instructional revenues detailed according to the uniform financial accounting and reporting system.*

Subd. 7. "AVTI average instructional program cost" means the instructional program cost of each instructional program at an AVTI divided by the number of full time equivalent licensed instructors teaching that program during the base year at that AVTI.

Subd. 8. "Statewide average instructional program cost" means the total statewide of the AVTI average instructional program costs for an instructional program divided by the number of AVTI's offering that instructional program in the base year.

Subd. 9. "Instructional program allowance" means the total for an AVTI of: (1) the statewide average instructional program cost for each instructional program, multiplied by (2) the number of full time equivalent instructors teaching that program in the base year at that AVTI.

Subd. 10. (i) "AVTI staff compensation weighting" means the ratio of:

(1) *The sum of salaries and fringe benefits, excluding teacher retirement and social security, for all full time equivalent licensed instructional staff at a particular AVTI for the three prior years divided by the sum of the number of full time equivalent licensed instructional staff at that AVTI for those three years; divided by*

(2) *The sum of salaries and fringe benefits, excluding teachers' retirement and social security, for all full time licensed instructional staff for all AVTI's statewide for the three prior years divided by the sum of the number of full time equivalent licensed instructional staff for all AVTI's statewide for those three years.*

Subd. 11. (1) "Student growth or decline factor" for the 1979-1980 and 1980-1981 school years means the following ratio, adjusted according to clause (4):

(a) *The current year's average daily membership as defined in section 124.562, subdivision 2, for a particular AVTI, divided by:*

(b) *The second prior year's average daily membership for that AVTI.*

(2) *Beginning in 1979-1980, each AVTI shall take a count of all full-time equivalent students in attendance on the fifteenth day of each quarter that full-time post secondary vocational programs are offered by that AVTI. These quarterly counts shall be totaled to produce an annual student count.*

(3) *Beginning in the 1981-1982 school year, "student growth or decline factor" means the following ratio, adjusted according to clause (4).*

(a) *The current year's annual student count for a particular AVTI, divided by:*

(b) *The annual student count for the second prior year for that AVTI.*

(4) *If the ratio in (1) or (3) is greater than .95 but less than 1.05 the ratio shall equal 1.0. If the ratio is .95 or less, the ratio shall be adjusted by adding .05. If the ratio is 1.05 or greater, the ratio shall be adjusted by subtracting .05.*

Subd. 12. [INSTRUCTIONAL AID FORMULA.] A district shall receive post secondary vocational instructional aid according to the following formula:

(a) *The instructional program allowance for an AVTI in the base year; multiplied by*

(b) *The AVTI staff compensation weighting for that AVTI; multiplied by*

(c) *117 percent; multiplied by*

(d) *The student growth or decline factor for that AVTI.*

Subd. 13. [LEVY REDUCTION.] For the fiscal year 1980, the amount raised by the discretionary levy allowed by section 275.125, subdivision 13, for collection in fiscal year 1979 shall be subtracted from the instructional aid paid to an AVTI.

Subd. 14. [PAYMENT SCHEDULE.] Instructional aid shall be paid pursuant to section 124.11, subdivision 2.

Sec. 10. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.5622] [POST SECONDARY VOCATIONAL SUPPLY AID.] *Subdivision 1. [DEFINITIONS.] For the purposes of this section the following words, terms and phrases have the meanings ascribed to them.*

Subd. 2. "AVTI" means a post secondary area vocational technical institute.

Subd. 3. "Post secondary vocational supply aid" means state and federal funds exclusive of capital expenditure aid, instructional aid, support services aid and debt service aid apportioned by the state board for vocational education to local districts for the costs of rents and leases, supplies and materials, and supplies for resale, for all instructional programs, support services and special needs programs. Post secondary vocational supply aid shall be utilized solely for the purposes of post secondary vocational education, except equipment or other capital expenditures.

Subd. 4. [SUPPLY AID ALLOCATION.] [BUDGETS.] Each AVTI shall submit a budget before June 15, 1979 and before January 1 of each year detailing estimated costs for the following fiscal year for each of the following expenditure categories: rents and leases, supplies and materials, and supplies for resale, for all instructional programs and support services including related instruction and special needs programs. Each budget shall also include anticipated revenues from the sales of supplies and services. The department of education shall recommend an allocation of supply aid for each of the expenditure categories and a total allocation of supply aid for each AVTI, after a review of each AVTI budget. The recommendations of the department for the distribution of supply aid shall be reviewed by the state board in a consolidated public hearing pursuant to section 124.561, subdivision 3a. The state board shall authorize an allocation of supply aid for each AVTI and detail recommended levels of spending for each expenditure category.

Subd. 5. [REPORT.] Before October 1, 1979 and before August 1 of each subsequent year, the commissioner shall issue a report on the supply aid allocation to each AVTI. This report shall include recommended aid allocations for each expenditure category and an explanation comparing the amount of the authorized aid allocation to the budget submitted for each AVTI. This report shall be transmitted to the appropriate committees of the legislature and to the directors of the AVTI's.

Subd. 6. [PAYMENT SCHEDULE.] *Supply aid shall be paid to districts in equal installments on or before September 15, December 1, March 1, and June 1 for the 1979-80 school year. The state board shall be authorized to make advance payments for supply aid prior to the state board authorization of the supply aid allocations. The September 15 payment shall be adjusted accordingly. Additional supply aid may be distributed on or before March 1 and June 1 if it is apportioned at a consolidated public hearing held before February 15 of that year in the manner specified in section 124.561, subdivision 3a.*

Beginning with the 1980-81 school year supply aid shall be paid to districts in equal installments on or before August 1, December 1, March 1 and June 1 of each year. Additional supply aid may be distributed on or before March 1 and June 1 of each year if it is apportioned at a consolidated public hearing held before February 15 of that year in the manner specified in section 124.561, subdivision 3a.

Sec. 11. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.5623] [POST SECONDARY VOCATIONAL SUPPORT SERVICES AID.] *Subdivision 1. [DEFINITIONS.] For the purposes of this section the following words, terms and phrases have the meanings ascribed to them.*

Subd. 2. "AVTI" *means a post secondary area vocational technical institute.*

Subd. 3. "Post secondary vocational support service aid" *means state and federal funds exclusive of capital expenditure aid, supply aid, instructional aid and debt service aid apportioned by the state board for vocational education to local school districts for the costs of support services, including related instruction and special needs programs, enumerated in subdivision 4. Post secondary vocational support services aid shall be utilized solely for the purposes of post secondary vocational education, except equipment or other capital expenditures.*

Subd. 4. [SUPPORT SERVICES AID ALLOCATION.] [BUDGETS.] *Each AVTI shall submit a budget before June 15, 1979 and before January 1 of each year detailing the estimated costs for the following fiscal year for all support services, including related instruction and special needs programs, support services personnel salary and travel, other purchased services, other support service expenses, and fringe benefits excluding teacher retirement and social security. Each budget shall also include all other anticipated support service revenues. The department of education shall recommend an allocation of support services aid for each of the expenditure categories and a total allocation of support services aid for each AVTI, after a review of each AVTI budget. The recommendations of the department shall be reviewed by the state board in a consolidated public hearing pursuant to section 124.561, subdivision 3a. The state board shall authorize an allocation of support services aid for each AVTI and detail recommended levels of spending for each expenditure category. No aid shall be allocated for any*

special vocational systemwide support service project or program, excluding regional special needs programs. Current AVTI general fund balances above 15 percent of the prior year's operating expenditures, as defined by the uniform financial accounting and reporting system, shall be taken into account by the state board in making these allocations.

Subd. 5. [REPORT.] Before October 1, 1979 and before August 1 of each subsequent year, the commissioner shall issue a report on the support services aid allocation to each AVTI. This report shall include the recommended aid allocation for each support services expenditure category and an explanation comparing the amount of the authorized aid allocation to the budget submitted for each AVTI. The fund balances used by the state board in determining the support services aid allocation shall be included. This report shall be transmitted to the appropriate committees of the legislature and to the directors of the AVTI's.

Subd. 6. [PAYMENT SCHEDULE.] Support services aid shall be paid to districts in equal installments on or before September 15, December 1, March 1, and June 1 for the 1979-1980 school year. The state board shall be authorized to make advance payments for support services prior to the state board authorization of the support services aid allocations. The September 15 payment shall be adjusted accordingly. Additional support services aid may be distributed on or before March 1 and June 1 if it is apportioned at a consolidated public hearing held before February 15 of that year in the manner specified in section 124.561, subdivision 3a.

Beginning with the 1980-1981 school year support services aid shall be paid to districts in equal installments on or before August 1, December 1, March 1 and June 1 of each year. Additional support services aid may be distributed on or before March 1 and June 1 of each year if it is apportioned at a consolidated public hearing held before February 15 of that year in the manner specified in section 124.561, subdivision 3a.

Sec. 12. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.5624] [POST SECONDARY VOCATIONAL CAPITAL EXPENDITURE AID.] *Subdivision 1. [DEFINITIONS.] For the purposes of this section, the following words, terms and phrases have the meanings ascribed to them.*

Subd. 2. "AVTI" means a post secondary area vocational technical institute.

Subd. 3. "Post secondary vocational capital expenditure aid" means state and federal funds exclusive of instructional aid, supply aid, support services aid and debt service aid apportioned by the state board for vocational education to local school districts for the purpose of improving or repairing school sites or equipping, re-equipping, repairing or improving buildings and permanent attached fixtures, as necessary for the conduct of post secondary vocational technical training. Post-secondary vocational capital expenditure aid shall be utilized solely for the purposes enumerated in this section.

Subd. 4. [CAPITAL EXPENDITURE AID ALLOCATION.] [BUDGETS.] Each AVTI shall submit a budget before June 15, 1979 and before January 1 of each year detailing estimated costs for the following fiscal year for equipment and other capital expenditures for all instructional programs and support services, including special needs programs and related instruction. Each budget shall also include anticipated revenues from the sale of equipment and other capital goods. The department of education shall recommend an allocation of capital expenditure aid for each of the expenditure categories and a total allocation of capital expenditure aid for each AVTI, after a review of each AVTI budget. The recommendations of the department for the distribution of capital expenditure aid shall be reviewed by the state board in a consolidated public hearing pursuant to section 124.561, subdivision 3a. The state board shall authorize an allocation of capital expenditure aid for each AVTI and detail recommended levels of spending for each expenditure category. Current AVTI capital expenditure fund balances shall be taken into account by the state board in making these allocations.

Subd. 5. All capital expenditures in excess of \$4,000 shall receive prior approval by the commissioner apart from the budget hearing and aid allocation process.

Subd. 6. [REPORT.] Before October 1, 1979 and before August 1 of each subsequent year, the commissioner shall issue a report on the capital expenditure aid allocation to each AVTI. This report shall include recommended aid allocations for each capital expenditure category and an explanation comparing the amount of the authorized capital expenditure aid allocation to the budget submitted for each AVTI. The fund balances used by the state board in determining the capital expenditure aid allocation shall be included.

Before October 1, 1979 and before August 1 of each subsequent year the commissioner shall also report on the equipment inventory of each AVTI, including original cost, amortization schedule and current value.

These reports shall be transmitted to the appropriate committees of the legislature and to the directors of the AVTI's.

Subd. 7. [PAYMENT SCHEDULE.] Capital expenditure aid shall be paid to districts in equal installments on or before September 15, December 1, March 1, and June 1 for the 1979-1980 school year. The state board shall be authorized to make advance payments for capital expenditure aid prior to the state board authorization of the capital expenditure aid allocations. The September 15 payment shall be adjusted accordingly. Additional capital expenditure aid may be distributed on or before March 1 and June 1 if it is apportioned at a consolidated public hearing held before February 15 of that year in the manner specified in section 124.561, subdivision 3a.

Beginning with the 1980-1981 school year capital expenditure aid shall be paid to districts in equal installments on or before August 1, December 1, March 1 and June 1 of each year. Additional

capital expenditure aid may be distributed on or before March 1 and June 1 of each year if it is apportioned at a consolidated public hearing held before February 15 of that year in the manner specified in section 124.561, subdivision 3a.

Sec. 13. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.5625] [POST SECONDARY VOCATIONAL CONTINGENCY FUND.] *Subd. 1. There is established a post secondary vocational contingency fund. This fund shall be used for the implementation costs of new programs and job training for industry when that training is specialized and not available from any other source. The commissioner shall establish rules for the administration of this fund. The rules shall conform, where applicable, to the rules and procedures for the approval of new vocational programs.*

Sec. 14. Minnesota Statutes 1978, Section 124.565, is amended to read:

124.565 [POST-SECONDARY VOCATIONAL EDUCATION TUITION.] *Subdivision 1. Any Minnesota resident who is under 21 years of age may attend a post-secondary vocational-technical school, provided that the individual meets the entrance requirements for the training course in which enrollment is sought and the school has the room and the facility to receive him.*

Subd. 3. Tuition at a post-secondary vocational-technical school for a Minnesota resident pupil shall be two dollars per day for each school day the pupil is enrolled a quarterly charge of \$120 per full-time student. A full refund shall be provided to a student who withdraws on or before the 15th day of the quarter. No refund shall be provided for withdrawal after the 15th day of the quarter.

Subd. 3a. Notwithstanding subdivision 3 there shall be no charge for tuition for a person who, before 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 induction or enlistment into the armed forces, would have been eligible to attend a post-secondary vocational-technical school without payment of tuition.

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 per day for each school day the pupil is enrolled a quarterly charge of \$300 per full-time student. A full refund shall be provided to a student who withdraws on or before the 15th day of the quarter. No refund shall be provided for withdrawal after the 15th day of the quarter.

Sec. 15. Minnesota Statutes 1978, Section 124.566, is amended to read:

124.566 [USE OF POST-SECONDARY VOCATIONAL SUPPORT SERVICES AID APPROPRIATION.] *Notwithstanding*

the provisions of section 16.16 or 16A.57 or any other law to the contrary, the state board for vocational education may expend amounts appropriated by the legislature for post-secondary vocational ~~category~~ *support services* aid to pay post-secondary vocational ~~foundation~~ *instructional aid in any year for the 1979-80 and 1980-81 school years* when the appropriation for post-secondary vocational ~~foundation~~ *instructional aid* is insufficient because of an increase in average daily membership; or in the 1981-82 school year, and each year thereafter, when the appropriation for post-secondary vocational *instructional aid* is insufficient because of an increase in the annual student count. On the date of any expenditure pursuant to this section, the state board shall report the expenditure to the appropriate committees of the legislature.

Sec. 16. Minnesota Statutes 1978, Section 124.572, Subdivision 1, is amended to read:

124.572 [CURRENT FUNDING FOR ADULT VOCATIONAL EDUCATION.] Subdivision 1. ~~The purpose of this section is to change the method of funding adult vocational programs from reimbursement based on past expenditures to a current funding basis. Beginning July 1, 1977, The state shall not reimburse expenditures from the 1976-1977 school year programs, but shall pay aids for the 1977-1978 school year programs and for each year thereafter on a current funding basis.~~

Sec. 17. Minnesota Statutes 1978, Section 124.572, Subdivision 2, is amended to read:

Subd. 2. ~~In the 1977-1978 school year and thereafter,~~ The state shall pay to any district or cooperative vocational center 75 percent of the salaries paid to essential, 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 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. 18. Minnesota Statutes 1978, Section 124.572, Subdivision 3, is amended to read:

Subd. 3. This aid shall be paid only for services rendered or for travel costs incurred in adult vocational education programs approved by the state department of education and operated in accordance with rules promulgated by the state board; ~~provided, in 1977-1978 the department may pay this aid for programs operated in accordance with the state plan for vocational education and current state board rules. By 1978-1979, These rules shall provide minimum student-staff ratios required for an adult vocational education program to qualify for this aid. By 1978-1979, Rules relating~~

to adult vocational education programs shall not incorporate the provisions of the state plan for vocational education by reference.

Sec. 19. Minnesota Statutes 1978, Section 124.573, Subdivision 1, is amended to read:

124.573 [CURRENT FUNDING FOR SECONDARY VOCATIONAL EDUCATION.] Subdivision 1. ~~The purpose of this section is to change the method of funding secondary vocational programs from reimbursement based on past expenditures to a current funding basis. Beginning July 1, 1978, The state shall not reimburse expenditures from the 1977-1978 school year programs, but shall pay aids for the 1978-1979 school year programs and for each year thereafter secondary vocational programs on a current funding basis.~~

Sec. 20. Minnesota Statutes 1978, Section 124.573, 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 50 percent of the salaries paid to essential, licensed personnel in that school year for services rendered in that district's or center's secondary vocational education programs. In addition, the state shall pay ~~50 percent a pro-rated amount~~ of the costs of necessary equipment for these ~~programs, in secondary nonvocational and secondary vocational programs, based on the appropriation for this subdivision, not to exceed 40 percent.~~ The state shall pay 50 percent of the costs of necessary travel between instructional sites by secondary vocational education teachers and 50 percent of the costs of necessary travel by secondary vocational education teachers accompanying students to and from vocational student organization meetings held within the state for educational purposes. The commissioner may withhold all or any portion of this aid for a secondary 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 pursuant to this section which, when added to funds from other sources, will provide the program an amount for salaries, equipment and travel which exceeds 100 percent of the amount of its expenditures for salaries, equipment and travel in the program.

Sec. 21. Minnesota Statutes 1978, Section 124.573, Subdivision 3, is amended to read:

Subd. 3. This aid shall be paid only for services rendered or for the costs designated in subdivision 2 which are incurred in secondary vocational education programs approved by the state department of education and operated in accordance with rules promulgated by the state board or *secondary nonvocational programs provided for in subdivision 2*. These rules shall provide minimum student-staff ratios required for a secondary vocational education program in a cooperative center to qualify for this aid, but shall not require any minimum number of program offerings or administrative staff, any minimum period of coordination time or extended employment for secondary vocational education per-

sonnel, or the availability of vocational student activities or organizations for a secondary vocational education program to qualify for this aid. The requirement in these rules that program components be available for a minimum number of hours shall not be construed to prevent pupils from enrolling in secondary vocational education courses on an exploratory basis for less than a full school year. *After July 1, 1980 no aid except aid for equipment shall be paid pursuant to this section for a secondary vocational program in the trade and industrial area which meets for less than 100 minutes on the days when the program is offered.* No rules promulgated by the state board pursuant to any statute shall require a district to offer secondary vocational education. Rules relating to secondary vocational education programs shall not incorporate the provisions of the state plan for vocational education by reference. This aid shall be paid only for services rendered and for travel costs incurred by essential, licensed personnel who meet the work experience requirements for licensure pursuant to the rules of the state board for vocational education.

Sec. 22. Minnesota Statutes 1978, Section 124.573, is amended by adding a subdivision to read:

Subd. 6. (a) For the purposes of this section, the following terms have the meanings ascribed to them:

(1) "Secondary non-vocational program" means a senior secondary industrial arts, business and office, or consumer home-making program or course which does not qualify for funding pursuant to subdivision 2 except for aid for equipment.

(2) "Secondary vocational program" means a senior secondary trade and industrial, business and office, or home economics program or course which would otherwise qualify for funding pursuant to subdivision 2.

(3) A secondary vocational program replaces a secondary non-vocational program whenever a secondary non-vocational program is discontinued in a district or a district member of a center and a secondary vocational program is initiated in that district or center and the two programs share similar objectives or provide common or analogous instruction in a skill, competency, occupational field or like area.

(b) No new or additional vocational program shall receive aid pursuant to subdivision 2 except aid for equipment to the extent that the vocational program replaces a non-vocational program.

(c) Prior to June 15 of each year, a school district which receives aid pursuant to subdivision 2 or is a district member of a center which receives aid pursuant to subdivision 2 shall report to the commissioner any secondary non-vocational arts program which it plans to discontinue for the following school year and any new or additional secondary vocational program which it plans to introduce. The commissioner shall prepare and distribute the forms necessary for the reports.

Sec. 23. 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 to 70 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) 60 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 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. 24. [REPEALER.] Minnesota Statutes 1978, Sections 124.562, Subdivision 1; 124.563; and 275.125, Subdivision 13 are repealed.

Sec. 25. [DEFICIENCY APPROPRIATION.] The sum of \$1,900,000 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 aid for secondary vocational education pursuant to section 124.573.

Sec. 26. [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 INSTRUCTIONAL AID.] For post-secondary vocational instructional aid, there is appropriated:

\$35,106,900 1980

\$49,400,000 1981

This amount includes \$4,400,000 for aid for fiscal year 1980 payable in fiscal year 1981 and \$45,000,000 for aid for fiscal year 1981 payable in fiscal year 1981.

Subd. 3. [POST-SECONDARY VOCATIONAL SUPPLY AID.] For post secondary vocational supply aid there is appropriated:

\$10,498,700 1980,

\$11,186,700 1981.

Subd. 4. [POST SECONDARY VOCATIONAL SUPPORT SERVICES AID.] For post secondary vocational support service aid there is appropriated:

\$15,213,300 1980,

\$20,824,500 1981.

These appropriations are based on the assumption that the state will spend for post secondary vocational support services 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. 5 [POST SECONDARY VOCATIONAL CAPITAL EXPENDITURE AID.] *For post secondary vocational capital expenditure aid there is appropriated:*

\$8,500,000 1980,

\$9,500,000 1981.

Subd. 6. [POST SECONDARY VOCATIONAL DEBT SERVICE AID.] *For post secondary vocational debt service aid there is appropriated:*

\$7,733,800 1980,

\$7,737,600 1981.

Subd. 7. [POST SECONDARY VOCATIONAL CONTINGENCY FUND.] *For the post secondary vocational contingency fund there is appropriated:*

\$500,000 for the biennium
ending June 30, 1981.

Subd. 8. [ADULT VOCATIONAL EDUCATION AID.] *For adult vocational education aid, there is appropriated:*

\$6,427,510 1980

This amount includes \$586,420 for fiscal year 1979 payable in fiscal year 1980 of which not to exceed \$14,650 is for necessary travel. This amount also includes \$5,841,090 for fiscal year 1980 payable in fiscal year 1980 of which not to exceed \$145,240 is for necessary travel.

\$6,853,710 1981

This amount includes \$649,010 for aid for fiscal year 1980 payable in fiscal year 1981 of which not to exceed \$16,140 is for necessary travel. This amount also includes \$6,204,700 for aid for fiscal year 1981 payable in fiscal year 1981 of which not to exceed \$155,410 is for necessary travel.

None of the amounts appropriated in this subdivision shall be used for any special vocational systemwide support service program or project.

Subd. 9. [ADULT SMALL BUSINESS MANAGEMENT PROGRAMS; ADDITIONAL LOCATIONS.] *For adult vocational education programs in small business management in locations where these programs are not currently being offered or planned there is appropriated:*

\$198,750 1980,

\$360,000 1981.

Subd. 10. [VETERAN FARMER COOPERATIVE TRAINING PROGRAMS.] *For veteran farmer cooperative training programs, there is appropriated:*

\$1,130,000 1980

\$ 651,000 1981

Subd. 11. [SECONDARY VOCATIONAL EDUCATION AID FOR SALARIES AND TRAVEL.] *For secondary vocational education aid for salaries and travel, there is appropriated:*

\$19,468,380 1980

This amount includes \$1,669,890 for fiscal year 1979 payable in fiscal year 1980. This amount also includes \$17,798,490 for fiscal year 1980 payable in fiscal year 1980.

\$20,806,290 1981

This amount includes \$1,997,610 for fiscal year 1980 payable in fiscal year 1981. This amount also includes \$18,828,680 for fiscal year 1981 payable in fiscal year 1981.

None of the amounts appropriated in this subdivision shall be used for any special vocational systemwide support service program or project.

Subd. 12. [SECONDARY VOCATIONAL EDUCATION AND NON-VOCATIONAL EDUCATION AID FOR EQUIPMENT.] *For secondary vocational education and non-vocational education aid for equipment there is appropriated:*

\$1,693,650 1980

This amount includes \$126,000 for fiscal year 1979 payable in fiscal year 1980. This amount also includes \$1,567,650 for fiscal year 1980 payable in fiscal year 1980.

\$1,905,080 1981

This amount includes \$174,180 for fiscal year 1980 payable in fiscal year 1981. This amount also includes \$1,730,900 for fiscal year 1981 payable in fiscal year 1981.

Subd. 13. [AID FOR SECONDARY VOCATIONAL EDUCATION PROGRAMS FOR HANDICAPPED CHILDREN.] *For secondary vocational programs for handicapped children pursuant to section 124.574, subdivision 2 there is appropriated:*

\$2,009,300 1980

This amount includes \$160,000 for fiscal year 1979 payable in fiscal year 1980. This amount also includes \$1,849,300 for fiscal year 1980 payable in fiscal year 1980. This appropriation is based on the assumption that the state will spend for this purpose an amount at least equal to \$280,000 in fiscal year 1980 of federal money received for vocational education programs pursuant to the vocational education act of 1963, as amended.

\$2,248,200 1981

This amount includes \$205,480 for fiscal year 1980 payable in fiscal year 1981. This amount also includes \$2,042,720 for fiscal year 1981 payable in fiscal year 1981. This appropriation is based on the assumption that the state will spend for this purpose an amount at least equal to \$300,000 in fiscal year 1981 of federal money received for vocational education programs pursuant to the vocational education act of 1963, as amended.

Subd. 14. Any unexpended balance remaining from the appropriation in this section for 1980 shall cancel and shall not 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.

ARTICLE VI

OTHER AIDS, LEVIES AND MISCELLANEOUS PROVISIONS

Section 1. Minnesota Statutes 1978, Section 16.93, is amended to read:

16.93 [SCHOOL DISTRICTS' PLANS AND BUDGETS.] *Subdivision 1. A school district may expend funds for computerization of administrative, instructional, or other activities only after filing annually with the state department of education and the Minnesota educational computing consortium a plan and budget covering such activities and only upon approval thereof by the state department and the Minnesota educational computing consortium. Criteria to be used by the department and the Minnesota educational computing consortium in making its their 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; Minnesota educational computing consortium; standards for both financial accounts and non-financial statistics pursuant to sections 121.92, subdivision 3 and 121.11, subdivision 5, and cost effectiveness considerations of the department and the Minnesota educational computing consortium. All resulting decisions of the department are to be reported promptly to the commissioner of administration and the intergovernmental council. 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. 2. A regional management information center, created pursuant to section 471.59 to provide computerization to two or more school districts, shall file an annual plan and budget on behalf of its member districts. Before a regional management information center may be finally constituted, it shall first apply for and receive

approval from the department of education and the Minnesota educational computing consortium. Criteria to be used by the department and the Minnesota educational computing consortium in making their determination shall include, but are not limited to, the state plan prepared by the Minnesota educational computing consortium and cost-effectiveness considerations of the department and the Minnesota educational computing consortium.

Sec. 2. Minnesota Statutes 1978, Section 120.075, is amended to read:

120.075 [ATTENDANCE; PREVIOUS ENROLLMENT; FAMILIES.] *Subdivision 1. (a) 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.*

(b) Any nonresident pupil, enrolled on January 1, 1978 in a non-public school, as defined in section 123.932, subdivision 3, located in a district of which he was not a resident who would have otherwise qualified for enrollment in that district as a resident pursuant to clause (a) may attend the public schools of that district as a resident.

This provision (c) Clauses (a) and (b) shall also apply to any brother or sister of that enrolled 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 pupil or of the other qualified members of his family shall remain subject to the provisions of those sections in clause (a) as they read on January 1, 1978. Any district which had a pupil enrolled on January 1, 1978, pursuant to the provisions 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. [121.495] [BASIC SKILLS TECHNICAL ASSISTANCE PROGRAM.] *Subdivision 1. [PURPOSE.] The legislature finds that all school children have a right to achieve their full educational potential and that each student should have the opportunity to receive instruction in the basic skills of listening, speaking, reading, writing and mathematics so that students of all socioeconomic backgrounds may function satisfactorily in a democratic society. It is the purpose of this section to provide technical assistance in basic skills instruction to school districts and nonpublic schools.*

Subd. 2. [DEFINITION.] For the purpose of this section, the terms defined in this subdivision have the meanings given them:

(a) "Basic skills" means the skills of listening, speaking, reading, writing and mathematics.

(b) "Technical assistance" means any assistance provided by the department of education through the regional basic skills director to assist a school district or nonpublic school to: (i) assess the basic

skills needs of its pupils; (ii) plan instructional programs and select instructional materials to meet those needs; (iii) choose effective methodologies for the programs; and (iv) evaluate the progress of its students in acquiring basic skills.

Subd. 3. [REGIONAL TECHNICAL ASSISTANCE.] (a) The department of education, in cooperation with the educational cooperative service units, shall provide technical assistance in basic skills instruction to public school districts and nonpublic schools.

(b) The commissioner of education shall establish a basic skills section which shall include at least one regional basic skills director for each educational cooperative service unit. The commissioner may increase the approved complement of the department of education by not more than 13 professional positions including the regional basic skills directors, to staff the basic skills unit.

(c) Each regional director shall provide technical assistance to those school districts and nonpublic schools in the region which choose to participate in the basic skills technical assistance program.

(d) School districts and nonpublic schools which participate in the basic skills technical assistance program shall establish and maintain a comprehensive basic skills program for their school district or nonpublic school.

(e) A school district or nonpublic school which participates in the basic skills technical assistance program may establish a basic skills advisory committee to assist it in establishing and maintaining a basic skills program. A school district may designate the curriculum advisory committee established pursuant to Minnesota Statutes, Section 123.741, Subdivision 3, as the basic skills advisory committee.

Subd. 4. [REPORT.] Before January 15, 1981 the commissioner of education shall make a report to the education committees of the legislature describing and evaluating the basic skills technical assistance program.

Sec. 4. Minnesota Statutes 1978, Section 121.904, Subdivision 11b, is amended to read:

Subd. 11b. (1) Each district affected by the provisions of subdivision 11a shall account for and expand according to the provisions of this subdivision the total amount by which its 1976 payable 1977 and its 1977 payable 1978 permissible levies pursuant to section 275.125 were reduced on account of payments pursuant to sections 294.21 or 294.28; 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties. Notwithstanding the provisions of section 124.212, subdivision 8a, clause (2) and the provisions of section 275.125, subdivision 9, clause (2) or any other law to the contrary, this total amount shall not be applied to reduce the foundation aid which the district is entitled to receive

pursuant to section 124.212 or again be applied to reduce the permissible levies of the district.

(2) The lesser of the amount in (1) or an amount equal to \$200 times the pupil units in the district computed pursuant to section 124.17 for the 1977-1978 school year shall be reflected in an "appropriated fund balance reserve account for current use of taconite payments" which shall be established in the general fund. Each school year, beginning in 1978-1979, each affected district shall transfer an amount equal to \$20 times the number of pupil units in the district in 1977-1978 out of this account into other operating accounts in the general fund, until the amount transferred equals the amount originally reflected in the reserve account; provided that in the last year in which the district is required to make this transfer, it shall transfer the balance of the reserve account, not to exceed an amount equal to \$20 times the number of pupil units in the district in 1977-1978. Notwithstanding the provisions of section 121.917, each affected district may use the amount so transferred each year to increase its expenditures above the amount it would otherwise be authorized to expend in that school year.

(3) Of the amount in (1), any amount not reflected in the account established pursuant to clause (2) shall be reflected in the district's appropriated fund balance reserve account for purposes of reducing statutory operating debt, if the district has established this account pursuant to section 275.125, subdivision 9a. The June 30, 1977 statutory operating debt of the district shall be reduced by the amount so reflected and shall be recertified accordingly by the commissioner.

(4) Notwithstanding the provisions of section 121.912, any portion of the amount in (1) remaining after the application of clauses (2) and (3) shall be transferred to the district's capital expenditure fund; provided that before July 1, 1979 not exceeding \$75,000 of the amount transferred to the capital expenditure fund pursuant to this clause may be transferred to the district's general fund.

Sec. 5. Minnesota Statutes 1978, Section 121.917, is amended by adding a subdivision to read:

Subd. 4. (1) If the net negative unappropriated fund balance in all the funds of a school district, other than statutory operating debt pursuant to section 121.914, capital expenditure, building construction, debt service, trust and agency, and post-secondary vocational-technical education funds, calculated in accordance with the uniform financial accounting and reporting system for Minnesota school districts, as of June 30, 1980, and each year thereafter, is more than two and one-half percent and not greater than 10 percent of the year's expenditure amount, the district shall, prior to September 15, submit a special operating plan to reduce the district's deficit expenditures to the commissioner of education for his approval.

Notwithstanding any other law to the contrary, a district submitting a special operating plan to the commissioner under this clause which is disapproved by the commissioner shall not receive any aid pursuant to chapter 124 until a special operating plan of the district is so approved.

(2) If the net negative unappropriated fund balance in all the funds of a school district, other than capital expenditure, building construction, debt service, trust and agency, and post-secondary vocational-technical education funds, calculated in accordance with the uniform financial accounting and reporting system for Minnesota school districts, as of June 30, 1980, and each year thereafter, is greater than ten percent of the year's expenditure, the district shall, prior to September 15, submit a special operating plan to reduce the district's deficit expenditures to the commissioner and to the committees on education of the senate and the house of representatives. The commissioner shall provide the committees on education of the senate and the house of representatives with a written detailed evaluation of the special operating plan submitted pursuant to this clause. The special operating plan shall be approved or disapproved by a joint meeting of the committees on education of the senate and the house of representatives. Notwithstanding any law to the contrary, a district required to submit a plan under this clause which is disapproved by a majority vote at the joint committee meeting shall not receive any aid pursuant to chapter 124 until a special operating plan of the district is so approved.

(3) A district shall receive aids pending the approval of its special operating plan under clauses (1) or (2). A district which complies with its approved operating plan shall receive aids as long as the district continues to comply with the approved operating plan.

Sec. 6. Minnesota Statutes 1978, Section 121.92, is amended to read:

121.92 [MANDATORY UTILIZATION OF COMPUTER SYSTEMS; APPEAL.] Subdivision 1. *School districts shall report student, personnel and other data defined by the department of education through a regional service center. They shall utilize software designated by the department for reporting this data.*

Subd. 2. On or before July 1, 1980, all Minnesota school districts shall convert financial accounting and reporting operations to a computer based financial management accounting and reporting system utilizing regional or other computing facilities approved pursuant to section 16.93, subdivision 2 and utilizing multi-dimensional accounts and records defined in accordance with the uniform financial accounting and reporting system for Minnesota school districts.

Subd. 3. 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.

Sec. 7. 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 early childhood screening program shall provide laboratory tests, a health history or a physical exam 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 early childhood health screening clinic.*

Sec. 8. Minnesota Statutes 1978, Section 123.702, is amended by adding a subdivision to read:

Subd. 7. In selecting personnel to implement the early childhood screening program, the school district shall give priority first to qualified volunteers and second to persons possessing the minimum qualifications required by the rules adopted by the state board of education and the commissioner of health.

Sec. 9. 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 early childhood screening program shall unconditionally permit registered nurses to perform those components of the screening program that can be performed by a nurse.*

Sec. 10. 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. 11. 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~~ \$27 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. 12. Minnesota Statutes 1978, Chapter 123, is amended by adding a section to read:

[123.9351] [MOBILE UNITS.] *Subdivision 1. [DEFINITION.] For the purposes of this section, "mobile unit" includes a trailer and is a neutral site as defined in section 123.932, subdivision 9.*

Subd. 2. Notwithstanding Minnesota Statutes, Section 124.212, Subdivision 9b, or any other section, for the 1979-1980 and 1980-1981 school years the commissioner of education shall make grants to 20 school districts for the experimental use of mobile units to provide any of the following programs and services to public and nonpublic school pupils: health services and guidance and counseling services as defined in section 123.932, subdivisions 10 and 11 and in accordance with the provisions of section 123.935; and special instruction and services for handicapped children, as defined in section 120.03, including diagnostic and health services, as required pursuant to section 120.17. Any pupil support service which a district offers through the mobile unit pursuant to this subdivision to public school pupils it shall also offer

through the mobile unit to nonpublic school pupils who have requested these services pursuant to section 123.935.

Subd. 3. A district may use the grant funds to purchase or rent a mobile unit, to staff, remodel, equip and operate it and to pay for any costs incurred in providing the authorized programs and services.

Subd. 4. The commissioner shall prescribe the form, manner and time of application for the grants and shall select the participating school districts.

Subd. 5. The programs and services authorized by subdivision 1 shall be provided by public employees at neutral sites not physically or educationally identified with the functions of a nonpublic school. The programs and services provided to nonpublic school pupils shall be limited to those for which the district provides equivalents, through the mobile unit program or otherwise, to public school pupils. The amount a district spends through the mobile unit program and otherwise for a program or service to nonpublic school pupils shall be no greater on a per pupil basis than the amount it spends through the mobile unit program and otherwise for the equivalent program or service for public school pupils.

Subd. 6. A district receiving a grant shall report to the commissioner of education by August 1, 1981 on the effectiveness of the mobile unit program in the district. The commissioner shall report to the education committees of the legislature on the effectiveness of the program by December 1, 1981.

Sec. 13. 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 ~~\$2,470,200~~ \$3,250,000 for the purposes of sections 123.931 to 123.937.

Sec. 14. Minnesota Statutes 1978, Chapter 124, is amended by adding sections to read:

[124.181] [REORGANIZATION GUARANTEE FORMULA.]
Subdivision 1. For the purposes of this section, the words defined in this subdivision have the meanings given them.

(a) "Reorganized district" means a district organized pursuant to section 122.23 in the 1979-1980 school year or thereafter.

(b) "Reorganization guarantee year" means the school year listed in subdivision 2 which a reorganized district or each of the districts which have agreed to form the reorganized district shall use as a base year for the calculation of its reorganization guarantee pupil units.

(c) "Reorganization guarantee pupil units" means the total number of pupil units in the reorganization guarantee year computed exclusively according to section 124.17, subdivision 1,

clause (1) or (2), either (i) in all of the previous districts which formed the reorganized district, when the reorganization guarantee formula is used by the reorganized district, or (ii) in the particular district which has agreed to form the reorganized district, when the reorganization guarantee formula is used by that district.

(d) "Reorganization guarantee formula" shall mean the difference between the number of reorganization guarantee pupil units and the number of pupil units in a district for the current school year computed exclusively according to section 124.17, subdivision 1, clause (1) or (2). The number of pupil units calculated according to the reorganization guarantee formula shall be in addition to the number of pupil units computed for a district pursuant to section 124.17.

Subd. 2. After a county auditor has issued an order, pursuant to section 122.23, subdivision 13, for a reorganization, the reorganization guarantee formula shall apply in accordance with the terms of this section. The reorganization guarantee formula shall be used by the reorganized district or by the districts which shall form the reorganized district for a combined total of five school years. The reorganization guarantee formula shall be used beginning with the school year after the school year in which the order setting a date for a reorganization is issued provided that the effective date for reorganization in the order is not more than five years after the date of issuance of the order. For a school year prior to the school year the reorganized district begins operation, each district which will form part of the reorganized district shall calculate its pupil units according to the reorganization guarantee formula in subdivision 1. For a school year during or after which the reorganized district begins operation, the reorganized district shall calculate its pupil units according to the reorganization guarantee formula. The reorganization guarantee year shall be:

(a) *The 1974-1975 school year if the reorganization order was issued in the 1979-1980 school year;*

(b) *The 1975-1976 school year if the reorganization order was issued in the 1980-1981 school year;*

(c) *The 1976-1977 school year if the reorganization order was issued in the 1981-1982 school year;*

(d) *The 1977-1978 school year if the reorganization order was issued in the 1982-1983 school year; and*

(e) *The 1978-1979 school year if the reorganization order was issued in the 1983-1984 school year.*

Subd. 3. Once a district receives aid pursuant to this section, the decision of the districts to consolidate is irrevocable.

Sec. 15. Minnesota Statutes 1978, Section 124.14, is amended to read:

124.14 [DISTRIBUTION OF SCHOOL AIDS; APPROPRIATION.] Subdivision 1. The state board shall supervise distribution

of the school aids in accordance with law. It may make rules and regulations consistent with law for such distribution which will enable districts to perform efficiently the services required by law and further education in the state, including reasonable requirements for such reports and accounts to it as will assure accurate and lawful apportionment of aids.

Subd. 2. If the commissioner determines that the amount of state aid distributed to a school district is in error, he is authorized to adjust the amount of aid consistent with this subdivision. If the commissioner determines that the amount of aid is in excess of the school district's entitlement, he is authorized to recover the amount of the excess by any appropriate means, including the reduction of future aid payments to the school district. Notwithstanding any law to the contrary, if the aid reduced is not of the same type as that overpaid, the school district shall adjust all necessary financial accounts to properly reflect all revenues earned in accordance with the uniform financial accounting and reporting standards pursuant to sections 121.90 to 121.92. If the commissioner determines that the amount of an aid paid is less than the school district's entitlement, he is authorized to increase such aid from the current appropriation.

Subd. 3. † The commissioner shall require that the membership and pupil unit count of a minimum of 25 school districts be audited each fiscal year. The audits shall be conducted at random throughout the state with no prior notice to any district. At the time of each audit, the auditors shall also examine the appropriate factors that related to the determination of the authorized transportation costs and aids for that district. In districts where a post-secondary vocational-technical school is located, the audit shall include an audit of the membership of that school. Disparities between membership and pupil unit counts or transportation data reported by the school districts and those found by the auditors shall be reported to the commissioner who shall order an increase or reduction of foundation or transportation aids accordingly.

Subd. 4. A reduction of ~~foundation or transportation~~ aid under this section may be appealed to the state board of education and its decision shall be final. Public schools shall at all times be open to the inspection of the state board, and the accounts and records of any district are open to inspection by the state auditor, or the state board.

Subd. 2 5. There is annually appropriated from the general fund to the department of education the amounts necessary for foundation aid and transportation aid. These amounts shall be reduced by the amount of any funds specifically appropriated for the same purpose in any year from any state fund.

Sec. 16. Minnesota Statutes 1978, Section 124.646, Subdivision 1, is amended to read:

124.646 [SCHOOL LUNCH AID.] Subdivision 1. (a) For the 1979-1980 school year, school districts shall be paid by the state in the amount of four and nine-tenths cents for each full paid student type "A" lunch served to students in the district. (b) For

the 1980-1981 school year, school districts shall be paid by the state in the amount of five and three-tenths cents for each full paid student type "A" lunch served to students in the district.

Sec. 17. 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 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. 18. Subdivision 1. Notwithstanding Minnesota Statutes, Section 475.61, Subdivision 4, the board of Independent School District No. 706, Virginia, may transfer the surplus amount remaining in the district's debt service fund after all outstanding obligations and interest thereon are paid, but not to exceed \$290,000, from the debt service fund to the district's capital expenditure fund, for the purpose of paying for improvements to the district's sites and buildings for fuel and energy conservation.

Subd. 2. Notwithstanding Minnesota Statutes, Section 475.61, Subdivision 4, the amount of the surplus remaining in the district's debt service fund after all outstanding obligations and interest thereon are paid which is transferred to the district's capital expenditure fund pursuant to section 1 shall not be used to reduce the maintenance levy authorized pursuant to Minnesota Statutes, Section 275.125, Subdivision 2a.

Subd. 3. The authority to transfer funds which is given by section 1 shall expire when Independent School District No. 706 has transferred \$290,000 from its debt service fund to its capital expenditure fund for the purpose provided in section 1.

Subd. 4. This section shall be effective upon its approval by the board of Independent School District No. 706 and upon compliance with Minnesota Statutes, Section 645.021.

Sec. 19. Subdivision 1. In accordance with Minnesota Statutes, Sections 121.912, Subdivision 1, and 121.21, Subdivision 4a, Independent School District No. 152, Moorhead, may transfer from the general fund of the post secondary vocational technical school to its capital expenditure fund an amount not to exceed \$180,000. The amount so transferred is appropriated for the purpose of the construction of an agricultural shop addition to the Moorhead area vocational-technical school. Independent School District No. 152 shall not spend more than \$180,000 for the construction of the addition.

Subd. 2. The authorization for the transfer of funds made in subdivision 1 shall last until Independent School District No. 152 has transferred \$180,000 from the general fund of the post secondary vocational technical school to its capital expenditure fund for

the construction of the agricultural shop addition to the Moorhead area vocational-technical school or until the completion of the addition, whichever comes first.

Sec. 20. Subdivision 1. *In accordance with Minnesota Statutes, Sections 121.912, Subdivision 1, and 121.21, Subdivision 4a, Independent School District No. 22, Detroit Lakes, may transfer from its post-secondary vocational general fund to its post-secondary vocational capital expenditure fund an amount not to exceed \$500,000. The amount so transferred is appropriated for the purpose of the construction of a truck diesel mechanic shop and cold storage for the area vocational-technical school.*

Subd. 2. *The authorization for the transfer of funds made in section 1 shall last until Independent School District No. 22 has transferred \$500,000 from its post-secondary vocational general fund to its post-secondary vocational capital expenditure fund for the purposes specified in section 1 or until the completion of the construction for which the transfer is authorized, whichever comes first.*

Sec. 21. [GRANTS FOR COOPERATIVE AGREEMENTS BETWEEN SECONDARY SCHOOLS.] *For the 1979-1980 and 1980-1981 school year, the department of education may make grants to school districts with enrollments of less than four hundred secondary school students for the study, evaluation and start-up costs involved in developing an agreement pursuant to any law which permits the discontinuance in a district of grades or a portion of grades and which affects any of grades 7 through 12.*

Sec. 22. [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. [AUTHORIZATION.] *There is hereby established a program of state aid for gifted and talented students.*

Subd. 3. [AID.] *A district which establishes a program for gifted and talented students shall receive for the purpose of this section an amount equal to \$30 times the number of gifted and talented students in the district. No more than two and one-half percent of the students enrolled in the district shall be counted as gifted and talented for the purpose of aid computations pursuant to this subdivision. 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. 4. [REPORT.] *The department shall submit a report to the 1981 legislature evaluating the effectiveness of the education for the gifted and talented act.*

Sec. 23. 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 per pupil unit or, in districts where*

the pupil unit count is increased pursuant to section 124.17, subdivision 1, clause (7), \$80 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), (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 related proprietary software and to pay leasing fees for photocopy machines and telecommunications equipment ; and ~~related proprietary software services~~ . 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. 24. Minnesota Statutes 1978, Section 275.125, is amended by adding a subdivision to read:

Subd. 4a. The amount a district may levy under subdivision 4 to pay the district's obligations pursuant to section 268.06, subdivision 25, shall not exceed one-half the amount paid or owing for a teacher placed on an unrequested leave of absence under sec-

tion 125.12, subdivision 6a or 6b, terminated pursuant to section 125.17, subdivision 11, or during the probationary period, at the close of a school year if the district rehires the teacher for the next school year.

Sec. 25. Minnesota Statutes 1978, Section 465.72, is amended to read:

465.72 [SEVERANCE PAY.] Except as may otherwise be provided in Laws 1959, Chapter 690, as amended, all counties, cities, townships and school districts are hereby authorized and empowered to pay severance pay to all of its employees and to establish, prescribe and promulgate provisions, rules and regulations for the payment of such severance pay upon leaving employment prior to the normal retirement date. Such severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits, and shall be paid in a manner mutually agreeable to the employee and employer over a period not to exceed five years from termination of employment. In the event that a terminated employee dies before all or a portion of the severance pay has been disbursed, that balance due shall be paid to a named beneficiary or, lacking same, to the deceased's estate. ~~In no event shall severance pay provided for an employee leaving employment exceed an amount equivalent to 100 days pay.~~

Sec. 26. Minnesota Statutes 1978, Section 471.38, is amended by adding a subdivision to read:

Subd. 3. [ELECTRONIC FUNDS TRANSFER.] *Electronic funds transfer is the process of value exchange via mechanical means without the use of checks, drafts or similar negotiable instruments. A school district may make an electronic funds transfer for a claim for a payment from an imprest payroll bank account or investment of excess money and for payment of bond principal, bond interest and a fiscal agent service charge from the debt redemption fund. This authorization extends only to a school district which has enacted all of the following policy controls:*

(a) *The school board shall annually delegate the authority to make electronic funds transfers to a designated business administrator;*

(b) *The dispersing bank shall keep on file a certified copy of the delegation of authority;*

(c) *The initiator of the electronic transfer shall be identified;*

(d) *The initiator shall document the request and obtain an approval from the designated business administrator before initiating the transfer;*

(e) *A written confirmation of the transaction shall be made no later than one business day after the transaction and shall be used in lieu of a check, order check or warrant required to support the transaction;*

(f) *A list of all transactions made by electronic funds transfer shall be submitted to the school board at its next regular meeting after the transaction.*

Sec. 27. [APPROPRIATION.] *There is appropriated from the general fund to the department of education the sum of \$75,000 for the year ending June 30, 1980, and the sum of \$25,000 for the year ending June 30, 1981. The department shall pay this sum to Independent School District No. 625 for its career study centers programs upon receipt of a resolution by the school board of that district that (1) it will establish and maintain an account separate from all other district accounts for the receipt and disbursement of all funds related to these career study center programs, (2) that the full foundation aid formula allowance per pupil unit attributable to each student enrolled in a career studies program, including that portion earned pursuant to Minnesota Statutes, Section 124.17, Subdivision 1, Clauses (4) and (5), will be deposited by the district in that account, and (3) that the moneys deposited in that account shall be used solely for the purposes of the career study centers programs. For the purposes of this section, the foundation aid formula allowance per pupil unit for Independent School District No. 625 shall be \$1,182 for the 1979-1980 school year and \$1,265 for the 1980-1981 school year.*

Sec. 28. [REPEALER.] *Minnesota Statutes 1978, Section 123.938, Subdivision 7, is repealed.*

Sec. 29. [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. [EDUCATIONAL COOPERATIVE SERVICE UNITS.] *For education cooperative service units, there is appropriated:*

\$535,000 1980.

Funds from this appropriation shall be transmitted to an ECSU board of directors in the amount of \$48,636 per ECSU as defined in section 123.58, except that the ECSU whose boundaries coincide with the boundaries of region 11 shall receive \$97,272 for 1980.

\$572,450 1981.

Funds from this appropriation shall be transmitted to an ECSU board of directors in the amount of \$52,040 per ECSU as defined in section 123.58, except that the ECSU whose boundaries coincide with the boundaries of region 11 shall receive \$104,080 for 1981.

Subd. 3. [EDUCATIONAL COOPERATIVE SERVICE UNITS PLANNING AND TECHNICAL ASSISTANCE.] *For planning and technical assistance to school districts provided by the educational cooperative service units, there is appropriated:*

\$440,000 1980

\$440,000 1981

Funds from this appropriation shall be used for the purpose of providing the educational cooperative service units with funds so that they may (a) supply planning and evaluation technical assis-

tance to school districts, and (b) operate a data base to aid decision making at the school district and regional levels. The department of education shall allocate \$40,000 to each additional cooperative service unit for each fiscal year of the biennium, except that it shall allocate \$80,000 for each fiscal year of the biennium to the educational cooperative service units whose boundaries coincide with the boundaries of development regions 6 and 7 or with development region 11.

Subd. 4. [CAPITAL EXPENDITURE EQUALIZATION AID.] *For capital expenditure equalization aid, there is appropriated:*

\$194,900 1980,
\$144,500 1981.

Subd. 5. [SCHOOL LUNCH AID.] *For school lunch aid there is appropriated:*

\$3,993,800 1980.

Of this amount \$578,800 is for food storage costs for USDA donated commodities and so much as is necessary shall be used for the type "A" lunch program.

\$4,333,309 1981.

Of this amount \$665,500 is for food storage costs for USDA donated commodities and so much as is necessary shall be used for the type "A" lunch program.

Subd. 6. [EARLY CHILDHOOD HEALTH SCREENING.] *For early childhood health screening pursuant to section 123.705 there is appropriated:*

\$1,375,000 1980,
\$1,485,000 1981.

Subd. 7. [EMERGENCY AID.] *For emergency aid pursuant to section 124.24 there is appropriated:*

\$200,000 1980.

Any unexpended balance remaining in the appropriation in this subdivision for fiscal year 1980 shall not cancel but shall be available for the second year of the biennium.

Subd. 8. [TEACHER MOBILITY.] *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:*

\$1,200,000 1980.

Any unexpended balance remaining from the appropriation in this subdivision for fiscal year 1980 shall not cancel but shall be available for the second year of the biennium.

Subd. 9. [BASIC SKILLS TECHNICAL ASSISTANCE PROGRAM.] *For the basic skills technical assistance program pursuant to section 3 of this article there is appropriated:*

\$650,000 1980.

Of this amount the department of education shall spend not to exceed \$450,000 to staff the positions authorized by section 3, subdivision 3, clause (a) of this article.

\$700,000 1981.

Of this amount the department of education shall spend not to exceed \$480,000 to staff the positions authorized by section 3, subdivision 3, clause (a) of this article.

Subd. 10. [REORGANIZATION GUARANTEE AID.] *For aid for the reorganization guarantee formula pursuant to section 14 of this article there is appropriated:*

\$500,000 1980,

\$500,000 1981.

Subd. 11. [GRANTS FOR COOPERATIVE AGREEMENTS BETWEEN SECONDARY SCHOOLS.] *For grants for cooperative agreements between secondary schools pursuant to section 21 of this article there is appropriated:*

\$50,500 1980,

\$87,000 1981.

Subd. 12. [PROGRAM FOR THE GIFTED AND TALENTED.] *For the program for the gifted and talented pursuant to section 22 of this article there is appropriated:*

\$600,000 1980,

\$600,000 1981.

Subd. 13. [NONSECTARIAN NONPUBLIC SCHOOL CHILDREN.] *For aid pursuant to section 123.938 there is appropriated:*

\$39,000 1980,

\$44,000 1981.

Subd. 14. *Any unexpended fund balance remaining from the appropriations in subdivisions 2, 3, 4, 5, 6, 9, 10, 11, 12 and 13 for 1980 shall cancel and shall not 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. 30. [EFFECTIVE DATE.] *Sections 3, 4, 17 and 28 of this article are effective the day following final enactment.*

ARTICLE VII
LIBRARIES

Section 1. Minnesota Statutes 1979, 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 and establishment 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 or two-thirds of the per capita amount established under provisions of Minnesota Statutes 134.34, Subdivision 1, whichever amount is less; 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, in the third second year of participation and in each year thereafter, 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 Minnesota Statutes 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 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 a per capita amount calculated under provisions of this subdivision, whichever is less. 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 one half of the percentage increase in total state adjusted assessed valuation of property as determined by the equalization aid review committee for the third year preceding that calendar year to the second 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 Minnesota Statutes 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 Minnesota Statutes 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.*

Subd. 2. *Each multi-county, multi-type library system is encouraged to develop additional 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. *In order to qualify for a planning grant or development grant pursuant to sections 9 and 10 of this article, each participating library in a multi-county, multi-type library system shall adopt an organizational agreement providing for the following:*

- (a) *Requiring all participating libraries to share resources;*
- (b) *Long-range planning for cooperative programs;*
- (c) *The development of a delivery system for services and programs; and*
- (d) *The development of a bibliographic data base.*

Sec. 9. Minnesota Statutes 1978, Chapter 134, is amended by adding a section to read:

[134.352] [MULTI-COUNTY, MULTI-TYPE LIBRARY SYSTEM.] Subdivision 1. **[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 grants to multi-county, multi-type library systems in their second and subsequent years of operation. In awarding a development 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:

\$3,591,3001980,

\$3,614,3001981.

Subd. 3. For grants pursuant to sections 9 and 10 of this article to multi-county, multi-type library systems, there is appropriated:

\$250,000 1980,

\$250,000 1981.

Subd. 4. Any unexpended balance remaining from the appropriation in this section for 1980 shall cancel and shall not 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.

ARTICLE VIII

EARLY CHILDHOOD AND FAMILY EDUCATION PROGRAMS

COUNCIL ON QUALITY EDUCATION

Section 1. Minnesota Statutes 1978, Section 3.924, Subdivision 1, is amended to read:

3.924 [ESTABLISHMENT.] *Subdivision 1. [MEMBERSHIP, TERMS.] There is hereby created a council on quality education consisting of 17 19 persons. The members of such council shall be appointed as follows:*

(1) One member shall be appointed by the Minnesota education association;

(2) One member shall be appointed by the Minnesota federation of teachers;

(3) One member shall be appointed by the Minnesota school board association;

(4) One member shall be appointed by the Minnesota state advisory council for vocational education;

(5) *One member shall be appointed by the Minnesota state advisory council for special education;*

~~(5)~~ (6) One member shall be appointed by the state university board;

~~(6)~~ (7) One member shall be appointed by the state board for community colleges;

~~(7)~~ (8) One member shall be appointed by the regents of the University of Minnesota;

~~(8)~~ (9) One member shall be appointed by the private college council;

~~(9)~~ (10) One member from each congressional district and ~~one member~~ *two members* at large, shall be appointed by the governor with the advice and consent of the senate, none of whom shall be officers, employees or board members of state educational institutions, departments, agencies or boards.

Sec. 2. Minnesota Statutes 1978, Section 3.925, is amended to read:

3.925 [PURPOSE.] The legislature of the state of Minnesota expresses concern over the future of elementary and secondary education in this state, its ability to meet the educational needs of the public school students, the professional growth and satisfaction of school staffs, the effectiveness and efficiency of present schools and their learning processes, continuing pupil unit cost escalation and the resulting financial crisis which this brings about. New approaches to the learning process, better utilization of professional staff and community resources, different requirements as to course offerings, course content, grading, graduation and school attendance must be researched and developed. It is believed that revised programs, innovations, new attitudes about learning and the public schools' responsibilities can be effectively achieved if such research and development are performed by the council on quality education and at the local school level by the school's staff and with involvement by the students and their community. Although funds spent now for such purposes can produce substantial education and cost benefits in the future, such capital type funds are seldom available within any single school district's budget.

The purpose of the council on quality education is, therefore, to encourage, promote, aid, and perform research and development for

quality education in Minnesota elementary and secondary schools, to evaluate the results of significant innovative programs and to disseminate information about these programs throughout the state.

To these ends, the council through the state board of education shall establish a venture fund from which grants or loans may be made in support of research and development programs relating to the problems and objectives heretofore described which shall include but not be limited to:

- (1) Effective utilization of community personnel and resources.
- (2) Developing model personnel policies and procedures, and new staffing concepts such as differentiated staffing.
- (3) Assessment and evaluation of education programs.
- (4) Developing a management and unit of instructional objectives design which will provide accountability by relating time and dollars to the amount of learning produced.
- (5) Determining responsibilities to be assumed by the schools exclusively or concurrently with other agencies or individuals.
- (6) Effective dissemination of educational information.
- (7) Developing new knowledge about learning and teaching.
- (8) Developing model educational programs as alternatives to existing educational practices and curricula.
- (9) Model programs and innovations to increase equality of educational opportunities.
- (10) Research and testing of new concepts of educational efficiency, effectiveness and cost benefits.
- (11) *Comprehensive interdisciplinary programs in health education and comprehensive programs designed to innovatively coordinate and integrate the delivery of pupil support services.*

The council shall not be limited to supporting innovations, programs or procedures supplementary to existing school structures and programs but may assist or research entirely new concepts such as open schools, informal schools and the like. It is the legislature's intent that any supported program shall hold promise of both educational and cost benefits and that the costs and improvements in learning effectiveness introduced thereby shall be measured and related.

The council may also review literature and other information about innovative programs in Minnesota and other states and disseminate the results of this research throughout the state. The council may identify ideas for innovative programs in the course of this research and solicit proposals from school boards for grants for such programs; provided not to exceed ten percent of the funds appropriated to the venture fund in any year may be expended to fund such research and programs.

The council shall make a report by November 15 of each even numbered year to the legislature concerning all research and all proposals received and the dispositions made thereof by the council and the state board of education.

Sec. 3. Minnesota Statutes 1978, Chapter 3, is amended by adding a section to read:

[3.9276] [CITATION.] *Sections 3 to 6 of this article may be cited as "The Early Childhood and Family Education Act".*

Sec. 4. Minnesota Statutes 1979, Chapter 3, is amended by adding a section to read:

[3.9277] [PURPOSE.] *The purposes of sections 3 to 6 of this article are: (a) to strengthen families, (b) to help parents to provide for their children's learning and development, and (c) to help young children to develop their physical, mental and social potentials.*

Sec. 5. Minnesota Statutes 1978, Chapter 3, is amended by adding a section to read:

[3.9278] [DEFINITIONS.] *Subdivision 1. As used in this article, the terms defined in this section have the meanings given them.*

Subd. 2. "Early childhood" means the period of life before kindergarten and before age six.

Subd. 3. "Early childhood and family education programs" may include, but are not limited to, the following:

(a) Educational programs for parents on the physical, mental and emotional development of children and on the development of parenthood skills;

(b) Programs for the parents or guardians of children which are designed to strengthen the family unit and to assist the parents or guardians in providing sound early childhood learning and development;

(c) Libraries of books, toys and other educational materials which can be borrowed for home use;

(d) Activities designed to detect children's physical, mental, emotional or behavioral problems that are causing or might cause learning problems. Should the need for special help be found, the family shall be referred to an appropriate person or agency, but this program shall not pay treatment costs;

(e) Education for parenthood programs in secondary schools to increase the adolescent's awareness of the social, educational and health needs of children and of the role of parents in fostering a child's development;

(f) In-center activities;

(g) Home activity kits; and

(h) Community and resource information and referrals.

Sec. 6. Minnesota Statutes 1978, Chapter 3, is amended by adding a section to read:

[3.9279] [EARLY CHILDHOOD AND FAMILY EDUCATION PROGRAMS.] *Subdivision 1. [AUTHORIZATION.] The school board of any district, however organized, which receives early childhood and family education moneys from the council on quality education shall provide those services in one elementary school attendance area, or an area within the district, if the council deems the area to be appropriate. The council on quality education shall prescribe the form and manner of application for the programs and shall select the grant and formula recipients. These programs shall be as equally distributed as possible among districts in cities of the first class, in suburbs, and outside the seven county metropolitan area.*

Subd. 2. [PROGRAM ACCOUNTS.] A district providing early childhood and family education programs shall establish and maintain a separate account for the receipt and disbursement of all funds related to the programs.

Subd. 3. [PARTICIPANTS' FEES.] A district may charge reasonable fees for early childhood and family education services; however a district shall waive the charge or fee if any participant is unable to pay it.

Subd. 4. [ADDITIONAL FUNDING.] A school district providing early childhood and family education programs may receive funds for the programs from other governmental agencies and from private sources, including any state or federal funds available for community education or parent education.

Subd. 5. [PROGRAM COORDINATION.] A district providing early childhood and family education services is strongly encouraged to coordinate this programming with related services provided in the district by other governmental agencies and may develop cooperative programs with private agencies. State government agencies shall cooperate with a school district in these coordination efforts. A district which provides early childhood and family education programs but does not coordinate its efforts with those of other governmental agencies shall submit an explanatory report to the commissioner of education within one year after the implementation of its programs and each year thereafter in which such coordination is not established.

Subd. 6. [ADVISORY COUNCILS.] The school board of a district providing early childhood and family education programs shall appoint an advisory council. Council members shall be selected from the school attendance area in which the programs are provided. A majority of the members shall be parents participating in the local program. The local advisory council shall assist the school board in the development, coordination, supervision and review of early childhood and family education services in the area and shall suggest priorities for child learning and development services in the community. The council shall report to the school

board and the district community school advisory council, if that council has been established in the district.

Subd. 7. [ADVISORY TASK FORCE ON EARLY CHILDHOOD AND FAMILY EDUCATION.] *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, 1981.*

Subd. 8. [PERSONNEL.] *A school board may employ and discharge personnel necessary for its early childhood and family education programs. All professional early childhood and family education personnel shall have the qualifications required by the council on quality education and the employing school district.*

Subd. 9. [VOLUNTARY PARTICIPATION.] *Participation by parents and children in early childhood and family education programs shall be voluntary and shall not preclude participation in other state or local programs. No school district shall discriminate in providing early childhood and family education programs on the basis of race, religion, sex or ethnic background, and no programs shall be used in whole or in part for religious worship or instruction.*

Subd. 10. [STATE BOARD OF EDUCATION.] *The state board of education shall:*

(a) Annually review district early childhood and family education programs;

(b) Apply for funds which are, or may become, available under federal programs pertaining to early childhood and family education, including funds for administration, demonstration projects, training, technical assistance, planning, and evaluation;

(c) Encourage cooperation in the delivery of services by districts operating early childhood and family education programs;

(d) Inform the public about early childhood development services;

(e) Provide professional and technical assistance to school districts providing early childhood and family education programs.

Subd. 11. [FORMULA FUNDING.] *In fiscal years 1980 and 1981 the council on quality education shall fund ten early childhood and family education programs according to a formula or formulas which it shall develop. An early childhood and family education program selected by the council for formula funding shall be funded according to a formula for both fiscal years 1980 and 1981; however, the council may modify or change the funding formula used for a particular early childhood and family education program. The formula or formulas developed by the council*

shall include incentives for programs to increase the participation of persons who are educationally and economically disadvantaged.

The council on quality education shall describe and evaluate the formula funding of early childhood and family education programs in the council's 1980 annual report to the legislature. By November 15, 1981 the council on quality education shall make a special report to the legislature which shall contain a summary and conclusion of a study of the feasibility of formula funding for all early childhood and family education programs.

Subd. 12. [NEGOTIATED GRANTS.] The council on quality education may fund up to 40 early childhood and family education programs, other than the ten programs funded pursuant to subdivision 11, according to the negotiated grants procedure established by Minnesota Statutes, Sections 3.924 to 3.927.

Subd. 13. [SPECIAL CATEGORICAL PROGRAM GRANT.] For the programs funded pursuant to subdivision 12, there is hereby created a special categorical program grant for those programs serving economically disadvantaged persons. The council on quality education shall apportion the grant money among the eligible programs in proportion to the number of participants in each program from families which receive aid to families with dependent children compared to the number of participants in all the eligible programs from families which receive aid to families with dependent children.

Sec. 7. [REPEALER.] Minnesota Statutes 1978, Sections 3.9271; 3.9273; 3.9274; and 3.9275 are repealed.

Sec. 8. [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. [COUNCIL ON QUALITY EDUCATION; VENTURE FUND GRANTS.] For the council on quality education venture fund grants pursuant to sections 3.925 and 3.926, there is appropriated:

\$900,000	1980,
\$900,000	1981.

Subd. 3. [EARLY CHILDHOOD AND FAMILY EDUCATION.] For early childhood and family education programs pursuant to sections 3 to 6 of this article there is appropriated:

\$2,369,700	1980.
-------------	-------

Of this amount \$272,000 is for the purpose of providing special categorical program grants pursuant to section 6, subdivision 13 of this article and \$82,000 is for administration of programs.

\$2,536,000	1981.
-------------	-------

Of this amount \$297,200 is for the purpose of providing special categorical program grants pursuant to section 6, subdivision 13 of this article and \$82,000 is for administration of programs.

Subd. 4. Any unexpended fund balance remaining from the appropriations in this section for 1980 shall cancel and shall not 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, delete the title and insert:

"A bill for an act relating to education; providing for aids to education, tax levies and the distribution of tax revenues; granting certain duties and powers to school boards, school districts, the state board of education, and the state board for vocational education; modifying the hearing procedure for the educational placement of certain handicapped students; appropriating money; amending Minnesota Statutes 1978, Sections 3.924, Subdivision 1; 3.925; 16.93; 120.075; 120.17, Subdivisions 3b, 4, 6 and 7a; 121.21, Subdivision 6; 121.904, Subdivision 11b; 121.917, by adding a subdivision; 121.92; 123.702, Subdivision 1, and by adding a subdivision; 123.703, Subdivisions 1 and 3; 123.705; 123.937; 124.11, Subdivision 2; 124.14; 124.17, Subdivision 1; 124.19, by adding a subdivision; 124.20; 124.212, Subdivisions 1, 6c and 7c; 124.222, Subdivision 3; 124.26, Subdivision 1; 124.271, Subdivision 2, and by adding a subdivision; 124.32, Subdivisions 1, 1a, 5 and 10; 124.561, Subdivisions 2, 3 and 3a; 124.562, Subdivisions 2, 3 and 4; 124.565; 124.566; 124.572, Subdivisions 1, 2 and 3; 124.573, Subdivisions 1, 2, 3, and by adding a subdivision; 124.574, Subdivision 2; 124.646, Subdivision 1; 125.61, Subdivision 4; 126.39, Subdivision 10; 126.40, Subdivision 3; 126.41, Subdivision 1; 126.52, Subdivision 10; 126.53, Subdivision 3; 126.54, Subdivision 1; 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; 275.125, Subdivisions 2a, 8, 11a, and by adding a subdivision; 465.72; 471.38, by adding a subdivision; and Chapters 3, by adding sections; 123, by adding a section; 124, by adding sections and 134, by adding sections; repealing Minnesota Statutes 1978, Sections 3.9271; 3.9273; 3.9274; 3.9275; 123.938, Subdivision 7; 124.212, Subdivisions 6b and 7b; 124.222, Subdivisions 1a, 1b, 2a, 2b and 6; 124.562, Subdivision 1; 124.563; 134.33, Subdivision 2; 275.125, Subdivision 13."

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 248 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
248	320				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration makes the following report: That the Permanent Rules of the Senate appearing in the Journal for February 15, 1979, be amended as follows:

Rule 62.

In the "Researcher" classification under "salary per day" strike "1 @ \$55.97"; after "1 @ \$44.36" insert "1 @ \$45.21"

Mr. Coleman moved the adoption of the foregoing committee report.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knutson	Penny	Spear
Ashbach	Frederick	Laufenburger	Perpich	Staples
Bang	Gearty	Lessard	Peterson	Stokowski
Benedict	Hughes	Luther	Pillsbury	Strand
Bernhagen	Humphrey	McCutcheon	Purfeerst	Stumpf
Brataas	Jensen	Menning	Renneke	Tennessee
Chenoweth	Johnson	Merriam	Schaaf	Ueland, A.
Chmielewski	Keefe, J.	Moe	Schmitz	Ulland, J.
Coleman	Keefe, S.	Nelson	Setzepandt	Vega
Davies	Kleinbaum	Nichols	Sieloff	Wegener
Dieterich	Knaak	Olhoft	Sikorski	Willet
Dunn	Knoll	Olson	Solon	

The motion prevailed. So Rule 62 was amended.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 787: 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.

Reports the same back with the recommendation that the report from the Committee on Employment shown in the Journal for April 19, 1979, be amended to read: "And when so amended the bill do pass and be re-referred to the Committee on Governmental Operations." Amendment adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 1141: A bill for an act relating to hearing impaired persons; establishing regional service centers and advisory com-

mittees; 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.

Reports the same back with the recommendation that the report from the Committee on Health, Welfare and Corrections shown in the Journal for April 19, 1979 be amended to read: "And when so amended the bill do pass and be re-referred to the Committee on Governmental Operations." Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 765: 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.

Reports the same back with the recommendation that the report from the Committee on Governmental Operations shown in the Journal for April 19, 1979, "And when so amended the bill do pass" be adopted. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 770: 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 decision; amending Minnesota Statutes 1978, Section 124.212, Subdivision 20, and by adding a subdivision.

Reports the same back with the recommendation that the report from the Committee on Education shown in the Journal for April 23, 1979, "that the bill do pass" be adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 962: 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.

Reports the same back with the recommendation that the report from the Committee on Local Government shown in the Journal for April 23, 1979, "And when so amended the bill do pass" be adopted. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration to which was referred under Rule 35, together with the committee report thereon,

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.

Reports the same back with the recommendation that the report from the Committee on Commerce shown in the Journal for April 23, 1979, "that the bill do pass" be adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 1338, 1328 and 1003 were read the second time.

S. F. Nos. 768, 874, 1191, 1260, 227, 255, 1115, 1209, 1013, 74, 1361, 1362, 1363, 482, 1248, 721, 783, 1042, 1403, 1376, 169, 1128, 1293, 984, 177, 1166, 1026, 667, 1310, 1296, 1098, 1436, 1257, 1199, 529, 1351, 1006, 831, 1393, 765, 770 and 962 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. No. 248 was read the second time.

H. F. Nos. 389 and 219 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Nichols moved that the name of Mr. Renneke be added as co-author to S. F. No. 234. The motion prevailed.

Mr. Knoll introduced—

Senate Concurrent Resolution No. 10: A Senate concurrent resolution designating May 1st as Law Day.

Referred to the Committee on Rules and Administration.

Mr. Benedict moved that his name be stricken as chief author and Mr. Sikorski be added as chief author to S. F. No. 1182. The motion prevailed.

Messrs. Coleman and Ashbach introduced—

Senate Resolution No. 26: A Senate 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 Senate 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 Senate 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 Secretary of the Senate is directed to prepare an enrolled copy of this resolution and to transmit it to the Chief of the Minnesota Highway Patrol.

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Gunderson introduced—

Senate Resolution No. 27: A Senate resolution extending congratulations to Sharon Liedahl on being selected Secretary of the Year.

WHEREAS, Sharon Liedahl has been the Secretary-bookkeeper for the Spring Grove Public School in Spring Grove, Minnesota; and,

WHEREAS, in recognition of her professional skill and public spiritedness, she was selected Secretary of the Year by the Association of Education Office Personnel; and,

WHEREAS, in recognition of her achievement, the Governor of Minnesota and the Mayor of Spring Grove have declared April 25, 1979, to be Sharon Liedahl day; NOW, THEREFORE,

BE IT RESOLVED, by the Senate of the State of Minnesota:

(1) Its congratulations are extended to Sharon Liedahl and to her family and friends. It is hoped that the devotion to duty by this public servant will receive the honor from all Minnesotans that she justly deserves.

(2) The Secretary of the Senate is directed to deliver a copy of this resolution to Sharon Liedahl.

Mr. Gunderson moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Menning moved that his name be stricken as co-author to S. F. No. 264. The motion prevailed.

Mr. Coleman, for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed.

Rochelle Barnhart, Researcher classification, effective April 23, 1979

Rev. Robert Keane, Chaplain, effective April 21, 1979

Monsignor Ambrose V. Hayden, Chaplain, effective May 3, 1979

Kevin McDonough, Chaplain, effective April 25, 1979

John McDonough, Chaplain, effective May 2, 1979

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Davies moved that S. F. No. 57 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 57 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 57: A bill for an act relating to insurance; providing for the coordination of reparations benefits for automobile losses; requiring reduced premium rates; amending Minnesota Statutes 1978, Section 65B.61, Subdivision 3; repealing Minnesota Statutes 1978, Section 65B.61, Subdivision 4.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lessard	Peterson	Staples
Ashbach	Gearty	Luther	Pillsbury	Stokowski
Bang	Hanson	McCutcheon	Purfeerst	Strand
Benedict	Hughes	Menning	Renneke	Tennessee
Bernhagen	Humphrey	Merriam	Schaaf	Ulland, J.
Brataas	Jensen	Moe	Schmitz	Vega
Chmielewski	Johnson	Nelson	Setzepfandt	Wegener
Coleman	Keefe, S.	Nichols	Sieloff	Willet
Davies	Kleinbaum	Olhoft	Sikorski	
Dieterich	Knoll	Olson	Sillers	
Dunn	Knutson	Penny	Solon	
Engler	Laufenburger	Perpich	Spear	

So the bill, as amended, was repassed and its title was agreed to.

CALL OF THE SENATE

Mr. Solon imposed a call of the Senate for the proceedings on S. F. No. 766. The following Senators answered to their names:

Anderson	Engler	Knoll	Olhoft	Spear
Ashbach	Frederick	Knutson	Penny	Stokowski
Bang	Gearty	Laufenburger	Perpich	Strand
Benedict	Gunderson	Lessard	Peterson	Stumpf
Bernhagen	Hanson	Luther	Pillsbury	Tennessee
Brataas	Hughes	McCutcheon	Purfeerst	Ueland, A.
Chenoweth	Humphrey	Menning	Schaaf	Ulland, J.
Chmielewski	Jensen	Merriam	Schmitz	Vega
Coleman	Johnson	Moe	Setzepfandt	Wegener
Davies	Keefe, S.	Nelson	Sikorski	Willet
Dieterich	Kleinbaum	Nichols	Sillers	
Dunn	Knaak	Ogdahl	Solon	

The Sergeant at Arms was instructed to bring in the absent members.

RECONSIDERATION

Mr. Solon moved that the vote whereby S. F. No. 766 failed to pass the Senate on April 23, 1979, be now reconsidered. The motion prevailed.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 35 and nays 28, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Luther	Pillsbury	Staples
Benedict	Humphrey	McCutcheon	Schaaf	Stokowski
Brataas	Johnson	Merriam	Schmitz	Stumpf
Coleman	Keefe, J.	Nichols	Sikorski	Tennessee
Davies	Keefe, S.	Ogdahl	Sillers	Ueland, A.
Dieterich	Knoll	Perpich	Solon	Ulland, J.
Gearty	Laufenburger	Peterson	Spear	Vega

Those who voted in the negative were:

Anderson	Engler	Knaak	Olhoft	Sieloff
Ashbach	Frederick	Knutson	Olson	Strand
Bernhagen	Hanson	Lessard	Penny	Wegener
Chenoweth	Hughes	Menning	Purfeerst	Willet
Chmielewski	Jensen	Moe	Renneke	
Dunn	Kleinbaum	Nelson	Setzepfandt	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Spear moved that the name of Mr. Lewis be stricken as chief author and the name of Mr. Anderson be added as chief author to S. F. No. 701. The motion prevailed.

Mr. Spear moved that S. F. No. 1310 be withdrawn from the subcommittee on Bill Scheduling of the Committee on Rules and Administration and re-referred to the Committee on Judiciary. The motion prevailed.

RECONSIDERATION

Mr. Moe moved that the vote whereby S. F. No. 486 was passed by the Senate on April 23, 1979, be now reconsidered. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hughes moved that S. F. No. 486 on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Mr. Moe, for the Committee on Finance, introduced—

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.

Under the rules of the Senate, laid over one day.

Mr. Moe, for the Committee on Finance, introduced—

S. F. No. 1511: 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.-925, Subdivision 3; and 254A.031; and repealing Minnesota Statutes 1978, Section 256B.44, Subdivision 2.

Under the rule of the Senate, laid over one day.

Without objection, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 333, 830, 701, 1288, 1210, 1037, 1072, 1144, 1273, 1243, 895, 1051, 1213, 1309, 49, 947, 1189, 326, 1295, 1157, 555, 352, 1425, 1044, 744, 1040, 1010, 998, 992, 1000, 693, 1400, 1150, 824, 1299, 791, 940, 1099, 851, 1292, 1184, 1025, 810, 615 makes the following report:

That the above Senate Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested.

Mr. Coleman moved the adoption of the foregoing committee report. The motion prevailed. Report adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the name of Mr. Lewis be stricken as chief author and the name of Mrs. Staples be added as chief author to S. F. No. 1388. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Consent Calendar. The motion prevailed.

CONSENT CALENDAR

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Peterson	Strand
Ashbach	Gunderson	Laufenburger	Pillsbury	Stumpf
Bang	Hanson	Lessard	Purfeerst	Tennessen
Benedict	Hughes	Luther	Schaaf	Ueland, A.
Bernhagen	Humphrey	McCutcheon	Schmitz	Ulland, J.
Brataas	Jensen	Menning	Setzepfandt	Vega
Chmielewski	Johnson	Moe	Sieloff	Wegener
Coleman	Keefe, J.	Nelson	Sikorski	Willet
Dieterich	Keefe, S.	Ogdahl	Sillers	
Dunn	Kleinbaum	Olhoft	Spear	
Engler	Knaak	Penny	Staples	
Frederick	Knoll	Perpich	Stokowski	

So the bill passed and its title was agreed to.

S. F. No. 1341: A bill for an act relating to the city of Water-ville; clarifying its governing statutes.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Penny	Staples
Ashbach	Gunderson	Laufenburger	Perpich	Stokowski
Bang	Hanson	Lessard	Pillsbury	Strand
Benedict	Hughes	Luther	Purfeerst	Stumpf
Bernhagen	Humphrey	McCutcheon	Renneke	Tennessee
Brataas	Jensen	Menning	Schaaf	Ueland, A.
Chmielewski	Johnson	Moe	Schmitz	Ulland, J.
Coleman	Keefe, J.	Nelson	Setzepfandt	Vega
Dieterich	Keefe, S.	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Ogdahl	Sikorski	Willet
Engler	Knaak	Olhoff	Sillers	
Frederick	Knoll	Olson	Spear	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Olson	Sillers
Ashbach	Gearty	Knutson	Penny	Spear
Bang	Gunderson	Laufenburger	Perpich	Staples
Benedict	Hanson	Lessard	Peterson	Stokowski
Bernhagen	Hughes	Luther	Pillsbury	Strand
Brataas	Humphrey	McCutcheon	Purfeerst	Stumpf
Chmielewski	Jensen	Menning	Renneke	Tennessee
Coleman	Johnson	Moe	Schaaf	Ueland, A.
Davies	Keefe, J.	Nelson	Schmitz	Ulland, J.
Dieterich	Keefe, S.	Nichols	Setzepfandt	Vega
Dunn	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knaak	Olhoff	Sikorski	Willet

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Penny	Spear
Ashbach	Gearty	Laufenburger	Perpich	Staples
Bang	Gunderson	Lessard	Peterson	Stokowski
Benedict	Hanson	Luther	Pillsbury	Strand
Bernhagen	Hughes	McCutcheon	Purfeerst	Stumpf
Brataas	Humphrey	Menning	Renneke	Tennessee
Chmielewski	Jensen	Moe	Schaaf	Ueland, A.
Coleman	Johnson	Nelson	Schmitz	Ulland, J.
Davies	Keefe, J.	Nichols	Setzefandt	Vega
Dieterich	Kleinbaum	Ogdahl	Sieloff	Wegener
Dunn	Knaak	Olhoft	Sikorski	Willet
Engler	Knoll	Olson	Sillers	

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

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.

Mr. Coleman moved to amend S. F. No. 285, as follows:

Page 2, line 4, delete "*half*" and insert "*third*" and delete "*on that part*"

Page 2, delete lines 5 and 6

Page 2, line 7, delete new language

Mr. Schaaf requested division of the amendment as follows:

First portion:

Page 2, line 4, delete "*on that part*"

Page 2, delete lines 5 and 6

Page 2, line 7, delete new language

Second portion:

Page 2, line 4, delete "*half*" and insert "*third*"

The question was taken on the adoption of the first portion of the amendment. The motion prevailed. So the first portion of the amendment was adopted.

The question was taken on the adoption of the second portion of the amendment. The motion prevailed. So the second portion of the amendment was adopted.

Mr. Luther moved to amend S. F. No. 285 as follows:

Page 2, line 11, 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-third 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.

The roll was called, and there were yeas 22 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Keefe, S.	Schaaf	Vega
Benedict	Humphrey	Luther	Sikorski	Willett
Chenoweth	Jensen	McCutcheon	Spear	
Dieterich	Johnson	Menning	Stokowski	
Gunderson	Keefe, J.	Perpich	Stumpf	

Those who voted in the negative were:

Ashbach	Frederick	Merriam	Pillsbury	Strand
Bang	Gearty	Moe	Purfeerst	Tennessee
Bernhagen	Hanson	Nelson	Rued	Ueland, A.
Brataas	Kleinbaum	Nichols	Schmitz	Wegener
Coleman	Knaak	Ogdahl	Setzepfandt	
Davies	Knoll	Olson	Sieloff	
Dunn	Knutson	Penny	Solon	
Engler	Laufenburger	Peterson	Staples	

The motion did not prevail. So the amendment was not adopted.

Mr. Stokowski moved to amend S. F. No. 285 as follows:

Page 2, after line 32, insert:

"This act shall expire June 30, 1981."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 39, as follows:

Those who voted in the affirmative were:

Benedict	Johnson	Menning	Schaaf	Stumpf
Chenoweth	Knoll	Merriam	Sikorski	Vega
Chmielewski	Lessard	Nelson	Spear	Willett
Dieterich	Luther	Nichols	Stokowski	
Humphrey	McCutcheon	Olhoff	Strand	

Those who voted in the negative were:

Anderson	Engler	Kleinbaum	Peterson	Sillers
Ashbach	Frederick	Knaak	Pillsbury	Solon
Bang	Gearty	Knutson	Purfeerst	Staples
Bernhagen	Gunderson	Laufenburger	Renneke	Tennessee
Brataas	Hanson	Moe	Rued	Ueland, A.
Coleman	Hughes	Ogdahl	Schmitz	Ulland, J.
Davies	Jensen	Olson	Setzepfandt	Wegener
Dunn	Keefe, S.	Penny	Sieloff	

The motion did not prevail. So the amendment was not adopted.

S. F. No. 285 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 45 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knutson	Penny	Sieloff
Ashbach	Frederick	Laufenburger	Peterson	Sillers
Bang	Gearty	Lessard	Pillsbury	Solon
Bernhagen	Gunderson	Menning	Purfeerst	Staples
Brataas	Hanson	Moe	Renneke	Strand
Chmielewski	Jensen	Nelson	Rued	Tennessee
Coleman	Kleinbaum	Nichols	Schaaf	Ueland, A.
Davies	Knaak	Ogdahl	Schmitz	Ulland, J.
Dunn	Knoll	Olson	Setzepfandt	Wegener

Those who voted in the negative were:

Benedict	Humphrey	Merriam	Spear	Willet
Chenoweth	Johnson	Olhoft	Stokowski	
Dieterich	Luther	Perpich	Stumpf	
Hughes	McCutcheon	Sikorski	Vega	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Lessard	Peterson	Staples
Bang	Hanson	Luther	Pillsbury	Stokowski
Benedict	Humphrey	McCutcheon	Purfeerst	Strand
Bernhagen	Jensen	Menning	Rued	Stumpf
Chenoweth	Johnson	Merriam	Schaaf	Tennessee
Chmielewski	Keefe, J.	Moe	Schmitz	Ueland, A.
Davies	Keefe, S.	Nelson	Setzepfandt	Ulland, J.
Dieterich	Kleinbaum	Ogdahl	Sieloff	Vega
Dunn	Knaak	Olhoft	Sikorski	Willet
Engler	Knutson	Penny	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Menning	Purfeerst	Stokowski
Bang	Johnson	Merriam	Rued	Strand
Bernhagen	Keefe, J.	Moe	Schaaf	Stumpf
Brataas	Keefe, S.	Nelson	Schmitz	Tennessen
Chenoweth	Kleinbaum	Ogdahl	Setzepfandt	Ueland, A.
Chmielewski	Knaak	Olhoff	Sieloff	Ulland, J.
Davies	Knutson	Penny	Sikorski	Vega
Dunn	Lessard	Perpich	Solon	Willet
Engler	Luther	Peterson	Spear	
Gearty	McCutcheon	Pillsbury	Staples	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Luther	Peterson	Staples
Bang	Gunderson	McCutcheon	Pillsbury	Stokowski
Benedict	Hanson	Menning	Purfeerst	Stumpf
Bernhagen	Humphrey	Merriam	Rued	Tennessen
Brataas	Johnson	Moe	Schaaf	Ueland, A.
Chenoweth	Keefe, J.	Nelson	Schmitz	Ulland, J.
Chmielewski	Keefe, S.	Nichols	Setzepfandt	Vega
Davies	Kleinbaum	Ogdahl	Sieloff	Willet
Dieterich	Knaak	Olhoff	Sikorski	
Dunn	Knutson	Penny	Solon	
Engler	Lessard	Perpich	Spear	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 36 and nays 15, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Dieterich	Gearty	Hanson
Benedict	Chmielewski	Engler	Gunderson	Humphrey

Johnson	Luther	Peterson	Sikorski	Vega
Keefe, S.	McCutcheon	Pillsbury	Sillers	Willet
Kleinbaum	Menning	Purfeerst	Solon	
Knoll	Moe	Schaaf	Staples	
Laufenburger	Ogdahl	Schmitz	Stokowski	
Leesard	Penny	Setzepfandt	Stumpf	

Those who voted in the negative were:

Bernhagen	Dunn	Merriam	Rued	Tennessee
Chenoweth	Frederick	Olhoft	Sieloff	Ueland, A.
Davies	Knutson	Perpich	Spear	Ulland, J.

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Luther moved to amend S. F. No. 188 as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 116.07, Subdivision 2, is amended to read:

Subd. 2. [ADOPTION OF STANDARDS.] The pollution control agency shall improve air quality by promoting, in the most practicable way possible, the use of energy sources and waste disposal methods which produce or emit the least air contaminants consistent with the agency’s overall goal of reducing all forms of pollution. The agency shall also adopt standards of air quality, including maximum allowable standards of emission of air contaminants from motor vehicles, recognizing that due to variable factors, no single standard of purity of air is applicable to all areas of the state. In adopting standards the pollution control agency shall give due recognition to the fact that the quantity or characteristics of air contaminants or the duration of their presence in the atmosphere, which may cause air pollution in one area of the state, may cause less or not cause any air pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, prevailing wind directions and velocities, and the fact that a standard of air quality which may be proper as to an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such standards of air quality shall be premised upon scientific knowledge of causes as well as effects based on technically substantiated criteria and commonly accepted practices. No local government unit shall set standards of air quality which are more stringent than those set by the pollution control agency.

The pollution control agency shall promote solid waste disposal control by encouraging the updating of collection systems, elimination of open dumps, and improvements in incinerator practices.

The agency shall also adopt standards for the control of the collection, transportation, storage, and disposal of solid waste for the prevention and abatement of water, air and land pollution, recognizing that due to variable factors, no single standard of solid waste control is applicable to all areas of the state. In adopting standards, the pollution control agency shall give due recognition to the fact that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, topography, soils and geology, climate, transportation, and land use. Such standards of solid waste control shall be premised on technical criteria and commonly accepted practices.

The pollution control agency shall also adopt standards describing the maximum levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere, recognizing that due to variable factors no single standard of sound pressure is applicable to all areas of the state. Such standards shall give due consideration to such factors as the intensity of noises, the types of noises, the frequency with which noises recur, the time period for which noises continue, the times of day during which noises occur, and such other factors as could affect the extent to which noises may be injurious to human health or welfare, animal or plant life, or property, or could interfere unreasonably with the enjoyment of life or property. In adopting standards, the pollution control agency shall give due recognition to the fact that the quantity or characteristics of noise or the duration of its presence in the outdoor atmosphere, which may cause noise pollution in one area of the state, may cause less or not cause any noise pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, meteorological conditions and the fact that a standard which may be proper in an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such noise standards shall be premised upon scientific knowledge as well as effects based on technically substantiated criteria and commonly accepted practices. *Any standards limiting levels of noise in terms of sound pressure in the outdoor atmosphere shall not unreasonably restrict activities at skeet, trap or shooting clubs chartered and operational in calendar year 1978 at the locations where they were situated in calendar year 1978.* No local governing unit shall set standards describing the maximum levels of sound pressure which are more stringent than those set by the pollution control agency.

The pollution control agency shall adopt standards for the identification of hazardous waste and for the labeling, classification, storage, collection, transportation and disposal of hazardous waste, recognizing that due to variable factors, no single standard of hazardous waste control is applicable to all areas of the state. In adopting standards, the pollution control agency shall recognize

that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state. The agency shall consider existing physical conditions, topography, soils, and geology, climate, transportation and land use. Standards of hazardous waste control shall be premised on technical knowledge, and commonly accepted practices. No local government unit shall set standards of hazardous waste control which are in conflict or inconsistent with those set by the pollution control agency."

Amend the title as follows:

Page 1, line 2, delete "exempting" and insert "considering the activities of"

Page 1, line 3, delete "from" and insert "in the promulgation of"

Page 1, line 4, delete "any state" and insert "the pollution control"

Page 1, line 5, delete everything after the second comma and insert "Subdivision 2."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 16 and nays 41, as follows:

Those who voted in the affirmative were:

Benedict	Hughes	Knoll	Perpich	Staples
Chenoweth	Humphrey	Laufenburger	Sieloff	Stumpf
Dieterich	Keefe, S.	Luther	Spear	Ulland, J.
Gearty				

Those who voted in the negative were:

Bang	Hanson	Merriam	Pillsbury	Strand
Bernhagen	Jensen	Moe	Renneke	Tennessee
Brataas	Johnson	Nelson	Rued	Ueland, A.
Coleman	Kleinbaum	Nichols	Schaaf	Vega
Davies	Knaak	Ogdahl	Schmitz	Willet
Dunn	Knutson	Olhoft	Setzepfandt	
Engler	Lessard	Olson	Sillers	
Frederick	McCutcheon	Penny	Solon	
Gunderson	Menning	Peterson	Stokowski	

The motion did not prevail. So the amendment was not adopted.

Mr. Sikorski moved to amend S. F. No. 188 as follows:

Page 1, line 14, after the period, insert "*Nothing herein shall prohibit a local unit of government from regulating the location and operation of skeet, trap or shooting sports clubs.*"

The motion prevailed. So the amendment was adopted.

S. F. No. 188 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 48 and nays 11, as follows:

Those who voted in the affirmative were:

Bang	Hanson	Merriam	Pillsbury	Staples
Benedict	Jensen	Moe	Renneke	Stokowski
Bernhagen	Johnson	Nelson	Rued	Strand
Brataas	Kleinbaum	Nichols	Schaaf	Stumpf
Chmielewski	Knaak	Ogdahl	Schmitz	Ueland, A.
Davies	Knoll	Olhoft	Setzepfandt	Ulland, J.
Dunn	Knutson	Olson	Sieloff	Vega
Engler	Lessard	Penny	Sikorski	Willet
Frederick	McCutcheon	Perpich	Sillers	
Gunderson	Menning	Peterson	Solon	

Those who voted in the negative were:

Chenoweth	Gearty	Humphrey	Laufenburger	Spear
Coleman	Hughes	Keefe, S.	Luther	Tennessee
Dieterich				

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Hughes moved to amend S. F. No. 486 as follows:

Page 1, line 22, delete *“three directors”* and insert *“one director”*

Page 1, line 23, after *“university”* insert *“in this state”*

Page 2, line 15, delete *“three members”* and insert *“one member”*

Page 2, line 17, delete the new language

Page 2, line 18, delete *“final enactment. However, the”*

Page 2, line 20, delete *“that”* and insert *“the”*

Page 2, line 20, after *“time”* insert *“this act takes effect”*

Page 2, after line 24, insert:

“Sec. 4. This act is effective the day following its final enactment.”

The motion prevailed. So the amendment was adopted.

S. F. No. 486 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 39 and nays 13, as follows:

Those who voted in the affirmative were:

Bernhagen	Hughes	Menning	Pillsbury	Solon
Brataas	Keefe, S.	Merriam	Purfeerst	Stokowski
Chmielewski	Kleinbaum	Nelson	Renneke	Stumpf
Dieterich	Knoll	Olhoft	Rued	Ueland, A.
Dunn	Laufenburger	Olson	Schaaf	Vega
Engler	Lessard	Penny	Schmitz	Wegener
Frederick	Luther	Perpich	Sieloff	Willet
Hanson	McCutcheon	Peterson	Sillers	

Those who voted in the negative were:

Chenoweth	Gearty	Moe	Staples	Tennesen
Coleman	Gunderson	Setzpfandt	Strand	Ulland, J.
Davies	Johnson	Spear		

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Peterson moved to amend S. F. No. 951 as follows:

Page 3, delete line 18

Page 3, line 22, before the period insert "*in the preceding fiscal year*"

Reletter the clauses in sequence

Page 4, line 9, delete "*or dysfunction*"

The motion prevailed. So the amendment was adopted.

S. F. No. 951 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lessard	Pillsbury	Staples
Bernhagen	Hanson	Luther	Renneke	Stokowski
Brataas	Hughes	McCutcheon	Rued	Stumpf
Chmielewski	Humphrey	Menning	Schaaf	Tennesen
Coleman	Johnson	Moe	Schmitz	Ueland, A.
Davies	Keefe, S.	Nelson	Setzpfandt	Ulland, J.
Dieterich	Kleinbaum	Olhoft	Sieloff	Vega
Dunn	Knaak	Olson	Sikorski	Wegener
Engler	Knoll	Penny	Sillers	Willet
Frederick	Knutson	Perpich	Solon	
Gearty	Laufenburger	Peterson	Spear	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 273: A bill for an act relating to commerce; providing 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.

Mr. Sieloff moved to amend S. F. No. 273 as follows:

Page 6, line 8, after "(4)" insert "*Contracts for deed or*"

Page 6, line 9, after "for a" insert "*contract for deed*"

Page 6, line 15, strike "such" and insert "*the contract for deed or*"

Page 6, line 16, after "actually" insert "*executed or*"

Page 6, line 22, after "the" insert "*contract for deed vendor or*"

Page 6, line 22, after "make" insert "*or execute*"

Page 6, line 22, after "a" insert "*contract for deed or*"

Page 7, line 1, after "by the" insert "*contract for deed vendor or*"

Page 7, line 3, after the period insert "*For the purposes of this clause (4), a commitment for a contract for deed shall include an executed purchase agreement or earnest money contract to execute a contract for deed.*"

The motion prevailed. So the amendment was adopted.

S. F. No. 273 was then progressed.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Luther	Purfeerst	Stokowski
Bang	Hughes	McCutcheon	Renneke	Strand
Benedict	Humphrey	Menning	Rued	Stumpf
Bernhagen	Johnson	Nelson	Schaaf	Tennessee
Chenoweth	Keefe, S.	Ogdahl	Setzepfandt	Ulland, J.
Davies	Kleinbaum	Olhoff	Sieloff	Vega
Dieterich	Knaak	Olson	Sikorski	Wegener
Dunn	Knoll	Perpich	Sillers	
Engler	Knutson	Peterson	Solon	
Gearty	Laufenburger	Pillsbury	Staples	

Those who voted in the negative were:

Chmielewski	Gunderson	Penny	Ueland, A.	Willet
Frederick				

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 506: 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.

Mr. Chmielewski moved to amend S. F. No. 506 as follows:

Page 1, line 17, after "*station*" insert "*where a sign prohibiting the possession of alcoholic beverages is posted. Signs shall be posted by the appropriate road authority upon request of the political subdivision having enforcement jurisdiction*"

Amend the title as follows:

Page 1, line 4, after "*facilities*" insert "*where appropriate signs are posted*"

The motion prevailed. So the amendment was adopted.

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.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Lessard	Purfeerst	Stokowski
Benedict	Humphrey	Luther	Rued	Tennessee
Chenoweth	Johnson	Menning	Schaaf	Ueland, A.
Chmielewski	Keefe, J.	Nelson	Setzepfandt	Ulland, J.
Davies	Keefe, S.	Olhoft	Sieloff	Vega
Dieterich	Kleinbaum	Olson	Sikorski	Wegener
Dunn	Knaak	Penny	Sillers	Willet
Frederick	Knoll	Perpich	Solon	
Gearty	Knutson	Peterson	Spear	
Gunderson	Laufenburger	Pillsbury	Staples	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Davies moved to amend S. F. No. 971 as follows:

Page 1, line 19, after "*may*" insert "*nonetheless*"

Page 1, line 19, after the second "*a*" insert "*nonpurchase money*"

Page 1, line 20, delete "only to the extent" and insert:

"(1) if the debtor has other property exempted by this subdivision which is free of security interests and which exceeds \$3,000 in value, and the debtor so states by affidavit at the time the security interest is taken;

(2) if, in connection with the loan, no insurance is placed on the property in which the security interest is taken; and

(3) if it is clearly disclosed to the debtor at the time the security interest is taken that the property will nonetheless be exempt under this subdivision if the debtor has not otherwise exhausted his exemption under this subdivision at the time of foreclosure."

Page 1, delete lines 21 and 22

Page 2, delete lines 1 and 2

Mr. Merriam moved to amend the Davies amendment to S. F. No. 971, as follows:

Line 14 of the Davies amendment, delete "nonetheless" and insert "not"

Line 14 of the Davies amendment, after "subdivision" insert a period and delete "if the debtor"

Delete lines 15 and 16 of the Davies amendment

The motion did not prevail. So the amendment to the Davies amendment was not adopted.

The question recurred on the Davies amendment.

The motion prevailed. So the amendment was adopted.

Mr. Kleinbaum moved to amend S. F. No. 971 as follows:

Page 1, delete lines 16 through 22 and insert "Except for a pawnbroker's possessory lien, and except for a purchase money security interest, a creditor may not take a security interest in the following property of the debtor: all wearing apparel, one watch, dining table and its chairs, refrigerator, heating stove, cooking stove, beds and bedding, couch, cooking utensils and kitchenware and foodstuffs."

Page 2, delete lines 1 and 2

Page 2, delete section 3

Amend the title as follows:

Page 1, line 4, delete "Subdivisions" and insert "Subdivision"

Page 1, line 4, delete "and"

Page 1, line 5, delete "19"

The motion did not prevail. So the amendment was not adopted.

Mr. Davies moved to amend S. F. No. 971 as follows:

Page 2, after line 19, insert:

"Sec. 4. Sections 1 and 2 are effective on July 1, 1979. Section 3 is effective on July 1, 1980."

The motion prevailed. So the amendment was adopted.

S. F. No. 971 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended,

The roll was called, and there were yeas 47 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lessard	Perpich	Staples
Benedict	Hanson	Luther	Peterson	Stokowski
Bernhagen	Hughes	McCutcheon	Pillsbury	Stumpf
Chenoweth	Humphrey	Menning	Schaaf	Ulland, J.
Chmielewski	Jensen	Merriam	Schmitz	Vega
Coleman	Johnson	Moe	Setzepfandt	Wegener
Davies	Keefe, J.	Nelson	Sieloff	Willet
Dieterich	Keefe, S.	Nichols	Sikorski	
Engler	Knaak	Olhoft	Sillers	
Gearty	Knoll	Olson	Spear	

Those who voted in the negative were:

Brataas	Kleinbaum	Laufenburger	Rued	Ueland, A.
Frederick	Knutson	Penny		

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 579: 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 2.

Mr. Chmielewski moved to amend S. F. No. 579 as follows:

Amend the title was follows:

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete everything before the semicolon and insert "permitting change of podiatrists"

The motion prevailed. So the amendment was adopted.

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.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 56 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Peterson	Staples
Benedict	Gunderson	Lessard	Pillsbury	Stokowski
Bernhagen	Hanson	Luther	Renneke	Stumpf
Brataas	Hughes	McCutcheon	Rued	Tennessee
Chenoweth	Humphrey	Menning	Schaaf	Ueland, A.
Chmielewski	Jensen	Merriam	Schmitz	Ulland, J.
Coleman	Johnson	Moe	Setzepfandt	Vega
Davies	Keefe, J.	Nelson	Sieloff	Willet
Dieterich	Keefe, S.	Nichols	Sikorski	
Dunn	Knaak	Olhoft	Sillers	
Engler	Knoll	Olson	Solon	
Frederick	Knutson	Perpich	Spear	

Mr. Penny voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Perpich	Staples
Bang	Gearty	Laufenburger	Peterson	Stokowski
Benedict	Gunderson	Lessard	Pillsbury	Strand
Bernhagen	Hanson	McCutcheon	Renneke	Stumpf
Brataas	Hughes	Menning	Rued	Tennessee
Chenoweth	Humphrey	Merriam	Schaaf	Ueland, A.
Chmielewski	Jensen	Moe	Schmitz	Ulland, J.
Coleman	Keefe, J.	Nichols	Setzepfandt	Willet
Davies	Kleinbaum	Ogdahl	Sieloff	
Dunn	Knaak	Olhoft	Sillers	
Engler	Knoll	Penny	Solon	

Those who voted in the negative were:

Dieterich	Keefe, S.	Nelson	Spear	Vega
Johnson	Luther	Sikorski		

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 682: 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, Subdivision 2.

Mr. Chmielewski moved to amend S. F. No. 682 as follows:

Amend the title as follows:

Page 1, lines 3 and 4, delete "protected and unprotected wild animals" and insert "small game"

The motion prevailed. So the amendment was adopted.

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.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 42 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Peterson	Solon
Bang	Gunderson	Menning	Pillsbury	Stokowski
Bernhagen	Hanson	Merriam	Renneke	Strand
Brataas	Jensen	Moe	Rued	Ulland, J.
Chmielewski	Johnson	Nelson	Schmitz	Vega
Davies	Keefe, J.	Nichols	Setzepfandt	Wegener
Dieterich	Kleinbaum	Olhoff	Sieloff	
Engler	Knutson	Penny	Sikorski	
Frederick	Laufenburger	Perpich	Sillers	

Those who voted in the negative were:

Benedict	Hughes	Knoll	Ogdahl	Staples
Chenoweth	Humphrey	Luther	Schaaf	Stumpf
Dunn	Keefe, S.	McCutcheon	Spear	Tennessee

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Benedict moved to amend S. F. No. 436 as follows:

Page 2, line 16, before "*Periodic*" insert "*A mortgage may provide that*"

Page 2, line 18, delete "*annually*"

Page 2, lines 19, 20, 21, 22, 23, and 24, delete "*for*" and insert "*annually during*"

The motion prevailed. So the amendment was adopted.

S. F. No. 436 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 51 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knoll	Peterson	Strand
Bang	Frederick	Laufenburger	Pillsbury	Tennessee
Benedict	Gearty	Luther	Renneke	Ueland, A.
Bernhagen	Gunderson	McCutcheon	Rued	Ulland, J.
Brataas	Hanson	Menning	Schaaf	Vega
Chenoweth	Hughes	Merriam	Schmitz	Wegener
Chmielewski	Jensen	Moe	Setzepfandt	Willet
Coleman	Keefe, J.	Nelson	Sieloff	
Davies	Keefe, S.	Nichols	Sikorski	
Dieterich	Kleinbaum	Olhoft	Solon	
Dunn	Knaak	Penny	Staples	

Those who voted in the negative were:

Johnson	Perpich	Sillers	Spear	Stumpf
---------	---------	---------	-------	--------

So the bill, as amended, passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:30 o'clock p.m. The motion prevailed.

The hour of 7:30 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Dunn	Kleinbaum	Penny	Solon
Bang	Engler	Laufenburger	Perpich	Spear
Benedict	Gearty	Lessard	Peterson	Stokowski
Bernhagen	Gunderson	Luther	Purfeerst	Strand
Brataas	Hanson	Menning	Renneke	Stumpf
Chenoweth	Humphrey	Merriam	Schaaf	Ulland, J.
Chmielewski	Jensen	Nelson	Schmitz	Vega
Coleman	Johnson	Nichols	Sieloff	Wegener
Davies	Keefe, S.	Olhoft	Sikorski	Willet

The Sergeant at Arms was instructed to bring in the absent members.

MEMBERS EXCUSED

Messrs. Anderson and Moe were excused from this evening's Session. Mr. Strand was excused from the Session of today from 2:20 to 2:45 o'clock p.m. Mr. Rued was excused from the Session of today from 10:00 o'clock a.m. to 12:00 o'clock noon.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Lessard	Purfeerst	Strand
Bang	Engler	Luther	Renneke	Stumpf
Benedict	Gearty	Menning	Schaaf	Tennessee
Bernhagen	Hanson	Merriam	Schmitz	Ueland, A.
Brataas	Humphrey	Nelson	Setzepfandt	Ulland, J.
Chenoweth	Jensen	Olhoft	Sieloff	Vega
Chmielewski	Johnson	Olson	Sikorski	Wegener
Coleman	Keefe, S.	Perpich	Sillers	Willet
Davies	Kleinbaum	Peterson	Solon	
Dieterich	Knaak	Pillsbury	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Luther	Pillsbury	Stokowski
Bang	Humphrey	McCutcheon	Purfeerst	Strand
Bernhagen	Jensen	Menning	Renneke	Stumpf
Brataas	Johnson	Merriam	Schaaf	Ueland, A.
Chenoweth	Keefe, J.	Nelson	Schmitz	Ulland, J.
Chmielewski	Keefe, S.	Nichols	Setzepfandt	Vega
Davies	Kleinbaum	Olhoft	Sieloff	Wegener
Dieterich	Knaak	Olson	Sikorski	Willet
Dunn	Knoll	Penny	Sillers	
Engler	Laufenburger	Perpich	Solon	
Gearty	Lessard	Peterson	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Solon moved to strike the amendment placed on S. F. No. 923 by the Committee on Local Government, adopted by the Senate April 16, 1979.

The motion prevailed. So the committee amendment was stricken.

S. F. No. 923 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Lessard	Peterson	Spear
Bang	Gunderson	Luther	Pillsbury	Staples
Benedict	Hanson	McCutcheon	Purfeerst	Stokowski
Bernhagen	Humphrey	Menning	Renneke	Strand
Brataas	Jensen	Merriam	Schaaf	Stumpf
Chenoweth	Johnson	Nelson	Schmitz	Tennessee
Chmielewski	Keefe, J.	Nichols	Setzepfandt	Ueland, A.
Davies	Keefe, S.	Olhoff	Sieloff	Ulland, J.
Dieterich	Kleinbaum	Olson	Sikorski	Vega
Dunn	Knaak	Penny	Sillers	Wegener
Engler	Laufenburger	Perpich	Solon	Willet

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Setzepfandt moved to amend S. F. No. 332 as follows:

Page 2, line 1, delete "or"

Page 2, line 2, before the period insert ", or for the repair or replacement of an existing pipeline within the existing right-of-way"

Page 2, line 4, delete the comma and insert "at a pressure of more than 90 pounds per square inch, or to transport"

Page 2, line 12, before the period, insert "or is pasture land"

Page 2, line 17, delete "An"

Page 2, delete lines 18 to 21 and insert "Any person who negotiates or acquires an easement without complying with the provisions of this section is guilty of a gross misdemeanor."

Page 2, line 22, delete "and" and insert "or"

Page 3, line 4, after the period, insert "All fees received are appropriated to the environmental quality board for its own use and for distribution to state agencies for these purposes."

Page 5, line 15, after "newspaper" insert "of the county and a newspaper"

Page 5, line 16, delete "county" and insert "area"

Page 5, line 28, after "by" insert "an action in"

Page 6, line 6, delete "four and"

Page 6, line 7, delete "one-half" and insert "4-½"

Page 6, line 12, delete "six" and insert "4-½"

Page 11, line 2, after the period, insert "The county auditor, in computing the credits received pursuant to sections 273.13 and 273.135, shall reduce the gross tax by the amount of the credit received pursuant to this section."

Amend the title as follows:

Page 1, line 19, before the period, insert "; appropriating money"

The motion prevailed. So the amendment was adopted.

S. F. No. 332 was then progressed.

SPECIAL ORDER

S. F. No. 133: A bill for an act relating to partnerships; enacting the 1976 uniform limited partnership act.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	McCutcheon	Purfeerst	Stokowski
Benedict	Hanson	Menning	Renneke	Strand
Bernhagen	Humphrey	Merriam	Rued	Stumpf
Brataas	Jensen	Nelson	Schaaf	Tennessen
Chenoweth	Johnson	Nichols	Schmitz	Ueland, A.
Chmielewski	Keefe, J.	Ogdahl	Setzepfandt	Ulland, J.
Davies	Keefe, S.	Olhoft	Sieloff	Vega
Dieterich	Kleinbaum	Olson	Sikorski	Wegener
Dunn	Knoll	Penny	Sillers	Willet
Engler	Laufenburger	Perpich	Solon	
Frederick	Lessard	Peterson	Spear	
Gearty	Luther	Pillsbury	Staples	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The roll was called, and there were yeas 56 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Lessard	Purfeerst	Strand
Bang	Gunderson	Luther	Renneke	Stumpf
Benedict	Hanson	Menning	Rued	Tennessee
Bernhagen	Humphrey	Merriam	Schmitz	Ueland, A.
Brataas	Jensen	Nelson	Setzpfandt	Ueland, J.
Chenoweth	Johnson	Nichols	Sieloff	Vega
Chmielewski	Keefe, J.	Ogdahl	Sikorski	Wegener
Davies	Keefe, S.	Olhoft	Sillers	Willet
Dieterich	Kleinbaum	Olson	Solon	
Dunn	Knaak	Perpich	Spear	
Engler	Knoll	Peterson	Staples	
Frederick	Laufenburger	Pillsbury	Stokowski	

Messrs. Penny and Schaaf voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 937: A bill for an act relating to liquor; giving local governing authorities exclusive control over process of issuing off-sale licenses and enforcement of liquor regulations without review by the commissioner of public safety; requiring filing of off-sale licenses with 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 4, 8, 10, 10a, 11, 13, and 20; 340.119, Subdivisions 3 and 5; 340.355; 340.356; 340.485, Subdivisions 2 and 3; 340.492; 340.55; and 340.85, Subdivision 2; repealing Minnesota Statutes 1978, Section 340.983.

Messrs. Tennessee and Johnson moved to amend S. F. No. 937 as follows:

Page 11, delete section 19

Amend the title as follows:

Page 1, line 8, delete everything after the semicolon

Page 1, delete line 9

Page 1, line 15, delete “; repealing”

Page 1, line 16, delete everything before the period

The motion prevailed. So the amendment was adopted.

Mr. Spear moved to amend S. F. No. 937 as follows:

Page 11, after line 29, insert:

"Sec. 19. [APPROPRIATIONS CANCELLED.] The commissioner of finance shall cancel the unencumbered balance of any appropriation made to the commissioner of public safety for the liquor licensing program to carry out the liquor license approval, inspection, and other functions of the commissioner of public safety abolished by this act. The approved complement of the department of public safety is reduced accordingly."

Page 11, after line 31, insert:

"Sec. 21. [EFFECTIVE DATE.] This act is effective July 1, 1979."

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

S. F. No. 937 was then progressed.

SPECIAL ORDER

S. F. No. 756: 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.

Mr. Sieloff moved to amend S. F. No. 756 as follows:

Page 2, line 4, strike everything after the period

Page 2, lines 5 to 16, strike the old language and delete the new language

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend S. F. No. 756 as follows:

Amend the title as follows:

Page 1, line 3, before "local" insert "federal and"

Page 1, line 4, after the semicolon, insert "clarifying application of the tax credit in certain special elections;"

The motion prevailed. So the amendment was adopted.

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.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Menning	Renneke	Strand
Bang	Gunderson	Merriam	Rued	Stumpf
Benedict	Hanson	Nelson	Schaaf	Tennessee
Bernhagen	Humphrey	Nichols	Schmitz	Ueland, A.
Brataas	Jensen	Ogdahl	Setzepfandt	Ulland, J.
Chenoweth	Johnson	Olhoff	Sieloff	Vega
Chmielewski	Keefe, J.	Olson	Sikorski	Wegener
Davies	Keefe, S.	Penny	Sillers	Willet
Dieterich	Knaak	Perpich	Solon	
Dunn	Laufenburger	Peterson	Spear	
Engler	Lessard	Pillsbury	Staples	
Frederick	Luther	Purfeerst	Stokowski	

So the bill, as amended, passed and its title was agreed to.

The question recurred on S. F. No. 332.

SPECIAL ORDER

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.

Mr. Luther moved to amend S. F. No. 332 as follows:

Page 9, line 2, after the period, insert "Any person aggrieved by any violation of sections 1 to 10 or of ordinances or resolutions adopted pursuant to subdivisions 3 or 5 may seek equitable relief by petition in the district court of the county in which the violation occurs. Except any equitable relief shall not be given ex parte."

Mr. Keefe, J. requested division of the amendment, as follows:

First portion:

Page 9, line 2, insert, "Except any equitable relief shall not be given ex parte."

Second portion:

Page 9, line 2, after the period, insert "Any person aggrieved by any violation of sections 1 to 10 or of ordinances or resolutions adopted pursuant to subdivisions 3 or 5 may seek equitable relief by petition in the district court of the county in which the violation occurs."

The question was taken on the first portion of the amendment. The motion did not prevail. So the first portion of the amendment was not adopted.

The question was taken on the second portion of the amendment. The motion did not prevail. So the second portion of the amendment was not adopted.

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.

Was read the third time, as amended, and placed on its final passage:

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 52 and nays 4, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Luther	Pillsbury	Strand
Bang	Gearty	McCutcheon	Purfeerst	Stumpf
Benedict	Gunderson	Menning	Renneke	Tennessen
Bernhagen	Hanson	Merriam	Rued	Ueland, A.
Brataas	Humphrey	Nelson	Schaaf	Ulland, J.
Chenoweth	Johnson	Nichols	Schmitz	Vega
Chmielewski	Keefe, S.	Ogdahl	Setzpfandt	Wegener
Davies	Kleinbaum	Olhoft	Solon	Willet
Dieterich	Knaak	Olson	Spear	
Dunn	Laufenburger	Penny	Staples	
Engler	Lessard	Peterson	Stokowski	

Messrs. Jensen; Keefe, J.; Sieloff and Sillers voted in the negative.

So the bill, as amended, passed and its title was agreed to.

The question recurred on S. F. No. 273.

SPECIAL ORDER

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.

Mr. Sieloff moved to amend S. F. No. 273 as follows:

Page 7, line 18, delete *"twice the total"* and insert *"an amount not to exceed five times the usurious portion of the"*

Page 7, line 19, after *"deed"* insert *"plus attorneys' fees"*

The motion prevailed. So the amendment was adopted.

S. F. No. 273 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 45 and nays 5, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knaak	Olhoft	Sieloff
Benedict	Gearty	Knoll	Penny	Sillers
Bernhagen	Gunderson	Laufenburger	Peterson	Staples
Brataas	Hanson	Lessard	Pillsbury	Stokowski
Chenoweth	Humphrey	Luther	Renneke	Strand
Chmielewski	Jensen	McCutcheon	Rued	Ueland, A.
Davies	Keefe, J.	Menning	Schaaf	Ulland, J.
Dunn	Keefe, S.	Nelson	Schmitz	Vega
Engler	Kleinbaum	Nichols	Setzepfandt	Willet

Those who voted in the negative were:

Dieterich	Johnson	Merriam	Spear	Stumpf
-----------	---------	---------	-------	--------

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Nichols moved to amend S. F. No. 1312 as follows:

Page 45, line 33, before "for" delete the new language

Page 46, line 27, before "for" delete the new language

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. moved to amend S. F. No. 1312 as follows:

Page 30, line 29, before the period insert ";

(f) The individual is separated from employment due to the completion of an apprenticeship program, or segment thereof, approved pursuant to chapter 178"

The motion prevailed. So the amendment was adopted.

S. F. No. 1312 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knoll	Penny	Spear
Benedict	Gearty	Laufenburger	Peterson	Staples
Bernhagen	Gunderson	Lessard	Pillsbury	Stokowski
Brataas	Hughes	Luther	Renneke	Strand
Chenoweth	Jensen	McCutcheon	Rued	Stumpf
Chmielewski	Johnson	Menning	Schaaf	Tennessee
Davies	Keefe, J.	Merriam	Schmitz	Ueland, A.
Dieterich	Keefe, S.	Nelson	Setzepfandt	Ueland, J.
Dunn	Kleinbaum	Nichols	Sieloff	Vega
Engler	Knaak	Olhoft	Sillers	Willet

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Laufenburger	Purfeerst	Strand
Benedict	Gearty	Lessard	Renneke	Tennessee
Bernhagen	Gunderson	Luther	Rued	Ueland, A.
Brataas	Hanson	McCutcheon	Schaaf	Ulland, J.
Chenoweth	Hughes	Menning	Setzepfandt	Vega
Chmielewski	Humphrey	Merriam	Sieloff	Wegener
Coleman	Johnson	Nelson	Sillers	Willet
Davies	Keefe, J.	Olhoft	Solon	
Dieterich	Kleinbaum	Penny	Spear	
Dunn	Knaak	Peterson	Staples	
Engler	Knoll	Pillsbury	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Peterson moved to amend S. F. No. 1215 as follows:

Page 1, after line 16, insert:

"Sec. 2. *This act is effective June 15, 1979.*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1215 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 46 and nays 2, as follows:

Those who voted in the affirmative were:

Benedict	Hanson	McCutcheon	Schaaf	Tennessee
Bernhagen	Hughes	Menning	Schmitz	Ueland, A.
Chenoweth	Humphrey	Merriam	Setzepfandt	Ulland, J.
Chmielewski	Johnson	Nelson	Sieloff	Vega
Coleman	Keefe, S.	Olhoft	Solon	Wegener
Davies	Kleinbaum	Penny	Spear	Willet
Dunn	Knaak	Peterson	Staples	
Engler	Laufenburger	Pillsbury	Stokowski	
Gearty	Lessard	Purfeerst	Strand	
Gunderson	Luther	Renneke	Stumpf	

Messrs. Keefe, J. and Rued voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Laufenburger	Renneke	Stumpf
Bang	Gearty	Lessard	Rued	Tennessee
Benedict	Gunderson	Luther	Schaaf	Ueland, A.
Bernhagen	Hanson	McCutcheon	Schmitz	Ulland, J.
Brataas	Hughes	Menning	Setzepfandt	Vega
Chenoweth	Humphrey	Merriam	Sieloff	Wegener
Chmielewski	Jensen	Nelson	Solon	Willet
Davies	Keefe, J.	Penny	Spear	
Dieterich	Kleinbaum	Peterson	Staples	
Dunn	Knaak	Pillsbury	Stokowski	
Engler	Knoll	Purfeerst	Strand	

Messrs. Johnson and Olhoft voted in the negative.

So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the General Orders Calendar. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Gearty in the chair.

After some time spent therein, the committee arose, and Mr. Gearty reported that the committee had considered the following:

S. F. Nos. 333, 830, 1210, 1273, 1243, 895 and 1051 which the committee recommends to pass.

S. F. No. 1288, which the committee recommends to pass with the following amendment offered by Mr. Hanson:

Page 2, line 10, after "acre" insert a semicolon

The motion prevailed. So the amendment was adopted.

S. F. No. 1144, which the committee recommends to pass with the following amendments offered by Mr. Hanson:

Pages 1 and 2, delete section 2

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "1,"

Page 1, line 6, after "2" delete the comma

The motion prevailed. So the amendment was adopted.

Mr. Hanson then moved to amend S. F. No. 1144 as follows:

Page 4, line 10, reinstate "20"

Page 4, line 11, reinstate "percent of the"

Page 4, line 11, after the stricken word "construction" insert "*assessed benefits*"

Page 4, line 11, reinstate "of the ditch"

Page 4, line 12, reinstate "system" and after "system" insert "or"

Page 4, line 12, after "\$40,000" insert "*, whichever is the larger*"

Page 4, line 13, after "exceed" insert "*the larger of*"

Page 4, line 13, reinstate "20 percent of the"

Page 4, line 14, after the stricken "cost" insert "*assessed benefits*"

Page 4, line 14, reinstate "of the ditch" and after "ditch" insert "*or*"

The motion prevailed. So the amendment was adopted.

S. F. No. 947, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Page 1, line 15, delete "*March 31, 1981*" and insert "*December 31, 1980*"

The motion prevailed. So the amendment was adopted.

On motion of Mr. Coleman, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MEMBERS EXCUSED

Mr. Hughes was excused from the Session of today from 12:30 to 1:00 o'clock p.m. and from 7:30 to 9:30 o'clock p.m. Mr. Knoll was excused from the Session of today from 7:30 to 7:50 o'clock p.m. Mr. Perpich was excused from the Session of today at 9:00 o'clock p.m. Mr. Sikorski was excused from the Session of today at 9:15 o'clock p.m.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:45 o'clock a.m., Friday, April 27, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FORTY-THIRD DAY

St. Paul, Minnesota, Friday, April 27, 1979

The Senate met at 9:45 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Engler	Knoll	Perpich	Spear
Ashbach	Frederick	Laufenburger	Peterson	Staples
Bang	Gearty	Luther	Pillsbury	Stokowski
Benedict	Hanson	McCutcheon	Purfeerst	Strand
Bernhagen	Hughes	Menning	Renneke	Stumpf
Brataas	Humphrey	Merriam	Rued	Tennessee
Chenoweth	Jensen	Nelson	Schmitz	Ueland, A.
Coleman	Johnson	Ogdahl	Setzepfandt	Vega
Davies	Keefe, J.	Olhoft	Sieloff	Wegener
Dieterich	Kleinbaum	Olson	Sillers	Willet
Dunn	Knaak	Penny	Solon	

The Sergeant at Arms was instructed to bring in the absent members.

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

Mr. Coleman moved that the reading of the roll be dispensed with. The motion prevailed.

Mr. Coleman moved that when the Senate adjourns today, the Senate will proceed in a body to the Rotunda of the Capitol for the Memorial Service for Senator B. Robert Lewis. The motion prevailed.

MEMBERS EXCUSED

Mr. Ulland, J. was excused from the Session of today.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, April 30, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FORTY-FOURTH DAY

St. Paul, Minnesota, Monday, April 30, 1979

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Bang	Gearty	Laufenburger	Schaaf	Tennessee
Benedict	Hanson	Luther	Schmitz	Ueland, A.
Bernhagen	Humphrey	Menning	Setzepfandt	Ulland, J.
Brataas	Jensen	Merriam	Sieloff	Vega
Chenoweth	Johnson	Nelson	Sikorski	Wegener
Chmielewski	Keefe, S.	Olhoft	Sillers	Willet
Coleman	Kirchner	Olson	Solon	
Dunn	Kleinbaum	Penny	Spear	
Engler	Knaak	Peterson	Staples	
Frederick	Knutson	Rued	Stumpf	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rabbi Barry Starr.

The roll was called, and the following Senators answered to their names:

Anderson	Gearty	Knutson	Penny	Solon
Ashbach	Gunderson	Laufenburger	Perpich	Spear
Bang	Hanson	Lessard	Peterson	Staples
Benedict	Hughes	Luther	Pillsbury	Stokowski
Bernhagen	Humphrey	McCutcheon	Purfeerst	Strand
Brataas	Jensen	Menning	Renneke	Stumpf
Chenoweth	Johnson	Merriam	Rued	Tennessee
Chmielewski	Keefe, J.	Moe	Schaaf	Ueland, A.
Coleman	Keefe, S.	Nelson	Schmitz	Ulland, J.
Davies	Kirchner	Nichols	Setzepfandt	Vega
Dunn	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knaak	Olhoft	Sikorski	Willet
Frederick	Knoll	Olson	Sillers	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. McCutcheon was excused from the Session of today until 10:30 o'clock a.m. Mr. Perpich was excused from the Session of today until 10:52 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Chmielewski introduced—

S. F. No. 1512: A bill for an act relating to taxation; sales tax; exempting certain sales by senior citizens; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Engler introduced—

S. F. No. 1513: 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.

Referred to the Committee on Employment.

Mr. Merriam introduced—

S. F. No. 1514: A bill for an act relating to the city of Coon Rapids; authorizing city housing finance programs; authorizing bond issues for them.

Referred to the Committee on Energy and Housing.

Messrs. Merriam, Peterson, Hanson, Dieterich and McCutcheon introduced—

S. F. No. 1515: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Stokowski and Olson introduced—

S. F. No. 1516: A bill for an act relating to taxation; delayed assessment of value added by restoration, preservation, and rehabilitation of historically designated buildings.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Merriam, Sieloff, Peterson, Sillers and Kleinbaum introduced—

S. F. No. 1517: A bill for an act relating to education; providing textbook substitutes to nonpublic school pupils; appropriating money.

Referred to the Committee on Education.

Mrs. Knaak, Messrs. Rued and Gunderson introduced—

S. F. No. 1518: 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.

Referred to the Committee on Education.

Messrs. Coleman, Gearty and Nelson introduced—

S. F. No. 1519: 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.

Referred to the Committee on Governmental Operations.

Messrs. Knutson, Gearty, Hughes, Moe and Ashbach introduced—

S. F. No. 1520: A bill for an act relating to the Minnesota zoological garden; clarifying and supplementing the authority of the Minnesota zoological board concerning penalties; requiring a yearly report; providing power to acquire and dispose of plants and animals; providing for recognition of certain organizations; providing for acquisition of concession interests and for franchise contracts; providing for fees and charges; protecting the name and mark of the zoological garden; deleting certain appropriation and fee requirements; providing penalties; amending Minnesota Statutes 1978, Sections 85A.02, Subdivisions 7, 12, 14, and by adding subdivisions; 85A.03; and Chapter 333, by adding sections; repealing Laws 1977, Chapter 455, Section 29.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Bernhagen, Rued, Willet, Peterson and Sillers introduced—

S. F. No. 1521: A bill for an act relating to taxation; property tax; exempting improvements to property owned by nonprofit

sportmen's clubs from property tax; reclassifying property owned by and used for purposes of sportsmen's clubs; amending Minnesota Statutes 1978, Sections 272.02, Subdivision 1; and 273.13, Subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sikorski introduced—

S. F. No. 1522: A bill for an act relating to the town of Baytown; providing for its legal status in certain consolidation proceedings.

Referred to the Committee on Local Government.

Mr. Olson introduced—

S. F. No. 1523: 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.

Referred to the Committee on Local Government.

Messrs. Solon and Ulland, J. introduced—

S. F. No. 1524: 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.

Referred to the Committee on Local Government.

Messrs. Hughes; Keefe, S.; Sikorski; Nelson and Ashbach introduced—

S. F. No. 1525: 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.

Referred to the Committee on Governmental Operations.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 27, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. No. 322.

Sincerely,

Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

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.

Senate File No. 737 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 26, 1979

CONCURRENCE AND REPASSAGE

Mr. Lessard moved that the Senate concur in the amendments by the House to S. F. No. 737 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 737: A bill for an act relating to game and fish; fees for nonresident 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.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 48 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Penny	Sillers
Ashbach	Hanson	Laufenburger	Peterson	Strand
Bang	Hughes	Lessard	Pillsbury	Tennessee
Bernhagen	Humphrey	Luther	Purfeerst	Ueland, A.
Chmielewski	Jensen	Menning	Rued	Ulland, J.
Coleman	Johnson	Merriam	Schaaf	Vega
Davies	Kirchner	Moe	Schmitz	Wegener
Dunn	Kleinbaum	Nelson	Setzepfandt	Willet
Engler	Knaak	Ogdahl	Sieloff	
Frederick	Knoll	Olson	Sikorski	

Those who voted in the negative were:

Benedict	Chenoweth	Spear	Staples	Stumpf
----------	-----------	-------	---------	--------

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 1149 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 26, 1979

CONCURRENCE AND REPASSAGE

Mr. Penny moved that the Senate concur in the amendments by the House to S. F. No. 1149 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1149 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Peterson	Spear
Bang	Hanson	Lessard	Pillsbury	Staples
Benedict	Hughes	Luther	Purfeerst	Stokowski
Bernhagen	Humphrey	Menning	Renneke	Strand
Brataas	Jensen	Merriam	Rued	Stumpf
Chenoweth	Johnson	Moe	Schaaf	Tennessee
Chmielewski	Keefe, S.	Nelson	Schmitz	Ueland, A.
Coleman	Kirchner	Nichols	Setzepfandt	Ulland, J.
Davies	Kleinbaum	Ogdahl	Sieloff	Vega
Dunn	Knaak	Olhoff	Sikorski	Willet
Engler	Knoll	Olson	Sillers	
Frederick	Knutson	Penny	Solon	

So the bill, as amended, was repassed and its title was agreed to.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S. F. No. 129, and reports pertaining to appointments. The motion prevailed.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 809: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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 21 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 1, is amended to read:

353.03 [BOARD OF TRUSTEES.] Subdivision 1. [MANAGEMENT; COMPOSITION; ELECTION.] The management of the public employees retirement fund is hereby vested in a board of trustees consisting of 15 members, who shall be known as the board of trustees. This board shall consist of four trustees, one of whom shall be designated by each of the following associations or organizations, Minnesota school boards association, League of Minnesota Cities, Association of Minnesota Counties and the executive committee of the statewide general labor organization which includes among its membership the employee organizations, as defined in section 179.63, subdivision 5, which represent the largest number of employees who are association members; nine area trustees, who shall be elected from the membership employed in one of the areas described below by the members employed in such area except members of the police and fire fund; one trustee who

shall be a retired annuitant elected at large by other annuitants; and one trustee who is a member of the police and fire fund elected at large by the membership of the police and fire fund. *Elected Trustees elected by the membership of the association or by the annuitants of the association shall hold office be elected for a term of four years. Trustees designated by an association or organization or elected or selected by the use of a procedure other than direct election by the membership of the association or by the annuitants of the association shall hold office for a term of two years or until the designation, election or selection procedure is changed, if that occurs earlier.* For seven days beginning December 1 of each year, the association shall accept at its office filings in person or by mail of candidates for the board of trustees. An area candidate shall submit at the time of filing a nominating petition signed by 25 or more members of the fund from the area of the candidate, a retired annuitant candidate, a nominating petition signed by 25 or more such annuitants, and a police and fire fund candidate, a nominating petition signed by 25 or more members of such fund. No nominee may withdraw his name from nomination after December 15. By January 10 of each year in which elections are to be held the board shall distribute by mail to the members and annuitants ballots listing the candidates. No member may vote for more than one candidate but a blank line shall be provided for a write in vote. A ballot indicating a vote for more than one person shall be void. No special marking may be used on the ballot to indicate incumbents. The last day for mailing ballots to the fund shall be January 31. Except as provided in this section, all terms expire on January 31 of the fourth year, and the position shall remain vacant until the newly elected member is qualified. The ballot envelopes shall be so designed and the ballots shall be counted in such a manner as to insure that each vote is secret. For the purpose of electing the nine area trustees, the state shall be divided into three areas as follows: Area one shall include Anoka, Hennepin, Ramsey and Washington counties. Area two shall include Big Stone, Swift, Kandiyohi, Meeker and Wright counties and all counties south thereof, except counties in area one. Area three shall include all the remaining counties of the state. If any governmental unit is located in more than one area, place of employment shall be deemed to be in the area in which the main office of the governmental unit is located. Each year for three years one area trustee shall be elected to a four-year term from each area by the members employed in the respective areas. In the fourth year one trustee shall be elected at large by the police and fire fund membership and one trustee elected at large by the annuitants.

Notwithstanding the foregoing, however, in order to provide for a transition to regional elections, in the year 1978 only, a retired trustee shall be elected by the annuitants, and three trustees shall be elected from each of the three areas by the members of the area who may vote for only one candidate. The annuitant candidate receiving the most votes shall serve a three-year term, the candidate in each area receiving the largest number of votes shall serve a four-year term, the candidate in each area receiving the second largest number of votes shall serve a two-

year term and the candidate in each area receiving the third largest number of votes shall serve a one-year term. The elections shall be supervised by the secretary of state. It shall be the duty of the board of trustees to faithfully administer the law without prejudice and consistent with the expressed intent of the legislature. They shall act as trustees with a fiduciary obligation to the state of Minnesota which created the fund, the taxpayers of the governmental subdivisions which aid in financing it and the public employees who are its beneficiaries.

Sec. 7. 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 appoint 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".

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

Page 12, after line 30, insert:

"Sec. 17. 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 21, 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 firefighter 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 apply shall not be a member of this fund.

Sec. 18. 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 sections to read:

"Sec. 21. [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 1978, Section 177.24, Subdivision 1.

Sec. 22. [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. 23. [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. 24. [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.

Sec. 25. Laws 1978, Chapter 796, Section 28, shall be effective retroactively to July 1, 1977. Notwithstanding any provision of law to the contrary, the board of trustees position established pursuant to Laws 1978, Chapter 796, Section 28, shall be deemed to eliminate and replace the board of trustee position elected by the governing bodies of employee organizations, as defined in Minnesota Statutes, Section 179.63, Subdivision 5, representing public employees retirement association members.

Sec. 26. A member of the public employees retirement association and employee of Clearwater County who became totally and permanently disabled after more than ten years of service shall be entitled to total and permanent disability benefits pursuant to Minnesota Statutes, Section 353.33 commencing upon the effective date of this act, notwithstanding the fact that repayment of a refund of employee contributions was not made until after the date of disability."

Page 13, delete section 20

Page 13, line 31, delete "This act is" and insert "Sections 1, 6, 7, 17, 18, and 21 to 26, 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, Subdivisions 1 and 3;"

Page 1, line 8, delete "and by adding a"

Page 1, line 9, delete the first "subdivision"

Page 1, line 10, delete "353.46, Subdivision 1;" and insert "353.64, Subdivision 1; 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

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 1218: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, after "Polk" insert "or Norman"

Page 1, line 15, delete "of Polk County"

Page 2, line 2, delete "of Polk County"

Page 2, line 17, after "Polk" insert "or Norman"

Page 3, line 14, after "effective" insert "with respect to Polk County"

Page 3, line 17, after the period insert "This act shall be effective with respect to Norman County upon approval by a majority of the members of the board of county commissioners of Norman County and compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, delete "County" and insert "and Norman Counties"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1056: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [139.19] [GENERAL NONCOMMERCIAL RADIO STATION GRANTS.] Subdivision 1. [PURPOSE.] The purposes of sections 1 and 2 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 sections 1 and 2, the terms defined in this subdivision have the meanings given them.

(a) "Corporation for Public Broadcasting" means the nonprofit 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 of 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) Non-commercial radio stations grants received in the previous fiscal year pursuant to sections 1 and 2.

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 conduct 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, preceded by reasonable notice to the public pursuant to Minnesota Statutes, Section 471.705, and (ii) permits any person to attend any meeting of the board without requiring a person, as a condition of attendance at the meeting, to register the person's name or to provide any other information; notwithstanding any other provisions to the contrary, nothing contained in this clause shall be construed to prevent the board from holding a closed session to consider matters relating to individual employees, proprietary information, or litigation requiring the confidential advice of counsel, commercial or financial information obtained from a person on a privileged or confidential basis, or the purchase of property or services whenever the premature exposure of the purchase would compromise the business interests of the board. A two-thirds majority of the board shall be required to close a meeting. If a meeting is closed pursuant to the provisions of this clause, the board shall, prior to closing the meeting, make available to the public a written statement containing an explanation of the reasons for the closed meeting;

(k) Have met the criteria in clauses (a) through (j) for 15 months before it is eligible for state assistance under this section.

The board of the arts shall accept 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 sections 1 and 2. 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;

(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 sections 1 and 2; and

(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 sections 1 and 2, 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 sections 1 and 2 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.

Sec. 2. [APPROPRIATIONS.] The sum of \$150,000 is appropriated from the general fund to the board of the arts for the first fiscal year of the biennium and \$200,000 in the second year of the biennium ending June 30, 1981 for the purpose of section 1. Any funds not expended or encumbered during the first fiscal year of the biennium shall not lapse but shall be available for the same purpose during the second year of the biennium."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was re-referred

S. F. No. 1212: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 360.061, Subdivision 3, is amended to read:

Subd. 3. "Municipality" does not include a county unless the county owns or controls an airport, in which case such county may exercise all the powers granted by said sections to other municipalities. It specifically includes *a town, a metropolitan airports commissions commission* created in and for contiguous cities of the first class, and the state of Minnesota.

Sec. 2. Minnesota Statutes 1978, Section 360.063, Subdivision 3, is amended to read:

Subd. 3. [JOINT AIRPORT ZONING BOARD.] (1) Where an airport is owned or controlled by a municipality and any airport hazard area appertaining to such airport is located within the territorial limits of another county or municipality, the municipality owning or controlling the airport may request any county or municipality in which an airport hazard area is located:

(a) To adopt and enforce airport zoning regulations for the area in question that conform to minimum standards prescribed by the commissioner pursuant to subdivision 4; or

(b) To join in creating a joint airport zoning board pursuant to clause (2). The owning or controlling municipality shall determine which of these actions it shall request.

(2) Where an airport is owned or controlled by a municipality and any airport hazard area appertaining to such airport is located within the territorial limits of another county or municipality, the municipality owning or controlling the airport and the county or

other municipality within which the airport hazard area is located may, by ordinance or resolution duly adopted, create a joint airport zoning board, which board shall have the same power to adopt, administer, and enforce airport zoning regulations applicable to the airport hazard area in question as that vested by subdivision 1 in the municipality within which such area is located. ~~Each such Two members of the joint board shall have as members two representatives be appointed by the municipality owning or controlling the airport and two from by the other county or municipality, or in case in which the airport hazard area is located. If the airport hazard area is located in more than one other county or municipality is involved two from four members shall be appointed by the owning and controlling municipality and two members shall be appointed by each county or municipality, in which the airport hazard is located, and in addition a chairman elected by . A majority of the members so appointed pursuant to this clause shall elect an additional member who shall be the chairman of the board . Notwithstanding any provision of this clause to the contrary, a town in which an airport hazard area is located may appoint only one member of a joint airport zoning board.~~

(3) If any county or municipality fails within 60 days to adopt, or thereafter fails to enforce, such zoning regulations or to join in creating a joint airport zoning board as requested by the owning or controlling municipality, pursuant to clause (1), the owning or controlling municipality, or a joint airport zoning board created without participation by all subdivisions in which airport hazard areas are located, may itself adopt, administer, and enforce airport zoning regulations for the airport hazard area in question. In the event of conflict between such regulations and any airport zoning regulations adopted by the county or municipality within which the airport hazard area is located, the regulations of the municipality owning or controlling the airport or the joint zoning board shall govern and prevail.

(4) "Owning or controlling municipality," as used in this subdivision, includes:

(a) A joint airport operating board created pursuant to section 360.042 that has been granted all the powers of a municipality in zoning matters under the agreement creating the board;

(b) A joint airport operating board created pursuant to section 360.042 that has not been granted zoning powers under the agreement creating the board, provided that such a board shall not itself adopt zoning regulations nor shall any joint airport zoning board created at its request adopt zoning regulations unless all municipalities that created the joint operating board join to create the joint zoning board; and

(c) A metropolitan airports commission.

(5) A metropolitan airports commission may request creation of one joint airport zoning board for each airport or for the entire system of airports operated under its authority.

(6) *Each political subdivision represented on a joint airport zoning board shall pay a share of the expenditures authorized by the board. The share shall be equal to the percentage of total board membership held by the political subdivision.*

Sec. 3. Minnesota Statutes 1978, Section 360.065, Subdivision 1, is amended to read:

360.065 [REGULATION, PROCEDURE FOR ADOPTION.] Subdivision 1. [NOTICE, HEARING.] No airport zoning regulations shall be adopted, amended or changed under sections 360.011 to 360.076, except by action of the governing body of the municipality or county in question, or the boards provided for in section 360.063, subdivisions 3 and 7, or by the commissioner as provided in subdivisions 6 and 8, after a public hearing in relation thereto hearings, at which parties in interest and citizens shall have an opportunity to be heard. At least 15 days A public hearing shall be held on the proposed regulations before they are submitted for approval to the commissioner and after that approval but before final adoption by the local zoning authority. Notice of the a hearing required pursuant to this subdivision shall be published by the local zoning authority at least three times during the period between 15 days and 5 days before the hearing in an official paper, or a paper of newspaper and in a second newspaper designated by that authority which has a wide general circulation; in the county in which is located the airport hazard area to be zoned area affected by the proposed regulations. The notice shall not be published in the legal notice section of a newspaper. Notice shall also be mailed to the governing body of each political subdivision in which property affected by the regulations is located. A notice shall describe the property affected by the proposed regulations and the restrictions to be imposed on the property by the regulations and shall state the place and time at which the proposed regulations are available for public inspection.

Sec. 4. *This act is effective the day after final enactment.*"

Delete the title and insert:

"A bill for an act relating to aeronautics; changing the representation on joint airport zoning boards formed by three or more political subdivisions; clarifying town representation on joint airport zoning boards; providing for allocation of board expenditures; providing additional notice and hearing requirements for adoption or amendment of airport zoning regulations; amending Minnesota Statutes 1978, Sections 360.061, Subdivision 3; 360.063, Subdivision 3; and 360.065, Subdivision 1."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

H. F. No. 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Willet from the Committee on Agriculture 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 6, after "corporations" insert "*or home rule charter or statutory cities*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

H. F. No. 191: A bill for an act relating to state lands; providing for the conveyance of certain lands to the city of Hastings.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 5 after the period, insert "Title to the land conveyed pursuant to this section shall revert to the state if, at any time, the land is not used for public and recreational purposes."

Page 2, delete section 2

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing to which was referred

H. F. No. 633: A bill for an act relating to taxation; extending the termination date for a law denying tax deductions relating to substandard housing; amending Laws 1975, Chapter 226, Section 4.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 974: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 to 3, delete sections 1 and 2

Page 3, line 30, after the period, insert "*The official or commissioner shall disclose the nature of the conflict, which disclosure shall be entered in the minutes of the authority or agency.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "authorizing the"

Page 1, delete lines 3 and 4 and insert "changing the definition of conflict of interest for the city housing finance agency staff;"

Page 1, lines 6 and 7, delete "Sections 1; 2, Subdivision 1; and" and insert "Section"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 657: A bill for an act relating to nuclear waste management and disposal; requiring certificates of feasibility; adminis-

tration by the Minnesota energy agency; legislative approval; providing penalties.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. [CITATION.] Sections 1 to 7 shall be known and may be cited as the “Minnesota Nuclear Waste Management and Disposal Feasibility Act.”

Sec. 2. [FINDINGS.] The state of Minnesota has a substantial interest in the technological and economic feasibility of safe, long-term disposal of radioactive wastes generated by nuclear fission thermal power plants located in the state. This interest results from the fact that unsafe and temporary disposal of radioactive wastes may result in higher electrical costs, an unreliable supply of electricity, higher taxes, and a danger to public health and safety.

Sec. 3. [DEFINITIONS.] Subdivision 1. For purposes of sections 1 to 8, the terms defined in this section have the following meanings.

Subd. 2. “Agency” means the Minnesota energy agency.

Subd. 3. “Long-term disposal” means the placement of spent nuclear fuel at an away from reactor storage facility.

Subd. 4. “Person” means any individual, corporation, partnership, or other unincorporated association.

Subd. 5. “Radioactive waste” when produced as a result of and incident to operation of a nuclear fission thermal power plant includes:

(a) Useless or unwanted capturable radioactive residues produced incidental to the use of radioactive material;

(b) Useless or unwanted radioactive material;

(c) Otherwise nonradioactive material made radioactive by contamination with radioactive material; or

(d) Radioactive waste does not include discharges or radioactive effluents to air or surface water when subject to applicable federal or state regulations.

Sec. 4. [NUCLEAR FISSION THERMAL POWER PLANT; CERTIFICATE REQUIRED.] Subdivision 1. No utility may apply for a certificate of need pursuant to Minnesota Statutes, Section 116H.13, for a nuclear fission thermal power plant or for expansion of the generating capacity of an existing plant until it has received a certificate of economic and technological feasibility for the plant from the agency, pursuant to and consistent with the requirements set forth in section 5. The certificate of economic and technological feasibility is the first step in the certificate of need process for a nuclear fission power plant.

Subd. 2. Application for a certificate of economic and technological feasibility shall be on forms and in a manner prescribed by the

agency by rule. In reviewing each application the agency shall hold at least one public hearing pursuant to Minnesota Statutes, Chapter 15. For purposes of Minnesota Statutes, Chapter 15, the application shall be considered a contested case.

Subd. 3. Other state agencies with regulatory authority over the licensing, construction, operation or rate determination for any nuclear fission power plant located in the state shall present testimony and participate in the certification of economic and technological feasibility process. This includes, but is not limited to the departments of health, and natural resources, the pollution control agency, the environmental quality board, and the public service commission.

Sec. 5. [CERTIFICATE OF ECONOMIC AND TECHNOLOGICAL FEASIBILITY CRITERIA.] *In order for the agency to grant a certificate of economic and technological feasibility, the agency shall find that each of the following conditions has been satisfied:*

(1) That the cost for safe, long-term, technologically feasible disposal of radioactive waste material from the proposed plant, in an existing disposal facility, can be calculated to reasonable accuracy and shown to be just and reasonable for ratepayers and the applicant; and

(2) That the United States through its authorized agency has licensed use of the means and facilities for long-term disposal.

Sec. 6. [PENALTIES; INJUNCTION.] *Subdivision 1. Any person who violates sections 1 to 5 or knowingly submits false information in an application for a certificate of economic and technological feasibility or in conjunction therewith, shall be guilty of a gross misdemeanor and subject to either or both of a fine of \$1,000 or a year in jail. Each day a violation continues shall constitute a separate offense.*

Subd. 2. The provisions of sections 1 to 5 may be enforced by injunction, action to compel performance, or other appropriate action in the district court of the county wherein the violation takes place. The attorney general shall bring any action under this subdivision upon the request of the agency.

Sec. 7. [PREEXISTING FACILITIES.] *The provisions of sections 1 to 5 shall not apply to any expansion of a spent nuclear fuel facility for an existing power plant.*

Sec. 8. Minnesota Statutes 1978, Section 216B.16, Subdivision 6, is amended to read:

Subd. 6. The commission, in the exercise of its powers under this chapter to determine just and reasonable rates for public utilities, shall give due consideration to the public need for adequate, efficient, and reasonable service and to the need of the public utility for revenue sufficient to enable it to meet the cost of furnishing the service, including adequate provision for depreciation of its utility property used and useful in rendering service to the public, and to earn a fair and reasonable return upon the investment in such

property. In determining the rate base upon which the utility is to be allowed to earn a fair rate of return, the commission shall give due consideration to evidence of the cost of the property when first devoted to public use, to prudent acquisition cost to the public utility less appropriate depreciation on each *including the recovery costs for long-term disposal of radioactive wastes in the case of nuclear power generating plants*, to construction work in progress, to offsets in the nature of capital provided by sources other than the investors, and to other expenses of a capital nature. For purposes of determining rate base, the commission shall consider the original cost of utility property included in the base and shall make no allowance for its estimated current replacement value.

Sec. 9. *This act is effective the day following final enactment.*"

Amend the title as follows:

Page 1, line 4, before "administration" insert "providing for"

Page 1, line 5, delete "legislative approval" and insert "providing for changes in rate base computations;"

Page 1, line 5, after "penalties" insert "; amending Minnesota Statutes 1978, Section 216B.16, Subdivision 6"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

H. F. No. 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was re-referred

S. F. No. 129: A bill for an act relating to reapportionment of legislative and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Section 3, to permit the creation by law of a commission to reapportion congressional or legislative districts, or both; establishing standards for legislative districts.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Subdivision 1. An 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, 3 and 4 will read as follows:

Sec. 2. [APPORTIONMENT OF MEMBERS.] The number of members who compose the senate and house of representatives shall be prescribed by law. The representation in both houses shall be apportioned equally throughout the different sections of the state in proportion to the population thereof. A law changing the number of senators or representatives shall be effective only on January 1 of the next year ending in the number one following enactment of the law and shall govern only at general elections occurring after that date.

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.

Sec. 4 3. [TERMS OF OFFICE OF SENATORS AND REPRESENTATIVES; VACANCIES.] Representatives shall be chosen for a term of two years, except to fill a vacancy. Senators shall be chosen for a term of four years, except to fill a vacancy and except there shall be an entire new election of all the senators at the first election of representatives after each new legislative apportionment provided for in this article. The governor shall call elections to fill vacancies in either house of the legislature.

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.] In each year ending in the number one a reapportionment commission shall be established to draw the boundaries of legislative and congressional districts.

The commission shall consist of seven members who are eligible voters of the state. Article IV, Section 5 shall not apply to the appointment of members of the reapportionment commission. One member shall be appointed by the speaker of the house and one by the members of the house representing political parties other than the party represented by the speaker. One member shall be appointed by the president of the senate and one by the members of the senate representing political parties other than the party represented by the president. The term "political party" as used in this section shall have the meaning provided by law.

The remaining three members shall be appointed by unanimous agreement of the legislative appointees and shall be impartial in the

matter of apportionment. The qualifications of impartial members shall be as provided by law.

Members of the commission shall be appointed within the time provided by law but not later than March 15 of the year in which the commission must be established. The supreme court shall promptly fill any vacancy on the commission that results from the failure to appoint a member within the time provided by law.

Sec. 2. [APPORTIONMENT REQUIREMENTS.] *The commission shall draw the boundaries of legislative and congressional districts in accordance with the requirements of this section. There shall be one district for each representative, senator and representative in congress. No representative district shall be divided in the formation of a senate district.*

All districts of the same kind shall be as equal in population as practicable. Population shall be the controlling factor in drawing the district boundaries.

The districts shall be composed of compact and contiguous territory. To the extent consistent with other standards, the boundaries of the districts shall follow county, city and town boundaries. No apportionment plan shall be drawn for the purpose of favoring any political party. Legislative and congressional districts shall be drawn according to the number of legislators and representatives in congress to be elected at general elections following the adoption of the apportionment plan.

Sec. 3. [APPORTIONMENT PLAN.] *The commission by a vote of at least four of its members shall adopt an apportionment plan setting forth all of the new legislative and congressional districts within the time provided by law but not later than December 1 of the year in which the commission is established.*

An apportionment plan shall be effective 30 days after it is adopted. The districts set forth in a plan shall govern elections of state representatives and representatives in congress beginning with the first general election after the plan is adopted and shall govern elections of senators beginning with the first general election at which senators are elected after the plan is adopted.

Sec. 4. [JUDICIAL REVIEW; COURT DRAWN PLAN.] *The supreme court shall exercise original jurisdiction in any matter relating to apportionment in the manner provided by law. If the commission fails to adopt and file an apportionment plan within the time provided by law the supreme court shall adopt its own plan in accordance with the requirements of section 2 of this article.*

Sec. 5. *The legislature shall enact the laws necessary to implement this article provided that reapportionment shall be governed by the law in effect on January 1 of the year in which a reapportionment commission is established.*

Sec. 2. *The amendment shall be submitted to the people 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 establish the boundaries of legislative and congressional districts?

Yes.....

No.....”

Sec. 3. [2A.01] [REAPPORTIONMENT COMMISSION.]
Subdivision 1. The reapportionment commission established under article XV of the constitution shall be governed by the provisions of sections 3 to 9.

Sec. 4. [2A.02] [APPOINTMENT.] *Subdivision 1. For the purpose of Article XV, Section 1 of the Minnesota Constitution and this section, “political party” means the political party or political principle by which a legislator was designated on the general election ballot when the legislator was last elected.*

Subd. 2. Not more than four members of the commission shall be residents of either the metropolitan area as defined in section 473.121, subdivision 2 or the area consisting of the remainder of the state. Not more than one impartial member shall be appointed from any region established pursuant to section 462.385.

Subd. 3. No individual shall be appointed or shall serve as an impartial member of the commission who:

(a) holds or has held within two years prior to appointment an elected or appointed office in the executive, judicial or legislative branch or in an independent agency of the federal, state or local government;

(b) is or has been within two years prior to appointment a member of the state central committee or state executive committee of a political party;

*(c) is an employee of a legislator or representative in congress;
 or*

(d) is a member of the immediate family of a legislator, representative in congress or employee of the legislature or congress.

For the purpose of this subdivision “member of the immediate family” means father, mother, son, daughter, brother, sister, spouse, ex-spouse or member of the same household.

Subd. 4. No individual who is appointed as an impartial member of the commission shall be a candidate for any elective office or shall participate in or contribute to any political campaign of a candidate for state or federal elective office while a member of the commission.

Subd. 5. Not later than January 15 of each year ending in the number one the secretary of state shall request the legislators who are authorized by the constitution to appoint members to serve on the commission to certify the names of their appointees. The representatives representing political parties other than the party represented by the speaker of the house and the senators representing political parties other than the party represented by the

president of the senate shall convene during the ten days following the request of the secretary of state, at a time and place directed by the secretary, to appoint members of the commission. The secretary of state shall preside at these conventions. The names of all legislative appointees shall be certified to the secretary of state not later than the following February 1. If a certification is not received within the required time, the secretary of state shall notify the chief justice of the supreme court that there is a vacancy on the commission. Within ten days after notification the supreme court shall fill the vacancy and certify the name of the appointee to the secretary of state.

Subd. 6. Not later than March 15 the commission members whose appointments have been certified pursuant to subdivision 5 shall appoint the impartial members and certify the names to the secretary of state. When a certificate is not received within the required time, the secretary of state shall notify the chief justice that there is a vacancy. Within ten days after the notification the supreme court shall appoint the necessary number of impartial members and certify their names to the secretary of state.

Subd. 7. Vacancies other than those resulting from a failure to appoint a member within the time provided by law shall be filled by the appointing authority that made the original appointment.

Sec. 5. [2A.03] [COMMENCEMENT OF DUTIES; MEETINGS; ADMINISTRATIVE SUPPORT.] Subdivision 1. Before beginning to exercise their official duties the members of the commission shall take an oath in the form required for other state officers. The members shall elect one of their number as presiding officer of the commission. The commission, after notice and opportunity for public comment, may adopt and publish procedures necessary to carry out its duties. Chapter 15 does not apply to these procedures.

Subd. 2. The proceedings of the commission shall be open to the public. The commission shall give public notice of its proceedings and shall keep minutes and audio recordings of those proceedings. All materials submitted to or developed by the commission, together with the minutes and audio record of its proceedings shall be preserved and made available for public inspection and copying. The commission may administer oaths to individuals appearing before it.

Subd. 3. The secretary of state is the executive secretary of the commission and shall make available the staff, professional and technical services and other assistance requested by the commission. The department of administration, attorney general and revisor of statutes shall make available the personnel, facilities and other assistance needed by the commission.

Sec. 6. [2A.04] [APPORTIONMENT PLAN.] Subdivision 1. An apportionment plan adopted by the commission shall include:

(a) A written description of each district drawn by the commission;

(b) A map of each district showing the name and location of each public road and each county, city and town boundary in the district in a scale that allows precise location of the district boundaries;

(c) A map of the state showing all of the districts drawn by the commission;

(d) A statement of the deviation in population of each district from the average population of all districts of that kind;

(e) A justification of any population deviation described in clause (d) which exceeds one-half of one percent for a congressional district or five percent for legislative districts;

(f) An explanation of the standards used by the commission to draw the districts; and

(g) Any other information which the commission deems relevant to the plan.

Subd. 2. An apportionment plan shall be adopted not later than August 1 of the year in which the commission is established. The supreme court, upon petition by the commission, may extend the time for adoption of the plan to a date not later than December 1 of that year if the court finds that the population information needed by the commission to adopt the plan has not been made available in a timely manner. When an apportionment plan adopted by the commission is remanded by the court, the commission shall adopt an amended plan consistent with the findings of the court not later than 30 days after the original is remanded.

Subd. 3. An apportionment plan is adopted when approved by a vote of at least four members of the commission and filed with the secretary of state. An apportionment plan is effective 30 days after it is adopted.

Sec. 7. [2A.05] [CHANGE IN CONGRESSIONAL REPRESENTATION.] If the number of the state's representatives in congress is changed by law and a commission will not otherwise be constituted to draw new congressional districts, a commission shall be established and shall draw the boundaries of new congressional districts within the time set forth by the supreme court pursuant to section 11, subdivision 3.

Sec. 8. [2A.06] [COMPENSATION.] Members of the commission who are not paid a salary by the state shall be compensated at the rate provided by section 15.059, subdivision 3, for members of advisory councils and committees. Members shall be compensated for their actual and necessary expenses incurred in carrying out their duties on the commission in the same manner and amount as other state employees.

Sec. 9. [2A.07] [DISSOLUTION.] When a reapportionment plan of the commission is adopted and all legal actions concerning the plan have been decided or when the commission fails to adopt a plan within the time required, the commission shall conclude its business and dissolve. The conclusion of business shall include prep-

aration of the official record of the commission and a financial statement disclosing all expenditures made by the commission. The official record shall contain all information developed by the commission pursuant to carrying out its duties including records of public hearings, data collected, minutes and audio recordings of hearings and meetings, and other information of a similar nature. The official record shall be submitted to the secretary of state who shall provide for its preservation.

Sec. 10. [2A.08] [SECRETARY OF STATE.] Promptly after the filing of an apportionment plan the secretary of state shall:

(a) Prepare and transmit a copy of the plan to each county auditor;

(b) Prepare and transmit a summary of the plan to each newspaper of general circulation and each radio and television station in the state; and

(c) Prepare sufficient copies of the plan and the summary for inspection, copying and purchase by the public.

Sec. 11. [2A.09] [JUDICIAL REVIEW.] Subdivision 1. An action to review an apportionment plan adopted by the reapportionment commission shall be commenced by petition to the supreme court within 30 days of the effective date of the plan. The petition shall set forth the facts and the law on the basis of which petitioner believes the plan does not comply with the provisions of the United States Constitution, the Minnesota Constitution or other provisions of law. A copy of the petition shall be served upon the commission and upon the attorney general.

The court shall hold hearings upon the petition and shall render its opinion within 45 days of the date that the petition is filed. If the court determines that an original, unamended plan of the reapportionment commission does not comply with constitutional or legal requirements, the court shall specify the reasons for its finding and immediately remand the plan to the commission for amendment.

Subd. 2. If the commission fails to adopt an apportionment plan or an amended plan within the time provided by law or an amended plan adopted by the commission is found invalid upon review by the supreme court or any apportionment plan is found invalid by any federal court, the supreme court shall adopt its own reapportionment plan or amend the invalid plan in accordance with the requirements of Article XV, Section 2, of the Minnesota Constitution. The court shall hold at least one public hearing before adopting or amending a plan. An apportionment plan adopted or amended by the supreme court shall be in the form prescribed for a plan adopted by the commission. The court shall adopt the plan or amended plan and file it with the secretary of state not later than 60 days from the date on which the commission was required to adopt its plan or the date on which the plan was declared invalid. The plan is effective 30 days after it is adopted.

Subd. 3. When the number of the state's representatives in congress is changed by law and a reapportionment commission will not otherwise be constituted to draw the boundaries of new congressional districts, the supreme court shall set a timetable for establishing a reapportionment commission and adopting an apportionment plan setting forth those districts. The timetable shall be consistent with the time provided for adoption of an apportionment pursuant to section 6, subdivision 2, as far as practicable.

Sec. 12. [2A.11] [DUTIES OF ATTORNEY GENERAL.] *The attorney general shall represent the commission in any action in the supreme court and shall represent the state in any action in a federal court concerning an apportionment plan adopted pursuant to Article XV of the Minnesota Constitution and sections 3 to 12.*

Sec. 13. [REPEALER.] *Minnesota Statutes 1978, Sections 2.041 to 2.712 are repealed on the effective date of this section. Minnesota Statutes 1978, Sections 2.731 to 2.811 are repealed on the date when an apportionment plan setting forth new congressional districts is effective pursuant to article XV of the constitution.*

Sec. 14. [EFFECTIVE DATE.] *Sections 3 to 13 are effective upon adoption of the constitutional amendment provided in sections 1 and 2."*

Delete the title in its entirety and insert:

"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, 3 and 4 to provide for establishment of the boundaries of congressional and legislative districts by a commission, removing the requirement that all senators be elected at the first general election following an apportionment and limiting the power of the legislature to change the number of senators and representatives; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811."

And when so amended the bill do pass. Mr. Tennessen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 1193: A bill for an act relating to the city of Brooklyn Center; authorizing housing and rehabilitation loan and grant program.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 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 operation 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 develop and administer a housing rehabilitation loan and grant program with respect to property located anywhere within its boundaries which is owned by persons of low and moderate income on the terms and conditions it determines; provided, that in approving applications for this program the following factors shall be considered: (1) the availability of other governmental programs affordable by the applicant; (2) the availability and affordability of private market financing; and (3) whether the housing is required, pursuant to an urban renewal program or a code enforcement program, to be repaired, improved, or rehabilitated.

Sec. 2. Minnesota Statutes, 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,

(1) 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."

Delete the title and insert:

"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."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 1465: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

H. F. No. 183: A bill for an act relating to pollution control; authorizing the pollution control agency to assist small businesses; amending Minnesota Statutes 1978, Sections 115.03, by adding a subdivision; and 474.03.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was re-referred

S. F. No. 160: A bill for an act relating to juveniles; concerning foster care; extending county cost of care payment provisions; appropriating money; amending Minnesota Statutes 1978, Sections 260.251, Subdivisions 1 and 1a; and 261.27.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 6, delete everything after the comma

Page 2, delete lines 7 to 16

Page 2, line 17, delete "age" and insert "*the county shall continue to provide costs of care for a person (a) for a period of four months beyond the person's graduation from high school if the person does not enroll in a vocational or technical training course; or (b) while the person is enrolled in a course of vocational or*

technical training designed to fit the person for gainful employment. In accordance with section 260.40, the county may continue to provide costs of care for foster children until age 21"

Page 3, line 2, delete "at"

Page 3, delete lines 3 to 11

Page 3, line 12, delete everything before "To" and insert *"the county shall continue to provide costs of care for a person (a) for a period of four months beyond the person's graduation from high school if the person does not enroll in a vocational or technical training course; or (b) while the person is enrolled in a course of vocational or technical training designed to fit the person for gainful employment. In accordance with section 260.40, the county may continue to provide costs of care for foster children until age 21."*

Page 3, delete lines 19 to 21

Page 3, line 22, delete the new language and insert *"the periods specified in clauses (a) and (b)"*

Page 4, delete lines 24 to 32 and insert *"for persons after graduation from high school or enrolled in a vocational or technical training course as provided under section 260.251, subdivisions 1 and 1a."*

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 1009: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 11, strike "The credit provided for in this subdivision"

Page 3, strike lines 12 to 14

Pages 3 to 11, delete section 3

Page 12, line 8, delete "Section 1 to 3" and insert "Sections 1 and 2"

Page 12, line 9, delete "4" and insert "3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 4 and 5

Page 1, line 6, delete "equipment from the sales tax;"

Page 1, line 8, delete "Sections" and insert "Section"

Page 1, line 9, delete "297A.25, Subdivision 1;"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws,
to which was referred

S. F. No. 515: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 8, after "*Persons*" insert "*who in the course of their business are*"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws,
to which was referred

S. F. No. 182: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 8, after line 31, insert:

"Sec. 2. [EFFECTIVE DATE.] *Section 1 is effective for sales made the day following final enactment.*"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws,
to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred the following appointment as reported in the Journal for March 8, 1979:

**MINNESOTA ENERGY AGENCY
DIRECTOR**

Algernon H. Johnson

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 386, 1268, 1063, 1436, 898, 1411, 921, 1214, 1011 for comparison with companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their second reading and substituted for their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
386	445	1436	1391		
1268	1143	1214	1180		
1063	1073				
898	1037				
1411	1313				
921	963				
1011	562				

and that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate of behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 361, 966, 969, 564 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
361	555			966	983
969	1150				
564	624				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 361 be amended as follows:

Page 6, line 17, delete "he" and insert "the"

And when so amended H. F. No. 361 will be identical to S. F. No. 555, and further recommends that H. F. No. 361 be given its second reading and substituted for S. F. No. 555, and the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 969 be amended as follows:

Page 3, line 13, after "or" delete the comma and insert a comma after "who"

Page 3, line 14, after "grounds" insert a comma

And when so amended H. F. No. 969 will be identical to S. F. No. 1150, and further recommends that H. F. No. 969 be given its second reading and substituted for S. F. No. 1150, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 564 be amended as follows:

Page 4, line 14, before "when" insert a comma

Page 4, line 15, after "to" insert a comma

Page 5, lines 17 and 18, reinstate the stricken language

Page 8, line 29, before "including" insert a new comma

Page 8, line 31, strike "issued on or before July 31," and delete "1983"

Page 9, line 4, delete "1983" and strike the entire line

Page 9, delete lines 27 to 31 and insert "rate of interest to be published in the state register on or before the last day of that month and in a legal newspaper in Ramsey County on or before the first day of the next succeeding month, or as soon thereafter as practicable; the maximum lawful rate of interest to be effective on the first day of the next succeeding"

Page 11, line 11, after "fee" insert a comma

Page 11, lines 12 and 13, delete "issued on or before November 30, 1982,"

Page 12, line 27, insert a comma before "and"

Page 13, line 26, delete "as applicable"

Further, amend the title as follows:

Page 1, line 7, delete "Sections" and insert "Section"

Page 1, line 8, delete "a subdivision" and insert "subdivisions"

And when so amended H. F. No. 564 will be identical to S. F. No. 624, and further recommends that H. F. No. 564 be given

its second reading and substituted for S. F. No. 624, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 966 be amended as follows:

Page 2, line 1, strike "such" and insert "the"

Page 2, line 7, reinstate the stricken language and delete the new language

Page 2, line 15, strike "such" and insert "the"

Page 2, line 21, reinstate the stricken language and delete the new language

Page 3, line 10, strike "Such" and insert "The"

And when so amended H. F. No. 966 will be identical to S. F. No. 983, and further recommends that H. F. No. 966 be given its second reading and substituted for S. F. No. 983, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 351, 984, 1293, 1128, 169, 1376, 1115, 1209, 1013, 74, 1361, 1362, 1363, 482, 1248, 721, 783, 1042, 768, 874, 1191, 1260, 227, 255, 1403, 1098, 1436, 1257, 177, 1166, 1026, 667, 1296, 1393, 831, 1006, 1199, 1351, 765, 770, 962, 529, and H. F. Nos. 389 and 219 makes the following report:

That the above Senate Files and House Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 1504, 1505, 1510, 1511, 809, 1218, 1212, 974, 657, 1193, 1465, 160, 1009, 515 and 182 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 67, 386, 1268, 1063, 898, 1411, 921, 1011, 1436, 1214, 361, 969, 564 and 966 were read the second time.

H. F. Nos. 31, 623, 627, 191, 728, 606, 183 and 214 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Benedict moved that the name of Mr. Luther be added as co-author to S. F. No. 49. The motion prevailed.

Mr. Dieterich moved that the names of Messrs. Chenoweth and Stumpf be added as co-authors to S. F. No. 1211. The motion prevailed.

Mr. Schaaf moved that his name be stricken as co-author to S. F. No. 1475. The motion prevailed.

Mr. Chenoweth moved that H. F. No. 747 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 809 now in the Subcommittee on Bill Scheduling. The motion prevailed.

Mr. Willet moved that H. F. No. 882 be withdrawn from the Committee on Agriculture and Natural Resources and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1044 now on General Orders. The motion prevailed.

Mr. Willet moved that S. F. No. 1465 be withdrawn from the Subcommittee on Bill Scheduling of the Committee on Rules and Administration and re-referred to the Committee on Finance. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Calendar. The motion prevailed.

CALENDAR

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Olson	Solon
Ashbach	Gearty	Knoll	Penny	Staples
Bang	Hanson	Laufenburger	Peterson	Stokowski
Benedict	Hughes	Lessard	Pillsbury	Stumpf
Bernhagen	Humphrey	Luther	Purfeerst	Ueland, A.
Brataas	Jensen	Menning	Schaaf	Ulland, J.
Chenoweth	Johnson	Merriam	Schmitz	Vega
Chmielewski	Keefe, J.	Moe	Setzpfandt	Wegener
Coleman	Keefe, S.	Nelson	Sieloff	Willet
Dunn	Kirchner	Nichols	Sikorski	
Engler	Kleinbaum	Olhoft	Sillers	

Messrs. Ogdahl, Rued, Spear and Strand voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Hanson	Lessard	Purfeerst	Strand
Bang	Hughes	Luther	Renneke	Stumpf
Benedict	Humphrey	Menning	Rued	Tennessee
Bernhagen	Jensen	Merriam	Schaaf	Ueland, A.
Brataas	Johnson	Moe	Schmitz	Ulland, J.
Chenoweth	Keefe, J.	Nelson	Setzpfandt	Vega
Chmielewski	Keefe, S.	Nichols	Sieloff	Wegener
Coleman	Kirchner	Ogdahl	Sikorski	Willet
Davies	Kleinbaum	Olhoft	Sillers	
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Penny	Spear	
Frederick	Knutson	Peterson	Staples	

So the bill passed and its title was agreed to.

S. F. No. 1210: A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in Beltrami County.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Hanson	Lessard	Purfeerst	Strand
Bang	Hughes	Luther	Renneke	Stumpf
Benedict	Humphrey	Menning	Rued	Tennessee
Bernhagen	Jensen	Merriam	Schaaf	Ueland, A.
Brataas	Johnson	Moe	Schmitz	Ulland, J.
Chenoweth	Keefe, J.	Nelson	Setzpfandt	Vega
Chmielewski	Keefe, S.	Nichols	Sieloff	Wegener
Coleman	Kirchner	Ogdahl	Sikorski	Willet
Davies	Kleinbaum	Olhoft	Sillers	
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Penny	Spear	
Frederick	Knutson	Peterson	Staples	

So the bill passed and its title was agreed to.

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 1, 2, and 6; 106.651; and Chapter 106, by adding a section.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Peterson	Staples
Ashbach	Hanson	Lessard	Pillsbury	Stokowski
Bang	Hughes	Luther	Purfeerst	Strand
Benedict	Humphrey	Menning	Rued	Stumpf
Bernhagen	Johnson	Merriam	Schaaf	Tennessee
Brataas	Keefe, J.	Moe	Schmitz	Ueland, A.
Chenoweth	Keefe, S.	Nelson	Setzepfandt	Ulland, J.
Chmielewski	Kirchner	Nichols	Sieloff	Vega
Coleman	Kleinbaum	Ogdahl	Sikorski	Wegener
Davies	Knaak	Olhoft	Sillers	Willet
Dunn	Knoll	Olson	Solon	
Engler	Knutson	Penny	Spear	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Hanson	Lessard	Purfeerst	Strand
Bang	Hughes	Luther	Renneke	Stumpf
Benedict	Humphrey	Menning	Rued	Tennessee
Bernhagen	Jensen	Merriam	Schaaf	Ueland, A.
Brataas	Johnson	Moe	Schmitz	Ulland, J.
Chenoweth	Keefe, J.	Nelson	Setzepfandt	Vega
Chmielewski	Keefe, S.	Nichols	Sieloff	Wegener
Coleman	Kirchner	Ogdahl	Sikorski	Willet
Davies	Kleinbaum	Olhoft	Sillers	
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Penny	Spear	
Frederick	Knutson	Peterson	Staples	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Hanson	Lessard	Purfeerst	Strand
Bang	Hughes	Luther	Renneke	Stumpf
Benedict	Humphrey	Menning	Rued	Tennessee
Bernhagen	Jensen	Merriam	Schaaf	Ueland, A.
Brataas	Johnson	Moe	Schmitz	Ulland, J.
Chenoweth	Keefe, J.	Nelson	Setzepfandt	Vega
Chmielewski	Keefe, S.	Nichols	Sieloff	Wegener
Coleman	Kirchner	Ogdahl	Sikorski	Willet
Davies	Kleinbaum	Olhoft	Sillers	
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Penny	Spear	
Frederick	Knutson	Peterson	Staples	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 36 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Jensen	Merriam	Schmitz	Stumpf
Ashbach	Johnson	Nelson	Setzepfandt	Ueland, A.
Bang	Keefe, J.	Nichols	Sieloff	Ulland, J.
Brataas	Keefe, S.	Ogdahl	Sikorski	Vega
Chenoweth	Kleinbaum	Olson	Sillers	
Coleman	Knaak	Pillsbury	Solon	
Gearty	Laufenburger	Purfeerst	Spear	
Hanson	Lessard	Schaaf	Staples	

Those who voted in the negative were:

Benedict	Engler	Knutson	Penny	Strand
Bernhagen	Frederick	Luther	Peterson	Tennessee
Chmielewski	Hughes	Menning	Renneke	Wegener
Davies	Humphrey	Moe	Rued	Willet
Dunn	Knoll	Olhoft	Stokowski	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Penny	Spear
Ashbach	Hanson	Laufenburger	Peterson	Staples
Bang	Hughes	Lessard	Pillsbury	Stokowski
Benedict	Humphrey	Luther	Purfeerst	Strand
Bernhagen	Jensen	Menning	Renneke	Stumpf
Chenoweth	Johnson	Merriam	Schaaf	Tennessee
Chmielewski	Keefe, J.	Moe	Schmitz	Ueland, A.
Coleman	Keefe, S.	Nelson	Setzepfandt	Ulland, J.
Davies	Kirchner	Nichols	Sieloff	Vega
Dunn	Kleinbaum	Ogdahl	Sikorski	Wegener
Engler	Knaak	Olhoff	Sillers	Willet
Frederick	Knoll	Olson	Solon	

Mr. Rued voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Penny	Solon
Ashbach	Gearty	Knutson	Peterson	Spear
Bang	Hanson	Laufenburger	Pillsbury	Staples
Benedict	Hughes	Lessard	Purfeerst	Stokowski
Bernhagen	Humphrey	Luther	Renneke	Strand
Brataas	Jensen	Menning	Rued	Stumpf
Chenoweth	Johnson	Moe	Schaaf	Tennessee
Chmielewski	Keefe, J.	Nelson	Schmitz	Ueland, A.
Coleman	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Davies	Kirchner	Ogdahl	Sieloff	Vega
Dunn	Kleinbaum	Olhoff	Sikorski	Wegener
Engler	Knaak	Olson	Sillers	Willet

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Consent Calendar. The motion prevailed.

CONSENT CALENDAR

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Olson	Sillers
Ashbach	Gearty	Knutson	Penny	Solon
Bang	Hanson	Laufenburger	Peterson	Spear
Benedict	Hughes	Lessard	Pillsbury	Staples
Bernhagen	Humphrey	Luther	Purfeerst	Stokowski
Brataas	Jensen	Menning	Renneke	Strand
Chenoweth	Johnson	Merriam	Rued	Stumpf
Chmielewski	Keefe, J.	Moe	Schaaf	Ueland, A.
Coleman	Keefe, S.	Nelson	Schmitz	Ulland, J.
Davies	Kirchner	Nichols	Setzepfandt	Vega
Dunn	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knaak	Olhoft	Sikorski	Willet

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Gunderson	Lessard	Purfeerst	Strand
Bang	Hanson	Luther	Renneke	Stumpf
Benedict	Hughes	Menning	Rued	Tennessee
Bernhagen	Humphrey	Merriam	Schaaf	Ueland, A.
Brataas	Jensen	Moe	Schmitz	Ulland, J.
Chenoweth	Johnson	Nelson	Setzepfandt	Vega
Chmielewski	Keefe, J.	Nichols	Sieloff	Wegener
Coleman	Keefe, S.	Ogdahl	Sikorski	Willet
Davies	Kirchner	Olhoft	Sillers	
Dunn	Kleinbaum	Olson	Solon	
Engler	Knaak	Penny	Spear	
Frederick	Knutson	Peterson	Staples	

So the bill passed and its title was agreed to.

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.

With the unanimous consent of the Senate, Mr. Keefe, S. moved to amend S. F. No. 1003 as follows:

Page 6, line 17, delete "*register and*"

Page 8, line 28, delete "REGISTER AND"

Page 8, line 31, delete "*to register, if required, and*"

Page 11, line 31, reinstate "or any"

Page 11, line 31, after the stricken "person" insert "*individual*" and reinstate "who"

Page 11, line 32, after the stricken "of" insert "*will be*" and reinstate "an eligible"

Page 11, line 33, reinstate "voter at the" and insert "*time of the*" and reinstate "next election"

Page 61, line 31, delete "*five*" and insert "*four*"

Page 157, lines 3 and 4, reinstate "if such there be,"

Page 163, after line 18, insert:

"Sec. 26. Minnesota Statutes 1978, Section 290.06, Subdivision 11, is amended to read:

Subd. 11. [CONTRIBUTIONS TO POLITICAL PARTIES AND CANDIDATES.] In lieu of the credit against taxable net income provided by section 290.21, subdivision 3, clause (e), a taxpayer may take a credit against the tax due under this chapter of 50 percent but not more than \$25 of his contributions to a political party and candidate. A married couple, filing jointly, may take a similar credit of not more than \$50. No credit shall be allowed under this subdivision for a contribution to any candidate, other than a candidate for elective judicial office, who has not signed an agreement to limit his campaign expenditures as provided in section 10A.32, subdivision 3b. The commissioner of revenue shall provide in the tax instruction booklet language understandable to a person of average intelligence which states that the taxpayer may only claim a credit against his tax due for contributions to candidates for (a) judicial office or (b) statewide or legislative office who have agreed to limit their ex-

penditures. For purposes of this subdivision, "candidate" means a candidate as defined in section 10A.01, subdivision 5, and "political party" means a major political party as defined in section 200.02, subdivision 7. The department of revenue shall provide on the first page of the Minnesota tax form an appropriate provision for the credit provided by this subdivision.

This credit shall be allowed only if the contribution is verified in the manner the commissioner of revenue shall prescribe."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 26, after "Subdivision 4;" insert "290.06, Subdivision 11;"

The motion prevailed. So the amendment was adopted.

S. F. No. 1003 was then progressed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 1351 a Special Order to be heard immediately.

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; appropriating money; amending Minnesota Statutes 1978, Section 473.581, Subdivisions 2, 3, as amended, 4, as amended, and 5, as amended; and Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Section 473.568.

Mr. Keefe, S. moved to amend S. F. No. 1351 as follows:

Page 2, line 3, after "*amount*" insert "*of bonds issued*"

Page 2, line 15, delete "*by the*"

Page 2, line 16, delete "*municipality*"

Page 2, line 17, delete "*county under*" and insert "*political subdivision levying those taxes for the payment of*"

Page 3, line 5, after "*limitation*" insert "*, provided that nothing herein shall affect the obligation of any political subdivision to levy a tax pursuant to an agreement made under the provisions of section 8*"

Page 7, after line 15, insert:

"(1) *The municipality where the facility is to be constructed has entered into an agreement as contemplated in section 8.*"

Page 9, line 27, delete "*tax*" and insert "*taxes*"

Page 10, line 30, delete "*governing body of the*"

Page 10, line 31, delete "elect" and insert "*by resolution of its city council, enter into an agreement with the metropolitan council and the commission,*"

Page 10, line 32, after "herein" insert "*to secure the payment of any bonds issued to finance the construction (or to refund bonds issued to finance the construction) and any revenue anticipation certificates issued for expenses of operation, administration, maintenance, and debt service thereof, as contemplated in section 473.581, subdivisions 3 and 5*"

Page 10, line 32, delete "*If the governing body of the*"

Page 10, line 33, delete "*municipality does not elect to impose the tax*" and insert "*If such an election is not made*"

Page 11, line 9, after "camp" insert "*located within the municipality*"

Page 11, line 11, after "amount" insert "*estimated to be*"

Page 13, line 3, after "certificates" insert "*secured by the pledge of the full faith and credit of the county with respect to the commercial-industrial property therein,*"

Page 13, line 12, after "thereto)," insert "*including any reserve fund,*"

Page 13, line 22, after the period, insert "*The tax shall not be subject to any limitation as to rate or amount.*"

Page 13, after line 22, insert:

"Subd. 4. [METROPOLITAN WIDE LIQUOR TAXES.] All proceeds of the liquor tax collected by the council pursuant to the provisions of Minnesota Statutes 1978, Section 473.591 prior to August 1, 1979 not otherwise expended or applied as provided in chapter 473, together with any earnings derived from the investment of such revenues, shall be placed into the debt service fund or special funds established under section 473.581, subdivisions 4 and 5."

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. then moved to amend S. F. No. 1351 as follows:

Page 2, line 16, delete "6" and insert "8"

Page 2, after line 18, insert

"Sec. 2. Minnesota Statutes 1978, Section 473.553, Subdivision 2, is amended to read:

Subd. 2. [MEMBERSHIP.] *During the time prior to completion of construction of a sports facility pursuant to sections 473.551 to 473.595, the commission shall consist of six members appointed by the governor plus a chairman appointed as provided in subdivision 3. Initial appointments of members shall be made within 30 days of May 17, 1977. One member shall be appointed from each of the following combinations of metropolitan commission precincts*

defined in section 473.141, subdivision 2: A and B; C and G; D and E; F and H. Two members shall be appointed from outside the metropolitan area. *Upon substantial completion of construction of the sports facility, vacancies occurring on the commission, whether at the completion of or prior to the completion of a member's terms, shall be filled as follows: the city council of the city in which the stadium is located shall appoint a member to fill the first vacancy which occurs and the Hennepin county board shall appoint a member to fill the second vacancy. Subsequent vacancies shall be filled by alternating appointments made by the city council and county board of commissioners.*

Sec. 3. Minnesota Statutes 1978, Section 473.553, Subdivision 4, is amended to read:

Subd. 4. [QUALIFICATIONS.] Each member *appointed prior to completion of construction of a sports facility constructed pursuant to sections 473.551 to 473.595* shall be a resident of the precincts or area of the state for which he is appointed and . A *member appointed at any time* shall not during his term of office hold the office of metropolitan council member or be a member of another metropolitan commission or hold any judicial office or office of state government. Each member shall qualify by taking and subscribing the oath of office prescribed by the Minnesota Constitution, Article 5, Section 6. The oath, duly certified by the official administering it, shall be filed with the chairman of the metropolitan council."

Page 5, line 5, delete "6" and insert "8"

Page 7, line 6, delete "6" and insert "8"

Page 7, line 30, delete "6" and insert "8"

Page 7, line 31, delete "6" and insert "8"

Page 9, line 27, delete "6" and insert "8"

Page 13, line 27, delete "6" and insert "8"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon insert "providing for appointment of members of the metropolitan sports facilities commission;"

Page 1, line 7, delete "Section" and insert "Sections 473.553, Subdivisions 2 and 4;"

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. then moved to amend S. F. No. 1351, as follows:

Page 2, line 3, after the period insert "*The commission shall give full consideration to the needs of the University of Minnesota when making its revised determination.*"

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. then moved to amend S. F. No. 1351, as follows:

Page 1, line 20, delete "*shall not*" and insert "*may*"

Page 2, line 3, delete "*The principal amount*"

Page 2, delete lines 4 and 5 and delete "*of bonds issued*" added by the Keefe, S. amendment to page 2, line 3

Page 3, lines 13 to 24, reinstate the stricken language

Page 3, lines 25, reinstate "\$42,000,000."

Page 3, line 30, reinstate "If the commission's proposal and"

Page 3, lines 31 to 33, reinstate the stricken language

Page 4, lines 1 to 6, reinstate the stricken language and delete the new language

Mr. Frederick requested division of the amendment as follows:

First portion:

Page 1, line 20, delete "*shall not*" and insert "*may*"

Second portion:

Page 2, line 3, delete "*The principal amount*"

Page 2, delete lines 4 and 5 and delete "*of bonds issued*" added by the Keefe, S. amendment to page 2, line 3

Page 3, lines 13 to 24, reinstate the stricken language

Page 3, line 25, reinstate "\$42,000,000."

Page 3, line 30, reinstate "If the commission's proposal and"

Page 3, lines 31 to 33, reinstate the stricken language

Page 4, lines 1 to 6, reinstate the stricken language and delete the new language

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Hanson	Lessard	Perpich	Solon
Ashbach	Hughes	Luther	Peterson	Spear
Benedict	Humphrey	McCutcheon	Pillsbury	Staples
Bernhagen	Jensen	Menning	Purfeerst	Stokowski
Brataas	Johnson	Merriam	Renneke	Strand
Chenoweth	Keefe, J.	Moe	Rued	Stumpff
Chmielewski	Keefe, S.	Nelson	Schaaf	Tennessen
Coleman	Kirchner	Nichols	Schmitz	Ueland, A.
Dunn	Knaak	Ogdahl	Setzepfandt	Ulland, J.
Engler	Knoll	Olhoff	Sieloff	Wegener
Frederick	Knutson	Olson	Sikorski	Willet
Gearty	Laufenburger	Penny	Sillers	

The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the first portion of the Keefe, S. amendment.

The roll was called, and there were yeas 40 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Olhoft	Sillers
Bernhagen	Hanson	Lessard	Olson	Solon
Brataas	Humphrey	Menning	Perpich	Staples
Chmielewski	Jensen	Merriam	Peterson	Stokowski
Coleman	Johnson	Moe	Pillsbury	Strand
Dunn	Keefe, S.	Nelson	Rued	Tennessee
Engler	Kleinbaum	Nichols	Schaaf	Ueland, A.
Frederick	Knoll	Ogdahl	Setzepfandt	Ulland, J.

Those who voted in the negative were:

Bang	Hughes	Luther	Schmitz	Vega
Benedict	Keefe, J.	McCutcheon	Sieloff	Wegener
Chenoweth	Kirchner	Penny	Sikorski	Willet
Davies	Knaak	Purfeerst	Spear	
Gunderson	Knutson	Renneke	Stumpf	

The motion prevailed. So the first portion of the Keefe, S. amendment was adopted.

Mr. Ashbach moved to amend the second portion of the Keefe, S. amendment to S. F. No. 1351, as follows:

In the Keefe, S. amendment to page 3, line 17, after the reinstated "the" insert "*total construction cost not including funds provided by others, and the*"

The question was taken on the adoption of the amendment to the second portion of the Keefe, S. amendment.

The roll was called, and there were yeas 58 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Penny	Solon
Ashbach	Gearty	Knoll	Perpich	Spear
Bang	Gunderson	Knutson	Peterson	Staples
Benedict	Hanson	Laufenburger	Purfeerst	Stokowski
Bernhagen	Hughes	Lessard	Renneke	Stumpf
Brataas	Humphrey	Luther	Rued	Tennessee
Chenoweth	Jensen	McCutcheon	Schaaf	Ueland, A.
Chmielewski	Johnson	Menning	Schmitz	Ulland, J.
Coleman	Keefe, J.	Merriam	Setzepfandt	Wegener
Davies	Keefe, S.	Moe	Sieloff	Willet
Dunn	Kirchner	Nelson	Sikorski	
Engler	Kleinbaum	Olson	Sillers	

Those who voted in the negative were:

Nichols	Olhoft	Pillsbury	Strand	Vega
Ogdahl				

The motion prevailed. So the amendment to the second portion of the Keefe, S. amendment was adopted.

The question was taken on the second portion of the Keefe, S. amendment, as amended.

The roll was called, and there were yeas 37 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Menning	Peterson	Stokowski
Bernhagen	Hanson	Merriam	Pillsbury	Strand
Brataas	Humphrey	Nelson	Rued	Tennessee
Chmielewski	Jensen	Nichols	Schaaf	Ueland, A.
Coleman	Johnson	Ogdahl	Setzepfandt	Ulland, J.
Dunn	Keefe, S.	Olhoff	Sillers	
Engler	Kleinbaum	Olson	Solon	
Frederick	Knoll	Perpich	Staples	

Those who voted in the negative were:

Ashbach	Keefe, J.	Luther	Schmitz	Wegener
Bang	Kirchner	McCutcheon	Sieloff	Willet
Benedict	Knaak	Moe	Sikoraki	
Chenoweth	Knutson	Penny	Spear	
Gunderson	Laufenburger	Purfeerst	Stumpf	
Hughes	Lessard	Renneke	Vega	

The motion prevailed. So the second portion of the Keefe, S. amendment, as amended, was adopted.

Mr. Benedict moved to amend S. F. No. 1351 as follows:

Page 13, after line 30, insert:

"Sec. 10. Minnesota Statutes 1978, Section 473.595, Subdivision 1, is amended to read:

473.595 [COMMISSION FINANCES.] Subdivision 1. [ADMISSION TAX.] Effective January 1, 1978, the commission shall by resolution impose a three percent admission tax upon the granting, sale, or distribution, by any private or public person, association, or corporation, of the privilege of admission to activities; except for those activities sponsored by nonprofit organizations and conducted at the indoor public assembly facility at the metropolitan sports area known as the metropolitan sports center. Commencing with the operation of sports facilities constructed or remodeled by the commission pursuant to sections 473.551 to 473.595, the commission shall impose an additional seven percent admission tax upon activities conducted at such sports facilities. Effective January 1, 1978, no other tax, except the taxes imposed by chapter 297A, may be levied by any other unit of government upon any such sale or distribution. The admission tax shall be stated and charged separately from the sales price so far as practicable and shall be collected by the grantor, seller, or distributor from the person admitted and shall be a debt from that person to the grantor, seller, or distributor, and the tax required to be collected shall constitute a debt owed by the grantor, seller, or distributor to the commission, which shall be recoverable at law in the same manner as other debts. Every person granting, selling, or distributing tickets for such admissions may be required, as provided in resolutions of the commission, to secure a permit, to file returns, to deposit security for the payment of the tax, and to pay such penalties for nonpayment and interest on late payments, as shall be deemed necessary or

expedient to assure the prompt and uniform collection of the tax."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "exempting events sponsored at the metropolitan sports center from the three percent admission tax;"

Page 1, line 7, delete "Section" and insert "Sections"

Page 1, line 8, before the second "and" insert "473.595, Subdivision 1;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Luther	Pillsbury	Stokowski
Ashbach	Hanson	McCutcheon	Purfeerst	Strand
Bang	Hughes	Menning	Renneke	Stumpf
Benedict	Humphrey	Merriam	Rued	Tennesen
Bernhagen	Johnson	Moe	Schaaf	Ueland, A.
Brataas	Keefe, S.	Nelson	Schmitz	Ulland, J.
Chenoweth	Kirchner	Nichols	Setzepfandt	Vega
Chmielewski	Kleinbaum	Ogdahl	Sieloff	Wegener
Davies	Knaak	Olhoft	Sikorski	Willet
Dunn	Knoll	Olson	Sillers	
Engler	Knutson	Penny	Solon	
Frederick	Laufenburger	Perpich	Spear	
Gearty	Lessard	Peterson	Staples	

The motion prevailed. So the amendment was adopted.

Mr. Humphrey moved to amend S. F. No. 1351 as follows:

Page 2, line 29, delete "County" and insert "*and Ramsey Counties*"

Page 12, line 10, after "HENNEPIN" insert "AND RAMSEY"

Page 12, line 12, after "*commissioners*" insert "*and the Ramsey county board of commissioners*"

Page 12, line 24, delete "*the county*" and insert "*those counties*"

Page 12, line 33, delete "*board*" and insert "*boards*"

Page 13, line 7, delete "*board*" and insert "*boards*"

Page 13, line 8, after "*County*" insert "*and the principal financial officer of Ramsey County*"

Page 13, line 17, after "*finance*" insert "*and the principal financial officer*"

Page 13, line 19, delete "*county*" and insert "*counties*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 8 and nays 55, as follows:

Those who voted in the affirmative were:

Benedict	Humphrey	Lessard	Spear	Staples
Davies	Knoll	Luther		

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Perpich	Sillers
Ashbach	Gunderson	McCutcheon	Peterson	Solon
Bang	Hanson	Menning	Pillsbury	Stokowski
Bernhagen	Hughes	Merriam	Purfeerst	Strand
Brataas	Jensen	Moe	Renneke	Stumpf
Chenoweth	Johnson	Nelson	Rued	Tennessee
Chmielewski	Keefe, J.	Nichols	Schaaf	Ueland, A.
Coleman	Keefe, S.	Ogdahl	Schmitz	Ulland, J.
Dunn	Kleinbaum	Olhoft	Setzepfandt	Vega
Engler	Knaak	Olson	Sieloff	Wegener
Frederick	Knutson	Penny	Sikorski	Willet

The motion did not prevail. So the amendment was not adopted.

Mr. Davies moved to amend S. F. No. 1351 as follows:

Page 13, line 27, after "6" insert "and 8"

Page 13, after line 30, insert:

"Sec. 8. Leases for use of the stadium by a professional team in all cases shall include a term specifying that a blackout of television coverage of that professional team based on percentage of tickets unsold for a home game shall apply statewide and ban television broadcasts by any station in this state."

Re-number the sections in sequence

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 13 and nays 50, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Keefe, J.	McCutcheon	Spear
Benedict	Hughes	Knaak	Sieloff	Stumpf
Chenoweth	Humphrey	Luther		

Those who voted in the negative were:

Anderson	Gunderson	Lessard	Perpich	Sillers
Bang	Hanson	Menning	Peterson	Solon
Bernhagen	Jensen	Merriam	Pillsbury	Stokowski
Brataas	Johnson	Moe	Purfeerst	Strand
Chmielewski	Keefe, S.	Nelson	Renneke	Tennessee
Coleman	Kirchner	Nichols	Rued	Ueland, A.
Dunn	Kleinbaum	Ogdahl	Schaaf	Ulland, J.
Engler	Knoll	Olhoft	Schmitz	Vega
Frederick	Knutson	Olson	Setzepfandt	Wegener
Gearty	Laufenburger	Penny	Sikorski	Willet

The motion did not prevail. So the amendment was not adopted.

Mr. Benedict moved to amend S. F. No. 1351 as follows:

Page 14, delete lines 3 and 4 and insert:

"Sec. 10. [EFFECTIVE DATE.] Pursuant to Minnesota Statutes, Section 645.023, sections 1 to 9 shall be effective without local approval unless the voters of the county of Hennepin shall request a referendum on whether sections 1 to 9 should be approved.

The voters may request a referendum by filing a petition with the Hennepin County Board of Commissioners within three months of the date of final enactment of sections 1 to 10. The petition shall state the text of sections 1 to 9 and indicate that those who signed the petition are residents of Hennepin county, are 18 years of age and request that sections 1 to 9 be subject to the approval of the voters. The petition shall be signed by a number of eligible voters not less than ten percent of the number of persons who cast votes for governor within Hennepin county at the election in 1978.

The date of the election shall be set by the Hennepin County Board of Commissioners to be held on a date within three months of the date the petitions are filed."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Penny	Spear
Bang	Frederick	Knaak	Renneke	Stumpf
Benedict	Gunderson	Knutson	Rued	Vega
Bernhagen	Hughes	Luther	Schmitz	Willet
Brataas	Jensen	Olhoff	Sieloff	
Chmielewski	Keefe, J.	Olson	Sikorski	

Those who voted in the negative were:

Anderson	Johnson	Merriam	Pillsbury	Tennessee
Coleman	Keefe, S.	Moe	Purfeerst	Ueland, A.
Davies	Kleinbaum	Nelson	Schaaf	Ulland, J.
Engler	Knoll	Nichols	Setzepfandt	Wegener
Gearty	Laufenburger	Ogdahl	Staples	
Hanson	Lessard	Perpich	Stokowski	
Humphrey	Menning	Peterson	Strand	

The motion did not prevail. So the amendment was not adopted.

Mr. Davies moved to amend S. F. No. 1351 as follows:

Page 1, line 21, delete "remodeling" and insert "use of"

Page 1, line 21, after "existing" insert "or a remodeled"

The motion prevailed. So the amendment was adopted.

Mr. Luther moved to amend S. F. No. 1351 as follows:

Page 1, after line 12, insert:

"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~~ shall 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~~ shall make public 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."

Page 2, line 16, delete "6" and insert "7"

Page 5, line 5, delete "6" and insert "7"

Page 7, lines 6, 30, and 31, delete "6" and insert "7"

Page 9, line 27, delete "6" and insert "7"

Page 10, line 30, delete "1" and insert "2"

Page 12, line 11, delete "1" and insert "2"

Page 13, line 27, delete "6" and insert "7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "Section" and insert "Sections 473.571, Subdivision 6;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 37, as follows:

Those who voted in the affirmative were:

Benedict	Jensen	Luther	Schmitz	Willet
Chenoweth	Keefe, J.	Menning	Sikorski	
Chmielewski	Kirchner	Nichols	Spear	
Gundersen	Knaak	Renneke	Stumpf	
Hughes	Knoll	Schaaf	Vega	

Those who voted in the negative were:

Anderson	Frederick	Merriam	Pillsbury	Strand
Bang	Gearty	Moe	Purfeerst	Tennessee
Bernhagen	Humphrey	Nelson	Rued	Ueland, A.
Brataas	Johnson	Ogdahl	Setzepfandt	Ulland, J.
Coleman	Keefe, S.	Olhoff	Sieloff	Wegener
Davies	Kleinbaum	Olson	Solon	
Dunn	Knutson	Penny	Staples	
Engler	Laufenburger	Peterson	Stokowski	

The motion did not prevail. So the amendment was not adopted.

Mr. Chenoweth moved to amend S. F. No. 1351 as follows:

Delete everything after the enacting clause and insert

“Section 1. [LEGISLATURE FINDINGS.] The legislature finds that there has arisen a need for updating and expanding athletic facilities at the University of Minnesota. The legislature further finds that the existing Memorial Stadium at the university is structurally sound and its renovation is a financially feasible alternative for meeting the needs of both the university and, if so desired, those of certain professional athletic teams.

Sec. 2. [DOMING AND REMODELING.] The university board of regents may proceed with plans for the doming and remodeling of Memorial Stadium in order to convert the stadium into a full service, all weather facility for the holding of intercollegiate and intramural athletic competition, physical fitness and education classes and activities, and other recreational activities for university and other school students from throughout the state.

The regents or a university stadium commission acting as their agents shall provide availability of the facility for use by a professional football team under terms approved by the board of regents, and may contract with them for use of the stadium.

Sec. 3. [FINANCING.] The costs of doming and remodeling Memorial Stadium pursuant to section 2 shall be financed by:

(a) A percentage of the gate receipts from intercollegiate team events;

(b) Revenues from contracts with professional athletic teams and other event rentals;

(c) A ten percent ticket tax on tickets;

(d) Charges for parking;

(e) Concessions;

(f) Contributions from alumni and other interested parties, or firms and organizations; and

(g) An interest free loan of \$49,000,000 in state funds for the doming and remodeling of Memorial Stadium, to be repaid to the state within a period not to exceed 30 years.

The board of regents is authorized to arrange other long term financing of the funds necessary to renovate the stadium pending the receipt of revenues from the sources listed in clauses (a) to (g).

Sec. 4. [APPROPRIATION.] The sum of \$49,000,000 is appropriated to the commissioner of finance. The commissioner shall loan the funds to the board of regents interest free for the purpose of doming and remodeling Memorial Stadium. Prior to making the funds available to the board of regents, the commissioner shall (1) negotiate an agreement with the board of regents for the repayment of the loan within 30 years using revenues generated by the facility and private contributions, and (2) determine that the board of regents is willing to and has any necessary authorization from the Big Ten Conference to make the facility available for use by a professional football team subject to the needs of the university. Any unexpended funds from the loan and unexpended interest earned on the loaned funds shall be returned by the board of regents to the commissioner of finance who shall deposit the money in the general fund.

Sec. 4. [EFFECTIVE DATE.] This act is effective the day following its final enactment."

Amend the title as follows:

Delete the title in its entirety and insert:

"A bill for an act relating to the University of Minnesota; providing for the renovation of Memorial Stadium into an all weather, multipurpose student activity, athletic, and special events arena."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Knaak	Penny	Sikorski
Bang	Frederick	Knutson	Perpich	Ulland, A.
Bernhagen	Gunderson	Luther	Renneke	Ulland, J.
Brataas	Hughes	McCutcheon	Rued	Vega
Chenoweth	Keefe, J.	Moe	Schmitz	Willet
Davies	Kirchner	Nelson	Sieloff	

Those who voted in the negative were:

Anderson	Humphrey	Lessard	Peterson	Spear
Benedict	Jensen	Menning	Pillsbury	Staples
Chmielewski	Johnson	Merriam	Purfeerst	Stokowski
Coleman	Keefe, S.	Nichols	Schaaf	Strand
Dunn	Kleinbaum	Ogdahl	Setzepfandt	Stumpf
Gearty	Knoll	Olhoft	Sillers	Tennessee
Hanson	Laufenburger	Olson	Solon	Wegener

The motion did not prevail. So the amendment was not adopted.

Mr. Spear moved to amend S. F. No. 1351 as follows:

Page 2, line 28, after the period, insert "If the Hennepin county board of commissioners agrees pursuant to section 6, subdivision 3,"

Page 12, line 12, delete "shall" and insert "may"

Page 12, line 19, after the period, insert "If the board enters into an agreement to levy the tax,"

Page 12, line 31, after the period, insert "If the board enters into the agreement,"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 33, as follows:

Those who voted in the affirmative were:

Aashbach	Frederick	Kirchner	Renneke	Staples
Bang	Gunderson	Knaak	Rued	Stumpf
Benedict	Hughes	Luther	Sieloff	Tennessee
Bernhagen	Humphrey	McCutcheon	Sikorski	Vega
Chenoweth	Jensen	Perpich	Sillers	Willet
Davies	Keefe, J.	Purfeerst	Spear	

Those who voted in the negative were:

Anderson	Hanson	Menning	Olson	Stokowski
Brataas	Johnson	Merriam	Penny	Strand
Chmielewski	Keefe, S.	Moe	Peterson	Ueland, A.
Coleman	Kleinbaum	Nelson	Pillsbury	Ulland, J.
Dunn	Knoll	Nichols	Schaaf	Wegener
Engler	Laufenburger	Ogdahl	Schmitz	
Gearty	Lessard	Olhoft	Solon	

The motion did not prevail. So the amendment was not adopted.

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, and 4, as amended, and 5, as amended; and 473.595, Subdivision 1; Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Section 473.568.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 43 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Gearty	Johnson	Knoll
Bang	Coleman	Hanson	Keefe, S.	Laufenburger
Bernhagen	Dunn	Humphrey	Kirchner	Lessard
Brataas	Engler	Jensen	Kleinbaum	Menning

Merriam	Olson	Purfeerst	Solon	Ulland, J.
Moe	Penny	Rued	Staples	Wegener
Nelson	Perpich	Schaaf	Stokowski	Willet
Nichols	Peterson	Setzepfandt	Strand	
Ogdahl	Pillsbury	Sillers	Ueland, A.	

Those who voted in the negative were:

Ashbach	Frederick	Knutson	Schmitz	Tennessee
Benedict	Gunderson	Luther	Sieloff	Vega
Chenoweth	Hughes	McCutcheon	Sikorski	
Davies	Keefe, J.	Olhoff	Spear	
Dieterich	Knaak	Renneke	Stumpf	

So the bill, as amended, passed and its title was agreed to.

MEMBERS EXCUSED

Mr. Dieterich was excused from the Session of today from 10:00 o'clock a.m. to 2:05 o'clock p.m.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Wednesday, May 2, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FORTY-FIFTH DAY

St. Paul, Minnesota, Tuesday, May 1, 1979

The House of Representatives met on Tuesday, May 1, 1979, which was the Forty-Fifth Legislative Day of the Seventy-First Session of the Minnesota State Legislature. The Senate did not meet on this date.

FORTY-SIXTH DAY

St. Paul, Minnesota, Wednesday, May 2, 1979

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate. The following Senators answered to their names:

Anderson	Engler	Kleinbaum	Penny	Solon
Ashbach	Frederick	Knaak	Perpich	Spear
Bang	Gearty	Knutson	Peterson	Staples
Benedict	Gunderson	Laufenburger	Pillsbury	Stokowski
Bernhagen	Hanson	Lessard	Purfeerst	Strand
Brataas	Hughes	Luther	Rued	Stumpf
Chenoweth	Humphrey	McCutcheon	Schmitz	Tennessee
Coleman	Jensen	Menning	Setzpfandt	Ueland, A.
Davies	Johnson	Nelson	Sieloff	Ulland, J.
Dieterich	Keefe, S.	Olhoft	Sikorski	Wegener
Dunn	Kirchner	Olson	Sillers	Willet

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Divinity Student Kevin McDonough.

The roll was called, and the following Senators answered to their names:

Anderson	Gearty	Knutson	Penny	Solon
Ashbach	Gunderson	Laufenburger	Perpich	Spear
Bang	Hanson	Lessard	Peterson	Staples
Benedict	Hughes	Luther	Pillsbury	Stokowski
Bernhagen	Humphrey	McCutcheon	Purfeerst	Strand
Brataas	Jensen	Menning	Renneke	Stumpf
Chenoweth	Johnson	Merriam	Rued	Tennessee
Coleman	Keefe, J.	Moe	Schaaf	Ueland, A.
Davies	Keefe, S.	Nelson	Schmitz	Ulland, J.
Dieterich	Kirchner	Nichols	Setzpfandt	Vega
Dunn	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knaak	Olhoft	Sikorski	Willet
Frederick	Knoll	Olson	Sillers	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Chmielewski and Schrom were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Bernhagen, by request, introduced—

S. F. No. 1526: A bill for an act relating to Independent School District No. 466; permitting the sale of certain land.

Referred to the Committee on Education.

Messrs. Sieloff, Engler, Bernhagen and Ueland, A. introduced—

S. F. No. 1527: A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, adding a section; providing constitutional limits on state spending.

Referred to the Committee on Finance.

Mr. Sillers introduced—

S. F. No. 1528: 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.

Referred to the Committee on Education.

Messrs. Frederick, Bang, Sieloff, Setzepfandt and Chmielewski introduced—

S. F. No. 1529: A bill for an act relating to taxation; inheritance; providing that certain military annuity payments are not attributable to contributions made by the decedent; amending Minnesota Statutes 1978, Section 291.065.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Frederick, Knoll, Sillers, Bernhagen and Benedict introduced—

S. F. No. 1530: 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.

Referred to the Committee on Energy and Housing.

Messrs. Frederick, Dunn, Renneke, Olson and McCutcheon introduced—

S. F. No. 1531: A bill for an act relating to taxation; property tax; providing for homestead status for certain non-contiguous agricultural land; amending Minnesota Statutes 1978, Section 273.13, Subdivision 6.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bernhagen, Chmielewski, Mrs. Knaak and Mr. Frederick introduced—

S. F. No. 1532: 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.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bang, Spear, Mrs. Brataas, Messrs. Laufenburger and Ashbach introduced—

S. F. No. 1533: 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.

Referred to the Committee on Commerce.

Messrs. Purfeerst, Laufenburger, Bang, Engler and Schmitz introduced—

S. F. No. 1534: A bill for an act relating to advertising devices; providing for local regulation of certain devices; requiring compensation for removing certain devices; providing for maintenance of areas; amending Minnesota Statutes 1978, Section 173.08, Subdivision 2; 173.13, Subdivision 1; 173.17; and Chapter 173, by adding a section.

Referred to the Committee on Transportation.

Messrs. Ueland, A.; Stumpf; Mrs. Knaak; Messrs. Gunderson and Wegener introduced—

S. F. No. 1535: 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.

Referred to the Committee on Education.

Messrs. Bang, Solon, Jensen, Mrs. Brataas and Mr. Spear introduced—

S. F. No. 1536: 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.

Referred to the Committee on Commerce.

Messrs. Frederick, Peterson, Chmielewski, Sillers and Bernhagen introduced—

S. F. No. 1537: 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.

Referred to the Committee on Energy and Housing.

Mr. Anderson introduced—

S. F. No. 1538: 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.

Referred to the Committee on Judiciary.

Mr. Moe, for the Committee on Finance, introduced—

S. F. No. 1539: A bill for an act relating to transportation; appropriating money for highway development.

Under the rules of the Senate, laid over one day.

Mr. Moe, for the Committee on Finance, introduced—

S. F. No. 1540: 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; providing for improvements to access roads to Stillwater state prison and Thistledeew corrections camp; providing for legislative review of requests to expend federal money; amending Minnesota Statutes 1978, Sections 3.30, Subdivision 2; 174.23, Subdivision 2; 174.24, Subdivisions 2, 3, and 4; 174.25, Subdivision 1; 174.26, Subdivision 1; 174.28; 360.015, by adding a subdivision; 473.08, Subdivision 3, and by adding subdivisions; 473.411, Subdivision 1; Chapter 3, by adding a section; and Chapter 174, by adding a section; and amending Laws 1973, Chapter 567, Section 8.

Under the rules of the Senate, laid over one day.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

April 13, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Minnesota Pollution Control Agency is hereby respectfully submitted to the Senate for confirmation as required by law:

Dr. Howard Andersen, 1072 Plummer Lane, Rochester, Olmsted County, has been appointed by me, effective April 13, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Agriculture and Natural Resources.)

April 13, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Personnel Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Glenn K. Christensen, 3142 Rivershore Drive, Moorhead, Clay County, has been appointed by me, effective April 13, 1979, for a term expiring the first Monday in January, 1983.

William B. Flaherty, 3208 Rankin Road, Minneapolis, Hennepin County, has been appointed by me, effective April 13, 1979, for a term expiring the first Monday in January, 1982.

Paralee Milligan, 1008 Concordia Street, St. Paul, Ramsey County, has been appointed by me, effective April 13, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

April 16, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Livestock Sanitary Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Jerry Rypka, Box 5, 18th Street SE, Owatonna, Steele County, has been appointed by me, effective April 16, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Agriculture and Natural Resources.)

April 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Crime Victims Reparations Board is hereby respectfully submitted to the Senate for confirmation as required by law:

John R. Lyght, 7300 Caribou Trail, Lutsen, Cook County, has been appointed by me, effective April 19, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Judiciary.)

April 19, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the State Designer Selection Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Fred W. Kegel, Jr., 200 North Shore, Detroit Lakes, Becker County, has been appointed by me, effective April 19, 1979, for a term expiring the first Monday in January, 1983.

James B. Marshall, Jr., 50 Groveland Terrace, Minneapolis, Hennepin County, has been appointed by me, effective April 19, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Governmental Operations.)

April 27, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the Tax Court is hereby respectfully submitted to the Senate for confirmation as required by law:

John Knapp, Albany, Stearns County, has been appointed by me, effective May 3, 1979, for a term expiring the first Monday in January, 1985.

(Referred to the Committee on Taxes and Tax Laws.)

April 26, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Ethical Practices Board is hereby respectfully submitted to the Senate 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.

(Referred to the Committee on Elections.)

April 27, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment to the State Board of Education is hereby respectfully submitted to the Senate for confirmation as required by law:

Patricia Weber, 3006 Linden Avenue, Slayton, Murray County, has been appointed by me, effective April 27, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Education.)

Sincerely,

Albert H. Quie, Governor

April 30, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. Nos. 606, 122, 63, 52 and 346.

Sincerely,

Albert H. Quie, Governor

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 Act of the 1979 Session of the State Legislature has been received

from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
322		43	April 27	April 27

Sincerely,

Joan Anderson Growe
Secretary of State

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:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
	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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 218, 362 and 538.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 30, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 466 and 1388.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 1, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 236 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Mr. Coleman moved that S. F. No. 236 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 521: A bill for an act relating to the city of St. Cloud; authorizing sale of liquor at the Municipal Sports Complex.

Senate File No. 521 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 30, 1979

Mr. Kleinbaum moved that S. F. No. 521 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 1245 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 30, 1979

Mr. Solon moved that S. F. No. 1245 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 668: 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.

Senate File No. 668 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 30, 1979

CONCURRENCE AND REPASSAGE

Mr. Ueland, A. moved that the Senate concur in the amendments by the House to S. F. No. 668 and that the bill be placed on its repassage as amended. The motion prevailed.

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.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 59 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knoll	Olon	Sillers
Ashbach	Gunderson	Knutson	Penny	Solon
Bang	Hanson	Laufenburger	Perpich	Spear
Benedict	Hughes	Lessard	Peterson	Staples
Bernhagen	Humphrey	Luther	Pillsbury	Stokowski
Brataas	Jensen	McCutcheon	Purfeerst	Strand
Chenoweth	Johnson	Menning	Renneke	Stumpf
Coleman	Keefe, J.	Moe	Rued	Tennessen
Dieterich	Keefe, S.	Nelson	Schaaf	Ueland, A.
Dunn	Kirchner	Nichols	Setzepfandt	Ulland, J.
Engler	Kleinbaum	Ogdahl	Sieloff	Wegener
Frederick	Knaak	Olhoff	Sikorski	

Messrs. Davies, Merriam and Willet voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

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.

Four members of the House have been appointed to a Conference Committee on the part of the House as follows:

McCarron, Sarna, Pavlak and Biersdorf.

House File No. 444 is herewith transmitted to the Senate with the request that the Senate appoint a Conference Committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 30, 1979

Mr. Schaaf moved that H. F. No. 444 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

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.

Four members of the House have been appointed to a Conference Committee on the part of the House as follows:

Carlson, L.; Swanson; Heinitz and Crandall.

House File No. 145 is herewith transmitted to the Senate with the request that the Senate appoint a Conference Committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 30, 1979

Mr. Nelson moved that H. F. No. 145 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

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.

Four members of the House have been appointed to a Conference Committee on the part of the House as follows:

Sherwood, Thiede, Battaglia and Sieben, M.

House File No. 13 is herewith transmitted to the Senate with the request that the Senate appoint a Conference Committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 30, 1979

Mr. Menning moved that H. F. No. 13 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1274, 1518, 1519, 1052, 1386, 1526, 261, 546, 772, 852, 870, 1394, 1126, 1212 and 797.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 30, 1979

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

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.

Referred to the Committee on Governmental Operations.

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.

Mr. Moe moved that H. F. No. 1518 be laid on the table. The motion prevailed.

H. F. No. 1519: A bill for an act relating to transportation; appropriating money for highway development.

Referred to the Committee on Rules and Administration.

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.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1211, now on General Orders.

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.

Mr. Moe moved that H. F. No. 1526 be laid on the table. The motion prevailed.

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; 474.02, Subdivision 1c, and by adding a subdivision; and 474.12.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 859, now on General Orders.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 940, now on General Orders.

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.

Referred to the Committee on Education.

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.

Referred to the Committee on Education.

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.

Referred to the Committee on Education.

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.

Referred to the Committee on Agriculture and Natural Resources.

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.

Referred to the Committee on Judiciary.

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.

Referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Willet from the Committee on Agriculture 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, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 13 to 15, strike the old language, delete the new language, and insert "*enclosed by a maintained fence.*"

Page 1, after line 15, insert:

"Sec. 2. Minnesota Statutes 1978, Section 100.273, Subdivision 2, is amended to read:

Subd. 2. No person shall *intentionally* enter upon the agricultural lands of another for any ~~recreational purpose as defined by section 87.021~~ *the purpose of hunting big or small game or pleasure driving, including snowmobiling or operating any motorized vehicle upon the agricultural land,* unless and until the permission of the owner, occupant, or lessee is obtained.

Sec. 3. Minnesota Statutes 1978, Section 100.273, Subdivision 4, is amended to read:

Subd. 4. No person ~~while engaged in any recreational purpose as defined by section 87.021~~ shall enter or leave the lands of another, or pass from one portion of another person's land, through a closed gate without returning the gate to its original position, nor shall any person destroy, cut or tear down any fence, building, grain, crops, any sign erected pursuant to subdivision 6 or live trees, or wound or kill any domestic animals.

Sec. 4. Minnesota Statutes 1978, Section 100.273, Subdivision 5, is amended to read:

Subd. 5. No person shall take any wild animal with a firearm without the written permission of the owner or occupant of the premises on any private agricultural land not his own or any public right-of-way within 500 feet of any building occupied by a human being or by livestock, or within 500 feet of any stockade or corral containing livestock, ~~nor shall any person take any wild animal with a firearm within 200 feet of any building occupied by a human being on any land other than agricultural land without the oral permission of the owner or occupant of the premises,~~ or within 500 feet of any burning area.

Sec. 5. Minnesota Statutes 1978, Section 100.273, Subdivision 9, is amended to read:

Subd. 9. Violation of any provision of this section is a misdemeanor. Upon a person's first conviction for violating any provision of this section, any license issued to him pursuant to chapter 98, or any registration pursuant to section 84.82, under which he was exercising or attempting to exercise a privilege while violating this section shall immediately become null and void. Except as otherwise provided in this subdivision, if a person is convicted of a second or subsequent offense prohibited by any provision of this section, any license issued to him pursuant to chapter 98, or any registration pursuant to section 84.82, under which he was exercising or attempting to exercise a privilege while violating this section, shall immediately become null and void and he shall forfeit his right to secure any license for that purpose authorized in chapter 98 or any registration pursuant to section 84.82 for a period of three years from the date of the conviction. If a person is exercising or attempting to exercise a privilege under a license issued pursuant to chapter 98 when arrested for a second violation of this section and the purpose of the license is different from the purpose of the license under which he was exercising or attempting to exercise a privilege when arrested for the first offense, the license involved in the second violation shall immediately become null and void."

Amend the title as follows:

Page 1, line 4, delete "Subdivision 1" and insert "Subdivisions 1, 2, 4, 5 and 9"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 27, delete "death or" and after "action" insert "not yet barred"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies 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 other damages; amending Minnesota Statutes 1978, Sections 299B.10; and 299B.14.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Tennessen from the Committee on Commerce, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 7, strike "and" and insert a period

Page 2, lines 8 to 10, delete the new language and insert "*If any state bank or savings bank is not examined by one of these federal agencies annually, the commissioner shall examine the bank or savings bank, so that the bank or savings bank is examined at least once annually by either one of these federal agencies or the commissioner*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 2 to 4, delete section 2

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "and time limits" and insert "relating to detached facilities"

Page 1, line 4, delete "Sections" and insert "Section"

Page 1, line 4, delete "; and 47.54"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

H. F. No. 642: A bill for an act relating to commerce; providing attendant services at certain gasoline stations.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, delete "at the self-service pump"

Page 1, line 10, after "plates" insert "or a handicapped parking certificate"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 9, insert:

"Sec. 2, Laws 1978, Chapter 577, Section 4, is amended to read:

Sec. 4. [EFFECTIVE DATE.] Section 2 is effective April July 2, 1979. Sections 1 and 3 are effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after "326.06" insert "; and Laws 1978, Chapter 577, Section 4"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Tennessen from the Committee on Commerce, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Tennessen from the Committee on Commerce, 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Tennessen from the Committee on Commerce, 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was re-referred

S. F. No. 315: A bill for an act relating to education; providing for aids to education, tax levies and the distribution of tax revenues; granting certain duties and powers to school boards, school districts, the state board of education, and the state board for vocational education; modifying the hearing procedure for the

educational placement of certain handicapped students; appropriating money; amending Minnesota Statutes 1978, Sections 3.924, Subdivision 1; 3.925; 16.93; 120.075; 120.17, Subdivisions 3b, 4, 6 and 7a; 121.21, Subdivision 6; 121.904, Subdivision 11b; 121.917, by adding a subdivision; 121.92; 123.702, Subdivision 1, and by adding a subdivision; 123.703, Subdivisions 1 and 3; 123.705; 123.937; 124.11, Subdivision 2; 124.14; 124.17, Subdivision 1; 124.19, by adding a subdivision; 124.20; 124.212, Subdivisions 1, 6c and 7c; 124.222, Subdivision 3; 124.26, Subdivision 1; 124.271, Subdivision 2, and by adding a subdivision; 124.32, Subdivisions 1, 1a, 5 and 10; 124.561, Subdivisions 2, 3 and 3a; 124.562, Subdivisions 2, 3 and 4; 124.565; 124.566; 124.572, Subdivisions 1, 2 and 3; 124.573, Subdivisions 1, 2, 3, and by adding a subdivision; 124.574, Subdivision 2; 124.646, Subdivision 1; 125.61, Subdivision 4; 126.39, Subdivision 10; 126.40, Subdivision 3; 126.41, Subdivision 1; 126.52, Subdivision 10; 126.53, Subdivision 3; 126.54, Subdivision 1; 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; 275.125, Subdivisions 2a, 8, 11a, and by adding a subdivision; 465.72; 471.38, by adding a subdivision; and Chapters 3, by adding sections; 123, by adding a section; 124, by adding sections and 134, by adding sections; repealing Minnesota Statutes 1978, Sections 3.9271; 3.9273; 3.9274; 3.9275; 123.938, Subdivision 7; 124.212, Subdivisions 6b and 7b; 124.222, Subdivisions 1a, 1b, 2a, 2b and 6; 124.562, Subdivision 1; 124.563; 134.33, Subdivision 2; 275.125, Subdivision 13.

Reports the same back with the recommendation that the bill be amended as follows:

Page 7, line 9, delete "22" and insert "24"

Page 7, after line 13, insert:

"Sec. 7. Minnesota Statutes 1978, Section 124.212, Subdivision 10, is amended to read:

Subd. 10. (a) The equalization aid review committee, consisting of the commissioner of education, the commissioner of administration, and the commissioner of revenue, is hereby continued and permanently established. The duty of this committee shall be to review the assessed valuation of the districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any district furnished by any county auditor is not based upon the market value of taxable property in such district, then said committee shall call upon the department of revenue to ascertain the market value of such property, and adjust such values as required by law to determine the adjusted assessed valuation. The department of revenue shall take such steps as are necessary in the performance of that duty and may incur such expense as is necessary therefor. The commissioner of revenue is authorized to reimburse any county or governmental official for services performed at his request in ascertaining such adjusted valuation. On or before March 15, annually, the department of revenue shall submit its report on the assessed values established by the previous year's assessment to said committee for approval

or rejection and, if approved, such report shall be filed not later than the following July 1 with the commissioner of education and each county auditor for those school districts for which he has the responsibility for determination of mill rates. A copy of the adjusted assessed value so filed shall be forthwith mailed to the clerk of each district involved and to the county assessor or supervisor of assessments of the county or counties in which such district is located.

(b) For purposes of determining the adjusted assessed value of agricultural lands for the calculation of 1977 1978 adjusted assessed values and thereafter, the market value of agricultural lands shall be the arithmetic average of (1) the price for which the property would sell in an arms length transaction, and (2) the income which could be derived from its free market gross rental rate capitalized at a rate of nine ten percent. Value determined pursuant to this clause shall be based on comparison of income and assessments from only the most recent applicable year, and shall not be subject to a three-year series of comparisons.

Sec. 8. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.216] *Subdivision 1. [DEFINITION.] For the purposes of this section "pupil unit" has the meaning defined in section 124.17, subdivision 1, clauses (1) and (2).*

Subd. 2. For the 1980-1981 and 1981-1982 school years, a district with 950 or less pupil units which receives less than \$200 per pupil unit in foundation aid under that year's foundation aid formula provided in section 124.212 shall receive the difference between \$200 per pupil unit and the amount the district receives per pupil unit under that year's foundation aid. This payment shall be known as the minimum aid payment.

Subd. 3. A district which qualifies to receive aid pursuant to subdivision 2 of this section and which qualifies to receive aid pursuant to section 9 of this article shall receive the greater amount provided by either section, but shall not receive aid under both sections.

Subd. 4. The payments made to a district pursuant to subdivision 2 shall not be treated as a district's foundation aid formula allowance for any purpose except that the date of the payments shall be as provided in section 124.11."

Page 9, line 28, delete "22" and insert "24"

Page 9, line 29, after "district" insert "less any amount received pursuant to section 8 of this article"

Page 9, line 33, after "district" insert "less any amount received pursuant to section 8 of this article"

Page 12, line 12, delete "\$696,530,000" and insert "\$683,200,000"

Page 12, line 15, delete "\$636,530,000" and insert "\$623,200,000"

Page 12, line 24, delete "7" and insert "9"

Page 13, after line 5, insert:

"Subd. 6. [MINIMUM AID PAYMENT.] For the minimum aid payment pursuant to section 8 of this article there is appropriated:

\$2,000,000 1981."

Renumber the subdivisions in sequence

Page 73, after line 22, insert:

"Sec. 4. Minnesota Statutes 1978, Section 121.49, is amended to read:

121.49 [ITEMIZATION OF AMOUNT OF AID TO DISTRICTS.] *Subdivision 1.* The department of education shall itemize for each school district in the state the total amount of money and the amount of money per pupil unit which accrues to the district for each fiscal year from each type of state and federal aid, refund, payment, credit, disbursement or monetary obligation of any kind, including but not limited to each special state aid, emergency aid, payments in lieu of taxes, and pension and retirement obligations for the benefit of personnel of the district. State agencies which have information necessary for the itemization required by this section shall provide the information to the department of education. The completed itemization shall be ~~made available~~ reported to the appropriate standing committees of the legislature in convenient reference form not later than December 1 following the year for which they are made.

Subd. 2. *If the report required for the 1979-1980 school year and each year thereafter is not received by the appropriate standing committees of the legislature by July 1 in the year following the year for which the report is made, the commissioner of education and the department of education shall not be authorized to expend any funds for any purpose, other than the distribution of aids to school districts, until the report is received."*

Page 93, after line 11, insert:

"Sec. 29. For certain Indian education programs there is appropriated to Independent School District No. 309 - Pine Point school, the sum of \$125,000 to be available July 1, 1979 and an additional \$125,000 to be available July 1, 1980, but only if there will not be available for the district for the respective 1979-1980 or 1980-81 school year any operational support funds from the federal bureau of Indian affairs pursuant to the Johnson-O'Malley Act, P.L. 73-167 or 25 CFR 273.31, or equivalent money from the same or another source.

This appropriation is available for expenditure with the approval of the governor after consultation with the legislative advisory commission in the manner provided in section 3.30. These amounts shall be expended only for the benefit of Indian students and for the purpose of meeting established state educational standards or statewide requirements.

Sec. 30. [INDEPENDENT SCHOOL DISTRICTS NOS. 836 AND 840; TRANSFER OF PROPERTY.] *Subdivision 1. All the land located within the Southwest one-quarter (SW-¼) of Section nineteen (19), Township one hundred-five (105), Range thirty-two (32), is detached from Independent School District No. 836 (Butterfield-Odin) and is annexed to Independent School District No. 840 (St. James). The property transferred by this subdivision shall not be taxable on or after the effective date of the transfer for the payment of any bonded indebtedness, debt service, or capital loan incurred prior to the transfer by Independent School District No. 836, but shall be taxable for the payment of all bonded indebtedness, debt service, and capital loans incurred by Independent School District No. 840 prior to or after the transfer.*

Subd. 2. All the land located within the Southwest one-quarter (SW-¼) of Section eighteen (18), Township one hundred-five (105), Range thirty-two (32), is detached from Independent School District No. 840 (St. James) and annexed to Independent School District No. 836 (Butterfield-Odin). The property transferred by this subdivision shall not be taxable on or after the effective date of the transfer for the payment of any bonded indebtedness, debt service or capital loan incurred prior to the transfer by Independent School District No. 840, but shall be taxable for payment of all bonded indebtedness, debt service, and capital loans incurred by Independent School District No. 836 prior to or after the transfer.

Subd. 3. [EFFECTIVE DATE.] This section shall be effective upon its approval by resolutions adopted by a majority of all members of the school board of Independent School District No. 836 and by a majority of all members of the school board of Independent School District No. 840, and upon compliance with Minnesota Statutes, Section 645.021.

Sec. 31. [INDEPENDENT SCHOOL DISTRICT NO. 279; BOND ISSUE.] *Subdivision 1. Independent School District No. 279, Hennepin County, Minnesota, whose principal office is in the city of Osseo, in issuing the bonds authorized by the voters of the district on April 3, 1979, may establish a serial maturity schedule for the bonds which, individually or in combination with the maturities of any other designated issue or issues, will conform to the provisions of Minnesota Statutes, Section 475.54, Subdivision 1, without retiring outstanding state loans to the district, and without conforming to the provisions of subdivision 2 of said section relating to school districts having outstanding state loans.*

Subd. 2. [EFFECTIVE DATE.] This section shall be effective upon its approval by the school board of Independent School District No. 279 and upon compliance with Minnesota Statutes, Section 645.021."

Page 95, line 32, delete "14" and insert "15"

Page 96, line 5, delete "21" and insert "22"

Page 96, line 11, delete "22" and insert "23"

Page 96, line 29, delete "4, 17 and 28" and insert "5, 18 and 32"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, after "6;" insert "121.49;"

Page 1, line 18, after "6c" insert a comma

Page 1, line 19, delete "and 7c" and insert "7c, and 10"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 1139: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, before line 9, 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 bedroom apartment units or townhouse units of four bedrooms or more 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.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. Temporary rules to implement this section may be promulgated as emergency rules and amended pursuant to chapter 15. The temporary rules may remain in effect until July 1, 1980.

Sec. 3. Minnesota Statutes 1978, Section 462A.09, is amended to read:

462A.09 [BONDS AND NOTES; RESOLUTIONS AUTHORIZING, ADDITIONAL TERMS, SALE.] The notes and bonds of the agency shall be authorized by a resolution or resolutions adopted by the agency, shall bear such date or dates, shall mature at such time or times, shall bear interest at such rate or rates, be in such denominations, be in such form, carry such registration privileges, be executed in such manner, be payable in lawful money of the United States of America, at such place or places within or without the state, and be subject to such terms of redemption prior to maturity as such resolutions or certificates may provide. No note shall mature more than ten years from its date or from the date of any note refunded thereby. The maximum maturity of any bond, whether or not issued for the purpose of refunding, shall be 50 years from its date. The notes and bonds of the agency may be sold at public or private sale, at such price or prices as the agency shall determine; provided that in no event shall the net proceeds to the agency of any issuance of bonds be less than 98 97 percent of the face amount of the bonds. Prior to the sale of notes and bonds, the agency shall consult with the executive secretary of the state board of investment on the terms and conditions of the bonds and appropriate underwriting fees. The executive secretary of the state board of investment shall participate in the negotiations for the sale of bonds of the agency.

Sec. 4. Minnesota Statutes 1978, Section 462A.21, is amended by adding a subdivision 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.

Sec. 5. Minnesota Statutes 1978, Section 462A.21, is amended by adding a subdivision to read:

Subd. 11. The agency may make loans to owners of rental property of four units or more which is at least 15 years old and occupied at the time of loan closing by low and moderate income tenants, for the purposes of moderate rehabilitation and energy improvements necessary to bring the property into compliance with section 116H.129, subdivision 3. Loans made pursuant to this subdivision shall only be made with the proceeds of bonds and notes, and shall not include any appropriated funds."

Page 1, line 16, strike "\$175,000,000" and insert "\$275,000,000"

Page 1, after line 20, insert:

"Sec. 7. 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 make in an aggregate principal amount at least \$10,000,000 in mortgage loans for the rehabilitation of existing buildings for multifamily residential housing.

Sec. 8. Minnesota Statutes 1978, Section 462A.22, Subdivision 9, is amended to read:

Subd. 9. The agency shall also submit a biennial report of its activities, projected activities, receipts, and expenditures for the next biennium, to the governor and the legislature on or before January 15 in each odd-numbered year. The report shall include the distribution of money under each agency program by county, except for counties containing a city of the first class, where the distribution shall be reported by municipality. Within cities of the first class, the distribution of agency money shall be reported by census tract.

In addition, the report shall include the cost to the agency of the issuance of its bonds for each issue in the biennium, along with comparable information for other state housing finance agencies."

Page 1, line 22, delete "for the biennium"

Page 1, line 23, delete "ending June 30, 1981,"

Page 2, line 4, delete "\$21,500,000" and insert "\$23,500,000"

Page 2, line 10, delete "\$6,000,000" and insert "\$8,000,000"

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" and insert "Subdivision"

Page 2, line 20, delete "and 4d"

Page 2, after line 20, insert:

"Subd. 6. There is appropriated the sum of \$1,500,000 for the urban American Indians revolving fund created in Minnesota Statutes, Section 462A.21, Subdivision 4d.

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 sum of \$250,000 is appropriated from the general fund to the housing development fund created in Minnesota Statutes, Section 462A.20 for the purpose of making rehabilitation grants to enrolled members within the Sioux communities of

Prairie Island, Shakopee, Lower Sioux (Morton) and Upper Sioux (Granite Falls) for existing housing in accordance with the home improvement grant program of the Minnesota housing finance agency, and for the payment of related costs and expenses.

Sec. 9. Sections 6 and 7 are effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "agency;" insert "making certain changes in the laws relating to the operation of the agency; establishing a grant program for the construction of three and four bedroom apartment or townhouse units; creating a rehabilitation loan program for certain rental housing;"

Page 1, line 5, delete "Section" and insert "Sections 462A.05, by adding a subdivision; 462A.07, Subdivision 15; 462A.09; 462A.21, by adding subdivisions; and"

Page 1, line 6, delete "Subdivision 1" and insert "Subdivisions 1, 1a, and 9"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Moe from the Committee on Finance, to which was re-referred

S. F. No. 481: 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 under certain conditions.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Moe from the Committee on Finance, to which was re-referred

S. F. No. 680: A bill for an act relating to motor vehicles; defining "fertilizer applicator"; including fertilizer applicators in the definition of implement of husbandry; setting maximum width and braking and lighting requirements for fertilizer applicators; directing the commissioner of transportation to adopt rules providing maximum weights and other safety standards and to adopt a temporary policy on fertilizer applicator operation; providing penalties; 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which were referred the following appointments as reported in the Journal for April 11, 1979:

CRIME CONTROL PLANNING BOARD

Robert V. Campbell

Kenneth D. Kraft

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred the following appointment as reported in the Journal for March 15, 1979:

**DEPARTMENT OF PUBLIC WELFARE
COMMISSIONER**

Arthur Noot

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which were referred the following appointments as reported in the Journal for April 19, 1979:

GILLETTE HOSPITAL BOARD

Herbert G. Lancaster

**CRIME CONTROL PLANNING BOARD
CHAIRPERSON**

Robert J. Griesgraber

CRIME CONTROL PLANNING BOARD

Robert A. Barrett

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Hughes from the Committee on Education, to which were referred the following appointments as reported in the Journal for January 8, 1979:

MINNESOTA HIGHER EDUCATION COORDINATING BOARD

Dr. Geraldine Carter

Emil A. Erickson

Maxine Gaines

Eunice Johnson

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was referred the following appointment as reported in the Journal for March 26, 1979:

MINNESOTA HIGHER EDUCATION COORDINATING BOARD

James W. Krause

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 220, 998 for comparison with companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their second reading and substituted for their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
220	227				
998	667				

and that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 792, 882 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
792	1098				
882	1044				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 792 be amended as follows:

Page 1, line 15, delete “:” and insert “.”

And when so amended H. F. No. 792 will be identical to S. F. No. 1098, and further recommends that H. F. No. 792 be given its second reading and substituted for S. F. No. 1098, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 882 be amended as follows:

Page 2, line 7, delete "*board may*" and insert "*auditor shall*"

Page 2, line 8, delete "*auditor*" and insert "*board*"

Page 2, line 11, after "*auditor*" insert "*, upon order of the county board,*"

Page 2, line 13, after "*percent*" delete "*per annum*"

Page 2, lines 21 to 23, delete "*, except that in court proceedings to enforce the collection of taxes, no defense as to the validity of any such charges shall be permitted*"

And when so amended H. F. No. 882 will be identical to S. F. No. 1044, and further recommends that H. F. No. 882 be given its second reading and substituted for S. F. No. 1044, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was re-referred

S. F. No. 776: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 10, delete "*; and*" and insert "*or*"

Page 2, line 13, after "*any opinions*" insert "*expressed in accordance with generally accepted auditing standards*"

Page 5, line 23, delete "*July, 1979*" and insert "*January, 1980*"

Page 6, line 10, delete "*1979*" and insert "*1980*"

Page 7, line 31, reinstate "*shall*"

Page 9, after line 3, insert:

"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 of 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."

Page 10, line 24, delete "public"

Page 11, line 4, delete " "accountant" or"

Page 12, line 10, after "No" insert "person,"

Page 12, line 11, delete "hold itself out to the" and insert "assume or use the title"

Page 12, line 12, delete "public as an "accountant" or"

Page 12, line 12, delete "by use of either or"

Page 12, line 13, delete "both of those words"

Page 12, line 15, after "the" insert "person,"

Page 14, delete lines 2 to 6

Page 14, line 7, delete "4" and insert "3"

Page 14, after line 15, insert:

"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 letter-heads 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 section 1 to 12, from preparing tax returns."

Page 15, line 26, delete "Sections 1 to 12 are" and insert "Section 7 is"

Page 15, line 27, after the period, insert "The remaining sections are effective the day following final enactment."

And when so amended the bill do pass and be re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 1114, 974, 182, 515, 1009, 809, 1218, 1212, 1193, 657, 160, 1504, 1505, 1510, 1511 and H. F. Nos. 191, 627, 31, 623, 728, 183 makes the following report:

That the above Senate Files and House Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 481 and 680 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 713, 715, 220, 998, 792 and 882 were read the second time.

H. F. Nos. 60, 325, 656, 1033, 1245, 1377, 988, 642, 1029, 1251 and 1256 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Coleman moved that the name of Mr. Lewis be stricken as chief author and that Mr. Moe be added as chief author to S. F. No. 651. The motion prevailed.

Mr. Coleman moved that the name of Mr. Lewis be stricken as chief author and that Mrs. Staples be added as chief author to S. F. No. 702. The motion prevailed.

Mr. Nelson moved that the name of Mr. Lewis be stricken as chief author and that Mr. Schaaf be added as chief author to S. F. No. 1131. The motion prevailed.

Mr. Coleman moved that the name of Mr. Lewis be stricken as chief author and that Mr. Kirchner be added as chief author to S. F. No. 1150. The motion prevailed.

Mr. Gearty moved that H. F. No. 1226 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1363 now on General Orders. The motion prevailed.

Mr. Gearty moved that H. F. No. 1227 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1362 now on General Orders. The motion prevailed.

Mr. Penny moved that S. F. No. 1140 be withdrawn from the Committee on General Legislation and Administrative Rules and re-referred to the Committee on Finance. The motion prevailed.

Mr. Sikorski moved that S. F. No. 1473 be withdrawn from the Committee on Governmental Operations and returned to its author. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Calendar and the Consent Calendar. The motion prevailed.

CALENDAR

H. F. No. 966: A bill for an act relating to workers' compensation; providing employer's action for recovery of insurance pre-

miums against certain third parties; amending Minnesota Statutes 1978, Section 176.061, Subdivisions 5 and 6.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Perpich	Spear
Ashbach	Gunderson	Laufenburger	Peterson	Staples
Bang	Hanson	Lessard	Pillsbury	Stokowski
Benedict	Humphrey	Luther	Purfeerst	Strand
Bernhagen	Jensen	McCutcheon	Renneke	Stumpf
Brataas	Johnson	Menning	Schaaf	Tennessee
Chenoweth	Keefe, J.	Merriam	Schmitz	Ueland, A.
Coleman	Keefe, S.	Moe	Setzepfandt	Ulland, J.
Dieterich	Kirchner	Nelson	Sieloff	Vega
Dunn	Kleinbaum	Nichols	Sikorski	Willet
Engler	Knaak	Olhoff	Sillers	
Frederick	Knoll	Penny	Solon	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Peterson	Staples
Ashbach	Gunderson	Lessard	Pillsbury	Stokowski
Bang	Hanson	Luther	Purfeerst	Strand
Benedict	Humphrey	McCutcheon	Renneke	Stumpf
Bernhagen	Jensen	Menning	Rued	Ueland, A.
Brataas	Johnson	Merriam	Schaaf	Ulland, J.
Chenoweth	Keefe, J.	Moe	Schmitz	Vega
Coleman	Keefe, S.	Nelson	Setzepfandt	Wegener
Davies	Kirchner	Nichols	Sieloff	Willet
Dieterich	Kleinbaum	Olhoff	Sikorski	
Dunn	Knaak	Olson	Sillers	
Engler	Knoll	Penny	Solon	
Frederick	Knutson	Perpich	Spear	

So the bill passed and its title was agreed to.

CONSENT CALENDAR

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Perpich	Spear
Ashbach	Gunderson	Laufenburger	Peterson	Staples
Bang	Hanson	Lessard	Pillsbury	Stokowski
Benedict	Hughes	Luther	Purfeerst	Strand
Bernhagen	Humphrey	McCutcheon	Renneke	Stumpf
Brataas	Jensen	Menning	Rued	Tennesen
Chenoweth	Johnson	Merriam	Schaaf	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ueland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Olhoft	Sikorski	Willet
Engler	Knaak	Olson	Sillers	
Frederick	Knoll	Penny	Solon	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Perpich	Spear
Ashbach	Gunderson	Laufenburger	Peterson	Staples
Bang	Hanson	Lessard	Pillsbury	Stokowski
Benedict	Hughes	Luther	Purfeerst	Strand
Bernhagen	Humphrey	McCutcheon	Renneke	Stumpf
Brataas	Jensen	Menning	Rued	Tennesen
Chenoweth	Johnson	Merriam	Schaaf	Ueland, A.
Coleman	Keefe, J.	Moe	Schmitz	Ueland, J.
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Kirchner	Nichols	Sieloff	Wegener
Dunn	Kleinbaum	Olhoft	Sikorski	Willet
Engler	Knaak	Olson	Sillers	
Frederick	Knoll	Penny	Solon	

So the bill passed and its title was agreed to.

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; 290.06, Subdivision 11; 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gerty	Laufenburger	Peterson	Staples
Ashbach	Gunderson	Lessard	Pillsbury	Stokowski
Bang	Hanson	Luther	Purfeerst	Strand
Benedict	Hughes	McCutcheon	Renneke	Stumpf
Bernhagen	Jensen	Menning	Rued	Tennessee
Brataas	Johnson	Merriam	Schaaf	Ueland, A.
Chenoweth	Keefe, J.	Moe	Schmitz	Ulland, J.
Coleman	Keefe, S.	Nelson	Setzepfandt	Vega
Davies	Kirchner	Nichols	Sieloff	Wegener
Dieterich	Kleinbaum	Olhoft	Sikorski	Willet
Dunn	Knaak	Olson	Sillers	
Engler	Knoll	Penny	Solon	
Frederick	Knutson	Perpich	Spear	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Davies	Frederick	Hughes
Ashbach	Brataas	Dieterich	Gerty	Humphrey
Bang	Chenoweth	Dunn	Gunderson	Jensen
Benedict	Coleman	Engler	Hanson	Johnson

Keefe, J.	Luther	Olson	Schmitz	Strand
Keefe, S.	McCutcheon	Penny	Setzepfandt	Stumpf
Kirchner	Menning	Perpich	Sieloff	Tennessee
Kleinbaum	Merriam	Peterson	Sikorski	Ueland, A.
Knaak	Moe	Pillsbury	Sillers	Ulland, J.
Knoll	Nelson	Purfeerst	Solon	Vega
Knutson	Nichols	Renneke	Spear	Wegener
Laufenburger	Ogdahl	Rued	Staples	Willet
Lessard	Olhoff	Schaaf	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 1504 a Special Order to be heard immediately.

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, Subdivisions 1 and 2.

Mr. Davies moved to amend S. F. No. 1504 as follows:

Page 9, delete section 16

Amend the title as follows:

Page 1, line 11, delete "Subdivisions" and insert "Subdivision" and after "1" delete "and 2"

The motion prevailed. So the amendment was adopted.

Mr. Dunn moved to amend S. F. No. 1504 as follows:

Page 5, line 9, delete "50,000" and insert "17,500" in both cases

The motion did not prevail. So the amendment was not 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.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Laufenburger	Peterson	Staples
Ashbach	Hughes	Lessard	Pillsbury	Stokowski
Benedict	Humphrey	Luther	Purfeerst	Strand
Bernhagen	Jensen	McCutcheon	Renneke	Stumpf
Brataas	Johnson	Menning	Rued	Tennessen
Chenoweth	Keefe, J.	Merriam	Schaaf	Ulland, J.
Davies	Keefe, S.	Moe	Setzpfandt	Vega
Dunn	Kirchner	Nelson	Sieloff	Wegener
Engler	Kleinbaum	Nichols	Sikorski	Willet
Frederick	Knaak	Olhoff	Sillers	
Gearty	Knoll	Olson	Solon	
Gunderson	Knutson	Penny	Spear	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 1510 a Special Order to be heard immediately.

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.

Mr. Humphrey moved to amend S. F. No. 1510 as follows:

Page 24, line 5, before "All" insert "All receipts from the operation of the zoo ride shall be deposited in a special account within the Minnesota zoological garden general account."

Page 24, line 6, after "the" insert "special zoo ride account within the"

The motion prevailed. So the amendment was adopted.

S. F. No. 1510 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Benedict	Chenoweth	Dunn	Gearty
Ashbach	Bernhagen	Davies	Engler	Gunderson
Bang	Brataas	Dieterich	Frederick	Hanson

Humphrey	Lessard	Olson	Schmitz	Stumpf
Jensen	Luther	Penny	Setsepfandt	Tennessee
Johnson	Menning	Perpich	Sieloff	Ueland, A.
Keefe, J.	Merriam	Peterson	Sikorski	Ulland, J.
Kleinbaum	Moe	Pillsbury	Sillers	Vega
Knaak	Nelson	Purfeerst	Spear	Willet
Knoll	Nichols	Renneke	Staples	
Knutson	Ogdahl	Rued	Stokowaki	
Laufenburger	Olhoft	Schaaf	Strand	

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hanson moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, May 3, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FORTY-SEVENTH DAY

St. Paul, Minnesota, Thursday, May 3, 1979

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Gearty	Knutson	Purfeerst	Stumpf
Bang	Gunderson	Luther	Rued	Tennessee
Benedict	Hanson	Menning	Schaaf	Ueland, A.
Bernhagen	Hughes	Merriam	Schmitz	Ulland, J.
Coleman	Humphrey	Nelson	Setzepfandt	Vega
Davies	Jensen	Nichols	Sieloff	Wegener
Dieterich	Johnson	Olhoft	Sikorski	Willet
Dunn	Keefe, S.	Perpich	Spear	
Engler	Kirchner	Peterson	Stokowski	
Frederick	Knaak	Pillsbury	Strand	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Thomas J. Pingatore.

The roll was called, and the following Senators answered to their names:

Anderson	Gearty	Knutson	Penny	Solon
Ashbach	Gunderson	Laufenburger	Perpich	Spear
Bang	Hanson	Lessard	Peterson	Staples
Benedict	Hughes	Luther	Pillsbury	Stokowski
Bernhagen	Humphrey	McCutcheon	Purfeerst	Strand
Brataas	Jensen	Menning	Renneke	Stumpf
Chenoweth	Johnson	Merriam	Rued	Tennessee
Coleman	Keefe, J.	Moe	Schaaf	Ueland, A.
Davies	Keefe, S.	Nelson	Schmitz	Ulland, J.
Dieterich	Kirchner	Nichols	Setzepfandt	Vega
Dunn	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knaak	Olhoft	Sikorski	Willet
Frederick	Knoll	Olson	Sillers	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Chmielewski and Schrom were excused from the Session of today.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 450 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 2, 1979

Mr. Sieloff moved that S. F. No. 450 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 779 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 2, 1979

Mr. Schaaf moved that S. F. No. 779 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 876: A bill for an act relating to local government; permitting units in Fillmore County to spend money to assist blood collection.

Senate File No. 876 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 2, 1979

Mr. Gunderson moved that S. F. No. 876 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 859, 1473 and 944.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 2, 1979

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

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, 3 and by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 913 now on Special Orders.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 721 now on Special Orders.

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; remov-

ing 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.

Referred to the Committee on Governmental Operations.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the report on Senate Concurrent Resolution No. 10, and reports pertaining to appointments. The motion prevailed.

Mr. Hughes 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"; amending Minnesota Statutes 1978, Section 126.47, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 12, insert:

"Sec. 2. Minnesota Statutes 1978, Chapter 126, is amended by adding a section to read:

[126.531] [ADVISORY TASK FORCE ON AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION PROGRAMS.] *Subdivision 1. The Minnesota Indian Affairs intertribal board shall nominate fifteen persons for membership to the American Indian language and culture education advisory task force. The state board of education shall appoint nine persons from those so nominated to constitute the task force. Members shall include representatives of community groups, parents of children eligible to be served by the programs, American Indian administrators and teachers, persons experienced in the training of teachers for American Indian language and culture education programs, persons involved in programs for American Indian children in nonsectarian*

nonpublic, urban, community, tribal or alternative schools and persons knowledgeable in the field of American Indian language and culture education. Members shall be appointed so as to be representative of significant segments of the population of American Indians.

Subd. 2. [DUTIES.] The advisory task force on American Indian language and culture education programs shall advise the state board in the administration of its duties under sections 126.45 to 126.55.

Subd. 3. The advisory task force shall expire and the terms, compensation and removal of members shall be as provided for in section 15.059, subdivision 6.

Sec. 3. Minnesota Statutes 1978, Section 126.53, is repealed.

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "providing for membership on the American Indian language and culture education advisory task force;"

Page 1, line 4, delete "Sections" and insert "Section"

Page 1, line 4, after "Subdivision 2" insert "; and Chapter 126, by adding a section; repealing Minnesota Statutes 1978, Section 126.53"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 651: A bill for an act relating to social development; requiring the commissioner of public welfare and each board of county commissioners to develop a biennial plan relating to the identification, reduction, remedy, and prevention of public social problems; requiring public participation in state and county plan development; authorizing the appointment of advisory councils; setting forth a formula for block grants to be allocated to the counties; establishing a temporary study commission; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, delete "9" and insert "14"

Page 1, line 16, delete "development" and insert "services"

Page 2, line 3, delete "DEVELOPMENT" and insert "SERVICES"

Page 2, lines 4 and 7, delete "development" and insert "services"

Page 2, line 19, after the semicolon insert "and"

Page 2, line 23, delete "DEVELOPMENT" and insert "SERVICES"

Page 2, line 29, delete "9" and insert "14"

Page 2, lines 31 to 33, delete subdivision 2 and insert:

"Subd. 2. "Social services programs" means programs for planning and delivery of community social services, developed in response to human needs in accordance with the policy stated in section 2."

Page 3, delete subdivision 3 and insert:

"Subd. 3. "Community social services" means services included in the comprehensive annual services plan published by the commissioner of public welfare pursuant to Title XX of the Social Security Act, 42 U.S.C. 1397 et seq., and social services authorized by Minnesota Statutes, Sections 245.61 to 245.691, 245.83 to 245.87, 252.21 to 252.27, Subdivision 1, 254A.07, 254A.08, 254A.12, 254A.14, 260.251, Subdivision 1a, 261.27 and 393.07, Subdivision 1. Community social services do not include public assistance programs known as aid to families with dependent children, Minnesota supplemental aid, medical assistance, general assistance and general assistance medical care, the maintenance expenses of care for children as defined by rules promulgated by the commissioner of public welfare and authorized by Minnesota Statutes, Sections 252.27, Subdivision 1, 260.251, Subdivisions 1 and 1a, 261.27 and 393.07, Subdivisions 1 and 1a, and community health services authorized by Minnesota Statutes, Sections 145.911 to 145.922."

Page 3, lines 19 and 20, delete "the department of"

Page 3, line 21, before "plan" insert "social services"

Page 3, lines 22 and 24, delete "development" and insert "services"

Page 3, line 25, delete "a" and insert "the"

Page 3, line 26, before the period, insert "in each county"

Page 3, line 28, delete "Minnesota Statutes, Section" and insert "sections 402.01 and"

Page 3, line 28, before the period, insert ", Laws 1974, Chapter 293, or Laws 1976, Chapter 340"

Pages 3 and 4, delete subdivision 10 and insert:

"Subd. 10. "AFDC" means aid to families with dependent children provided pursuant to Title IV-A of the Social Security Act, 42 U.S.C. 601 et seq.

Subd. 11. "Medical assistance" means assistance provided pursuant to sections 256B.01 to 256B.40.

Subd. 12. "General assistance" means assistance provided pursuant to sections 256D.01 to 256D.22."

Renumber the subdivisions in sequence

Page 4, lines 2, 6, 14, and 17, delete "development" and insert "services"

Page 4, line 3, delete "10" and insert "12"

Page 4, line 4, delete "DEVELOPMENT" and insert "SERVICES"

Page 4, line 20, delete "1396i" and insert "1396k"

Page 4, line 29, delete "Adopted"

Page 4, line 30, after "plans" insert "adopted"

Page 5, line 2, delete "coordinating" and insert "coordination"

Page 5, lines 6, 12 and 18, delete "development" and insert "services"

Page 5, line 8, delete "to be addressed related to" and insert "that the programs address in relation to the goals stated in"

Page 5, line 9, delete "to be achieved by" and insert "of"

Page 5, line 11, before "for" insert "at the state level"

Page 5, line 12, delete "at the state level"

Page 5, line 23, after the first comma insert "stating"

Page 6, line 3, delete "formula" and insert "formulas"

Page 6, line 3, delete "section 7" and insert "sections 10 and 11"

Page 6, lines 5 and 13, delete "development" and insert "services"

Page 6, line 18, delete "act on" and insert "approve or disapprove"

Page 6, lines 21 and 24, delete "9" and insert "14"

Page 6, line 31, delete the first "the" and insert "a"

Page 6, line 31, delete "7" and insert "10"

Page 6, line 31, after "until" insert "he has approved"

Page 6, line 31, after "plan" insert a period

Page 6, delete line 32 and insert "A county may appeal the commissioner's decision pursuant to section 10, subdivision 11."

Page 7, lines 6, 13, 16, 18, 20, and 25, delete "development" and insert "services"

Page 7, lines 6 and 7, delete "such as" and insert "and including"

Page 7, line 9, before "rules" insert "department"

Page 7, line 10, delete "9" and insert "14"

Page 7, line 13, delete "of"

Page 7, line 13, delete "within" and insert "in"

Page 7, after line 19, insert:

"(f) Provide forms and definitions for reports by the counties on the effectiveness of community social services programs, including

numbers and types of recipients of each service. The commissioner shall compile the counties' reports into an annual report to the governor and the legislature."

Page 7, line 20, delete "federal" and insert "Title XX funds"

Page 7, line 21, delete "funds" and insert "aids"

Page 7, lines 22 and 30, delete "9" and insert "14"

Reletter the clauses in sequence

Page 7, delete lines 31 to 33

Page 8, delete lines 1 to 33

Page 9, delete lines 1 to 33

Page 10, delete lines 1 to 4 and insert:

"Sec. 6. [256E.06] [DUTIES OF COUNTY BOARDS.] Subdivision 1. The county board of each county shall be responsible for administration, planning and funding of community social services programs. Each county board shall singly or in combination with other county boards as provided in section 8 prepare a biennial social services plan for development and coordination of community social services programs. The county board or boards shall establish a mechanism to ensure public participation in developing the plan. Upon final approval of the plan by the county board or boards, the plan shall be submitted to the commissioner. The county board shall distribute funds available pursuant to sections 7, 10, and 11 for community social development programs."

Page 10, line 5, delete "5" and insert "2"

Page 10, line 5, after "OF" insert "COUNTY"

Page 10, lines 6, 7, 16, 18, 20, and 33, delete "development" and insert "services"

Page 10, line 7, before "Methods" insert "A description of the"

Page 10, line 8, delete "state social development" and after "goals" insert "stated in section 2, subdivision 2"

Page 10, line 9, after "the" insert "county's"

Page 10, line 11, after "(d)" insert "A report on"

Page 10, line 15, after "(1)" insert "The"

Page 10, line 15, delete "for" and insert "of"

Page 10, line 17, after "(2)" insert "A list of the"

Page 10, line 24, delete "1396i" and insert "1396k"

Page 11, line 1, delete "budget and cost" and insert "budgets, administrative costs and costs"

Page 11, line 2, after "(h)" insert "A description of"

Page 11, line 3, delete "development"

Page 11, line 5, after "A" insert "description of the mechanism used to ensure public participation in developing the plan and a"

Page 11, line 9, delete "6" and insert "3"

Page 11, line 10, delete "5" and insert "2"

Page 11, line 13, delete "Copies" and insert "The county board shall submit a copy"

Page 11, line 13, delete "plans shall be submitted" and insert "plan"

Page 11, line 14, before "for" insert "or the metropolitan council"

Pages 11 and 12, delete subdivisions 7, 8, and 9

Pages 12 and 13, delete section 7 and insert:

"Sec. 7. [256E.07] [COUNTY ADMINISTRATION.] Subdivision 1. The county board of each county shall, subject to the supervision of the commissioner of public welfare, administer all community social services. The board shall appoint a director of community social services who meets at a minimum the merit system requirements of section 393.07, subdivision 5, to serve at the pleasure of the board and to perform the administrative functions required of the board by sections 1 to 14. The final approval of the community social services plan required in section 6 shall be made by the county board of each county.

Subd. 2. [CONTRACTS FOR SERVICES.] The county board may contract for community social services programs with a human services board, a multi-county board established by a joint powers agreement, other political subdivisions or private organizations.

Subd. 3. [COMMUNITY SOCIAL SERVICES FUND.] In the accounts and records of each county there shall be created a community social services fund. All moneys provided for community social services programs under sections 7, 10, and 11 and all other revenues, fees, grants-in-aid, gifts or bequests designated for community social services purposes shall be identified in the record of the fund and in the report required in subdivision 6. This fund shall be used exclusively for planning and delivery of community social services as defined in section 3, subdivision 3. If county boards have joined for purposes of administering community social services, the county boards may create a joint community social services fund. If a human service board has been established, the human service board shall account for community social services funds as required in Minnesota Statutes, Chapter 402.

Subd. 4. [FEES FOR SERVICES.] The county board may, subject to approval of the commissioner, establish by rule a schedule of fees based upon clients' ability to pay to be charged to recipients of community social services. Payment, in whole or in part, for services may be accepted from any person. When services are provided to any person, including a recipient of aids administered

by the federal, state or county government, payment of any charges due may be billed to and accepted from a public assistance agency or from any public or private corporation.

Subd. 5. [COUNTY OF FINANCIAL RESPONSIBILITY.] The county responsible for payment for community social services is the county in which the recipient of services resides at the time of application. The county of financial responsibility does not change as a result of referral for services to another county. Minors are considered as residing in the county in which their parents or guardians reside. When a minor reaches the age of 18, the county of financial responsibility is the county in which the minor resides. If a person continues in residential care or treatment after reaching the age of 18, the county which initiated the treatment is the county of financial responsibility.

Subd. 6. [FINANCIAL REPORTING BY COUNTIES.] Beginning in calendar year 1981 each county shall submit to the commissioner of public welfare a financial accounting of the county's community social services fund. A quarterly statement shall be submitted no later than 15 days after the end of the calendar quarter, and shall include:

(a) A detailed statement of income and expenses attributable to the fund in the preceding quarter; and

(b) A statement of the source and application of all funds used for social services programs by the county during the preceding year, including the number of clients served and expenditures for each service provided, as required by the commissioner of public welfare.

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 development fund for the preceding calendar year.

If county boards have joined, or designated human service boards, for purposes of providing community social services programs the county boards may submit a joint statement or the human service board shall submit the statement as applicable.

Subd. 7. [REDUCTION IN SERVICES PROHIBITED.] In calendar years 1980 and 1981 the county board shall not reduce the funding provided in calendar year 1979 for the following services: child care, mental health, chemical dependency and mental retardation services, including developmental achievement centers.

Sec. 8. [256E.08] [MULTI-COUNTY PLANNING.] The minimum population for social services planning is 30,000, based on the most recent federal census or determination by the state demographer. Two or more contiguous counties may, through a joint powers agreement, submit a multi-county biennial social services plan to obtain funds under sections 1 to 14. However when three or more counties combine for the purposes of sections 1 to 14 the 30,000 minimum population is not required. When two or more

counties combine for the purposes of sections 1 to 14, the department of public welfare with the approval of the regional development commissions directly involved, may waive the requirements that all counties be within a single development region; provided, however, that if a single county has received an exemption for formation of a human services board pursuant to section 402.01, the population base of 30,000 is waived and the county is eligible for participation in sections 1 to 14. For counties that have designated a human services board under sections 402.01 and 402.02, Laws 1974, Chapter 293, or Laws 1976, Chapter 340, the human services board shall assume the duties and responsibilities assigned to the county board by sections 1 to 14 except those assigned in section 10, subdivisions 5 and 6. The social services plan shall be approved by the county board of each county which is a party to the plan, public hearings on any proposed multi-county plan shall be held in each county to be served under the plan. Notification shall be given to the commissioner and to each county in a multi-county plan at least one year before the beginning of the fiscal year in which the plan takes effect."

Page 13, line 23, delete "Sec. 8. [256E.08]" and insert "Sec. 9. [256E.09]"

Page 13, line 26, after "boards" insert "to assist"

Page 13, line 27, delete "5" and insert "3"

Page 13, line 32, delete "9" and insert "14"

Page 14, line 4, delete "9" and insert "14"

Page 14, lines 5 and 30, delete "development" and insert "services"

Page 14, delete section 9 and insert:

"Sec. 10. [256E.10] [STATE SOCIAL SERVICES AIDS.] Subdivision 1. [FORMULA.] The commissioner of public welfare shall distribute community social services aids to each county board in an amount determined according to the following formula:

(a) An amount equal to \$64 multiplied by the average unduplicated number of persons who receive AFDC, general assistance and medical assistance per month in calendar year 1979 as reported in the average monthly caseload reports required under Minnesota Statutes, Sections 256.01, 256B.04 and 256D.04, and certified by the commissioner of public welfare;

(b) Plus an amount equal to \$2.75 multiplied by the number of persons residing in the county as determined by the most recent data of the state demographer;

(c) Plus an amount equal to \$17 multiplied by the number of persons residing in the county who are 60 years old or older as determined by the most recent data of the state demographer.

If the legislature appropriates for any biennium a greater or lesser amount than the amount determined according to this

formula, the amount due to the counties shall be increased or decreased accordingly. This increased or decreased amount, if any, shall be used for the purposes of subdivisions 4, 5, and 7 to 10.

Subd. 2. [LIMITATIONS.] No county shall receive less for community social services programs under subdivision 3 than it received in state moneys in calendar year 1978 for moneys earned in calendar year 1978 as authorized by Laws 1977, Chapter 453, Section 2 and as authorized by the 1979 regular session of the seventy-first legislature for the following activities: community mental health centers pursuant to Minnesota Statutes, Sections 245.61 to 245.691 and 254A.07, except moneys authorized for programs serving native Americans pursuant to Minnesota Statutes, Section 254A.031; developmental achievement centers pursuant to Minnesota Statutes, Sections 252.21 to 252.261; day care services pursuant to Minnesota Statutes, Sections 245.83 to 245.87, except moneys authorized in the official worksheets of the senate and house conferees for migrant labor day care; moneys authorized in the official worksheets of the senate and house conferees for detoxification programs pursuant to Minnesota Statutes, Section 254A.08 and for half-way houses for chemically dependent persons; and moneys appropriated for affected employees pursuant to Minnesota Statutes, Section 254A.12 and for services to youth and other underserved populations pursuant to Minnesota Statutes, Section 254A.14. These moneys shall be increased annually by an amount determined by the legislature to compensate for inflation.

For purposes of this subdivision, 50 percent of the county administrative cost reimbursement authorized by Laws 1977, Chapter 453, Section 2, which were received in calendar year 1979 are considered community social services moneys. The term state moneys does not include any federal moneys received by the state or counties for financing these services.

No county shall receive more than 130 percent of the amount received in the immediately preceding year as specified in this subdivision, adjusted for inflation. For the first year following the effective date of sections 1 to 14, no county shall receive more than 130 percent of the amount received in 1978.

Subd. 3. [PAYMENTS TO COUNTIES.] The commissioner of public welfare shall make payments for community social services planning and program delivery to each county in four installments per year. The commissioner of public welfare may certify the payment for the first three months of a calendar year based on estimates of the unduplicated number of persons receiving AFDC, general assistance and medical assistance for the immediately preceding year. The following three payments shall be adjusted to reflect the actual unduplicated number of persons who received AFDC, general assistance and medical assistance as required by subdivision 1.

Subd. 4. [LOCAL EFFORT.] Each county shall quarterly certify to the commissioner of public welfare that the county has provided from its resources funding for community social services

in an amount at least equal to its state aids pursuant to the formula in subdivision 1.

Subd. 5. [COMMUNITY SOCIAL SERVICE LEVY.] In calendar year 1979 for taxes payable 1980, each county board shall levy upon all taxable property in the county a tax equal to the amount determined in subdivision 1 for community social services programs. In calendar year 1980 for taxes payable 1981, each county board shall levy upon all taxable property in the county a tax equal to the amount determined in subdivision 1. Levies authorized in subdivisions 5 and 6 shall replace any social services program levies as defined in Minnesota Statutes, Section 275.50, Subdivision 5, Clause (c). All funds available to counties pursuant to this section may be used by counties to match federal funds.

Subd. 6. [OPTIONAL EXCESS LEVY.] In addition to the levy required by subdivision 5, a county may levy one and one-half mills on the current adjusted assessed value as certified by the equalization aid review committee pursuant to Minnesota Statutes, Section 124.212, Subdivision 10, for community social services programs. If the sum of state aid and local levies authorized by subdivisions 5 and 6 for community social services programs in any year is less than 106 percent of the sum of state aids and community social services program levies received by a county in the immediately preceding year, that county may levy an additional amount sufficient to increase the sum to equal 106 percent of the sum of state aid and local levies authorized by subdivisions 5 and 6 for the immediately preceding year. The term county levies for community social services programs means levies for community social services as defined in Minnesota Statutes, Section 275.50, Subdivision 5, Clause (c) including levies which were made to match federal moneys received pursuant to Title XX of the federal Social Security Act.

Subd. 7. [FAILURE TO SPEND.] A county which has not spent the aids granted under subdivision 1 for community social services programs within two years of receiving those aids shall receive a reduction in state social services aid calculated pursuant to subdivision 1. This reduction shall be made in the calendar year which begins no more than 30 months after the underspending has occurred and shall be equal to one-half the amount of aids which were not spent.

Subd. 8. [FAILURE TO LEVY.] A county which levies less than the levy required in subdivision 5, shall receive a reduction in the aid calculated pursuant to subdivision 1. The commissioner shall calculate the reduced aid as follows:

(a) Divide the amount levied by the amount required to be levied in subdivision 5.

(b) Multiply the ratio derived in clause (a) by the aid calculated under subdivision 1.

Subd. 9. [INAPPROPRIATE EXPENDITURES.] Beginning in calendar year 1981, for any county containing a city of the first

class that spends moneys received under sections 1 to 14 for purposes other than community social services programs, the amount of aid provided under subdivision 1 shall be reduced by an amount equal to the community social services aids allocated under subdivision 1 in the immediately preceding year which were spent for purposes other than community social services programs.

Subd. 10. [LOCAL GOVERNMENT AID.] Beginning in calendar year 1981 the amount of local government aid provided under Minnesota Statutes, Section 477A.01, Subdivision 2 to any county not containing a city of the first class that spends moneys received under sections 1 to 14 for purposes other than community social services programs shall be reduced by an amount equal to the community social services aids allocated pursuant to subdivision 1 in the immediately preceding year which were spent for purposes other than community social services programs.

Subd. 11. [APPEAL.] Prior to certifying any reduction in aids, the commissioner shall notify the county of his intention to certify a reduction. He shall notify the county of the right to a hearing. If the county requests a hearing within thirty days of notification of intention to reduce aids, the commissioner shall not certify any reduction in aids until a hearing is conducted and a decision rendered in accordance with the provisions of chapter 15 for contested cases.

Subd. 12. [PLANNING GRANTS.] The commissioner may make grants to counties for planning community social services programs. The commissioner shall specify the terms and conditions of the planning grants. Grants for planning shall each be limited to one year.

Sec. 11. [256E.11] [TITLE XX ALLOCATION.] Funds for social services which are received from the federal government to reimburse counties for social service expenditures pursuant to Title XX of the Social Security Act shall be allocated to each county according to the following formula:

(a) Two-thirds shall be allocated on the basis of the annual average number of unduplicated active caseloads in each county in the following programs: aid to families with dependent children, medical assistance, supplementary security income under 42 U.S.C. 1381 et seq. and Minnesota supplemental aid under sections 256D.-36 et seq.

(b) One-third shall be allocated on the basis of the number of persons residing in the county as determined by the most recent data of the state demographer.

(c) At least 94 percent of the total funds received from the federal government for social services in federal fiscal year 1979 pursuant to Title XX of the Social Security Act shall be allocated to the counties pursuant to this section.

(d) In calendar year 1980 and subsequent years, no county shall receive a reimbursement of an amount less than 100 percent of the Title XX funds it received in the calendar year 1978. If the amount allocated to any county pursuant to paragraphs (a), (b)

and (c) is less than 100 percent of its 1978 allocation, its allocation shall be raised to 100 percent of the 1978 allocation through a percent reduction applied to the amounts by which allocations to other counties exceed their 1978 amounts. If in any year the amount of Title XX funds to the state is reduced, the guarantee provided in this paragraph shall be reduced by a percentage reduction equal to the percentage reduction in Title XX funds to the state as a whole. The commissioner of public welfare shall quarterly review the use of Title XX funds by each county and reallocate unused funds among the other counties according to the formula in paragraphs (a), (b) and (c) so that all available federal funds are used within the federal fiscal year."

Page 14, line 28, delete "Sec. 10." and insert "Sec. 12. [256E.12]"

Page 14, line 28, delete "DEVELOPMENT" and insert "SERVICES"

Page 14, line 31, delete "19" and insert "21"

Page 15, line 1, after "welfare," insert "economic security"

Page 15, line 1, after the semicolon insert "and the"

Page 15, line 2, delete "and"

Page 15, line 3, before the semicolon insert ", and the state planning agency"

Page 15, line 6, delete "development programs" and insert "services"

Page 15, line 23, delete "make a"

Page 15, line 23, after "study" delete "of"

Page 15, lines 24, 29, and 33, delete "development" and insert "services"

Page 16, line 2, after "(1)" insert "Analysis of"

Page 16, lines 2, 6, 12, 22 and 28, delete "development" and insert "services"

Page 16, line 5, after "(2)" insert "Recommendations on"

Page 16, line 9, after "(3)" insert "Recommendations on"

Page 16, line 13, after "(4)" insert "Recommendations on"

Page 16, line 18, after "(5)" insert "Recommendations on"

Page 16, line 22, after "(d)" insert "An inventory of"

Page 16, line 23, after "and" insert "analysis of"

Page 16, line 26, after "(e)" insert "Analysis of"

Page 16, line 26, after "need" insert ", if any,"

Page 17, line 7, delete "development" and insert "services"

Page 17, after line 26, insert:

"Subd. 7. [EXPIRATION.] This section is effective until the commission's presentation of its final report to the governor and the legislature is completed.

Sec. 13. [PILOT PROGRAMS.] Nothing in sections 1 to 14 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 in community social services programs or to respond to the needs of a specified group of persons.

Sec. 14. [GRANTS FOR COMMUNITY RESIDENTIAL LIVING FOR CHRONICALLY MENTALLY ILL PERSONS.] Subdivision 1. The commissioner shall establish an experimental statewide program to assist counties in providing services to chronically mentally ill persons. The commissioner shall make grants to counties to establish, operate, or contract with private providers to provide services designed to help chronically mentally ill persons remain and function in their own communities.

Subd. 2. To apply for a grant a county board shall submit an application and budget for the use of the funds in the form specified by the commissioner. The commissioner shall make grants only to counties whose applications and budgets are approved by the commissioner. A county receiving a grant under this section shall finance at least ten percent of the cost of services for chronically mentally ill persons from local resources which may include private contributions, federal funds, and in kind resources.

Subd. 3. The commissioner shall allocate funds under this section to finance up to 90 percent of each county's costs for services for chronically mentally ill persons. The commissioner shall promulgate temporary rules to govern grant applications, approval of applications, allocation of grants, and maintenance of financial statements by grant recipients. The commissioner shall require collection of data and periodic reports as the commissioner deems necessary to demonstrate the effectiveness of the services in helping chronically mentally ill persons remain and function in their own communities. 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 social development programs administered by counties. The experimental program shall expire no later than June 30, 1981."

Page 17, line 27, delete "The sum of"

Page 17, delete lines 28 to 30 and insert "[COMMUNITY SOCIAL SERVICES AID.] There is appropriated annually from the general fund to the commissioner of public welfare an amount sufficient to pay the state social services aids authorized by section 10."

Page 17, after line 30, insert:

"Subd. 2. [PLANNING GRANTS.] The sum of \$500,000 is appropriated from the general fund to the commissioner of public

welfare for the biennium ending June 30, 1981 for planning grants authorized by section 10, subdivision 12."

Page 17, line 31, delete "2" and insert "3"

Page 17, line 33, delete "10" and insert "12, subdivision 5"

Page 18, delete subdivision 3

Page 18, line 6, delete "this act" and insert "sections 1 to 14"

Page 18, after line 8, insert:

"Subd. 5. The sum of \$6,000,000 for the biennium ending June 30, 1981, is appropriated to the commissioner of public welfare for the purposes of section 14."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "development" and insert "services"

Page 1, lines 8 and 9, delete "authorizing the appointment of advisory councils;"

Page 1, line 11, after the semicolon, insert "establishing an experimental program of services for chronically mentally ill persons;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 623: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 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 providing 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. [APPLICATION.] 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 examinations 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"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 1339: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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. [EFFECTIVE DATE.] This act is effective the day following final enactment."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 1327: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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 sections in sequence

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; and 332.43, Subdivisions 2 and 3."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

H. F. No. 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 62A.02, Subdivision 3, is amended to read:

Subd. 3. [DISAPPROVAL.] The commissioner shall, within 30 days after the filing of any form, disapprove the form:

(1) If the benefits provided therein are unreasonable in relation to the premium charged;

(2) If it contains a provision or provisions which are unjust, unfair, inequitable, misleading, deceptive or encourage misrepresentation of the policy; or

(3) If the proposed premium rate is excessive because the insurer has failed to exercise reasonable cost control.

For the purposes of clause (1), the commissioner shall establish by rule a schedule of minimum anticipated loss ratios which shall be based on (i) the type or types of coverage provided, (ii) whether the policy is for group or individual coverage, and (iii) the size of the group for group policies. Except for individual policies of disability or income protection insurance, the minimum anticipated loss ratio shall not be less than 50 percent after the first year that a policy is in force. All applicants for a policy shall be informed in writing at the time of application of the anticipated loss ratio of the policy. For the purposes of this subdivision, "anticipated loss ratio" means the ratio at the time of form filing or at the time of subsequent rate revision of the present value of all expected future benefits, excluding dividends, to the present value of all expected future premiums. Nothing in this paragraph shall prohibit the commissioner from disapproving a form which meets the requirements of this paragraph but which the commissioner determines still provides benefits which are unreasonable in relation to the benefits charged. The commissioner may until December 31, 1978, exercise emergency power for the purpose of implementing the minimum anticipated loss ratio requirement, and for this purpose may adopt emergency rules as provided in section 15.0412, subdivision 5. Notwithstanding the expiration of the commissioner's emergency power, any emergency rule adopted by him prior to the expiration of his emergency power may remain effective for the periods authorized in section 15.0412, subdivision 5.

If the commissioner notifies an insurer which has filed any form that the form does not comply with the provisions of this section or sections 62A.03 to 62A.05 and section 72A.20, subdivision 1, it shall be unlawful thereafter for the insurer to issue the form or use it in connection with any policy. In the notice the commissioner shall specify the reasons for his disapproval and state that a hearing will be granted within 20 days after request in writing by the insurer.

Sec. 2. Minnesota Statutes 1978, Chapter 65A, is amended by adding a section to read:

[65A.27] [DEFINITIONS.] *Subdivision 1. For purposes of sections 2 to 4 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. 3. 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, subdivisions 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. 4. 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 6 of this act.

Sec. 5. Minnesota Statutes 1978, Section 65A.35, Subdivision 5, is amended to read:

Subd. 5. [ADMINISTRATION.] (1) The facility shall be administered by a governing committee of five members, elected annually by the members of the facility, and four additional members appointed by the commissioner, at least three of whom shall be public members. At least one elected member of the governing committee shall be a domestic stock insurer, and at least one elected member of the governing committee shall be a domestic non-stock insurer. In the election of members of the governing committee, each member of the facility shall be allotted votes bearing the same ratio to the total number of votes to be cast as its degree of participation in the facility bears to the total partici-

pation. Pending the determination of the degree of participation of the members in the facility, each member of the facility shall be allotted votes bearing the same ratio to the total number of votes to be cast as each member's written premium on basic property insurance during calendar year 1968 bears to the statewide total written premium for basic property insurance during such year. The first governing committee shall be elected at a meeting of the members or their authorized representatives.

(2) Any vacancy *among the elected members* on the governing committee shall be filled by a vote of the other *elected* members of the governing committee.

(3) If at any time the members fail to elect the required number of members to the governing committee, or a vacancy remains unfilled for more than 15 days, the commissioner may appoint the members necessary to constitute a full governing committee.

Sec. 6. Minnesota Statutes 1978, Section 72A.20 is amended to read:

72A.20 [METHODS, ACTS AND PRACTICES WHICH ARE DEFINED AS UNFAIR OR DECEPTIVE.] Subdivision 1. ~~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; , *shall constitute an unfair method of competition and an unfair and deceptive act or practice in the business of insurance.*

(2) *Subd. 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; , *shall constitute an unfair method of competition and an unfair and deceptive act or practice.*

(3) *Subd. 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; , *shall constitute an unfair method of competition and an unfair and deceptive act or practice.*

(4) *Subd. 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; , *shall constitute an unfair method of competition and an unfair and deceptive act or practice.*

(5) *Subd. 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; , *shall constitute an unfair method of competition and an unfair and deceptive act or practice in the insurance business.*

(6) *Subd. 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; , *shall constitute an unfair method of competition and an unfair and deceptive act or practice.*

(7) *Subd. 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; , *shall constitute an unfair method of competition and an unfair and deceptive act or practice.*

(8) *Subd. 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, *shall constitute an unfair method of competition and an unfair and deceptive act or practice*, unless the claims experience and actuarial projections and other data establish significant and substantial differences in class rates because of the disability; .

(9) *Subd. 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, *shall constitute an unfair method of competition and an unfair and deceptive act or practice*, unless the claims experience and actuarial projections and other data establish significant and substantial differences in class rates because of the disability; .

(10) *Subd. 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 consideration 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; , *shall constitute an unfair method of competition and an unfair and deceptive act or practice*.

(11) *Subd. 11. [APPLICATION TO CERTAIN SECTIONS.]* ~~Any violation of~~ *Violating* any provision of the following sections of this chapter not set forth in ~~clauses (1) subdivisions 1 to (10) of this subdivision~~ *shall constitute an unfair method of competition and an unfair and deceptive act or practice* : 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) *Subd. 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 unreason-

able length of time, or in an unfair, deceptive, or fraudulent manner, or in violation of such regulations rules as the commissioner of insurance shall make in the public interest to insure the prompt, fair, and honest processing of such claims and complaints, shall constitute an unfair method of competition and an unfair and deceptive act or practice.

Subd. 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 2 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, nonrenewal 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, shall constitute an unfair method of competition and an unfair and deceptive act or practice.

This subdivision 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 4, 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 subdivision.

Subd. 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, shall constitute an unfair method of competition and an unfair and deceptive act or practice.

Sec. 7. Minnesota Statutes 1978, Section 72A.23, Subdivision 1, is amended to read:

72A.23 [DECISION AND ORDER THEREON.] Subdivision 1. [DETERMINATION BY COMMISSIONER; FINDINGS.] If,

after a hearing, as provided in section 72A.22, the commissioner shall determine that the method of competition or the act or practice in question is defined in section 72A.20, and that the person complained of has engaged in that method of competition, act, or practice, in violation of sections 72A.17 to 72A.32 he shall reduce his findings to writing and shall issue and cause to be served upon the person charged with the violation an order requiring him to cease and desist from engaging in that method of competition, act or practice. *If the commissioner determines that an insurer has engaged in an act or practice defined in section 72A.20, subdivision 13, the cease and desist order may also require the insurer to write or renew the homeowner's insurance coverage sought by the insured or prospective insured for a specified period of up to three years without cancellation or nonrenewal by the insurer for a reason not specified in section 65A.01; after the specified period expires, cancellation or nonrenewal of the coverage may be made only as permitted by law.*"

Amend the title by striking it in its entirety and inserting:

"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, Sections 62A.02, Subdivision 3; 65A.35, Subdivision 5; 72A.20; 72A.23, Subdivision 1; and Chapter 65A, by adding sections."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was re-referred

S. F. No. 334: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, strike "his"

Page 1, line 18, strike "his"

Page 2, line 6, after the stricken word "employees" insert "; provided, the grievance procedure promulgated by the director of the bureau of mediation services, pursuant to section 179.71, subdi-

vision 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"

Page 3, line 1, after the stricken word "employees" 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"*

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

H. F. No. 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 126.21, is amended to read:

126.21 [ATHLETIC PROGRAMS; SEX DISCRIMINATION.]
Subdivision 1. [POLICY.] *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.*

Subd. 2. Each educational institution or public service shall provide equal opportunity for members of both sexes to participate in its athletic program. 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: whether males and females participate in the athletic program in a proportion reflecting the demonstrated interest in athletics of the males and females in the student body of the educational institution or the population served by the public service; whether the variety and selection of sports and levels of competition effectively accommodate the demonstrated interests of members of both sexes; the provision of equipment and supplies; scheduling of games and practice times; assignment of coaches; provision of locker rooms; practice and competitive facilities; and the provision of necessary funds for teams of one sex.

Subd. 3. Notwithstanding any other state law to the contrary, in athletic programs operated by educational institutions or 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) that:

(1) when an educational institution or a public service operates a team in a particular sport for members of one sex but operates no team in that sport for members of the other sex and when athletic opportunities for members of the excluded sex have previously been limited, members of the excluded sex must be allowed to try out for the team offered ; or and

(2) to provide when two teams in the same sport which are in fact separated or substantially separated according to sex, if the two teams are shall be provided with substantially equal budgets per participant, exclusive of gate receipts and other revenues generated by that sport, and in all other respects are shall be 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.

Subd. 4. 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 an equal opportunity to participate in its athletic program and which will attempt to accommodate their demonstrated interests.

Subd. 2 5. The state board of education, in consultation with the commissioner of human rights shall promulgate rules in accordance with chapter 15 to implement this section to prevent discrimination in elementary and secondary school athletic programs operated by educational institutions. Any organization, association or league entered into by educational institutions elementary or secondary schools or public services for the purpose of promoting sports or adopting rules and regulations for the conduct of athletic contests between members shall effective July 1, 1976 provide rules and regulations and conduct its activities so as to permit its members to comply fully with this section subdivision 1 and section 363-03, subdivisions 4 and 5. The rules of that organization, association or league shall not require its members to restrict membership on an athletic team to participants of one sex when athletic opportunities for members of the excluded sex have

previously been limited; however, its rules may prohibit a participating student from competing on more than one school team in a given sport during a single school year. Notwithstanding any delegation of authority or adoption of rules, policies or guidelines pursuant to section 129.121, decisions on the following matters shall be made by each educational institution: (1) whether to limit a team to members of one sex when athletic opportunities for members of the excluded sex have previously been limited; (2) whether to have a coeducational team in an individual sport; and (3) whether to have teams in the same individual sport, which are limited to members of one sex, compete during the same season.

Subd. 3. Educational institutions and public services shall make every reasonable effort to provide substantially equal budgets per participant pursuant to subdivision 1 during the school year 1975-1976, and thereafter shall provide substantially equal budgets per participant pursuant to subdivision 1. Educational institutions and public services shall phase out separation based on sex in athletic programs designed for participants 11 years old or younger and in the sixth grade or below during the school years 1975-1976, 1976-1977, and 1977-1978, and thereafter shall comply fully with subdivision 1 and section 363.03, subdivisions 4 and 5.

Sec. 2. Minnesota Statutes 1978, Section 129.121, is amended by adding a subdivision to read:

Subd. 5. For the purposes of section 471.705, the Minnesota state high school league shall be deemed to be a state agency required by law to transact business in meetings open to the public.

Sec. 3. Minnesota Statutes 1978, Section 363.02, Subdivision 3, is amended to read:

Subd. 3. [EDUCATION.] (a) It is not an unfair discriminatory practice for a religious or denominational institution to limit admission or give preference to applicants of the same religion. The provisions of section 363.03, subdivision 5, relating to sex, shall not apply to a private educational institution, or branch or level of a private educational institution, in which students of only one sex are permitted to enroll. Nothing in this chapter shall be construed to require any educational institution to provide any special service to any person because of the disability of such person or to modify in any manner its buildings, grounds, facilities, or admission procedures because of the disability of any such person. Nothing in this chapter shall prohibit an educational institution from discriminating on the basis of academic qualifications or achievements or requiring from applicant's information which relates to academic qualifications or achievements.

(b) *Notwithstanding any other provisions of this chapter or any law to the contrary, it is not an unfair discriminatory practice for an educational institution or a public service to operate or sponsor separate athletic teams and activities for members of each sex or to restrict membership on an athletic team to participants of one sex, if this separation or restriction meets the requirements of section 126.21.*

(c) The department of human rights shall investigate all charges alleging sex discrimination in athletic programs in educational institutions and public services pursuant to the standards and requirements of section 126.21 and the procedures enumerated in chapter 363."

Amend the title as follows:

Page 1, line 7, after "education" insert "in consultation with the commissioner of human rights"

Page 1, line 8, delete "and giving it exclusive jurisdiction over"

Page 1, line 9, delete "certain sex discrimination charges"

Page 1, line 11, after the semicolon, insert "requiring the Minnesota state high school league to transact business in an open meeting;"

Page 1, line 12, before "and" insert "; 129.121, by adding a subdivision;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred the following appointment as reported in the Journal for April 16, 1979:

BOARD OF THE ARTS

Katherine Murphy

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred the following appointment as reported in the Journal for April 19, 1979:

BOARD OF THE ARTS

Carole R. Achterhof

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 1226 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS CONSENT CALENDAR CALENDAR

H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
1226	1363				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 772, 1227, 1386 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS CONSENT CALENDAR CALENDAR

H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
772	940				
1227	1362				
1386	1211				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 772 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 160.20, is amended by adding a subdivision to read:

Subd. 3. [INSTALLATION OF DRAIN TILE ALONG OR ACROSS HIGHWAY RIGHT-OF-WAY.] (a) When the course of natural drainage of any land runs to a highway, the owner of the land who has been granted a permit as provided in this subdivision may install drain tile along or across the highway right-of-way along the general course of the natural drainageway, provided further that there will be no diversion of drainage waters away from the natural receiving drainageway immediately downstream from the highway. Any installation shall be made in accordance with specifications set forth in the permit and any rules that apply to the installations. When any installation is made pursuant to this subdivision the highway shall be left in as good condition in every respect as it was before the installation was made.

(b) Any road authority may accept applications for permits for installation of drain tile along or across the right-of-way of a highway under its jurisdiction. The road authority may adopt reasonable rules for the installations and may require a bond before granting any permit. Permits for installation along a highway right-of-way shall insure that the length of the installation is restricted to the minimum necessary to achieve the desired agricultural benefits. No permit shall allow any open trenches to

be left on the right-of-way after installation of drain tile is completed. A road authority that grants a permit for drain tile installation shall not be responsible for any damage to that installation resulting from the action of the authority or any other permittee utilizing the right-of-way.

(c) Any person who installs drain tile along or across a highway right-of-way without obtaining a permit as provided in this subdivision is guilty of a misdemeanor.

(d) The commissioner shall take no action pursuant to this subdivision which will result in the loss of any federal aid for highway construction in this state.

(e) For the purpose of this subdivision "highway" means any highway as defined in chapter 160 which is located outside the corporate limits of any home rule charter or statutory city.

(f) The road authority having jurisdiction will issue no permit for installation of new drainage tile which facilitate the drainage of public waters unless a permit has first been issued by the commissioner of natural resources pursuant to section 105.42."

Further, amend the title as follows:

Page 1, line 3, delete "in" and insert "along and across" and after "right-of-way" insert "under certain conditions; prescribing a penalty"

And when so amended H. F. No. 772 will be identical to S. F. No. 940, and further recommends that H. F. No. 772 be given its second reading and substituted for S. F. No. 940, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1227 be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 253A.21, Subdivision 5, is amended to read:

Subd. 5. The commissioner or any other aggrieved party may appeal to the district court from any order entered under sections 253A.01 to 253A.21 in the manner prescribed in section 487.39.

Upon perfection of the appeal, the return shall be filed forthwith. The district court shall ~~give hear~~ the appeal ~~preference over every other proceeding therein~~ *within 20 days after service of the notice of appeal.* ~~Such~~ *This* appeal shall not suspend the operation of the order appealed from until the appeal is determined, unless otherwise ordered by the district court. Notwithstanding any contrary provision in section 487.39, an appeal may be taken from the determination of a district court judge to the supreme court without leave of the supreme court in cases in which the district court upholds an order committing a person under section 253A.07, subdivision 17, or an order denying a petition under section 253A.19."

Further, amend the title as follows:

Page 1, line 2, after "for" insert "district court"

Page 1, line 3, after "hearing" insert "of"

Page 1, line 3, after "the" insert "Minnesota"

And when so amended H. F. No. 1227 will be identical to S. F. No. 1362, and further recommends that H. F. No. 1227 be given its second reading and substituted for S. F. No. 1362, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1386 be amended as follows:

Page 2, line 12, delete ", except"

Page 2, delete line 13

Page 2, line 14, delete "1, 1980"

And when so amended H. F. No. 1386 will be identical to S. F. No. 1211, and further recommends that H. F. No. 1386 be given its second reading and substituted for S. F. No. 1211, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 261 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
----------------	--	------------------	--	----------	--

H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
261	859				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 261 be amended as follows:

Strike all the language after the enacting clause of H. F. No. 261 and insert the language after the enacting clause of S. F. No. 859, as amended by the Committee on Energy and Housing, adopted by the Senate April 19, 1979; further, strike the title of H. F. No. 261 and insert the title of S. F. No. 859, as amended.

And when so amended H. F. No. 261 will be identical to S. F. No. 859, and further recommends that H. F. No. 261 be given its second reading and substituted for S. F. No. 859, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 679, 680, 481 and H. F. Nos. 325, 642, 60, 988, 1029, 656, 1033, 606, 1245, 1256, 1377, 1251 makes the following report:

That the above Senate Files and House Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

Senate Concurrent resolution No. 10: A Senate concurrent resolution designating May 1st as Law Day.

Reports the same back with the recommendation that the resolution be adopted.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 1390: 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.

Reports the same back with the recommendation that the report from the Committee on Transportation shown in the Journal for April 26, 1979 "And when so amended the bill do pass" be adopted and the bill re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 129: A bill for an act relating to reapportionment of legislative and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Section 3, to permit the creation by law of a commission to reapportion congressional or legislative districts, or both; establishing standards for legislative districts.

Reports the same back with the recommendation that the report from the Committee on Governmental Operations shown in the Journal for April 30, 1979 "And when so amended the bill do pass" be adopted and the bill re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 1539, 1540, 623, 1339, 1327 and 334 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1226, 772, 1227, 1386 and 261 were read the second time.

H. F. Nos. 936, 227, 976 and 455 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Dieterich moved that the name of Mr. Sieloff be added as co-author to S. F. No. 1211. The motion prevailed.

Mr. Knoll moved that the committee report on Senate Concurrent Resolution No. 10 be taken from the table. The motion prevailed.

Senate Concurrent Resolution No. 10: A Senate concurrent resolution designating May 1st as Law Day.

Mr. Knoll moved the adoption of the foregoing committee report. The motion prevailed. Report adopted.

Mr. Knoll moved the adoption of Senate Concurrent Resolution No. 10. The motion prevailed. So the resolution was adopted.

Mr. Schaaf introduced—

Senate Resolution No. 28: A senate resolution expressing appreciation to Mr. Edward G. Novak, in recognition of his contribution to the people of Minnesota in the field of criminal justice.

WHEREAS, Mr. Edward G. Novak has been a faithful and highly respected administrator in the field of criminal justice, serving as commissioner of the department of public safety for many years; and,

WHEREAS, the Minnesota Senate wishes to formally recognize the important contribution made by Mr. Novak to the preservation and enhancement of the safety of the citizens of Minnesota through the implementation and support of programs including multijurisdictional narcotics and contraband investigation, arson training and investigation, police training, and statewide law enforcement communications; NOW, THEREFORE,

BE IT RESOLVED, by the Senate of the State of Minnesota that an expression of gratitude and appreciation is extended in recognition of his services to the State of Minnesota.

BE IT FURTHER RESOLVED, that the Secretary of the Senate present an enrolled copy of this resolution to Mr. Edward G. Novak.

Mr. Schaaf moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Moe moved that H. F. No. 1526 be taken from the table. The motion prevailed.

	1980	1981
	\$	\$
Subdivision 1. General Operations and Management	22,487,300	21,664,000

Approved Complement

State—550.67

Federal—212.72

The amounts that may be expended from this appropriation for each program and activity are more specifically described in the following subdivisions of this section.

Subd. 2. Special and Compensatory Education	5,553,600	5,456,500
---	-----------	-----------

Of this appropriation, \$650,000 each year is for Indian scholarships. Any unexpended balance remaining in the first year does not cancel but is available for the second year of the biennium.

\$109,300 the first year is for repair and purchase of equipment at the Minnesota School for the Deaf, the Minnesota Braille and Sight-Saving School, and the Regional Library for the Blind. Any unexpended balance remaining in the first year does not cancel but is available for the second year of the biennium.

Subd. 3. Vocational Technical Instruction	3,438,900	2,651,000
---	-----------	-----------

(a) \$275,000 the first year is for the Minnesota instructional materials center.

(b) \$168,800 the first year is for the vocational student organization center.

(c) \$201,100 the first year is for area agricultural coordinators.

(d) \$150,000 the first year is for the statewide curriculum articulation center.

(e) The amounts in (a), (b), (c), and (d) shall be spent pursuant to agreements between the state board of education and the recipients. The agreements are not subject to the contract approval procedures of the department of administration.

	1980	1981
	\$	\$

Until June 30, 1980, the state board of education may charge fees to users of these services designed to cover the cost to the department of education of duplication and distribution, plus ten percent. Receipts shall be deposited in the general fund.

Before January 15, 1980, the department of education shall provide a report to the appropriate committees of the legislature in regard to the activities of each of these services and make recommendations regarding the future need for these services, possibilities for alternative funding, and alternative methods of administration.

(f) Federal money received for state vocational education programs pursuant to the Vocational Education Act of 1963, Section 120, and required to be used for vocational education of the disadvantaged and handicapped shall be used only for grants and not for state administrative costs. This does not limit the use of grant money by a school district for its own administrative costs if otherwise permitted by federal law. The remainder of section 120 money not required to be used for eliminating sex bias in vocational education shall be used for grants for post-secondary vocational categorical aid.

Subd. 4. Special Services	1,708,800	1,715,800
Subd. 5. Instructional Services	1,321,700	1,321,700

Of the amounts provided by this subdivision, \$15,700 in 1980 and \$15,700 in 1981 are from the trunk highway fund.

Subd. 6. School Management Services .	8,315,000	8,388,700
---------------------------------------	-----------	-----------

The commissioner of education with the approval of the commissioner of finance may transfer appropriations from other programs to the school management services program to support up to four positions that may be transferred to this program during the biennium. All transfers shall be reported forthwith to the

	1980	1981
	\$	\$

committee on finance of the senate and the committee on appropriations of the house of representatives.

(a) Salaries, Supplies, and Expenses

\$2,980,400	\$2,907,400
-------------	-------------

\$678,100 the first year and \$619,100 the second year is for redesign of the department's management information system. Any unencumbered balance remaining for this purpose in the first year does not cancel but is available for the second year of the biennium.

(b) Claims, Grants, and Shared Revenue

\$5,334,600	\$5,481,300
-------------	-------------

\$4,140,000 in 1980 and \$1,371,300 in 1981 is for support of regional management information centers.

\$1,194,600 in 1980 and \$1,371,300 in 1981 is for instructional timesharing telecommunications costs.

The department of education in consultation with MECC shall submit to the chairman of house appropriations and the chairman of senate finance no later than July 15 and December 31 of each year a progress report, proposed plans, and expenditures.

Any unexpended balance remaining in (b) in the first year does not cancel but is available for the second year of the biennium.

Subd. 7. Auxiliary and General Support Services	2,149,300	2,130,300
---	-----------	-----------

Subd. 8. Federal money received for strengthening state education agencies pursuant to the Elementary and Secondary Education Act of 1965, Title 4C, as amended, or pursuant to the Education Amendments of 1978, Section 404, Paragraph (a), Clause (9), or Title 5, Part B, shall be spent only in accordance with the allocation plan for Title 4C money as approved by the conferees of the senate and house of representatives, or as amended

	1980	1981
	\$	\$

by the governor after consultation with the legislative advisory commission.

Subd. 9. Civil Service Salary and Fringe Adjustments

Of the amount provided by this subdivision, \$. in 1980 and \$. in 1981 is appropriated from the trunk highway fund.

Subd. 10. The department of education shall not use any federal or other money for the purpose of continuing any positions that have been deleted from the department's complement as shown on official conference committee work papers.

Sec. 3. HIGHER EDUCATION COORDINATING BOARD

Subdivision 1. General Operations and Management	45,924,200	44,840,300
--	------------	------------

The amounts that may be expended from this appropriation for each purpose are more specifically described in the following subdivisions of this section.

Subd. 2. Salaries and Expenses	1,624,100	1,837,600
--------------------------------------	-----------	-----------

This appropriation includes money for the administration of the state scholarship, state grant-in-aid, student loan, and private college contracts.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 3. State Scholarship, Nurses Scholarship and State Grant-In-Aid	23,325,300	23,000,000
---	------------	------------

Subd. 4. Part Time Student Subsidy ..	375,000	375,000
---------------------------------------	---------	---------

Subd. 5. Special Assistance	390,000	68,800
-----------------------------------	---------	--------

Subd. 6. Interstate Tuition Reciprocity	10,075,500	9,363,000
---	------------	-----------

Subd. 7. State Work Study	2,600,000	2,600,000
---------------------------------	-----------	-----------

Subd. 8. Medical Student Loans	134,000	153,000
--------------------------------------	---------	---------

Subd. 9. AVTI Tuition Subsidy	1,792,500	1,792,500
-------------------------------------	-----------	-----------

Subd. 10. Private College Contracts ..	4,800,000	4,800,000
--	-----------	-----------

	1980	1981
	\$	\$
Subd. 11. Regional Coordination and Service	234,200	234,200
Subd. 12. Minitex Library Program...	475,000	515,000
Subd. 13. Southwest and West Central Consortium	53,600	56,200
Subd. 14. Federal Small Business Institutes—State Matching	45,000	45,000

If an appropriation in subdivisions 3, 4, 5, 6 and 9 for either year is insufficient, the appropriation for the other year is available for it.

Any unexpended balances in subdivisions 7, 10, 11, 12, 13 and 14 remaining in the first year shall not cancel but shall be available for the second year of the biennium.

The Higher Education Coordinating Board shall conduct a study of the salaries and fringe benefits of unclassified professional employees in public and private post secondary education in Minnesota. The study shall examine existing compensation patterns in each system and institution as related to sex, rank, length of service, term of employment, professional preparation, and conditions of employment specified in any collective bargaining agreements. The study shall relate compensation to total educational costs, including, but not limited to long range enrollment projections, faculty student ratio, and the geographic distribution of institutional and faculty resources. The study shall also examine the amount of earned income of unclassified employees in public post secondary education from other sources.

A report of the study shall be made to the legislature not later than July 1, 1980.

Sec. 4. STATE UNIVERSITY BOARD

Subdivision 1. General Operations and Management	70,545,900	68,678,300
--	------------	------------

The amounts that may be expended from this appropriation for each purpose are

	1980	1981
	\$	\$
more specifically described in the following subdivisions of this section.		
Subd. 2. Maintenance and Equipment	68,238,200	67,120,600

Within the funds appropriated for the purpose by the 71st legislature, the commissioner of personnel and the state university board are authorized to implement those provisions of the collective bargaining agreements negotiated with the authorized employee representatives which establish wages and economic fringe benefits.

The amounts appropriated in subdivisions 2 and 3 include a sum in each year for recruitment of unclassified staff.

The provisions of said Collective Bargaining Agreements establishing severance pay are approved notwithstanding the provisions of Minnesota Statutes 1978, Section 43.17.

Notwithstanding any other law to the contrary, until June 30, 1981 the state university board may purchase such insurance coverage as it deems necessary and appropriate for activities ancillary to the programs of the state universities.

Subd. 3. State University Board Contingent	750,000	
--	---------	--

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission as provided by Minnesota Statutes, Section 3.30.

Subd. 4. Federal Student Loans—State Matching	175,000	175,000
---	---------	---------

Subd. 5. Federal Work Study—State Matching	518,000	518,000
--	---------	---------

Any unexpended balances in subdivisions 4 and 5 remaining in the first year shall

	1980	1981
\$		\$

not cancel but shall be available for the second year of the biennium. In the event that the amounts appropriated are insufficient to fully match federal moneys available, the state university board may transfer moneys from funds appropriated in subdivision 1 or subdivision 3 to this program. No portion of the appropriation shall be used to defray obligations incurred prior to July 1, 1979.

Subd. 6. Repairs and Betterments	864,700	864,700
--	---------	---------

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

The state university board, with the concurrence of the commissioner of finance and the chairmen of senate finance and house appropriations committees, may transfer excess fuel and utility funds appropriated in subdivision 1 to the repair and betterment account to fund energy conservation related building repairs and improvements.

Subd. 7. Notwithstanding any other law to the contrary, the state university board may equip the residence halls operated under the auspices of its revenue fund with suitable area smoke detection devices and fire alarms.

Subd. 8. The provisions of Minnesota Statutes, Chapters 15A and 43 notwithstanding, the state university board may establish executive salaries within the state university system in accordance with a management compensation plan based on the level of responsibility and authority of various positions as well as appropriate market comparisons with similar positions in comparable public colleges and universities in the midwest.

The salary of the chancellor shall serve as the upper limit of compensation for all other positions in the state university system and shall not exceed \$. in fiscal year 1980 and \$. in fiscal year 1981.

	1980	1981
	\$	\$

The state university board shall survey compensation levels in comparable public colleges and universities in the midwest during the 1979-81 biennium and report necessary adjustments in the above level of compensation to the governor and legislature as part of its 1981-83 biennial budget request.

Subd. 9. A report shall be submitted to the 72nd session of the legislature as to the use of all money exempt from budgetary control by the commissioner of finance pursuant to Minnesota Statutes, Sections 136.11, Subdivision 5; 136.144; and 136.37.

Sec. 5. STATE COMMUNITY COLLEGE BOARD

Subdivision 1. General Operations and Management	33,223,000	31,739,700
--	------------	------------

The amounts that may be expended from this appropriation for each purpose are more specifically described in the following subdivisions of this section.

Subd. 2. Operations and Maintenance	31,527,100	30,768,800
-------------------------------------	------------	------------

This appropriation is for maintenance and equipment of the state community college board and the state community colleges. The state community colleges are encouraged to use off-campus courses to extend the benefits of this appropriation to as many Minnesota residents as possible.

Notwithstanding any other law to the contrary, the community college board may purchase such insurance coverage as it deems necessary and appropriate for activities ancillary to the programs of the state community colleges.

Subd. 3. Program Development	300,000
------------------------------------	---------

Prior to use of this appropriation the chancellor of the community college system shall submit the proposed program and expenditures for review by the chairmen of the house appropriations and senate finance committees.

	1980	1981
	\$	\$
Subd. 4. Learning Centers.....	211,300	211,300
<p>The board shall report to the committee on finance of the senate and the committee on appropriations of the house of representatives by March 1, 1980 for the first year and January 1, 1981 for the second year on the use of the money in this appropriation.</p>		
Subd. 5. Federal Student Loan—State Matching	70,000	70,000
Subd. 6. Federal Work Study State Matching	291,500	291,500
<p>In the event that the amounts appropriated are insufficient to fully match federal moneys available, the community college board may transfer money available from the funds appropriated in subdivision 2 to this program.</p>		
Subd. 7. State Community College Board Contingent	300,000	
<p>This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission, as provided by Minnesota Statutes, Section 3.30.</p>		
Subd. 8. Repairs and Betterments...	398,100	398,100
<p>Any unexpended balances remaining in subdivisions 3, 4, 5, 6, 7 and 8 in the first year shall not cancel but shall be available for the second year of the biennium.</p>		
Subd. 9. Special Assessments.....	125,000	
<p>In view of declining enrollments in some community colleges, the state board for community colleges, with the assistance of the higher education coordinating board, shall conduct a study of, and make recommendations in regard to, the advisability of 1) discontinuance or reduction of programs, activities, and services, 2) closing of colleges, 3) consolidation or merger, or both of community colleges, 4) merger of community colleges with other post secondary in-</p>		

	1980	1981
	\$	\$

stitutions, and 5) other appropriate alternatives.

A report of the study shall be transmitted to the house appropriation committee and senate finance committee by January 6, 1981.

Sec. 6. UNIVERSITY OF MINNESOTA	209,198,800	204,531,581
---------------------------------------	-------------	-------------

The amounts that may be expended from this appropriation for each purpose are more specifically described in the following three sections of this act.

Sec. 7. UNIVERSITY OF MINNESOTA: GENERAL

The amounts that may be expended from this appropriation for each purpose are more specifically described in the following subdivisions of this section.

Subdivision 1. Operations and Maintenance	166,813,533	163,801,093
---	-------------	-------------

These appropriations are made from:

(a) Income derived from investment of the permanent university fund, which is appropriated to the university as provided in Minnesota Statutes, Section 137.022. It is estimated that this income will not exceed \$2,500,000 for the first year and \$2,500,000 for the second year; and

(b) The general fund. It is estimated that the amount required from the general fund will be at least \$164,313,533 for the first year and \$161,301,093 for the second year.

The university is authorized to retain five percent of the indirect cost recoveries and the amount shall be expended to improve its ability to attract non-state money. A report on the expenditures of this money, with an analysis of apparent results shall accompany the university's annual report on expenditure of excess receipts.

On October 1, 1980 and 1981 the president of the university of Minnesota shall

	1980	1981
	\$	\$

furnish the house appropriations and senate finance committees and the commissioner of finance the following information:

- (1) The total amount of receipts during the fiscal year 1980 from all sources in excess of \$75,376,100 and during the fiscal year 1981 from all sources in excess of \$79,621,700;
- (2) The sources of these receipts; and
- (3) The purposes for which any excess receipts were expended and accounts to which transferred.

The board of regents shall certify to the commissioner of finance at the end of each quarter the amount of earnings derived from the investment of the permanent university fund. If this income during any fiscal year exceeds the amounts stated in (a) above, the amount payable from the general fund shall be reduced accordingly.

In preparing the university's legislative budget request for the 1981-1983 biennium, all projected income from student tuition shall be based on a charge per credit hour schedule.

Any excess money in the above appropriation resulting from delayed completion or occupancy of new space as projected in the budget document is cancelled to the general fund.

The university is directed to take the necessary steps to maintain faculty salary equalization among the twin cities and coordinate campuses.

Subd. 2. Equipment Replacement . . .	1,000,000	1,000,000
Subd. 3. Student Loans—State Matching	250,000	250,000

This appropriation shall be used as the state's matching share for any federal student aid or loan program. Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

	1980	1981
	\$	\$
Subd. 4. Disadvantaged Students . . .	500,000	500,000
Subd. 5. Library Supplement	1,644,900	1,706,400
Subd. 6. Intercollegiate Athletics . . .	1,158,577	1,427,298

This appropriation shall be used for the support of women's intercollegiate athletic programs.

Subd. 7. Summer School Tuition and Continuing Education Supplement . . .	1,092,000	1,092,000
--	-----------	-----------

The board of regents shall expend this money to equalize tuition rates among undergraduate students for regular session, summer session and extension programs in order to facilitate to the maximum the use of campus units, buildings and staff.

Subd. 8. Family Practice and Graduate Residency Program	3,419,200	3,419,200
---	-----------	-----------

All hospitals receiving any portion of this appropriation shall furnish the house appropriations and senate finance committees with a full report by March 1, 1980, on all actual and reasonable costs resulting from graduate family practice residency education, and all fees and income to the hospital generated by the graduate residents in family practice and the purposes for which this money was expended. Expenditures from this appropriation shall be made only for activities directly related to the training of doctors in family practice.

Subd. 9. Medical Services and Instruction	1,461,680	1,576,680
---	-----------	-----------

This appropriation includes money for the rural health physicians' associate program, drug abuse information and education, and public health and nurse clinician generalist program.

Subd. 10. Health Sciences Contingent.	2,100,000	
---------------------------------------	-----------	--

Portions or all of the above appropriation are available upon submission of required documentation that federal health sciences capitation money has been reduced or phased out. Replacement of any capitation grant losses or reductions shall

	1980	1981
	\$	\$
<p>be computed by using the fiscal year 1976 level as the base year. The replacement will be adjusted to reflect faculty and civil service salary increases granted to the university for the 1979-81 biennium. All requests shall be reviewed by the chairmen of the house appropriations and senate finance committees whose recommendations are advisory only. Failure to make a recommendation promptly is deemed a negative recommendation.</p>		
<p>Subd. 11. Duluth Campus</p>		
(a) Basic Sciences Program for Medical Training	2,248,210	2,248,210
(b) Dental Hygiene Program.....	230,000	230,000
(c) Graduate School of Social Work....	438,100	438,100

Sec. 8. UNIVERSITY OF MINNESOTA: RESEARCH

The amounts that may be expended from this appropriation for each purpose are more specifically described in the following subdivisions of this section.

Subdivision 1. General Research.....	1,784,000	1,784,000
<p>This appropriation is, as the board of regents may direct, for general research, business and economic research including Duluth, training for careers in fire prevention and protection, center for urban and regional affairs, museum of natural history, and juvenile justice seminar.</p>		
Subd. 2. Mineral Resource Research Center	300,000	300,000
Subd. 3. General Agricultural Research	7,584,500	7,584,500
<p>This appropriation includes money for research on aquatic plants (including wild rice), soybeans, avian disease, swine disease, corn improvement and irrigation</p>		
Subd. 4. Hormel Institute—Austin... ..	129,400	129,400
<p>To support the operation of the institute and to promote research by the institute.</p>		
Subd. 5. Medical Research.....	1,511,000	1,511,000

	1980	1981
	\$	\$
Subd. 6. Veterinary Diagnostic Laboratory and Teaching Hospital.....	891,300	891,300
Subd. 7. Geological Survey.....	501,000	501,000
Subd. 8. Lake Superior Basin Studies.....	67,500	67,500
Subd. 9. Sea Grant.....	100,000	100,000
Subd. 10. Freshwater Biological Research Institute.....	200,400	200,400

Sec. 9. UNIVERSITY OF MINNESOTA: COMMUNITY SERVICES

The amounts that may be expended from this appropriation for each purpose are more specifically described in the following subdivisions of this section.

Subdivision 1. Agricultural Extension Service	7,189,700	7,189,700
---	-----------	-----------

This appropriation includes money for agriculture extension work, county agricultural agents, home demonstration and 4-H club work, and soil conservation. Any salary increases granted by the university to personnel paid from this appropriation shall not result in a reduction of the county portion of the salary payments.

This appropriation includes money each year for the potato and sugar beet extension program in the Red River Valley, contingent on an equal amount being provided by the state of North Dakota.

Subd. 2. For State's Share of Expenses of County Indigent Patients	2,000,000	2,000,000
--	-----------	-----------

Subd. 3. Special Hospitals, Community Service, and Educational Offset	6,466,300	6,466,300
---	-----------	-----------

Fees for service furnished to counties and individuals under this program shall be sought to augment the money appropriated; the fees are appropriated to the university hospitals, to be available until June 30, 1981.

Subd. 4. University Galleries	45,000	45,000
Subd. 5. Industrial Relations Education Program	435,400	435,400

	1980	1981
	\$	\$
This appropriation includes money for short courses, programs, and seminars for labor and management.		
Subd. 6. Civil Service Base Adjustment	137,100	137,100

Subd. 7. The appropriations in section 7, subdivisions 2, 5, 8 and 11(a)(b)(c), section 8, subdivision 10, and section 9, subdivision 5 shall be merged with the general operations and maintenance appropriation in fiscal years 1980 and 1981.

Sec. 10. MAYO MEDICAL

Subdivision 1. Medical School	1,304,600	1,302,300
-------------------------------------	-----------	-----------

The state of Minnesota shall pay a capitation of \$8,640 in fiscal year 1980 and \$9,160 in fiscal year 1981 for each student who is a resident of Minnesota for a maximum of 40 such students in each class.

Subd. 2. Family Practice and Graduate Residency Program	96,000	144,000
---	--------	---------

The state of Minnesota shall pay capitation of \$12,000 each for eight students in fiscal year 1980 and twelve students in fiscal year 1981.

Sec. 11. Minnesota Statutes 1978, Section 120.81, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding the provisions of subdivision 1, the consortium is authorized to maintain a revolving fund for all receipts derived from computer services provided by the consortium and ~~further provided that~~. *The Minnesota educational computing consortium shall charge users of consortium facilities for on-line computer time actually used. Receipts shall be deposited in the Minnesota educational computing consortium revolving fund and are appropriated to the consortium. The consortium board may establish one management position shall appoint an executive director who shall be its chief administrative officer. The executive director may be in the unclassified service. All other employees are in the classified service of the state.*

Sec. 12. [EMPLOYEES TRANSFERRED.] *On July 1, 1979, all employees of the Minnesota educational computing consortium, with the exception of the executive director, shall be transferred without competitive examination to the classified civil service of the state. Positions and employees shall be placed in the proper classifications by the commissioner of personnel with compensation as*

those classifications carry. Employees above the maximum rate for their classifications shall receive no further salary increases, except for cost-of-living adjustments and those increases authorized by Minnesota Statutes, Section 43.122, Subdivision 1, until their salary rate falls within the range for their classification.

Incumbents of transferred positions shall receive the status and length of service credit that would have accrued to them had they originally been appointed to the classified civil service; however, the length of service shall not include seniority under the provisions of a collective bargaining agreement negotiated pursuant to section 179.61 to 179.77, until the effective date of classified civil service status. All of the employees' accrued vacation and sick leave shall be transferred to their credit, provided that in no event shall the amount transferred exceed state limitations for classified employees.

Sec. 13. Minnesota Statutes 1978, Section 124.572, is amended by adding a subdivision to read:

Subd. 10. State money shall not be used to pay for more than 75 percent of the Independent Telephone Communications Training Program and the Minnesota Electric Cooperative Linepersons Training Program. The appropriate industry or association shall pay at least 25 percent of the cost of each program.

Sec. 14. [124.625] [ON THE JOB TRAINING.] *The commissioner of education shall continue the on the job training program. All receipts to the revolving fund for the on the job training program are appropriated to the commissioner to pay the necessary expenses of operation of the program. The department of education shall act as the state approving agency for purposes of 38 U.S.C. Chapter 36, relating to educational benefits for veterans and other persons. All federal money received for purposes of the on the job training program shall be deposited in the revolving fund for on the job training and are appropriated to the commissioner for those purposes.*

Sec. 15. [PRIOR LAWS SUPERCEDED.] *The provisions of the preceding section supercede and replace the provisions of Laws 1947, Chapter 599, Section 7, Clause 8, and Laws 1977, Chapter 449, Section 2, Subdivision 2, Clause (b), relating to the revolving fund for on the job training.*

Sec. 16. Minnesota Statutes 1978, Section 123.38, Subdivision 3, is amended to read:

Subd. 3. *The board may enter into a contract providing for the payment of cash benefits or the rendering or payment of hospital and medical benefits, or both to school children injured while participating in activities of the school, such contract to make the payment of such benefits or the rendering thereof the direct and sole obligation of the association or company entering into such contract with the district.*

If the board deems it advisable, it may authorize employees to collect fees from the pupils enrolled in said school who are to be or are covered by such contract, and to make payment of the

premium or other charge for such contract or protection. The payment of such premium or other charge may be made from funds received from the federal government or from the state or any governmental subdivision thereof, or from funds derived by a tax levy or the issuance of bonds.

The payment of any fees, premium or other charge by such child shall not thereby make the district liable for any injuries incurred from such school activities.

The state board of education may purchase medical insurance coverage for the benefit of students of the school for the deaf or the braille and sight-saving school in the same manner and with the same effect as a school district board may do for its students under this subdivision.

Sec. 17. [136A.134] [SCHOLARSHIPS FOR STUDENTS OF MEXICAN, PUERTO RICAN, CUBAN OR SPANISH ANCESTRY.] *Subdivision 1. The higher education coordinating board may award a scholarship to any American student of Mexican, Puerto Rican, Cuban or Spanish ancestry who is a Minnesota resident and who, in the board's opinion, can profit from post-secondary education at an institution at which a scholarship may be used. A scholarship shall be for post-secondary education in an eligible institution of the student's choice. A scholarship shall be used to pay any of the following educational costs: tuition, fees, books, supplies or room and board. The scholarship funds shall be paid to the eligible institution the student attends. The amount of each scholarship shall be determined by the board.*

Subd. 2. For the purpose of this section, "eligible institution" has the meaning given it in Minnesota Statutes, Section 136A.101, Subdivision 4.

Subd. 3. A scholarship awarded pursuant to this section shall be awarded for one academic year but may be renewed, if the student continues to be a resident of Minnesota and continues to attend an eligible institution and to maintain satisfactory academic standing, until the student has received a scholarship a total of eight semesters or twelve quarters or their equivalent or until the student has reached the student's educational and vocational objective, whichever occurs first.

Subd. 4. This section shall not be construed to prohibit a student eligible to apply for a scholarship pursuant to this section from also applying for any other student financial aid for which the student is eligible. The board may take into account the amount of other financial aid awarded to the student in determining the amount of a scholarship pursuant to this section.

Sec. 18. [SMALL BUSINESS INSTITUTES; STATE MATCHING GRANTS.] *The higher education coordinating board shall provide matching grants to colleges and universities in Minnesota that receive grants under the small business management assistance program of the federal Small Business Administration, as authorized by Pub. L. 85-536, as amended, Sections 2, 8 and 9; Pub. L. 88-452, as amended, Sections 401, 402, 406 and 407; or*

any other federal law. The higher education coordinating board shall adopt rules to implement and administer the provisions of this section. The rules shall include procedures to be followed by colleges and universities in applying for matching grants, eligibility criteria not inconsistent with the objectives of this section, and guidelines for allocating grants if available appropriations are not sufficient to provide matching grants on a dollar for dollar basis to all qualifying institutions. Minnesota Statutes, Sections 15.0411 to 15.052 shall not apply to the adoption or amendment of these rules."

Delete the title and insert:

"A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes, including the department of education, aids to libraries, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals, with certain conditions; amending Minnesota Statutes 1978, Sections 120.81, Subdivision 2; 123.38, Subdivision 3; and 124.572, by adding a subdivision."

The motion prevailed. So the amendment was adopted.

H. F. No. 1526 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearly	Laufenburger	Peterson	Staples
Ashbach	Gunderson	Lessard	Pillsbury	Stokowski
Bang	Hanson	Luther	Purfeerst	Strand
Benedict	Hughes	McCutcheon	Renneke	Stumpf
Bernhagen	Humphrey	Menning	Rued	Tennessee
Brataas	Jensen	Moe	Schaaf	Ueland, A.
Chenoweth	Johnson	Nelson	Schmitz	Uland, J.
Coleman	Keefe, J.	Nichols	Setzepfandt	Vega
Davies	Kirchner	Ogdahl	Sieloff	Wegener
Dieterich	Kleinbaum	Olhoft	Sikorski	Willet
Dunn	Knaak	Olson	Sillers	
Engler	Knoll	Penny	Solon	
Frederick	Knutson	Perpich	Spear	

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Moe moved that H. F. No. 1518 be taken from the table. The motion prevailed.

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, Sec-

tions 145.917, by adding a subdivision; and 145.921, by adding subdivisions; repealing Minnesota Statutes 1978, Section 145.921, Subdivisions 2 and 4.

SUSPENSION OF RULES

Mr. Moe moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1518 and that the rules of the Senate be so far suspended as to give H. F. No. 1518 its second and third reading and place it on its final passage. The motion prevailed.

H F. No. 1518 was read the second time.

Mr. Moe moved to amend H. F. No. 1518 as follows:

Delete everything after the enacting clause and insert:

“Section 1. [WELFARE, CORRECTIONS, HEALTH; 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 shall be available for the year ending June 30, 1979, June 30, 1980, or June 30, 1981, respectively.

SUMMARY BY FUND

	1979	1980	1981	TOTAL
General	\$6,109,000	\$614,367,200	\$650,503,700	\$1,270,979,900
Trk. Hwy.		\$ 278,000	\$ 278,000	\$ 556,000

APPROPRIATIONS

Available for the Year

Ending June 30,

1980	1981
\$	\$

Sec. 2. COMMISSIONER OF PUBLIC WELFARE

Subdivision 1. Total Department Appropriation	516,420,700	557,064,500
---	-------------	-------------

Total Department

Approved Complement—6630.7

The amounts that may be expended from this appropriation for each program and activity and the approved complement for each program are more specifically described in the following subdivisions of this section.

	\$	1980	\$	1981
Subd. 2. Program and Administrative Support		22,143,700		23,618,500

Approved Complement—172.2

The amounts that may be expended from this appropriation for each activity are as follows:

Special County Aids

1980	1981
\$3,363,500	\$3,827,000

All payments from money appropriated for equalization aid shall be based upon a formula that includes four factors: recipient rate, per capita income, per capita taxable value, and per capita expenditures for welfare.

Salary expenditures for computation of equalization aid shall not be included for purposes of computing county per capita welfare costs or in county welfare costs.

Notwithstanding any law to the contrary, initial payments for equalization aid to counties shall be made on or before October 1, 1979, for fiscal year 1980 and on or before October 1, 1980, for fiscal year 1981. Final payments shall be made before January 1 of the following fiscal year.

For the purposes of equalization aid, welfare costs shall be deemed to include all forms of public assistance and the administrative costs thereof, to-wit: medical assistance, aid to dependent children, Minnesota supplemental assistance, payments to the commissioner of public welfare for care and treatment of patients in state institutions, medical relief, hospital charges, maintenance of children not under state guardianship, general assistance, and all administrative costs except university hospitals care, care of children under state guardianships, and poor burials.

No county shall be entitled to the benefits of this act if it has transferred any money available for welfare purposes to any

1980

1981

\$

\$

other county funds, except that where money is otherwise unavailable, a transfer may be made to the general revenue fund of the county for payment of rent of office space for the county welfare board. A transfer shall be made only with the approval of the governor after consultation with the Minnesota public relief advisory committee. Transfer of money for payment of rent shall not be considered an expenditure for equalization aid reimbursement. Any federal money received in lieu of taxes because of federal grants shall be available for welfare purposes.

No county shall receive from state money paid for equalization aid an amount in excess of 75 percent of its cost of welfare as defined in this subdivision.

Notwithstanding any law to the contrary, the formula used in this subdivision for equalizing welfare costs shall be used for computing distressed county aid for developmental achievement centers and community mental health centers.

Reimbursements for general relief—Indians and the Red Lake Band of Chippewa Indians shall be prorated if the appropriation made in this subdivision is insufficient to provide full reimbursement.

County Administrative Cost Reimbursement

\$14,000,000	\$15,000,000
--------------	--------------

Administrative Support

\$4,780,200	\$4,790,700
-------------	-------------

Estimated federal money to be deposited in the general fund that is earned by the various accounts of the department of public welfare is detailed on the worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of finance. If federal money anticipated is less than shown on the official worksheets, the commissioner of finance shall reduce the amount available

	1980	1981
	\$	\$

from the specific appropriation by a like amount. The reductions shall be noted in the budget document submitted to the 72nd legislature in addition to an estimate of similar federal money anticipated for the 1981-1983 biennium.

Subd. 3. Social Services	13,463,500	14,614,500
------------------------------------	------------	------------

Approved Complement—103.5

The amounts that may be expended from this appropriation for each activity are as follows:

Day Care

\$1,161,600	\$1,161,600
-------------	-------------

Cost of Care—Emotionally Disturbed

\$1,307,500	\$1,569,000
-------------	-------------

Mentally Retarded

\$4,327,500	\$5,193,000
-------------	-------------

Aging, Blind, and Deaf Services

\$6,213,000	\$6,226,000
-------------	-------------

Notwithstanding any other law, no client receiving aid from services for the blind for purposes of vocational rehabilitation shall be required to maintain grade point ratios or other scholastic requirements in excess of the educational or vocational institutions requirements for all students attending such institutions.

Employees of the Communication Center for the Blind shall be transferred without competitive examination on July 1, 1979 to the classified civil service of the state within the department of public welfare. Positions and employees shall be placed in the proper classification by the commissioner of personnel with compensation as those classifications carry. Incumbents of transferred positions shall receive the status and length of service credit as would have accrued to them had they originally been appointed to the classified civil service; however, the length of service credit shall not include seniority under the provisions of a collective bargain-

1980

1981

\$

\$

ing agreement negotiated pursuant to sections 179.61 to 179.77, until the effective date of classified civil service status. All of the employee's accrued vacation and sick leave shall be transferred to their credit, provided that in no event shall the amount transferred exceed state limitations for classified employees.

Any permanent full time employee of the Communication Center for the Blind who was a permanent full time employee of the center on July 1, 1979, for whom the prior employment was not covered by the Minnesota state retirement system, may obtain allowable service credit in the Minnesota state retirement system by paying to the retirement system (a) an amount equal to four percent of his or her current salary rate multiplied by the days and months of such prior service for which he or she desires to obtain allowable service credit plus (b) a matching amount representing the employer's required contributions, except that the department, at its option, may agree to pay the matching amount on behalf of its employees. Proof of prior permanent full time service and the duration thereof shall be established by the certification of the department to the executive director of the retirement system. The payments shall be made either in a lump sum or by payroll deduction arranged for on or before July 1, 1980. The department may use salary savings from this activity to pay the employee's matching contribution.

For the nutrition program, the commissioner of public welfare shall require that the cost of each meal provided shall be conspicuously posted in each facility where meals are served.

Social Services Support

\$ 453,900 \$ 464,900

The commissioner of public welfare shall not implement any rule which modifies the distribution of title XX funding to counties from that which was done in 1978.

	1980	1981
	\$	\$

This appropriation includes an appropriation to the commissioner of public welfare from the general fund in the sum of \$25,000 for each year of the biennium for the purpose of providing a grant-in-aid to NewBridge, a protected shelter for juvenile females, for its activities to provide a program that will offer short term residence and support for teenage women who wish to leave their involvement in prostitution. The funds shall be expended subject to the direction of the commissioner of public welfare. This appropriation expires June 30, 1981. It is the intention of the legislature that this shall be a final and non-recurring appropriation.

Subd. 4. Income Maintenance.....	329,461,900	366,392,500
----------------------------------	-------------	-------------

Approved Complement—257

The amounts that may be expended from this appropriation for each activity are as follows:

Aid to Families with Dependent Children, Medical Assistance, Minnesota Supplemental Assistance, and Catastrophic Health Insurance

\$272,309,100		\$303,669,400
---------------	--	---------------

Medical Assistance Deficiency

\$6,109,000 for 1979

The commissioner of public welfare shall provide supplementary grants, not to exceed \$150,000 per year, for aid to families with dependent children and shall include the following costs in determining the amount of the supplementary grants: major home repairs, repair of major home appliances, utility recaps, supplementary dietary needs not covered by medical assistance, and replacement of essential household furnishings and essential major appliances.

Notwithstanding any law to the contrary, counties may retain one half of the non-federal share of medical assistance collections from estates which are directly attributable to county effort.

	1980	1981
\$		\$

Provided that medical assistance may include personal care services in a recipient's home rendered by an individual, not a member of the family, who is qualified to provide the services, when the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a registered nurse.

Notwithstanding any state law to the contrary, the commissioner of public welfare shall not adjust the budget standards for any categorical aid program in excess of the amount authorized by the legislature, unless federal statute or regulation require it.

Recipients of Minnesota supplemental assistance living in nonmedical congregate care or foster care shall receive the same personal needs allowance as recipients of medical assistance residing in intermediate care facilities.

The commissioner of public welfare shall adjust the benefits payable to the aged, blind and disabled recipients pursuant to Minnesota Statutes, Sections 256D.36 and 256D.37 who do not reside in congregate care or foster care facilities in an amount equivalent to the cost of living adjustments in the federal supplemental security income program.

In determining the amount for AFDC and general assistance grants, the commissioner shall effect a seven percent increase on July 1, 1979 and a seven percent increase on July 1, 1980.

The moneys received under the state and local fiscal assistance act, known as general revenue sharing, shall be deposited in the medical assistance account and the state appropriation shall be reduced by a like amount.

The appropriation made in Laws 1977, Chapter 453, Section 2, Subdivision 3, for general assistance may be transferred to the medical assistance appropriation in fiscal year 1979.

General Assistance and General Assistance Medical Care

	1980	1981
	\$	\$
\$46,991,000		\$52,607,000
Income Maintenance Support		
\$10,161,800		\$10,116,100

If the appropriation for aid to families with dependent children, catastrophic health insurance, medical assistance, Minnesota supplemental assistance, general assistance and general assistance medical care is insufficient for either year, the appropriation for the other year shall be available by direction of the governor after consulting with the legislative advisory commission.

Subd. 5. Mental Health 151,351,600 152,439,000

Total Approved Complement—6098

State Hospitals—5412

The commissioner of public welfare is authorized to fill up to 150 the first year and 120 the second year human services technician positions in the state hospitals in addition to the approved complement specified in this subdivision for the purpose of alleviating recruitment delays in direct patient care, as salary savings become available to fund such positions. In addition to salary savings, \$500,000 per year is appropriated in the salary account for the state hospitals for this purpose.

As the hospital population decreases, the supportive staff complement shall be reduced in direct proportion.

Nursing Homes—617

Mental Health Support—69

The amounts that may be expended from this appropriation for each activity are as follows:

Program Offices

Mentally Ill

\$909,200 \$1,309,200

Mentally Retarded

\$1,201,000 \$901,000

1980

1981

\$

\$

Up to \$150,000 for the biennium ending June 30, 1981, is available for grants-in-aid to assist the Camphill Village of Minnesota, Inc. project. Such grants-in-aid shall not exceed 50 percent of the land acquisition, construction, equipment, and start-up costs.

Any unexpended balance remaining in the first year for the program office for mentally retarded shall not cancel, but shall be available for the second year.

Chemically Dependent

\$ 4,286,300

\$ 4,298,400

The commissioner of public welfare shall set aside an amount of the state appropriation which is equal to the amount of federal reimbursement received for operating expenses of the Mash-ka-wisen residential treatment center. The appropriation which is set aside may not be expended without the approval of the commissioner of public welfare, who shall provide advance notice to the commissioner of finance, the chairman of the senate finance committee and the chairman of the house appropriations committee.

The commissioner of public welfare shall establish standards for employee assistance programs. The standards shall include, but need not be limited to: (a) the minimum number of employees an employer must have in order to qualify for a state-assisted program; (b) the maximum start-up cost per covered employee; (c) the maximum annual program operation cost per covered employee; and (d) the maximum annual travel cost for program purposes per covered employee. The commissioner shall promulgate the standards as rules pursuant to chapter 15 and may, until January 1, 1980, promulgate them as temporary rules pursuant to section 15.0412, subdivision 5. Copies of any proposed rule or temporary rule shall be sent to the chairmen of the senate finance committee and house appropriations committee prior to their publication in the state

1980

1981

\$

\$

register. No funds shall be distributed for employees assistance programs prior to the promulgation of the rule or temporary rule required by this provision. No funds may be expended for employee assistance programs unless the employee assistance program is designed and operated to identify only those employees who are chemically dependent.

Notwithstanding the provisions of sections 245.781 to 245.811 and chapter 254A, all chemical dependency program licensure and program evaluation, other than fiscal auditing, shall be performed by the commissioner of health. The necessary approved complement and funding of the state authority for alcohol and drug abuse in the department of public welfare shall be transferred to the department of health which shall license and evaluate chemical dependency providers who receive state funds or federal funds distributed by the state authority. The commissioner of health shall promulgate rules pursuant to chapter 15 prescribing standards for licensure and evaluation of chemical dependency programs. The commissioner may, until January 1, 1980, promulgate temporary rules pursuant to section 15.0412, subdivision 5 for the purposes of this provision. The program evaluation rule shall provide for, but need not be limited to, an examination of the following factors: (1) comparative unit cost of program components including education, outreach, consultation, early detection, diagnosis and referral, training, treatment and administration; (2) comparative success in reaching goals with respect to the number of clients served in specified program components; (3) comparative success in the design and implementation of an effective system of program evaluation; and (4) comparative success in outcomes for persons served, especially in the treatment component. The rule shall provide for variations in program experience which result from differences in race, sex, age, and dependency severity of the clients served by different providers.

1980

\$

1981

\$

The commissioner of health shall contract for a study of the major chemical dependency program components currently funded by the department of public welfare. The commissioner of public welfare shall transfer sufficient funding to the commissioner of health to finance this contract. The study shall examine the cost-effectiveness and comparative effectiveness of components including, but not limited to, employee assistance, early identification, diagnosis and referral, varying treatment models, education, programs aimed at targeted population groups, and detoxification. The study shall include recommendations as to priorities for future funding.

In allocating state and federal funds for chemical dependency services, the state authority shall give priority to providers who (1) have done well in evaluations of their performance, (2) provide unique services or emphasize alternative or innovative service systems, or (3) have demonstrated an ability to provide effective early outreach services.

Community Mental Health Centers

\$18,712,300 \$20,778,900

The appropriation for Community Mental Health Centers provides for up to 50 percent matching, except for counties affected by equalization aid, of local community mental health centers approved expenditures.

Notwithstanding any law to the contrary, county boards may select the appropriate contiguous region to associate with for community mental health services.

Developmental Achievement Centers

\$9,567,100 \$10,595,400

The Developmental Achievement Centers appropriation provides for a 60 percent matching, except for counties affected by equalization aid payments, of local developmental achievement centers approved expenditures.

	1980	1981
	\$	\$
State Hospitals		
Current Expense		
	\$11,818,300	\$11,818,300
Salaries		
	\$90,329,500	\$90,329,500
Repairs and replacements		
	\$1,318,500	
Special Equipment		
	\$ 601,800	
Nursing Homes		
Current Expense		
	\$ 1,554,400	\$ 1,554,400
Salaries		
	\$ 9,525,800	\$ 9,525,800
Repairs and replacements		
	\$ 128,800	
Special Equipment		
	\$ 69,600	
Mental Health Support		
	\$ 1,329,000	\$ 1,328,100

Any unexpended balance remaining in the first year for special equipment and repairs and replacements shall not cancel but shall be available for the second year of the biennium.

The information for the budgets for the nursing homes, and hospitals shall be submitted to the 1981 legislature on an individual hospital basis together with a summary budget in the same format as the legislature appropriated money. Positions and administrative money may be transferred between the various activities within each subdivision in this section, except for the institutions.

The commissioner of public welfare is authorized to establish an imprest cash fund at each of the state operated res-

	1980	1981
	\$	\$

idential facilities to be utilized for payment to residents participating in on-campus work programs.

Subd. 6. 1979 employee compensation plan

.....
-------	-------

This appropriation shall be added to the subdivisions in this section in the following amounts:

	1980	1981
For subdivision 2.	\$.....	\$.....
For subdivision 3.
For subdivision 4.
For subdivision 5.

Sec. 3. COMMISSIONER OF ECONOMIC SECURITY

Subdivision 1. Total Department

Appropriation	13,101,300	14,209,300
----------------------------	-------------------	-------------------

The amounts that may be expended from this appropriation for each program are as follows:

Employment and Training

\$ 3,681,600	\$ 3,614,900
--------------	--------------

The appropriation in employment and training for the summer youth program shall be available immediately to provide the same level of program for each summer of the biennium as was provided during the summer of 1978. If the appropriation for either year of the biennium is insufficient, the appropriation from the other year shall be available to supplement it.

Any unexpended balance remaining in the first year for the work equity project shall not cancel, but shall be available for the second year of the biennium.

Vocational Rehabilitation Services

\$ 7,995,300	\$ 8,987,100
--------------	--------------

Funds received from workers' compensation carriers for services provided by the division of vocational rehabilitation for

	1980	1981
	\$	\$

the benefit of injured workers, shall be deposited in the accounts of the division of vocational rehabilitation, and reported in the same ratio to state and federal funds expended. Should such deposits exceed the amount shown on worksheets of the conferees of the Senate and House of Representatives, the commissioner of finance shall reduce the amounts available from the general appropriation for the division of vocational rehabilitation by the amount of such excess. The federal share of these recoupments shall be deposited as required by federal law, regulation and guideline.

The commissioner of economic security may expend money received from school districts, governmental subdivisions, mental health authorities, and private non-profit organizations for the purpose of conducting joint or cooperative vocational rehabilitation programs, and this money is appropriated for these purposes.

Any unexpended balance remaining in the first year for vocational rehabilitation services shall not cancel, but shall be available for the second year of the biennium.

Management and Coordination

\$ 1,424,400	\$ 1,607,300
--------------	--------------

If the appropriation in management and coordination for the displaced homemaker program for either year of the biennium is insufficient, the appropriation from the other year is available for it.

Unless otherwise required by federal law, money paid by any state agency to a community action agency may be paid in the form of a grant and may be paid in advance of the receipt by the community action agency of matching federal money. This provision expires June 30, 1981.

If the anticipated reduction in federal funding for the work equity program, comprehensive services for independent living, and statewide economic opportunity does not occur, the additional state appropriations shall cancel in direct relationship.

	1980	1981
	\$	\$
Subd. 2. 1979 employee compensation plan		

This appropriation shall be added to the subdivisions in this section in the following amounts:

	1980	1981
For subdivision 1. \$.....	\$.....	

Sec. 4. COMMISSIONER OF CORRECTIONS

Subdivision 1. Total Department Appropriation	53,692,500	53,897,000
---	------------	------------

Total Department

Approved Complement—1980:	1369.4
	1981: 1362.9

The amounts that may be expended from the appropriation for each program and activity and the approved complement for each program are more specifically described in the following subdivisions of this section.

Subd. 2. General Support	4,683,900	4,479,600
Approved Complement—1980:	93.7	
	1981: 88.2	

The amounts that may be expended from this appropriation for each activity are as follows:

County Probation Reimbursement

\$1,221,900	\$1,295,200
-------------	-------------

On or before October 30 of each even numbered year, each county or group of counties shall submit to the commissioner of corrections an estimate of the cost for county probation reimbursement. Reimbursement shall be made on the basis of the estimate submitted or the actual expenditure, whichever is less.

Subsidy Programs

\$388,300	\$394,300
-----------	-----------

	1980	1981
	\$	\$

Support

\$3,073,700	\$2,790,100
-------------	-------------

This appropriation includes money for training of group home parents in county homes.

Subd. 3. Special Services.....	5,646,700	4,060,600
--------------------------------	-----------	-----------

Approved Complement—52.8

The amounts that may be expended from this appropriation for each activity are as follows:

Health Care

\$1,955,600	\$2,013,100
-------------	-------------

The health care appropriation shall be used to provide professional health care to persons confined in institutions under the control of the commissioner of corrections, and to cover costs of their care in hospitals and other medical facilities not under the control of the commissioner of corrections, including the secure treatment unit operated by the St. Paul-Ramsey Hospital. All reimbursements for such health care services shall be deposited in the general fund.

Any person confined in a state correctional institution for adults who had been adjudicated to be mentally ill and in need of treatment, may be committed to the commissioner of corrections and placed in the psychiatric unit funded in this subdivision.

Education

\$334,400	\$334,400
-----------	-----------

Victim Services

\$3,042,100	\$1,395,800
-------------	-------------

\$2,995,700 of this appropriation shall be used to fund the battered women program heretofore established; to develop and implement a model treatment program for the violent partner of the battered woman, and to extend the battered women advisory task force for an additional two years to June 30, 1981. The commis-

	1980	1981
	\$	\$

sioner of corrections may authorize the use of a percentage of a grant for the operation of an emergency shelter or make a separate grant for the rehabilitation of any facility owned by the grantee and used as a shelter to bring the facility into compliance with state and local laws pertaining to health, fire and safety and to provide security.

\$500,000 of this appropriation shall be available to the commissioner of corrections for awarding grants to cities, counties, and private nonprofit agencies for the provision of services to victims of sexual assault. Application for the grants shall be in a form prescribed by the commissioner. No more than 15 percent of this appropriation may be awarded within any one county. Up to five percent of this appropriation may be used for administrative and evaluation purposes.

Any unexpended balance remaining in the first year for the victim services appropriation shall not cancel, but shall be available for the second year of the biennium.

Support

\$314,600 \$317,300

Subd. 4. Community Services.....	12,115,200	14,060,100
----------------------------------	------------	------------

Approved Complement—1980: 79.4

1981: 78.4

The amounts that may be expended from this appropriation for each activity are as follows:

Probation and Parole

\$ 1,853,800 \$ 1,837,100

Residential and Community Programs

\$ 1,355,800 \$ 1,407,600

The commissioner of corrections shall evaluate the women helping offenders program, and shall report on such by June 30, 1981.

Community Corrections Act

\$ 8,905,600 \$ 10,815,400

	1980	1981
	\$	\$

As counties begin participating in the corrections subsidy act, the complement of the central office shall be reduced by the number of positions transferred to the counties entering the act.

The commissioner of corrections shall select the counties that may participate under the corrections subsidy act after consulting with the appropriate finance committees of the legislature.

State officers and employees displaced by a county's participation in the community corrections act and hired by the participating county shall, in addition to the benefits provided in Minnesota Statutes 1978, Section 401.04, and in the manner provided therein, retain all fringe benefits and recall from layoff benefits accrued by seniority and enjoyed by them while in the service of the state.

If in any biennium the subsidy is increased by an inflationary adjustment which results in the county receiving more actual subsidy than it did in the previous calendar year, the county shall be eligible for that increase only if the current level of spending is increased by a percentage equal to that increase within the same biennium.

Subd. 5. Correctional Institutions...	31,246,700	31,296,700
---------------------------------------	------------	------------

Approved Complement—1143.5

Current Expense

\$ 6,673,300	\$ 6,730,600
--------------	--------------

Salaries

\$23,927,500	\$23,974,100
--------------	--------------

Special Equipment

\$ 212,800	\$ 176,900
------------	------------

Repairs and Replacements

\$ 433,100	\$ 415,100
------------	------------

Any unexpended balances in special equipment and repairs and replacements remaining in the first year shall not can-

1980

1981

\$

\$

cel but shall be available for the second year of the biennium.

Notwithstanding any law to the contrary, effective July 1, 1979 and quarterly thereafter, the commissioner of corrections shall notify the commissioner of administration of the articles, supplies and services available from industrial activities conducted at state correctional institutions, and the commissioner of administration shall purchase from the state correctional institutions those articles, supplies and services needed by state departments and agencies, unless the commissioner of corrections shall certify that the correctional institutions cannot provide them at a price within five percent of the fair market price for comparable level of quality and within a reasonable delivery time. In determining the fair market price the commissioner of administration shall use competitive bidding or consider open market bid prices in previous years for similar products and services, plus inflationary increases.

The commissioner of corrections shall collect a damage deposit from all staff who reside in housing on the grounds of the Thistledeew Corrections Camp at Togo, Minnesota and deposit the moneys in a savings account in a bank at interest. Withdrawals therefrom may be made to defray the cost of any damage to the residence caused by the tenant or to return the deposit to the tenant with accrued interest if the residence be vacated without damage. The commissioner shall keep accurate records in the name of each tenant so that the interest may be credited to the proper account.

The commissioner of corrections shall study and determine the most appropriate location for women committed to the Minnesota Correctional Institution for Women. Such report shall be submitted by November 15, 1979, to the chairmen of the senate finance committee and house appropriations committee.

	1980	1981
	\$	\$
Subd. 6. 1979 employee compensation plan

This appropriation shall be added to the subdivisions in this section in the following amounts:

	1980	1981
	\$.....	\$.....
For subdivision 2.		
For subdivision 3.		
For subdivision 4.		
For subdivision 5.		

Sec. 5. SENTENCING GUIDELINES COMMISSION

Subdivision 1. Salaries, Supplies and Expense	194,800	194,800
---	---------	---------

The sentencing guidelines commission shall cease operations by July 1, 1983.

Subd. 2. 1979 employee compensation plan
--	-------	-------

Sec. 6. CORRECTIONS OMBUDSMAN

Subdivision 1. Salaries, Supplies and Expense	223,800	223,800
---	---------	---------

Subd. 2. 1979 employee compensation plan
--	-------	-------

Sec. 7. COMMISSIONER OF HEALTH

Subdivision 1. Total Department Appropriation	22,921,900	23,696,800
---	------------	------------

Total Department

Approved Complement—319

The amounts that may be expended from this appropriation for each program and the approved complement for each are as follows:

Preventive and Personal Health Services

Approved Complement—180.8

\$ 8,179,200 \$ 7,971,200

Any unexpended balance remaining in the first year for wells, soil and chemical

	1980	1981
	\$	\$

analysis, shall not cancel, but shall be available for the second year.

Notwithstanding any law to the contrary, the fee the department of health charges for medical laboratory services shall increase to \$3, effective July 1, 1979.

Health Systems Quality Assurance

Approved Complement—63.7

\$ 2,782,700 \$ 2,771,400

Of this appropriation \$278,000 for fiscal year 1980 and \$278,000 for fiscal year 1981 are appropriated from the trunk highway fund for emergency medical services activities.

Notwithstanding any law to the contrary, the commissioner of health shall make grants to agencies which are publicly owned or nonproprietary operated by charitable organizations, for the purpose of converting hospitals having fewer than 40 beds to nursing homes. Such grants shall be only for those hospitals which convert 100 percent of their beds to nursing home beds. The grant shall be for up to 50 percent of the remodeling costs, not exceeding \$150,000 per facility. \$1,000,000 per year is appropriated for this purpose in the health systems quality assurance program. If any facility which receives a grant under this provision is sold, the sellor shall return a portion of the grant amount to the state. The sellor shall retain 10 percent of the grant amount for each year of operation under his continuous ownership. The state shall be entitled at the time of the sale to the remaining amount plus interest.

Notwithstanding any law to the contrary, the commissioner of health shall publish in each local newspaper a listing of serious correction orders in long term care facilities. Such correction orders shall be those which affect patient care and facility sanitation. Such publication shall begin on July 1, 1979.

	1980	1981
	\$	\$

Notwithstanding the provisions of Minnesota Statutes, Section 144A.10, Subdivision 2, the commissioner of health shall biennially inspect each nursing home to assure compliance with sections 144A.01 to 144A.17 and the rules promulgated thereunder. Where the annual inspection made for the federal government indicates noncompliance with state standards, the commissioner of health shall order a state inspection. In cases where substantial complaints are received which impact on patient care, inspections shall be made more frequently as determined by the commissioner of health.

Health Support Services

Approved Complement—74.5

\$11,960,000	\$12,954,200
--------------	--------------

As counties begin participating in the community health services act, the complement of the department shall be reduced by the number of positions transferred to the counties entering the act.

For the purposes of the community health services act, the commissioner of finance may authorize the transfer of money to the community health services activity from the other programs in this section.

If the appropriation for community health services or services to children with handicaps is insufficient for either year, the appropriation for the other year shall be available by direction of the governor after consulting with the legislative advisory commission.

Notwithstanding any law to the contrary, the formula for community health services act shall be increased by seven percent each year of the 1979-1981 biennium.

Subd. 2. 1979 employee compensation plan

This appropriation shall be added to the programs in this section in the following amounts:

	1980	1981
	\$	\$
For preventive and personal health services		
For health systems quality assurance...		
Of this appropriation, \$..... for fiscal year 1980 and \$..... for fiscal year 1981 are appropriated from the trunk highway fund for emergency medical services activities.		
For health support services.....		
Sec. 8. HEALTH RELATED BOARDS		
Subdivision 1. Board of Chiropractic Examiners	38,700	38,700
Subd. 2. Board of Dentistry.....	195,800	199,000
Subd. 3. Board of Medical Examiners.	299,100	299,100
Subd. 4. Board of Nursing.....	556,200	556,200
Subd. 5. Board of Examiners for Nursing Home Administrators.....	64,200	64,200
Notwithstanding the provision of section 144A.04, subdivision 5, a nonproprietary retirement home having less than 15 licensed nursing home beds may share the services of a licensed administrator with a nonproprietary nursing home having less than 150 licensed nursing home beds which is located within 25 miles of the retirement home.		
Subd. 6. Board of Optometry.....	35,600	35,600
Subd. 7. Board of Pharmacy.....	224,400	224,400
Subd. 8. Board of Podiatry.....	5,400	5,400
Subd. 9. Board of Psychology.....	49,000	51,100
Subd. 10. Board of Veterinary Medicine	21,800	21,800
Subd. 11. The commissioner of finance shall not permit the allotment, encumbrance, or expenditure of any money appropriated in this section in excess of the anticipated biennial revenues.		
Subd. 12. 1979 employee compensation plan		

1980
\$

1981
\$

This appropriation shall be added to the subdivisions in this section in the following amounts:

	1980	1981
For subdivision 1.	\$	\$
For subdivision 2.
For subdivision 3.
For subdivision 4.
For subdivision 5.
For subdivision 6.
For subdivision 7.
For subdivision 8.
For subdivision 9.

<p>Sec. 9. CONTINGENT FOR STATE INSTITUTIONS</p>	600,000
--	---------

This appropriation shall be used for emergency purposes and for the purchase of food, clothing, drugs, utilities, and fuel for any of the institutions for which an appropriation is made in this act. No expenditure shall be made from this appropriation without the direction of the governor after consultation with the legislative advisory commission.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

The allowance for food may be adjusted annually according to the United States department of labor, bureau of labor statistics publication wholesale price index, upon the approval of the governor. Adjustments shall be based on the June, 1979, wholesale food price index, but the adjustment shall be prorated if the wholesale food price index adjustment would require money in excess of this appropriation.

<p>Sec. 10. CONTINGENT FOR HIGH SECURITY FACILITY</p>	6,000,000
---	-----------

	1980	1981
	\$	\$

No expenditure shall be made from this appropriation without the direction of the governor after consultation with the legislative advisory commission.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year.

Sec. 11. [RECEIPTS.] All funds, sums of money, or other resources provided or to be received as shown in the biennial budget document or in working papers of the two appropriations committees, including all receipts, collections, legislative allocations, transfers, and other income and receipts properly belonging to and to be used for financing activities, programs, and other projects other than the institutions now or hereafter under the supervision and jurisdiction of the commissioner of public welfare not otherwise specifically designated as income or credits to other state departments or funds by law, shall be credited to and become a part of the appropriations provided for in section 2, subdivisions 2, 3, and 4. Any such receipts in excess of those shown in the biennial budget shall not be available without the written approval of the governor who shall consult with the legislative advisory commission.

Sec. 12. [PROVISIONS.] Money appropriated under this act for the purchase of provisions within the item "current expense" shall be used solely for that purpose. The amounts appropriated for provisions are shown on the worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the offices of the commissioner of finance. Any money so provided and not used for purchase of provisions shall be cancelled into the fund from which appropriated, except that money so provided and not used for the purchase of provisions because of population decreases may be transferred and used for the purchase of medical and hospital supplies after consultation with the legislative advisory commission.

Sec. 13. [TRANSFERS.] Subdivision 1. The commissioner of public welfare, the commissioner of corrections, the commissioner of economic security and the commissioner of health shall not transfer any money to or from personnel services, or claims and grants, as shown on the official worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of finance, except for those transfers that have the written approval of the governor, who shall consult with the legislative advisory commission.

Subd. 2. The commissioner of public welfare and the commissioner of health by direction of the governor after consulting with the legislative advisory commission may transfer unobligated appropriation balances and positions among all subdivisions.

Subd. 3. The commissioner of corrections may transfer appropriations and authorized positions among all subdivisions in the best

interest of the security and rehabilitation programs and for more efficient utilization of personnel and facilities. Transfers shall be made with the written approval of the governor after consulting with the legislative advisory commission.

Sec. 14. [APPROVED COMPLEMENT.] The approved complements indicated in this act are fulltime equivalent positions and apply only to positions paid for with money appropriated by this act.

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve the additional personnel until he has consulted with the legislative advisory commission. Any request for increases in the approved complement shall be forwarded to the appropriate committees on finance of the legislature not less than 30 days prior to the legislative advisory commission meeting.

Sec. 15. [STAFF HOUSING.] The commissioner of corrections shall reduce staff housing as soon as possible.

Sec. 16. [FISCAL NOTES.] Notwithstanding any other law to the contrary, the departments of health, public welfare, economic security, corrections and the health related boards shall not put into effect any rule, regulation, or standard, which has a fiscal impact in excess of \$100,000 annually without first providing the house appropriations and the senate finance committees with fiscal notes.

Sec. 17. Minnesota Statutes 1978, Section 145.925, Subdivision 3, is amended to read:

Subd. 3. No funds provided by grants made pursuant to this section shall be used to support any family planning services for any unemancipated minor in any elementary or secondary school building. *Funds shall not be denied pursuant to this subdivision to applicants that provide to minors, only counseling services in a building adjacent to an elementary or secondary school building where no regularly used indoor access exists between the two buildings.*

Sec. 18. Minnesota Statutes 1978, Section 254A.031, is amended to read:

254A.031 [NATIVE AMERICAN PROGRAMS.] *Subdivision 1.* The commissioner shall enter into one or more purchase of service agreements to provide programs for native Americans. The agreements shall provide for residential and aftercare treatment programs, programs relating to prevention, education, and community awareness, and training programs. All programs shall be designed to meet the needs identified by the native American community, and appropriate recognition shall be given to the cultural and social needs of native Americans. The commissioner shall enter into the agreements after consultation with the special assistant for native American programs of the alcohol and drug

abuse section of the department of public welfare, and all agreements shall be reviewed pursuant to section 254A.03.

Subd. 2. A county that does not have located within it a special facility for providing treatment for the chemical dependency problems of American Indians shall pay to such a facility located outside of the county the cost of providing that treatment to American Indians who are residents of that county.

Sec. 19. Minnesota Statutes 1978, Section 256B.44, Subdivision 2, is repealed.

Sec. 20. The appropriation for the employment and training program in the department of economic security, section 3, shall be available immediately."

Amend the title by striking it and inserting:

"A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes 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.-925, Subdivision 3; and 254A.031; and repealing Minnesota Statutes 1978, Section 256B.44, Subdivision 2."

The motion prevailed. So the amendment was adopted.

Mr. Perpich moved to amend H. F. No. 1518, as amended by the Senate, adopted May 3, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 1511.)

Page 20, line 23, after "40" insert "acute care"

The motion prevailed. So the amendment was adopted.

H. F. No. 1518 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Peterson	Stokowski
Ashbach	Gunderson	Lessard	Pillsbury	Strand
Bang	Hanson	Luther	Purfeerst	Stumpf
Benedict	Hughes	McCutcheon	Renneke	Tennessee
Bernhagen	Humphrey	Menning	Schaaf	Ueland, A.
Brataas	Jensen	Merriam	Schmitz	Ulland, J.
Chenoweth	Johnson	Moe	Setzepfandt	Vega
Coleman	Keefe, J.	Nelson	Sieloff	Wegener
Davies	Kirchner	Nichols	Sikorski	Willet
Dieterich	Kleinbaum	Ogdahl	Sillers	
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Penny	Spear	
Frederick	Knutson	Perpich	Staples	

Mr. Rued voted in the negative.

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that H. F. No. 1519 be withdrawn from the Committee on Rules and Administration and laid on the table. The motion prevailed.

Mr. Coleman moved that S. F. No. 1505 be stricken from General Orders and laid on the table. The motion prevailed.

Mr. Coleman moved that S. F. No. 1511 be stricken from General Orders and laid on the table. The motion prevailed.

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

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; 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.

Mr. Kirchner moved to amend S. F. No. 888 as follows:

Page 7, line 23, after the period, strike the old language and delete the new language

Page 7, lines 24 to 33, strike the old language and delete the new language

Page 8, lines 1 to 11, strike the old language, delete the new language and insert "*If the employee dies from the effects of the disease of tuberculosis and if the tuberculosis was the primary infection and the authentic cause of death, the workers' compensation division shall order payment to dependents as provided for under the general provisions of the workers' compensation law.*"

The motion prevailed. So the amendment was adopted.

Mr. Kirchner then moved to amend S. F. No. 888 as follows:

Page 6, after line 26, insert:

"Sec. 7. Minnesota Statutes 1978, Section 246.014, is amended to read:

246.014 [SERVICES.] The measure of services established and prescribed by section 246.012, are:

(1) There shall be served in state hospitals a single standard of food for patients and employees alike, which is nutritious and

palatable together with special diets as prescribed by the medical staff thereof. There shall be a chief dietitian in the department of public welfare and at least one dietitian at each state hospital. There shall be adequate staff and equipment for processing, preparation, distribution and serving of food.

(2) There shall be a staff of persons, professional and lay, sufficient in number, trained in the diagnosis, care and treatment of the mentally ill, physical illness, and including religious and spiritual counsel through qualified chaplains (who shall be in the unclassified service) adequate to take advantage of and put into practice modern methods of psychiatry, medicines and related field.

(3) There shall be a staff and facilities to provide occupational and recreational therapy, entertainment and other creative activities as are consistent with modern methods of treatment and well being.

(4) There shall be in each state hospital for the care and treatment of the mentally ill facilities for the segregation and treatment of patients who have communicable disease.

(5) The commissioner of public welfare shall provide modern and adequate psychiatric social case work service.

(6) The commissioner of public welfare shall make every effort to improve the accommodations for patients so that the same shall be comfortable and attractive with adequate furnishings, clothing, and supplies.

(7) The commissioner of public welfare shall establish training programs for the training of personnel and may require the participation of personnel in such programs. Within the limits of the appropriations available he may establish professional training programs in the forms of educational stipends for positions for which there is a scarcity of applicants.

(8) There shall be a separate hospital for the diagnosis, care and treatment of the mentally ill who have tuberculosis which shall conform to the standards established for the diagnosis, care and treatment of physical disease. Pending construction of such separate hospital, one of the present state hospitals, or so much thereof as may be necessary, shall be set apart for the diagnosis, care and treatment of the mentally ill who have tuberculosis and shall be staffed and equipped to meet the accepted requirements of modern medicine for the care and treatment of persons afflicted with tuberculosis.

(9)(8) The standards herein established shall be adapted and applied to the diagnosis, care and treatment of inebriate persons and mentally deficient persons who come within those terms as defined in the laws relating to the hospitalization and commitment of such persons, and of persons who are psychopathic personalities within the definition thereof in Minnesota Statutes 1945, Section 526.09.

~~(10)~~ (9) The commissioner of public welfare shall establish a program of detection, diagnosis and treatment of mentally or nervously ill persons and persons described in paragraph (9), and within the limits of appropriations may establish clinics and staff the same with persons specially trained in psychiatry and related fields.

~~(11)~~ (10) The commissioner of personnel and the personnel board may reclassify employees of the mental institutions from time to time, and assign classifications to such salary brackets as will adequately compensate personnel and reasonably assure a continuity of adequate staff.

~~(12)~~ (11) In addition to the chaplaincy services, provided in (2), the commissioner of public welfare shall open said institutions to ministers of the Gospel to the end that religious and spiritual counsel and services are made available to the patients therein, and shall cooperate with all ministers of the Gospel in making said patients available for religious and spiritual counsel, and shall provide such ministers of the Gospel with meals and accommodations.

~~(13)~~ (12) Within the limits of the appropriations therefor, the commissioner of public welfare shall establish and provide facilities and equipment for research and study in the field of modern hospital management, the causes of mental and related illness and the treatment, diagnosis and care of the mentally ill and funds provided therefor may be used to make available services, abilities and advice of leaders in these and related field, and may provide them with meals and accommodations and compensate them for traveling expenses and services."

Page 13, strike clause 16

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after "197.01;" insert "246.014;"

The motion prevailed. So the amendment was adopted.

S. F. No. 888: 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; 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.

S. F. No. 888 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lessard	Perpich	Spear
Bang	Hughes	Luther	Peterson	Staples
Benedict	Humphrey	McCutcheon	Pillsbury	Stokowski
Bernhagen	Johnson	Menning	Purfeerst	Strand
Brataas	Keefe, J.	Merriam	Renneke	Stumpf
Chenoweth	Keefe, S.	Moe	Schaaf	Tennessee
Davies	Kirchner	Nelson	Schmitz	Ueland, A.
Dieterich	Kleinbaum	Nichols	Setzepfandt	Ulland, J.
Dunn	Knaak	Ogdahl	Sieloff	Vega
Engler	Knoll	Olhoft	Sikorski	Wegener
Frederick	Knutson	Olson	Sillers	Willet
Gearty	Laufenburger	Penny	Solon	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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, 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; 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.

Mr. Davies moved to amend S. F. No. 134 as follows:

Page 9, line 17, delete "Subdivision 1."

Page 9, lines 24 to 33, and page 10, lines 1 to 6, delete subdivisions 2 and 3

The motion prevailed. So the amendment was adopted.

S. F. No. 134 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 37 and nays 13, as follows:

Those who voted in the affirmative were:

Benedict	Johnson	Merriam	Schmitz	Strand
Chenoweth	Keefe, J.	Moe	Setzepfandt	Stumpf
Davies	Keefe, S.	Nelson	Sikorski	Tennessee
Dieterich	Kleinbaum	Olson	Sillers	Vega
Gearty	Laufenburger	Penny	Solon	Wegener
Gunderson	Lessard	Perpich	Spear	
Hanson	Luther	Peterson	Staples	
Humphrey	McCutcheon	Schaaf	Stokowski	

Those who voted in the negative were:

Ashbach	Engler	Menning	Rued	Ulland, J.
Bernhagen	Knaak	Olhoft	Sieloff	Willet
Brataas	Knutson	Renneke		

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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, Section 47.20, Subdivisions 2, 3, 4, 6, 7, and 13, and by adding a subdivision.

Mr. Sikorski moved that the amendment made to H. F. No. 564 by the Committee on Rules and Administration in the report adopted April 30, 1979, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 564 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 4, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Laufenburger	Penny	Staples
Bang	Gunderson	Lessard	Pillsbury	Stokowski
Benedict	Hughes	Luther	Purfeerst	Strand
Bernhagen	Humphrey	McCutcheon	Renneke	Ueland, A.
Brataas	Keefe, S.	Merriam	Rued	Ulland, J.
Chenoweth	Kirchner	Moe	Schaaf	Vega
Davis	Kleinbaum	Nelson	Schmitz	Wegener
Dunn	Knaak	Ogdahl	Setzepfandt	Willet
Engler	Knoll	Oihoft	Sieloff	
Frederick	Knutson	Olson	Sikorski	

Messrs. Johnson, Perpich, Spear and Stumpf voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1072: 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.

Mr. Willet moved to amend S. F. No. 1072 as follows:

Page 4, after line 32, insert:

"Sec. 3. Minnesota Statutes 1978, Section 169.80, is amended by adding a subdivision to read:

Subd. 4. [WEIGHT LIMIT ON TIRES OR WHEELS.] Except when operating under a special permit issued pursuant to section 169.86, no person shall operate a motor vehicle upon any street or highway with a gross weight on any tire in excess of the manufacturer's maximum load rating for the tire or with a gross weight on any wheel in excess of the manufacturer's maximum load specifications for the wheel."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "providing maximum limits for weight carried on any motor vehicle tire or wheel;"

Page 1, line 12, after "6;" insert "169.80, by adding a subdivision;"

The motion prevailed. So the amendment was adopted.

Mr. Laufenburger moved to amend S. F. No. 1072 as follows:

Page 12, line 15, after the comma, insert "medical benefits coverage,"

The motion prevailed. So the amendment was adopted.

S. F. No. 1072 was then progressed.

SPECIAL ORDER

S. F. No. 1295: A bill for an act relating to contracts; making certain contracts unenforceable unless in writing.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Luther	Peterson	Stumpf
Ashbach	Humphrey	Menning	Pillsbury	Tennessee
Bernhagen	Johnson	Merriam	Purfeerst	Ueland, A.
Chenoweth	Keefe, S.	Moe	Renneke	Ulland, J.
Davies	Kirchner	Nelson	Rued	Vega
Dieterich	Kleinbaum	Ogdahl	Schaaf	Wegener
Dunn	Knaak	Olhoft	Sikorski	Willet
Engler	Knutson	Olson	Sillers	
Frederick	Laufenburger	Penny	Spear	
Gunderson	Lessard	Perpich	Stokowski	

Mr. Gearty voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1157: 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.

Mr. Schaaf moved to amend S. F. No. 1157 as follows:

Page 2, line 4, before "*includes*" insert "*means a corporation domiciled in Minnesota and*"

Page 2, line 11, delete "*doing business in Minnesota*"

Page 2, line 13, delete "*or*" and insert a comma

Page 2, line 13, after "*members*" insert "*or shareholders*"

Page 2, line 15, delete "*or*" and insert a comma

Page 2, line 15, before the period, insert "*or shareholders*"

Page 2, line 19, delete "*or*" and insert a comma

Page 2, line 19, after "*members*" insert "*or shareholders*"

Page 2, line 20, delete "*the amount*"

Page 2, line 21, delete "*paid for those costs*"

Page 2, line 23, before the period, insert "*the amount of any direct expenses paid by the corporation in connection with soliciting and collecting the contributions*"

Page 2, line 24, delete "*costs*" and insert "*expenses*"

Page 3, line 10, delete "*or*" and insert a comma

Page 3, line 10, after "*members*" insert "*or shareholders*"

Page 3, line 21, delete "*or*" and insert a comma

Page 3, line 21, after "*member*" insert "*or shareholder*"

Page 3, line 28, delete "*or*" and insert a comma

Page 3, line 29, after "*members*" insert "*or shareholders*"

Page 4, line 4, delete "\$50" and insert "\$20"

Page 4, line 31, delete "*doing business*" and insert "*domiciled*"

Amend the title as follows:

Page 1, delete lines 2 to 9

Page 1, line 10, delete "for a negative checkoff;" and insert "relating to elections; permitting corporations domiciled in Minnesota

to authorize solicitation and collection of contributions to a single political committee from its employees, members and shareholders; exempting corporate expenses in soliciting and collecting the contributions from the prohibition on corporate political contributions; setting conditions for the solicitation, collection and expenditure of money contributed to a committee authorized by a corporation; providing annual notice to union members of their right to prohibit transfer of their union dues to a union political fund;"

The motion prevailed. So the amendment was adopted.

Mr. Johnson moved that S. F. No. 1157 be stricken from Special Orders and re-referred to the Committee on Elections.

Mr. Sieloff moved that S. F. No. 1157 be laid on the table. The motion did not prevail.

The question recurred on the motion of Mr. Johnson.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, May 7, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FORTY-EIGHTH DAY

St. Paul, Minnesota, Monday, May 7, 1979

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Gunderson	Laufenburger	Pillsbury	Stokowski
Benedict	Hanson	Luther	Purfeerst	Strand
Brataas	Hughes	Menning	Rued	Stumpf
Coleman	Humphrey	Moe	Schmitz	Tennessee
Davies	Johnson	Nelson	Setzepfandt	Ueland, A.
Dieterich	Keefe, S.	Nichols	Sieloff	Ulland, J.
Dunn	Kirchner	Olhoff	Sikorski	Vega
Engler	Kleinbaum	Penny	Sillers	Willet
Frederick	Knaak	Perpich	Spear	
Gearty	Knoll	Peterson	Staples	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Divinity Student William C. McDonough.

The roll was called, and the following Senators answered to their names:

Anderson	Frederick	Knoll	Olson	Sillers
Ashbach	Gearty	Knutson	Penny	Solon
Bang	Gunderson	Laufenburger	Perpich	Spear
Benedict	Hanson	Lessard	Peterson	Staples
Bernhagen	Hughes	Luther	Pillsbury	Stokowski
Brataas	Humphrey	McCutcheon	Purfeerst	Strand
Chenoweth	Jensen	Menning	Renneke	Stumpf
Chmielewski	Johnson	Merriam	Rued	Tennessee
Coleman	Keefe, J.	Moe	Schaaf	Ueland, A.
Davies	Keefe, S.	Nelson	Schmitz	Ulland, J.
Dieterich	Kirchner	Nichols	Setzepfandt	Vega
Dunn	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knaak	Olhoff	Sikorski	Willet

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Schrom was excused from the Session of today. Mr. Olhoft was excused from the Session of today from 11:00 to 11:45 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Messrs. Penny, Schaaf and Laufenburger introduced—

S. F. No. 1541: A bill for an act relating to transportation; abolishing the functions, powers and duties of the department of transportation relating to the inspection, grading, sampling and analysis of hay and straw, and establishing a board of hay and straw standards in the department of agriculture; clarifying laws relating to the regulation of railroads and removing obsolete and duplicative language; prescribing certain powers of the commissioner of transportation and the public service commission relating to rates and charges; requiring track scales, and regulating the weighing of railroad cars and freight; providing for railroad grade crossing safety devices and other safety devices; prescribing penalties; amending Minnesota Statutes 1978, Sections 218.011, Subdivision 2; 218.021; 218.031, Subdivision 1; 218.041; 219.01; 219.07; 219.08; 219.10; 219.14, Subdivision 2; 219.17; 219.19; 219.23; 219.28; 219.383, Subdivision 4; 219.39; 219.40; 219.47; 219.50; 219.52; 219.54; 219.64; 219.70; 219.741; 219.85; 219.92; 219.97, Subdivision 7; 222.48, Subdivisions 2 and 3; 222.49; 222.50, Subdivisions 2, 3, 4 and 5; 222.51; 222.52; 222.53; 222.54; Chapters 25, by adding sections; 219, by adding a section; and 239, by adding a section; repealing Minnesota Statutes 1978, Sections 219.02; 219.03; 219.04; 219.05; 219.11; 219.12; 219.22; 219.25; 219.43; 219.58; 219.59; 219.60; 219.61; 219.62; 219.63; 219.65; 219.66; 219.67; 219.84; 219.86; 219.87; 219.89; 219.90; 219.91; 219.94; 219.95; 219.96; 219.97, Subdivisions 1, 2, 3, 8, 9, 11, 14, 15 and 16; 222.38; 222.39; 222.40; 222.41; 222.42; 222.43; 222.44; 222.45; 229.01; 229.02; 229.03; 229.04; 229.05; 229.06; 229.07; 229.08; 229.10; 229.11; 229.12; 229.13; 229.14; 229.15; 229.16; 229.17; 229.18; 229.19; 229.20; and 452.14.

Referred to the Committee on Transportation.

Messrs. Dunn, Willet, Merriam, Engler and Renneke introduced—

S. F. No. 1542: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Knutson and Keefe, J. introduced—

S. F. No. 1543: 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.

Referred to the Committee on Judiciary.

Mr. McCutcheon introduced—

S. F. No. 1544: 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.

Referred to the Committee on General Legislation and Administrative Rules.

Mr. Humphrey introduced—

S. F. No. 1545: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Purfeerst, Kleinbaum, Bang, Hanson and McCutcheon introduced—

S. F. No. 1546: 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.

Referred to the Committee on General Legislation and Administrative Rules.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 3, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. Nos. 493, 61, 384, 340, 57, 728, and 361.

Sincerely,

Albert H. Quie, Governor

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 1978 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
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
	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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 807.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 118 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1979

Mr. Davies moved that S. F. No. 118 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 478 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1979

Mr. Chmielewski moved that S. F. No. 478 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 484 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1979

Mr. Schaaf moved that S. F. No. 484 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 1504 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 3, 1979

Mr. Moe moved that S. F. No. 1504 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

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.

Six members of the House have been appointed to a Conference Committee on the part of the House as follows: Erickson; Dean; Weaver; Sieben, M.; Swanson and Metzen.

House File No. 1526 is herewith transmitted to the Senate with the request that the Senate appoint a Conference Committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 3, 1979

Mr. Moe moved that H. F. No. 1526 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

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.

Six members of the House have been appointed to a Conference Committee on the part of the House as follows: Forsythe, Wieser, Reif, McCarron, Rice and Corbid.

House File No. 1518 is herewith transmitted to the Senate with the request that the Senate appoint a Conference Committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 3, 1979

Mr. Moe moved that H. F. No. 1518 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

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.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 3, 1979

Referred to the Committee on Rules and Administration.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1037, 582, 1144, 1324, 990 and 1097.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 3, 1979

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

H. F. No. 1037: A bill for an act relating to interim claims against the state; appropriating money for the payment thereof.

Referred to the Committee on Finance.

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.

Referred to the Committee on Agriculture and Natural Resources.

H. F. No. 1144: A bill for an act relating to state lands; authorizing conveyance of certain land to Independent School District No. 281.

Referred to the Committee on Local Government.

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.

Referred to the Committee on Commerce.

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.

Referred to the Committee on Finance.

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.

Referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on H. F. No. 900, S. F. No. 439, and reports pertaining to appointments. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 697: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1254: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, delete "*self propelled*"

Page 1, line 13, after "*or*" insert "*a self-propelled motor vehicle*"

Page 1, line 20, strike "*upon*" and insert "*at the time of*"

Page 1, line 20, strike "*for registration year 1977 and subsequent*"

Page 1, strike line 21

Page 1, line 22, strike "March 1, 1976, when he" and insert "or"

Page 1, line 22, strike "applies" and insert "application"

Page 1, line 22, strike "its"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 367.41, Subdivision 2, is amended to read:

Subd. 2. A constable employed or elected by any political subdivision prior to July 1, 1979 shall be licensed by the board with respect to his term of office as if he had met the licensing requirements of the Minnesota board of peace officer standards and training ; *he shall be licensed by the board with respect to any subsequent and consecutive terms of office if:*

(a) within six months of the commencement of that subsequent and consecutive term of office he has met board selection requirements in effect on January 1, 1979 relating to minimum medical qualifications, past criminal record, and psychological screening;

(b) within 12 months of the commencement of that subsequent and consecutive term of office he provides proof to the board that he has successfully completed board certified courses or programs in first aid, and firearms training including legal limitations on the justifiable use of deadly force;

(c) within 24 months of the commencement of that subsequent and consecutive term of office he has successfully passed a board part-time officer licensing examination.

Sec. 2. *This act is effective upon final enactment."*

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Chenoweth 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Amend the title as follows:

Page 1, line 3, delete "firefighters" and insert "certain public employees"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 1107: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 11, delete everything after the period

Page 2, delete lines 12 and 13

Page 2, line 14, delete "*for all state-controlled funds.*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chenoweth 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; amending Minnesota Statutes 1978, Section 326.02, Subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete line 22

Renumber the clauses in sequence

Page 2, line 8, after "surveying" insert "for others"

Page 2, after line 16, insert:

"Sec. 2. Minnesota Statutes 1978, Section 326.04, is amended to read:

326.04 [BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE.] To carry out the provisions of sections 326.02 to 326.15 there is hereby created a board of architecture, engineering, land surveying and landscape architecture (hereinafter called the board) consisting of ~~sixteen~~ 17 members, who shall be appointed by the governor. Three members shall be licensed architects, five members shall be licensed engineers, one member shall be a licensed landscape architect, ~~one member~~ two members shall be a licensed land surveyor surveyors and six members shall be public members. Not more than one member of said board shall be from the same branch of the profession of engineering. The first landscape architect member shall be appointed as soon as possible and no later than 60 days after August 1, 1975 and shall serve for a term to end on January 1, 1977. 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.

Sec. 3. *The initial term of the additional land surveyor member appointed to the board of architecture, engineering, land surveying and landscape architecture pursuant to section 2 of this act shall expire the first Monday in January, 1982.*

Amend the title as follows:

Page 1, line 4, after "architects;" insert "adding an additional member to the board of architecture, engineering, land surveying and landscape architecture;"

Page 1, line 5, delete "Section" and insert "Sections" and before the period insert "; and 326.04"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth 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; 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; 354A.22; Laws 1976, Chapter 238, Section 12; and Laws 1977, Chapter 429, Section 60.

Reports the same back with the recommendation that the bill be amended as follows:

Page 8, line 23, after "service" insert "*as a teacher*"

Page 10, line 30, reinstate the stricken word "the"

Page 10, line 31, before "benefits" insert "*benefit of coverage by or entitlement to annuities or*"

Page 17, line 24, delete "time" and insert "year"

Page 22, line 18, delete "*or the coordinated programs of*" and insert a comma, and after "Minneapolis" insert "*teachers retirement fund association*"

Page 22, line 19, after "or" insert "*the*" and delete "associations" and insert "*association*"

Page 34, line 23, delete "employee"

Page 35, line 16, delete "prior"

Page 35, line 17, delete "to death"

Page 41, line 15, delete "employee"

Page 45, line 6, delete "otherwise" and insert "*, if not having elected coverage by the coordinated program,*"

Page 45, line 22, delete "otherwise" and insert "*, if not having elected coverage by the coordinated program,*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 932: A bill for an act relating to taxation; deleting requirement of vendor's verification of claim for refund of sales tax paid on electricity used for agricultural purposes; amending Minnesota Statutes 1978, Section 290.501.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 1176: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was re-referred

S. F. No. 439: A bill for an act relating to natural resources; providing payments in lieu of taxes to counties and townships in which certain natural resource lands are located; appropriating money; amending Minnesota Statutes 1978, Section 275.51, Subdivision 3d.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 10, after the period, insert "*Lands for which payments in lieu are made pursuant to section 97.49, subdivision 7, and Laws 1973, Chapter 567, shall not be eligible for payments under this section.*"

Page 2, line 26, after "97.49," insert "*subdivision 3, and*"

Page 2, line 26, delete "*, and Laws 1973,*"

Page 2, line 27, delete "*Chapter 567*"

Page 5, line 11, after "298.282" strike the comma and insert "*;* payments made pursuant to section 6;"

Page 5, after line 24, insert

"Sec. 6. Minnesota Statutes 1978, Chapter 273, is amended by adding a section to read:

[273.139] [REDUCED ASSESSMENT PROPERTY AID.]
Subdivision 1. Each county, city, town, special district, and school district which levied ad valorem taxes payable in 1980 shall receive reimbursement in 1980 and subsequent years for the difference between the tax determined pursuant to subdivision 2, clause (a) and that payable on the value assessed pursuant to section 273.13, subdivision 17 or 17b, on structures used as housing for the elderly or for low and moderate income families or on structures financed by farmers home administration loans and on structures assessed as class 3cc pursuant to section 273.13, subdivision 7.

Subd. 2. (a) The county auditor shall calculate the tax on the property described in subdivision 1 in the same manner as like

property would be assessed, if it did not qualify for the reduced valuation provided for in section 273.13.

(b) *The difference between the amount calculated pursuant to clause (a) and the amount of tax actually payable by the owner on property described in subdivision 1 shall be distributed to the taxing districts by the commissioner of revenue in the same proportion that the ad valorem tax was distributed to them. He shall make payment directly to the taxing districts on July 15 of each year, commencing in 1980.*

Subd. 3. The county auditor shall enter on the abstract of assessment of real property the assessed value of the affected property computed pursuant to subdivision 2, clause (a), which value shall be the basis of computing the distribution of school aids.

Sec. 7. [APPROPRIATION.] A sum sufficient to make the payments required under section 6 is annually appropriated from the general fund to the commissioner of revenue."

Renumber the remaining section in sequence

Amend the title as follows:

Page 1, line 2, delete "natural resources" and insert "aid to local units of government"

Page 1, line 4, after the semicolon insert "providing payments to local taxing districts containing reduced assessment property;"

Page 1, line 6, after "3d" insert "; and Chapter 273, by adding a section"

And when so amended the bill do pass. Mr. Moe questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1366: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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 de-

partment 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."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 988: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 27, strike "in the English"

Page 2, line 28, strike "language"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was re-referred

S. F. No. 1141: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 29, delete "an"

Page 3, line 30, delete "nonprofit organization" and insert "organizations"

Page 6, after line 4, insert:

"Sec. 11. [IMPLEMENTATION STUDY.] The state planning agency shall study the implementation and effectiveness of the provisions of sections 1 to 10 and report its findings, including proposed legislation, to the legislature on or before January 1, 1981."

Page 6, after line 21, insert:

"Subd. 5. [STATE PLANNING AGENCY.] The sum of \$..... is appropriated from the general fund to the state planning agency for the purposes of section 11."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after the semicolon, insert "providing for a study by the state planning agency;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chenoweth 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, delete line 18 and insert "upon approval by the Cottage Grove city council and upon compliance with Minnesota Statutes, Section 645.021."

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Chenoweth 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Chenoweth 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 29, after the second "the" insert "annual"

Page 2, line 30, strike "actual rates" and insert "rate"

Page 2, line 30, after "return" insert "based on market value"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Chenoweth 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, delete section 3 and insert:

"Sec. 3. [APPROPRIATION.] *The sum of \$58,000 is appropriated from the general fund to the commissioner of administration for purposes of this act for the biennium beginning July 1, 1979. The commissioner of administration shall submit to the governor and the legislature on or before January 15, 1980, a report on implementation of this act.*

Sec. 4. *Sections 1 and 2 of this act are effective October 1, 1979. Section 3 of this act is effective July 1, 1979.*"

Amend the title as follows:

Page 1, line 3, after the semicolon insert "appropriating money;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Olson from the Committee on General Legislation and Administrative Rules, 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 at a reasonable fee; amending Minnesota Statutes 1978, Section 593.37, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, after "*resolution*" insert a comma

Page 1, line 13, after "*date*" insert "*in July*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill do pass. Mr. McCutcheon questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, after line 5, insert:

"Sec. 3. Laws 1961, Chapter 115, Section 2, Subdivision 1, is amended to read:

Sec. 2. [DISTRICT HOSPITAL BOARD; MEMBERS; ORGANIZATION AND FINANCES.] Subdivision 1. The district hospital board may authorize and direct the construction and equipment or the acquisition and equipment and the betterment of a district hospital, a nursing home, and a board and care home, or any of them, to be operated under the supervision of the district hospital board. The hospital board shall consist of not less than six nor more than fifteen members appointed by the board of county commissioners. As nearly as may be one-third of the members of the first board shall be appointed for a term to expire two years from May 1 next following such appointment, one-third for a term to expire four years from such date, and one-third for a term to expire six years from such date, each of which members shall hold office until his successor is appointed and qualified. Successors to the original board members shall each be appointed for terms of six years and shall serve until their successors are appointed and qualified. Terms of all members shall expire on May 1. The terms of any members appointed over and above the number initially appointed shall be so fixed as to cause the terms of one-third of all members to expire every two years, as nearly as possible. In case of a vacancy on the hospital district board, whether due to death, removal from the district, inability to serve, or resignation, the board of county commissioners at its next regular meeting shall

make an appointment to fill such vacancy for the then unexpired term. Members of the district hospital board shall be entitled to mileage of ten cents per mile, each way, for every mile necessarily traveled for attending meetings of the board, not to exceed 12 meetings in any one year receive such compensation as may be fixed by the board. In addition, each board member may be reimbursed for all actual and necessary expenses incurred in the performance of official duties in the same manner and amount as state employees, except for mileage which shall be compensated as provided in Minnesota Statutes, Section 471.665, Subdivision 1. The expense of acquisition, betterment, administration, operation, and maintenance of any such hospital or home shall be paid from the revenue derived therefrom and any donations or grants received for such purpose and, to the extent necessary, from ad valorem taxes which shall be certified by the district hospital board to the board of county commissioners and levied by that board solely upon the taxable property situated within the district. All revenues received shall be kept in the hospital district fund by the treasurer of the hospital district, and all such taxes when collected shall be credited to the said fund."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, before the period insert "; and Laws 1961, Chapter 115, Section 2, Subdivision 1"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Wegener from the Committee on Local Government, 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 7, insert:

“Section 1. Minnesota Statutes 1978, Section 156A.031, Subdivision 1, is amended to read:

156A.031 [PLASTIC CASINGS.] Subdivision 1. The use of plastic casings in water wells is expressly permitted within the state of Minnesota. Any plastic casing used for water wells must meet the current standard specifications of the American Society for Testing and Materials (ASTM) for thermoplastic water well casing pipe and couplings. All plastic water well casing shall be capable of withstanding pressures equal to or greater than 200 pounds per square inch (p.s.i.).

The state commissioner of health may supplement the provisions of this section with rules relating to the installation of plastic water well casing, providing, however, that such rules shall not delay the use of plastic water well casing meeting the requirements of this section.

Prior to January 31, 1978 1980 , the state commissioner of health shall adopt rules of statewide application pursuant to chapter 15 concerning the installation and use of plastic water well casing pipes and couplings in the state .”

Page 1, line 10, before “This” insert “Until the commissioner implements the rules of statewide application required under subdivision 1, the permission for the use of plastic casings as granted by”

Page 1, line 10, strike everything after “applies”

Page 1, lines 11 to 16, strike the old language and delete the new language and insert “to all counties except the counties of St. Louis, Lake, Cook, Carlton, Pine, Kanabec, Isanti, Chisago, Anoka, Washington, Ramsey, Hennepin, McLeod, Carver, Sibley, Scott, Dakota, Redwood, Brown, Nicollet, LeSueur, Rice, Goodhue, Wabasha, Watonwan, Blue Earth, Waseca, Steele, Dodge, Olmsted, Winona, Faribault, Freeborn, Mower, Fillmore and Houston”

Page 1, line 17, delete the new language

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, delete "VERDICT" and insert "VERDICTS AND JUDGMENTS"

Page 1, line 12, after "entered" insert "*and interest on the judgment until paid*"

Page 1, line 13, after "clerk" insert "*as provided in this section*"

Page 1, line 15, delete "*equal to*" and insert "*based on*"

Page 1, line 16, delete "*the most*"

Page 1, line 17, delete "*recent*"

Page 1, line 17, delete the comma and insert "*as provided in this section.*"

Page 1, delete line 18

Page 1, line 19, delete "*each month*" and insert "*December of each year*"

Page 1, line 21, delete "*release*" and insert "*releases*"

Page 1, line 22, delete everything after "*system*" and insert "*stating the current average annual yield for the preceding ten weeks on United States treasury bills with one year maturities. This yield, rounded to the nearest one percent, shall be the annual interest rate on the unpaid balance of judgments the succeeding year. The state court administrator shall communicate that interest rate to the clerks of court for their use in computing the interest on verdicts, but in no event shall the rate of interest be less than eight percent per annum.*"

Page 2, delete lines 1 to 3

Page 3, after line 3, insert:

"Sec. 3. *This act applies to the balance of judgments remaining unpaid after January 1, 1980.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 18 insert:

"The provisions of this subdivision requiring indemnification do not apply in the case of malfeasance in office or willful or wanton neglect of duty."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1310: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 21, reinstate the stricken language, and after "or" insert "*failure*"

Page 1, line 22, after "*which*" insert "*imminently and*"

Page 2, line 1, delete "*health or welfare*" and insert "*physical and mental health*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 1236: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 116H, is amended by adding a section to read:

[116H.088] [POST-SECONDARY ENERGY EDUCATION.]
Subdivision 1. The director, in consultation with the state board of education, the higher education coordinating board, the state board for community colleges, the state university board, and the board of regents of the University of Minnesota, shall develop a plan for adult and post-secondary energy education.

Subd. 2. The plan shall include:

- (a) An identification of adult and post-secondary energy education needs;*
- (b) The development of adult and post-secondary energy education priorities;*
- (c) A format for the delivery of adult and post-secondary energy education programs which minimizes duplication of effort by the agencies listed in subdivision 1;*
- (d) A process for coordination of the acquisition, development, and dissemination of instructional materials and curricula which minimizes duplication of effort by the agencies listed in subdivision 1;*
- (e) A review of the existing uses of state and federal funds to address adult and post-secondary energy education, and a recommendation of future needs for funds; and*
- (f) A recommendation for a process to determine the effectiveness of the adult and post-secondary energy education efforts.*

Sec. 2. [116H.21] [FUNDING FOR ENERGY AUDITS AND CONSERVATION MEASURES.] *Subdivision 1. [DEFINITIONS.] As used in sections 2 to 5, the following terms shall have the meanings 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, is 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, is 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, is considered a mini-audit.

Subd. 6. "School" means a public school district, or an area vocational-technical institute.

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. A school or local government may apply to the director to receive reimbursement for the actual costs of mini-audits or maxi-audits performed pursuant to sections 5 and 6. 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. Criteria may include, but are not 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. *Minnesota Statutes 1978, Section 116H.124, is amended to read:*

116H.124 [LOCAL GOVERNMENT BUILDING ENERGY REPORTS AND AUDITS.] *Subdivision 1. Before January 1,*

1980, The governing body of each city and county shall complete a survey of *building energy report* for all existing city owned or county owned buildings within their respective jurisdictions which buildings are heated by oil, coal, electric, or gas units. Buildings heated by oil or interruptable gas shall be surveyed first. The survey shall determine, based upon a formula specified by the director, the estimated remaining useful life of each building, together with the present degree and estimated cost of compliance with the energy conservation standards promulgated pursuant to section 116H.121. The governing body of a city or county may contract with any municipal building official appointed pursuant to section 16.861, or with the state building inspector to perform the energy conservation survey. Each governing body shall estimate, based upon a formula specified by the director, the annual potential savings in fuel procurement costs for existing heating and cooling systems, which savings would be realized for each building within its jurisdiction in that building were improved to comply with the energy conservation standards. *The building energy report shall be recorded on a form furnished by the director.* Each governing body shall file the energy conservation survey and estimated fuel procurement data for at least half the buildings within its jurisdiction *building energy report* with the director before December 31, 1978, and all remaining buildings by December 31, 1979, for his review and comment analysis.

Subd. 2. [MAXI-AUDITS AND MINI-AUDITS.] On or before June 30, 1980, based upon analysis of the building energy reports, the director shall indicate to the governing body of each city and county those buildings upon which a mini-audit and/or a maxi-audit shall be performed. The results of the mini-audit and/or maxi-audit shall be recorded on a form furnished by the director, and filed with the director by December 31, 1982.

Subd. 3. [CERTIFICATION OF AUDITORS.] The director may certify persons to perform mini-audits and maxi-audits, and to complete the building energy reports.

Subd. 4. [ACCEPTANCE OF EQUIVALENT ENERGY SURVEY.] The director may accept the results of an equivalent energy survey in place of the building energy report, mini-audit and/or maxi-audit required under this section.

Sec. 5. Minnesota Statutes 1978, Section 116H.126, is amended to read:

116H.126 [PUBLIC SCHOOL BUILDING ENERGY REPORTS AND AUDITS.] *Subdivision 1. Before January 1, 1980, Each school district shall complete a survey of building energy report for all existing public school buildings which it owns or operates and which are heated by oil, gas, coal, or electric units in order to determine the estimated remaining useful life of each building, together with the present degree and estimated cost of compliance with the energy conservation standards promulgated pursuant to section 116H.121. Buildings heated by oil or interruptable gas shall be surveyed first. The results of the energy conservation survey building energy report shall be recorded on a*

form furnished by the director. A school district may contract with any municipal building official appointed pursuant to section 16.961 or with the state building inspector to perform the energy conservation survey. Each school district shall estimate, based upon a formula specified by the director, the annual savings in fuel procurement costs for existing heating and cooling systems, which savings would be realized for each public school building within the district if it were improved to comply with the energy conservation standards. Each school district shall file the energy conservation survey and estimated fuel procurement data for at least half the public school buildings within the district building energy reports with the director before December 31, 1978, and all remaining buildings by December 31, 1979, for his review and comment analysis.

Subd. 2. [MAXI-AUDITS AND MINI-AUDITS.] On or before July 1, 1980, based upon the analysis of the building energy reports, the director shall indicate to each school district those buildings upon which a mini-audit and/or maxi-audit shall be performed. The results of the mini-audit and/or maxi-audit shall be recorded on a form furnished by the director and filed with the director by December 31, 1982.

Subd. 3. [CERTIFICATION OF AUDITORS.] The director may certify persons to perform mini-audits and maxi-audits, and to complete the building energy reports.

Subd. 4. [ACCEPTANCE OF EQUIVALENT ENERGY SURVEYS.] The director may accept the results of an equivalent energy survey in place of the building energy report and mini-audit and/or maxi-audit required under this section.

Subd. 5. [SCHOOL DISTRICTS INTENDING TO CLOSE PUBLIC SCHOOL BUILDINGS.] A school district intending to permanently close or otherwise discontinue use of any existing public school building by January 1, 1985, shall not be required to comply with this section as to those buildings, if a certification of intent to close the building is filed with the director.

Subd. 6. [STUDY OF CAPABILITY OF ENERGY MANAGEMENT PERSONNEL.] The director shall conduct a study of the capabilities and level of training of school district energy management personnel. The report shall include recommendations and shall be submitted to the legislature by January 1, 1980.

Sec. 6. Minnesota Statutes 1978, Section 116H.129, Subdivision 1, is amended to read:

116H.129 [ENERGY CONSERVATION STANDARDS FOR EXISTING RESIDENCES.] Subdivision 1. Before ~~January 1, 1979~~ August 1, 1980, the commissioner of administration, in consultation with the director and the appropriate standing committees of the legislature, shall promulgate minimum energy efficiency standards for existing residences. The standards shall be economically feasible in that the resultant savings in energy procurement costs, based on current and projected average residential energy costs including projected costs for fuel in Minnesota as

certified by the director in the state register, will exceed the cost of the energy conserving requirements amortized over the ~~five-year~~ ten-year period subsequent to the incurring of such cost. The costs computed under this section shall include reasonable inflation and interest factors.

Sec. 7. 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 promulgated thereunder for the purpose of weatherizing the 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 rules developed pursuant to 42 U.S.C. 6861-6872, any other relevant federal weatherization 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) procedures for the administration of grants, (b) data to be reported by grant recipients, and (c) 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 federal 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. 8. 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. 9. [PILOT ETHANOL PRODUCTION PLANT.] *The energy agency shall issue a request for proposal for the construction and operation of a small scale pilot plant for the production of ethanol. The plant shall operate and produce ethanol from more than one resource, though not necessarily simultaneously. One of the resources must be agricultural, forest, or wetland residue such as, but not limited to, corn stalks, straw, cattails or timber slash. The pilot plant shall be portable and demonstrated around the state with literature explaining the process and illustrating possible designs for plants producing one million gallons per year or less. The plant shall operate for at least two years. A final report shall be provided to the Minnesota energy agency in October, 1981. The department of biochemistry at the University of Minnesota shall provide instrumentation and monitor the processes. The department of mechanical engineering shall test the fuel in internal combustion engines and provide horsepower, fuel consumption and related data. Each organization shall provide a written report to the Minnesota energy agency which shall in turn assemble all information for a report to the legislature in January, 1982.*

Sec. 10. [APPROPRIATIONS.] *Subdivision 1. The sum of \$15,-387,000 is appropriated from the general fund to the agencies and for the purposes indicated, to be available until June 30, 1981, except as otherwise provided in this section.*

Subd. 2. Energy Agency

(a) Develop a plan for adult and post-secondary energy education pursuant to section 1 and implement adult energy education activities \$60,000

Approved Complement—1 unclassified position for this biennium only

(b) Energy audits and conservation measures pursuant to sections 2 and 3 \$10,000,000

Of this appropriation, \$713,700 is for program administration

Approved Complement—13 unclassified positions for this biennium only

(c) *Energy accounting system for schools and local governments, and training courses for local government and school personnel on energy accounting methods* \$40,000

(d) *Report on study of level of training and capabilities of local government and school energy management personnel, to be submitted to legislature by January 1, 1980* \$10,000

(e) *Research on district heating systems* \$100,000

Approved Complement—2 unclassified positions for this biennium only

(f) *Engineering analyses of steam heat systems* \$50,000

(g) *Match federal money for district heating system projects* \$250,000

Money from this appropriation is available for a project when the federal government issues a letter of intent to finance the project at the rate of \$3 federal for each \$1 state

(h) *Administer and monitor the ethanol study and pilot project pursuant to section 9, to be available until expended* \$10,000

(i) *Construct and operate a pilot plant for the production of ethanol, to be available until expended.* \$100,000

Subd. 3. Department of Economic Security

Coordinate residential weatherization program, pursuant to section 7 \$4,800,000

No more than six percent of this appropriation shall be used for administrative costs of the program.

Subd. 4. University of Minnesota

(a) *Department of biochemistry—instrument and monitor the pilot plant for the production of ethanol* \$18,000

(b) *Department of mechanical engineering—product testing for the pilot plant* \$4,000

(c) *Agricultural extension service—publications for farmers and the general population on the research and pilot plant operation* \$5,000

(d) *The appropriations in this subdivision are available until expended."*

Delete the title in its entirety and insert:

"A bill for an act relating to energy; providing for an adult and post-secondary energy education plan; requiring certain building energy reports and audits; providing partial funding to school dis-

tricts, municipalities and counties for energy audits and energy conservation measures; changing energy conservation standards for existing residential buildings; authorizing a weatherization program for low income persons; requiring notice to the Minnesota energy agency of the proposed discontinuance of municipal steam heat systems; providing for a pilot project in ethanol production; appropriating money; amending Minnesota Statutes 1978, Sections 116H.124; 116H.126; 116H.129, Subdivision 1; 451.09; Chapters 116H, by adding a section; and 268, by adding a section."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 315: A bill for an act relating to education; providing for aids to education, tax levies and the distribution of tax revenues; granting certain duties and powers to school boards, school districts, the state board of education, and the state board for vocational education; modifying the hearing procedure for the educational placement of certain handicapped students; appropriating money; amending Minnesota Statutes 1978, Sections 3.924, Subdivision 1; 3.925; 16.93; 120.075; 120.17, Subdivisions 3b, 4, 6 and 7a; 121.21, Subdivision 6; 121.49; 121.904, Subdivision 11b; 121.917, by adding a subdivision; 121.92; 123.702, Subdivision 1, and by adding a subdivision; 123.703, Subdivisions 1 and 3; 123.705; 123.937; 124.11, Subdivision 2; 124.14; 124.17, Subdivision 1; 124.19, by adding a subdivision; 124.20; 124.212, Subdivisions 1, 6c, 7c, and 10; 124.222, Subdivision 3; 124.26, Subdivision 1; 124.271, Subdivision 2, and by adding a subdivision; 124.32, Subdivisions 1, 1a, 5 and 10; 124.561, Subdivisions 2, 3 and 3a; 124.562, Subdivisions 2, 3 and 4; 124.565; 124.566; 124.572, Subdivisions 1, 2 and 3; 124.573, Subdivisions 1, 2, 3, and by adding a subdivision; 124.574, Subdivision 2; 124.646, Subdivision 1; 125.61, Subdivision 4; 126.39, Subdivision 10; 126.40, Subdivision 3; 126.41, Subdivision 1; 126.52, Subdivision 10; 126.53, Subdivision 3; 126.54, Subdivision 1; 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; 275.125, Subdivisions 2a, 8, 11a, and by adding a subdivision; 465.72; 471.38, by adding a subdivision; and Chapters 3, by adding sections; 123, by adding a section; 124, by adding sections; and 134, by adding sections; repealing Minnesota Statutes 1978, Sections 3.9271; 3.9273; 3.9274; 3.9275; 123.938, Subdivision 7; 124.212, Subdivisions 6b and 7b; 124.222, Subdivisions 1a, 1b, 2a, 2b and 6; 124.562, Subdivision 1; 124.563; 134.33, Subdivision 2; 275.125, Subdivision 13.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 7, insert:

"Section 1. Minnesota Statutes 1978, Section 124.11, Subdivision 5, is amended to read:

Subd. 5. Each year, beginning in 1978, based on current year tax data reported in the abstracts of tax lists, the commissioner of revenue shall determine the distribution to each school district of the amount of revenue lost as a result of the reduction in property taxes provided in section 273.132 5 of this article. On or before July 15, 1978, and on or before July 15 of each year thereafter, the commissioner of revenue shall certify the amounts so determined to the department of education. Beginning in 1978, the department of education shall pay each school district one-half of its distribution in August and the remaining one-half in the following November, as part of the foundation aid payment to each district in those months."

Page 6, after line 22, insert:

"Sec. 5. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.211] [STATE SCHOOL 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 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 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."

Page 7, line 3, after "to" insert "the state school agricultural credit in"

Page 7, line 4, strike "273.132" and insert "5 of this article"

Page 7, line 12, after "to" insert "*the state school agricultural credit in*"

Page 7, line 13, strike "273.132" and insert "*5 of this article*"

Page 9, line 7, delete "9" and insert "11"

Page 11, after line 24, insert:

"Sec. 12. Minnesota Statutes 1978, Section 272.115, Subdivision 4, is amended to read:

Subd. 4. Beginning with taxes payable in 1979, no real estate sold on or after January 1, 1978 for which a certificate of value is required pursuant to subdivision 1 shall receive the homestead credit provided under section 273.13, subdivisions 6 and 7; the *state school agricultural* ~~mill~~ *credit* provided in section ~~273.132~~ *5 of this article*; or the taconite homestead credit provided in sections 273.134 to 273.136, unless a certificate of value has been filed with the county auditor in accordance with this section.

This subdivision shall apply to any real estate taxes that are payable the year or years following the sale of the property.

Sec. 13. 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 percent of the market value thereof in 1977, for taxes payable in 1978, and at 16 percent thereafter. The property tax to be paid on class 3b property as otherwise determined by law not exceeding 120 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 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, valuation subject to relief shall be limited to 160 acres of land, most contiguous surrounding, or bordering the house occupied by the owner as his dwelling place, and such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the market value is in excess of the homestead base value, the amount in excess of that sum shall be valued and assessed at 31 percent of its market value in 1977, for taxes payable in 1978, and at 30 percent thereafter. 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 5 of this article, 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."

Page 13, after line 30, insert:

"Sec. 15. Minnesota Statutes 1978, Section 276.04, is amended to read:

276.04 [NOTICE OF RATES; PROPERTY TAX STATEMENTS.] On receiving the tax lists from the county auditor, the county treasurer shall, if directed by the county board, give three weeks' published notice in a newspaper specifying the rates of taxation for all general purposes and the amounts raised for each specific purpose. He shall, whether or not directed by the county board, cause to be printed on all tax statements, or on an attachment, a tabulated statement of the dollar amount due to each taxing authority and the amount to be paid to the state of Minnesota from the parcel of real property for which a particular tax statement is prepared. The dollar amounts due the state, county, township or municipality and school district shall be separately stated but the amounts due other taxing districts, if any, may be aggregated. The property tax statements for class 2a property shall contain the same information that is required on the tax statements for real property. The county treasurer shall mail to taxpayers statements of their personal property taxes due, such statements to be mailed not later than February 15 (except in the case of Class 2a property), statements of the real property taxes due shall be mailed not later than January 31; provided, that the validity of the tax shall not be affected by failure of the treasurer to mail such statement. Such real and personal property tax statements shall contain the market value, as defined in section 272.03, subdivision 8, used in determining the tax. The statement shall also include the base tax as defined in section 273.011, subdivision 4, for qualified property as defined in section 273.011 for which the credit provided for in section 273.012 is claimed. The statement shall show the amount attributable to section 273.132 5 of this article as "state paid school agricultural credit" and the amount attributable to section 273.13, subdivisions 6 and 7 as "state paid homestead credit". The commissioner of revenue shall provide each county auditor with the names of those persons in the assessor's district who have filed and qualified for the property tax credit pursuant to sections 273.011 and 273.012 and shall inform the assessor of the base tax of those persons. If so directed by the county board, the treasurer shall visit places in the county as he deems expedient for the purpose of receiving taxes and the county board is authorized to pay the expenses of such visits and of preparing duplicate tax lists.

Sec. 16. 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~~ *section 5 of this article and section 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 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."

Page 13, line 31, delete "Section" and insert "Sections"

Page 13, line 32, after "7b" insert "; and 273.132"

Page 14, line 27, delete "9" and insert "11"

Page 15, line 10, delete "8" and insert "10"

ReNUMBER the sections in sequence

Page 34, line 7, strike "in"

Page 91, line 16, delete "with enrollments of less than 400 secondary"

Page 91, line 17, delete "school students"

Page 94, after line 27, insert "Severance pay for a teacher as defined in section 174.63, subdivision 13, shall not exceed an amount equivalent to one year of pay."

Page 94, lines 25-27 reinsert the stricken language

Page 94, line 26, after "employee" insert "except a teacher as defined in section 179.63, subdivision 13"

Amend the title as follows:

Page 1, line 16, delete "Subdivision 2" and insert "Subdivisions 2 and 5"

Page 1, line 33, after the semicolon, insert "272.115, Subdivision 4; 273.13, Subdivision 6;"

Page 1, line 35, before "465.72" insert "276.04; 290A.03, Subdivision 13;"

Page 2, line 3, after the semicolon, insert "273.132;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which were referred the following appointments as reported in the Journal for January 8, 1979:

COUNCIL ON QUALITY EDUCATION

Judy Lawrence Roy

Anna Barker

Loria Danage-Scott

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was referred the following appointment as reported in the Journal for April 26, 1979:

COUNCIL ON QUALITY EDUCATION

Lorraine Ziemer

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was referred the following appointment as reported in the Journal for April 16, 1979:

MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY

Frederick J. Bentz

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was referred the following appointment as reported in the Journal for April 5, 1979:

MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY

Maxwell O. Ramsland, Jr.

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Hughes from the Committee on Education, to which were referred the following appointments as reported in the Journal for March 29, 1979:

STATE BOARD FOR COMMUNITY COLLEGES

Paul D. Brinkman

Nadine H. Chase

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for April 16, 1979:

**IRON RANGE RESOURCES AND REHABILITATION BOARD
COMMISSIONER**

Patrick J. McGauley

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which were referred the following appointments as reported in the Journal for March 15, 1979:

MINNESOTA WATER RESOURCES BOARD

Dr. Benjamin Ramage Harriman

James J. Wychor

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for March 26, 1979:

STATE SOIL AND WATER CONSERVATION BOARD

Alison D. Fuhr

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which were referred the following appointments as reported in the Journal for April 26, 1979:

STATE ZOOLOGICAL BOARD

Richard M. Arndt

Patricia Davies

James L. Hetland, Jr.

Dr. Paul E. Zollman

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 747 for comparison with its companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS CONSENT CALENDAR CALENDAR

H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
747	809				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 747 be amended as follows:

Page 4, line 14, delete "22" and insert "21"

Page 4, line 18, after "firefighters" insert a comma

Page 4, line 23, after "\$3,000" insert a comma

Page 5, line 25, after "year" insert a comma

Page 7, after line 22, insert

"Sec. 6. Minnesota Statutes 1978, Section 353.03, Subdivision 1, is amended to read:

353.03 [BOARD OF TRUSTEES.] Subdivision 1. [MANAGEMENT; COMPOSITION; ELECTION.] The management of the public employees retirement fund is hereby vested in a board of trustees consisting of 15 members, who shall be known as the board of trustees. This board shall consist of four trustees, one of whom shall be designated by each of the following associations or organizations, Minnesota school boards association, League of Minnesota Cities, Association of Minnesota Counties and the executive committee of the statewide general labor organization which includes among its membership the employee organizations, as defined in section 179.63, subdivision 5, which represent the largest number of employees who are association members; nine area trustees, who shall be elected from the membership employed in one of the areas described below by the members employed in such area except members of the police and fire fund; one trustee who shall be a retired annuitant elected at large by other annuitants; and one trustee who is a member of the police and fire fund elected at large by the membership of the police and fire fund. *Elected Trustees elected by the membership of the association or by the annuitants of the association shall hold office be elected for a term of four years. Trustees designated by an association or organization or elected or selected by the use of a procedure other than direct election by the membership of the association or by the annuitants of the association shall hold office for a term of two years or until the designation, election or selection procedure is changed, if that occurs earlier.* For seven days beginning December 1 of each year, the association shall accept at its office filings in person or by mail of candidates for the board of trustees. An area candidate shall submit at the time of filing a nominating petition signed by 25 or more members of the fund from the area of the candidate, a retired annuitant candidate, a nominating petition signed by 25 or more such annuitants, and a police and fire fund candidate, a nominating petition signed by 25 or more members of such fund. No nominee may withdraw his name from nomination after December 15. By January 10 of each year in which elections are to be held the board shall distribute by mail to the members and annuitants ballots listing the candidates. No member may vote for more than one candidate but a blank line shall be provided for a write in vote. A ballot indicating a vote for more than one person shall be void. No special marking may be used on the ballot to indicate incumbents. The last day for mailing ballots to the fund shall be January 31. Except as provided in this section, all terms expire on January 31 of the fourth year, and the position shall remain vacant until the newly elected member is qualified. The ballot envelopes shall be so designed and the ballots shall be counted in such a manner as to insure that each vote is secret. For the purpose of electing the nine area trustees, the state shall be divided into three areas as follows: Area one shall include Anoka, Hennepin, Ramsey and Washington counties. Area two shall include Big Stone, Swift, Kandiyohi, Meeker and Wright counties and all counties south thereof, except counties in area one. Area three shall include all the remaining counties of the state. If any governmental unit is located in more than one area,

place of employment shall be deemed to be in the area in which the main office of the governmental unit is located. Each year for three years one area trustee shall be elected to a four-year term from each area by the members employed in the respective areas. In the fourth year one trustee shall be elected at large by the police and fire fund membership and one trustee elected at large by the annuitants.

Notwithstanding the foregoing, however, in order to provide for a transition to regional elections, in the year 1978 only, a retired trustee shall be elected by the annuitants, and three trustees shall be elected from each of the three areas by the members of the area who may vote for only one candidate. The annuitant candidate receiving the most votes shall serve a three-year term, the candidate in each area receiving the largest number of votes shall serve a four-year term, the candidate in each area receiving the second largest number of votes shall serve a two-year term and the candidate in each area receiving the third largest number of votes shall serve a one-year term. The elections shall be supervised by the secretary of state. It shall be the duty of the board of trustees to faithfully administer the law without prejudice and consistent with the expressed intent of the legislature. They shall act as trustees with a fiduciary obligation to the state of Minnesota which created the fund, the taxpayers of the governmental subdivisions which aid in financing it and the public employees who are its beneficiaries."

Page 8, lines 1 to 6, delete the new language

Page 13, line 32, delete "20" and insert "21"

Page 14, line 14, after "69.776" insert "apply"

Page 16, line 5, after "older" insert a comma and after "Statutes" insert "1978"

Page 17, line 10, after "1976" insert a comma

Page 17, line 13, after "1978" insert a comma

Page 17, line 24, after "1972" insert a comma

Page 17, after line 31, insert

"Sec. 25. Laws 1978, Chapter 796, Section 28, shall be effective retroactively to July 1, 1977. Notwithstanding any provision of law to the contrary, the board of trustees position established pursuant to Laws 1978, Chapter 796, Section 28, shall be deemed to eliminate and replace the board of trustee position elected by the governing bodies of employee organizations, as defined in Minnesota Statutes, Section 179.63, Subdivision 5, representing public employees retirement association members.

Sec. 26. A member of the public employees retirement association and employee of Clearwater County who became totally and permanently disabled after more than ten years of service shall be entitled to total and permanent disability benefits pursuant to Minnesota Statutes, Section 353.33 commencing upon the effective date

of this act, notwithstanding the fact that repayment of a refund of employee contributions was not made until after the date of disability."

Page 17, line 32, after "6," insert "7, 17," delete "19, 22, 23, 24 and 25" and insert "and 21 to 26,"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 6, delete "*Subdivision*" and insert "*Subdivisions 1 and*"

And when so amended H. F. No. 747 will be identical to S. F. No. 809, and further recommends that H. F. No. 747 be given its second reading and substituted for S. F. No. 809, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 1329 for comparison with its companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
1329	1212				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1329 be amended as follows:

Strike all the language after the enacting clause of H. F. No. 1329 and insert the language after the enacting clause of S. F. No. 1212, as amended by the Committee on Transportation, adopted by the Senate April 30, 1979; further, strike the title of H. F. No. 1329 and insert the title of S. F. No. 1212, as amended.

And when so amended H. F. No. 1329 will be identical to S. F. No. 1212, and further recommends that H. F. No. 1329 be given its second reading and substituted for S. F. No. 1212, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 859, 1473 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

SPECIAL ORDERS CONSENT CALENDAR CALENDAR

H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
859	913				
1473	721				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 859 be amended as follows:

Page 2, delete lines 18 to 33

Page 3, delete line 1

Page 3, line 2, delete "4" and insert "2"

Further, amend the title as follows:

Page 1, line 5, after "charges;" delete "requiring banks which offer a"

Page 1, delete line 6

Page 1, line 7, delete "program with a specified finance charge;"

Page 1, line 9, after "2" delete ", 3 and by adding a subdivision" and insert "and 3"

And when so amended H. F. No. 859 will be identical to S. F. No. 913, and further recommends that H. F. No. 859 be given its second reading and substituted for S. F. No. 913, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1473 be amended as follows:

Page 3, line 6, delete "also"

And when so amended H. F. No. 1473 will be identical to S. F. No. 721, and further recommends that H. F. No. 1473 be given its second reading and substituted for S. F. No. 721, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 1539, 1540, 623, 1339, 1327, 334 and H. F. Nos. 214, 936, 976, 455, 227 makes the following report:

That the above Senate Files and House Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 697, 932, 1176, 988, 1310 and 315 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 192, 148, 1052, 823, 747, 1329, 859 and 1473 were read the second time.

H. F. Nos. 1101, 107, 279, 914, 607, 357, 749, 1065, 813, 253, 954, 370, 624, 499, 686, 677 and 198 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mrs. Staples and Mr. Humphrey introduced—

Senate Resolution No. 29: A Senate resolution relating to extending congratulations to Lincoln Elementary School of Robbinsdale on winning the National Elementary School Chess Championship.

Referred to the Committee on Rules and Administration.

Mrs. Staples and Mr. Humphrey introduced—

Senate Resolution No. 30: A Senate resolution relating to extending congratulations to Tim Radermacher on winning the National Elementary School Chess Championship.

Referred to the Committee on Rules and Administration.

Mr. Benedict moved that the name of Mr. Sikorski be added as co-author to S. F. No. 49. The motion prevailed.

Mr. Davies moved that the names of Messrs. Sieloff, Tennesen, Spear and Dieterich be added as co-authors to S. F. No. 1222. The motion prevailed.

Mr. Gunderson moved that S. F. No. 876 be taken from the table. 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.

CONCURRENCE AND REPASSAGE

Mr. Gunderson moved that the Senate concur in the amendments by the House to S. F. No. 876 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 876 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 50 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Benedict	Chmielewski	Dieterich	Gearly
Ashbach	Brataas	Coleman	Engler	Gunderson
Bang	Chenoweth	Davies	Frederick	Hanson

Hughes	Knoll	Nelson	Schaaf	Staples
Humphrey	Laufenburger	Nichols	Schmitz	Stokowski
Jensen	Lessard	Olson	Sieloff	Strand
Johnson	Luther	Penny	Sikorski	Stumpf
Keefe, S.	McCutcheon	Perpich	Sillers	Vega
Kleinbaum	Menning	Purfeerst	Solon	Wegener
Knaak	Moe	Renneke	Spear	Willet

Those who voted in the negative were:

Bernhagen	Kirchner	Ogdahl	Rued	Ulland, J.
Dunn	Knutson	Peterson	Tennessee	
Keefe, J.	Merriam	Pillsbury	Ueland, A.	

So the bill, as amended, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Chmielewski moved that S. F. No. 478 be taken from the table. The motion prevailed.

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.

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate concur in the amendments by the House to S. F. No. 478 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 478 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knaak	Penny	Solon
Ashbach	Frederick	Laufenburger	Perpich	Spear
Bang	Gearty	Lessard	Peterson	Staples
Benedict	Gunderson	Luther	Pillsbury	Stokowski
Bernhagen	Hughes	McCutcheon	Purfeerst	Strand
Brataas	Humphrey	Menning	Renneke	Stumpf
Chenoweth	Jensen	Merriam	Rued	Ueland, A.
Chmielewski	Johnson	Moe	Schaaf	Ulland, J.
Coleman	Keefe, J.	Nelson	Schmitz	Vega
Davies	Keefe, S.	Nichols	Setzepfandt	Wegener
Dieterich	Kirchner	Ogdahl	Sikorski	Willet
Dunn	Kleinbaum	Olson	Sillers	

Mr. Tennessee voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Solon moved that S. F. No. 1245 be taken from the table. The motion prevailed.

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.

CONCURRENCE AND REPASSAGE

Mr. Solon moved that the Senate concur in the amendments by the House to S. F. No. 1245 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1245: A bill for an act relating to city of Duluth; providing for the management and operation of the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Sections 2, Subdivision 2; 5, Subdivision 4; 7, as amended; and 8.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 52 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Hughes	Luther	Purfeerst	Stokowski
Benedict	Humphrey	Menning	Renneke	Strand
Bernhagen	Jensen	Merriam	Rued	Stumpf
Brataas	Johnson	Moe	Schmitz	Tennessen
Chmielewski	Keefe, S.	Nelson	Setzepfandt	Ueland, A.
Coleman	Kirchner	Nichols	Sieloff	Ulland, J.
Davies	Kleinbaum	Olson	Sikorski	Vega
Dunn	Knaak	Penny	Sillers	Willet
Engler	Knoll	Perpich	Solon	
Frederick	Laufenburger	Peterson	Spear	
Gearty	Lessard	Pillsbury	Staples	

Mr. Schaaf voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

CONFIRMATION

Mr. Anderson moved that the report from the Committee on Energy and Housing, reported April 30, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Anderson moved that the foregoing report be now adopted. The motion prevailed.

Mr. Anderson moved that in accordance with the report from the Committee on Energy and Housing, reported April 30, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA ENERGY AGENCY DIRECTOR

Algernon H. Johnson, Rural Route 1, Box 144A, Litchfield, Meeker County, effective February 17, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Perpich moved that the report from the Committee on Health, Welfare and Corrections, reported May 2, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Perpich moved that the foregoing report be now adopted. The motion prevailed.

Mr. Perpich moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported May 2, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

CRIME CONTROL PLANNING BOARD

Robert V. Campbell, 5802 London Road, Duluth, St. Louis County, effective April 2, 1979, for a term expiring the first Monday in January, 1983.

Kenneth D. Kraft, P.O. Box 194, Bemidji, Beltrami County, effective April 2, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Perpich moved that the report from the Committee on Health, Welfare and Corrections, reported May 2, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Perpich moved that the foregoing report be now adopted. The motion prevailed.

Mr. Perpich moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported May 2, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF PUBLIC WELFARE
COMMISSIONER**

Arthur Noot, 817 West Mulberry Street, Stillwater, Washington County, effective March 12, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Perpich moved that the report from the Committee on Health, Welfare and Corrections, reported May 2, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Perpich moved that the foregoing report be now adopted.

The motion prevailed.

Mr. Perpich moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported May 2, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

GILLETTE HOSPITAL BOARD

Herbert G. Lancaster, 5345 Hodgson Road, St. Paul, Ramsey County, effective April 13, 1979, for a term expiring the first Monday in January, 1982.

CRIME CONTROL PLANNING BOARD CHAIRPERSON

Robert J. Griesgraber, 1995 Prosperity Road, St. Paul, Ramsey County, effective February 26, 1979, for a term expiring the first Monday in January, 1983.

CRIME CONTROL PLANNING BOARD

Robert A. Barrett, 112 Center Street, Mankato, Blue Earth County, effective April 13, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Hughes moved that the report from the Committee on Education, reported May 2, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported May 2, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

MINNESOTA HIGHER EDUCATION COORDINATING BOARD

Dr. Geraldine Carter, 1706 Thomas Avenue N., Minneapolis, Hennepin County, effective January 1, 1978, for a term expiring the first Monday in January, 1982.

Emil A. Erickson, 1009 3rd Street S., Virginia, St. Louis County, effective January 1, 1978, for a term expiring the first Monday in January, 1981.

Maxine Gaines, 191 Valleyside Drive, St. Paul, Ramsey County, effective January 1, 1978, for a term expiring the first Monday in January, 1982.

Eunice Johnson, RR, Butterfield, Watonwan County, effective January 1, 1978, for a term expiring the first Monday in January, 1981.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Hughes moved that the report from the Committee on Education, reported May 2, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported May 2, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA HIGHER EDUCATION COORDINATING BOARD

James W. Krause, 512 Janalyn Circle, Minneapolis, Hennepin County, effective March 6, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Olson moved that the report from the Committee on General Legislation and Administrative Rules, reported May 3, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Olson moved that the foregoing report be now adopted. The motion prevailed.

Mr. Olson moved that in accordance with the report from the Committee on General Legislation and Administrative Rules, reported May 3, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF THE ARTS

Katherine Murphy, 3139 S. Rivershore Drive, Moorhead, Clay County, effective March 26, 1979, for a term expiring January 3, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Olson moved that the report from the Committee on General Legislation and Administrative Rules, reported May 3, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Olson moved that the foregoing report be now adopted. The motion prevailed.

Mr. Olson moved that in accordance with the report from the Committee on General Legislation and Administrative Rules, reported May 3, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF THE ARTS

Carole R. Achterhof, Rural Route 2, Luverne, Rock County, effective April 12, 1979, for a term expiring January 3, 1983.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Chmielewski moved that S. F. No. 236 be taken from the table. The motion prevailed.

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.

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate concur in the amendments by the House to S. F. No. 236 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 236 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Penny	Spear
Ashbach	Gunderson	Laufenburger	Perpich	Staples
Benedict	Hanson	Lessard	Peterson	Stokowski
Bernhagen	Hughes	Luther	Pillsbury	Strand
Brataas	Humphrey	McCutcheon	Purfeerst	Stumpf
Chenoweth	Jensen	Menning	Renneke	Tennessee
Chmielewski	Johnson	Merriam	Rued	Ueland, A.
Coleman	Keefe, J.	Moe	Schaaf	Ulland, J.
Davies	Keefe, S.	Nelson	Schmitz	Vega
Dieterich	Kirchner	Nichols	Setzepfandt	Wegener
Dunn	Kleinbaum	Ogdahl	Sieloff	Willet
Engler	Knaak	Olhoff	Sikorski	
Frederick	Knoll	Olson	Solon	

So the bill, as amended, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Moe moved that H. F. No. 1519 be taken from the table. The motion prevailed.

H. F. No. 1519: A bill for an act relating to transportation; appropriating money for highway development.

SUSPENSION OF RULES

Mr. Moe moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1519 and that the rules of the Senate be so far suspended as to give H. F. No. 1519 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 1519 was read the second time.

Mr. Moe moved to amend H. F. No. 1519 as follows:

Delete everything after the enacting clause and insert:

“Section 1. [APPROPRIATION; HIGHWAY DEVELOPMENT.] There is appropriated to the commissioner of transportation from the trunk highway fund the sum of \$33,500,000 to be added to the appropriation made in Laws 1977, Chapter 454, Section 3, Subdivision 2, highway development.

Sec. 2. [EFFECTIVE DATE.] Section 1 is effective the day following final enactment.”

Amend the title by deleting it and inserting:

“A bill for an act relating to transportation; appropriating money for highway development.”

The motion prevailed. So the amendment was adopted.

H. F. No. 1519 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 52 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Olson	Solon
Ashbach	Hanson	Laufenburger	Penny	Staples
Bang	Hughes	Lessard	Perpich	Stokowski
Benedict	Humphrey	Luther	Pillsbury	Strand
Bernhagen	Jensen	McCutcheon	Purfeerst	Ueland, A.
Brataas	Johnson	Menning	Renneke	Ulland, J.
Chmielewski	Keefe, J.	Merriam	Rued	Vega
Dieterich	Kirchner	Moe	Schmitz	Willet
Dunn	Kleinbaum	Nelson	Setzepfandt	
Engler	Knaak	Ogdahl	Sieloff	
Frederick	Knoll	Olhoft	Sillers	

Those who voted in the negative were:

Chenoweth	Keefe, S.	Sikorski	Stumpf	Tennessee
Davies	Schaaf	Spear		

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDERS

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the following bills a Special Orders Calendar:

S. F. Nos. 1072, 998, 1099, 851, 1209, 482, 1260, 1436, 1296, 1006, and H. F. No. 969.

SPECIAL ORDER

S. F. No. 1072: 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.

Mr. Laufenburger moved to amend S. F. No. 1072 as follows:

Strike the Laufenburger amendment adopted by the Senate May 3, 1979

Pages 11 and 12, delete Section 7 in its entirety

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 7 to 9

Page 1, line 10, delete "conditions of employment;"

Page 1, line 14, before "169.85" insert "and"

Page 1, line 14, delete "; and 299D.06"

The motion prevailed. So the amendment was adopted.

S. F. No. 1072: 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; 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; and 169.85.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 48 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Laufenburger	Penny	Staples
Ashbach	Hughes	Lessard	Perpich	Stokowski
Benedict	Humphrey	Luther	Peterson	Strand
Bernhagen	Jensen	McCutcheon	Pillsbury	Ueland, A.
Brataas	Johnson	Menning	Renneke	Ulland, J.
Chmielewski	Keefe, J.	Moe	Rued	Vega
Dunn	Kirchner	Nichols	Schaaf	Wegener
Engler	Kleinbaum	Ogdahl	Setzepfandt	Willet
Frederick	Knaak	Olhoft	Sieloff	
Gearty	Knutson	Olson	Sikorski	

Those who voted in the negative were:

Chenoweth	Dieterich	Knoll	Sillers	Stumpf
Davies	Keefe, S.	Merriam	Spear	Tennessee

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Perpich	Stumpf
Ashbach	Gunderson	Luther	Peterson	Tennessee
Bang	Hughes	McCutcheon	Pillsbury	Ueland, A.
Benedict	Humphrey	Menning	Renneke	Ulland, J.
Brataas	Jensen	Merriam	Schaaf	Vega
Chenoweth	Johnson	Moe	Setzepfandt	Wegener
Chmielewski	Keefe, J.	Nelson	Sikorski	Willet
Davies	Keefe, S.	Ogdahl	Sillers	
Dunn	Kirchner	Olhoft	Staples	
Engler	Knaak	Olson	Stokowski	
Frederick	Knoll	Penny	Strand	

Messrs. Dieterich, Laufenburger, Rued and Sieloff voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 969: A bill for an act relating to corrections; instituting them 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Olhoff	Sikorski
Ashbach	Gearty	Knutson	Olson	Spear
Bang	Gunderson	Laufenburger	Penny	Staples
Benedict	Hughes	Lessard	Perpich	Stokowski
Brataas	Humphrey	Luther	Peterson	Strand
Chenoweth	Jensen	McCutcheon	Pillsbury	Stumpf
Chmielewski	Johnson	Menning	Purfeerst	Tennessee
Coleman	Keefe, J.	Merriam	Renneke	Ulland, J.
Davies	Keefe, S.	Moe	Rued	Vega
Dieterich	Kirchner	Nelson	Schaaf	Willet
Dunn	Kleinbaum	Nichols	Setzepfandt	
Engler	Knaak	Ogdahl	Sieloff	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1099: 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.

Mr. Peterson moved to amend S. F. No. 1099 as follows:

Page 1, line 10, after "The" insert "*maximum*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1099 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Ogdahl	Sikorski
Ashbach	Gearty	Knoll	Olhoff	Spear
Bang	Gunderson	Knutson	Olson	Staples
Benedict	Hanson	Laufenburger	Penny	Stokowski
Bernhagen	Hughes	Lessard	Perpich	Strand
Brataas	Humphrey	Luther	Peterson	Stumpf
Chenoweth	Jensen	McCutcheon	Pillsbury	Tennessee
Chmielewski	Johnson	Menning	Purfeerst	Ueland, A.
Coleman	Keefe, J.	Merriam	Rued	Ulland, J.
Davies	Keefe, S.	Moe	Schaaf	Vega
Dunn	Kirchner	Nelson	Schmitz	Wegener
Engler	Kleinbaum	Nichols	Sieloff	Willet

Mr. Renneke voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 851: 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 174.03, Subdivision 4; 222.48; 222.50, Subdivisions 3, 4 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 a section.

Mr. Penny moved to amend S. F. No. 851 as follows:

Page 3, lines 27 to 30, strike the old language

Page 3, line 31, strike everything before the period

Page 8, line 13, before "is" insert "*and that has an interest rate exceeding seven percent per annum*"

Page 9, line 13, delete everything after the period

Page 9, delete lines 14 to 22

Page 10, delete Subdivisions 3 and 4 in their entirety

Page 10, line 28, delete everything after "*right-of-way*"

Page 10, delete line 29

Page 10, line 30, delete "*subdivision 3*" and insert "*which he is authorized to acquire or has acquired pursuant to authorization under subdivision 6,*"

Page 11, line 19, delete "*as provided in subdivision 4*" and insert "*for a commercial transportation purpose*"

Page 11, line 25, delete "[DISPOSITION REQUIRED.]"

Page 11, line 25, delete "*The commissioner shall annually*"

Page 11, delete lines 26 to 30

Page 11, line 31, delete "*its acquisition.*"

Page 12, delete Subdivision 8 in its entirety and insert:

"Subd. 5. [AUTHORIZATION TO ACQUIRE.] The commissioner shall not acquire any right-of-way for inclusion in the rail bank until he has determined that the right-of-way is eligible for inclusion and the legislature has authorized the acquisition. The commissioner shall annually submit a report to the legislature on the status of the rail bank including an analysis of eligible lines in the state, the service status of eligible lines, the status of any lines acquired for the rail bank and recommendations concerning rights-of-way that the commissioner desires to acquire."

Renumber the subdivisions in sequence

Page 14, line 8, after "POWER" insert "; SURVIVAL OF EXISTING RULES"

Page 14, line 13, after the period, insert "*Rules adopted before the effective date of this act to implement the rail service improvement program or the rail user loan guarantee program shall remain in effect until amended or repealed.*"

The motion prevailed. So the amendment was adopted.

S. F. No. 851 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Lessard	Pillsbury	Stokowski
Bang	Hanson	Luther	Purfeerst	Strand
Benedict	Hughes	McCutcheon	Renneke	Stumpf
Bernhagen	Humphrey	Menning	Rued	Tennessen
Chenoweth	Jensen	Merriam	Schaaf	Ueland, A.
Chmielewski	Johnson	Moe	Schmitz	Ulland, J.
Coleman	Keefe, J.	Nelson	Setzepfandt	Vega
Davies	Kirchner	Nichols	Sieloff	Wegener
Dunn	Knaak	Olson	Sikorski	Willet
Engler	Knoll	Penny	Sillers	
Frederick	Knutson	Perpich	Solon	
Gearty	Laufenburger	Peterson	Spear	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Lessard	Perpich	Sillers
Bang	Humphrey	Luther	Peterson	Solon
Benedict	Jensen	McCutcheon	Pillsbury	Spear
Bernhagen	Johnson	Menning	Purfeerst	Stokowski
Chenoweth	Keefe, J.	Merriam	Renneke	Strand
Chmielewski	Kirchner	Moe	Rued	Stumpf
Coleman	Kleinbaum	Nelson	Schaaf	Tennessen
Dunn	Knaak	Nichols	Schmitz	Ueland, A.
Engler	Knoll	Olhft	Setzepfandt	Ulland, J.
Gearty	Knutson	Olson	Sieloff	Wegener
Gunderson	Laufenburger	Penny	Sikorski	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 4, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Lessard	Pillsbury	Stokowski
Bang	Gunderson	Luther	Purfeerst	Stumpf
Benedict	Hanson	McCutcheon	Renneke	Tennessee
Bernhagen	Humphrey	Menning	Rued	Ueland, A.
Chenoweth	Johnson	Merriam	Schaaf	Ulland, J.
Chmielewski	Keefe, J.	Moe	Schmitz	Wegener
Coleman	Kirchner	Nelson	Setzepfandt	Willet
Davies	Knaak	Olhoft	Sieloff	
Dunn	Knoll	Olson	Sillers	
Engler	Knutson	Penny	Solon	
Frederick	Laufenburger	Perpich	Spear	

Messrs. Nichols, Peterson, Sikorski and Strand voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 34 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Humphrey	Menning	Perpich	Solon
Bang	Johnson	Merriam	Peterson	Spear
Brataas	Keefe, S.	Moe	Pillsbury	Staples
Coleman	Knaak	Nelson	Purfeerst	Stumpf
Davies	Knoll	Nichols	Schaaf	Tennessee.
Gearty	Luther	Ogdahl	Sikorski	Vega
Hanson	McCutcheon	Olhoft	Sillers	

Those who voted in the negative were:

Ashbach	Dunn	Knutson	Schmitz	Ueland, A.
Benedict	Engler	Laufenburger	Setzepfandt	Ulland, J.
Bernhagen	Gunderson	Penny	Sieloff	Wegener
Chenoweth	Kirchner	Renneke	Stokowski	Willet
Chmielewski	Kleinbaum	Rued	Strand	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1436: A bill for an act relating to human services; altering provisions related to membership of human services boards; establishing procedures for planning by the boards; prescribing additional duties of the state planning officer; providing for reports by the board; amending Minnesota Statutes 1978, Sections 402.01; 402.02; 402.03; 402.04, Subdivision 1; 402.045; 402.05, by adding a subdivision; 402.06; 402.065; 402.07; and 402.095; and Chapter 402, by adding a section; repealing Minnesota Statutes 1978, Sections 402.046; and 402.05, Subdivision 2.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 42 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Purfeerst	Stokowski
Bang	Gearty	Laufenburger	Renneke	Ueland, A.
Bernhagen	Gunderson	Lessard	Rued	Ulland, J.
Brataas	Hanson	Menning	Schaaf	Vega
Chmielewski	Johnson	Olhoft	Schmitz	Wegener
Davies	Keefe, J.	Olson	Setzepfandt	Willet
Dieterich	Kleinbaum	Penny	Sieloff	
Dunn	Knaak	Peterson	Solon	
Engler	Knoll	Pillsbury	Staples	

Those who voted in the negative were:

Benedict	Humphrey	Nelson	Sikorski	Stumpf
Chenoweth	Keefe, S.	Nichols	Sillers	Tennessee
Coleman	Luther	Perpich	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1296: A bill for an act relating to public welfare; authorizing grants for community residential facilities; amending Minnesota Statutes 1978, Section 252.30.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dieterich	Keefe, J.	Nelson	Rued
Bang	Dunn	Knaak	Nichols	Schaaf
Benedict	Engler	Knoll	Olhoft	Schmitz
Bernhagen	Frederick	Knutson	Penny	Setzepfandt
Brataas	Gearty	Laufenburger	Perpich	Sieloff
Chenoweth	Gunderson	Luther	Peterson	Sikorski
Chmielewski	Hanson	Menning	Pillsbury	Sillers
Coleman	Humphrey	Merriam	Purfeerst	Solon
Davies	Johnson	Moe	Renneke	Spear

Staples	Strand	Tennesen	Ulland, J.	Wegener
Stokowski	Stumpf	Ueland, A.	Vega	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1006: A bill for an act relating to the Eastern Itasca and Greenway Joint Recreation Boards; regulating their tax levies.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Menning	Rued	Strand
Bang	Gunderson	Moe	Schaaf	Stumpf
Benedict	Hanson	Nelson	Schmitz	Tennesen
Bernhagen	Humphrey	Nichols	Setzepfandt	Ueland, A.
Chmielewski	Johnson	Olhoft	Sieloff	Ulland, J.
Coleman	Kirchner	Penny	Sikoriski	Vega
Davies	Knaak	Perpich	Sillers	Wegener
Dieterich	Knoll	Peterson	Solon	Willet
Dunn	Laufenburger	Pillsbury	Spear	
Engler	Lessard	Purfeerst	Staples	
Frederick	Luther	Renneke	Stokowski	

Mrs. Brataas and Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

S. F. No. 544: A bill for an act relating to tax delinquent real estate; requiring notice to the commissioner of natural resources for 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Engler	Humphrey	Knaak
Ashbach	Chmielewski	Frederick	Johnson	Laufenburger
Bang	Davies	Gearty	Keefe, S.	Lessard
Benedict	Dieterich	Gunderson	Kirchner	Luther
Bernhagen	Dunn	Hanson	Kleinbaum	Merriam

Moe	Peterson	Setzepfandt	Staples	Ulland, J.
Nelson	Pillsbury	Sieloff	Stokowski	Vega
Nichols	Renneke	Sikorski	Strand	Wegener
Olhoff	Rued	Sillers	Stumpf	Willet
Penny	Schaaf	Solon	Tennessee	
Perpich	Schmitz	Spear	Ueland, A.	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 808: 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.

Mr. Nichols moved to amend S. F. No. 808 as follows:

Page 1, line 23, after "*been*" insert "*finally*"

Page 1, line 24, delete "*district*"

Page 1, delete lines 25 and 26 and insert "*of competent jurisdiction;*"

Page 2, line 30, delete everything after "*the*"

Page 2, delete line 31 and insert "*statute expressly states otherwise.*"

Page 3, line 5, delete "*greater than*"

Page 3, line 5, after "*ten*" insert "*or more*"

Page 3, line 6, delete "*greater than*"

Page 3, line 6, after "*2½*" insert "*or more*"

Page 4, line 25, after "*waters*" insert "*or wetlands*"

Page 6, line 22, delete "*who shall be*"

Page 6, delete line 23

Page 6, line 24, delete "*the hearing date*" and insert "*appointed*"

Page 6, line 24, delete "*and*" and insert a comma

Page 6, line 25, delete everything after "*the*"

Page 6, line 26, delete everything before the period and insert "*commissioner and one person 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 16*"

Page 8, line 15, strike "of any one of all"

Page 10, line 9, after the period insert "*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 water-bank program, at the discretion of the commissioner.*"

Page 11, line 8, after the period insert "*No permit shall be required for work in 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.*"

Page 11, line 21, delete everything after "15." and insert "Money"

Page 11, line 22, after "appropriated" delete "for grants to counties" and insert "by Laws 1976, Chapter 83, Section 27"

Page 11, line 23, delete everything after "resources"

Page 11, delete line 24

Page 11, line 25, delete "*resources for distribution to counties*" and insert "*for grants to counties may be used*"

Page 11, line 26, delete everything after "6" and insert a period

Page 11, delete lines 27 and 28 and insert "The"

Page 11, line 29, delete "*be available until*" and insert "*cancel*"

The motion prevailed. So the amendment was adopted.

Mr. Renneke moved to amend S. F. No. 808 as follows:

Page 8, after line 17, insert:

"In addition, the owner or owners of lands underlying wetlands situated on privately owned lands may apply to the commissioner for a permit to drain the wetlands at any time after the expiration of ten years following the original designation thereof. Upon receipt of an application, the commissioner shall review the current status and conditions of the wetlands. If he finds that the current status or conditions are such that it appears likely that the economic or other benefits to the owner or owners which would result from drainage would exceed the public benefits of maintaining the wetlands, he shall grant the application and issue a drainage permit. If the application is denied, no additional application shall be made until the expiration of an additional ten years."

The motion prevailed. So the amendment was adopted.

Mr. Dunn moved to amend S. F. No. 808 as follows:

Page 1, after line 14, insert:

"Section 1. Minnesota Statutes 1978, Section 105.37, is amended by adding a subdivision to read:

Subd. 13. "Meandered lakes" means all bodies of water except streams lying within the meander lines shown on plats made by the United States General Land Office."

Page 1, line 17, delete "13" and insert "14"

Page 3, line 1, delete "14" and insert "15"

Page 3, line 9, delete "15" and insert "16"

Page 11, line 26, delete "6" and insert "7"

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

S. F. No. 808 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 42 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Peterson	Stumpf
Bang	Gearty	Luther	Pillsbury	Tennessee
Benedict	Gunderson	Menning	Rued	Ulland, J.
Brataas	Hanson	Merriam	Schaaf	Vega
Chenoweth	Humphrey	Moe	Schmitz	Wegener
Chmielewski	Jensen	Nelson	Sikorski	Willet
Davies	Johnson	Nichols	Spear	
Dieterich	Keefe, S.	Olhoft	Stokowski	
Dunn	Knutson	Perpich	Strand	

Those who voted in the negative were:

Ashbach	Frederick	Knoll	Purfeerst	Setzepfandt
Bernhagen	Knaak	Lessard	Renneke	Ueland, A.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1074: A bill for an act relating to elections; increasing compensation for presidential electors; amending Minnesota Statutes 1978, Section 204A.23.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dieterich	Jensen	Menning	Pillsbury
Ashbach	Dunn	Johnson	Merriam	Purfeerst
Bang	Engler	Keefe, S.	Moe	Renneke
Benedict	Frederick	Knaak	Nelson	Rued
Bernhagen	Gearty	Knoll	Nichols	Schaaf
Chenoweth	Gunderson	Laufenburger	Olhoft	Schmitz
Chmielewski	Hanson	Lessard	Perpich	Setzepfandt
Davies	Humphrey	Luther	Peterson	Sikorski

Spear
Staples
Stokowski

Strand
Stumpf

Tennessee
Ueland, A.

Ulland, J.
Vega

Wegener
Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 937: A bill for an act relating to liquor; giving local governing authorities exclusive control over process of issuing off-sale licenses and enforcement of liquor regulations without review by the commissioner of public safety; requiring filing of off-sale licenses with 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 4, 8, 10, 10a, 11, 13, and 20; 340.119, Subdivisions 3 and 5; 340.355; 340.356; 340.485, Subdivisions 2 and 3; 340.492; 340.55; and 340.85, Subdivision 2; repealing Minnesota Statutes 1978, Section 340.983.

Mr. Spear moved to amend S. F. No. 937, as amended by the Spear amendment adopted by the Senate April 26, 1979, as follows:

Page 7, lines 21 to 30, delete section 11

Pages 8 and 9, delete section 13

In section 19 added by the Spear amendment, delete "*inspection,*"

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "and enforcement of"

Page 1, line 5, delete "liquor regulations"

Page 1, line 9, after the semicolon, insert "canceling appropriations and reducing approved personnel for abolished functions;"

Page 1, line 13, delete "Subdivisions" and insert "Subdivision"

Page 1, line 13, delete "and 5"

Page 1, line 14, delete "340.356;"

The motion prevailed. So the amendment was adopted.

S. F. No. 937: A bill for an act relating to liquor; giving local governing authorities exclusive control over process of issuing off-sale licenses without review by the commissioner of public safety; requiring filing of off-sale licenses with the commissioner of public safety; canceling appropriations and reducing approved personnel for abolished functions; amending Minnesota Statutes 1978, Sections 299A.02, Subdivision 2; 340.07, Subdivision 5; 340.11, Subdivisions 4, 8, 10, 10a, 11, 13, and 20; 340.119, Subdivision 3; 340.355; 340.356; 340.485, Subdivisions 2 and 3; 340.492; 340.55; and 340.85, Subdivision 2.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 44 and nays 17, as follows:

Those who voted in the affirmative were:

Ashbach	Humphrey	Merriam	Pillsbury	Staples
Bang	Jensen	Moe	Purfeerst	Stokowski
Brataas	Johnson	Nelson	Schaaf	Strand
Chenoweth	Keefe, S.	Nichols	Setzepfandt	Stumpf
Davies	Knaak	Ogdahl	Sieloff	Tennesen
Dieterich	Knoll	Olson	Sikorski	Ueland, A.
Gearty	Knutson	Penny	Sillers	Ulland, J.
Hanson	Laufenburger	Perpich	Solon	Vega
Hughes	Luther	Peterson	Spear	

Those who voted in the negative were:

Benedict	Engler	Kleinbaum	Renneke	Willet
Bernhagen	Frederick	McCutcheon	Rued	
Chmielewski	Gunderson	Menning	Schmitz	
Dunn	Kirchner	Olhoft	Wegener	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 797: A bill for an act relating to game and fish; authorizing, licensing and regulating nonresidents' fish houses; amending Minnesota Statutes 1978, Section 98.46, Subdivision 15.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Luther	Pillsbury	Stokowski
Bang	Hanson	McCutcheon	Purfeerst	Strand
Benedict	Hughes	Menning	Renneke	Stumpf
Bernhagen	Humphrey	Merriam	Rued	Tennesen
Brataas	Jensen	Moe	Schaaf	Ueland, A.
Chenoweth	Johnson	Nelson	Schmitz	Ulland, J.
Chmielewski	Keefe, S.	Nichols	Setzepfandt	Vega
Coleman	Kirchner	Ogdahl	Sieloff	Wegener
Dieterich	Kleinbaum	Olhoft	Sikorski	Willet
Dunn	Knaak	Olson	Sillers	
Engler	Knutson	Penny	Solon	
Frederick	Laufenburger	Perpich	Spear	
Gearty	Lessard	Peterson	Staples	

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1309: A bill for an act relating to local government; providing that mileage allowances be set locally; amending Minnesota Statutes 1978, Section 471.665, Subdivision 1.

Mr. Nelson moved to amend S. F. No. 1309 as follows:

Page 1, line 17, after "unit" insert "*in an amount not exceeding that provided by the commissioner of personnel for state officers and employees*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1309 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Aashbach	Gearty	Laufenburger	Peterson	Stokowski
Bang	Gunderson	Lessard	Pillsbury	Strand
Benedict	Hanson	Luther	Renneke	Stumpf
Bernhagen	Hughes	McCutcheon	Rued	Tennessee
Brataas	Humphrey	Menning	Schaaf	Ueland, A.
Chenoweth	Jensen	Merriam	Schmitz	Ulland, J.
Chmielewski	Johnson	Moe	Setzepfandt	Vega
Coleman	Keefe, S.	Nelson	Sieloff	Wegener
Davies	Kirchner	Nichols	Sikorski	Willet
Dieterich	Kleinbaum	Ogdahl	Sillers	
Dunn	Knaak	Olhoft	Solon	
Engler	Knoll	Olson	Spear	
Frederick	Knutson	Penny	Staples	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1189: 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.

Mr. Anderson moved to amend S. F. No. 1189 as follows:

Page 1, after line 17, insert:

"Sec. 2. Minnesota Statutes 1978, Section 179.63, Subdivision 17, is amended to read:

Subd. 17. "Appropriate unit" or "unit" means a unit of employees, excluding supervisory employees, confidential employees and principals and assistant principals, as determined pursuant to section 179.71, subdivision 3, and in the case of school districts, the term means all the teachers in the district.

Sec. 3. Minnesota Statutes 1978, Section 179.65, Subdivision 6, is amended to read:

Subd. 6. Supervisory and confidential employees, principals and assistant principals may form their own organizations. An employer shall extend exclusive recognition to a representative of or an organization of supervisory or confidential employees, or principals and assistant principals, for the purpose of negotiating terms or conditions of employment, in accordance with all other provisions

of Laws 1973, Chapter 635, as though they were essential employees. Units of supervisory or confidential employees shall not participate in any joint negotiations which involve the participation of units of employees other than supervisory or confidential employees. Affiliation of a supervisory or confidential employee with another employee organization which has as its members non-supervisory employees or non-confidential employees is permitted."

Amend the title as follows:

Page 1, line 5, delete "Section" and insert "Sections"

Page 1, line 5, delete "Subdivision 11" and insert "Subdivisions 11 and 17; and 179.65, Subdivision 6"

The motion prevailed. So the amendment was adopted.

Mr. Sikorski moved to amend S. F. No. 1189 as follows:

Page 1, line 16, delete "and" and insert a comma

Page 1, line 17, after "hospitals" insert ", and registered nurses, as defined in Minnesota Statutes, Section 148.171, engaged in the practice of professional nursing and employed in a community public health or human services agency, hospital or nursing home"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 42 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Knoll	Peterson	Sillers
Ashbach	Hughes	Knutson	Pillsbury	Solon
Bang	Humphrey	Lessard	Purfeerst	Staples
Benedict	Jensen	Menning	Renneke	Strand
Bernhagen	Johnson	Moe	Rued	Ueland, A.
Brataas	Keefe, S.	Ogdahl	Schmitz	Ulland, J.
Dunn	Kirchner	Olhoff	Setzepfandt	
Engler	Kleinbaum	Penny	Sieloff	
Frederick	Knaak	Perpich	Sikorski	

Those who voted in the negative were:

Chenoweth	Gunderson	Nelson	Stokowski	Willet
Coleman	Laufenburger	Nichols	Stumpf	
Davies	Luther	Olson	Tennessee	
Dieterich	McCutcheon	Schaaf	Vega	
Gearty	Merriam	Spear	Wegener	

The motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend S. F. No. 1189 as follows:

Delete everything after the enacting clause, and insert:

"Section 1. Minnesota Statutes 1978, Section 179.63, Subdivision 9, is amended to read:

Subd. 9. "Supervisory employee", when the reference is to other than essential employees as defined in subdivision 11, means any person having authority in the interests of the employer to hire, transfer, suspend, promote, discharge, assign, reward or discipline

other employees or responsibly to direct them or adjust their grievances on behalf of the employer, or to effectively recommend any of the aforesaid actions, if in connection with the foregoing the exercise of such authority is not merely routine or clerical in nature but requires the use of independent judgment. Any determination of "supervisory employee" may be appealed to the public employment relations board.

Sec. 2. Minnesota Statutes 1978, Section 179.64, Subdivision 7, is amended to read:

Subd. 7. Either a violation of section 179.68, subdivision 2, clause (9), or a refusal by the employer to request binding arbitration when requested by the exclusive representative pursuant to section 179.69, subdivision 3 or 5, is a defense to a violation of this section, ~~except as to essential employees. As to all public employees,~~ No other unfair labor practice or violation of Laws 1973, Chapter 635 by a public employer shall be a violation of this section but may be considered by the court in mitigation of or retraction of any penalties as to employees and employee organizations.

Sec. 3. Minnesota Statutes 1978, Section 179.65, Subdivision 6, is amended to read:

Subd. 6. Supervisory and confidential employees, principals and assistant principals may form their own organizations. An employer shall extend exclusive recognition to a representative of or an organization of supervisory or confidential employees, or principals and assistant principals, for the purpose of negotiating terms or conditions of employment, in accordance with all other provisions of Laws 1973, Chapter 635, ~~as though they were essential employees.~~ Units of supervisory or confidential employees shall not participate in any joint negotiations which involve the participation of units of employees other than supervisory or confidential employees. Affiliation of a supervisory or confidential employee with another employee organization which has as its members non-supervisory employees or non-confidential employees is permitted.

Sec. 5. Minnesota Statutes 1978, Section 179.69, Subdivision 3, is amended to read:

Subd. 3. The director shall only certify a matter to the board when either or both parties, ~~except for essential employees,~~ petition for binding arbitration stating that an impasse has been reached and the director has determined that further mediation efforts under subdivision 1 would serve no purpose. Upon such petition and determination by the mediator, the parties shall each submit their respective final positions on matters not agreed upon. If the employer has petitioned for binding arbitration and the director has determined that an impasse has been reached said proceedings shall begin within 15 days thereof and be binding on both parties. The director shall determine the matters not agreed upon based upon his efforts to mediate the dispute. If the employee representative has petitioned for binding arbitration the employer shall have 15 days after the director of mediation has determined that an impasse has been reached to reject the request or agree

to submit matters not agreed upon to binding arbitration. If the employer does not respond within 15 days it shall be regarded as a rejection and said rejection shall be a refusal by the employer within the meaning of section 179.64, subdivision 7. Under a petition by either party the parties may stipulate those agreed upon items to be excluded from arbitration.

Sec. 5. Minnesota Statutes 1978, Section 179.69, Subdivision 5, is amended to read:

Subd. 5. In the event the employer and exclusive representative fail to execute a contract pursuant to subdivision 4, they shall each submit their respective final positions on those terms and conditions of employment not agreed upon by the parties to the director at least 75 days prior to the last date the employer is required to submit its tax levy or budget, or certify the taxes voted to the appropriate public officer, agency, public body or office, or by October 1, whichever date is earlier, except in the case of the executive branch of state government, where the final date for submission of final positions shall be November 15 of even-numbered years. Either or both parties ~~except for essential employees~~ may after this time petition the director for binding arbitration stating that an impasse has been reached and the director has determined that further mediation efforts under subdivision 1 would serve no purpose. If the employer has petitioned for binding arbitration said proceedings shall begin within 15 days thereof and be binding on both parties. The director shall determine the matters not agreed upon based upon his efforts to mediate the dispute. If the employee representative has petitioned for binding arbitration the employer shall have 15 days after the director of mediation has determined that an impasse has been reached to reject the request or agree to submit matters not agreed upon to binding arbitration. If the employer does not respond within 15 days it shall be regarded as a rejection and said rejection shall be a refusal by the employer within the meaning of section 179.64, subdivision 7. Under a petition by either party the parties may stipulate those agreed upon items to be excluded from arbitration. Notwithstanding a failure to comply with subdivisions 3, 4, and 5, the director may maintain jurisdiction under section 179.71, subdivision 2.

Sec. 6. Minnesota Statutes 1978, Section 179.71, Subdivision 3, is amended to read:

Subd. 3. The director shall determine appropriate units. In determining the appropriate unit he shall take into consideration, along with other relevant factors, the principles and the coverage of uniform comprehensive position classification and compensation plans of the employees, involvement of professions and skilled crafts and other occupational classifications, relevant administrative and supervisory levels of authority, geographical location, and the recommendation of the parties, and shall place particular importance upon the history and extent of organization and the desires of the petitioning employee representatives.

In addition, with regard to the inclusion or exclusion of supervisory employees, the director must find that an employee may perform or effectively recommend a majority of those functions referred to in section 179.63, ~~subdivisiens subdivision 9 or 9a~~, before an employee may be excluded as supervisory. However, in every case the administrative head, and his assistant, of a municipality, municipal utility, police or fire department shall be considered a supervisory employee.

~~He shall not designate an appropriate unit which includes employees subject to section 179.63, subdivision 11, with employees not included in section 179.63, subdivision 11.~~

Sec. 7. Minnesota Statutes 1978, Section 179.72, Subdivision 3, is amended to read:

Subd. 3. In addition to the other powers and duties given it by law, the board has the following powers and duties:

(a) to hear and decide issues relating to the meaning of the terms "supervisory employee", "confidential employee"; ~~"essential employee"~~ or "professional employee", as defined by section 179.63;

(b) to hear and decide appeals from determinations of the director relating to the appropriateness of a unit under section 179.67;

(c) to approve or disapprove the rules and regulations promulgated by the director under section 179.71, subdivision 5, clause (g);

(d) to hear and decide on the record from determinations of the director relating to a fair share fee challenge decided under section 179.71, subdivision 2.

Sec. 8. [REPEALER.] *Minnesota Statutes 1978, Sections 179.63, Subdivisions 9a and 11; and 179.72, Subdivision 10 are repealed.*"

Amend the title by striking it and inserting:

"A bill for an act relating to labor; public employment labor relations; eliminating the concept of "essential employee"; amending Minnesota Statutes 1978, Sections 179.63, Subdivision 9; 179.64, Subdivision 7; 179.65, Subdivision 6; 179.69, Subdivisions 3 and 5; 179.71, Subdivision 3; and 179.72, Subdivision 3; repealing Minnesota Statutes 1978, Sections 179.63, Subdivisions 9a and 11; and 179.72, Subdivision 10."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 13 and nays 48, as follows:

Those who voted in the affirmative were:

Benedict	Gunderson	Perpich	Spear	Vega
Davies	Nelson	Schaaf	Stokowski	
Gearty	Nichols	Setzepfandt	Tennessee	

Those who voted in the negative were:

Anderson	Hanson	Knutson	Penny	Solon
Ashbach	Hughes	Laufenburger	Peterson	Staples
Bernhagen	Humphrey	Lessard	Pillsbury	Strand
Brataas	Jensen	Luther	Purfeerst	Stumpf
Chenoweth	Johnson	McCutcheon	Renneke	Ueland, A.
Chmielewski	Keefe, S.	Menning	Rued	Ulland, J.
Dieterich	Kirchner	Merriam	Schmitz	Wegener
Dunn	Kleinbaum	Moe	Sieloff	Willet
Engler	Knaak	Ogdahl	Sikorski	
Frederick	Knoll	Olhoft	Sillers	

The motion did not prevail. So the amendment was not adopted.

S. F. No. 1189: A bill for an act relating to labor; public employment labor relations; clarifying definition of essential employee; amending Minnesota Statutes 1978, Sections 179.63, Subdivisions 11 and 17; and 179.65, Subdivision 6.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Penny	Solon
Ashbach	Gearty	Laufenburger	Perpich	Spear
Bang	Gunderson	Lessard	Peterson	Staples
Benedict	Hanson	Luther	Pillsbury	Strand
Bernhagen	Hughes	McCutcheon	Purfeerst	Stumpf
Brataas	Humphrey	Menning	Renneke	Tennessee
Chenoweth	Jensen	Merriam	Rued	Ueland, A.
Chmielewski	Johnson	Moe	Schaaf	Ulland, J.
Coleman	Keefe, S.	Nelson	Schmitz	Vega
Davies	Kirchner	Nichols	Setzepfandt	Wegener
Dieterich	Kleinbaum	Ogdahl	Sieloff	Willet
Dunn	Knaak	Olhoft	Sikorski	
Engler	Knoll	Olson	Sillers	

So the bill, as amended, passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:30 o'clock p.m. The motion prevailed.

The hour of 7:30 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Messrs. Anderson, Humphrey and Penny were excused from this evening's Session. Mr. Dieterich was excused from the Session of today from 12:00 noon to 12:52 o'clock p.m. Mr. Keefe, J. was excused from the Session of today from 2:00 to 3:00 o'clock p.m. Mr. Stokowski was excused from this evening's Session from 7:30 to 9:30 o'clock p.m. Mr. Pillsbury was excused from this evening's Session from 7:30 to 9:00 o'clock p.m. Mrs. Knaak was excused

from this evening's session at 9:00 o'clock p.m. Mr. Hughes was excused from the Session of today from 12:30 to 1:55 o'clock p.m. and from this evening's Session from 7:30 to 9:20 o'clock p.m.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Bang	Dieterich	Laufenburger	Perpich	Spear
Benedict	Gearty	Luther	Purfeerst	Staples
Bernhagen	Gunderson	Menning	Schaaf	Strand
Brataas	Johnson	Merriam	Schmitz	Stumpf
Chenoweth	Kirchner	Moe	Setzepfandt	Tennessee
Chmielewski	Kleinbaum	Nelson	Sieloff	Ulland, J.
Coleman	Knaak	Olhoff	Sikorski	Vega
Davies	Knoll	Olson	Solon	Willet

The Sergeant at Arms was instructed to bring in the absent members.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to revert to the Order of Business of Reports of Committees and Second Reading of Senate Bills. The motion prevailed.

REPORTS OF COMMITTEES

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 1258: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 291.005, Subdivision 1, is amended to read:

291.005 [DEFINITIONS.] Subdivision 1. Unless the context otherwise clearly requires, the following terms used in this chapter shall have the following meanings:

(1) "Probate assets" means and includes property owned by a decedent at the time of his death required by section 524.3-706 to be listed on a personal representative's inventory and appraisal.

(2) "Non-probate assets" means and includes all property of every kind transferred from a decedent or at or by reason of the decedent's death which is subject to the inheritance tax imposed by this chapter (without regard to deductions or exemptions) and which does not consist of probate assets.

(1) "Federal gross estate" means the gross estate of a decedent as determined for federal estate tax purposes pursuant to the provisions of the Internal Revenue Code.

(2) "Personal representative" means the executor, administrator or other person appointed by the court to administer and dispose of the property of the decedent. If there is no executor, administrator or other person appointed, qualified, and acting within this state, then any person in actual or constructive possession of any property having a situs in this state which is included in the federal gross estate of the decedent shall be deemed to be a personal representative to the extent of such property and the Minnesota estate tax due with respect to such property.

(3) "Resident decedent" means an individual whose residence at the time of his death was in Minnesota.

(4) "Nonresident decedent" means an individual who at the time of his death was not a resident decedent.

(5) "Situs of property" means, with respect to real property, the state or country in which it is located; with respect to tangible personal property, the state or country in which it was normally kept or located at the time of the decedent's death; and with respect to intangible personal property, the state or country in which the decedent was a resident at death.

(3) (6) "Commissioner" means and refers to the commissioner of revenue of this state or any person or body within the state department of revenue to whom he may have delegated his functions under this chapter.

(4) "Dependent child" means a natural child of the decedent, or a child adopted by the decedent who is incapable of furnishing his own support by reason of a physical or mental ailment, illness or deformity. The commissioner may request verification of the physical or mental condition of the child before allowing the exemptions and rates applicable to a dependent child under this chapter.

(5) "Stepchild" means a child who is not the decedent's natural or adopted child but is the natural or adopted child of the decedent's surviving or deceased spouse.

(7) "Internal Revenue Code" means the United States Internal Revenue Code of 1954 as amended through December 31, 1978.

Sec. 2. Minnesota Statutes 1978, Section 291.01, is amended to read:

291.01 [TAX IMPOSED.] Subdivision 1. A tax shall be and is hereby imposed upon any *the* transfer of property, real, personal or mixed, or any interest therein, or income therefrom in trust or otherwise, to any person, association or corporation, except county, town or municipal corporation within the state, for strictly county, town or municipal purposes, in the following cases:

(1) When the transfer is by will or by the intestate laws of this state from any person dying possessed of the property while a resident of this state;

(2) When a transfer is by will or intestate law, of property within the state or within its jurisdiction and the decedent was a nonresident of the state at the time of his death;

(3) When the transfer is of property made by a resident or by a nonresident when such nonresident's property is within this state, or within its jurisdiction, by deed, grant, bargain, sale or gift, made in contemplation of the death of the grantor, vendor, or donor, or intended to take effect in possession or enjoyment at or after such death; any transfer of the material part of the property of a deceased in the nature of a final disposition or distribution thereof, made within three years prior to death, without adequate and full consideration in money or money's worth, shall, unless shown to the contrary, be deemed to have been made in contemplation of death; but no such transfer made prior to such three year period shall be deemed or held to have been made in contemplation of death; and

(4) Nothing in this chapter shall be construed as imposing a tax upon any transfer, as defined in this chapter, of intangibles, however used or held, whether in trust or otherwise, by a person, or by reason of the death of a person, who was not a resident of this state at the time of his death.

Subd. 2. Such tax shall be imposed when any such person or corporation becomes beneficially entitled, in possession or expectancy, to any property or the income thereof, by any such transfer whether made before or after the passage of this chapter.

Subd. 3. A taxable transfer under the provisions of this chapter shall be deemed to have been made:

(1) To the extent of any property with respect to which the decedent has at the time of his death general power of appointment, created on or before October 21, 1942, is exercised by the decedent

(A) by will, or

(B) by disposition which is of such nature that if it were a transfer of property owned by the decedent, such transfer would be taxable under the provisions of this chapter;

but the failure to exercise such a power or the complete release of such a power shall not be deemed an exercise thereof. If a general power of appointment created on or before October 21, 1942, has been partially released so that it is no longer a general power

of appointment, the exercise of such power shall not be deemed to be the exercise of a general power of appointment if

(a) such partial release occurred before November 1, 1959, or

(b) the donee of such power was under a legal disability to release such power on October 21, 1942, and such partial release occurred not later than six months after the termination of such legal disability.

(2) To the extent of any property with respect to which the decedent has at the time of his death a general power of appointment created after October 21, 1942, or with respect to which the decedent has at any time exercised or released such a power of appointment by a disposition which is of such nature that if it were a transfer of property owned by the decedent, such transfer would be taxable under the provisions of this chapter, a disclaimer or renunciation of such a power of appointment shall not be deemed a release of such power. For purposes of this paragraph (2), the power of appointment shall be considered to exist on the date of the decedent's death even though the exercise of the power is subject to a precedent giving of notice or even though the exercise of the power takes effect only on the expiration of a stated period after its exercise, whether or not on or before the date of the decedent's death notice has been given or the power has been exercised.

(3) To the extent of any property with respect to which the decedent:

(A) by will, or

(B) by a disposition which is of such nature that if it were a transfer of property owned by the decedent such transfer would be taxable under the provisions of this chapter,

exercises a power of appointment created after October 21, 1942, by creating another power of appointment which can be validly exercised so as to postpone the vesting of any estate or interest in such property, or suspend the absolute ownership or power of alienation of such property, for a period ascertainable without regard to the date of the creation of the first power.

(4) The term "general power of appointment;" means a power which is exercisable in favor of the decedent, his estate, his creditors or the creditors of his estate, except that:

(A) A power to consume, invade, or appropriate property for the benefit of the decedent which is limited by an ascertainable standard relating to the health, education, support, or maintenance of the decedent shall not be deemed a general power of appointment.

(B) A power of appointment created on or before October 21, 1942, which is exercisable by the decedent only in conjunction with another person shall not be deemed a general power of appointment.

(C) In the case of a power of appointment created after October 21, 1942, which is exercisable by the decedent only in conjunction with another person:

(a) If the power is not exercisable by the decedent except in conjunction with the creator of the power, such power shall not be deemed a general power of appointment.

(b) If the power is not exercisable by the decedent except in conjunction with a person having a substantial interest in the property, subject to the power, which is adverse to exercise of the power in favor of the decedent, such power shall not be deemed a general power of appointment. For the purposes of this clause a person who, after the death of the decedent, may be possessed of a power of appointment (with respect to the property subject to the decedent's power) which he may exercise in his own favor shall be deemed as having an interest in the property and such interest shall be deemed adverse to such exercise of the decedent's power.

(c) If, after the application of clauses (a) and (b), the power is a general power of appointment and is exercisable in favor of such other person, in such power shall be deemed a general power of appointment only in respect of a fractional part of the property subject to such power, such part to be determined by dividing the value of such property by the number of such persons, including the decedent, in favor of whom such power is exercisable. For purposes of clauses (b) and (c), a power shall be deemed to be exercisable in favor of a person if it is exercisable in favor of such person, his estate, his creditors, or the creditors of his estate.

(5) The lapse of a power of appointment created after October 21, 1942, during the life of the individual possessing the power shall be considered a release of such power. The preceding sentence shall apply with respect to the lapse of powers during any calendar year only to the extent that the property, which could have been appointed by exercise of such lapsed powers, exceeded in value, at the time of such lapse, the greater of the following amounts:

(a) \$5,000 or

(b) Five percent of the aggregate value, at the time of such lapse, of the assets out of which, or the proceeds of which, the exercise of the lapsed powers could have been satisfied.

(6) For purposes of this subdivision, a power of appointment created by a will executed on or before October 12, 1942, shall be considered a power created on or before such date if the person executing such will dies before July 1, 1948, without having republished such will, by codicil or otherwise, after October 21, 1942.

Subd. 4. Whenever any property, real or personal, is held in the joint names of two or more persons, or is deposited in banks or in other institutions or depositories in the joint names of two or more persons payable to either or the survivor, upon the death of one of such persons the right of the survivor or survivors, to the immediate ownership or possession and enjoyment of such property, shall be deemed a transfer and subject to the inheritance tax imposed by this chapter, except such part thereof as may be shown to have originally belonged to the survivor or survivors and never to have been received or acquired by them from the decedent for less

than an adequate and full consideration in money or money's worth, in which case there shall be exempted only such part as is proportionate to the consideration furnished by the survivor or survivors. Provided, where any property has been acquired prior to April 20, 1935, by the decedent and spouse, as joint tenants, not in excess of one-half of the value thereof shall be taxable. Provided, further, where property has been acquired at any time by gift, bequest, devise, or inheritance, by the decedent and any other person or persons, as joint tenants, the taxable portion shall be the value of a fractional part of said property to be determined by dividing the value of the property by the number of joint tenants.

Where personal property is held in joint names, such property shall be deemed to be transferred to the survivors as provided in this subdivision unless it is established to the satisfaction of the commissioner that the decedent intended a different disposition. Upon the showing of evidence of that intent to the commissioner, the right of survivorship shall not be deemed to be a transfer to the named survivors subject to the inheritance tax, provided the survivors make the disposition according to the evidenced intention of the decedent and present to the commissioner statements signed by the transferees acknowledging receipt of the property from the named survivors; the disposition by the survivors to the transferees shall be deemed a transfer from the decedent to the transferees and shall be subject to the inheritance tax imposed by this chapter. This paragraph shall not apply to cases where the aggregate value of joint tenancy assets exceeds \$20,000.

Subd. 5. (1) The proceeds of all life or accident insurance policies whether now in force or hereafter issued, payable on account of the decedent's death shall be subject to the tax herein imposed, as follows:

(a) To the extent of the amount receivable by the executor of the decedent as insurance under policies on the life of the decedent.

(b) To the extent of the amount receivable by all other beneficiaries as insurance under policies on the life of the decedent with respect to which the decedent possessed at his death any of the incidents of ownership, exercisable either alone or in conjunction with any other person. For purposes of the preceding sentence, the term "incident of ownership" includes a reversionary interest, whether arising by the express terms of the policy or other instrument or by operation of law; only if the value of such reversionary interest exceeded five percent of the value of the policy immediately before the death of the decedent. As used in this paragraph, the term "reversionary interest" includes a possibility that the policy, or the proceeds of the policy, may return to the decedent or his estate, or may be subject to a power of disposition by him. The value of a reversionary interest at any time shall be determined (without regard to the fact of the decedent's death) by usual methods of valuation, including the use of tables of mortality and actuarial principles, pursuant to regulations prescribed by the commissioner of internal revenue or his delegate. In determining the value of a possibility that the policy or proceeds thereof may be subject to a

power of disposition by the decedent, such possibility shall be valued as if it were a possibility that such policy or proceeds may return to the decedent or his estate.

(2) Such proceeds shall be deemed a transfer within the meaning of that term as used in this chapter and a part of decedent's estate, and shall be taxable to the person or persons entitled thereto.

(3) Every corporation, partnership, association, individual, order or society authorized to transact life, accident, fraternal, mutual benefit, or death benefit insurance business which shall pay to any person, association, or corporation any insurance or death benefit in excess of \$1,000 or shall transfer any unpaid balance of, or any interest in, any annuity contract or deposit, upon the death of a resident of this state, shall give notice of such payment or transfer to the commissioner within ten days from the date thereof. Such notice shall be given on the forms prescribed by the commissioner and such notice shall set forth such information as the commissioner shall prescribe the Minnesota taxable estate of every decedent as prescribed by chapter 291.

Sec. 3. Minnesota Statutes 1978, Chapter 291, is amended by adding a section to read:

[291.015] [DETERMINATION OF MINNESOTA TAXABLE ESTATE.] *The Minnesota taxable estate of a decedent shall be his federal gross estate as defined in Section 2031 of the Internal Revenue Code less the sum of:*

(1) *The value of any gifts of real property located outside this state which are otherwise includable in the federal gross estate under Section 2035(a) of the Internal Revenue Code;*

(2) *The value of property owned by the decedent at the time of his death which has its situs outside Minnesota;*

(3) *The exemptions and deductions allowed pursuant to sections 291.05, 291.051, 291.065, 291.07, and 291.08; and*

(4) *The sum of \$200,000, provided that, in the case of a non-resident decedent, this amount shall be reduced by that proportion of the value of the decedent's federal gross estate which has its situs outside of this state.*

Sec. 4. Minnesota Statutes 1978, Section 291.03, is amended to read:

291.03 [RATES.] *When the property or any beneficial interest therein passes by any such transfer where the amount of the property shall exceed in value the exemption or exemptions hereinafter specified, where applicable, The tax hereby imposed shall be :*

(1) *Where the person entitled to any beneficial interest in such property shall be the surviving spouse, minor or dependent child of the decedent, or any minor or dependent legally adopted child at computed by applying to the Minnesota taxable estate the following prescribed rates:*

1-1/2 7 percent on that part of the first \$25,000 which exceeds the applicable exemption or exemptions specified in section 291.05, clauses (3) through (7) \$100,000.

- 2 8 percent on the next \$25,000 \$100,000 or part thereof.
- 3 9 percent on the next \$50,000 \$100,000 or part thereof.
- 4 10 percent on the next \$50,000 \$200,000 or part thereof.
- 5 11 percent on the next \$50,000 \$500,000 or part thereof.
- 6 percent on the next \$100,000 or part thereof.
- 7 percent on the next \$100,000 or part thereof.
- 8 percent on the next \$100,000 or part thereof.
- 9 percent on the next \$500,000 or part thereof.
- 10 12 percent on the excess over \$1,000,000.

(2) Where the person or persons entitled to any beneficial interest in such property shall be the adult child or other lineal descendant of the decedent, adult legally adopted child or issue, lineal ancestor of the decedent, stepchild as defined in section 291.005, or any child to whom such decedent for not less than ten years prior to such transfer stood in the mutually acknowledged relation of a parent; provided, such mutually acknowledged relationship began at or before the child's fifteenth birthday and was continuous for said ten years thereafter, or any lineal issue of such mutually acknowledged child, at the following prescribed rates:

2 percent on that part of the first \$25,000 which exceeds the applicable exemption or exemptions specified in section 291.05, clauses (3) through (7).

- 4 percent on the next \$25,000 or part thereof.
- 6 percent on the next \$50,000 or part thereof.
- 7 percent on the next \$100,000 or part thereof.
- 8 percent on the next \$200,000 or part thereof.
- 9 percent on the next \$600,000 or part thereof.
- 10 percent on the excess over \$1,000,000.

(3) Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister or a descendant of a brother or sister of the decedent, a wife or widow of a son, or a husband or widower of a daughter of the decedent, at the following prescribed rates:

6 percent on that part of the first \$25,000 which exceeds the applicable exemption or exemptions specified in section 291.05, clauses (3) through (7).

- 8 percent on the next \$25,000 or part thereof.
- 10 percent on the next \$50,000 or part thereof.

- 12 percent on the next \$50,000 or part thereof.
- 14 percent on the next \$50,000 or part thereof.
- 16 percent on the next \$100,000 or part thereof.
- 18 percent on the next \$100,000 or part thereof.
- 20 percent on the next \$100,000 or part thereof.
- 22 percent on the next \$500,000 or part thereof.
- 25 percent on the excess over \$1,000,000.

(4) Where the person or persons entitled to any beneficial interest in such property shall be in any other degree of collateral consanguinity than is hereinbefore stated; or shall be a stranger in blood to the decedent, or shall be a body politic or corporate, at the following prescribed rates:

8 percent on that part of the first \$25,000 which exceeds the applicable exemption or exemptions specified in section 291.05, clauses (3) through (7).

- 10 percent on the next \$25,000 or part thereof.
- 12 percent on the next \$50,000 or part thereof.
- 14 percent on the next \$50,000 or part thereof.
- 16 percent on the next \$50,000 or part thereof.
- 18 percent on the next \$100,000 or part thereof.
- 20 percent on the next \$100,000 or part thereof.
- 22 percent on the next \$100,000 or part thereof.
- 26 percent on the next \$500,000 or part thereof.
- 30 percent on the excess over \$1,000,000.

Provided that the amount of tax imposed by this chapter on the transfer of any estate shall not be less than the maximum tax credit allowable for state death taxes against the federal estate tax imposed with respect to that part of the decedent's estate which has a taxable situs in this state.

Sec. 5. Minnesota Statutes 1978, Section 291.05, is amended to read:

291.05 [EXEMPTIONS.] The following exemptions from the tax are hereby allowed:

(1) Any devise, bequest, gift, or transfer : (a) to or for the use of the United States of America or any state or any political subdivision thereof for public purposes exclusively; and any devise, bequest, gift, or transfer ; (b) to or for the use of any corporation, fund, foundation, trust, or association operated within this state for religious, charitable, scientific, literary, education or public cemetery purposes exclusively, including the encouragement of art and the prevention of cruelty to children or animals, no part of

which devise, bequest, gift, or transfer inures to the profit of any private stockholder or individual ; and any bequest or transfer or to a trustee or trustees exclusively for such purposes, shall be exempt. Any devise, bequest, gift, or transfer ; (c) to an employee stock ownership trust as defined in section 290.01, subdivision 25, shall be exempt. Where provided that, if the beneficiaries of a stock ownership trust include the transferor, his spouse, children, grandchildren, parents, siblings or their children, the amount of the exemption shall be reduced by the product of multiplying said amount by their percentage interest in the trust .

Any devise, bequest, gift, or transfer, not to exceed \$1,000 made; (d) to a clergyman, in an amount not exceeding \$1,000, the proceeds of which are to be used for religious purposes or rites designated by the testator ; shall be exempt. Any devise, bequest, gift, or transfer ; and (e) to or for the use of any corporation, fund, foundation, trust, or association operated for religious, charitable, scientific, literary, education, or public cemetery purposes exclusively, including the encouragement of art, and the prevention of cruelty to children or animals, no part of which devise, bequest, gift, or transfer inures to the profit of any private stockholder or any individual, and any bequest or transfer or to a trustee or trustees exclusively for such purposes, shall be exempt, if, at the date of the decedent's death, the laws of the state under the laws of which the transferee was organized or existing, either (1) did not impose a death tax of any character, in respect of property transferred to a similar corporation, fund, foundation, trust, or association, organized or existing under the laws of this state, or (2) contained a reciprocal provision under which transfers to a similar corporation, fund, foundation, trust, or association, organized or existing under the laws of another state were exempted from death taxes of every character if such other state allowed a similar exemption to a similar corporation, fund, foundation, trust, or association, organized under the laws of such state.

(2) The homestead of a decedent, and the proceeds thereof if sold during administration, transferred to the spouse or to any minor or dependent child of the decedent, or to any minor or dependent legally adopted child of the decedent, shall be exempt to the extent of \$45,000 of the appraised value thereof. In no case shall the quantity of land considered to be the homestead of a decedent for the purpose of this exemption exceed 120 acres if the land is not included in the laid out or platted portion of a city. If the land is within a laid out or platted portion of a city, its area shall not exceed one-half of an acre. In the case of a decedent's estate wherein no property or beneficial interest therein passing by reason of death is eligible for the homestead exemption because the decedent did not have an interest in property constituting a homestead at the time of his death, there shall be allowed an exemption in lieu of the homestead exemption, in the amount of \$10,000. The exemption shall be allocated among the surviving spouse and the decedent's natural or adopted minor or dependent children in proportion to the total amount of property or any interest therein passing to such spouse and children.

Proceeds of any insurance policy issued by the United States and generally known as war risk insurance, United States government life insurance or national service life insurance payable upon the death of any person dying on or after June 24, 1950, shall be exempt.

Proceeds of life insurance issued pursuant to Public Law 89-214 and generally known as servicemen's group life insurance payable upon the death of any person on or after September 1, 1965, shall be exempt. ~~Claims for refunds of inheritance tax paid on such proceeds shall be accepted by the commissioner if filed with him by December 31, 1970, or within 18 months after such payment, whichever is later.~~

Proceeds of payments made by the United States government as compensation for the decedent's service as a member of the armed forces of the United States during a period while he was classified as missing in action prior to being declared dead, shall be exempt. The commissioner shall make refunds for inheritance taxes paid which are attributable to payments exempt pursuant to this paragraph upon the filing of a claim by each beneficiary of the estate for his portion of the inheritance tax paid. Claims for refund must be filed with the commissioner no later than July 1, 1982.

(3) Proceeds of payments from the United States railroad retirement fund; or from the United States as social security benefit or veterans burial benefit, shall be exempt.

~~(3) (i) Property or any beneficial interest therein of the clear value of \$60,000 transferred to the surviving spouse, shall be exempt.~~

~~(ii) Provided, where the amount of family maintenance allowed by the probate court is less than the maximum deductible under the provisions of section 201-10, or if no such maintenance is allowed, there shall be allowed to the surviving spouse an additional exemption equal in amount to the difference between the maximum deduction as provided by section 201-10 and the amount of such family maintenance allowed by the probate court. Further provided, where no probate proceedings are had there shall be allowed to the surviving spouse an additional exemption equal to the maximum deduction allowed for family maintenance under the provisions of section 201-10.~~

~~(4) (i) Property or any beneficial interest therein of the clear value of \$30,000 transferred to each minor or dependent child of the decedent, or any minor or dependent legally adopted child of the decedent, shall be exempt.~~

~~(ii) Provided, where the decedent left no surviving spouse entitled to the exemption allowed by clause (3) of this section the exemption allowed by subparagraph (ii) of clause (3) shall be allowed to beneficiaries entitled to exemption under the provisions of this clause. In no event shall the aggregate amount of exemption so allowed be in excess of the additional amount that would have~~

been allowed under subparagraph (ii) of clause (3) had such paragraph been applicable.

(5) Property or any beneficial interest therein of the clear value of \$6,000 transferred to any adult child or other lineal descendant of the decedent, any adult legally adopted child, stepchild as defined in section 291.006, or any child to whom the decedent, for not less than ten years prior to his death, stood in the mutually acknowledged relationship of a parent, provided, such mutually acknowledged relationship began at or before the child's fifteenth birthday, and was continuous for ten years thereafter, or any lineal issue of such adopted or mutually acknowledged child, or any lineal ancestor of the decedent, shall be exempt.

(6) Property or any beneficial interest therein of the clear value of \$1,500 transferred to any brother or sister or a descendant of a brother or sister of the decedent, a wife or widow of a son, or a husband or widower of a daughter of the decedent, shall be exempt.

(7) Property or any beneficial interest therein of the clear value of \$500 transferred to any person in any other degree of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood to the decedent, or shall be a body politic or corporate not exempt under this chapter, shall be exempt.

Sec. 6. Minnesota Statutes 1978, Section 291.051, is amended to read:

291.051 [MARITAL DEDUCTION.] Subdivision 1. For the purposes of this section, the terms defined in this subdivision shall have the meaning given them herein.

"Marital exemption" means 50 percent, but not more than \$250,000, of the net taxable value passing to the surviving spouse of a decedent domiciled in Minnesota at the time of his death.

"Net taxable value" means the gross value passing to the surviving spouse, reduced by the value of real property outside Minnesota and tangible personal property permanently located outside Minnesota included in the gross value passing to the surviving spouse, and reduced by the deductions attributable to such gross value pursuant to section 291.07, except subdivision 1, clause (5), but without regard to the exemptions allowed to the surviving spouse by sections 291.05, clauses (1), (2), and (3), and 291.10.

"Marital exemption tax" means a tax imposed at the rates provided by this chapter on the value of property passing to the surviving spouse less the marital exemption, but without regard to the exemptions allowed to the surviving spouse by sections 291.05, clauses (1), (2) and (3) and 291.10.

Subd. 2. If the marital exemption tax on the property passing to the surviving spouse is less than a tax computed on that property under the other provisions of this chapter, the marital exemption tax shall be imposed in lieu of the tax computed under the other provisions. For the purpose of section 3, clause (3), the value of the Minnesota taxable estate shall, except as limited by subsection (b) of Section 2056 of the Internal Revenue Code and

by subdivision 2, be determined by deducting from the value of the federal gross estate an amount equal to the value of any interest in property which passes or has passed from the decedent to his surviving spouse, but only to the extent that the interest has a taxable situs in this state and is included in determining the value of the federal gross estate. An interest in property shall be considered as passing from the decedent to his surviving spouse if it is considered as passing from the decedent to the surviving spouse under Section 2056(d) of the Internal Revenue Code.

Subd. 2. [LIMITATION.] *The amount of the deduction allowed under this section for a resident decedent shall not exceed the greater of:*

(a) \$250,000, or

(b) 50 percent of the value of the federal adjusted gross estate as defined in Section 2056(c)(2)(A) of the Internal Revenue Code,

reduced by an amount equal to the adjustment made, if any, for federal estate tax purposes with respect to any gift or gifts made by the decedent to his spouse after December 31, 1976 under Section 2056(c)(1)(B) of the Internal Revenue Code, and further reduced by the value of any property passing from the decedent to his surviving spouse which is exempt from estate tax under section 291.065 and is included in determining the value of the federal gross estate. In the case of a nonresident decedent, the amount of the deduction allowed under this section shall be determined without reference to subpart (a) of this subdivision.

Sec. 7. Minnesota Statutes 1978, Section 291.06, is amended to read:

291.06 [CREDIT FOR PREVIOUSLY PAID TAXES.] Where property is transferred to any person described in section 291.03, clauses (1) and (2), which can be identified as having been transferred to the decedent at death from a person who died within five years prior to the death of the decedent, and such transfer to the decedent was within the class of transfer described in said section 291.03, clauses (1) and (2), such property shall be exempt to the extent of the value thereof at the date of death of the prior decedent but not to exceed the value at the date of death of the second decedent. Provided, (1) no such exemption shall be allowed unless an inheritance tax was determined and paid to this state on the transfer thereof from the said prior decedent, (2) the exemption shall be limited to the value of property which is in excess of the amount of the exemption provided in section 291.05 allowed on the transfer to the decedent; (3) unless such previously transferred property is specifically devised or bequeathed, the exempt property for purposes of taxation shall be considered as belonging to the residue of the estate; (4) property exempt under this section shall not be included in computing the rate applicable to other transfers to the beneficiary receiving such exempt property or can be identified as having been acquired in exchange for property so received, a credit for any transfer taxes paid pursuant to the provisions of this act or any inheritance tax paid pursuant to the provisions of Minnesota Statutes, Chapter 291 in effect prior to the effective date

of this act upon that property during the preceding five years shall be allowed upon the transfer tax at his death. This credit shall not exceed the allocable portion of the tax due with respect to that property for estate tax purposes.

Sec. 8. Minnesota Statutes 1978, Section 291.065, is amended to read:

291.065 [EMPLOYEE RETIREMENT PLANS, EXEMPTION.] *To the extent included in the federal gross estate, the value of an annuity or other payment receivable by a surviving spouse or minor or dependent child of the decedent or a trust for their benefit after December 31, 1956, shall be exempt from inheritance estate tax if received under (1) an employees' trust (or under a contract purchased by an employees' trust) forming part of a pension, stock bonus, or profit sharing plan, which at the time of the decedent's separation from employment (whether by death or otherwise), or at the time of termination of the plan if earlier, met the requirement of section 401(a) of the Internal Revenue Code of 1954, as adapted to the provisions of this chapter under regulations issued by the commissioner of revenue; (2) a retirement annuity contract purchased by an employer (and not by an employees' trust) pursuant to a plan, which at the time of the decedent's separation from employment (by death or otherwise), or at the time of termination of the plan if earlier, met the requirements of paragraph (3) of section 401(a) of such code, as adapted to the provisions of this chapter under regulations issued by the commissioner of revenue; or (3) a retirement annuity contract purchased by an employer which is an organization referred to in section 503(b) (1) (2) or (3) of such code and which is exempt from tax under section 501(a) of such code, as adapted to the provisions of this chapter under regulations issued by the commissioner of revenue any plan, which at the time of the decedent's separation from employment, whether by death or otherwise, or at the time of termination of the plan if earlier, qualified under section 401, 403, 404, 405, 408 or 409 of the Internal Revenue Code; (2) a benefit plan for employees of the United States, its agencies or instrumentalities, the Federal Reserve Bank, the state of Minnesota or any of its political or governmental subdivisions or any other state or its political or governmental subdivisions; or (3) for members of a Minnesota volunteer firefighters' relief association. If such amounts payable after the death of the decedent under a plan described in clause (1) (2) or (3) are attributable to any extent to payments or contributions made by the decedent, no exemption shall be allowed for that part of the value of such amounts in the proportion that the total payments or contributions made by the decedent bears to the total payments or contributions made. For purposes of the preceding sentence, contributions or payments made by the decedent's employer or former employer under a trust or plan described in clause (1) (2) or (3) shall not be considered to be contributed by the decedent.*

Sec. 9. Minnesota Statutes 1978, Section 291.07, Subdivision 1, is amended to read:

291.07 [DEDUCTIONS.] Subdivision 1. In determining the tax imposed by section 291.01, where, a personal representative has been appointed for the estate, or where a decree of descent for the estate has been entered under section 525.31 or where there have been summary proceedings for the estate if under section 525.51, the following deductions shall be allowed:

- (1) funeral expenses;
 - (2) probate *reasonable legal, accounting, fiduciary and administration expenses and fees with respect to both probate and non-probate assets*, including but not limited to expenses incurred during administration in converting real and personal property held by the estate into cash;
 - (3) expenses of last illness unpaid at death;
 - (4) valid claims against *and debts of the decedent, unpaid at death*, which have been properly paid;
 - (5) family maintenance to the extent provided by section 201.10
 - (6) value of personal property to the extent of the amount allowed under the provisions of section 525.15
 - (7) federal estate taxes determined as follows:
 - (a) the value of the net estate taxable in Minnesota reduced by the deduction allowable for transfer for public, charitable and religious use as prescribed by Internal Revenue Code, Section 2055 and by the marital deduction as prescribed by Internal Revenue Code, Section 2056, shall be the numerator of a fraction;
 - (b) the denominator of the fraction shall be the value of the net estate everywhere reduced by the same class of deductions allowable in subparagraph (a) above;
 - (c) the ratio of the fraction so derived shall be multiplied by the federal estate tax due and payable to the United States Treasury.
 - (d) for purposes of this clause, the net estate is defined as the gross value of the estate on the applicable valuation date reduced by any unpaid mortgages on, or any indebtedness in respect of, property where the decedent's interest therein, undiminished by such mortgage or indebtedness, is included in the value of the gross estate.
 - (8) other taxes which have accrued and are a lien on property in the estate at the time of death
 - (9) reasonable fees for legal or fiduciary services incident to non-probate assets
 - (10) (5) Minnesota and federal income taxes on "income in respect of a decedent," as computed under subdivision 3.
- (6) *federal estate taxes allocable to the Minnesota taxable estate. The portion of federal estate taxes allocable to the Minnesota taxable estate shall be equal to the amount obtained by mul-*

tipling the total federal estate tax by a fraction, the numerator of which is the Minnesota taxable estate plus the amount of the federal estate tax on the estate of the decedent and the denominator of which is the federal taxable estate for federal estate tax purposes;

(7) real estate taxes due and payable prior to or in the year of the decedent's death with respect to real estate subject to taxation under chapter 291 and other taxes which have accrued and are a lien on property in the estate at the time of death;

(8) liens and mortgages on property subject to taxation under chapter 291 which are not deductible as claims or debts of the decedent.

Sec. 10. Minnesota Statutes 1978, Chapter 291, is amended by adding a section to read:

[291.075] [ALTERNATE VALUATION OF QUALIFIED PROPERTY.] *When property subject to the tax imposed by chapter 291 qualifies for valuation based on its use pursuant to section 2032A of the Internal Revenue Code, it shall have the same value for Minnesota estate tax purposes as it has for federal estate tax purposes.*

Sec. 11. Minnesota Statutes 1978, Section 291.08, is amended to read:

291.08 [NONRESIDENT ESTATES; ALLOWANCE OF DEDUCTIONS AND EXEMPTIONS.] ~~(a)~~ *Where any a tax is due on the transfer of any property or interest therein owned by a nonresident, the following deductions and exemptions shall be allowed as provided in clauses (b) and (c) below:*

~~(b)~~ *Deductions.*

(1) *Funeral expenses to the extent incurred in Minnesota;*

(2) *Minnesota probate administration expense;*

~~(3)~~ *Family maintenance to the extent provided by section 291.10, reduced by the maximum amount allowed or allowable under the laws of the state of residence of the decedent;*

~~(4)~~ *Value of personal property to the extent of the amount allowed under section 525.15, reduced by the maximum amount allowed or allowable under the laws of the state of residence of the decedent;*

~~(5)~~ *Reasonable legal, accounting, fiduciary and administration fees and expenses allocable to both probate and nonprobate property included in the Minnesota gross estate;*

(3) *Federal estate taxes subject to the limitations imposed by as computed in section 291.07;*

~~(6)~~ *Other (4) Real estate taxes which have accrued and are a lien on Minnesota property at the time of death, or which are owed to Minnesota in respect of taxable income; due and payable prior to or in the year of the decedent's death.*

(5) *Liens and mortgages on property included in the Minnesota gross estate.*

(7) *Reasonable fees for legal or fiduciary services incident to nonprobate assets taxable in Minnesota.*

(c) *Exemptions.* The exemptions applicable to the person entitled to a beneficial interest shall be allowed as in the case of residents under section 201.05, reduced by the maximum exemption allowed or allowable under the laws of the state of residence of the decedent.

Sec. 12. Minnesota Statutes 1978, Section 291.09, is amended by adding a subdivision to read:

Subd. 1a. In all instances in which a resident decedent dies after December 31, 1979 and before January 1, 1981 leaving a federal gross estate in excess of \$161,000 and in all instances in which a resident decedent dies after December 31, 1980 leaving a federal gross estate in excess of \$175,000, and the decedent has an interest in property with a situs in Minnesota, and in all instances in which a non-resident decedent has a liability under chapter 291, the personal representative shall submit to the commissioner, on a form prescribed by the commissioner, a Minnesota estate tax return. The return shall be accompanied by a federal estate tax return and shall contain a computation of the Minnesota estate tax due. The return shall be signed by the personal representative.

Sec. 13. Minnesota Statutes 1978, Section 291.09, is amended by adding a subdivision to read:

Subd. 2a. The commissioner may designate on the return the documents that are required to be filed together with the return in order to determine the proper valuation of assets and computation of tax. The commissioner shall not be bound by any item on the return unless he has received all required documents and unless all items of information on the return have been completed.

Sec. 14. Minnesota Statutes 1978, Section 291.09, is amended by adding a subdivision to read:

Subd. 3a. (a) The commissioner may challenge matters of valuation or taxability of any assets reported on the return, or any deductions claimed, or the computation of tax, only if within 90 days of receipt of the return and all documents required to be filed with the return, the commissioner mails or delivers a written notice to the personal representative objecting to the return as filed and specifying the reasons for the objection.

(b) If the personal representative disagrees with the objection or does not wish to fully comply with the objection, he may request that the commissioner hold a hearing on the objection. Within 30 days of receipt of a request, the commissioner shall set a time and place for hearing. Unless otherwise agreed upon, the hearing date shall not be earlier than 30 days nor later than 60 days from the date of the notice setting the hearing. The notice of hearing shall set forth the rights available to the personal representative under chapter 15. Not later than 30 days after the

commissioner receives the report and recommendation of the hearing examiner, or a written waiver of his hearing rights by the personal representative, the commissioner shall issue an order determining the tax. Any such determination made by the commissioner may be appealed to the tax court as provided in section 271.09.

(c) At any time together with or after the objection, the commissioner, on his own initiative, may set a time and place for a hearing in accordance with (b) above.

(d) In his objection, or at any time thereafter, the commissioner may assess any additional tax as the facts may warrant, subject to the right of the personal representative to demand a hearing under chapter 15. If the personal representative does not demand a hearing within 90 days of the date of the assessment, the tax so assessed shall be legally due and the commissioner may proceed to collect any unpaid tax after one year from the date of death. If the commissioner later finds the tax assessment to be erroneous, he may adjust the assessment prior to collection.

(e) The commissioner shall not be required to object to any subsequent original, amended or supplemental return in order to preserve his rights. The commissioner shall not be precluded from objecting to a subsequent original, amended or supplemental return even though an original return was accepted as filed. If the commissioner had accepted an original return showing no tax due and a subsequent original, amended or supplemental return discloses additional assets not disclosed on the original return, the commissioner may object to any matter of valuation, taxability, deduction or computation of tax on the original return within 90 days of receipt of the subsequent original, amended or supplemental return.

(f) Subject to the provisions of section 291.11, the Minnesota estate tax liability shall be considered as finally determined on the date notification of acceptance is issued to the personal representative or, if no objection is filed, on the 91st day after the return, together with all other documents required to be filed with the return, is received.

(g) Subject to the time limits imposed elsewhere in this chapter, the commissioner may refund an overpayment of tax penalty or interest even though the personal representative has not made an application for refund.

Sec. 15. Minnesota Statutes 1978, Section 291.09, is amended by adding a subdivision to read:

Subd. 4a. If any estate tax return required to be filed pursuant to the provisions of this section has not been filed, the commissioner may make and file a return including a computation of the tax resulting from the transfers therein reported. At the time of the filing the commissioner shall mail copies of the return to the personal representative, if any, and to each person from whom any portion of the tax is due. The return may be objected to and a hearing held on the objections in the manner provided in subdivision 3a.

Sec. 16. Minnesota Statutes 1978, Section 291.09, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding other provisions of this chapter, when agreed in writing between the commissioner and the representative, values for purposes of the inheritance estate tax on both probate and non-probate assets shall be the same as those finally determined for purposes of the federal estate tax on a decedent's estate.

Sec. 17. Minnesota Statutes 1978, Section 291.09, Subdivision 7, is amended to read:

Subd. 7. The inheritance estate tax return, except as otherwise provided in this chapter, shall be filed with the commissioner within 12 months after the decedent's death.

Sec. 18. Minnesota Statutes 1978, Section 291.11, Subdivision 1, is amended to read:

291.11 [TIME EFFECTIVE.] Subdivision 1. [UPON DEATH; TIME OF ASSESSMENT.] (a) All taxes imposed by this chapter shall take effect at and upon the death of the person from whom the transfer is made whose estate is subject to taxation and shall be due and payable at the expiration of 12 months from such death, except as otherwise provided in this chapter. Provided, that any taxpayer who owes at least \$5,000 in taxes may choose to pay these taxes in five equal installments over a period of time not to exceed five years from the death of the person from whom the transfer is made whose estate is subject to taxation or five years from the expiration of the extension granted by the commissioner pursuant to section 291.132, whichever is later. When a taxpayer elects to pay the tax in installments, he shall notify the commissioner in writing no later than 12 months after the death of the person from whom the transfer is made whose estate is subject to taxation. If the taxpayer fails to pay an installment on time, the election shall be revoked and the entire amount of unpaid tax shall be due and payable 90 days after the date on which the installment was payable.

(b) (A) False return — in the case of a false or fraudulent return with the intent to evade tax, any additional tax resulting therefrom may be assessed at any time.

(B) No return — in the case of failure to file a return, the tax may be assessed at any time.

(C) Omissions — in the case where there is omitted from the estate items subject to tax under this chapter the tax on such omitted items may be assessed at any time.

In determining the items omitted, there shall not be taken into account any item which has been disclosed in the return or in a statement attached to the return in a manner adequate to apprise the commissioner of the nature and amount of such item.

(c) Where, before the expiration of the time prescribed in this chapter for the determination or adjustment of the tax, the com-

missioner and the taxpayer shall consent in writing to the extension of time for such determination or adjustment the tax may be determined at any time prior to the expiration agreed upon and in the manner agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

(d) The estate tax prescribed in section 291.34, notwithstanding the period of limitations prescribed for determination of the inheritance tax in this chapter shall be determined by the commissioner not later than 90 days following the filing of the Minnesota estate tax return with the commissioner, together with a copy of the federal audit report or the closing letter accepting the federal return as originally filed.

Sec. 19. Minnesota Statutes 1978, Section 291.111, Subdivision 1, is amended to read:

291.111 [TAXATION OF DISCLAIMED INTERESTS.] Subdivision 1. Transfers of any interest in real or personal property and all rights and powers relating to the same which have been duly disclaimed pursuant to the provisions of sections 501.211 and 525.532, or in any manner provided in subdivision 2 shall be subject to the inheritance estate tax imposed by this chapter, and acts amendatory thereof only if, and to the same extent and in the same manner as, the same would have been subject to said tax if said interests, rights or powers had been originally created in favor of and transferred to the same persons and in the same shares in which they are effectively distributed or otherwise disposed of, after giving full effect to such disclaimers, pursuant to the governing instrument, if any, and sections 501.211 and 525.532 and all other applicable law.

Sec. 20. Minnesota Statutes 1978, Section 291.132, is amended to read:

291.132 [EXTENSION TO FILE OR PAY.] *Subdivision 1.* The commissioner may extend the time for filing returns or making payment of the tax, without penalty, for a period not to exceed six months. In lieu of the six month extension, the commissioner may extend the time for payment of the tax, without penalty, for a period not to exceed two years if the payment of the tax would result in an undue hardship on the estate. The written request for the undue hardship extension shall be made to the commissioner no later than 12 months after the death of the person from whom the transfer is made. The taxpayer may elect to pay the taxes in installments as specified in section 291.11, subdivision 1, provided that the period of time for the payment of the taxes shall not exceed five years from the expiration of the extension granted by the commissioner. Where an extension of time has been granted, interest shall be payable at the rate specified in section 270.75 from the date when such payment should have been made, if no extension had been granted, until such tax is paid.

Subd. 2. In lieu of an extension provided pursuant to subdivision 1 or payment of the estate tax in installments pursuant to section 291.11 on the property which qualifies under this subdivision, the commissioner may extend the time for payment of the tax on property which qualifies for valuation under section 10. The personal representative of an estate containing such property may elect to pay all or part of the tax imposed by chapter 291 in two or more, but not to exceed ten, equal installments, provided that the maximum amount of tax which may be paid in installments pursuant to this subdivision shall be an amount which bears the same ratio to the estate's tax liability under chapter 291 as the value of property determined pursuant to section 12 bears to the amount of the taxable estate. The first installment shall be paid on or before the date selected by the personal representative. The date may be no more than five years after the date prescribed by section 291.11, subdivision 1, for payment of the estate tax. Each succeeding installment shall be paid on or before that same date each year. An election under this subdivision shall be made not later than the time prescribed by section 291.11 for filing of the estate tax return and shall be made in the manner as the commissioner shall prescribe by rule.

Subd. 3. If the time for payment of estate tax has been extended under subdivision 2, interest shall be payable as provided in this subdivision.

(a) Interest payable under section 291.15 on any unpaid portion of the amount attributable to the first five years after the date prescribed by section 291.11 for payment of the tax shall be paid annually.

(b) Interest payable under section 291.15 on any unpaid portion of the amount attributable to any period after the five year period referred to in clause (a) shall be paid annually at the same time as, and as part of, each installment payment of the tax.

(c) If the executor has selected a period shorter than five years under subdivision 2 the shorter period shall be substituted for five years in clauses (a) and (b).

Sec. 21. Minnesota Statutes 1978, Section 291.14, is amended to read:

291.14 [PERSONAL LIABILITY OF PERSONAL REPRESENTATIVE AND TRANSFEREE.] Subdivision 1. Every tax imposed by this chapter shall be a lien upon the property embraced in any inheritance, devise, bequest, legacy, or gift until paid, and The personal representative and person to whom such property which is subject to taxation under chapter 291 is transferred shall be personally liable for such tax, until its payment, to the extent of the value of such the property. No such lien shall be enforced against real property ; included in the probate estate, unless the state shall assert the same by filing a statement of its lien in the office of the county recorder or registrar of titles in the county wherein such real estate may be situated, within ten years after the

date of any deed of distribution or decree of distribution which may be entered in the estate involved.

Subd. 1a. (1) Where an order approving distribution of property is not issued by the court, any tax due on the transfer of such property or interest to a devisee or to heirs who are entitled under the statutes of intestate succession shall be a lien upon such property until the tax imposed by this chapter is paid.

(2) The lien shall not be enforced against real property subject to the provisions of clause (1) unless the state asserts it by filing a statement of lien in the office of the county recorder or the registrar of titles in the county where the real estate is situated within ten years from the date of recording a copy of the death record of the testate or intestate decedent, as the case may be, together with a statement by the commissioner acknowledging receipt of an inventory and appraisal listing the real property.

(3) When the tax on property subject to the provisions of this subdivision has been paid, or if there be deposited with the commissioner a sum of money in an amount equal to the tax which, in the judgment of the commissioner may be due upon the transfer of the property, or if there is no tax required to be paid, the commissioner shall certify on an affidavit prescribed by him or instrument of conveyance that the lien for inheritance tax has been satisfied or has been waived, as the case may be. The affidavit or instrument of conveyance so certified may be recorded as are other instruments affecting the title to real estate.

Subd. 2. (1) Except as provided in clause (4) of this subdivision, where a lien for inheritance tax imposed under this chapter may be enforced against real property transferred to surviving joint tenants, or upon property transferred by a decedent during such decedent's lifetime, the surviving joint tenants or the transferees of the property so transferred by the decedent shall file on a form prescribed by the commissioner a schedule of non-probate assets listing the property or interest taxable. Any tax due on the transfer of such property or interest to the surviving joint tenants or to the transferees of the property so transferred by the decedent shall be reported on an inheritance tax return filed with the commissioner pursuant to section 201-00, and shall be a lien upon the interest of the surviving joint tenants or the transferees, until paid, and the surviving joint tenants or the transferees shall be personally liable for such tax to the extent of the value of such property.

(2) No lien shall be enforced against real property subject to the provision of clause (1) of this subdivision unless the state shall assert the same by filing a statement of such lien in the office of the county recorder or registrar of titles in the county wherein such real estate may be situated within ten years from the date of recording a copy of the death record of the deceased joint tenant or deceased transferor, together with a copy of the schedule of non-probate assets required to be filed with the commissioner pursuant to clause (1) of this subdivision, which copy shall have been duly acknowledged by the commissioner.

(3) Where the tax on property subject to the provisions of clause (1) of this subdivision has been paid, or if there is deposited with the commissioner cash in an amount equal to the tax which in the judgment of the commissioner, may be due upon the transfer of such property, or if there is no tax required to be paid, the commissioner shall certify on an affidavit of survivorship-remainder, described by the commissioner, that the lien has been satisfied or waived as the case may be. The affidavit so certified may be recorded as are other instruments affecting the title to real estate.

(4) (a) (i) When the decedent's death occurred subsequent to April 30, 1930, the provisions of this clause shall apply to the spouse, minor or dependent natural or adopted child of the decedent, or to the combination of classes or persons included herein;

(ii) When decedent's death occurred in the period beginning on April 21, 1930, and ending April 25, 1940, the provisions of this clause shall apply to the spouse, minor or dependent natural or adopted child or any other issue of the decedent, or to any combination of classes of persons included in this subparagraph (ii);

(b) Where the homestead is held in joint tenancy with the right of survivorship by the decedent and persons meeting the conditions described in (a) above, an affidavit in the form and manner prescribed by the commissioner, may be delivered to the county recorder or the registrar of titles. Such affidavit shall declare

(i) that the surviving joint tenant or tenants were members of the classes described in (a) above at the date of decedent's death (if any of the surviving joint tenants were minors, state date of such minor's birth);

(ii) that the property described as the homestead was owned and occupied by the decedent as his principal dwelling place at date of death;

(iii) that the quantity of land included in such property is not in excess of 120 acres, and not included in the laid out or platted portion of any city. If the land is within a laid out or platted portion of a city, its area shall not exceed one-half of an acre;

(iv) that the gross market value of such property at date of death was not in excess of \$45,000;

(v) the affidavit to be delivered to the county recorder or registrar of titles shall have attached thereto a certified copy of the death certificate with respect to the death of the deceased joint tenant.

The affidavit shall be in lieu of an affidavit of survivorship certified by the commissioner and shall extinguish the lien imposed on such property by clause (2) of this subdivision, and shall be recorded or filed as a document affecting the title to the real estate. The county recorder or registrar of titles shall not be required to verify the declarations made in such affidavit.

(e) A copy of the affidavit (which need not bear a copy of the death certificate) shall be supplied to the county recorder or reg-

istrar of titles; he will forward this copy to the commissioner at his office in St. Paul, Minnesota.

(d) Where it appears that a schedule of non-probate assets would otherwise not be required to be filed, the property, the lien on which has been extinguished in accordance with the provisions of paragraph (a) above, need not be reported on a schedule of non-probate assets.

Subd. 4. The lien of the state for inheritance taxes payable by a personal representative shall not extend to any right acquired by a bona fide purchaser, mortgagee, or lessee through any conveyance made by such personal representative, provided that such personal representative delivers to the county recorder or registrar of titles, as the case may be, a declaration that the property described therein has been sold to a bona fide purchaser, or has been mortgaged or leased, as the case may be. The declaration so submitted shall have attached thereto a certified copy of letters evidencing the appointment of such personal representative. The county recorder or registrar of titles shall submit a copy of such declaration to the commissioner at his office in St. Paul, Minnesota, without any requirement that the statements made therein by such personal representative have been verified. The lien so extinguished with respect to such bona fide purchaser, mortgagee or lessee shall not be reinstated or challenged by the commission.

Sec. 22. Minnesota Statutes 1978, Section 291.19, Subdivision 3, is amended to read:

Subd. 3. Any personal representative, trustee, heir or legatee of a nonresident decedent desiring to transfer property having its situs in this state may make application to the commissioner of revenue for the determination of whether there is any tax due to the state on account of the transfer of the decedent's property and such applicant shall furnish to the commissioner of revenue therewith an affidavit setting forth a description of all property owned by the decedent at the time of his death and having its situs in the state of Minnesota, the value of such property at the time of said decedent's death; also when required by the commissioner of revenue, a description of and statements of the true value of all the property owned by the decedent at the time of his death and having its situs outside the state of Minnesota, and also a schedule or statement of the valid claims against the estate of the decedent, including the expenses of his last sickness and funeral and the expenses of administering his estate, to the extent that such claims were incurred within this state. Such person shall also, on request of the commissioner of revenue, furnish to the latter a certified copy of the last will of the decedent in case he died testate, or an affidavit setting forth the names, ages and residences of the heirs at law of the decedent in case he died intestate and the proportion of the entire estate of such decedent inherited by each of said persons; and the relation, if any, with each legatee, devisee, heir, or transferee sustained to the decedent or person from whom the transfer was made. Such affidavits shall

be subscribed and sworn to by the personal representative of the decedent or some other person having knowledge of the facts therein set forth.

Sec. 23. Minnesota Statutes 1978, Section 291.20, Subdivision 1, is amended to read:

291.20 [SAFETY DEPOSIT COMPANIES NOT TO TRANSFER FUNDS.] Subdivision 1. No person holding securities or assets belonging at the time of death of a decedent to him or to him and another or others as joint tenants, or having on deposit funds in excess of \$1,000 to the credit of a decedent, or to the decedent and another or others as joint tenants, or to the credit of the decedent as trustee for another or others, or renting a safe deposit box or other place of safekeeping to a decedent, individually or as joint tenant or tenant in common, shall deliver or transfer the same to any person, or permit any person to have access thereto, unless notice of the time and place of such intended transfer or access be served upon the county treasurer, personally or by representative, in which event the county treasurer, personally or by representative, may examine said securities, assets, funds or contents of such safe deposit box, at the time of such delivery, transfer or access. If, upon such examination the county treasurer or his representative shall for any cause deem it advisable that such securities, assets or funds should not be immediately delivered or transferred, or access to said safe deposit box or other place of safekeeping should not immediately be granted, he may forthwith notify in writing such person to defer delivery or transfer or access, as the case may be, for a period not to exceed ten days from the date of such notice, and thereupon it shall be the duty of the person notified to defer such delivery, transfer or access until the time stated in such notice or until prior revocation thereof. Failure to serve the notice first above mentioned, or to allow such examination, or to defer delivery or transfer of such securities, assets, or funds, or to refuse access to such safe deposit box or other place of safekeeping for the time stated in the second of such notices, shall render such person liable to the payment of the tax due, not exceeding \$1,000, upon the transfer of said securities, assets, or funds, or upon securities, assets, or moneys in such safe deposit box or other place of safekeeping, pursuant to the provisions of this act; provided, however, that nothing herein contained shall subject such person to liability for the payment of any such tax unless such person had knowledge of the death of the decedent prior to such delivery or transfer of such securities, assets, or funds, or entry to said safe deposit box or other place of safekeeping. The word "person" as used herein shall include individual persons, safe deposit companies, banks, trust companies, savings and loan associations, partnerships and all other organizations.

Any person seeking access to any safe deposit box upon the death of any person who at the time of his death was a tenant thereof either individually or as joint tenant or tenant in common, or seeking to withdraw securities, assets or funds belonging to the decedent or which decedent had the right to withdraw, shall notify

the person renting such safe deposit box or holding such securities, assets or funds of the decedent's death. Any person who wilfully fails to give the notice of the death of the decedent required by this paragraph with intent to evade taxes due hereunder shall be guilty of a misdemeanor. It shall be a complete defense to any prosecution under the provisions of this subdivision that no inheritance estate tax was due from the decedent's estate.

Sec. 24. Minnesota Statutes 1978, Chapter 291, is amended by adding a section to read:

[291.215] [VALUATION OF ESTATE; REPORTING.]

Subdivision 1. The valuation of all property includable in the Minnesota taxable estate of a decedent shall be subject to review and approval of the commissioner of revenue.

Subd. 2. Before the final settlement of an estate the personal representative shall furnish an amended estate tax return listing all property and taxable transfers or other events of which he has become aware since the first estate tax return was made which would result in a change in either the amount of the estate tax initially determined or the statements made by the affiant therein. He also shall furnish copies of any documents or records and any other information relating to the estate or its value upon request of the commissioner of revenue.

Subd. 3. The personal representative shall file an amended estate tax return within 90 days after any amended estate tax return is filed pursuant to the provisions of the United States Internal Revenue Code. If no amended federal estate tax return is filed but the federal estate tax return is changed or corrected, the change or correction shall be reported to the commissioner of revenue within 90 days after the final determination of the change or correction is made. Upon receipt of an amended federal estate tax return or upon notification of any change or correction made on the federal estate tax return, the commissioner of revenue may reassess the estate tax.

Sec. 25. Minnesota Statutes 1978, Section 291.27, is amended to read:

291.27 [UNPAID TAX; OMITTED PROPERTY.] If any tax is due and unpaid under the provisions of this chapter, the representative, the county attorney of the county in which an estate is probated, the attorney general or the commissioner may apply to the probate court for a citation, citing the persons liable to pay such tax to appear before the court on a day specified, not more than three months from the date of such citation, and show cause why the tax should not be paid. The judge of the probate court, upon such application, and whenever it shall appear to him that any such tax accruing under this chapter has not been paid as required by law, shall issue such citation, and the service of such citation, and the time, manner, and proof thereof, and the hearing and determination thereon, shall conform, as near as may be, to the provisions of the probate code of this state, and whenever it shall appear that any such tax is due

and payable and the payment thereof cannot be enforced under the provisions of this chapter in the probate court, the person or corporation from whom the same is due is hereby made liable to the state for the amount of such tax.

Any tax due and unpaid under the provisions of this chapter may be enforced and collected from any transferee of property included in the Minnesota estate by action in a the court of administration of the estate of the decedent or in a court of general jurisdiction by the personal representative of any estate, or by action, in the name of the state, brought by the attorney general, the county attorney or the commissioner in the name of the state.

Any property which for any cause is omitted from an appraisal, inventory, or schedule of non-probate assets the Minnesota estate tax return so that its value is not taken into consideration in the determination of the inheritance taxes estate tax, may be subsequently taxed against the persons receiving the same, or any part thereof, to the same effect as if included in the original appraisal, inventory, schedule of non-probate assets, inheritance estate tax return and determination, except that any personal representative of an estate discharged from his trust in the meantime shall not be liable for the payment of such tax. When any property has been thus omitted in the determination of an inheritance estate tax, such taxes the tax thereon may be determined and recovered in a civil action brought by the attorney general or the commissioner, in the name of the state, in any court of general jurisdiction; or may be prosecuted to collection by citation and subsequent proceedings in the probate court wherein the estate was administered.

Sec. 26. Minnesota Statutes 1978, Chapter 291, is amended by adding a section to read:

[291.48] [PUBLICITY OF RETURNS; INFORMATION.]
It shall be unlawful for the commissioner or any other public official, employee or former employee to divulge or otherwise make known in any manner any particulars set forth or disclosed in any report or return required by chapter 291 or 292 or information acquired while examining or auditing any taxpayer's liability for taxes thereunder, except in connection with a proceeding involving taxes due under chapter 291 or 292 from the taxpayer making the return. The commissioner may furnish a copy of any return or report to any official of the United States or any state having duties to perform in respect to the assessment or collection of any inheritance, estate, or gift tax, if the taxpayer is required by the laws of the United States or of the other state to make a return therein. Nothing herein contained shall be construed to prohibit the commissioner from publishing statistics so classified as not to disclose the identity of particular property, decedents, heirs, or personal representatives, returns or reports and the contents thereof. Any person violating the provisions of this section shall be guilty of a gross misdemeanor.

The return of a decedent or donor shall, upon written request, be open to inspection by or disclosure to (a) the administrator, executor, or trustee of his estate, and (b) any heir at law, next of kin, or beneficiary under the will of the decedent, and any other person whose basis in property is determined in whole or part by values set forth in the return, or (c) a donee of the property, but only if the commissioner finds that the heir, next of kin, beneficiary or other person or donee has a material interest which will be affected by information contained therein.

Sec. 27. Minnesota Statutes 1978, Section 291.33, Subdivision 1, is amended to read:

291.33 [PAYMENTS TO COUNTIES.] Subdivision 1. On or before the first of November in each year the commissioner shall determine the net amount of ~~inheritance tax, Minnesota estate tax~~ and interest collected thereon which has been paid to the commissioner during the fiscal year ending June 30 next preceding from estates in each of the several counties of this state wherein probate proceedings have been had or where, if no probate proceedings have been required, wherein are located the probate courts that would have had venue under the provisions of section 524.3-201, had there been assets of decedents subject to probate.

For purposes of this subdivision net amount shall be the total amount paid from each of the several counties under the provisions of this chapter, during the appropriate fiscal year, reduced by the refunds made by the commissioner applicable to each of the several counties under the provisions of this chapter, during the same fiscal year.

Sec. 28. Minnesota Statutes 1978, Section 352.15, Subdivision 1, is amended to read:

352.15 [EXEMPTION FROM PROCESS AND TAXATION.] Subdivision 1. None of the moneys, annuities, or other benefits mentioned herein shall be assignable either in law or in equity or be subject to execution, levy, attachment, garnishment, or other legal process, or to any state ~~income tax or state inheritance estate tax, except that none shall be exempt from taxation under chapter 291, unless transferred to a surviving spouse or minor or dependent child of the decedent or a trust for their benefit.~~ Provided, however, the executive director may pay an annuity, benefit or refund to a banking institution, qualified under chapter 48, that is trustee for a person eligible to receive such annuity, benefit or refund. Upon the request of a retired, disabled or former employee, the executive director may mail the annuity, benefit or refund check to a banking institution, savings association or credit union for deposit to such employee's account or joint account with his spouse. The board of directors may prescribe the conditions under which such payments will be made.

Sec. 29. Minnesota Statutes 1978, Section 353.15, is amended to read:

353.15 [NONASSIGNABILITY AND EXEMPTION OF ANNUITIES AND BENEFITS FROM JUDICIAL PROCESS AND TAXATION.] No money, annuity, or benefit provided for in this chapter is assignable or subject to power of attorney, execution, levy, attachment, garnishment, or legal process, including actions for divorce, legal separation, and child support, or to any state income tax or state inheritance *estate* tax; except that none shall be exempt from taxation under chapter 291, unless transferred to a surviving spouse or minor or dependent child of the decedent or a trust for their benefit. Provided, however, the association may pay an annuity, benefit or refund to a trust company, qualified under chapter 48, that is trustee for a person eligible to receive such annuity, benefit or refund. Upon the request of a retired, disabled or former member, the association may mail the annuity, benefit or refund check to a banking institution, savings association or credit union for deposit to such person's account or joint account with his spouse. The association may prescribe the conditions under which such payment will be made. If in the judgment of the executive director conditions so warrant, payment may be made to a public body in behalf of an annuitant, disabilitant, or survivor upon such terms as the executive director may prescribe.

Sec. 30. Minnesota Statutes 1978, Section 354.10, is amended to read:

354.10 [FUND NOT SUBJECT TO ASSIGNMENT OR PROCESS; BENEFICIARIES.] The right of a teacher to avail himself of the benefits provided by this chapter, is a personal right only and shall not be assignable. All moneys to the credit of a teacher's account in the fund or any moneys payable to him from the fund shall belong to the state of Minnesota until actually paid to the teacher or his beneficiary pursuant to the provisions of this chapter. Any power of attorney, assignment or attempted assignment of a teacher's interest in the fund, or of the beneficiary's interest therein, by a teacher or his beneficiary, including actions for divorce, legal separation, and child support, shall be null and void and the same shall be exempt from garnishment or levy under attachment or execution and from all taxation by the state of Minnesota, except that none shall be exempt from taxation under chapter 291, unless transferred to a surviving spouse or minor or dependent child of the decedent or a trust for their benefit. Provided however, the board may pay an annuity or benefit to a banking institution, qualified under chapter 48, that is a trustee for a person eligible to receive such annuity or benefit. Upon completion of the proper forms as provided by the board, the annuity or benefit check may be mailed to a banking institution, savings association or credit union for deposit to the recipient's individual account or joint account with his or her spouse. The board shall prescribe the conditions which shall govern these procedures. If in the judgment of the executive director conditions so warrant, payment may be made to a public body in behalf of an annuitant, disabilitant, or survivor upon such terms as the executive director may prescribe. Any beneficiary

designated by a teacher under the terms of this chapter, may be changed or revoked by the teacher at his pleasure, in such manner as the board may prescribe. In case a designated beneficiary dies before the teacher designating him dies, and a new beneficiary is not designated, the teacher's estate shall be the beneficiary.

Sec. 31. Minnesota Statutes 1978, Section 354A.11, is amended to read:

354A.11 [CERTAIN MONEYS AND CREDITS OF TEACHERS EXEMPT.] All moneys deposited by a teacher or member or deposited by any other person or corporation, municipal or private, to the credit of such teacher or member in a corporation organized as a "Teachers Retirement Fund Association" under sections 354A.03 to 354A.10, and all moneys, rights, and interests or annuities due or to become due to such teacher, member, or annuitant, or their beneficiaries, from any such association shall not be assignable, shall be exempt from garnishment, attachment, and execution or sale on any final process issued from any court and shall not be subject to the inheritance estate tax provisions of this state if transferred to a surviving spouse or minor or dependent child of the decedent or a trust for their benefit.

Sec. 32. Minnesota Statutes 1978, Section 524.3-706, is amended to read:

524.3-706 [DUTY OF PERSONAL REPRESENTATIVE; INVENTORY AND APPRAISEMENT.] Within three months after his appointment, a personal representative, who is not a special administrator or a successor to another representative who has previously discharged this duty, shall prepare and file with the court or registrar and mail to the surviving spouse, if there be one, and to all residuary distributees an inventory of property owned by the decedent at the time of his death, listing it with reasonable detail, and indicating as to each listed item, its fair market value as of the date of the decedent's death, and the type and amount of any encumbrance that may exist with reference to any item.

The personal representative shall also mail a copy of the inventory to interested persons or creditors who request it, and shall file an executed copy of the Minnesota inheritance tax return with the court or registrar.

Sec. 33. Minnesota Statutes 1978, Section 524.3-916, is amended to read:

524.3-916 [APPORTIONMENT OF ESTATE TAXES.] (a) For purposes of this section:

(1) "estate" means the gross estate of a decedent as determined for the purpose of federal estate tax and the estate tax payable to this state;

(2) "person" means any individual, partnership, association, joint stock company, corporation, government, political subdivision, governmental agency, or local governmental agency;

(3) "person interested in the estate" means any person entitled to receive, or who has received, from a decedent or by reason of the death of a decedent any property or interest therein included in the decedent's estate. It includes a personal representative, conservator, and trustee;

(4) "state" means any state, territory, or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico;

(5) "tax" means the federal estate tax and the state estate tax determined by the commissioner of revenue pursuant to *section 201.34 chapter 291* and interest and penalties imposed in addition to the tax;

(6) "fiduciary" means personal representative or trustee.

(b) Unless the will or other written instrument otherwise provides, the tax shall be apportioned among all persons interested in the estate. The apportionment is to be made in the proportion that the value of the interest of each person interested in the estate bears to the total value of the interests of all persons interested in the estate. The values used in determining the tax are to be used for that purpose. If the decedent's will or other written instrument directs a method of apportionment of tax different from the method described in this code, the method described in the will or other written instrument controls.

(c) (1) The court in which venue lies for the administration of the estate of a decedent, on petition for the purpose may determine the apportionment of the tax.

(2) If the court finds that it is inequitable to apportion interest and penalties in the manner provided in subsection (b), because of special circumstances, it may direct apportionment thereof in the manner it finds equitable.

(3) If the court finds that the assessment of penalties and interest assessed in relation to the tax is due to delay caused by the negligence of the fiduciary, the court may charge him with the amount of the assessed penalties and interest.

(4) In any action to recover from any person interested in the estate the amount of the tax apportioned to the person in accordance with this code the determination of the court in respect thereto shall be prima facie correct.

(d)(1) The personal representative or other person in possession of the property of the decedent required to pay the tax may withhold from any property distributable to any person interested in the estate, upon its distribution to him, the amount of tax attributable to his interest. If the property in possession of the personal representative or other person required to pay the tax and distributable to any person interested in the estate is insufficient to satisfy the proportionate amount of the tax determined to be due from the person, the personal representative or other person required to pay the tax may recover the deficiency

from the person interested in the estate. If the property is not in the possession of the personal representative or the other person required to pay the tax, the personal representative or the other person required to pay the tax may recover from any person interested in the estate the amount of the tax apportioned to the person in accordance with Laws 1975, Chapter 347.

(2) If property held by the personal representative is distributed prior to final apportionment of the tax, the distributee shall provide a bond or other security for the apportionment liability in the form and amount prescribed by the personal representative.

(e) (1) In making an apportionment, allowances shall be made for any exemptions granted, any classification made of persons interested in the estate and for any deductions and credits allowed by the law imposing the tax.

(2) Any exemption or deduction allowed by reason of the relationship of any person to the decedent or by reason of the purposes of the gift inures to the benefit of the person bearing such relationship or receiving the gift; but if an interest is subject to a prior present interest which is not allowable as a deduction, the tax apportionable against the present interest shall be paid from principal.

(3) Any deduction for property previously taxed and any credit for gift taxes or death taxes of a foreign country paid by the decedent or his estate inures to the proportionate benefit of all persons liable to apportionment.

(4) Any credit for inheritance, succession or estate taxes or taxes in the nature thereof applicable to property or interests includable in the estate, inures to the benefit of the persons or interests chargeable with the payment thereof to the extent proportionately that the credit reduces the tax.

(5) To the extent that property passing to or in trust for a surviving spouse or any charitable, public or similar gift or devisee is not an allowable deduction for purposes of the tax solely by reason of an inheritance tax or other death estate tax imposed upon and deductible from the property, the property is not included in the computation provided for in subsection (b) hereof, and to that extent no apportionment is made against the property. The sentence immediately preceding does not apply to any case if the result would be to deprive the estate of a deduction otherwise allowable under section 2053(d) of the Internal Revenue Code of 1954, as amended, of the United States, relating to deduction for state death taxes on transfers for public, charitable, or religious uses.

(f) No interest in income and no estate for years or for life or other temporary interest in any property or fund is subject to apportionment as between the temporary interest and the remainder. The tax on the temporary interest and the tax, if any, on the remainder is chargeable against the corpus of the property or funds subject to the temporary interest and remainder.

(g) Neither the personal representative nor other person required to pay the tax is under any duty to institute any action to recover from any person interested in the estate the amount of the tax apportioned to the person until the expiration of the three months next following final determination of the tax. A personal representative or other person required to pay the tax who institutes the action within a reasonable time after the three month period is not subject to any liability or surcharge because any portion of the tax apportioned to any person interested in the estate was collectible at a time following the death of the decedent but thereafter became uncollectible. If the personal representative or other person required to pay the tax cannot collect from any person interested in the estate the amount of the tax apportioned to the person, the amount not recoverable shall be equitably apportioned among the other persons interested in the estate who are subject to apportionment.

(h) A personal representative acting in another state or a person required to pay the tax domiciled in another state may institute an action in the courts of this state and may recover a proportionate amount of the federal estate tax, of an estate tax payable to another state or of a death duty due by a decedent's estate to another state, from a person interested in the estate who is either domiciled in this state or who owns property in this state subject to attachment or execution. For the purposes of the action the determination of apportionment by the court having jurisdiction of the administration of the decedent's estate in the other state is prima facie correct.

Sec. 34. Minnesota Statutes 1978, Section 524.3-1001, is amended to read:

524.3-1001 [FORMAL PROCEEDINGS TERMINATING ADMINISTRATION; TESTATE OR INTTESTATE; ORDER OF DISTRIBUTION, DECREE, AND GENERAL PROTECTION.] (a) (1) A personal representative or any interested person may petition for an order of complete settlement of the estate. The personal representative may petition at any time, and any other interested person may petition after one year from the appointment of the original personal representative except that no petition under this section may be entertained until the time for presenting claims which arose prior to the death of the decedent has expired. The petition may request the court to determine testacy, if not previously determined, to consider the final account or compel or approve an accounting and distribution, to construe any will or determine heirs and adjudicate the final settlement and distribution of the estate. After notice to all interested persons and hearing the court may enter an order or orders, on appropriate conditions, determining the persons entitled to distribution of the estate, and, as circumstances require, approving settlement and directing or approving distribution of the estate and discharging the personal representative from further claim or demand of any interested person.

(2) In such petition for complete settlement of the estate, the petitioner may apply for a decree. Upon the hearing, if in the best

interests of interested persons, the court may issue its decree which shall determine the persons entitled to the estate and assign the same to them in lieu of ordering the assignment by the personal representative. The decree shall name the heirs and distributees, state their relationship to the decedent, describe the property, and state the proportions or part thereof to which each is entitled. In the estate of a testate decedent, no heirs shall be named in the decree unless all heirs be ascertained.

(3) In solvent estates, the hearing may be waived by written consent to the proposed account and decree of distribution or order of distribution by all heirs or distributees, and the court may then enter its order allowing the account and issue its decree or order of distribution.

(4) The court shall have the power in its decree or order of distribution to waive the lien of inheritance estate taxes, find that the taxes have been satisfied by payment or, decree the property subject to the lien; provided, however, where a decree or order for distribution is issued, the personal representative shall not be discharged until all property is paid or transferred to the persons entitled thereto, and has otherwise fully discharged his trust. If objections are filed with the court by the commissioner of revenue, no discharge shall be issued until the objections are determined. ~~The court shall send a copy of the decree, upon issuance, to the commissioner of revenue. If no objection is filed, the court shall have the power to settle and distribute the estate and discharge the personal representative without regard to tax obligations.~~

(b) If one or more heirs or devisees were omitted as parties in, or were not given notice of, a previous formal testacy proceeding, the court, on proper petition for an order of complete settlement of the estate under this section, and after notice to the omitted or unnotified persons and other interested parties determined to be interested on the assumption that the previous order concerning testacy is conclusive as to those given notice of the earlier proceeding, may determine testacy as it affects the omitted persons and confirm or alter the previous order of testacy as it affects all interested persons as appropriate in the light of the new proofs. In the absence of objection by an omitted or unnotified person, evidence received in the original testacy proceeding shall constitute prima facie proof of due execution of any will previously admitted to probate, or of the fact that the decedent left no valid will if the prior proceedings determined this fact.

Sec. 35. Minnesota Statutes 1978, Section 525.091, Subdivision 1, is amended to read:

525.091 [DESTRUCTION AND REPRODUCTION OF PROBATE RECORDS.] Subdivision 1. The clerk of court of any county upon order of the probate judge may destroy all the original documents in any proceeding of record in his office five years after the file in such proceeding has been closed provided the original or a Minnesota state archives commission approved photographic, photostatic, microphotographic, microfilmed, or

similarly reproduced copy of the original of the following enumerated documents in the proceeding are on file in his office.

Enumerated original documents:

(a) In estates, the jurisdictional petition and proof of publication of the notice of hearing thereof; will and certificate of probate; letters; inventory and appraisals; ~~inheritance tax return or schedule of non-probate assets, inheritance tax return waiver or self assessed inheritance tax return~~; orders directing and confirming sale, mortgage, lease, or for conveyance of real estate; order setting apart statutory selection; receipts for federal estate taxes and state ~~inheritance estate~~ taxes; orders of distribution and general protection; decrees of distribution; federal estate tax closing letter, consent to discharge by commissioner of revenue and order discharging representative; and any amendment of the listed documents.

When an estate is deemed closed as provided in clause (d) of this subdivision, the enumerated documents shall include all claims of creditors.

(b) In guardianships or conservatorships, the jurisdictional petition and order for hearing thereof with proof of service; letters; orders directing and confirming sale, mortgage, lease or for conveyance of real estate; order for restoration to capacity and order discharging guardian; and any amendment of the listed documents.

(c) In mental, inebriety, and indigent matters, the jurisdictional petition; report of examination; warrant of commitment; notice of discharge from institution, or notice of death and order for restoration to capacity; and any amendment of the listed documents.

(d) Except for the enumerated documents described in this subdivision, the clerk of probate court may destroy all other original documents in any proceeding without retaining any reproduction of the document. For the purpose of this subdivision, a proceeding in the probate court is deemed closed if no document has been filed in the proceeding for a period of 15 years, except in the cases of wills filed for safe-keeping and those containing wills of decedents not adjudicated upon.

Sec. 36. Minnesota Statutes 1978, Section 525.091, Subdivision 2, is amended to read:

Subd. 2. The clerk of probate court of any county upon order of the probate judge may destroy the original record books as enumerated in this subdivision provided a Minnesota state archives commission approved photographic, photostatic, microphotographic, microfilmed, or similarly reproduced copy of the original record book is on file in his office.

Enumerated original record books:

~~(a)~~ All record books kept for recording in compliance with section 525.03, clauses (3), (4), (5) and (6).

(b) All record books kept for inheritance tax purposes in compliance with section 291.20, subdivisions 1 and 2, after the expiration of 15 years from the date of the last proceeding entered therein.

Sec. 37. Minnesota Statutes 1978, Section 525.312, is amended to read:

525.312 [DECREE OF DESCENT.] Upon the filing of such petition, the court shall fix the time and place for the hearing thereof, notice of which shall be given pursuant to section 524.1-401. Notice of the hearing, in the form prescribed by court rule, shall also be given under direction of the clerk of court by publication once a week for two consecutive weeks in a legal newspaper in the county where the hearing is to be held, the last publication of which is to be at least ten days before the time set for hearing. Upon proof of the petition and of the will if there be one, or upon proof of the petition and of an authenticated copy of a will duly proved and allowed outside of this state in accordance with the laws in force in the place where proved, if there be one, the court shall allow the same and enter its decree of descent assigning the real or personal property, or any interest therein, to the persons entitled thereto pursuant to the will or such authenticated copy, if there be one, otherwise pursuant to the laws of intestate succession in force at the time of the decedent's death. The court may appoint two or more disinterested persons to appraise the property. No decree of descent shall be entered until the inheritance tax, if any, has been determined and paid.

Sec. 38. Minnesota Statutes 1978, Section 525.71, is amended to read:

525.71 [APPEALABLE ORDERS.] Appeals to the district court may be taken from any of the following orders, judgments, and decrees issued by a judge of the court under chapters 524 or 525:

- (1) An order admitting, or refusing to admit, a will to probate;
- (2) An order appointing, or refusing to appoint, or removing, or refusing to remove, a representative other than a special administrator or special guardian;
- (3) An order authorizing, or refusing to authorize, the sale, mortgage, or lease of real estate, or confirming, or refusing to confirm, the sale or lease of real estate;
- (4) An order directing, or refusing to direct, a conveyance or lease of real estate under contract;
- (5) An order permitting, or refusing to permit, the filing of a claim, or allowing or disallowing a claim or counterclaim, in whole or in part, when the amount in controversy exceeds \$100;
- (6) An order setting apart, or refusing to set apart, property, or making, or refusing to make, an allowance for the spouse or children;

(7) An order determining, or refusing to determine, venue; an order transferring, or refusing to transfer, venue;

(8) An order directing, or refusing to direct, the payment of a bequest or distributive share when the amount in controversy exceeds \$100;

(9) An order allowing, or refusing to allow, an account of a representative or any part thereof when the amount in controversy exceeds \$100;

(10) An order adjudging a person in contempt;

(11) An order vacating a previous appealable order, judgment, or decree; an order refusing to vacate a previous appealable order, judgment, or decree alleged to have been procured by fraud or misrepresentation, or through surprise or excusable inadvertence or neglect;

(12) A judgment or decree of partial or final distribution or an order determining or confirming distribution or any order of general protection;

(13) An order entered pursuant to section 576.142;

(14) An order granting or denying restoration to capacity;

(15) An order made directing, or refusing to direct, the payment of representative's fees or attorneys' fees, and in such case the representative and the attorney shall each be deemed an aggrieved party and entitled to take such appeal;

(16) An order, judgment, or decree relating to or affecting inheritance estate taxes or refusing to amend, modify, or vacate such an order, judgment, or decree; but nothing herein contained shall abridge the right of direct review by the supreme court;

(17) An order extending the time for the settlement of the estate beyond five years from the date of the appointment of the representative.

Sec. 39. Minnesota Statutes 1978, Section 525.74, is amended to read:

525.74 [DIRECT APPEAL TO SUPREME COURT.] A party aggrieved may appeal direct to the supreme court from an order determining or refusing to determine inheritance estate taxes upon a hearing on a prayer for reassessment and redetermination. Within 30 days after service of notice of the filing of such order, the appellant shall serve a notice of appeal upon all parties adversely interested or upon their attorneys and upon the probate judge. An appellant, other than the state, the veterans' administration, or a representative appealing on behalf of the estate, shall file in the probate court a bond in such amount as that court may direct, conditioned to prosecute the appeal with due diligence to a final determination, pay all costs and disbursements and abide the order of the court therein. The notice of appeal with proof of service and the bond, if required, shall be filed in the

probate court within ten days after the service of such notice and the appellant shall pay to such court the sum of \$15, of which \$10 shall be transmitted to the clerk of the supreme court, as provided by law for appeals in civil actions.

Such appeal shall stay all proceedings on the order appealed from. When a party in good faith gives due notice of appeal from such order and omits through mistake to do any other act necessary to perfect the appeal, or to stay proceedings, the court may permit an amendment on such terms as may be just. Upon perfection of the appeal, the probate court shall transmit to the clerk of the supreme court the \$10 aforementioned together with a certified copy of the notice of appeal and bond, if required. The filing thereof shall vest in the supreme court jurisdiction of the cause, and records shall be transmitted to the supreme court, and records and briefs shall be printed, served, and filed, and such appeal shall be heard and disposed of as in the case of appeals in civil actions from the district court. If a settled case be necessary, the probate court may settle a case upon the application of any party. The notice of the hearing upon such application and the case proposed to be settled shall be served on all other parties interested in the appeal at least eight days prior to the hearing.

Sec. 40. Minnesota Statutes 1978, Section 525.841, is amended to read:

525.841 [ESCHEAT RETURNED.] In all such cases the commissioner of finance shall be furnished with a certified copy of the court's order assigning the escheated property to the persons entitled thereto, and upon notification of payment of the inheritance estate tax, the commissioner of finance shall draw his warrant on the state treasurer, or execute a proper conveyance to the persons designated in such order. In the event any escheated property has been sold pursuant to sections 11.08 or 94.09 to 94.16, then the warrant shall be for the appraised value as established during the administration of the decedent's estate. There is hereby annually appropriated from any moneys in the state treasury not otherwise appropriated an amount sufficient to make payment to all such designated persons. No interest shall be allowed on any amount paid to such persons.

Sec. 41. [REPEALER.] *Minnesota Statutes 1978, Sections 3A.08; 291.02; 291.07, Subdivisions 2 and 2a; 291.09, Subdivisions 1, 2, 3 and 4; 291.10; 291.11, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 291.12, Subdivision 4; 291.20, Subdivision 3; 291.21, Subdivision 2; 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; and 292.15 are repealed.*

Sec. 42. *There is appropriated for fiscal years 1980, 1981 and 1982 from the general fund to the commissioner of revenue the amounts necessary to make the refunds provided by section 5.*

Sec. 43. [EFFECTIVE DATE.] *The provisions of section 5 which relate to payments for military service while the decedent was missing in action shall be effective for estates of decedents declared dead after January 1, 1975. The provisions of section 26 shall be effective the day following final enactment and shall relate to returns filed pursuant to chapters 291 and 292 prior to and after the effective date of this act. The remainder of this act is effective for estates of decedents dying after December 31, 1979 and gifts made after December 31, 1979.*

Amend the title as follows:

Page 1, line 7, delete "1,2,3,4," and delete the comma after "5"

Page 1, line 8, delete "a subdivision" and insert "subdivisions"

Page 1, line 10, delete "Subdivisions" and insert "Subdivision", and delete "and 5"

Page 1, line 11, delete "291.21, Subdivision 2;"

Page 1, line 13, after "354A.11;" insert "524.3-706;"

Page 1, line 14, after "2;" insert "525.312;"

Page 1, line 17, after "2a;" insert "291.09, Subdivisions 1, 2, 3 and 4;"

Page 1, line 19, delete "3;" and insert "4; 291.20, Subdivision 3;"

Page 1, line 25, before "292.15" insert "and" and delete "; and 525.151"

And when so amended the bill do pass.

Mr. Laufenburger moved the adoption of the foregoing committee report. The motion prevailed. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. No. 1258 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Penny moved that the name of Mr. Sikorski be added as co-author to S. F. No. 851. The motion prevailed.

Mr. Peterson moved that the names of Messrs. Strand and Setzepandt be added as co-authors to S. F. No. 1099. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Special Orders Calendar. The motion prevailed.

SPECIAL ORDER

S. F. No. 326: A bill for an act relating to retirement; providing a retirement allowance for members of the legislature after eight years of service; amending Minnesota Statutes 1978, Section 3A.02, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Luther	Purfeerst	Staples
Bang	Gearty	McCutcheon	Rued	Strand
Benedict	Gunderson	Menning	Schaaf	Stumpf
Bernhagen	Hanson	Merriam	Schmitz	Tennessee
Brataas	Johnson	Moe	Setzepfandt	Ueland, A.
Chenoweth	Kirchner	Nelson	Sieloff	Ulland, J.
Chmielewski	Kleinbaum	Olhoft	Sikorski	Vega
Coleman	Knaak	Olson	Sillers	Willet
Dieterich	Knoll	Perpich	Solon	
Dunn	Laufenburger	Peterson	Spear	

Mr. Keefe, J. voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1425: 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Luther	Purfeerst	Staples
Bang	Gearty	McCutcheon	Rued	Strand
Benedict	Gunderson	Menning	Schaaf	Stumpf
Bernhagen	Hanson	Merriam	Schmitz	Tennessee
Brataas	Johnson	Nelson	Setzepfandt	Ueland, A.
Chenoweth	Keefe, J.	Nichols	Sieloff	Ulland, J.
Chmielewski	Kirchner	Olhoft	Sikorski	Vega
Coleman	Kleinbaum	Olson	Sillers	Willet
Davies	Knaak	Perpich	Solon	
Dieterich	Laufenburger	Peterson	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 744: 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, Section 72B.02, by adding a subdivision; and Chapter 72B, by adding sections.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 50 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Laufenburger	Perpich	Solon
Bang	Engler	Lessard	Peterson	Spear
Benedict	Gearty	Luther	Purfeerst	Staples
Bernhagen	Gunderson	McCutcheon	Rued	Strand
Brataas	Hanson	Menning	Schaaf	Stumpf
Chenoweth	Johnson	Merriam	Schmitz	Tennessee
Chmielewski	Kirchner	Moe	Setzepfandt	Ueland, A.
Coleman	Kleinbaum	Nelson	Sieloff	Ulland, J.
Davies	Knaak	Olhoft	Sikorski	Vega
Dieterich	Knoll	Olson	Sillers	Willet

Mr. Keefe, J. voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1040: 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knoll	Olhoft	Sillers
Bang	Engler	Knutson	Olson	Solon
Benedict	Gearty	Laufenburger	Perpich	Spear
Bernhagen	Gunderson	Luther	Purfeerst	Staples
Brataas	Hanson	McCutcheon	Rued	Stumpf
Chenoweth	Johnson	Menning	Schaaf	Tennessee
Chmielewski	Keefe, J.	Merriam	Schmitz	Ueland, A.
Coleman	Kirchner	Moe	Setzepfandt	Ulland, J.
Davies	Kleinbaum	Nelson	Sieloff	Vega
Dieterich	Knaak	Nichols	Sikorski	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1010: 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.

Mr. Luther moved to amend S. F. No. 1010 as follows:

Page 2, line 6, delete "17" and insert "18"

Page 4, line 8, delete "county, city or school district"

Page 4, line 8, after "election" insert a period

Page 4, line 8, delete "in Hennepin County"

Page 4, delete lines 9 and 10

Page 4, after line 15, insert:

"Subd. 15. "Population" means population as determined by the most recent federal census for a city and by the chief school district administrator for a school district."

Page 4, line 16, delete "15" and insert "16"

Page 4, line 18, delete "16" and insert "17"

Page 6, line 19, delete everything after the period

Page 6, delete lines 20 to 23

Page 10, line 9, delete "to influence the outcome"

Page 10, delete lines 10 to 12

Page 10, line 13, delete "County,"

Page 10, line 26, delete "ballot question in any"

Page 10, line 27, after "district" insert "ballot question at any"

Page 10, line 27, delete "in Hennepin County or in any home"

Page 10, delete line 28

Page 10, delete line 29 except for the period

Page 12, lines 8 and 9, delete "city or school district"

Page 12, line 11, after "County" insert "and having a population of 5,000 or more in Hennepin County"

Page 12, line 16, after "officials" insert "of Hennepin County and of a home rule charter city, statutory city or school district located wholly or partially in Hennepin County and having a population of 5,000 or more in Hennepin County who are"

Page 13, line 29, after "city" insert "clerk"

Page 13, line 29, after "district" insert "administrator"

Page 14, line 1, after the period, insert "The filing officer and each city clerk and school district administrator shall retain the statements, reports and copies and make them available for public inspection for a period of five years after the date of receipt by the filing officer."

Page 17, line 28, delete "16" and insert "17"

Page 17, line 30, delete "17" and insert "18"

The motion prevailed. So the amendment was adopted.

Mr. Dunn moved to amend S. F. No. 1010 as follows:

Page 1, line 21, delete "or partially"

Page 2, line 28, delete "or partially"

Page 3, line 22, delete "or partially"

Page 12, line 11, delete "or partially"

Page 18, line 4, delete "or partially"

In the Luther amendment to page 12, line 16, delete "or partially"

Amend the title as follows:

Page 1, lines 5 and 6, delete "and certain adjoining municipalities and school districts"

The motion prevailed. So the amendment was adopted.

S. F. No. 1010 was then progressed.

SPECIAL ORDER

S. F. No. 1000: A bill for an act relating to liquor; permitting an additional wine license near a University of Minnesota campus; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 49 and nays 6, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Lessard	Pillsbury	Spear
Bang	Hanson	Luther	Purfeerst	Staples
Bernhagen	Jensen	Menning	Rued	Strand
Brataas	Johnson	Merriam	Schaaf	Stumpf
Chenoweth	Keefe, J.	Moe	Schmitz	Ueland, A.
Davies	Kleinbaum	Nelson	Setzepfandt	Ulland, J.
Dieterich	Knaak	Nichols	Sieloff	Vega
Dunn	Knoll	Ogdahl	Sikorski	Wegener
Engler	Knutson	Olson	Sillers	Willet
Frederick	Laufenburger	Perpich	Solon	

Those who voted in the negative were:

Benedict	Gunderson	Olhoft	Peterson	Renneke
Chmielewski				

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 693: A bill for an act relating to insurance; excepting certain policies from readability requirements; limiting the ap-

plicability of readability requirement with respect to certain forms of insurance policies; permitting delays in compliance for certain forms of insurance policies; amending Minnesota Statutes 1978, Sections 72C.03; 72C.09; and 72C.11, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Laufenburger	Perpich	Sillers
Bang	Gearty	Lessard	Peterson	Spear
Benedict	Hanson	Luther	Pillsbury	Staples
Bernhagen	Jensen	McCutcheon	Purfeerst	Strand
Brataas	Johnson	Menning	Renneke	Stumpf
Chenoweth	Keefe, J.	Merriam	Rued	Ueland, A.
Chmielewski	Kirchner	Moe	Schaaf	Ulland, J.
Davies	Kleinbaum	Nelson	Schmitz	Vega
Dieterich	Knaak	Nichols	Setzpfandt	Wegener
Dunn	Knoll	Olhoff	Sieloff	Willet
Engler	Knutson	Olson	Sikorski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 824: 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Luther	Pillsbury	Spear
Bang	Hanson	McCutcheon	Purfeerst	Staples
Benedict	Jensen	Menning	Renneke	Strand
Bernhagen	Johnson	Merriam	Rued	Stumpf
Brataas	Keefe, S.	Moe	Schaaf	Ueland, A.
Chenoweth	Kirchner	Nelson	Schmitz	Ulland, J.
Chmielewski	Kleinbaum	Nichols	Setzpfandt	Vega
Dieterich	Knoll	Olhoff	Sieloff	Wegener
Dunn	Knutson	Olson	Sikorski	Willet
Engler	Laufenburger	Perpich	Sillers	
Frederick	Lessard	Peterson	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1299: A bill for an act relating to sheriffs; requiring licensure within one year of assuming office; amending Minnesota Statutes 1978, Section 387.01.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 39 and nays 16, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Knutson	Peterson	Sieloff
Benedict	Gearty	Laufenburger	Pillsbury	Sikoraki
Bernhagen	Gunderson	Lessard	Purfeerst	Solon
Brataas	Hanson	Luther	Renneke	Staples
Chmielewski	Johnson	Moe	Rued	Strand
Dieterich	Keefe, J.	Nelson	Schaaf	Vega
Dunn	Kleinbaum	Nichols	Schmitz	Willet
Engler	Knoll	Olhoff	Setzepfandt	

Those who voted in the negative were:

Chenoweth	Kirchner	Ogdahl	Sillers	Ueland, A.
Davies	Menning	Olson	Spear	Ulland, J.
Jensen	Merriam	Perpich	Stumpf	Wegener
Keefe, S.				

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1025: A bill for an act relating to intoxicating liquor; permitting persons to hold more than one on-sale liquor license; amending Minnesota Statutes 1978, Section 340.13, Subdivisions 3 and 7.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 36 and nays 16, as follows:

Those who voted in the affirmative were:

Bang	Johnson	Moe	Setzepfandt	Ueland, A.
Bernhagen	Keefe, J.	Nichols	Sieloff	Ulland, J.
Brataas	Keefe, S.	Ogdahl	Sikoraki	Vega
Dieterich	Kleinbaum	Pillsbury	Sillers	Wegener
Engler	Knaak	Purfeerst	Solon	
Frederick	Laufenburger	Rued	Spear	
Gearty	Luther	Schaaf	Stumpf	
Hanson	Merriam	Schmitz	Tennessee	

Those who voted in the negative were:

Benedict	Dunn	Knutson	Olhoff	Renneke
Chenoweth	Gunderson	Lessard	Perpich	Strand
Chmielewski	Kirchner	Menning	Peterson	Willet
Davies				

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 615: 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.

Mr. Davies moved to amend S. F. No. 615 as follows:

Page 3, after line 20, insert:

“Sec. 2. [LIMITATION ON NONFORFEITABLE ENTITLEMENT TO BENEFIT INCREASE.] No current annuitant, disablitant or survivor benefit recipient and no active or inactive member of any retirement fund to which this act applies shall acquire a nonforfeitable interest in, or entitlement to, any modification in the benefit plan of the fund contained in this act or be entitled to bring any action based on any modification in the benefit plan of the fund contained in this act until a period of two years commencing with the date on which the benefit plan modification becomes effective has expired.”

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

Mr. Stumpf moved to amend S. F. No. 615 as follows:

Amend the title as follows:

Page 1, line 7, delete “early retirement reductions;”

The motion prevailed. So the amendment was adopted.

S. F. No. 615: 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; augmentation of benefits.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Luther	Pillsbury	Spear
Benedict	Johnson	McCutcheon	Purfeerst	Staples
Bernhagen	Keefe, J.	Menning	Renneke	Strand
Brataas	Keefe, S.	Merriam	Rued	Stumpf
Chenoweth	Kirchner	Nelson	Schaaf	Tennessee
Chmielewski	Kleinbaum	Nichols	Setzepfandt	Ueland, A.
Davies	Knoll	Ogdahl	Sieloff	Ulland, J.
Dieterich	Knutson	Olhoff	Sikorski	Vega
Dunn	Laufenburger	Perpich	Sillers	Willet
Engler	Lessard	Peterson	Solon	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1293: 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 43 and nays 0, as follows:

Those who voted in the affirmative were:

Bernhagen	Johnson	Merriam	Schaaf	Stumpf
Brataas	Keefe, J.	Nelson	Setzepfandt	Tennessee
Chenoweth	Kirchner	Olhoft	Sieloff	Ueland, A.
Chmielewski	Kleinbaum	Olson	Sikorski	Ulland, J.
Davies	Knutson	Perpich	Sillers	Vega
Dieterich	Laufenburger	Pillsbury	Solon	Wegener
Dunn	Luther	Purfeerst	Spear	Willet
Engler	McCutcheon	Renneke	Staples	
Gearty	Menning	Rued	Strand	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 169: A bill for an act relating to education; extending teacher mobility incentives to area vocational-technical school teachers and cooperative center for vocational education teachers; providing for approval of certain extended leaves of absence; amending Minnesota Statutes 1978, Sections 125.60, Subdivision 2; 125.61, Subdivision 1; 354.66, Subdivision 2; and 354A.091, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 44 and nays 0, as follows:

Those who voted in the affirmative were:

Bernhagen	Hanson	Luther	Pillsbury	Spear
Brataas	Johnson	McCutcheon	Purfeerst	Staples
Chenoweth	Keefe, J.	Menning	Renneke	Stumpf
Chmielewski	Keefe, S.	Merriam	Rued	Tennessee
Davies	Kirchner	Moe	Schaaf	Ueland, A.
Dieterich	Kleinbaum	Nelson	Setzepfandt	Ulland, J.
Engler	Knutson	Nichols	Sieloff	Vega
Frederick	Laufenburger	Olson	Sikorski	Willet
Gearty	Lessard	Perpich	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1376: 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, Subdivision 3, and by adding subdivisions.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 45 and nays 1, as follows:

Those who voted in the affirmative were:

Bernhagen	Gunderson	Lessard	Olson	Sikorski
Brataas	Hanson	Luther	Perpich	Solon
Chenoweth	Johnson	McCutcheon	Pillsbury	Spear
Chmielewski	Keefe, J.	Menning	Purfeerst	Staples
Davies	Keefe, S.	Merriam	Renneke	Stumpf
Dieterich	Kirchner	Moe	Rued	Ueland, A.
Engler	Kleinbaum	Nelson	Schaaf	Ulland, J.
Frederick	Knutson	Nichols	Setzepfandt	Vega
Gearty	Laufenburger	Olhoff	Sieloff	Willet

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1115: A bill for an act relating to real estate; changing interest provisions payable in redemption of mortgages; amending Minnesota Statutes 1978, Section 580.23, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 35 and nays 18, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Moe	Pillsbury	Staples
Bernhagen	Hanson	Nelson	Renneke	Strand
Brataas	Kirchner	Nichols	Rued	Tennesen
Davies	Kleinbaum	Ogdahl	Schaaf	Ueland, A.
Engler	Knutson	Olhoff	Setzepfandt	Ulland, J.
Frederick	Laufenburger	Olson	Sieloff	Vega
Gearty	Menning	Peterson	Solon	Wegener

Those who voted in the negative were:

Benedict	Johnson	Lessard	Perpich	Spear
Chenoweth	Keefe, J.	Luther	Purfeerst	Stumpf
Chmielewski	Keefe, S.	McCutcheon	Sikorski	Willet
Dieterich	Knoll	Merriam		

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 74: A bill for an act relating to elections; allowing post-election challenges to absent voters; changing election contest notice procedures and bond requirements; allowing county and municipal court judges to hear election contests; amending

Minnesota Statutes 1978, Sections 204A.32, Subdivision 4; 209.02, Subdivisions 3, 4 and 4a; 209.06, Subdivision 2; and Chapter 209, by adding a section.

Mr. Davies moved to amend S. F. No. 74 as follows:

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete lines 3 to 5

Page 1, line 6, delete "election contests" and insert "permitting certain challenges of voters in an election contest; establishing conditions for compelling voters to disclose the manner in which they voted; clarifying and simplifying the procedures for instituting an election contest; extending the deadline for instituting an election contest after a general election"

The motion prevailed. So the amendment was adopted.

S. F. No. 74: A bill for an act relating to elections; permitting certain challenges of voters in an election contest; establishing conditions for compelling voters to disclose the manner in which they voted; clarifying and simplifying the procedures for instituting an election contest; extending the deadline for instituting an election contest after a general election; amending Minnesota Statutes 1978, Sections 204A.32, Subdivision 4; 209.02, Subdivisions 3, 4 and 4a; 209.06, Subdivision 2; and Chapter 209, by adding a section.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knoll	Peterson	Sillers
Bang	Gearty	Knutson	Pillsbury	Spear
Bernhagen	Gunderson	Lessard	Purfeerst	Staples
Brataas	Hanson	Luther	Renneke	Strand
Chenoweth	Hughes	Menning	Rued	Stumpf
Chmielewski	Johnson	Merriam	Schaaf	Tennessee
Davies	Keefe, J.	Nelson	Schmitz	Ueland, A.
Dieterich	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Dunn	Kirchner	Olhoft	Sieloff	Wegener
Engler	Kleinbaum	Perpich	Sikorski	Willet

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1248: A bill for an act relating to guardianship; establishing criteria for the selection of guardians and conservators; amending Minnesota Statutes 1978, Section 525.544.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Laufenburger	Pillsbury	Spear
Benedict	Gunderson	Lessard	Purfeerst	Staples
Bernhagen	Hanson	Luther	Renneke	Strand
Brataas	Hughes	Menning	Rued	Stumpf
Chenoweth	Johnson	Merriam	Schaaf	Tennessee
Davies	Keefe, J.	Nelson	Schmitz	Ueland, A.
Dieterich	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Dunn	Kirchner	Olhoff	Sieloff	Wegener
Engler	Knoll	Perpich	Sikorski	Willet
Frederick	Knutson	Peterson	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 783: 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.

Mr. Ulland, J. moved to amend S. F. No. 783 as follows:

Page 3, line 20, reinstate the stricken word "may" and delete "shall"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend S. F. No. 783 as follows:

Page 3, line 23, after the comma insert "*provided that the court may require the tenant to pay the rental for the period of the stay prior to the issuance of the stay*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 29, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Olhoff	Sieloff
Bang	Engler	Knutson	Pillsbury	Sillers
Bernhagen	Frederick	Lessard	Renneke	Strand
Brataas	Jensen	Menning	Rued	Ueland, A.
Chmielewski	Keefe, J.	Ogdahl	Schmitz	Ulland, J.

Those who voted in the negative were:

Benedict	Gunderson	Knoll	Perpich	Staples
Chenoweth	Hanson	Laufenburger	Peterson	Stumpf
Coleman	Hughes	Luther	Schaaf	Tennessee
Davies	Johnson	McCutcheon	Setzepfandt	Wegener
Dieterich	Keefe, S.	Merriam	Sikorski	Willet
Gearty	Kleinbaum	Nelson	Spear	

The motion did not prevail. So the amendment was not adopted.

S. F. No. 783 was then progressed.

SPECIAL ORDER

S. F. No. 1042: 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 42 and nays 7, as follows:

Those who voted in the affirmative were:

Benedict	Hanson	Merriam	Setzepfandt	Tennessee
Bernhagen	Hughes	Moe	Sikorski	Ueland, A.
Chenoweth	Johnson	Nelson	Sillers	Ulland, J.
Chmielewski	Keefe, S.	Olhoft	Solon	Vega
Davies	Kirchner	Perpich	Spear	Wegener
Dieterich	Knoll	Peterson	Staples	Willet
Dunn	Lessard	Rued	Stokowski	
Engler	Luther	Schaaf	Strand	
Gearty	Menning	Schmitz	Stumpf	

Those who voted in the negative were:

Brataas	Gunderson	Laufenburger	Olson	Renneke
Frederick	Jensen			

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 768: 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.

Mr. Luther moved to amend S. F. No. 768 as follows:

Page 3, line 10, delete everything after the first comma and insert "*not to exceed 30 days, may be given by the commissioner*"

The motion prevailed. So the amendment was adopted.

S. F. No. 768 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 39 and nays 7, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Luther	Perpich	Staples
Benedict	Gunderson	McCutcheon	Schaaf	Stokowski
Chenoweth	Hughes	Menning	Schmitz	Stumpf
Davies	Jensen	Merriam	Setzepfandt	Tennessee
Dieterich	Johnson	Moe	Sieloff	Ueland, A.
Dunn	Knoll	Nelson	Sikorski	Ulland, J.
Engler	Laufenburger	Olhoft	Solon	Willet
Frederick	Lessard	Olson	Spear	

Those who voted in the negative were:

Bernhagen	Renneke	Sillers	Strand	Wegener
Chmielewski	Rued			

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 874: 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; appropriating money.

Mr. Engler moved to amend S. F. No. 874 as follows:

Page 2, line 21, after "Sec. 2." insert "The department of natural resources shall maintain a forest management account."

Page 2, line 21, delete "this act" and insert "section 1"

Page 2, line 22, after "account" insert "and are annually appropriated to the commissioner of natural resources"

The motion prevailed. So the amendment was adopted.

S. F. No. 874 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 49 and nays 3, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Laufenburger	Rued	Stokowski
Benedict	Gearty	Lessard	Schaaf	Strand
Bernhagen	Gunderson	Luther	Schmitz	Stumpf
Brataas	Hanson	McCutcheon	Setzepfandt	Tennessee
Chenoweth	Hughes	Menning	Sieloff	Ueland, A.
Chmielewski	Johnson	Nelson	Sikorski	Ulland, J.
Coleman	Keefe, S.	Olhoff	Sillers	Vega
Davies	Kleinbaum	Olson	Solon	Wegener
Dunn	Knoll	Peterson	Spear	Willet
Engler	Knutson	Renneke	Staples	

Messrs. Dieterich, Merriam and Perpich voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 255: A bill for an act relating to credit unions; allowing membership by surviving spouses of regularly qualified members; amending Minnesota Statutes 1978, Section 52.05.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Laufenburger	Peterson	Staples
Benedict	Gearty	Lessard	Renneke	Stokowski
Bernhagen	Gunderson	Luther	Rued	Strand
Brataas	Hanson	McCutcheon	Schaaf	Stumpf
Chenoweth	Hughes	Menning	Schmitz	Tennessen
Chmielewski	Jensen	Merriam	Setzepfandt	Ueland, A.
Coleman	Johnson	Moe	Sieloff	Ulland, J.
Davies	Keefe, S.	Nelson	Sikorski	Vega
Dieterich	Kleinbaum	Olhoff	Sillers	Wegener
Dunn	Knoll	Olson	Solon	Willet
Engler	Knutson	Perpich	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1403: A bill for an act relating to workers' compensation; providing that certain farmers shall not be considered employees; amending Minnesota Statutes 1978, Section 176.011, Subdivision 11a, and by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 3, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Laufenburger	Peterson	Staples
Benedict	Gearty	Lessard	Renneke	Strand
Bernhagen	Gunderson	Luther	Rued	Ueland, A.
Brataas	Hanson	McCutcheon	Schaaf	Ulland, J.
Chenoweth	Hughes	Menning	Schmitz	Vega
Chmielewski	Jensen	Merriam	Setzepfandt	Wegener
Coleman	Johnson	Moe	Sieloff	Willet
Davies	Keefe, S.	Nelson	Sikorski	
Dunn	Knoll	Olhoff	Sillers	
Engler	Knutson	Perpich	Solon	

Messrs. Dieterich, Spear and Stumpf voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Moe moved that S. F. No. 439 be withdrawn from the Committee on Rules and Administration, the committee report from Taxes and Tax Laws be adopted, and that S. F. No. 439 be given its second reading and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed. Amendments adopted. Report adopted.

S. F. No. 439 was read the second time.

Mr. Coleman moved that the Senate do now adjourn until 9:30 o'clock a.m., Tuesday, May 8, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FORTY-NINTH DAY

St. Paul, Minnesota, Tuesday, May 8, 1979

The Senate met at 9:30 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Bang	Frederick	Knaak	Peterson	Stokowski
Benedict	Gearty	Menning	Pillsbury	Strand
Brataas	Gunderson	Merriam	Rued	Stumpf
Chenoweth	Hanson	Moe	Schmitz	Ulland, J.
Chmielewski	Hughes	Nelson	Setzepfandt	Vega
Coleman	Johnson	Olhoff	Sieloff	Wegener
Davies	Keefe, S.	Olson	Sikorski	Willet
Dieterich	Kirchner	Penny	Sillers	
Dunn	Kleinbaum	Perpich	Spear	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Edward Flahavan.

The roll was called, and the following Senators answered to their names:

Ashbach	Gearty	Laufenburger	Perpich	Spear
Bang	Gunderson	Lessard	Peterson	Staples
Benedict	Hanson	Luther	Pillsbury	Stokowski
Bernhagen	Hughes	McCutcheon	Purfeerst	Strand
Brataas	Jensen	Menning	Renneke	Stumpf
Chenoweth	Johnson	Merriam	Rued	Tennessee
Chmielewski	Keefe, J.	Moe	Schaaf	Ueland, A.
Coleman	Keefe, S.	Nelson	Schmitz	Ulland, J.
Davies	Kirchner	Nichols	Setzepfandt	Vega
Dieterich	Kleinbaum	Ogdahl	Sieloff	Wegener
Dunn	Knaak	Olhoff	Sikorski	Willet
Engler	Knoll	Olson	Sillers	
Frederick	Knutson	Penny	Solon	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Anderson, Humphrey and Schrom were excused from the Session of today. Mr. Stumpf was excused from the Session of

today from 11:30 o'clock a.m. to 1:00 o'clock p.m. Mr. Engler was excused from the Session of today from 9:30 o'clock a.m. to 12:00 o'clock noon. Mr. Gunderson was excused from the Session of today from 11:00 to 11:45 o'clock a.m. Mr. McCutcheon was excused from the Session of today from 12:30 to 1:15 o'clock p.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mrs. Knaak introduced—

S. F. No. 1547: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Menning, Luther and Pillsbury introduced—

S. F. No. 1548: A bill for an act relating to claims against the state; appropriating money for the payment thereof.

Referred to the Committee on Finance.

Messrs. Strand, Sieloff, Bernhagen, Gearty and Lessard introduced—

S. F. No. 1549: 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.

Referred to the Committee on Judiciary.

Messrs. Gearty and Davies introduced—

S. F. No. 1550: A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Section 3; removing the requirement that notaries public be approved by the senate.

Referred to the Committee on Judiciary.

Messrs. Hanson, Moe, Nichols, Setzepfandt and Gunderson introduced—

S. F. No. 1551: A bill for an act relating to taxation; real property; providing a method for determining the value of agricultural land; amending Minnesota Statutes 1978, Section 273.11, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Luther, Moe, Johnson, Willet and Dunn introduced—

S. F. No. 1552: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Davies, McCutcheon, Moe and Jensen introduced—

S. F. No. 1553: A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors of a noncontroversial nature; amending Laws 1979, Chapter 63, Section 1, Subdivision 2.

Referred to the Committee on Rules and Administration.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 7, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S. F. Nos. 362, 538, 218, 737 and 1149.

Sincerely,

Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 935.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 7, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 345 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 7, 1979

CONCURRENCE AND REPASSAGE

Mr. Tennessen moved that the Senate concur in the amendments by the House to S. F. No. 345 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 345: A bill for an act 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.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Luther	Peterson	Spear
Benedict	Hanson	Menning	Pillabury	Staples
Brataas	Hughes	Merriam	Purfeerst	Stokowski
Chenoweth	Jensen	Moe	Renneke	Strand
Chmielewski	Johnson	Nelson	Rued	Stumpf
Coleman	Keefe, S.	Nichols	Schaaf	Tennessen
Davies	Kirchner	Ogdahl	Schmitz	Ueland, A.
Dieterich	Kleinbaum	Olhoff	Setzepfandt	Ulland, J.
Dunn	Knaak	Olson	Sieloff	Vega
Frederick	Laufenburger	Penny	Sikoraki	Wegener
Gearty	Lessard	Perpich	Solon	Willet

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 444: A bill for an act relating to fences; providing for the compensation of fence viewers; amending Minnesota Statutes 1978, Section 344.18.

Senate File No. 444 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Mr. Bernhagen moved that S. F. No. 444 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 1510 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Mr. Moe moved that S. F. No. 1510 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 724, 1091, 1433, 1444 and 8.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 7, 1979

Mr. President:

I have the honor to announce the following change in the membership of the Conference Committee on House File No. 1518:

The name of Corbid has been deleted and the name of Hokanson has been added.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 7, 1979

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

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 con-

struction 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.

Referred to the Committee on Finance.

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.

Referred to the Committee on Rules and Administration.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1400, now on Special Orders.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1393, now on Special Orders.

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.

Referred to the Committee on Taxes and Tax Laws.

REPORTS OF COMMITTEES

Mr. Hanson moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 426: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 26, delete "assessed" and insert "levied"

Page 3, line 32, delete "on or before" and insert a period

Page 3, delete line 33

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 42: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete lines 10 to 16 and insert:

"Subd. 15. "Farm machinery" means new or used machinery, equipment, implements, accessories and contrivances used directly and principally in the production for sale, but not including the processing, of livestock, dairy animals, dairy products, poultry and poultry products, fruits, vegetables, forage, grains and bees and apiary products. "Farm machinery" shall include machinery for the preparation, seeding or cultivation of soil for growing agricultural crops, harvesting and threshing of agricultural products, and certain machinery for dairy, livestock and poultry farms, together with barn cleaners, milking systems, grain dryers, automatic feeding systems and similar installations. Irrigation equipment sold for exclusively agricultural use, including pumps, pipe fittings, valves, sprinklers and other equipment necessary to the operation of an irrigation system when sold as part of an irrigation system, except irrigation equipment which is situated below ground and considered to be a part of the real property, shall be included in the definition of farm machinery. Repair or replacement parts for farm machinery shall be included in the definition of farm machinery.

Tools, shop equipment, grain bins, feed bunks, fencing material, communication equipment and other farm supplies shall not be considered to be farm machinery. "Farm machinery" does not

include motor vehicles required to be registered under chapter 297B, snowmobiles, snow blowers, lawn mowers, garden-type tractors or garden tillers and the repair and replacement parts for those vehicles and machines."

Page 3, line 16, delete "July" and insert "December"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 216: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Willet from the Committee on Agriculture 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 15, insert:

"Sec. 2. [LAKE BEMIDJI STATE PARK.] The following areas are added to the Lake Bemidji State Park: The Southwest Quarter of the Northeast Quarter of Section 14; the West Half of the Southeast Quarter except the West 20 Rods and except the South 200 feet thereof of Section 14; all in Township 147 North, Range 33 West."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "domain" insert "; expanding the boundaries of Lake Bemidji State Park"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

H. F. No. 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 3, after the period insert:

“Any landowner or tenant who is successful in the commissioner’s separate selection shall permit turkey hunting on his land during the turkey season.”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Wegener from the Committee on Local Government, to which was referred

S. F. No. 1119: A bill for an act relating to state lands; authorizing conveyance of certain land to Independent School District No. 281.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Employment, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Elections, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, strike “a” and insert “*an election*”

Page 1, lines 16 and 17, strike “; nor may any person be a judge”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

H. F. No. 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 1343: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

H. F. No. 1023: A bill for an act relating to Independent School District No. 911; providing for the sale of certain land.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, delete "*No board may deny reasonable access by*" and insert "*The board shall provide, on the same basis as that provided to other persons or groups which make pupils aware of occupational or educational options, reasonable access to official representatives of the military forces of the state or the United States.*"

Page 1, delete lines 13 to 23

Page 2, delete lines 1 to 12

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennessen from the Committee on Commerce, to which was referred

S. F. No. 1484: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 9, after "a" insert "case involving a"

Page 2, line 9, after "fire" insert "loss"

Page 2, line 10, after " "Relevant" insert "information or evidence"

Page 2, line 23, delete "but" and insert "and" and delete "not"

Page 2, line 28, after "(c)" insert "A"

Page 2, line 28, after "insured" insert ", including"

Page 2, line 29, delete "and"

Page 2, line 29, after "partnership," insert "a"

Page 2, line 31, delete ". Also" and after the comma, insert "and a"

Page 2, line 32, after "officers" insert "or partners"

Page 3, line 13, delete "sections 1 to 6" and insert "this subdivision"

Page 3, line 16, delete "his own" and insert "official"

Page 3, lines 18 to 22, delete subdivision 4

Page 3, line 23, delete "Except when actual malice can be proved,"

Page 3, line 26, after the comma, insert "acting in good faith,"

Renumber the subdivisions in sequence

Page 4, line 5, delete "person or" and insert "insurance company or employee or officer thereof"

Page 4, line 6, delete "agency"

Page 4, line 6, delete "or knowingly"

Page 4, line 9, delete "person" and insert "insurance company or employee or officer thereof"

Page 4, line 9, delete "or knowingly"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 1427: A bill for an act relating to energy; encouraging municipalities to use diseased trees as firewood.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, delete "energy agency" and insert "department of agriculture"

Page 1, line 8, delete "department of agriculture" and insert "energy agency"

Page 1, line 9, delete "develop guidelines" and insert "adopt temporary rules promulgated pursuant to chapter 15"

Page 1, line 11, delete "Guidelines" and insert "Rules"

Page 1, line 13, delete "guidelines" and insert "rules"

Page 1, line 16, delete "operating" and insert "may operate"

Page 1, line 18, delete "shall, with due attention to guidelines developed" and insert "which shall include rules adopted"

Page 1, line 19, delete "institute" and insert "and may include"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred the following appointment as reported in the Journal for April 19, 1979:

OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

Homer A. Childs

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Hanson moved that the foregoing committee report be laid on the table. The motion prevailed.

March 15, 1979:

Mr. Hughes from the Committee on Education, to which was referred the following appointment as reported in the Journal for

STATE UNIVERSITY BOARD

Randy Roger Thomas

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Hanson moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Hughes from the Committee on Education, to which were referred the following appointments as reported in the Journal for April 9, 1979:

STATE UNIVERSITY BOARD

Paul O. Johnson

Geneva M. Peterson

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Hanson moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was referred the following appointment as reported in the Journal for March 29, 1979:

**DEPARTMENT OF EDUCATION
COMMISSIONER**

Howard B. Casmev

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Hanson moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was referred the following appointment as reported in the Journal for January 8, 1979:

STATE BOARD OF EDUCATION

Mary Birmingham

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Hanson moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was referred the following appointment as reported in the Journal for May 2, 1979:

STATE BOARD OF EDUCATION

Patricia Weber

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Hanson moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 426, 42, 216, 1119, 1343, 1484 and 1427 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1126, 282, 508, 430, 1093, 870, 1023 and 852 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mrs. Staples moved that H. F. No. 1144 be withdrawn from the Committee on Local Government and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1119 now in the Subcommittee on Bill Scheduling. The motion prevailed.

Mr. Dieterich moved that H. F. No. 1324 be withdrawn from the Committee on Commerce and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1484 now in the Subcommittee on Bill Scheduling. The motion prevailed.

Mr. Moe moved that the names of Mrs. Brataas, Messrs. Olson and Spear be added as co-authors to S. F. No. 651. The motion prevailed.

Mr. Sikorski moved that the name of Mr. Merriam be added as co-author to S. F. No. 744. The motion prevailed.

Mr. Davies moved that the name of Mr. Sikorski be added as co-author to S. F. No. 998. The motion prevailed.

Mrs. Brataas moved that the name of Mr. Frederick be added as co-author to S. F. No. 1038. The motion prevailed.

Mr. Purfeerst moved that the name of Mr. Sikorski be added as co-author to S. F. No. 1296. The motion prevailed.

Mr. Penny moved that the name of Mr. Strand be added as co-author to S. F. No. 851. The motion prevailed.

Mr. Coleman moved that S. F. No. 1539, on General Orders, be stricken and laid on the table. The motion prevailed.

Mr. Sieloff moved that S. F. No. 450 be taken from the table. The motion prevailed.

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.

CONCURRENCE AND REPASSAGE

Mr. Sieloff moved that the Senate concur in the amendments by the House to S. F. No. 450 and that the bill be placed on its repassage as amended.

CALL OF THE SENATE

Mr. Tennesen imposed a call of the Senate for the balance of the proceedings on S. F. No. 450. The following Senators answered to their names:

Ashbach	Hughes	McCutcheon	Pillsbury	Stokowski
Bernhagen	Jensen	Menning	Purfeerst	Strand
Brataas	Johnson	Merriam	Rued	Stumpf
Chenoweth	Keefe, J.	Moe	Schaaf	Tennesen
Chmielewski	Keefe, S.	Nelson	Schmitz	Ueland, A.
Coleman	Kirchner	Nichols	Setzepfandt	Ulland, J.
Davies	Kleinbaum	Ogdahl	Sieloff	Vega
Dieterich	Knaak	Olhoff	Sikorski	Wegener
Dunn	Knoll	Olson	Sillers	Willet
Frederick	Knutson	Penny	Solon	
Gearty	Laufenburger	Perpich	Spear	
Hanson	Luther	Peterson	Staples	

The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the motion of Mr. Sieloff.

Mr. Tennesen moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 24 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Keefe, J.	Ogdahl	Sillers
Bang	Dunn	Kirchner	Olson	Strand
Benedict	Frederick	Knaak	Pillsbury	Ueland, A.
Bernhagen	Gearty	Knutson	Renneke	Ulland, J.
Brataas	Jensen	Menning	Rued	

Those who voted in the negative were:

Chenoweth	Kleinbaum	Nichols	Setzepfandt	Tennesen
Coleman	Knoll	Olhoff	Sieloff	Vega
Davies	Laufenburger	Penny	Sikorski	Wegener
Dieterich	Luther	Perpich	Solon	Willet
Gunderson	McCutcheon	Peterson	Spear	
Hanson	Merriam	Purfeerst	Staples	
Hughes	Moe	Schaaf	Stokowski	
Johnson	Nelson	Schmitz	Stumpf	

The motion did not prevail.

Mr. Sieloff moved that S. F. No. 450 be laid on the table. The motion prevailed.

Mr. Bernhagen moved that S. F. No. 444 be taken from the table. The motion prevailed.

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.

CONCURRENCE AND REPASSAGE

Mr. Bernhagen moved that the Senate concur in the amendments by the House to S. F. No. 444 and that the bill be placed on its repassage as amended. The motion prevailed.

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.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	McCutcheon	Pillsbury	Staples
Benedict	Hanson	Menning	Purfeerst	Strand
Bernhagen	Hughes	Merriam	Renneke	Stumpf
Brataas	Jensen	Moe	Rued	Tennessen
Chenoweth	Johnson	Nelson	Schaaf	Ueland, A.
Chmielewski	Keefe, J.	Nichols	Schmitz	Ulland, J.
Coleman	Kirchner	Ogdahl	Setzepfandt	Vega
Davies	Kleinbaum	Olhoft	Sieloff	Wegener
Dieterich	Knoll	Olson	Sikorski	Willet
Dunn	Knutson	Penny	Sillers	
Frederick	Lessard	Perpich	Solon	
Gearty	Luther	Peterson	Spear	

So the bill, as amended, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Schaaf moved that S. F. No. 484 be taken from the table. The motion prevailed.

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.

CONCURRENCE AND REPASSAGE

Mr. Schaaf moved that the Senate concur in the amendments by the House to S. F. No. 484 and that the bill be placed on its repassage as amended. The motion prevailed.

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; clarifying provisions concerning return of absentee ballots; regulating elections in the city of Duluth and Independent School District No. 709; 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; 205.14, by adding a subdivision; Section 207.08, Subdivision 2, and by adding a subdivision; and 207.11, by adding a subdivision; repealing Minnesota Statutes 1978, Section 207.10.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Lessard	Peterson	Spear
Bang	Hughes	Luther	Pillsbury	Staples
Benedict	Jensen	McCutcheon	Purfeerst	Stokowski
Bernhagen	Johnson	Menning	Renneke	Strand
Brataas	Keefe, J.	Merriam	Rued	Stumpf
Chenoweth	Keefe, S.	Moe	Schaaf	Tennessee
Chmielewski	Kirchner	Nelson	Schmitz	Ueland, A.
Davies	Kleinbaum	Nichols	Setzepfandt	Ulland, J.
Dieterich	Knaak	Ogdahl	Sieloff	Vega
Dunn	Knoll	Olhoft	Sikorski	Wegener
Frederick	Knutson	Olson	Sillers	Willet
Gearty	Laufenburger	Perpich	Solon	

Mr. Penny voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

CONFIRMATION

Mr. Hughes moved that the report from the Committee on Education, reported May 7, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported May 7, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

COUNCIL ON QUALITY EDUCATION

Judy Lawrence Roy, Red Lake, Beltrami County, effective February 20, 1978, for a term expiring the first Monday in January, 1980.

Anna Barker, 8129 Hemingway, Cottage Grove, Washington County, effective March 20, 1978, for a term expiring the first Monday in January, 1981.

Loria Danage-Scott, 2021 Edgerton, Apt. 319, Maplewood, Ramsey County, effective August 22, 1978, for a term expiring the first Monday in January, 1982.

Lorraine Ziemer, 10211 Cedar Lake Road, Minnetonka, Hennepin County, effective April 23, 1979, for a term expiring the first Monday in January, 1983.

MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY

Frederick J. Bentz, 2778 Thomas Avenue South, Minneapolis, Hennepin County, effective April 9, 1979, for a term expiring the first Monday in January, 1983.

Maxwell O. Ramsland, Jr., 2401 East First Street, Duluth, St. Louis County, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

STATE BOARD FOR COMMUNITY COLLEGES

Paul D. Brinkman, 1111 Hamline Avenue North, St. Paul, Ramsey County, effective March 19, 1979, for a term expiring the first Monday in January, 1981.

Nadine H. Chase, Box 186, Bena, Cass County, effective March 6, 1979, for a term expiring the first Monday in January, 1982.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Olson moved that the report from the Committee on General Legislation and Administrative Rules, reported May 7, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Olson moved that the foregoing report be now adopted. The motion prevailed.

Mr. Olson moved that in accordance with the report from the Committee on General Legislation and Administrative Rules, reported May 7, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

STATE ZOOLOGICAL BOARD

Richard M. Arndt, 669 Laura Court, Mendota Heights, Dakota County, effective April 16, 1979, for a term expiring January 3, 1983.

Patricia Davies, 3424 Edmund Blvd., Minneapolis, Hennepin County, effective April 16, 1979, for a term expiring January 3, 1983.

James L. Hetland, Jr., 5850 Irving Avenue South, Minneapolis, Hennepin County, effective April 16, 1979, for a term expiring January 3, 1983.

Dr. Paul E. Zollman, 200 1st Street SW, Rochester, Olmsted County, effective April 16, 1979, for a term expiring January 3, 1983.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Willet moved that the report from the Committee on Agriculture and Natural Resources, reported May 7, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Willet moved that the foregoing report be now adopted. The motion prevailed.

Mr. Willet moved that in accordance with the report from the Committee on Agriculture and Natural Resources, reported May 7, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

IRON RANGE RESOURCES AND REHABILITATION BOARD COMMISSIONER

Patrick J. McGauley, 2808 5th Avenue West, Hibbing, St. Louis County, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

MINNESOTA WATER RESOURCES BOARD

Dr. Benjamin Ramage Harriman, 1335 Pinehurst Avenue, St. Paul, Ramsey County, effective March 6, 1979, for a term expiring the first Monday in January, 1983.

James J. Wychor, 1945 South Shore Drive, Worthington, Nobles County, effective March 6, 1979, for a term expiring the first Monday in January, 1983.

STATE SOIL AND WATER CONSERVATION BOARD

Alison D. Fuhr, 6609 Brittany Road, Edina, Hennepin County, effective March 6, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Wegener moved that S. F. No. 1054 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Local Government. The motion prevailed.

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

S. F. No. 381: A bill for an act relating to the city of Ely; providing for the salaries of the mayor and council.

Mr. Johnson moved that S. F. No. 381, No. 1 on Special Orders, be stricken and re-referred to the Committee on Local Government. The motion prevailed.

SPECIAL ORDER

S. F. No. 992: 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.

Mr. Schaaf moved that S. F. No. 992, No. 41 on Special Orders, be stricken and re-referred to the Committee on Judiciary.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 27 and nays 26, as follows:

Those who voted in the affirmative were:

Bernhagen	Johnson	Olson	Schmitz	Ulland, J.
Brataas	Kleinbaum	Peterson	Staples	Wegener
Chenoweth	Knutson	Purfeerst	Stokowski	Willet
Coleman	Lessard	Renneke	Strand	
Frederick	McCutcheon	Rued	Stumpf	
Jensen	Nelson	Schaaf	Ueland, A.	

Those who voted in the negative were:

Ashbach	Hanson	Luther	Perpich	Tennessee
Benedict	Keefe, J.	Menning	Pillsbury	Vega
Chmielewski	Keefe, S.	Merriam	Setzepfandt	
Dieterich	Kirchner	Moe	Sieloff	
Dunn	Knaak	Olhoff	Sikorski	
Gearty	Knoll	Penny	Spears	

The motion prevailed.

SPECIAL ORDER

S. F. No. 791: A bill for an act relating to waters; requiring executive council designation of scenic rivers; authorizing legislative review of the designation of scenic rivers; permitting county administration of certain areas within the 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 104.31; 104.33, Subdivision 1; 104.34; 104.35, Subdivisions 1, 2 and 3; 104.36, by adding a subdivision;

104.37, Subdivision 1; and 104.40; repealing Minnesota Statutes 1978, Sections 104.35, Subdivision 4; and 104.39.

Mr. Dunn moved to amend S. F. No. 791, as follows:

Page 2, line 15, delete "*executive council*" and insert "*Minnesota environmental quality board*"

Page 5, line 16, delete "*executive*" and insert "*Minnesota environmental quality board*"

Page 5, line 17, delete "*council*"

Page 5, line 19, delete "*executive council*" and insert "*environmental quality board*"

Further, amend the title in line 2 by deleting "*executive council*" and inserting "*Minnesota environmental quality board*"

The motion did not prevail. So the amendment was not adopted.

Mr. Merriam moved to amend S. F. No. 791 as follows:

Page 5, line 17, delete "*have*" and insert "*act within*"

Page 5, line 18, delete everything after the period

Page 5, delete line 19

Page 5, line 20, delete the new language

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Chmielewski imposed a call of the Senate for the balance of the proceedings on S. F. No. 791. The following Senators answered to their names:

Bang	Hughes	Luther	Rued	Stokowski
Benedict	Jensen	McCutcheon	Schaaf	Strand
Bernhagen	Johnson	Merriam	Schmitz	Ueland, A.
Dieterich	Keefe, S.	Nelson	Setzepfandt	Ulland, J.
Dunn	Kirchner	Olson	Sieloff	Vega
Gearty	Knoll	Pillsbury	Sikoriski	Willet
Gunderson	Knutson	Purfeerst	Solon	
Hanson	Lessard	Renneke	Staples	

The Sergeant at Arms was instructed to bring in the absent members.

Mr. Chmielewski moved to amend S. F. No. 791 as follows:

Page 2, line 15, delete "*executive council*" and insert "*legislature*"

Page 2, line 17, delete "*Provided*"

Page 2, line 18, delete "*that*"

Page 4, line 31, after the period, insert "*The commissioner shall obtain approval by resolution of the county board or boards of the county or counties containing a majority of the shoreline of a river or segment thereof proposed for inclusion in the wild and scenic*"

rivers system prior to recommending designation thereof to the legislature. Notwithstanding the foregoing, no river or segment thereof lying entirely within one county shall be included without approval of the county board of that county. No management plan adopted nor designation of a river or segment thereof as a wild and scenic river shall be effective without the required approval."

Page 5, lines 15 to 20, delete the new language and insert "A recommendation to the legislature for the inclusion of a river or segment thereof shall be accompanied by the proposed management plan, the hearing examiner's report thereon, and any written comments or testimony received pursuant to subdivision 2. No river or segment thereof shall be designated for inclusion in the wild and scenic rivers system except by act of the legislature."

Amend the title as follows:

Page 1, line 2, delete "executive council"

Page 1, delete line 3

Page 1, line 4, delete "review of the"

Mr. Sieloff requested division of the amendment as follows:

First portion:

Page 2, line 15, delete "executive council" and insert "legislature"

Page 5, lines 15 to 20, delete the new language and insert "A recommendation to the legislature for the inclusion of a river or segment thereof shall be accompanied by the proposed management plan, the hearing examiner's report thereon, and any written comment or testimony received pursuant to subdivision 2. No river or segment thereof shall be designated for inclusion in the wild and scenic rivers system except by act of the legislature."

Amend the title as follows:

Page 1, line 2, delete "executive council"

Page 1, delete line 3

Page 1, line 4, delete "review of the"

Second portion:

Page 2, line 17, delete "Provided"

Page 2, line 18, delete "that"

Page 4, line 31, after the period, insert "The commissioner shall obtain approval by resolution of the county board or boards of the county or counties containing a majority of the shoreline of a river or segment thereof proposed for inclusion in the wild and scenic rivers system prior to recommending designation thereof to the legislature. Notwithstanding the foregoing, no river or segment thereof lying entirely within one county shall be included without approval of the county board of that county. No manage-

ment plan adopted nor designation of a river or segment thereof as a wild and scenic river shall be effective without the required approval."

The question was taken on the adoption of the first portion of the Chmielewski amendment.

The roll was called, and there were yeas 28 and nays 29, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Menning	Pillsbury	Sillers
Bang	Frederick	Moe	Purfeerst	Solon
Bernhagen	Johnson	Ogdahl	Renneke	Strand
Brataas	Knaak	Olson	Rued	Ueland, A.
Chmielewski	Knutson	Penny	Schmitz	
Dunn	Lessard	Peterson	Sieloff	

Those who voted in the negative were:

Benedict	Gunderson	Laufenburger	Olhoff	Stokowski
Chenoweth	Hanson	Luther	Schaaf	Tennessee
Coleman	Keefe, S.	McCutcheon	Setzepfandt	Ulland, J.
Davies	Kirchner	Merriam	Sikorski	Vega
Dieterich	Kleinbaum	Nelson	Spear	Willet
Gearty	Knoll	Nichols	Staples	

The motion did not prevail. So the first portion of the Chmielewski amendment was not adopted.

The question was taken on the second portion of the Chmielewski amendment. The motion did not prevail. So the second portion of the Chmielewski amendment was not adopted.

Mr. Renneke moved to amend S. F. No. 791 as follows:

Delete everything after the enacting clause and insert:

"Section 1. The commissioner of natural resources shall designate no rivers for inclusion in the wild and scenic rivers system for a period of two years following the effective date of this act.

Sec. 2. The legislature finds that the wild and scenic rivers act is in need of revision. The agriculture and natural resources committee in the senate and the environmental and natural resources committee in the house of representatives, shall study the act and report to their respective houses prior to January 1, 1981. Their study shall consider, but not be limited to, the following issues:

(a) The procedures followed by the commissioner in the preparation of management plans for rivers proposed to be included within the wild and scenic rivers system;

(b) The encouragement of participation by counties and other local governments in the designation procedure;

(c) The title and goals of the program;

(d) The effect of designation of an area as a part of the wild and scenic rivers system on drainage and irrigation within the area;

(e) The proper authority to have the power to finally designate a river for inclusion within the system;

(f) The maintenance of existing uses of areas included within the system;

(g) The consideration of whether rivers already included within the system should remain in the system; and

(h) The construction and maintenance of new and existing boat landings, picnic grounds and swimming beaches in areas within the system;

(i) Estimated total costs involved in clause (c) above;

(j) Compensation to land owners regulated by the management plan, including the need to include in any management plan a requirement to estimate amounts of compensation involved, and a fair and equitable method of appraising compensation values involved;

(k) Determine how many persons are impacted by the existing and proposed program and an estimate of the number of persons who are presently utilizing the present system;

(1) Estimated costs to compensate local units of government or private persons for law enforcement, maintenance, and custodial services required.

Sec. 3. [EFFECTIVE DATE.] This act is effective the day after final enactment."

Amend the title as follows:

Page 1, delete lines 2 to 17 and insert "relating to the wild and scenic river system; providing for a two year moratorium upon the inclusion of rivers within the system; directing standing legislative committees to study certain issues relating to the system."

The motion did not prevail. So the amendment was not adopted.

Mr. Setzepfandt moved to amend S. F. No. 791 as follows:

Page 2, line 15, delete "*executive council*" and insert "*agriculture and natural resources committee in the senate and the environment and natural resources committee in the house of representatives*"

Page 5, line 16, delete "*executive*" and insert "*agriculture and natural resources committee in the senate and environment and natural resources committee in the house of representatives. The committees, after considering the recommendation of the commissioner, may approve or disapprove the designation of the river or segment thereof as a wild, scenic, or recreational river. The river or segment thereof shall be included in the scenic river system only if both committees approve the designation.*"

Page 5, lines 17 to 20, delete all underscored language

Amend the title as follows:

Page 1, line 2, delete "executive council" and insert "legislative"
The motion did not prevail. So the amendment was not adopted.

S. F. No. 791 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 49 and nays 11, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Luther	Perpich	Staples
Bang	Hanson	McCutcheon	Peterson	Stokowski
Benedict	Johnson	Menning	Pillsbury	Strand
Brataas	Keefe, S.	Moe	Purfeerst	Stumpf
Chmielewski	Kirchner	Nelson	Schaaf	Tennessean
Coleman	Kleinbaum	Nichols	Schmitz	Ueland, A.
Davies	Knoll	Ogdahl	Setzepfandt	Ulland, J.
Dieterich	Knutson	Olhoff	Sikorski	Vega
Frederick	Laufenburger	Olson	Solon	Willet
Gearty	Lessard	Penny	Spear	

Those who voted in the negative were:

Bernhagen	Keefe, J.	Merriam	Rued	Sillers
Dunn	Knaak	Renneke	Sieloff	Wegener
Engler				

So the bill, as amended, passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 1:20 o'clock p.m. The motion prevailed.

The hour of 1:20 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Keefe, J. was excused from the Session of today from 1:20 to 7:30 o'clock p.m. Mr. Chenoweth was excused from the Session of today from 12:45 to 2:00 o'clock p.m.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Frederick	Knoll	Penny	Staples
Bernhagen	Gearty	Laufenburger	Perpich	Stumpf
Brataas	Gunderson	Lessard	Pillsbury	Ueland, A.
Chmielewski	Hughes	Luther	Rued	Ulland, J.
Coleman	Jensen	McCutcheon	Schmitz	Wegener
Davies	Keefe, S.	Menning	Sieloff	Willet
Dieterich	Kleinbaum	Merriam	Sillers	
Dunn	Knaak	Olhoff	Spear	

The Sergeant at Arms was instructed to bring in the absent members.

SPECIAL ORDER

S. F. No. 1158: 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.

Mrs. Brataas moved to amend S. F. No. 1158 as follows:

Page 2, after line 15, insert:

"Sec. 3. Minnesota Statutes 1978, Section 259.24, is amended by adding a subdivision to read:

Subd. 8. [ADOPTIVE PARENTS DEFINED.] For the purposes of sections 259.24, subdivision 6, and 259.25, subdivision 2, the term "adoptive parents" shall mean parents who have received a child into their home with the intent to adopt the child."

Amend the title as follows:

Page 1, line 8, after "6" insert ", and by adding a subdivision"

The motion prevailed. So the amendment was adopted.

S. F. No. 1158: 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 by adding a subdivision; and 259.25, Subdivision 2.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Jensen	McCutcheon	Purfeerst	Strand
Benedict	Johnson	Menning	Renneke	Stumpf
Bernhagen	Keefe, S.	Merriam	Rued	Tennessee
Brataas	Kirchner	Moe	Schaaf	Ueland, A.
Davies	Kleinbaum	Nelson	Schmitz	Ulland, J.
Dieterich	Knaak	Ogdahl	Setzepfandt	Wegener
Dunn	Knoll	Olhoft	Sieloff	Willet
Frederick	Knutson	Penny	Sikorski	
Gearty	Laufenburger	Perpich	Spear	
Gunderson	Lessard	Peterson	Staples	
Hughes	Luther	Pillsbury	Stokowski	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 810: A bill for an act relating to retirement; prohibiting membership in a volunteer firefighters' relief association by certain persons.

Mr. Davies moved to amend S. F. No. 810 as follows:

Page 3, after line 8, insert:

"Sec. 3. [LIMITATION ON NONFORFEITABLE ENTITLEMENT TO BENEFIT INCREASE.] No current annuitant, disablitant or survivor benefit recipient and no active or inactive member of any retirement fund to which this act applies shall acquire a nonforfeitable interest in, or entitlement to, any modification in the benefit plan of the fund contained in this act or be entitled to bring any action based on any modification in the benefit plan of the fund contained in this act until a period of two years commencing with the date on which the benefit plan modification becomes effective has expired."

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend S. F. No. 810 as follows:

Delete everything after the enacting clause and insert:

"Section 1. [RESTRICTION ON VOLUNTEER FIREFIGHTERS RELIEF ASSOCIATION MEMBERSHIP FOR CERTAIN PERSONS.] No person who is employed by a city in the position of fire chief or who is employed in a comparable executive or administrative position, if the city has no designated position of fire chief, and who is a member of the public employees retirement association, the public employees police and fire fund or a local salaried firefighters relief association to which Minnesota Statutes, Section 69.77 applies, shall be entitled while so employed after the effective date of this act to be a member of or to accrue any service credit in a volunteer firefighters relief association to which Minnesota Statutes, Sections 69.771 to 69.776 apply.

Sec. 2. [EFFECTIVE DATE.] This act is effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

S. F. No. 810 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 49 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Bernhagen	Davies	Frederick	Hanson
Bang	Brataas	Dieterich	Gearty	Hughes
Benedict	Chmielewski	Engler	Gunderson	Jensen

Johnson	Luther	Penny	Setzepfandt	Stumpf
Keefe, S.	Menning	Perpich	Sieloff	Tennessen
Kleinbaum	Merriam	Pillsbury	Sikorski	Ueland, A.
Knaak	Moe	Purfeerst	Spear	Ulland, J.
Knutson	Nelson	Renneke	Staples	Wegener
Laufenburger	Ogdahl	Rued	Stokowski	Willet
Lessard	Olhoff	Schaaf	Strand	

Mr. McCutcheon voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 351: A bill for an act relating to commerce; requiring identification and liability insurance on towing vehicles; prohibiting local licensing of towing companies unless they have contracted to perform services for the local governmental unit; providing a penalty; amending Minnesota Statutes 1978, Chapter 326, by adding a section.

Mrs. Staples moved to amend S. F. No. 351 as follows:

Page 2, after line 2, insert:

"This subdivision does not apply to towing companies having a place of business in a city of the first class which regulates or licenses towing companies, with respect to towing vehicles operated solely within the boundaries of the city."

Page 2, line 6, before "No" insert *"Except as otherwise provided in this subdivision,"*

Page 2, line 8, delete *" , except"* and insert a period

Page 2, delete lines 9 and 10, and insert *"A city of the first class may enact an ordinance regulating or licensing towing companies having a place of business in the city with respect to towing vehicles operated within the boundaries of the city."*

Amend the title as follows:

Page 1, delete line 5, and insert *"except in cities of the first class"*

Page 1, line 6, delete *"for the local governmental unit"*

The motion prevailed. So the amendment was adopted.

Mr. Luther moved to amend S. F. No. 351 as follows:

Page 1, line 16, after *"the"* insert *"regular"*

The motion prevailed. So the amendment was adopted.

S. F. No. 351: A bill for an act relating to commerce; requiring identification and liability insurance on towing vehicles; prohibiting local licensing of towing companies except in cities of the first class; providing a penalty; amending Minnesota Statutes 1978, Chapter 326, by adding a section.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 26 and nays 29, as follows:

Those who voted in the affirmative were:

Ashbach	Jensen	Nichols	Setzepfandt	Ueland, A.
Bang	Knaak	Ogdahl	Sikorski	Vega
Brataas	Luther	Perpich	Spear	
Davies	McCutcheon	Pillsbury	Stokowski	
Dieterich	Merriam	Schaaf	Stumpf	
Hughes	Nelson	Schmitz	Tennessee	

Those who voted in the negative were:

Bernhagen	Gunderson	Laufenburger	Penny	Staples
Chmielewski	Hanson	Lessard	Peterson	Strand
Dunn	Johnson	Menning	Purfeerst	Ulland, J.
Engler	Kirchner	Moe	Renneke	Wegener
Frederick	Kleinbaum	Olhoft	Rued	Willet
Gearty	Knutson	Olson	Sieloff	

So the bill, as amended, failed to pass.

SPECIAL ORDER

S. F. No. 1361: A bill for an act relating to courts; providing for appeals from probate court; amending Minnesota Statutes 1978, Section 525.712; repealing Minnesota Statutes 1978, Sections 525.713; and 525.72.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	McCutcheon	Peterson	Staples
Bang	Hughes	Menning	Pillsbury	Stokowski
Brataas	Jensen	Merriam	Purfeerst	Strand
Chmielewski	Johnson	Moe	Renneke	Stumpf
Davies	Kirchner	Nelson	Rued	Tennessee
Dieterich	Kleinbaum	Nichols	Schaaf	Ueland, A.
Dunn	Knaak	Ogdahl	Schmitz	Vega
Engler	Knutson	Olhoft	Setzepfandt	Wegener
Frederick	Laufenburger	Olson	Sieloff	Willet
Gearty	Lessard	Penny	Sikorski	
Gunderson	Luther	Perpich	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 783: 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 27 and nays 26, as follows:

Those who voted in the affirmative were:

Chenoweth	Hanson	Merriam	Perpich	Strand
Davies	Hughes	Moe	Schaaf	Stumpf
Dieterich	Johnson	Nichols	Sikorski	Vega
Dunn	Kirchner	Olhoff	Solon	
Gearty	Knoll	Olson	Staples	
Gunderson	Luther	Penny	Stokowski	

Those who voted in the negative were:

Ashbach	Jensen	Ogdahl	Schmitz	Ulland, J.
Bernhagen	Knaak	Peterson	Setzepfandt	Willet
Brataas	Knutson	Pillsbury	Sieloff	
Chmielewski	Lessard	Purfeerst	Sillers	
Engler	McCutcheon	Renneke	Spear	
Frederick	Menning	Rued	Ueland, A.	

So the bill failed to pass.

SPECIAL ORDER

S. F. No. 1128: A bill for an act relating to retirement; increasing employee contributions to local police and firefighters relief associations; providing for a study of police and firefighter relief associations; amending Minnesota Statutes 1978, Section 69.77, Subdivision 2.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	McCutcheon	Pillsbury	Staples
Bang	Hanson	Menning	Purfeerst	Stokowski
Bernhagen	Hughes	Merriam	Renneke	Strand
Brataas	Jensen	Moe	Rued	Stumpf
Chenoweth	Johnson	Nelson	Schaaf	Tennessee
Chmielewski	Kirchner	Nichols	Schmitz	Ulland, A.
Davies	Kleinbaum	Ogdahl	Setzepfandt	Ulland, J.
Dieterich	Knaak	Olhoff	Sieloff	Vega
Dunn	Knoll	Olson	Sikorski	Willet
Engler	Laufenburger	Penny	Sillers	
Frederick	Lessard	Perpich	Solon	
Gearty	Luther	Peterson	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1257: 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; 256B.04, Subdivision 10, and by adding a subdivision; 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.

Mr. Olhoft moved to amend S. F. No. 1257 as follows:

Page 4, line 14, after "*suspend*" insert "*or reduce*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1257 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Luther	Peterson	Solon
Bang	Hughes	McCutcheon	Pillsbury	Spear
Bernhagen	Jensen	Menning	Purfeerst	Staples
Chenoweth	Johnson	Merriam	Renneke	Stokowski
Chmielewski	Keefe, S.	Moe	Rued	Strand
Davies	Kirchner	Nelson	Schaaf	Stumpf
Dieterich	Kleinbaum	Nichols	Schmitz	Tennessee
Dunn	Knaak	Olhoft	Setzepfandt	Ueland, A.
Engler	Knoll	Olson	Sieloff	Ulland, J.
Frederick	Laufenburger	Penny	Sikorski	Vega
Gearty	Lessard	Perpich	Sillers	Willet

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1166: A bill for an act relating to elections; providing for the election days of first class cities and school districts principally situated in those cities; providing for extension or reduction of the terms of certain elected officials; amending Minnesota Statutes 1978, Sections 123.51; 410.21; and Chapter 205, by adding a section.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 35 and nays 18, as follows:

Those who voted in the affirmative were:

Chenoweth	Gunderson	Kleinbaum	Merriam	Olson
Chmielewski	Hanson	Knoll	Moe	Penny
Davies	Hughes	Lessard	Nelson	Perpich
Dieterich	Johnson	Luther	Nichols	Peterson
Gearty	Keefe, S.	Menning	Olhoft	Purfeerst

Schaaf Sikorski	Sillers Spear	Staples Stokowski	Strand Stumpf	Tennessee Vega
--------------------	------------------	----------------------	------------------	-------------------

Those who voted in the negative were:

Ashbach	Engler	Knaak	Rued	Ueland, A.
Bang	Frederick	Laufenburger	Schmitz	Ulland, J.
Bernhagen	Jensen	Pillsbury	Setzpfandt	
Dunn	Kirchner	Renneke	Sieloff	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1026: 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hughes	Luther	Pillsbury	Spear
Bernhagen	Jensen	Menning	Purfeerst	Staples
Chenoweth	Johnson	Merriam	Renneke	Stokowski
Chmielewski	Keefe, S.	Moe	Rued	Strand
Davies	Kirchner	Nelson	Schaaf	Stumpf
Dieterich	Kleinbaum	Nichols	Schmitz	Ueland, A.
Engler	Knaak	Olhoft	Setzpfandt	Ulland, J.
Frederick	Knoll	Olson	Sieloff	Vega
Gearty	Laufenburger	Penny	Sikorski	Willet
Gunderson	Lessard	Perpich	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 831: A bill for an act relating to the Hennepin county park reserve district; regulating tax levies; amending Laws 1967, Chapter 721, Section 2, as amended.

Mrs. Staples moved to amend S. F. No. 831 as follows:

Page 2, line 9, reinstate the stricken language after the period

Page 2, lines 10 to 22, reinstate the stricken language

The motion prevailed. So the amendment was adopted.

S. F. No. 831 was then progressed.

SPECIAL ORDER

S. F. No. 765: 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.

Mr. Dunn moved to amend S. F. No. 765 as follows:

Page 2, line 5, delete the new language and insert "veterans who entered military service of this country during the period July 1, 1964, to December 31, 1976, and separated under honorable conditions from any branch of the armed forces of the United States: (a) after having served on active duty for 181 consecutive days or (b) by reason of disability incurred while serving on active duty, and who are permanent residents of the state of Minnesota,"

Page 2, line 6, delete the new language

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 36 and nays 12, as follows:

Those who voted in the affirmative were:

Bang	Hughes	Nelson	Setzepfandt	Ueland, A.
Brataas	Johnson	Nichols	Sikorski	Ulland, J.
Chenoweth	Knaak	Olhoft	Sillers	Vega
Coleman	Knoll	Perpich	Spear	Wegener
Davies	Luther	Pillsbury	Staples	
Dieterich	McCutcheon	Purfeerst	Strand	
Dunn	Menning	Schaaf	Stumpf	
Hanson	Merriam	Schmitz	Tennessee	

Those who voted in the negative were:

Bernhagen	Frederick	Kirchner	Penny	Rued
Chmielewski	Gunderson	Olson	Renneke	Sieloff
Engler	Jensen			

The motion prevailed. So the amendment was adopted.

Mr. Nichols moved to amend the Dunn amendment to S. F. No. 765, adopted by the Senate May 8, 1979, as follows:

Line 2 of the Dunn amendment, before "veterans" insert "until 1989,"

The motion prevailed. So the amendment to the Dunn amendment was adopted.

S. F. No. 765 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 50 and nays 5, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knoll	Peterson	Sillers
Bang	Gearty	Lessard	Pillsbury	Staples
Bernhagen	Gunderson	Luther	Purfeerst	Stokowski
Brataas	Hanson	McCutcheon	Renneke	Strand
Chenoweth	Hughes	Menning	Rued	Stumpf
Chmielewski	Jensen	Nelson	Schaaf	Ueland, A.
Coleman	Johnson	Olhoft	Schmitz	Ulland, J.
Davies	Kirchner	Olson	Setzepfandt	Vega
Dunn	Kleinbaum	Penny	Sieloff	Wegener
Engler	Knaak	Perpich	Sikorski	Willet

Those who voted in the negative were:

Dieterich Merriam Nichols Spear Tennesen

So the bill, as amended, passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:30 o'clock p.m. The motion prevailed.

The hour of 7:30 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Benedict was excused from the Session of today from 2:00 to 3:00 o'clock p.m. Mr. Knoll was excused from the Session of today from 1:45 to 2:30 o'clock p.m. Mr. Chenoweth was excused from the Session of today from 7:30 to 9:00 o'clock p.m. Mr. Knutson was excused from this evening's Session. Mr. Laufemburger was excused from this evening's Session until 8:30 o'clock p.m. Mr. Moe was excused from this evening's Session until 9:30 o'clock p.m. Mr. Stumpf was excused from this evening's Session at 9:00 o'clock p.m. Mr. Purfeerst was excused from this evening's Session at 9:27 o'clock p.m.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Knask	Penny	Solon
Ashbach	Engler	Knoll	Perpich	Spear
Benedict	Gearty	Luther	Purfeerst	Staples
Brataas	Gunderson	Menning	Rued	Vega
Chmielewski	Hughes	Merriam	Schaaf	Wegener
Coleman	Johnson	Nelson	Schmitz	Willet
Davies	Keefe, S.	Olhoft	Sieloff	
Dieterich	Kirchner	Olson	Sillers	

The Sergeant at Arms was instructed to bring in the absent members.

Without objection, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 1258, 1310, 315, 988, 697, 932, 1176 and H. F. Nos. 107, 370, 279, 677, 253, 624, 357, 499, 813, 1065, 749, 914, 198, 954, 1101, 607, 686 makes the following report:

That the above Senate Files and House Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested.

Mr. Coleman moved the adoption of the foregoing committee report. The motion prevailed. Report adopted.

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately and moved to waive the lie-over requirement. The motion prevailed.

SPECIAL ORDER

S. F. No. 770: 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 decision; amending Minnesota Statutes 1978, Section 124.212, Subdivision 20, and by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 45 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Menning	Peterson	Solon
Benedict	Hanson	Merriam	Purfearerst	Spear
Bernhagen	Hughes	Nelson	Rued	Staples
Chmielewski	Johnson	Nichols	Schaaf	Strand
Coleman	Keefe, J.	Ogdahl	Schmitz	Ueland, A.
Davies	Kirchner	Olhoff	Setzepfandt	Ulland, J.
Dunn	Knoll	Olson	Sieloff	Vega
Engler	Lessard	Penny	Sikorski	Wegener
Gearty	Luther	Perpich	Sillers	Willet

Mr. Dieterich voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 974: A bill for an act relating to the city of Duluth; changing the definition of conflict of interest for the city housing finance agency staff; providing for the issuance of revenue bonds; amending Laws 1977, Chapter 142, Section 3, Subdivision 1, and by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Dieterich	Gearty	Hughes
Benedict	Coleman	Dunn	Gunderson	Johnson
Bernhagen	Davies	Engler	Hanson	Keefe, J.

Keefe, S.	Nelson	Peterson	Sieloff	Strand
Kirchner	Nichols	Pillsbury	Sikorski	Ueland, A.
Knaak	Ogdahl	Purfeerst	Sillers	Ulland, J.
Lessard	Olhoff	Rued	Solon	Vega
Luther	Olson	Schaaf	Spear	Wegener
Menning	Penny	Schmitz	Staples	
Merriam	Perpich	Setzepfandt	Stokowski	

Messrs. Knoll and Willet voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 182: 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.

Mr. Sieloff moved to amend S. F. No. 182 as follows:

Page 7, line 3, after "that" insert "in general"

The motion prevailed. So the amendment was adopted.

S. F. No. 182 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Luther	Pillsbury	Staples
Bang	Hanson	Menning	Purfeerst	Stokowski
Benedict	Hughes	Merriam	Renneke	Strand
Bernhagen	Johnson	Nelson	Rued	Ueland, A.
Chmielewski	Keefe, J.	Nichols	Schaaf	Ulland, J.
Coleman	Kirchner	Olhoff	Schmitz	Vega
Davies	Kleinbaum	Olson	Setzepfandt	Wegener
Dieterich	Knaak	Penny	Sieloff	Willet
Engler	Knoll	Perpich	Sikorski	
Frederick	Lessard	Peterson	Spear	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 529: 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 46 and nays 7, as follows:

Those who voted in the affirmative were:

Ashbach	Bernhagen	Davies	Frederick	Hanson
Bang	Chmielewski	Dieterich	Gearty	Hughes
Benedict	Coleman	Engler	Gunderson	Johnson

Keefe, J.	Nelson	Pillsbury	Sikorski	Ulland, J.
Kirchner	Nichols	Renneke	Sillers	Vega
Kleinbaum	Ogdahl	Rued	Solon	Wegener
Knaak	Olson	Schaaf	Staples	
Knoll	Penny	Schmitz	Stokowski	
Lessard	Perpich	Setzepfandt	Tennessee	
Menning	Peterson	Sieloff	Ueland, A.	

Those who voted in the negative were:

Dunn	Merriam	Spear	Strand	Willet
Luther	Olhoft			

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 515: 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Luther	Renneke	Stokowski
Bang	Gunderson	Menning	Rued	Strand
Benedict	Hanson	Merriam	Schaaf	Tennessee
Bernhagen	Hughes	Nelson	Schmitz	Ueland, A.
Chmielewski	Johnson	Nichols	Setzepfandt	Ulland, J.
Coleman	Keefe, J.	Olhoft	Sieloff	Vega
Davies	Kirchner	Olson	Sikorski	Wegener
Dieterich	Kleinbaum	Penny	Sillers	Willet
Dunn	Knaak	Perpich	Solon	
Engler	Knoll	Peterson	Spear	
Frederick	Lessard	Pillsbury	Staples	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1114: 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.

Mrs. Knaak moved to amend S. F. No. 1114 as follows:

Page 1, after line 11, insert:

“Sec. 2. This act is effective upon approval at the annual town meeting or at a special town meeting called for that purpose, and upon compliance with Minnesota Statutes, Section 645.021.”

The motion prevailed. So the amendment was adopted.

S. F. No. 1114 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 53 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Perpich	Spear
Ashbach	Gearty	Lessard	Pillsbury	Staples
Bang	Gunderson	Luther	Renneke	Stokowski
Benedict	Hughes	McCutcheon	Rued	Strand
Bernhagen	Humphrey	Menning	Schaaf	Ueland, A.
Brataas	Jensen	Merriam	Schmitz	Ulland, J.
Chmielewski	Johnson	Nelson	Setzepfandt	Vega
Coleman	Keefe, J.	Ogdahl	Sieloff	Wegener
Dieterich	Kirchner	Olhoft	Sikorski	Willet
Dunn	Kleinbaum	Olson	Sillers	
Engler	Knaak	Penny	Solon	

Mr. Davies voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 49: 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, Sections 48.159; 50.157; 51A.21, by adding a subdivision; 290.09, by adding a subdivision; 290.17, Subdivision 2; and Chapter 52, by adding a section.

Mr. Spear moved to amend S. F. No. 49 as follows:

Page 10, delete section 7

Renumber the sections in sequence

The motion did not prevail. So the amendment was not adopted.

S. F. No. 49 was then progressed.

SPECIAL ORDER

S. F. No. 1009: A bill for an act relating to taxation; increasing the maximum income tax credit for pollution control equipment; providing an occupation tax credit; amending Minnesota Statutes 1978, Section 290.06, Subdivisions 9 and 9a; and Chapter 298, by adding a section.

Mr. Merriam moved to amend S. F. No. 1009 as follows:

Page 2, after line 26, insert:

"The credit provided in this subdivision shall terminate on December 31, 1981, except that any amount of unused credit for equip-

ment purchased prior to that date that may be carried forward to a subsequent year may be taken as a credit in the subsequent year."

The motion did not prevail. So the amendment was not adopted.

S. F. No. 1009 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Peterson	Spear
Ashbach	Gunderson	Lessard	Pillsbury	Staples
Benedict	Hanson	Luther	Renneke	Stokowski
Bernhagen	Hughes	McCutcheon	Rued	Strand
Brataas	Humphrey	Menning	Schaaf	Stumpf
Chenoweth	Jensen	Nelson	Schmitz	Ueland, A.
Chmielewski	Johnson	Nichols	Setzpfandt	Ulland, J.
Dieterich	Kirchner	Olhoff	Sieloff	Vega
Dunn	Kleinbaum	Olson	Sikorski	Willet
Engler	Knaak	Penny	Sillers	
Frederick	Knoll	Perpich	Solon	

Messrs. Davies, Merriam and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1193: 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.

Mr. Pillsbury moved to amend S. F. No. 1193 as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1978, Section 462.425, Subdivision 6, is amended to read:

Subd. 6. [APPOINTMENT; APPROVAL; TERM; VACANCY.] The commissioners constituting an authority shall be appointed by the mayor, with the approval of the governing body. Those initially appointed shall be appointed for terms of one, two, three, four, and five years, respectively. Thereafter all commissioners shall be appointed for five-year terms. Each vacancy in an unexpired term shall be filled in the same manner in which the original appointment was made. *Any member of the governing body of a municipality may be appointed and may serve as a commissioner of the authority in and for the municipality.* The council of any municipality which appoints members of the city council as commissioners may set the terms of office of the commissioner to coincide with his term of office as a council member."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "permitting members of the city council of a city to serve as commissioners of the housing and redevelopment authority in and for the city;"

Page 1, line 4, after "Sections" insert "462.425, Subdivision 6;"

The motion prevailed. So the amendment was adopted.

S. F. No. 1193 was then progressed.

SPECIAL ORDER

S. F. No. 160: A bill for an act relating to juveniles; concerning foster care; extending county cost of care payment provisions; appropriating money; amending Minnesota Statutes 1978, Sections 260.251, Subdivisions 1 and 1a; and 261.27.

Mr. Menning moved to amend S. F. No. 160 as follows:

Page 4, delete section 4

Amend the title as follows:

Page 1, line 4, delete "appropriating money;"

The motion prevailed. So the amendment was adopted.

S. F. No. 160: 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.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Peterson	Staples
Ashbach	Gearty	Lessard	Pillsbury	Stokowski
Benedict	Gunderson	Luther	Renneke	Strand
Bernhagen	Hughes	McCutcheon	Rued	Stumpf
Brataas	Humphrey	Menning	Schaaf	Tennessee
Chenoweth	Jensen	Merriam	Setzepfandt	Ueland, A.
Chmielewski	Johnson	Nelson	Sieloff	Ulland, J.
Davies	Kirchner	Nichols	Sikorski	Vega
Dieterich	Kleinbaum	Olhoft	Sillers	Willet
Dunn	Knaak	Penny	Solon	
Engler	Knoll	Perpich	Spear	

So the bill, as amended, passed and its title was agreed to.

The question recurred on S. F. No. 49.

SPECIAL ORDER

S. F. No. 49: 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, Sections 48.159; 50.157; 51A.21, by adding a subdivision; 290.09, by adding a subdivision; 290.17, Subdivision 2; and Chapter 52, by adding a section.

Mr. Benedict moved to amend S. F. No. 49 as follows:

Page 4, line 1, delete "earlier" and insert "less"

The motion prevailed. So the amendment was adopted.

Mr. Stumpf moved that S. F. No. 49, No. 35 on Special Orders, be stricken and re-referred to the Committee on Energy and Housing.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 8 and nays 41, as follows:

Those who voted in the affirmative were:

Chenoweth	Keefe, S.	Peterson	Stumpf	Tennessee
Davies	Merriam	Pillsbury		

Those who voted in the negative were:

Ashbach	Gearty	Laufenburger	Schaaf	Strand
Benedict	Gunderson	Luther	Schmitz	Ueland, A.
Bernhagen	Hughes	Menning	Setzepfandt	Ulland, J.
Brataas	Humphrey	Nelson	Sieloff	Wegener
Chmielewski	Johnson	Nichols	Sikorski	Willet
Dieterich	Keefe, J.	Olhoff	Sillers	
Dunn	Kirchner	Penny	Spear	
Engler	Knaak	Renneke	Staples	
Frederick	Knoll	Rued	Stokowski	

The motion did not prevail.

S. F. No. 49 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 48 and nays 11, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Laufenburger	Perpich	Staples
Bang	Gunderson	Lessard	Renneke	Stokowski
Benedict	Hughes	Luther	Rued	Strand
Bernhagen	Humphrey	Menning	Schaaf	Ueland, A.
Brataas	Johnson	Nelson	Schmitz	Ulland, J.
Chmielewski	Keefe, J.	Nichols	Setzepfandt	Vega
Dieterich	Kirchner	Ogdahl	Sieloff	Wegener
Dunn	Kleinbaum	Olhoff	Sikorski	Willet
Engler	Knaak	Olson	Solon	
Frederick	Knoll	Penny	Spear	

Those who voted in the negative were:

Chenoweth	Keefe, S.	Peterson	Sillers	Tennessee
Coleman	McCutcheon	Pillsbury	Stumpf	
Davies	Merriam			

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1199: A bill for an act relating to retirement; state employees; miscellaneous amendments to the state employees, highway patrol officers and unclassified employees retirement plans; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 4; 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; Laws 1975, Chapter 388, Section 1, as amended, and by adding a subdivision; repealing Minnesota Statutes 1978, Sections 352.115, Subdivision 13; 352B.29; 352D.03; and 352D.10.

Mr. Davies moved to amend S. F. No. 1199, as follows:

Page 17, after line 15, insert:

"Sec. 19. [LIMITATION ON NONFORFEITABLE ENTITLEMENT TO BENEFIT INCREASE.] No current annuitant, disabilitant or survivor benefit recipient and no active or inactive member of any retirement fund to which this act applies shall acquire a nonforfeitable interest in, or entitlement to, any modification in the benefit plan of the fund contained in this act or be entitled to bring any action based on any modification in the benefit plan of the fund contained in this act until a period of two years commencing with the date on which the benefit plan modification becomes effective has expired."

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

Mr. Chenoweth moved to amend S. F. No. 1199 as follows:

Page 1, after line 17, insert:

"Section 1. Minnesota Statutes 1978, Section 3A.02, Subdivision 1, is amended to read:

3A.02 [RETIREMENT ALLOWANCE.] Subdivision 1. [QUALIFICATIONS.] Any former legislator:

(1) Who has served at least ~~six~~ eight full years, without regard to the application applying the provisions of section 3A.10, subdivision 2, or who has served during all or part of four regular sessions as such member of the legislature, which service need not be continuous, but must have been after January 1, 1965 except as hereinafter provided; and

(2) Who attains the normal retirement age; and

(3) Who has retired as a member of the legislature; and

(4) Who has made all contributions provided for in sections 3A.01 to 3A.10, or who has made payments in lieu of all contributions provided for in sections 3A.01 to 3A.10 as provided for in subdivision 2; shall be entitled upon written application to the director to receive a retirement allowance monthly in an amount

equal to five percent per year of service, not to exceed eight years of service, of that member's average monthly salary beginning with the first day of the month of receipt of such application and for the remainder of his life, provided he is not serving as a member of the legislature or as a constitutional officer or commissioner.

In addition to the amount provided above, the retired member who meets the qualifications of clauses (1), (2), (3) and (4) shall receive for every year of service over eight years a monthly allowance which equals two and one-half percent of the average monthly salary.

Notwithstanding clause (4), a member shall receive two and one-half percent of the average monthly salary for each year of service served after the beginning of the 1979 legislative session. Any member who has served during all or part of four regular sessions shall be deemed to have served eight years as a member of the legislature.

The retirement allowance shall cease with the last payment which had accrued to the retired legislator during his lifetime except that the surviving spouse, if any, shall be entitled to the retirement allowance for the calendar month in which the retired legislator died.

Effective for service rendered after the beginning of the 1981 legislative session, no member may accrue credit for more than 20 years service, nor shall member contributions thereafter be required for more than 20 years service.

For the purposes of this chapter the term salary shall not be deemed to include any additional payments provided by law for legislative leadership positions.

This subdivision is applicable to members of the legislature who terminate service after January 1, 1973, and to any widow or dependent child of any such member. Clauses (1) and (2) shall also be applicable to any former legislator who applies for a deferred annuity after June 5, 1975. Any former legislator who was in office on or after January 1, 1965, who had at least eight years of service but less than ten years of service as a member of the legislature, and who took a refund of his contributions, may upon application to the director repay to the director for credit to his account all refundments taken plus interest thereon at six percent per annum compounded annually. Upon repayment of the refundment, he shall then be entitled when otherwise qualified to a retirement allowance pursuant to subdivision 1, provided however that the retirement allowance shall be based on his salary at the time of his termination of service as a member of the legislature."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "providing a retirement allowance for members of the legislature after eight years of service;"

Page 1, line 6, after "Sections" insert "3A.02, Subdivision 1;"
The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Stokowski imposed a call of the Senate for the balance of the proceedings on S. F. No. 1199. The following Senators answered to their names:

Anderson	Engler	Knaak	Penny	Solon
Bang	Gearty	Knoll	Perpich	Spear
Benedict	Gunderson	Laufenburger	Peterson	Staples
Bernhagen	Hughes	Lessard	Pillsbury	Stokowski
Brataas	Humphrey	Luther	Renneke	Strand
Chenoweth	Jensen	Menning	Rued	Stumpf
Chmielewski	Johnson	Merriam	Schaaf	Ueland, A.
Coleman	Keefe, J.	Nelson	Schmitz	Ulland, J.
Davies	Keefe, S.	Nichols	Setzepfandt	Vega
Dieterich	Kirchner	Olhoff	Sieloff	Willet
Dunn	Kleinbaum	Olson	Sikorski	

The Sergeant at Arms was instructed to bring in the absent members.

Mr. Luther moved to amend S. F. No. 1199 as follows:

Page 17, delete Section 18 in its entirety

Re-number the sections in sequence

The motion did not prevail. So the amendment was not adopted.

S. F. No. 1199 was then progressed.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

Without objection, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 439, 426, 42, 216, 1119, 1484 and H. F. Nos. 282, 1023, 1093, 430, 852, 870, 1126 makes the following report:

That the above Senate Files and House Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested.

Mr. Coleman moved the adoption of the foregoing Committee report. The motion prevailed. Report adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Wednesday, May 9, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

FIFTIETH DAY

St. Paul, Minnesota, Wednesday, May 9, 1979

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Strand imposed a call of the Senate. The following Senators answered to their names:

Benedict	Engler	Laufenburger	Perpich	Staples
Bernhagen	Gearty	Lessard	Peterson	Strand
Brataas	Gunderson	Luther	Pillsbury	Ueland, A.
Chmielewski	Jensen	McCutcheon	Purfeerst	Ulland, J.
Coleman	Johnson	Menning	Renneke	Vega
Davies	Kirchner	Nelson	Rued	Wegener
Dieterich	Kleinbaum	Olhoff	Schmitz	Willet
Dunn	Knutson	Penny	Spear	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Monsignor Ambrose V. Hayden,

The roll was called, and the following Senators answered to their names:

Anderson	Frederick	Knutson	Penny	Solon
Ashbach	Gearty	Laufenburger	Perpich	Spear
Bang	Gunderson	Lessard	Peterson	Staples
Benedict	Hughes	Luther	Pillsbury	Stokowski
Bernhagen	Humphrey	McCutcheon	Purfeerst	Strand
Brataas	Jensen	Menning	Renneke	Stumpf
Chenoweth	Johnson	Merriam	Rued	Tennessee
Chmielewski	Keefe, J.	Moe	Schaaf	Ueland, A.
Coleman	Keefe, S.	Nelson	Schmitz	Ulland, J.
Davies	Kirchner	Nichols	Setzepfandt	Vega
Dieterich	Kleinbaum	Ogdahl	Sieloff	Wegener
Dunn	Knaak	Olhoff	Sikorski	Willet
Engler	Knoll	Olson	Sillers	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Hanson and Schrom were excused from the Session of today. Mr. Chenoweth was excused from the Session of today until

10:30 o'clock a.m. Mr. Frederick was excused from this morning's Session. Mr. Solon was excused from the Session of today from 9:00 to 10:00 o'clock a.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mrs. Staples, Messrs. Perpich and Nelson introduced—

S. F. No. 1554: 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.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Keefe, S.; Johnson; Willet; Spear and Vega introduced—

S. F. No. 1555: A resolution memorializing the United States Congress to repeal the McCarron-Ferguson Act.

Referred to the Committee on Rules and Administration.

Messrs. Luther, Benedict and Dieterich introduced—

S. F. No. 1556: 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.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Luther, McCutcheon and Sikorski introduced—

S. F. No. 1557: A bill for an act relating to public safety; specifying the crime of fleeing from a peace officer by use of a motorized vehicle; providing that whoever flees a peace officer in a motorized vehicle shall be liable for any loss caused by such flight; prohibiting insurers from excluding such liability from their policies; prescribing penalties; amending Minnesota Statutes 1978, Chapter 609, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Stumpf, Hughes, Mrs. Knaak, Messrs. Chenoweth and Dieterich introduced—

S. F. No. 1558: A bill for an act relating to welfare; defining purposes for which funds appropriated for the Lake Owasso Children's Home may be spent.

Referred to the Committee on Health, Welfare and Corrections.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received and referred to the committee indicated.

April 4, 1979

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Education Commission of the States are hereby respectfully submitted to the Senate for confirmation as required by law:

Will Antell, 1605 West Pine Street, Stillwater, Washington County, has been appointed by me, effective April 4, 1979, for a term expiring the first Monday in January, 1983.

Marjory Luett Hamersly, Rural Route, Glenville, Freeborn County, has been appointed by me, effective April 4, 1979, for a term expiring the first Monday in January, 1983.

Van D. Mueller, 3609 Maplewood Drive, Minneapolis, Hennepin County, has been appointed by me, effective April 4, 1979, for a term expiring the first Monday in January, 1983.

Joseph T. O'Neill, 800 Northwestern National Bank Building, 55 East Fifth Street, St. Paul, Ramsey County, has been appointed by me, effective April 4, 1979, for a term expiring the first Monday in January, 1983.

(Referred to the Committee on Education.)

Sincerely,

Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 144 and 1392.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 8, 1979

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 276 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 8, 1979

CONCURRENCE AND REPASSAGE

Mr. Peterson moved that the Senate concur in the amendments by the House to S. F. No. 276 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 276 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 42 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Lessard	Pillsbury	Strand
Bang	Engler	Luther	Purfeerst	Ueland, A.
Benedict	Gearty	McCutcheon	Renneke	Ulland, J.
Bernhagen	Gunderson	Menning	Rued	Vega
Brataas	Jensen	Nelson	Schaaf	Wegener
Chmielewski	Johnson	Olhoft	Schmitz	Willet
Coleman	Keefe, J.	Penny	Setzepfandt	
Davies	Kirchner	Perpich	Spear	
Dieterich	Knutson	Peterson	Staples	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 143, 296, 492, 1563, 1123, 1167, 1206, 1236, 1465, 323, 874 and 1392.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 8, 1979

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

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.

Referred to the Committee on Taxes and Tax Laws.

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.

Referred to the Committee on Taxes and Tax Laws.

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.

Referred to the Committee on Taxes and Tax Laws.

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.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1540, now on Special Orders.

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; amending Minnesota Statutes 1978, Sections 297A.01, Subdivision 3; 297A.14; 297A.33, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

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.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 1206: A bill for an act relating to energy; encouraging municipalities to use diseased trees.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1427, now in the Subcommittee on Bill Scheduling.

H. F. No. 1236: A bill for an act relating to the town of Forest Lake; exempting it from certain tax levy limitations.

Referred to the Committee on Taxes and Tax Laws.

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.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 323: A bill for an act relating to labor; requiring certain employers to provide employees with chest x-rays, hearing tests and lung tests; amending Minnesota Statutes 1978, Section 182.653, by adding a subdivision.

Referred to the Committee on Employment.

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 and 4; 15.0422; 15.0424, Subdivision 6; and 15.052, Subdivisions 1, 2, 5, 7, 8 and 9; repealing Minnesota Statutes 1978, Sections 5.21, and 15.0423.

Referred to the Committee on Governmental Operations.

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; imposing a penalty.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1485, now in the Subcommittee on Bill Scheduling.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Tennessen from the Committee on Commerce, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 237.075, is amended by adding a subdivision to read:

Subd. 9. For the purposes of this section, "telephone company" shall not include a cooperative telephone association organized under the provisions of chapter 308, or a municipal, unless the

cooperative telephone association or municipal makes the election provided in this subdivision.

A cooperative telephone association may elect to become subject to rate regulation by the commission pursuant to this section. The election shall be (a) approved by the board of directors of the association in accordance with the procedures for amending the articles of incorporation contained in section 308.15, subdivision 1, excluding the filing requirements; or (b) approved by a majority of members or stockholders voting by mail ballot initiated by petition of no fewer than five percent of the members or stockholders of the association. The ballot to be used for the election shall be approved by the board of directors and the department of public service. The department shall mail the ballots to the association's members who shall return the ballots to the department. The department will keep the ballots sealed until a date agreed upon by the department and the board of directors. On this date, representatives of the department and the association shall count the ballots. If a majority of the association's members who vote elect to become subject to rate regulation by the commission, the election shall be effective 30 days after the date the ballots are counted.

A municipal may elect to become subject to rate regulation by the commission pursuant to this section. The election shall be (a) approved by resolution of the governing body of the municipality; or (b) approved by a majority of the customers of the municipal voting by mail ballot initiated by petition of no fewer than 20 percent of the customers of the municipal. The ballot to be used for the election shall be approved by the governing body of the municipality and the department of public service. The department shall mail the ballots to the municipal's customers who shall return the ballots to the department. The department will keep the ballots sealed until a date agreed upon by the department and the governing body of the municipality. On this date, representatives of the department and the municipal shall count the ballots. If a majority of the customers of the municipal who vote elect to become subject to rate regulation by the commission, the election shall be effective 30 days after the date the ballots are counted.

Sec. 2. Minnesota Statutes 1978, Section 237.081, Subdivision 1, is amended to read:

Subdivision 1. Whenever the commission shall believe that any service is inadequate or cannot be obtained or that an investigation of any matter relating to any telephone service should for any reason be made, it may on its own motion summarily investigate the same with or without notice. Upon a complaint made against any telephone company by the governing body of any political subdivision, or by no fewer than five percent of the consumers of the particular telephone company that any of the rates, tolls, tariffs, charges or schedules or any regulation, measurement, practice, act or omission affecting or relating to the production, transmission, delivery or furnishing of telephone service or any service in connection therewith is in any respect unreasonable,

insufficient or unjustly discriminatory, or that any service is inadequate or cannot be obtained, the commission shall proceed to make an investigation as it may deem necessary. The commission may dismiss any complaint without a hearing if in its opinion a hearing is not in the public interest.

Sec. 3. Minnesota Statutes 1978, Section 237.081, Subdivision 4, is amended to read:

Subd. 4. Whenever the commission shall find that any service which can be reasonably demanded cannot be obtained, or that any of the rates, tolls, tariffs, charges or schedules or any regulation, measurement, practice, act or omission affecting or relating to the production, transmission, delivery or furnishing of telephone service or any service in connection therewith is in any respect unreasonable, insufficient or unjustly discriminatory, or that any service is inadequate, the commission shall determine and by order fix reasonable regulations, acts, practices or service to be furnished, imposed, observed and followed in the future in lieu of these found to be unreasonable, inadequate or otherwise unlawful and shall make such other an order, respecting such the rates, tolls, tariffs, regulation, act, omission, practice or service as shall be that is just and reasonable.

Sec. 4. [EFFECTIVE DATE.] *This act is effective on the day following final enactment. This act is effective in respect to applications for cooperative telephone association or municipal rate changes pending before the commission on the effective date and no refunds of increased cooperative telephone association or municipal rates ordered after the effective date shall be necessary, unless the cooperative telephone association or municipal elects to be subject to rate regulation on or before 60 days after the effective date.*

Amend the title as follows:

Delete the title in its entirety and insert

“A bill for an act relating to telephone companies; requiring telephone cooperatives and municipals to obtain prior approval of rates only if they elect to be so regulated by the public service commission; giving the public service commission the power to investigate and determine cases upon complaint against telephone companies; amending Minnesota Statutes 1978, Sections 237.075, by adding a subdivision; and 237.081, Subdivisions 1 and 4.”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 1476: A bill for an act relating to banks; authorizing certain additional facilities for banks; amending Minnesota Statutes 1978, Section 47.52.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 14, delete "or walk-up"

Page 2, line 14, after "facility" insert "*, 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,*"

Page 2, line 16, delete "or walk-up"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

S. F. No. 838: A bill for an act relating to privacy of communications; permissible monitoring; amending Minnesota Statutes 1978, Section 626A.02, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 21, delete "monotoring" and insert "monitoring"

Page 2, line 1, delete "monotoring" and insert "monitoring"

Page 2, after line 26, insert:

"The monitoring or observation of a telephone communication as authorized by this clause shall be accompanied by a beep or an electronic tone at 15 second intervals to inform parties of the interception, unless a party to the communication is a transportation common carrier, or an agent or employee thereof, engaged in providing reservation or informational services."

Amend the title as follows:

Page 1, line 3, delete "monotoring" and insert "monitoring"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

H. F. No. 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 23, after "or" insert "*nonmaintenance and non-clerical*"

Page 2, delete lines 4 to 11

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

H. F. No. 340: A bill for an act relating to the town of Leota in Nobles county; authorizing the establishment of a detached banking facility.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

H. F. No. 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Tennesen from the Committee on Commerce, to which was referred

H. F. No. 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Davies from the Committee on Judiciary, 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Employment, to which was referred

S. F. No. 1314: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 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 (a) individually or jointly with a spouse, parent or child owns or controls directly or indirectly 25 percent or more interest in the employing unit; or (b) is the spouse, parent or minor child of any individual who owns or controls directly or indirectly 25 percent or more interest in the employing unit; and (c) is not permanently separated from employment.*

This clause shall be effective when the individual has been paid four times the individual's weekly benefit amount in the current benefit year.

Sec. 2. [EFFECTIVE DATE.] *This act is effective for new claims filed on or after July 1, 1979.*"

Amend the title as follows:

Page 1, lines 3 and 4, delete "seasonal businesses" and insert "employing units"

Page 1, line 5, delete "268.08, by adding a subdivision" and insert "268.07, Subdivision 3"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was re-referred

S. F. No. 685: 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.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Moe from the Committee on Finance, 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 agreements with the Anoka State Hospital for community mental health services.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Moe from the Committee on Finance, to which was re-referred

S. F. No. 758: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Moe from the Committee on Finance, to which was re-referred

S. F. No. 975: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 10, reinstate the stricken language and delete the new language

Page 4, delete lines 12 to 14 and insert:

"Sec. 2. [APPROPRIATION.] The sums set forth in this section are appropriated from the general fund to the Indian affairs intertribal board for carrying out its duties relating to Indian burial grounds, to be available for the fiscal year ending June 30 in the years indicated.

1980	1981
\$15,000	\$15,000."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 961: A bill for an act relating to retirement; volunteer firefighters' relief associations and independent nonprofit fire-fighting 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, Chapters 575, Sections 1, Subdivision 1; and 2; 829, Section 1; Laws 1969, Chapters 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, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 2 through 27, delete sections 1 to 21

Page 30, line 12, delete "33" and insert "12"

Page 30, line 16, delete "40" and insert "19"

Page 31, line 13, delete "33" and insert "12"

Page 33, line 14, delete "33" and insert "12"

Page 40, line 29, delete "33" and insert "12"

Page 48, line 9, delete "33" and insert "12"

Page 50, line 16, delete "32 to 40" and insert "11 to 19"

Page 50, line 18, delete "32 to 40" and insert "11 to 19"

Page 50, line 30, delete "32 to 40" and insert "11 to 19"

Page 58, line 14, delete "32 to 40" and insert "11 to 19"

Page 61, line 14, delete "36" and insert "15"

Page 67, line 24, delete "33" and insert "12"

Page 67, line 25, delete "32 to 40" and insert "11 to 19"

Page 68, line 27, delete "33" and insert "12"

Page 68, line 31, delete "32" and insert "11"

Page 68, line 32, delete "40" and insert "19"

Page 69, line 22, delete "32 to 40" and insert "11 to 19"

Page 70, line 7, delete "33" and insert "12"

Page 70, delete section 41

Page 73, line 18, delete "33" and insert "12"

Page 74, line 12, delete "36" and insert "15"

Page 74, line 19, delete "36" and insert "15"

Page 75, line 3, delete "32 to 40" and insert "11 to 19"

Page 76, line 12, delete "32 to 40" and insert "11 to 19"

Page 77, line 4, delete "36" and insert "15"

Page 78, line 8, delete "36" and insert "15"

Page 78, line 32, delete "36" and insert "15"

Page 79, line 8, delete "36" and insert "15"

Page 79, line 26, delete "36" and insert "15"

Page 80, line 23, delete "36" and insert "15"

Page 81, line 21, delete "36" and insert "15"

Page 82, line 3, delete "33" and insert "12"

Page 82, line 18, delete "35" and insert "14"

Page 83, line 23, delete "33" and insert "12"

Page 85, line 13, delete "36" and insert "15"

Page 87, line 6, delete "33" and insert "12"

Page 87, line 13, delete "69.011, Subdivision 4;"

Page 88, line 4, delete "EFFECTIVE DATE" and insert "TEMPORARY PROVISION"

Page 88, lines 4 and 5, delete the underlined language

Page 88, line 7, delete "26" and insert "5"

Page 88, line 10, delete "30" and insert "9"

Page 88, after line 25, insert:

"Sec. 45. [EFFECTIVE DATE.] *This act is effective July 1, 1979.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 6 to 9

Page 1, line 10, delete "state auditor;"

Page 1, line 24, after "Sections" delete the balance of the line

Page 1, delete lines 25 to 27

Page 2, line 2, delete "69.011, Subdivision 4;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 996: A bill for an act relating to peace officers; regulating part-time and reserve officers; providing an appropriation; amending Minnesota Statutes 1978, Sections 626.84 and 626.841; and Chapter 626, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 3 to 5, delete subdivisions 2 to 6

Page 5, line 23, delete "NEW"

Page 5, lines 24 and 25, delete "*after the effective date of this act*"

Page 6, line 2, delete "*successfully*"

Page 6, after line 3, insert:

"Subd. 3. [COMPETENCY REQUIREMENTS.] *Part-time officer licensing examinations shall be designed to insure competency in the following areas reasonably achievable in courses of the indicated hourly maximums:*

- (a) *Law of arrest, including probable cause, 6 hours;*
- (b) *Law of search and seizure, 6 hours;*
- (c) *Confessions and interrogations, oral and written, 3 hours;*
- (d) *Law and rules of evidence, 4 hours;*
- (e) *Minnesota criminal code, 6 hours;*
- (f) *Juvenile law, 7 hours;*
- (g) *General principles of criminal investigations, 4 hours;*
- (h) *Crime scene search and investigation, 8 hours;*
- (i) *Preservation and collection of crime scene evidence, 4 hours;*
- (j) *Traffic enforcement, including accident investigation, 6 hours.*

Upon request, the board shall provide to any sheriff or chief of police lesson plans and instructional materials reasonably necessary to conduct classes in the required areas of study in the indicated period of time. A local law enforcement agency may require more comprehensive training than that specified in this subdivision."

Page 6, line 5, delete "*utilize the services of*" and insert "*appoint or employ*"

Page 6, line 14, delete "*shall be*" and insert "*is*"

Renumber the subdivisions in sequence

Page 7, after line 1, insert:

"Sec. 4. [TEMPORARY PROVISION.] *For a part-time officer appointed or employed before the effective date of this act, the deadlines imposed by section 3, subdivision 2, shall begin to run on the effective date of this act, rather than on the date the officer was appointed or employed."*

Page 7, line 4, delete "*Notwithstanding any*"

Page 7, delete line 5

Page 7, line 6, delete "*contrary, no*" and insert "*A*"

Page 7, line 6, delete "*shall be*" and insert "*is not*"

Page 7, line 8, delete "*as may be*" and insert "*those*"

Renumber the sections in sequence

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 1041: A bill for an act relating to interim claims against the state; appropriating money for the payment thereof.

Reports the same back with the recommendation that the bill be amended as follows:

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, #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, #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 #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, Minnesota
55119.....\$100.00

Timothy L. Nelson, Route 2, Isanti, Minnesota 55040.....
\$105.00

Bradley J. Prozinski, 1225 - 14th, North, #105, St. Cloud, Min-
nesota 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, California
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, Nebraska
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, #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, Min-
nesota 55431.....\$180.00
- Robert G. Hoffman, 3653 - 33rd Avenue South, Minneapolis,
Minnesota 55406.....\$100.00
- Vernon J. Marlin, 2420 "B" Avenue, #9, National City, Califor-
nia 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, Burnsv-
ille, Minnesota 55337.....\$100.00
- Walter L. Freiberg, 104 Second Street, Madison, Minnesota
56256.....\$100.00
- Albert W. Lidmark, 1012-½ East Seventh Street, Duluth, Min-
nesota 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, Min-
nesota 55406.....\$100.00
- Harold L. Paddock, 508 North High Street, Lake City, Minne-
sota 55041.....\$100.00
- Loren G. Coalwell, 311 Eighth Street, Devils Lake, North Da-
kota 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, #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 #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, Minnesota 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, Minnesota 55432.....\$100.00

William J. Schiebler, 4300 Linden Hills Boulevard, Minneapolis, 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, Minnesota 55119.....\$120.00
- James M. Kellner, 1204 Second Avenue East, International Falls, Minnesota 56649.....\$100.00
- Richard M. Koskie, 12815 Linde Lane, Minnetonka, Minnesota 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, Minnesota 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 43302
.....\$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, #102, Shoreview, Minnesota 55112.....\$195.00
- Ronald D. Gallmeier, 122 Monroe Street North, Prescott, Wisconsin 54021.....\$300.00
- Dennis E. Gagnon, Route 3, Box 140, Bagley, Minnesota 56621
.....\$300.00
- Roger A. Tucker, 416 North Hickory, #7, Escondido, California 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, Minnesota 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, Minnesota 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, Washington 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, Washington 99016.....\$300.00

Patricia K. Hansen, 1406 Fifth Street North, #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, Minnesota 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, Minnesota 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"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 960: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, after line 13, insert:

"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~~ *attains the age of 65 years* 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:

"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 in sequence

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;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 959: 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.

Reports the same back with the recommendation that the bill be amended as follows:

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 retired 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.*"

Page 1, lines 11, 15 and 23, delete "this act" and insert "sections 3 to 6"

Page 2, line 4, delete "this" and insert "sections 3 to 6"

Page 2, line 5, delete "act"

Page 2, lines 14, 15, 29 and 32, delete "this act" and insert "sections 3 to 6"

Page 3, line 4, delete "this act" and insert "*sections 3 to 6*"

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;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, strike everything after the period

Page 1, strike lines 15 to 17

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth 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 fire-fighters.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, delete everything after the period

Page 1, delete lines 15 and 16

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was re-referred

S. F. No. 787: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 29, after "a" insert "small"

Page 2, line 30, delete "consist of (1) a bureau of small"

Page 2, line 31, delete "business which shall"

Page 2, delete line 33

Page 3, line 1, delete "obtaining state licenses and permits"

Page 3, line 6, delete "BUREAU OF"

Page 3, line 6, after "BUSINESS" insert "ASSISTANCE CENTER"

Page 3, line 7, delete "bureau of"

Page 3, line 7, delete "business within the"

Page 3, line 11, delete "bureau" and insert "center"

Page 3, line 13, delete "bureau of"

Page 3, line 13, before the semicolon insert "assistance center"

Page 3, delete lines 18 to 22

Page 3, delete lines 26 to 28

Reletter the clauses in sequence

Page 4, lines 6, 16 and 17 delete "bureau" and insert "center"

Page 4, line 20, delete "bureau of"

Page 4, line 21, after "business" insert "assistance center"

Page 5, line 18, delete "BUREAU" and insert "STUDY"

Page 5, line 19, delete "bureau of business licenses" and insert "commissioner of economic development"

Page 5, lines 22 and 27, delete "bureau" and insert "commissioner"

Page 5, line 26, delete "bureau of business licenses" and insert "commissioner"

Page 6, lines 8, 11, 22, and 28, delete "the bureau of business" and insert "a centralized bureau of"

Page 6, lines 14, 18, and 33, delete "the" and insert "a centralized"

Page 6, line 19, delete "business"

Page 6, line 25, before "The" insert "The commissioner shall prepare proposed legislation to transfer"

Page 6, line 25, delete "all"

Page 6, line 27, delete "shall" and insert "*which the commissioner recommends*"

Page 6, line 29, delete "*unless otherwise provided by law*" and insert "*. No license shall be transferred to a centralized bureau of licensing unless the transfer is specifically required or authorized by the legislature*"

Page 7, line 1, delete "business"

Page 7, line 2, delete "the" and insert "a centralized"

Page 7, line 3, delete "business"

Amend the title as follows:

Page 1, line 2, after "a" insert "small"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Purfeerst 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 169.223, Subdivision 1; 169.685, Subdivision 1; and 171.02, Subdivision 3.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Purfeerst 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.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Purfeerst 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S. F. No. 1485: A bill for an act relating to labor; requiring operators of motor vehicles to stop and proceed with caution at certain entrances and exits.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [179.121] Any person who operates a motor vehicle which is entering or leaving a place of business or employment where there is a clear notice that a labor dispute is in progress, and who fails to bring the vehicle to a full stop at the entrance to or exit from that place, or who fails to exercise caution in entering or leaving that place, is guilty of a misdemeanor."

Amend the title as follows:

Page 1, line 4, before the period, insert "; imposing a penalty"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete lines 12 to 14

Renumber the sections in sequence

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, delete "each" and insert "a"

Page 1, line 20, after "town" insert "named"

Page 1, line 22, after "supervisors" insert "of that town"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, 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; amending Minnesota Statutes 1978, Sections 626.556, Subdivision 2; and 626A.05, Subdivision 2; repealing Minnesota Statutes 1978, Section 609.32.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, delete "7" and insert "4"

Page 1, line 21, delete "7" and insert "4"

Page 1, line 23, delete "section 609.22" and insert "chapter 609"

Page 1, line 25, delete "a person" and insert "an individual"

Page 1, line 26, delete "person" and insert "individual"

Page 2, line 3, delete "or from which"

Page 2, line 4, delete "prostitution is promoted"

Page 2, line 6, delete "a person" and insert "an individual"

Page 2, line 9, delete "person" and insert "individual"

Page 2, delete lines 10 and 11

Renumber the subdivisions in sequence

Page 2, line 12, delete "a person" and insert "an individual"

Page 2, line 13, after "means" insert "any of the following where-
in the person knowingly"

Page 2, line 14, delete "person" and insert "prostitute"

Page 2, delete lines 15 and 16

Renumber the clauses in sequence

Page 2, line 19, delete "a person" and insert "an individual"

Page 2, line 22, delete "a person" and insert "an individual"

Page 2, line 26, delete "a person" and insert "an individual"

Page 2, line 28, delete "a person" and insert "an individual"

Page 2, line 29, delete "a person" and insert "an individual"

Page 2, line 31, delete "a person" and insert "an individual"

Page 2, line 32, delete "person" and insert "individual"

Page 2, line 32, delete "; or" and insert a period

Page 2, delete line 33

Page 3, delete line 1

Page 3, line 2, delete "a person" and insert "an individual"

Page 3, line 8, delete "the acts can reasonably be construed as being"

Page 3, line 10, delete "a person" and insert "an individual"

Page 3, line 11, after the semicolon insert "or"

Page 3, line 13, delete "person's" and insert "individual's"

Page 3, line 13, delete the semicolon and insert a period

Page 3, delete lines 14 to 16

Page 3, line 17, after "means" insert "any of the following acts, if for the purpose of satisfying sexual impulses:"

Page 3, line 20, delete "a person's" and insert "an individual's"

Page 3, line 20, delete "person's" and insert "individual's"

Page 3, after line 22, insert:

"Subd. 12. A "public place" means a public street or sidewalk, a pedestrian skyway system as defined in section 472A.02, subdivision 6, a hotel, motel, or other place of public accommodation, or a place licensed to sell intoxicating liquor, wine, non-intoxicating malt beverages, or food."

Page 3, line 29, delete "a person" and insert "an individual"

Page 3, line 31, delete "a person" and insert "an individual"

Page 4, line 1, delete "a person" and insert "an individual"

Page 4, line 2, delete "a person" and insert "an individual"

Page 4, line 4, delete "person" and insert "individual"

Page 4, line 5, delete "person" and insert "individual"

Page 4, line 8, delete "person" and insert "individual"

Page 4, line 14, delete "a person" and insert "an individual"

Page 4, line 16, delete "a person" and insert "an individual"

Page 4, delete lines 18 to 20

Renumber the clauses in sequence

Page 4, line 21, after "to" delete "a" and insert "an"

Page 4, line 22, delete "person" and insert "individual"

Page 4, line 24, delete "a person" and insert "an individual"

Page 4, line 26, delete "person" and insert "individual"

Page 4, line 28, delete "person" and insert "individual"

Page 4, line 31, delete "A person" and insert "An individual"

Page 4, line 32, delete "person" and insert "individual"

Page 5, line 6, delete "a person" and insert "an individual"

Page 5, delete lines 8 to 10

Renumber the clauses in sequence

Page 5, line 11, delete "a person" and insert "an individual"

Page 5, line 14, after the comma insert "not related by blood, adoption, or marriage to the prostitute,"

Page 5, line 16, after "profit" insert ", knowing it to be"

Page 5, line 17, delete "a person" and insert "an individual"

Page 5, line 21, after the comma insert "not related by blood, adoption, or marriage to the prostitute,"

Page 5, line 22, after "profit" insert ", knowing it to be"

Page 5, line 24, delete "a person" and insert "an individual"

Page 5, line 25, delete "(5)" and insert "(4)"

Page 5, line 28, after the comma insert "not related by blood, adoption, or marriage to the prostitute,"

Page 5, line 29, after "profit" insert ", knowing it to be"

Page 5, line 31, delete "a person" and insert "an individual"

Page 5, after line 33, insert:

"Subd. 4. This section does not apply to the sale of goods or services to a prostitute in the ordinary course of a lawful business."

Page 6, line 6, delete "a person" and insert "an individual"

Page 6, line 8, delete "a person" and insert "an individual"

Page 6, after line 10, insert:

"Subd. 2. Whoever solicits or accepts a solicitation to engage for hire in sexual penetration or sexual contact while in a public place 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 6, line 11, delete "2" and insert "3"

Page 6, line 15, delete "a person" and insert "an individual"

Page 6, line 17, delete "a person" and insert "an individual"

Page 6, line 25, after "that" delete "a" and insert "an"

Page 6, line 26, delete "person" and insert "individual"

Page 6, line 30, after "2" delete the comma and insert "or" and delete ", or 4"

Page 6, line 32, delete "person" and insert "individual"

Page 7, line 5, delete "1 through 7" and insert "2 or 3"

Page 7, line 6, delete "7" and insert "4"

Page 7, line 8, after "person" insert "or individual"

Page 7, delete section 7

Page 7, line 29, delete "7" and insert "4"

Page 8, line 32, delete "7" and insert "4"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 8

Page 1, line 9, delete "testimony;"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Mr. Gearty from the Committee on Elections, to which was referred the following appointment as reported in the Journal for May 2, 1979:

STATE ETHICAL PRACTICES BOARD

Robyn Lee Hansen

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Gearty from the Committee on Elections, to which was referred the following appointment as reported in the Journal for March 29, 1979:

STATE ETHICAL PRACTICES BOARD

Karen J. Jensen

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for March 8, 1979:

MINNESOTA POLLUTION CONTROL AGENCY

Duane Rappana

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for March 29, 1979:

MINNESOTA POLLUTION CONTROL AGENCY

Virgil C. Herrick

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Anderson from the Committee on Energy and Housing, to which was referred the following appointment as reported in the Journal for April 26, 1979:

MINNESOTA HOUSING FINANCE AGENCY

Shirley Van Dyck

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1444, 1433 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

SPECIAL ORDERS CONSENT CALENDAR CALENDAR

H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
1444	1393				
1433	1400				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1444 be amended as follows:

Page 2, delete lines 2 to 12

Page 2, line 13, delete "Section 1 of"

Page 2, line 16, delete everything after the period

Page 2, delete line 17

Renumber the remaining section

Further, amend the title as follows:

Page 1, line 2, delete "cities" and insert "city" and delete "and Heron Lake"

Page 1, line 5, delete “; legalizing proceedings precedent to the issuance of certain general obligation bonds and excluding the bonds from the computation of net debt”

And when so amended H. F. No. 1444 will be identical to S. F. No. 1393, and further recommends that H. F. No. 1444 be given its second reading and substituted for S. F. No. 1393, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1433 be amended as follows:

Page 1, delete lines 23 and 24

Page 2, delete lines 1 to 7

Page 2, line 8, delete “Section 1 of this act is”

Page 2, line 9, delete “effective upon” and insert “This act is effective when” and delete “approval of” and insert “approved by”

Page 2, line 11, delete everything after the second period

Renumber the remaining section

Further, delete the title and insert:

“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.”

And when so amended H. F. No. 1433 will be identical to S. F. No. 1400, and further recommends that H. F. No. 1433 be given its second reading and substituted for S. F. No. 1400, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 1476, 838, 1314, 758, 975, 961, 996, 1041, 960, 959 and 1485 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1235, 982, 59, 1444 and 1433 were read the second time.

H. F. Nos. 218, 222, 340, 1018, 546, 99, 588, 748, 313, 1062, 1353, 515, 534 and 123 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski introduced—

Senate Concurrent Resolution No. 11: A Senate concurrent resolution relating to the observance of Vietnam Veterans' Awareness Week.

Referred to the Committee on Rules and Administration.

Mr. Perpich introduced—

Senate Resolution No. 31: A Senate resolution congratulating Mrs. Ana Logar on her selection as Slovenian Mother of the Year.

Referred to the Committee on Rules and Administration.

Mr. Schaaf moved that the name of Mr. Penny be added as co-author to S. F. No. 546. The motion prevailed.

CONFIRMATION

Mr. Laufenburger moved that the report from the Committee on Employment, reported May 8, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Laufenburger moved that the foregoing report be now adopted. The motion prevailed.

Mr. Laufenburger moved that in accordance with the report from the Committee on Employment, reported May 8, 1979, the Senate, having given its advice, do now consent to and confirm the appointment of:

OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

Homer A. Childs, 8004 Pennsylvania Road, Bloomington, Hennepin County, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Consent Calendar. The motion prevailed.

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Perpich	Spear
Ashbach	Engler	Laufenburger	Peterson	Stokowski
Bang	Gearty	Lessard	Pillsbury	Strand
Benedict	Gunderson	Luther	Purfeerst	Tennessen
Bernhagen	Hughes	Menning	Renneke	Ueland, A.
Brataas	Jensen	Nelson	Rued	Ulland, J.
Chmielewski	Johnson	Nichols	Schaaf	Vega
Coleman	Keefe, J.	Ogdahl	Schmitz	Wegener
Davies	Kirchner	Olhoft	Setzepfandt	Willet
Dieterich	Knoll	Penny	Sillers	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Perpich	Spear
Ashbach	Gearty	Lessard	Peterson	Stokowski
Bang	Gunderson	Luther	Pillsbury	Strand
Benedict	Hughes	Menning	Purfeerst	Tennessen
Bernhagen	Jensen	Moe	Renneke	Ueland, A.
Brataas	Johnson	Nelson	Rued	Ulland, J.
Chmielewski	Keefe, J.	Nichols	Schaaf	Vega
Coleman	Keefe, S.	Ogdahl	Schmitz	Wegener
Davies	Kirchner	Olhoft	Setzepfandt	Willet
Dieterich	Knoll	Olson	Sikorski	
Dunn	Knutson	Penny	Sillers	

So the bill passed and its title was agreed to.

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.

With the unanimous consent of the Senate, Mr. Perpich moved to amend H. F. No. 1052 as follows:

Page 2, line 6, delete "This act" and insert "Section 1."

Page 2, after line 8, insert:

"Sec. 3. [CHISHOLM POLICE AND FIREFIGHTERS' RELIEF ASSOCIATION; POST RETIREMENT INCREASE FOR CERTAIN BENEFIT RECIPIENTS.] *Subdivision 1. Any surviving spouse retirement benefit payable to a surviving spouse from the Chisholm police relief association or from the Chisholm firefighters' relief association as of the effective date of this sec-*

tion shall be increased by an amount equal to \$50 per month, effective with the first monthly payment occurring after the effective date of this section. Notwithstanding Minnesota Statutes, Section 356.18, increases in surviving spouse retirement benefits pursuant to this section shall be made automatically unless the recipient files written notice with the board of trustees of the respective relief association requesting that the increase not be paid.

Subd. 2. This section shall be effective upon approval by the governing body of the city of Chisholm and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 4, after "adjustment" insert "; providing post retirement increase for certain benefit recipients from the Chisholm police and firefighters' relief associations"

The motion prevailed. So the amendment was adopted.

H. F. No. 1052 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Perpich	Spear
Ashbach	Gunderson	Luther	Peterson	Staples
Bang	Hughes	Menning	Pillsbury	Stokowski
Benedict	Humphrey	Merriam	Purfeerst	Strand
Bernhagen	Jensen	Moe	Renneke	Tennesen
Brataas	Johnson	Nelson	Rued	Ueland, A.
Chmielewski	Keefe, J.	Nichols	Schaaf	Ulland, J.
Davies	Kirchner	Ogdahl	Schmitz	Vega
Dieterich	Knaak	Olhoft	Setzepfandt	Wegener
Dunn	Knutson	Olson	Sikorski	Willet
Engler	Laufenburger	Penny	Sillers	

So the bill, as amended, passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lessard	Peterson	Stokowski
Ashbach	Hughes	Luther	Pillsbury	Strand
Bang	Humphrey	Menning	Purfeerst	Tennessen
Benedict	Jensen	Merriam	Renneke	Ueland, A.
Bernhagen	Johnson	Moe	Rued	Ulland, J.
Brataas	Keefe, J.	Nelson	Schaaf	Vega
Chmielewski	Keefe, S.	Nichols	Schmitz	Wegener
Davies	Kirchner	Ogdahl	Setzepfandt	Willet
Dieterich	Knaak	Olhoft	Sikoraki	
Dunn	Knoll	Olson	Sillers	
Engler	Knutson	Penny	Spear	
Gearty	Laufenburger	Perpich	Staples	

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Sillers
Ashbach	Gunderson	Lessard	Perpich	Spear
Bang	Hughes	Luther	Peterson	Staples
Benedict	Humphrey	Menning	Pillsbury	Stokowski
Bernhagen	Jensen	Merriam	Purfeerst	Strand
Brataas	Johnson	Moe	Renneke	Tennessen
Chmielewski	Keefe, J.	Nelson	Rued	Ueland, A.
Davies	Keefe, S.	Nichols	Schaaf	Ulland, J.
Dieterich	Kirchner	Ogdahl	Schmitz	Vega
Dunn	Knaak	Olhoft	Setzepfandt	Wegener
Engler	Knutson	Olson	Sikoraki	Willet

So the bill passed and its title was 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Laufenburger	Penny	Sillers
Bang	Hughes	Lessard	Perpich	Spear
Benedict	Humphrey	Luther	Peterson	Staples
Bernhagen	Jensen	Menning	Pillsbury	Stokowski
Brataas	Johnson	Merriam	Purfeerst	Strand
Chmielewski	Keefe, J.	Moe	Renneke	Tennessee
Davies	Keefe, S.	Nelson	Rued	Ueland, A.
Dieterich	Kirchner	Nichols	Schaaf	Ulland, J.
Dunn	Kleinbaum	Ogdahl	Schmitz	Vega
Engler	Knaak	Olhoff	Setzepfandt	Wegener
Gearty	Knutson	Olson	Sikorski	Willet

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

CONFIRMATION

Mr. Hughes moved that the report from the Committee on Education, reported May 8, 1979, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported May 8, 1979, the Senate, having given its advice, do now consent to and confirm the appointments of:

STATE UNIVERSITY BOARD

Randy Roger Thomas, 107 Parkway Avenue, Mankato, Blue Earth County, effective March 6, 1979, for a term expiring the first Monday in January, 1981.

Paul O. Johnson, 115 Outer Drive, LeSueur, LeSueur County, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

Geneva M. Peterson, R. R. 3, Mora, Kanabec County, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

DEPARTMENT OF EDUCATION COMMISSIONER

Howard B. Casmey, 7519 Harold Avenue, Golden Valley, Hennepin County, effective January 2, 1979, for a term expiring the first Monday in January, 1983.

STATE BOARD OF EDUCATION

Mary Birmingham, 328 Pleasant Street, Mankato, Blue Earth County, effective May 12, 1978, for a term expiring January 5, 1981.

Patricia Weber, 3006 Linden Avenue, Slayton, Murray County, effective April 27, 1979, for a term expiring the first Monday in January, 1983.

Mr. Davies requested that the appointment of Mr. Howard B. Casmev as Commissioner of the Department of Education be divided out.

The question was taken on the confirmation of the appointments of

STATE UNIVERSITY BOARD

Randy Roger Thomas, 107 Parkway Avenue, Mankato, Blue Earth County, effective March 6, 1979, for a term expiring the first Monday in January, 1981.

Paul O. Johnson, 115 Outer Drive, LeSueur, LeSueur County, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

Geneva M. Peterson, R. R. 3, Mora, Kanabec County, effective March 26, 1979, for a term expiring the first Monday in January, 1983.

STATE BOARD OF EDUCATION

Mary Birmingham, 328 Pleasant Street, Mankato, Blue Earth County, effective May 12, 1978, for a term expiring January 5, 1981.

Patricia Weber, 3006 Linden Avenue, Slayton, Murray County, effective April 27, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointments were confirmed.

Mr. Tennesen moved that the appointment of Mr. Howard B. Casmev be laid on the table. The motion did not prevail.

CALL OF THE SENATE

Mr. Moe imposed a call of the Senate. The following Senators answered to their names:

Anderson	Engler	Knaak	Olhoft	Spear
Ashbach	Gearty	Knoll	Olson	Staples
Bang	Gunderson	Laufenburger	Penny	Stokowski
Benedict	Hughes	Lessard	Pillsbury	Strand
Chenoweth	Humphrey	Menning	Purfeerst	Tennesen
Chmielewski	Jensen	Merriam	Renneke	Ueland, A.
Coleman	Keefe, J.	Moe	Schaaf	Ulland, J.
Davies	Keefe, S.	Nelson	Sikorski	Vega
Dieterich	Kirchner	Nichols	Sillers	Wegener
Dunn	Kleinbaum	Ogdahl	Solon	Willet

The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the confirmation of Mr. Howard B. Casmev.

The roll was called, and there were yeas 41 and nays 17, as follows:

Those who voted in the affirmative were:

Ashbach	Jensen	Moe	Schaaf	Ueland, A.
Benedict	Johnson	Nichols	Schmitz	Ulland, J.
Chmielewski	Kirchner	Ogdahl	Setzepfandt	Vega
Dunn	Kleinbaum	Olhoft	Sikorski	Wegener
Engler	Knoll	Olson	Sillers	Willet
Gearty	Knutson	Penny	Solon	
Gunderson	Laufenburger	Peterson	Staples	
Hughes	Lessard	Pillsbury	Stakowski	
Humphrey	Menning	Renneke	Strand	

Those who voted in the negative were:

Anderson	Coleman	Keefe, S.	Merriam	Rued
Bang	Davies	Knaak	Nelson	Spear
Bernhagen	Dieterich	Luther	Purfeerst	Tennessee
Chenoweth	Keefe, J.			

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Schaaf moved that S. F. No. 779 be taken from the table. 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.

CONCURRENCE AND REPASSAGE

Mr. Schaaf moved that the Senate concur in the amendments by the House to S. F. No. 779 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 779: A bill for an act relating to commerce; regulating building movers; amending Minnesota Statutes 1978, Chapter 221, by adding a section.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Kirchner	Nelson	Renneke
Bang	Gearty	Kleinbaum	Nichols	Rued
Benedict	Gunderson	Knaak	Ogdahl	Schaaf
Bernhagen	Hughes	Knoll	Olhoft	Schmitz
Chenoweth	Humphrey	Knutson	Olson	Setzepfandt
Chmielewski	Jensen	Lessard	Penny	Sikorski
Davies	Johnson	Luther	Peterson	Sillers
Dieterich	Keefe, J.	Menning	Pillsbury	Spear
Dunn	Keefe, S.	Moe	Purfeerst	Staples

Stokowski	Tennessee	Ulland, J.	Wegener	Willet
Strand	Ueland, A.	Vega		

So the bill, as amended, was repassed and its title was agreed to.

SPECIAL ORDERS

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the following bills a Special Orders Calendar. H. F. Nos. 260, 519, 1268, 859, 772, 219, 191 and S. F. Nos. 439, 1258.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knutson	Perpich	Staples
Ashbach	Gearty	Lessard	Peterson	Stokowski
Bang	Gunderson	Luther	Pillsbury	Strand
Benedict	Hughes	McCutcheon	Renneke	Stumpf
Bernhagen	Humphrey	Menning	Rued	Tennessee
Brataas	Jensen	Merriam	Schaaf	Ueland, A.
Chenoweth	Johnson	Nelson	Schmitz	Ulland, J.
Chmielewski	Kirchner	Ogdahl	Setzepfandt	Vega
Coleman	Kleinbaum	Olhoft	Sikorski	Wegener
Davies	Knaak	Olson	Sillers	Willet
Dieterich	Knoll	Penny	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Sillers moved to amend H. F. No. 1268 as follows:

Page 2, after line 12, insert:

“Sec. 2. [CONVEYANCE OF LANDS; CLAY COUNTY.] The commissioner of banks, by quitclaim deed in the form approved by the attorney general, in the name of the state of Minnesota, and for a consideration of \$1, shall convey to George Hartke the following described land in the county of Clay, state of Minnesota:

The Southeast Quarter (SE $\frac{1}{4}$), the North Half of the Southwest Quarter (N $\frac{1}{2}$ of SW $\frac{1}{4}$), and the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Fourteen (14), in Township One Hundred Forty (140) North, of Range Forty-five (45) West, containing 280 acres, more or less, according to the Government Survey thereof."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, before the period, insert "; directing the conveyance of certain lands in Clay County"

The motion prevailed. So the amendment was adopted.

H. F. No. 1268 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Peterson	Staples
Ashbach	Gearly	Lessard	Pillsbury	Stokowski
Bang	Gunderson	Luther	Renneke	Strand
Benedict	Hughes	McCutcheon	Rued	Stumpf
Bernhagen	Humphrey	Menning	Schaaf	Tennessee
Brataas	Jensen	Merriam	Schmitz	Ueland, A.
Chenoweth	Johnson	Nelson	Setzpfandt	Ulland, J.
Chmielewski	Keefe, S.	Ogdahl	Sikorski	Vega
Coleman	Kleinbaum	Olhoft	Sillers	Wegener
Davies	Knoll	Penny	Solon	Willet
Dieterich	Knutson	Perpich	Spear	

So the bill, as amended, passed and its title was agreed to.

CALL OF THE SENATE

Mr. Spear imposed a call of the Senate for the proceedings on S. F. No. 783. The following Senators answered to their names:

Anderson	Engler	Knoll	Penny	Spear
Ashbach	Gearly	Lessard	Perpich	Staples
Bang	Gunderson	Luther	Peterson	Stokowski
Benedict	Hughes	McCutcheon	Purfeerst	Strand
Bernhagen	Humphrey	Menning	Rued	Stumpf
Chmielewski	Jensen	Merriam	Schaaf	Tennessee
Coleman	Johnson	Nelson	Schmitz	Ulland, J.
Davies	Keefe, S.	Ogdahl	Setzpfandt	Vega
Dieterich	Kleinbaum	Olhoft	Sikorski	Wegener
Dunn	Knaak	Olson	Solon	Willet

The Sergeant at Arms was instructed to bring in the absent members.

RECONSIDERATION

Mr. Spear moved that the vote whereby S. F. No. 783 failed to pass the Senate on May 8, 1979, be now reconsidered. The motion prevailed.

S. F. No. 783: 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.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 29 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Olson	Stokowski
Benedict	Hughes	Luther	Perpich	Stumpf
Chenoweth	Humphrey	Merriam	Schaaf	Tennessee
Coleman	Johnson	Moe	Sikorski	Vega
Davies	Keefe, S.	Nelson	Solon	Willet
Dieterich	Knoll	Nichols	Spear	

Those who voted in the negative were:

Ashbach	Gunderson	Menning	Renneke	Strand
Bang	Jensen	Ogdahl	Rued	Ueland, A.
Bernhagen	Kirchner	Olhoff	Schmitz	Uiland, J.
Brataas	Knaak	Penny	Setzepfandt	Wegener
Chmielewski	Knutson	Peterson	Sieloff	
Dunn	Laufenburger	Pillsbury	Sillers	
Engler	McCutcheon	Purfeerst	Staples	

So the bill failed to pass.

SPECIAL ORDER

S. F. No. 439: A bill for an act relating to aid to local units of government; providing payments in lieu of taxes to counties and townships in which certain natural resources lands are located; providing payments to local taxing districts containing reduced assessment property; appropriating money; amending Minnesota Statutes 1978, Section 275.51, Subdivision 3d; and Chapter 273, by adding a section.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lessard	Purfeerst	Stokowski
Benedict	Hughes	Luther	Renneke	Strand
Bernhagen	Humphrey	McCutcheon	Rued	Stumpf
Brataas	Johnson	Merriam	Schaaf	Tennesen
Chenoweth	Keefe, J.	Moe	Schmitz	Ueland, A.
Chmielewski	Keefe, S.	Nelson	Setzpfandt	Ulland, J.
Coleman	Kirchner	Nichols	Sieloff	Vega
Davies	Kleinbaum	Olson	Sikorski	Wegener
Dieterich	Knaak	Penny	Sillers	Willet
Dunn	Knoll	Perpich	Solon	
Engler	Knutson	Peterson	Spear	
Gearty	Laufenburger	Pillsbury	Staples	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1258: 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 5 and 7, and by adding subdivisions; 291.11, Subdivision 1; 291.111, Subdivision 1; 291.132; 291.14; 291.19, Subdivision 3; 291.20, Subdivision 1; 291.27; 291.33, Subdivision 1; 352.15, Subdivision 1; 353.15; 354.10; 354A.11; 524.3-706; 524.3-916; 524.3-1001; 525.091, Subdivisions 1 and 2; 525.312; 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; 291.09, Subdivisions 1, 2, 3 and 4; 291.10; 291.11, Subdivisions 2, 3, 4, 5, 6, 7, 8, and 9; 291.12, Subdivision 4; 291.20, 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; and 292.15.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Luther	Pillsbury	Stokowski
Ashbach	Gunderson	McCutcheon	Purfeerst	Strand
Bang	Hughes	Menning	Renneke	Stumpf
Benedict	Humphrey	Merriam	Rued	Tennesen
Bernhagen	Jensen	Moe	Schaaf	Ueland, A.
Brataas	Johnson	Nelson	Schmitz	Ulland, J.
Chmielewski	Keefe, J.	Nichols	Setzpfandt	Vega
Coleman	Kirchner	Olhoff	Sieloff	Wegener
Davies	Kleinbaum	Olson	Sikorski	Willet
Dieterich	Knoll	Penny	Sillers	
Dunn	Laufenburger	Perpich	Spear	
Engler	Lessard	Peterson	Staples	

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 12:35 o'clock p.m. The motion prevailed.

The hour of 12:35 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Messrs. Ashbach and Coleman were excused from the Session of today from 12:05 to 1:00 o'clock p.m. Mr. Keefe, J. was excused from the Session of today from 12:35 to 3:15 o'clock p.m. Mr. McCutcheon was excused from this evening's Session until 9:00 o'clock p.m. Mr. Laufenburger was excused from this evening's Session at 8:30 o'clock p.m.

CALL OF THE SENATE

Mr. Gearty imposed a call of the Senate. The following Senators answered to their names:

Anderson	Engler	Laufenburger	Perpich	Spear
Benedict	Frederick	Luther	Peterson	Staples
Bernhagen	Gearty	McCutcheon	Purfeerst	Stumpf
Chenoweth	Gunderson	Menning	Schmitz	Tennessee
Chmielewski	Humphrey	Merriam	Setzepfandt	Ulland, J.
Davies	Johnson	Moe	Sieloff	Wegener
Dieterich	Keefe, S.	Nelson	Sikorski	
Dunn	Kirchner	Olson	Sillers	

The Sergeant at Arms was instructed to bring in the absent members.

SPECIAL ORDER

S. F. No. 42: 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.

CALL OF THE SENATE

Mr. McCutcheon imposed a call of the Senate for the balance of the proceedings on S. F. No. 42. The following Senators answered to their names:

Anderson	Gearty	Menning	Pillsbury	Staples
Benedict	Humphrey	Merriam	Purfeerst	Stumpf
Bernhagen	Johnson	Moe	Rued	Tennessee
Chenoweth	Keefe, S.	Nelson	Schaaf	Wegener
Chmielewski	Kirchner	Olhoff	Schmitz	Willet
Davies	Knutson	Olson	Setzepfandt	
Dunn	Lessard	Penny	Sikorski	
Engler	Luther	Perpich	Sillers	
Frederick	McCutcheon	Peterson	Spear	

The Sergeant at Arms was instructed to bring in the absent members.

S. F. No. 42 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 44 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Sillers
Benedict	Gunderson	McCutcheon	Peterson	Staples
Bernhagen	Jensen	Menning	Pillsbury	Stokowski
Brataas	Johnson	Merriam	Purfeerst	Strand
Chmielewski	Keefe, S.	Moe	Rued	Ulland, J.
Davies	Kirchner	Nelson	Schmitz	Vega
Dunn	Kleinbaum	Nichols	Setzepfandt	Wegener
Engler	Knaak	Olhoft	Sieloff	Willet
Frederick	Knutson	Olson	Sikoraki	

Those who voted in the negative were:

Chenoweth	Humphrey	Luther	Schaaf	Stumpf
Dieterich	Knoll	Perpich	Spear	Tennessee

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Mrs. Staples moved to amend H. F. No. 260, as amended pursuant to Rule 49, adopted by the Senate April 23, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 477.)

Page 1, lines 22 and 23, delete "and health maintenance organizations"

Page 4, line 24, before the semicolon insert "et seq."

Page 6, line 6, delete "USC" and insert "U.S.C."

Page 12, lines 26 and 27, delete "or health maintenance organization"

Page 13, line 12, delete everything after "functions" and insert ", but only if the hospitals terminate all acute care services;"

Page 13, delete lines 13 to 18

Page 14, line 32, delete "14" and insert "7"

Page 15, lines 2 and 3, delete ", or health maintenance organization"

Page 15, line 22, delete "USC" and insert "U.S.C."

Page 17, line 29, delete ", health maintenance organization"

Page 18, line 16, after "violation" insert a period

Page 19, line 11, after "shall" insert a comma

Page 19, line 12, after "agency" insert a comma

The motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend H. F. No. 260, as amended pursuant to Rule 49, adopted by the Senate April 23, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 477.)

Page 20, after line 8, insert:

"Sec. 15. Minnesota Statutes 1978, Chapter 144, is amended by adding a section to read:

[144.7021] [EXEMPT HOSPITALS.] *Subdivision 1. The commissioner of health shall establish a percentage figure for an acceptable increase in hospital gross acute care charges. Any hospital whose anticipated percentage increase in annual gross acute care charges is less than the figure established by the commissioner shall be exempt from the rate review required by sections 144.701 and 144.702.*

Subd. 2. As part of the income statement in its annual financial report required by section 144.698, each hospital shall include a separate statement of its total hospital gross acute care charges. If any hospital exempted from rate review by this section exceeds the figure established by the commissioner, it shall promptly file a rate review request pursuant to section 144.701 or 144.702."

Renumber the sections in sequence

Underline all new language in the bill

Amend the title as follows:

Page 1, line 6, after the semicolon insert "providing exemption from rate review for certain hospitals; amending Minnesota Statutes 1978, Chapter 144, by adding a section;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 49 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lessard	Perpich	Staples
Bang	Gearty	Luther	Peterson	Stokowski
Benedict	Gunderson	Menning	Purfeerst	Strand
Bernhagen	Humphrey	Moe	Renneke	Stumpf
Chenoweth	Jensen	Nelson	Schaaf	Tennessee
Chmielewski	Johnson	Nichols	Schmitz	Ueland, A.
Davies	Keefe, S.	Ogdahl	Setzepfandt	Vega
Dieterich	Kirchner	Olhoft	Sieloff	Wegener
Dunn	Kleinbaum	Olson	Sikorski	Willet
Engler	Laufenburger	Penny	Spear	

Those who voted in the negative were:

Brataas	Knutson	Merriam	Pillsbury	Rued
Knaak				

The motion prevailed. So the amendment was adopted.

Mrs. Staples moved to amend H. F. No. 260, as amended pursuant to Rule 49, adopted by the Senate April 23, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 477).

Page 14, line 31, delete "4" and insert "3"

The motion prevailed. So the amendment was adopted.

Mr. Renneke moved to amend H. F. No. 260, as amended pursuant to Rule 49, adopted by the Senate April 23, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 477.)

Page 19, line 11, after "MEMBERSHIP" insert ", REQUIREMENTS"

Page 19, line 11, before "The" insert "Subdivision 1."

Page 19, line 32, before "No" insert "Subd. 2."

Page 20, after line 8, insert:

"Health systems agencies shall not solicit contributions of funds such as cash, bonds, or securities, from any private individual or entity."

The motion did not prevail. So the amendment was not adopted.

H. F. No. 260 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 46 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knaak	Peterson	Stumpf
Ashbach	Frederick	Knoll	Pillsbury	Tennessen
Bang	Gearty	Laufenburger	Purfeerst	Ulland, J.
Benedict	Gunderson	Luther	Schaaf	Vega
Brataas	Hughes	Merriam	Sieloff	Wegener
Chenoweth	Humphrey	Moe	Sikorski	Willet
Chmielewski	Johnson	Nelson	Sillers	
Davis	Keefe, S.	Ogdahl	Spear	
Dieterich	Kirchner	Olhoff	Staples	
Dunn	Kleinbaum	Perpich	Stokowski	

Those who voted in the negative were:

Bernhagen	Lessard	Olson	Rued	Strand
Jensen	Menning	Penny	Schmitz	Ueland, A.
Knutson	Nichols	Renneke	Setzepfandt	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 859: A bill for an act relating to banks and other financial institutions; regulating open end loan accounts; remov-

ing 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, 3 and by adding a subdivision.

CALL OF THE SENATE

Mr. Tennessen imposed a call of the Senate for the proceedings on H. F. No. 859. The following Senators answered to their names:

Ashbach	Gunderson	Luther	Rued	Stumpf
Bernhagen	Hughes	McCutcheon	Schaaf	Tennessen
Chenoweth	Humphrey	Merriam	Schmitz	Ueland, A.
Chmielewski	Jensen	Moe	Setzepfandt	Ulland, J.
Davies	Keefe, S.	Nelson	Sieloff	Vega
Dieterich	Kirchner	Olhoff	Sikorski	Wegener
Dunn	Kleinbaum	Olson	Sillers	
Engler	Knaak	Penny	Solon	
Frederick	Knoll	Pillsbury	Spear	
Gearty	Knutson	Purfeerst	Staples	

The Sergeant at Arms was instructed to bring in the absent members.

Mr. Tennessen moved that the amendment made to H. F. No. 859 by the Committee on Rules and Administration in the report adopted May 7, 1979, pursuant to Rule 49, be stricken.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 56 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Penny	Staples
Ashbach	Gearty	Lessard	Peterson	Strand
Bang	Gunderson	Luther	Pillsbury	Stumpf
Benedict	Hughes	McCutcheon	Purfeerst	Tennessen
Bernhagen	Humphrey	Menning	Rued	Ueland, A.
Brataas	Jensen	Merriam	Schmitz	Ulland, J.
Chenoweth	Johnson	Moe	Setzepfandt	Wegener
Chmielewski	Keefe, S.	Nelson	Sieloff	Willet
Davies	Kirchner	Nichols	Sikorski	
Dieterich	Kleinbaum	Ogdahl	Sillers	
Dunn	Knaak	Olhoff	Solon	
Engler	Knoll	Olson	Spear	

Mr. Schaaf voted in the negative.

The motion prevailed. So the amendment was stricken.

Mr. Chenoweth moved to amend H. F. No. 859 as follows:

Page 2, line 5, delete "if"

Page 2, delete line 6

Page 2, line 7, delete "clause (a),"

Page 2, line 7, delete "one-half" and insert "one-third"

Page 2, after line 17, insert:

"Sec. 3. Minnesota Statutes 1978, Section 48.185, is amended by adding a subdivision to read:

Subd. 3a. If a credit 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 subdivision 3 shall be made by excluding from the daily balances the amount of each credit extension from the date of the credit extension until the last day of the regular billing cycle during which the credit extension was made.

Sec. 4. Minnesota Statutes 1978, Section 48.185, Subdivision 4, is amended to read:

Subd. 4. No charges other than those provided for in subdivision 3 shall be made directly or indirectly for any credit extended under the authority of this section, except that there may be charged to the debtor:

(a) Annual charges, not to exceed \$15 per annum, payable in advance, for the privilege of using a bank credit card which entitled the debtor to purchase goods or services from merchants, under an arrangement pursuant to which the debts resulting from the purchases are paid or satisfied by the bank or savings bank and charged to the debtor's open end loan account with the bank or savings bank;

(b) Charges for premiums on credit life and credit accident and health insurance if:

(1) The insurance is not required by the bank or savings bank and this fact is clearly disclosed in writing to the debtor; and

(2) The debtor is notified in writing of the cost of the insurance and affirmatively elects, in writing, to purchase the insurance."

Page 3, line 3, before the period, insert "*but shall not apply to account balances outstanding on the effective date of this act. and the finance charge on outstanding balances shall not exceed the amount permitted by laws existing immediately preceding the effective date of this act*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "prohibiting service charges;"

Page 1, line 9, before "and" insert ", 4"

Page 1, line 9, delete "a subdivision" and insert "subdivisions"

The motion did not prevail. So the amendment was not adopted.

Mr. Johnson moved to amend H. F. No. 859 as follows:

Page 2, line 7, delete "one-half" and insert "one-third"

Page 2, after line 17, insert:

"Sec. 2. Minnesota Statutes 1978, Section 48.185, is amended by adding a subdivision to read:

Subd. 3a. If a credit 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 subdivision 3 shall be made by excluding from the daily balances the amount of each credit extension from the date of the credit extension until the last day of the regular billing cycle during which the credit extension was made."

Page 2, line 22, delete "1-1/2" and insert "1-1/3"

Amend the title as follows:

Page 1, line 9, delete "a subdivision" and insert "subdivisions"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 18 and nays 35, as follows:

Those who voted in the affirmative were:

Benedict	Hughes	Menning	Schaaf	Stumpf
Chenoweth	Johnson	Nelson	Sikoraki	Vega
Chmielewski	Lessard	Olhoft	Spear	Willet
Dieterich	Luther	Perpich		

Those who voted in the negative were:

Bang	Gearty	Knaak	Penny	Solon
Bernhagen	Gunderson	Knutson	Peterson	Staples
Brataas	Humphrey	Laufenburger	Pillsbury	Strand
Davies	Jensen	Merriam	Purfeerst	Tennesen
Dunn	Keefe, S.	Moe	Renneke	Ueland, A.
Engler	Kirchner	Ogdahl	Rued	Ulland, J.
Frederick	Kleinbaum	Olson	Sieloff	Wegener

The motion did not prevail. So the amendment was not adopted.

H. F. No. 859 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 46 and nays 13, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Lessard	Peterson	Staples
Benedict	Humphrey	McCutcheon	Pillsbury	Strand
Bernhagen	Jensen	Merriam	Purfeerst	Tennesen
Brataas	Keefe, S.	Moe	Renneke	Ueland, A.
Coleman	Kirchner	Nelson	Rued	Ulland, J.
Davies	Kleinbaum	Nichols	Schmitz	Wegener
Dunn	Knaak	Ogdahl	Setzepfandt	
Engler	Knoll	Olhoft	Sieloff	
Frederick	Knutson	Olson	Solon	
Gearty	Laufenburger	Penny	Spear	

Those who voted in the negative were:

Chenoweth	Hughes	Menning	Sikorski	Vega
Chmielewski	Johnson	Perpich	Stumpf	Willet
Dieterich	Luther	Schaaf		

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Penny moved to amend H. F. No. 772, as amended pursuant to Rule 49, adopted by the Senate May 3, 1979, as follows:

(The text of the amended House File is identical to S. F. No. 940.)

Page 2, after line 32, insert:

“Sec. 2. [EFFECTIVE DATE.] *This act is effective the day following final enactment.*”

The motion prevailed. So the amendment was adopted.

H. F. No. 772 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 53 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Lessard	Perpich	Staples
Bang	Gearty	Luther	Peterson	Strand
Benedict	Gunderson	McCutcheon	Pillsbury	Stumpf
Bernhagen	Hughes	Menning	Purfeerst	Tennessen
Brataas	Jensen	Merriam	Renneke	Ueland, A.
Chenoweth	Johnson	Moe	Rued	Ulland, J.
Chmielewski	Kirchner	Nelson	Schaaf	Vega
Coleman	Knaak	Ogdahl	Schmitz	Wegener
Davies	Knoll	Olhoft	Setzepfandt	Willet
Dunn	Knutson	Olson	Sikorski	
Engler	Laufenburger	Penny	Solon	

Mr. Dieterich voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Dunn moved to amend H. F. No. 219 as follows:

Page 2, after line 33, insert

"Sec. 3. *This act is effective the day following its final enactment.*"

The motion prevailed. So the amendment was adopted.

H. F. No. 219 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Luther	Peterson	Staples
Benedict	Gunderson	McCutcheon	Pillsbury	Strand
Bernhagen	Hughes	Menning	Purfeerst	Stumpf
Brataas	Jensen	Merriam	Renneke	Tennessee
Chenoweth	Johnson	Moe	Rued	Ueland, A.
Coleman	Kirchner	Nelson	Schaaf	Ulland, J.
Davies	Knaak	Ogdahl	Schmitz	Vega
Dieterich	Knoll	Olhoft	Setzpfandt	Wegener
Dunn	Knutson	Olson	Sieloff	Willet
Engler	Laufenburger	Penny	Sillers	
Frederick	Lessard	Perpich	Solon	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Johnson moved to amend H. F. No. 191, as amended by the Committee on Agriculture and Natural Resources, adopted by the Senate April 30, 1979, as follows:

Page 2, after line 5, insert:

"Sec. 2. The governor, upon the recommendation of the commissioner of administration, shall transfer and convey, without monetary consideration, by quitclaim deed in a form the attorney general approves, to the city of Ely, Minnesota, a tract of state-owned land now under the control of but no longer needed for the operation of Vermillion Community College, which tract is described as follows:

Commencing at the southeast corner of the southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Twenty-six (26) Township Sixty-three (63) north, Range Twelve (12) west of the Fourth Principal Meridian, thence west along the south line of the said southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of thirty-three (33) feet, thence north parallel to the east line of the said southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of sixty-seven (67) feet to the point of beginning of the tract to be conveyed; thence west parallel to the south line of the said southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of one hundred sixty (160)

feet; thence north parallel to the east line of the said southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of two hundred fifty (250) feet; thence east parallel to the south line of the said southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of one hundred sixty (160) feet; thence south parallel to the east line of the said southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of two hundred fifty (250) feet to the point of beginning, comprising .92 acres more or less, except minerals and mineral reservations as reserved by prior grantors."

Amend the title as follows:

Page 1, line 4, before the period, insert "; providing for the conveyance of certain land to the city of Ely"

The motion prevailed. So the amendment was adopted.

H. F. No. 191 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 37 and nays 21, as follows:

Those who voted in the affirmative were:

Benedict	Johnson	Menning	Schaaf	Strand
Bernhagen	Keefe, S.	Moe	Schmitz	Tennessen
Chenoweth	Kleinbaum	Nelson	Setzepfandt	Vega
Chmielewski	Knoll	Penny	Sikorski	Wegener
Dieterich	Laufenburger	Perpich	Solon	Willet
Engler	Lessard	Peterson	Spear	
Gearty	Luther	Purfeerst	Staples	
Hughes	McCutcheon	Rued	Stokowski	

Those who voted in the negative were:

Ashbach	Frederick	Knaak	Olhoff	Sillers
Bang	Gunderson	Knutson	Pillsbury	Stumpf
Brataas	Jensen	Merriam	Renneke	Ueland, A.
Davies	Kirchner	Ogdahl	Sieloff	Ulland, J.
Dunn				

So the bill, as amended, passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do, now recess until 8:00 o'clock p.m. The motion prevailed.

The hour of 8:00 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Knoll was excused from this evening's Session until 8:45 o'clock p.m. Mr. Solon was excused from this evening's Session at 9:30 o'clock p.m. Mr. Pillsbury was excused from this evening's Session at 9:40 o'clock p.m.

CALL OF THE SENATE

Mr. Keefe, S. imposed a call of the Senate. The following Senators answered to their names:

Anderson	Engler	Laufenburger	Penny	Solon
Ashbach	Frederick	Lessard	Perpich	Staples
Bernhagen	Gearty	Luther	Pillsbury	Stokowski
Brataas	Gunderson	Merriam	Purfeerst	Strand
Chenoweth	Humphrey	Moe	Schmitz	Stumpf
Chmielewski	Johnson	Nelson	Setzepfandt	Tennessee
Davies	Keefe, S.	Nichols	Sieloff	Ulland, J.
Dieterich	Kirchner	Olhoff	Sikorski	Vega
Dunn	Knaak	Olson	Sillers	

The Sergeant at Arms was instructed to bring in the absent members.

Pursuant to Rule 10, Mr. Keefe, S., for Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

S. F. No. 1193: A bill for an act relating to housing rehabilitation; permitting members of the city council of a city to serve as commissioners of the housing and redevelopment authority in and for the city; expanding housing rehabilitation loan and grant programs; amending Minnesota Statutes 1978, Sections 462.425, Subdivision 6; 462.445, Subdivision 9; and 462.581.

Mr. Luther moved to amend S. F. No. 1193 as follows:

Pages 2 to 4, delete section 2

Amend the title as follows:

Page 1, line 5, after "9" delete "; and 462.581"

The motion prevailed. So the amendment was adopted.

S. F. No. 1193: A bill for an act relating to housing rehabilitation; permitting members of the city council of a city to serve as commissioners of the housing and redevelopment authority in and for the city; expanding housing rehabilitation loan and grant programs; amending Minnesota Statutes 1978, Sections 462.425, Subdivision 6; 462.445, Subdivision 9.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 44 and nays 11, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Chmielewski	Engler	Gunderson
Ashbach	Brataas	Dieterich	Frederick	Hughes
Benedict	Chenoweth	Dunn	Gearty	Humphrey

Johnson	Lessard	Olhoft	Sikorski	Ueland, A.
Keefe, J.	Luther	Penny	Spear	Ulland, J.
Keefe, S.	Menning	Pillsbury	Staples	Vega
Kirchner	Merriam	Schaaf	Stokowski	Wegener
Knaak	Nelson	Schmitz	Strand	Willet
Laufenburger	Nichols	Setzepfandt	Stumpf	

Those who voted in the negative were:

Bang	Olson	Peterson	Rued	Sillers
Davies	Perpich	Purfeerst	Sieloff	Tennessee
Knutson				

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Merriam moved to amend the amendment placed on H. F. No. 455 by the Committee on Education, adopted by the Senate May 3, 1979, as follows:

In Section 1, Subd. 3, line 8, strike "provided"

Line 12, delete the new language and insert "*whose athletic opportunities have previously been limited.*"

Delete lines 13 to 18

Line 19, strike "(2)"

Line 20, reinstate "or substantially separated"

Line 27, after the period, insert

"If two teams are provided in the same sport, one of these teams may be restricted to members of a sex whose athletic opportunities have previously been limited and members of either sex shall be permitted to try out for the other team."

Mrs. Staples moved that H. F. No. 455, No. 92 on Special Orders be stricken and re-referred to the Committee on Judiciary.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 31 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Humphrey	Keefe, S.	Luther
Bang	Dieterich	Jensen	Knaak	Moe
Benedict	Engler	Johnson	Knoll	Nelson
Brataas	Gunderson	Keefe, J.	Knutson	Ogdahl

Perpich
Pillsbury
Sieloff

Sikorski
Sillers

Spear
Staples

Stumpf
Tennessee

Ueland, A.
Ulland, J.

Those who voted in the negative were:

Anderson
Bernhagen
Chenoweth
Chmielewski
Dunn
Frederick
Gearty

Hughes
Kirchner
Kleinbaum
Lessard
McCutcheon
Menning
Merriam

Nichols
Olhoft
Olson
Penny
Peterson
Purfeerst
Renneke

Rued
Schaaf
Schmitz
Setzepfandt
Solon
Stokowski
Strand

Vega
Wegener
Willett

The motion did not prevail.

The question recurred on the Merriam amendment.

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Hughes moved to amend the amendment placed on H. F. No. 455 by the Committee on Education, adopted by the Senate May 3, 1979, as follows:

In section 1, subdivision 3:

Lines 3 and 4, reinstate the stricken language

In section 1, after the stricken subdivision 3, insert:

"Subd. 6. Nothing in this section or chapter 363 shall be construed so as to prohibit separation of events according to sex in coeducational competition or special teams and activities designed to improve the skills of participants in athletics who would otherwise be unable or unwilling to participate in the athletic program."

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Dieterich moved to amend the amendment placed on H. F. No. 455 by the Committee on Education, adopted by the Senate May 3, 1979, as follows:

Before section 2, insert:

"Sec. 2. Minnesota Statutes 1978, Section 129.121, is amended by adding a subdivision to read:

Subd. 1a. In the sports of cross country, gymnastics, skiing, swimming, track and field, tennis and golf, all tournaments conducted by the league in the traditional season for that sport shall be conducted on a coeducational basis but with events separate according to sex. All coeducational tennis tournaments shall include mixed doubles.

Nothing in this section shall be construed so as to require the league to conduct tournaments in these sports or to prevent the league from conducting tournaments in these sports in more than one season.

If all league tournaments in a sport are conducted in the same season, the traditional season shall be designated by the league. If the league conducts tournaments in a sport in more than one season, the traditional season for the sport shall be that season in which the league has conducted the largest number of state championship tournaments throughout its history."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, before "and" insert "129.121, by adding a subdivision;"

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Stumpf moved to amend the amendment placed on H. F. No. 455 by the Committee on Education, adopted by the Senate May 3, 1979, as follows:

In section 1, subdivision 5:

Line 3, delete "*Notwithstanding any dele-*"

Delete lines 4 to 11

Delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1978, Chapter 129, is amended by adding a section to read:

[129.14] [STATE BOARD OF INTERSCHOLASTIC ATHLETICS AND EXTRACURRICULAR ACTIVITIES.] *Subdivision 1. There is established a state board of high school interscholastic athletics and extracurricular activities, henceforth referred to in this section as "the state activities board." The state activities board shall consist of nine representative citizens of the state, at least one of whom shall reside in each congressional district of the state. These members shall be appointed by the governor and their terms, compensation and removal shall be as provided in section 15.0575. The commissioner of education, or his representative, shall serve as member of the state activities board.*

Subd. 2. The state activities board may employ staff and expend money as necessary to carry out its duties.

Subd. 3. The governing board of any high school may delegate to the state activities board the control, supervision and regulation of interscholastic athletics and other cocurricular and extracurricular activities as defined in section 123.38. This delegation shall be certified in writing to the commissioner of education. Any school board may expend moneys for and pay participation fees to the state activities board.

Subd. 4. The state activities board shall exercise the control and supervision and regulation of high school interscholastic athletic, musical, dramatic and other contests, and other extracurricular and cocurricular activities, delegated to it pursuant to sub-

division 3. The state activities board shall promote interscholastic activities for Minnesota high schools and shall conduct interscholastic contests and tournaments for high schools which delegate control, supervision and regulation to it pursuant to subdivision 3.

Subd. 5. The state activities board shall adopt rules according to chapter 15 in order to carry out its duties pursuant to subdivision 4. Except as provided in this subdivision, these rules shall not apply to the behavior or activities of students outside of time periods when they are participating in or traveling to and from school, cocurricular or extracurricular activities or interscholastic contests conducted by the state activities board. These rules may prohibit a participating student from competing on more than one team in a given sport during a single season. The state activities board may establish a policy or guidelines without following the procedures in chapter 15 to guide high schools in the voluntary formation or alteration of athletic or other cocurricular or extracurricular conferences.

Subd. 6. No rule adopted by the state activities board shall be effective without approval by the state board of education. If the state board of education disapproves any proposed rule from the state activities board, it shall give written notice of its disapproval and its reasons within 60 days after the receipt of the proposed rule. Any proposal disapproved by the state board of education may be resubmitted by the state activities board at any time after the expiration of 45 days after the date of disapproval.

Subd. 7. The state activities board may charge participation fees to schools which delegate control, supervision and regulation to it pursuant to subdivision 3, and may charge for admission to tournaments and contests which it conducts. These amounts and any other income of the state activities board shall be deposited in the general fund. There is annually appropriated to the state activities board for the purposes of carrying out its duties all amounts received by it pursuant to this subdivision."

Before the title amendment, insert:

"Sec. 4. Minnesota States 1978, Section 129.121 is repealed."

Renumber the sections in sequence

Amend the title amendment as follows:

Delete the amendment to page 1, line 12

Amend the title as follows:

Page 1, line 13, before the period, insert "; and Chapter 129, by adding a section; and repealing Minnesota Statutes 1978, Section 129.121"

Mr. Merriam questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Mr. Knutson moved to amend the amendment placed on H. F. No. 455 by the Committee on Education, adopted by the Senate May 3, 1979, as follows:

In section 1, subdivision 5:

Line 1, delete "*state board of education*" and insert "*commissioner of human rights*"

Line 2, delete "*commissioner of human rights*" and insert "*state board of education*"

Amend the title amendment as follows:

Delete the amendment to page 1, line 7

Amend the title of the bill as follows:

Page 1, line 6, after "the" insert "commissioner of human rights and the"

The motion did not prevail. So the amendment to the amendment was not adopted.

Mr. Stumpf moved to amend the amendment placed on H. F. No. 455 by the Committee on Education, adopted by the Senate May 3, 1979, as follows:

In section 2, subdivision 5:

Line 1, after "5." insert "*The Minnesota state high school league shall be deemed to be an agency for the purposes of sections 15.041 to 15.052 and*"

Mr. Merriam questioned whether the amendment was germane.

The President ruled that the amendment was germane.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 15 and nays 31, as follows:

Those who voted in the affirmative were:

Benedict	Humphrey	Knoll	Sikorski	Stokowski
Coleman	Johnson	Luther	Spear	Stumpf
Dieterich	Keefe, S.	Schaaf	Staples	Tennessee

Those who voted in the negative were:

Anderson	Gearty	Menning	Renneke	Ueland, A.
Bernhagen	Gunderson	Merriam	Rued	Wegener
Brataas	Hughes	Moe	Schmitz	Willet
Chmielewski	Kirchner	Nelson	Setzepfandt	
Dunn	Kleinbaum	Olhoff	Sieloff	
Engler	Knutson	Penny	Sillers	
Frederick	Lessard	Peterson	Strand	

The motion did not prevail. So the amendment was not adopted.

H. F. No. 455 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lessard	Purfeerst	Strand
Bang	Hughes	Luther	Renneke	Stumpf
Benedict	Humphrey	Menning	Rued	Tennessee
Bernhagen	Jensen	Merriam	Schaaf	Ueland, A.
Brataas	Johnson	Moe	Schmitz	Ulland, J.
Chmielewski	Keefe, J.	Nelson	Setzepfandt	Vega
Coleman	Keefe, S.	Nichols	Sieloff	Wegener
Dieterich	Kirchner	Olhoff	Sikorski	Willet
Dunn	Kleinbaum	Olson	Sillers	
Engler	Knaak	Penny	Spear	
Frederick	Knoll	Perpich	Staples	
Gearty	Knutson	Peterson	Stokowski	

So the bill, as amended, passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Messages from the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 223

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 9, 1979

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

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 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.

Mr. Merriam moved that H. F. No. 223 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Thursday, May 10, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate