

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FOURTEENTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, FEBRUARY 15, 1977

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

Prayer was offered by the Chaplain.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the resignation of A. O. H. Setzepfandt of House District 21B effective today, February 15, 1977. Representative Setzepfandt was elected as Senator from Senate District 21.

The roll was called and the following members were present:

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

A quorum was present.

Beauchamp, Friedrich, Johnson, Kaley, Novak, Rice and Zubay were excused. Faricy was excused until 2:20 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H.F. Nos. 187, 42 and 6 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Hanson from the Committee on Commerce and Economic Development to which was referred:

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

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.] Subdivision 1. As used in this act, the terms in this section shall have the meanings assigned to them.

Subd. 2. "Building standards" means the structural, mechanical, electrical, and quality standards of the home building industry for the geographic area in which the dwelling is situated.

Subd. 3. "Dwelling" means a new building, not previously occupied, constructed for the purpose of habitation; but does not include appurtenant recreational facilities, detached garages, driveways, walkways, patios, boundary walls, retaining walls not necessary for the structural stability of the dwelling, landscaping, fences, nonpermanent construction materials, off-site improvements, and all other similar items.

Subd. 4. "Initial vendee" means a person who first contracts to purchase a dwelling from a vendor for the purpose of habitation and not for resale in the ordinary course of trade.

Subd. 5. "Major construction defect" means actual damage to the load-bearing portion of the dwelling, including damage due to subsidence, expansion or lateral movement of the soil, which affects its load-bearing function and which vitally affects or is imminently likely to vitally affect use of the dwelling for

residential purposes. "Major construction defect" does not include damage due to movement of the soil caused by flood, earthquake or other natural disaster.

Subd. 6. "Vendee" means any purchaser of a dwelling and includes the initial vendee and any subsequent purchasers.

Subd. 7. "Vendor" means any person, firm or corporation which constructs dwellings for the purpose of sale.

Subd. 8. "Warranty date" means the date from and after which the statutory warranties provided in section 2 of this act shall be effective, and is the earliest of

(a) The date of the initial vendee's first occupancy of the dwelling; or

(b) The date on which the initial vendee takes legal or equitable title in the dwelling.

Sec. 2. [STATUTORY WARRANTIES.] Subdivision 1. In every sale of a completed dwelling, and in every contract for the sale of a dwelling to be completed, the vendor shall warrant to the vendee that:

(a) During the one year period from and after the warranty date the dwelling shall be free from defects caused by faulty workmanship and defective materials due to noncompliance with building standards;

(b) During the two year period from and after the warranty date, the dwelling shall be free from defects caused by faulty installation of plumbing, electrical, heating, and cooling systems; and

(c) During the ten year period from and after the warranty date, the dwelling shall be free from major construction defects.

Subd. 2. The statutory warranties provided in section 2 of this act shall survive the passing of legal or equitable title in the dwelling to the vendee.

Sec. 3. [EXCLUSIONS.] The liability of the vendor under this act is limited to the specific items set forth in this act and does not extend to the following:

(a) Loss or damage not reported by the vendee to the vendor in writing within six months after the vendee discovers or should have discovered the loss or damage;

- (b) *Loss or damage caused by defects in design, installation, or materials which the vendee supplied, installed, or had installed under his direction;*
- (c) *Secondary loss or damage such as personal injury or property damage;*
- (d) *Loss or damage from normal wear and tear;*
- (e) *Loss or damage from normal shrinkage caused by drying of the dwelling within tolerances of building standards;*
- (f) *Loss or damage from dampness and condensation due to insufficient ventilation after occupancy;*
- (g) *Loss or damage from negligence, improper maintenance or alteration of the dwelling by parties other than the vendor;*
- (h) *Loss or damage from changes in grading of the ground around the dwelling by parties other than the vendor;*
- (i) *Landscaping or insect loss or damage;*
- (j) *Loss or damage from failure to maintain the dwelling in good repair;*
- (k) *Loss or damage which the vendee, whenever feasible, has not taken timely action to minimize;*
- (l) *Loss or damage which occurs after the dwelling is no longer used primarily as a residence;*
- (m) *Accidental loss or damage usually described as acts of God, including, but not limited to: fire, explosion, smoke, water escape, windstorm, hail or lightning, falling trees, aircraft and vehicles, flood, and earthquake, except when the loss or damage is caused by failure to comply with building standards;*
- (n) *Loss or damage from soil movement which is compensated by legislation or covered by insurance;*
- (o) *Loss or damage due to soil conditions where construction is done upon lands owned by the vendee and obtained by him from a source independent of the vendor.*

Sec. 4. [WAIVER AND MODIFICATION LIMITED.]
Subdivision 1. *Except as provided in subdivision 2 of this section, the provisions of this act cannot be waived or modified by contract or otherwise. Any agreement which purports to waive or*

modify the provisions of this act, except as provided in subdivision 2 of this section, shall be void.

Subd. 2. At any time after a contract for the sale of a dwelling is entered into by and between a vendor and a vendee, any of the statutory warranties provided for in this act may be excluded or modified only by a written instrument, printed in bold face type of a minimum size of ten points, which is signed by the vendee and which sets forth in detail the warranty involved, the consent of the vendee, and the terms of the new agreement contained in the writing. No exclusion or modification shall be effective unless the vendor provides substitute express warranties offering substantially the same protections to the vendee as the statutory warranties set forth in section 2 of this act. Any modification or exclusion agreed to by vendee and vendor pursuant to this subdivision shall not require the approval of the commissioner of administration pursuant to section 7 of this act.

Sec. 5. [REMEDIES.] *Upon breach of any warranty imposed by this act, the vendee shall have a cause of action against the vendor for damages arising out of the breach, or for specific performance. Damages shall be limited to:*

(a) The amount necessary to remedy the defect or breach; or

(b) The difference between the value of the dwelling without the defect and the value of the dwelling with the defect.

Sec. 6. [OTHER WARRANTIES.] *The statutory warranties provided for in this act shall be in addition to all other warranties imposed by law or agreement. The remedies provided in section 5 of this act shall not be construed as limiting the remedies in any action not predicated upon breach of the statutory warranties imposed by section 2 of this act.*

Sec. 7. [VARIATIONS.] *The commissioner of administration may approve pursuant to Minnesota Statutes, Section 15.0412, variations from the provisions of sections 2 and 3 if the warranty program of the vendor requesting the variation offers at least substantially the same protections to the vendee as provided by the statutory warranties set forth in section 2 of this act.*

Sec. 8. Minnesota Statutes 1976, Section 541.051, is amended by adding a subdivision to read:

Subd. 4. Section 541.051 shall not apply to actions based on breach of the statutory warranties set forth in section 2 of this act.

Sec. 9. [EFFECTIVE DATE.] *This act shall be effective January 1, 1978, and shall apply to all contracts for the sale of a dwelling signed on or after that date.”.*

Further, amend the title as follows:

Page 1, line 2, delete “implied and express” and insert “statutory”.

Page 1, line 3, delete “upon the”.

Page 1, delete line 4, and insert “; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 283, A bill for an act relating to securities; disciplinary action against a licensee; clarifying the time for initiating a proceeding; amending Minnesota Statutes 1976, Section 80A.07, Subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 14 insert the following:

“Sec. 2. Minnesota Statutes 1976, Section 80A.21, Subdivision 1, is amended to read:

80A.21 [CEASE AND DESIST ORDERS; INJUNCTIONS; RECEIVERS.] Subdivision 1. Whenever it appears to the commissioner that any person has engaged or is about to engage in any act or practice constituting a violation of this chapter or any rule or order hereunder:

(a) He shall have the power to issue and cause to be served upon such person an order requiring the person to cease and desist from violations of sections 80A.01 to 80A.31. The order shall be calculated to give reasonable notice of the (TIME AND PLACE FOR HEARING THEREON) *rights of the person to request a hearing thereon* and shall state the reasons for the entry of the order. A hearing shall be held not later than seven days after the (ISSUANCE OF THE ORDER) *request for such hearing is received by the commissioner* after which and within 20 days of the date of the hearing the commissioner shall issue a further order vacating the cease and desist order or making

it permanent as the facts require. All hearings shall be conducted in accordance with the provisions of chapter 15. If the person to whom a cease and desist order is issued fails to appear at the hearing after being duly notified, such person shall be deemed in default, and the proceeding may be determined against him upon consideration of the cease and desist order, the allegations of which may be deemed to be true. The commissioner may adopt rules of procedure concerning all proceedings conducted pursuant to this subdivision; and

(b) He may bring an action in the district court of the appropriate county to enjoin the acts or practices and to enforce compliance with sections 80A.01 to 80A.31 or any rule or order thereunder and he may refer the matter to the attorney general or the county attorney of the appropriate county. Upon a proper showing, a permanent or temporary injunction, restraining order or writ of mandamus shall be granted and a receiver may be appointed for the defendant or the defendant's assets. The court may not require the commissioner to post a bond.”.

Renumber the section in sequence.

Further amend the title as follows:

Line 5, delete “Section” and insert “Sections”.

Line 5, after “2” insert “, and 80A.21, Subdivision 1”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

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

Reported the same back with the following amendments:

Page 1, line 11, before the “The” insert “*Except in the case of election to the state house of representatives or senate,*”.

Page 1, line 17, after “fee.” insert “*In the case of election to the state house of representatives or senate,*”.

Page 1, line 18, delete “*to the state house of*”.

Page 1, line 19, delete “*representatives or senate*”.

Page 1, line 22, after "copy" insert "by the chief clerk of the house or the secretary of the senate".

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

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

Reported the same back with the following amendments:

Pages 1 and 2, delete section 2.

Further amend the title:

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

Page 1, line 4, delete the semi-colon and insert a period.

Page 1, delete line 5.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 38, 283, 21 and 51 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kelly, W., for the Committee on Taxes, introduced:

H. F. No. 437, A bill for an act relating to taxation; altering the definition of gross income for income tax purposes for individuals, trusts and estates; placing restrictions on certain deductions and allowing certain tax free distributions; extending time for certain sales or exchanges of residential property; making certain changes in treatment of small business corporations; amending Minnesota Statutes 1976, Sections 290.01, Subdivision 20; 290.09, Subdivisions 2 and 29; 290.13, Subdivision 9; 290.23, by adding a subdivision; 290.26, by adding a subdivision; 290.971, Subdivisions 1 and 3, and by adding subdivisions; 290.972, Subdivision 5; and 290A.03, Subdivision 3.

The bill was read for the first time and laid over one day.

Carlson, D.; Schulz; Nelsen, B.; and Biersdorf introduced:

H. F. No. 438, A bill for an act relating to agriculture; expanding the family farm security program to cover farm loans for purposes other than acquiring farm real estate; providing an appropriation; amending Minnesota Statutes 1976, Sections 41.51; 41.52, Subdivisions 5 and 9; 41.55; 41.56, Subdivisions 1, 3 and 4; 41.57, Subdivisions 1 and 2; 41.59, Subdivision 1; and 41.61, Subdivision 1, and by adding a subdivision.

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

Clawson, Neisen, Peterson and Schulz introduced:

H. F. No. 439, A bill for an act relating to agriculture; regulating the use of the name "Minnesota Farmstead Cheese".

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

Langseth, Wenstrom, Smogard, Anderson, G., and Evans introduced:

H. F. No. 440, A bill for an act relating to public safety; requiring smoke detectors in hotels; amending Minnesota Statutes 1976, Chapter 16, by adding a section.

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

Novak, Arlandson, Simoneau, Clark and Pehler introduced:

H. F. No. 441, A bill for an act relating to public safety; bureau of criminal apprehension; providing for identification data of persons convicted of certain crimes; prohibiting finger-print records and other identifying data of juvenile offenders from being forwarded to the bureau of criminal apprehension except under certain circumstances; appropriating money; amending Minnesota Statutes 1976, Sections 299C.10; and 299C.11.

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

Kempe, A., introduced:

H. F. No. 442, A bill for an act relating to children; damage done by a child; altering amount of parental liability; amending Minnesota Statutes 1976, Section 540.18, Subdivision 1.

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

Begich, Battaglia and Sarna introduced:

H. F. No. 443, A bill for an act relating to highway traffic regulations; littering; providing for a reward for information resulting in the arrest and conviction of litterers; providing penalties; appropriating money; amending Minnesota Statutes 1976, Section 169.42, Subdivision 5, and by adding a subdivision.

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

Mangan, Clawson and Voss introduced:

H. F. No. 444, A bill for an act relating to Independent School District No. 11; transferring title of certain land from the state to Independent School District No. 11.

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

Stoa, Kostohryz, Patton, Searle and Vanasek introduced:

H. F. No. 445, A bill for an act relating to natural resources; acquisition, development, and maintenance of recreational sites along designated canoe and boating routes; amending Minnesota Statutes 1976, Section 85.32, Subdivision 2.

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

Skoglund, Munger, Dean, Kahn and Sherwood introduced:

H. F. No. 446, A bill for an act relating to environmental conservation; directing the commissioner of administration to study and implement certain practices; promoting use of recycled and recyclable materials and supplies by state government; amending Minnesota Statutes 1976, Section 16.28.

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

Carlson, D.; Munger and Kahn introduced:

H. F. No. 447, A bill for an act relating to natural resources; directing the commissioner of natural resources to provide an alternative road access to General C. C. Andrews State Forest; appropriating money therefor.

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

Erickson, Munger, Mann, Esau and Eckstein introduced:

H. F. No. 448, A bill for an act relating to waters; appropriation and use of waters; priorities; amending Minnesota Statutes 1976, Section 105.41, Subdivision 1a.

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

Begich, Battaglia and Fugina introduced:

H. F. No. 449, A bill for an act relating to game and fish; permitting the use of tip-ups; amending Minnesota Statutes 1976, Section 101.42, Subdivision 20.

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

Norton, George, Brinkman, Novak and Ewald introduced:

H. F. No. 450, A bill for an act relating to financial institutions; the terms and conditions under which they may make home loans; authorizing the making and purchase of certain conventional home loans; modifying the definition of conventional loan; amending Minnesota Statutes 1976, Section 47.20, Subdivisions 2 and 3.

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

Corbid, Ewald, Wieser, George and Brinkman introduced:

H. F. No. 451, A bill for an act relating to banks; authorizing a bank to establish two detached banking facilities; detached banking facility notice and approval procedures; amending Minnesota Statutes 1976, Sections 47.51; 47.52; 47.53; 47.55; and Chapter 47, by adding a section; repealing Minnesota Statutes 1976, Section 47.54.

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

Jaros, Berkelman, Dahl, Forsythe and Skoglund introduced:

H. F. No. 452, A bill for an act relating to health care; certification of qualified plans of health coverage; accelerating the phase-in period for certain minimum benefits; clarifying applicable deductible, coinsurance and lifetime benefit limitations; requiring certain public education programs; appropriating money; amending Minnesota Statutes 1976, Sections 62E.06, Subdivision 1; and 62E.09.

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

Niehaus, Schulz, McDonald, Carlson, D., and Erickson introduced:

H. F. No. 453, A bill for an act relating to elections; regulating determination of residence of students and others; amending Minnesota Statutes 1976, Section 201.26.

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

Gunter, Brinkman, Biersdorf and Smogard introduced:

H. F. No. 454, A bill for an act relating to elections; providing for payment of costs of certain special elections; amending Minnesota Statutes 1976, Section 204A.24.

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

Forsythe, Scheid, Pleasant, McCarron and Simoneau introduced:

H. F. No. 455, A bill for an act relating to elections; providing for judges of election to serve under certain conditions; amending Minnesota Statutes 1976, Sections 207.02; and 204A.17, Subdivisions 1 and 2.

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

Reding, Suss, Jensen and McEachern introduced:

H. F. No. 456, A bill for an act relating to the operation of state government; providing for the purchase of certain motor vehicles for use by investigative and undercover agents of the department of public safety without competitive bids; amending Minnesota Statutes 1976, Section 16.07, by adding a subdivision.

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

Voss, Berg, Clawson, Kroening and Pehler introduced:

H. F. No. 457, A bill for an act relating to courts; providing for the organization, compensation, personnel, terms and procedures of the several courts; appropriating money; amending Minnesota Statutes 1976, Sections 2.722; 2.724; 15A.083; 480.15, by adding subdivisions; 480.17; 480.18; 484.08; 484.54; 485.01; 487.01, Subdivisions 3, 5, and 6; 487.03, Subdivision 1; 488A.01, Subdivision 10; 488A.12, Subdivision 5; 525.04; and 525.081, Subdivision 7; and Chapter 480, by adding a section; repealing Minnesota Statutes 1976, Sections 15A.083, Subdivision 2; 484.05; 484.09; 484.10; 484.11; 484.12; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.28; 484.34; 487.03, Subdivision 4; 487.05; 488A.021, Subdivisions 7 and 8; 488A.19, Subdivisions 8, 9, and 10; and 525.081, Subdivisions 1, 2, 3, 4, 5, 6, 8, and 9; Chapters 488, 530, 531, 532 and 633; and Extra Session Laws 1971, Chapter 42.

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

Pleasant, Kvam, Esau, Evans and Friedrich introduced:

H. F. No. 458, A bill for an act relating to employment services; unemployment compensation; providing disqualification for benefits; amending Minnesota Statutes 1976, Section 268.09, Subdivision 1.

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

Niehaus; Birnsthil; Carlson, D.; Brinkman and Esau introduced:

H. F. No. 459, A bill for an act relating to crimes; requiring prosecution of persons issuing worthless checks; amending Minnesota Statutes 1976, Section 609.535, Subdivision 2.

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

Patton, Moe, Beauchamp, Biersdorf and Reding introduced:

H. F. No. 460, A bill for an act relating to retirement; adjustment in annuities through the adjustable fixed benefit fund; amending Minnesota Statutes 1976, Section 11.25, Subdivisions 12 and 13.

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

Wieser, Heinitz, Swanson, Samuelson and Abeln introduced:

H. F. No. 461, A bill for an act relating to welfare; providing penalties for welfare offenses; requiring notification of change of circumstances; amending Minnesota Statutes 1976, Sections 256.98; and 393.07, Subdivision 10.

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

McCollar; Carlson, L.; Scheid; Berglin and Heinitz introduced:

H. F. No. 462, A bill for an act relating to public health; providing for ownership and control of medical records by their individual subjects; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

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

Swanson; Carlson, L.; Berkelman; Clawson and Heinitz introduced:

H. F. No. 463, A bill for an act relating to health; prohibiting the prescription, sale and distribution of certain drugs, medicines or other compounds; providing a penalty.

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

St. Onge, Erickson, Beauchamp, Braun and Kelly, W., introduced:

H. F. No. 464, A bill for an act relating to licensed occupations; providing for reciprocity in licensing for plumbers licensed in other states; amending Minnesota Statutes 1976, Chapter 326, by adding a section.

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

Corbid; Berg; Kelly, W.; Braun and Wenstrom introduced:

H. F. No. 465, A bill for an act relating to redevelopment; providing for membership on regional development commissions; amending Minnesota Statutes 1976, Section 462.388, Subdivision 1.

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

Clawson, Begich, Neisen, Vanasek and Searles introduced:

H. F. No. 466, A bill for an act relating to home rule charter and statutory cities; permitting the adoption by reference of model ordinances, ordinances of cities and counties, and ordinance codes; amending Minnesota Statutes 1976, Section 471.62.

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

Clawson introduced:

H. F. No. 467, A bill for an act relating to local government; setting a time limit for local improvements; amending Minnesota Statutes 1976, Sections 429.021, Subdivision 3; 429.041, Subdivision 1; and Chapter 435, by adding a section.

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

Sieben, H.; Metzen; White; Fudro and Lemke introduced:

H. F. No. 468, A bill for an act relating to highways; removing the construction moratorium on certain interstate routes; extending an interstate route through the city of St. Paul and directing the commissioner of transportation to expedite settlement of litigation and commence construction of one segment of that route; removing certain routes from the trunk highway system; amending Minnesota Statutes 1976, Sections 161.12; and 161.123; repealing Minnesota Statutes 1976, Section 161.117.

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

Niehaus, Wenzel, Zubay, Erickson and Carlson, D., introduced:

H. F. No. 469, A bill for an act relating to taxation; providing that persons over 65 years of age not be required to pay sales tax on residential heating fuel oils; providing penalties; appropriating money; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1; and Chapter 297A, by adding a section.

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

Dean, Munger, Clark, Beauchamp and Carlson, D., introduced:

H. F. No. 470, A bill for an act relating to taxation; providing a tax credit for increased utility rates charged to low-income persons over the age of 65; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

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

Clawson, Mangan, Cummiskey, George and McCollar introduced:

H. F. No. 471, A bill for an act relating to taxation; providing a 10 acre limit for nonagricultural homesteads; amending Minnesota Statutes 1976, Sections 273.011, Subdivision 3; 273.13, Subdivision 7; and 290A.03, Subdivision 6.

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

Anderson, B.; Welch; Berkelman; Fudro and Rose introduced:

H. F. No. 472, A bill for an act relating to highway traffic regulations; specifying minimum property damage accident report requirements; amending Minnesota Statutes 1976, Section 169.09, Subdivision 7.

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

Dean; Sieben, H.; George; Forsythe and Ellingson introduced:

H. F. No. 473, A bill for an act relating to the operation of state government; authorizing value analysis of certain department of transportation construction projects; establishing procedures for implementing value analysis change proposals.

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

Kahn, Dean, Lehto, Ellingson and Novak introduced:

H. F. No. 474, A bill for an act relating to highway traffic regulations; defining terms; driving rules; pedestrian rules; regulating the operation of motor vehicles, bicycles and other human powered vehicles; prescribing penalties; amending Minnesota Statutes 1976, Sections 169.01, Subdivisions 2, 3, 31, 51, and by adding a subdivision; 169.18, Subdivision 7; 169.19, Subdivisions 1 and 8; 169.20, Subdivision 4; 169.21, Subdivision 3; 169.31; and Chapter 169, by adding sections; repealing Minnesota Statutes 1976, Section 169.221.

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

Stanton; Anderson, I.; Lemke; Fudro and Patton introduced:

H. F. No. 475, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; changing the conditions for issuance of highway bonds.

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

HOUSE ADVISORIES

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

Abeln introduced:

H. A. No. 11, A proposal for energy conservation; study to determine potential energy savings by reducing highway lighting.

The advisory was referred to the Committee on Transportation.

CONSENT CALENDAR

H. F. No. 42 was reported to the House.

Begich offered an amendment to H. F. No. 42.

POINT OF ORDER

Berg raised a point of order pursuant to rule 3.9 that the Begich amendment was out of order. The Speaker ruled the point of order well taken and the Begich amendment out of order.

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

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Nelsen, M.

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 6 was reported to the House and given its third reading.

UNANIMOUS CONSENT

Enebo requested unanimous consent to offer an amendment. The request was granted.

Enebo moved to amend H. F. No. 6 as follows:

Page 6, line 4, after "cannot" delete "clearly and forcefully".

Page 6, line 5, after "been" delete "motivated by compelling reasons" and insert "based on just cause".

The motion prevailed and the amendment was adopted.

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

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeln	Berkelman	Corbid	Fudro	Kelly, W.
Adams	Biersdorf	Cummiskey	George	Kempe, A.
Albrecht	Birnsthil	Dahl	Gunter	Kempe, R.
Anderson, B.	Brandl	Dean	Hanson	King
Anderson, D.	Braun	Eken	Haugerud	Knickbocker
Anderson, G.	Byrne	Ellingson	Heinitz	Kostohryz
Anderson, I.	Carlson, A.	Enebo	Hokanson	Kroening
Anderson, R.	Carlson, D.	Erickson	Jacobs	Laidig
Arlandson	Carlson, L.	Evans	Jaros	Langseth
Battaglia	Casserly	Ewald	Jensen	Lehto
Begich	Clark	Faricy	Jude	Lemke
Berg	Clawson	Fjoslien	Kahn	Mangan
Berglin	Cohen	Forsythe	Kelly, R.	Mann

McCarron	Niehaus	St. Onge	Skoglund	Welch
McCollar	Norton	Samuelson	Smogard	Wenstrom
McEachern	Osthoff	Sarna	Spanish	Wenzel
Metzen	Patton	Savelkoul	Stanton	White
Moc	Pehler	Scheid	Stoa	Wieser
Munger	Peterson	Searle	Suss	Wigley
Murphy	Petrafeso	Searles	Swanson	Williamson
Neisen	Pleasant	Sherwood	Tomlinson	Wynia
Nelsen, B.	Prah	Sieben, H.	Vanasek	Speaker Sabo
Nelsen, M.	Reding	Sieben, M.	Voss	
Nelson	Rose	Simoneau	Waldorf	

Those who voted in the negative were:

Eckstein Kalis McDonald

The bill was passed, as amended, and its title agreed to.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 187 which it recommended progress.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Mangan moved that the name of Jacobs be added as an author on H. F. No. 444. The motion prevailed.

Sieben, H., moved that the name of Suss be shown as chief author and the name of Sieben, H., be shown as second author on H. F. No. 416. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the following commissions and committees:

LEGISLATIVE COMMISSION TO REVIEW ADMINISTRATIVE RULES pursuant to the provisions of Minnesota Statutes 1976, Section 3.965: Anderson, I.; Forsythe; Haugerud; Simoneau and Voss.

EDUCATION COMPACT COMMISSION OF THE STATES pursuant to the provisions of Minnesota Statutes 1976, Sections 121.81 and 121.82: Fugina.

GREAT LAKES COMMISSION pursuant to the provisions of Minnesota Statutes 1976, Section 1.22: Jaros and Sieben, H.

INDIAN AFFAIRS INTERTRIBAL BOARD pursuant to the provisions of Minnesota Statutes 1976, Section 3.922: Clark, Laidig and St. Onge.

INTERSTATE COOPERATION COMMISSION pursuant to the provisions of Minnesota Statutes 1976, Section 3.29: Adams, Berglin, Erickson, Johnson, C., and Rice.

IRON RANGE RESOURCES AND REHABILITATION BOARD pursuant to the provisions of Minnesota Statutes 1976, Section 298.22: Begich, Prahl and Samuelson.

LEGISLATIVE COORDINATING COMMISSION pursuant to the provisions of Minnesota Statutes 1976, Section 3.303: Kelly, W., and Norton.

LEGISLATIVE ADVISORY COMMITTEE TO ASSIST THE MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION pursuant to provisions of Minnesota Statutes 1976, Section 1.34: Lemke; Sieben, M.; Stoa; Wieser and Zubay.

MISSISSIPPI RIVER PARKWAY COMMISSION pursuant to provisions of Minnesota Statutes 1976, Section 161.1419: McEachern, Niehaus and Sarna.

LEGISLATIVE COMMISSION ON MINNESOTA RESOURCES pursuant to provisions of Minnesota Statutes 1976, Section 86.07: Anderson, I.; Casserly; Haugerud; Knickerbocker; Munger; Norton and Searle.

LEGISLATIVE COMMISSION ON PENSIONS AND RETIREMENT pursuant to provisions of Minnesota Statutes 1976, Section 3.85: Beauchamp, Biersdorf, Moe, Patton and Reding.

ECONOMIC STATUS OF WOMEN pursuant to provisions of Minnesota Laws 1976, Chapter 337: Berglin, Enebo, Forsythe, Kahn and Stanton.

CITIZENS COMMITTEE ON VOYAGEURS NATIONAL PARK pursuant to provisions of Minnesota Laws 1975, Chapter 235: Anderson, I., and Munger.

JOINT LEGISLATIVE REVIEW COMMITTEE TO THE COMMISSION
ON MINNESOTA'S FUTURE pursuant to provisions of Minnesota
Laws 1973, Chapter 741, Section 7: Carlson, L.; Kelly, W.; and
Stanton.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it
adjourn until 2:00 p.m., Thursday, February 17, 1977. The mo-
tion prevailed.

Anderson, I., moved that the House adjourn. The motion pre-
vailed, and the Speaker declared the House stands adjourned
until 2:00 p.m., Thursday, February 17, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives