

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

NINETEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 28, 1977

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Heinitz, Johnson and Searles were excused.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 511, 299 and 235 and S. F. Nos. 21, 43, 51 and 232 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following report was received and filed in the Chief Clerk's Office: University of Minnesota Facilities Report for School of Nursing and College of Pharmacy.

REPORTS OF STANDING COMMITTEES

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

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

Reported the same back with the following amendments:

Page 1, line 6, delete "FOOD PRODUCTS" and insert "RETAIL MERCHANDISE".

Page 1, line 8, delete "food items" and insert "merchandise".

Page 1, line 9, delete "food" and insert "merchandise".

Page 1, line 14, delete "only".

Page 1, line 18, after "to" insert a colon.

Page 1, line 18, delete "food items".

Page 1, delete lines 19 to 21.

Page 2, delete lines 1 to 4 and insert

"(a) Food items intended to be consumed on or about the retail premises;

(b) Consumer commodities which are under three cubic inches in size, weigh less than three ounces, and are priced under 30 cents;

(c) Consumer commodities offered for a period of seven days or less on sale in good faith at a price below the price such commodities are usually sold for in the store, provided that the sale price is clearly indicated to the consumer by conspicuous sign or

otherwise, located at or near the point of sale of such commodities;

(d) Cigarettes, cigars, tobacco and tobacco products with a retail price of \$1 or less;

(e) Items actually sold through vending machines; and

(f) Any type of consumer commodity which is not marked in accordance with the uniform products code or any similar marking system designed to be scanned by electronic checkout equipment.

Sec. 2. [PENALTIES.] (a) Failure to have a clearly readable price indicated on more than six individual items of the same commodity shall constitute a petty misdemeanor and each commodity not priced in compliance with this act shall constitute a separate violation. Each day that a violation continues shall also constitute a separate violation;

(b) Notwithstanding any other provision of law, any person may bring an action to enjoin a violation of this act.”.

Further amend the title as follows:

Page 1, line 3, delete “food packaging” and insert “merchandise; providing exceptions; providing penalties”.

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 7, line 18, delete “334.01” and insert “475.55”.

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 260, A bill for an act relating to the military; abolishing the naval militia and deleting references thereto; correcting other terminology; amending Minnesota Statutes 1976, Sections 190.05, Subdivision 3; 190.06, Subdivision 2; 191.09; 192.26, Subdivision 1; 193.141, Subdivision 1; 193.142; 193.143; 193.1431; 193.145; and 193.36, Subdivision 1; repealing Minnesota Statutes 1976, Chapter 194.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

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

The following appointments as reported in the Journal for January 10, 1977:

ETHICAL PRACTICES BOARD

Mrs. Connie Burchett and Mr. Roger Noreen.

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

Rice moved that the report of the Committee on General Legislation and Veterans Affairs relating to the appointments of Mrs. Connie Burchett and Mr. Roger Noreen to the Ethical Practices Board be adopted. The motion prevailed and the report was adopted.

CONFIRMATION

Rice moved that the House, having advised, do now consent to and confirm the appointments of Mrs. Connie Burchett, 9849 Zilla Street N. W., Coon Rapids, Anoka County, effective July 20, 1976, for a term expiring January 2, 1978, and Mr. Roger Noreen, 4684 James Road, Mendota Heights, Dakota County, effective April 29, 1976, for a term expiring January 7, 1980. The motion prevailed and the appointments were confirmed.

SECOND READING OF HOUSE BILLS

H. F. Nos. 37, 193 and 260 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Fjoslien introduced:

H. F. No. 606, A bill for an act relating to agriculture; allowing sale of foliar fertilizers for noncommercial, research and experimental purposes; amending Minnesota Statutes 1976, Section 17.713, Subdivision 20, and by adding a subdivision.

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

Fjoslien introduced:

H. F. No. 607, A bill for an act relating to agriculture; regulating the sale and use of foliar fertilizers; amending Minnesota Statutes 1976, Sections 17.713, by adding a subdivision; 17.714, by adding a subdivision; 17.717, by adding a subdivision; 17.718, Subdivision 1; and 17.721, Subdivision 2.

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

Jaros, St. Onge, Begich, Enebo and Jacobs introduced:

H. F. No. 608, A bill for an act relating to employment agencies; relieving job applicants from the payment of reference or placement fees; requiring employers to pay all employment agency service charges; amending Minnesota Statutes 1976, Sections 184.37; 184.38, Subdivisions 3, 4, 13, and by adding a subdivision; repealing Minnesota Statutes 1976, Section 184.38, Subdivision 11.

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

Petrafeso, Ellingson, Arlandson, Knickerbocker and Munger introduced:

H. F. No. 609, A bill for an act relating to watersheds; providing for the issuance of county bonds to pay the cost of watershed district improvements; amending Minnesota Statutes 1976, Section 112.60, Subdivision 2.

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

Clawson, Jude, Fjoslien, Pehler and Wenstrom introduced:

H. F. No. 610, A bill for an act relating to eminent domain; authorizing payment in installments with interest; amending Minnesota Statutes 1976, Section 117.231.

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

Reding, Moe, Beauchamp, Biersdorf and Patton introduced:

H. F. No. 611, A bill for an act relating to retirement; date for payment of monthly annuities and benefits; amending Minnesota Statutes 1976, Chapter 356, by adding a section.

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

Petrafeso; Sieben, H.; Cummiskey; Smogard and Zubay introduced:

H. F. No. 612, A bill for an act relating to the organization of state government; providing that heads of certain departments and other governmental units of the state shall be appointed by and shall serve at the pleasure of the appointing authority; providing for the succession of commissioners; defining position and duties of deputy department heads; standardizing the format and procedures relating to executive orders and reorganization orders; prescribing uses for executive orders; limiting the scope of reorganization orders; eliminating obsolete language; amending Minnesota Statutes 1976, Sections 15.051, Subdivisions 1 and 3; 15.06; 16.01; 16.125; 16A.01, Subdivisions 2 and 3; 17.01; 43.001, Subdivisions 2 and 3; 45.02; 45.15; 84.01, Subdivision 2; 116.03, Subdivision 1; 116H.03, Subdivisions 2 and 3; 121.09; 121.16, Subdivision 1; 144.02; 174.02, Subdivision 1; 175.001, Subdivision 1; 179.02; 196.02, Subdivision 1; 216A.06, Subdivision 1; 241.01, Subdivisions 1 and 2; 245.03; 268.12, Subdivision 1; 270.02, Subdivision 2; 298.22, Subdivision 1; 299A.01, Subdivisions 1 and 2; 362.09, Subdivision 1; 363.04, Subdivision 1; 462A.04, Subdivision 8; and Chapter 144, by adding a section; repealing Minnesota Statutes 1976, Sections 16.13; 121.07; 121.08; 121.10; 121.16, Subdivision 2; 144.03; 144.04; 175.001, Subdivision 4; and 216A.06, Subdivision 2.

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

Clark, Petrafeso, Kroening, Hokanson and Skoglund introduced:

H. F. No. 613, A bill for an act relating to the operation of state government; establishing an office of volunteer services within the office of the governor; coordinating volunteer programs throughout the state; appropriating money.

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

Berglin, Stoa, Patton, Petrafeso and Ewald introduced:

H. F. No. 614, A bill for an act relating to governmental operations; authorizing access of citizens to data; classifying data; defining terms; providing penalties; amending Minnesota Statutes 1976, Sections 15.17, Subdivisions 1, 2, 4 and by adding subdivisions; and 15.171.

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

Cummiskey introduced:

H. F. No. 615, A bill for an act relating to retirement; computation of various public retirement annuities; amending Minnesota Statutes 1976, Sections 352.115, Subdivision 2; 352.93, Subdivision 1; 353.29, Subdivision 2; 353.651, Subdivision 2; and 354.44, Subdivision 6.

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

Nelson, Berglin, Petrafeso, Dean and Berg introduced:

H. F. No. 616, A bill for an act relating to the county of Hennepin; duties of personnel board; providing for referral of eligible names to fill vacancies; amending Laws 1965, Chapter 855, Section 4, Subdivision 2.

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

Battaglia, Begich and Anderson, I., introduced:

H. F. No. 617, A bill for an act relating to taxation; providing local option to specified counties to receive property tax payments from state for state owned land; providing an appropriation.

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

Begich introduced:

H. F. No. 618, A bill for an act proposing an amendment to the Minnesota Constitution, Article VI, Sections 7 and 8; to provide for the nomination of persons for the office of judge by a nonpartisan judicial commission, and the election of judges.

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

Samuelson and Nelsen, M., introduced:

H. F. No. 619, A bill for an act relating to taxation; providing for increase in levy of county where new construction has increased assessed valuation of the area; amending Minnesota Statutes 1976, Section 275.52, Subdivision 2.

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

Lemke, Novak, Esau, Sarna and Fudro introduced:

H. F. No. 620, A bill for an act relating to public carriers; providing for their regulation; amending Minnesota Statutes 1976, Sections 216A.05, Subdivision 6; 218.041; 221.011, Subdivisions 17, 22 and 24; 221.021; 221.071; 221.111; 221.121, Subdivisions 1 and 2; 221.131; 221.151, Subdivisions 1 and 2; 221.181; 221.281; and Chapter 239, by adding a section.

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

Neisen, Simoneau, McCollar, Kaley and Adams introduced:

H. F. No. 621, A bill for an act relating to motor vehicles; defining terms; clarifying certain motor vehicle dealer licensing requirements; preempting local licensing and bonding requirements; amending Minnesota Statutes 1976, Section 168.27, Subdivisions 1, 4, 8, 13, 16, 22, 24 and by adding a subdivision.

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

Nelson, Tomlinson, Kaley, Welch and Arlandson introduced:

H. F. No. 622, A bill for an act relating to the juvenile court; authorizing the court to direct public agencies to offer appropriate human services under certain circumstances to members of a delinquent child's family; amending Minnesota Statutes 1976, Section 260.185, Subdivision 1.

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

Beauchamp, Wenstrom, Langseth, Fjoslien and Jaros introduced:

H. F. No. 623, A bill for an act relating to corrections and juveniles; authorizing juvenile detention up to 48 hours if regional or county detention facilities do not exist; amending Minnesota Statutes 1976, Section 260.171, Subdivision 2.

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

Beauchamp, Wenstrom, Clark, Langseth and Fjoslien introduced:

H. F. No. 624, A bill for an act relating to corrections and juveniles; authorizing the director of the west central detention center at Moorhead to allow two children to be housed in a double unit.

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

Jaros, Berglin, Berkelman, McEachern and Mangan introduced:

H. F. No. 625, A bill for an act relating to education; nutrition programs; requiring nutrition programs in each school district under a state nutrition coordinator.

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

Patton and Niehaus introduced:

H. F. No. 626, A bill for an act relating to education; school taxes; expanding the definition of the maximum effort debt service levy required of certain school districts; amending Minnesota Statutes 1976, Section 124.38, Subdivision 7.

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

Arlandson, Petrafeso, Novak, Metzen and Knickerbocker introduced:

H. F. No. 627, A bill for an act relating to education; school aids; changing computation of pupil units in districts with declining enrollments; amending Minnesota Statutes 1976, Section 124.17, Subdivision 1.

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

Arlandson, Petrafeso, Novak, Williamson and Kostohryz introduced:

H. F. No. 628, A bill for an act relating to education; school aids; providing aid to certain school districts based on levels of training of teachers employed by the district; appropriating money.

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

Arlandson, Petrafeso, Metzen, Knickerbocker and Kostohryz introduced:

H. F. No. 629, A bill for an act relating to education; school districts; authorizing excess tax levies in certain districts; amending Minnesota Statutes 1976, Section 275.125, Subdivision 6.

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

Patton and Niehaus introduced:

H. F. No. 630, A bill for an act relating to education; teachers; providing certain grounds for discharge of a continuing contract teacher; amending Minnesota Statutes 1976, Section 125.12, Subdivision 8.

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

Sherwood, Reding, Wenstrom, Zubay and Cummiskey introduced:

H. F. No. 631, A bill for an act relating to the environmental quality board; removing appointed officials from its membership; providing for citizen members; abolishing the citizens advisory committee; amending Minnesota Statutes 1976, Sections 116C.03, Subdivisions 2, 2a and 3; and 116C.04, Subdivision 1; repealing Minnesota Statutes 1976, Sections 116C.04, Subdivisions 8 and 9; and 116C.05.

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

Kempe, R., introduced:

H. F. No. 632, A bill for an act relating to game and fish; providing for Minnesota sportsman licenses; amending Minnesota Statutes 1976, Section 98.46, Subdivision 2a.

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

Clawson, Heinitz, Abeln, Anderson, I., and Brinkman introduced:

H. F. No. 633, A bill for an act relating to civil actions; providing for the admission of evidence in certain negligence actions.

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

Clawson, Heinitz, Swanson, Berkelman and Brinkman introduced:

H. F. No. 634, A bill for an act relating to courts; authorizing periodic payment plans for damage awards in certain cases; defining terms.

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

Ellingson; Abeln; Kelly, R.; Wynia and Heinitz introduced:

H. F. No. 635, A bill for an act relating to insurance; increasing solicitors license fees; establishing a duty of reasonable supervision for those employing agents; authorizing issuance of cease and desist orders and injunctions; prescribing and clarifying penalties; amending Minnesota Statutes 1976, Sections 60A.17, Subdivision 4, and by adding subdivisions; and 72A.07.

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

Stoa, Osthoff, Knickerbocker, Lehto and Faricy introduced:

H. F. No. 636, A resolution memorializing Congress to propose to the states a federal Constitutional Amendment for the direct popular election of the President and Vice President of the United States.

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

Arlandson, Petrafeso, Knickerbocker, Williamson and Kostohryz introduced:

H. F. No. 637, A bill for an act relating to retirement; state payment of employer's contribution for school district employees who are members of the public employees retirement association; appropriating money; amending Minnesota Statutes 1976, Chapter 353, by adding a section.

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

Kroening, Reding, Abeln, McCollar and Adams introduced:

H. F. No. 638, A bill for an act relating to retirement; purchase of military service credit in the teachers retirement fund; amending Minnesota Statutes 1976, Section 354.53, Subdivisions 1 and 3.

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

Anderson, I.; Patton; Berglin; Moe and Pehler introduced:

H. F. No. 639, A bill for an act relating to retirement; deposit of teacher's annuity or benefit checks; amending Minnesota Statutes 1976, Section 354.10.

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

Rice; Carlson, A.; Casserly and Fudro introduced:

H. F. No. 640, A bill for an act relating to the city of Minneapolis; benefits and administration of the municipal employees retirement fund; amending Minnesota Statutes 1976, Sections 422A.02; 422A.03, Subdivision 1; 422A.06, Subdivision 6; 422A.08, Subdivision 5; 422A.16, Subdivision 10, and by adding a subdivision; 422A.18, Subdivision 2; and 422A.23, Subdivision 7, and by adding a subdivision.

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

Carlson, L.; Swanson; Heinitz; Anderson, I.; and Brinkman introduced:

H. F. No. 641, A bill for an act relating to civil actions; awarding costs and attorney fees in certain actions.

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

Berkelman, Wenstrom, Vanasek, Anderson, B., and Heinitz introduced:

H. F. No. 642, A bill for an act relating to civil actions; providing for the admissibility of evidence and competency of witnesses in certain negligence actions.

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

Berglin, Pehler, King, Clawson and Dean introduced:

H. F. No. 643, A bill for an act relating to public welfare; changing eligibility standards for medical assistance; appropriating money; amending Minnesota Statutes 1976, Section 256B.06, Subdivision 1.

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

Casserly, Rice, Kroening, Berg and Samuelson introduced:

H. F. No. 644, A bill for an act relating to public welfare; general assistance work programs; providing authority for local agencies to contract with nonprofit organizations for work program services; amending Minnesota Statutes 1976, Section 256D.11, Subdivision 4.

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

Berkelman, Abeln, Wenstrom, Scheid and Heinitz introduced:

H. F. No. 645, A bill for an act relating to medicine; standard of care in the medical and allied professions.

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

Voss, Neisen, Fudro, McCarron and Clawson introduced:

H. F. No. 646, A bill for an act relating to the establishment of parks, playgrounds and scenic areas by the county of Anoka; amending Laws 1961, Chapter 209, Sections 1 and 2.

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

Friedrich, Schulz, Lemke, McDonald and White introduced:

H. F. No. 647, A bill for an act relating to statutory cities; publication and inspection of ordinances; amending Minnesota Statutes 1976, Section 412.191, Subdivision 4.

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

Faricy and Hanson introduced:

H. F. No. 648, A bill for an act relating to municipalities; providing for negotiation of contracts between municipalities and state departments and agencies for provision of fire and police protection services for state institutions, land and other property.

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

Fugina and Begich introduced :

H. F. No. 649, A bill for an act relating to St. Louis county; authorizing one off-sale intoxicating liquor license.

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

Clawson, Dean, White, Suss and Laidig introduced :

H. F. No. 650, A bill for an act relating to sheriffs; salaries, fees and budgets; providing that the salary and budget of the sheriff shall be set by the county board in each county of the state; authorizing costs and reasonable attorney fees on appeal; amending Minnesota Statutes 1976, Section 387.20, Subdivisions 2 and 7; repealing Minnesota Statutes 1976, Section 387.20, Subdivisions 1, 4, and 8.

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

Eken introduced :

H. F. No. 651, A bill for an act relating to Norman county; validating certain funds transfers.

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

Carlson, A.; Clark; Berglin; Williamson and Carlson, L., introduced :

H. F. No. 652, A bill for an act relating to Hennepin county; personnel system; filling of vacancies; amending Laws 1965, Chapter 855, Section 4, Subdivision 2.

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

Jaros, Pehler, McCollar, Stanton and Neisen introduced :

H. F. No. 653, A bill for an act relating to taxation; imposing sales taxation on carbonated beverages; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

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

Friedrich; Albrecht; Nelsen, B.; Lemke and White introduced:

H. F. No. 654, A bill for an act relating to taxation; requiring a legislative review of inheritance tax.

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

Dean, Kvam, Laidig, Savelkoul and Nelsen, B., introduced:

H. F. No. 655, A bill for an act relating to taxation; providing an inflation adjustment for the income tax rate schedule; amending Minnesota Statutes 1976, Section 290.06, Subdivision 2c, and by adding a subdivision.

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

Pleasant, Neisen, Abeln, Anderson, R., and Kaley introduced:

H. F. No. 656, A bill for an act relating to taxation; establishing progressive rates for the taxation of income of corporations; amending Minnesota Statutes 1976, Section 290.06, Subdivision 1.

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

Fugina, Kroening, McCollar, Neisen and Battaglia introduced:

H. F. No. 657, A bill for an act relating to taxation; exempting residential energy sources from sales tax; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

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

Pehler introduced:

H. F. No. 658, A bill for an act relating to taxation; imposing a gross earnings tax on electric utilities; amending Minnesota Statutes 1976, Section 295.01, by adding a subdivision, and Chapter 295, by adding sections; and repealing Minnesota Statutes 1976, Sections 273.36 to 273.42.

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

Jaros, Ewald, Kalis, Begich and Beauchamp introduced:

H. F. No. 659, A bill for an act relating to taxation; providing for delayed assessment of multifamily residential improvements and new construction; amending Minnesota Statutes 1976, Chapter 273, by adding a section.

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

Johnson, Lemke, Savelkoul, Kalis and Eckstein introduced:

H. F. No. 660, A bill for an act relating to motor vehicles; increasing the registration tax on certain vehicles; prescribing weight limitations on certain vehicles; providing penalties; amending Minnesota Statutes 1976, Sections 168.013, Subdivisions 1e and 12; 169.79; 169.83, Subdivisions 1, 2 and 3; 169.85; and 169.86, by adding a subdivision.

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

Nelsen, B.; Mann; Wigley; Lemke and Fudro introduced:

H. F. No. 661, A bill for an act relating to highway traffic regulations; exempting trucks engaged in hauling hay from certain weight restrictions during a specified period of time.

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

HOUSE ADVISORIES

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

Clawson, Munger, Lehto, Searle and Fugina introduced:

H. A. No. 14, A proposal to study mineral leasing policies of the Minnesota Department of Natural Resources.

The advisory was referred to the Committee on Governmental Operations.

Welch, Niehaus, Begich and Anderson, B., introduced:

H. A. No. 15, A proposal to study the constitutionality and effectiveness of the Regional Development Act of 1969.

The advisory was referred to the Committee on Local and Urban Affairs.

CONSENT CALENDAR

H. F. No. 114 was reported to the House.

Moe moved to amend H. F. No. 114 as follows:

Page 2, line 20, after "*therein*" insert "*and shall not include persons who are wholesalers or retailers as defined in clause (2) or (3) above*".

Page 2, delete lines 25 through 32 and insert:

"Sec. 3. Minnesota Statutes 1976, Section 340.601, is amended to read:

340.601 [IMPORT; TAX EVASION, MISDEMEANOR.] Any person, excluding persons of minor age and other disqualified persons as provided by sections 340.73 and 340.78, who enters the state of Minnesota from another state may have in his personal possession one quart (32 ounces) of intoxicating liquor or fermented malt beverages or who enters the state of Minnesota from a foreign country may have in his possession one gallon (128 ounces) of intoxicating liquor or ten quarts (320 ounces) of fermented malt beverages without the required payment of the Minnesota excise tax. Any person who shall import or have in his possession any such untaxed intoxicating liquor or fermented malt beverages in excess of the quantities provided for in this section is guilty of a misdemeanor. The foregoing provisions do not apply to the consignments of alcoholic beverages shipped into this state by holders of Minnesota import licenses or Minnesota manufacturers and wholesalers of such beverages when duly licensed by the commissioner or to common carriers with licenses to sell intoxicating liquor in more than one state or to a collector of commemorative bottles as defined under Minnesota Statutes, Section 340.44, Clause (6), when he enters the state with 12 or less "commemorative bottles" as defined in Minnesota Statutes, Section 340.44, Clause (7). Any peace officer, the commissioner, or his authorized agents, may seize such untaxed liquor."

Page 3, delete lines 1 and 2.

Further amend the title as follows:

Page 1, line 5, delete "340.50" and insert "340.601".

The motion prevailed and the amendment was adopted.

H. F. No. 114, A bill for an act relating to intoxicating liquor; regulation and taxation of liquor sold in commemorative bottles; amending Minnesota Statutes 1976, Sections 340.11, Subdivision 15; 340.44; and 340.601.

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

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Cummiskey Dean Erickson

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

H. F. No. 511, A bill for an act relating to the state transportation system; correcting conditions of a bond authorization; amending Laws 1976, Chapter 339, Section 3.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CALENDAR

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

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

The question was taken on the passage of the bill and the roll was called. There were 95 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Abeln	Adams	Albrecht	Anderson, D.	Anderson, G.
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Anderson, I.	Cummiskey	Kahn	Nelsen, M.	Simoneau
Arlandson	Dahl	Kaley	Nelson	Skoglund
Beauchamp	Dean	Kelly, W.	Niehaus	Smogard
Begich	Eken	Kempe, A.	Norton	Spanish
Berg	Ellingson	Kempe, R.	Novak	Stoa
Berkelman	Erickson	King	Patton	Suss
Birnstihl	Esau	Kroening	Pehler	Swanson
Brandl	Evans	Laidig	Peterson	Tomlinson
Braun	Ewald	Langseth	Petraleso	Vanasek
Brinkman	Forsythe	Lehto	Rice	Voss
Byrne	Friedrich	Mangan	St. Onge	Welch
Carlson, A.	Fugina	Mann	Samuelson	Wenstrom
Carlson, D.	George	McCollar	Savelkoul	Wenzel
Carlson, L.	Haugerud	McEachern	Schulz	White
Casserly	Hokanson	Moe	Searle	Wieser
Clark	Jacobs	Munger	Sherwood	Williamson
Clawson	Jaros	Murphy	Sieben, H.	Wynia
Corbid	Jude	Nelsen, B.	Sieben, M.	Speaker Sabo

Those who voted in the negative were :

Anderson, B.	Faricy	Knickerbocker	Neisen	Scheid
Anderson, R.	Fjoslien	Kostohryz	Osthoff	Stanton
Battaglia	Fudro	Kvam	Pleasant	Waldorf
Biersdorf	Gunter	Lemke	Prahl	Wigley
Cohen	Hanson	McCarron	Reding	Zubay
Eckstein	Kalis	McDonald	Rose	
Enebo	Kelly, R.	Metzen	Sarna	

The bill was passed and its title agreed to.

Eken was excused for the remainder of today's session.

H. F. No. 38, A bill for an act relating to housing; providing statutory warranties on the sale of new housing; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 103 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Abeln	Brandl	Ellingson	Jensen	Langseth
Adams	Braun	Enebo	Jude	Lehto
Anderson, B.	Byrne	Ewald	Kahn	Mangan
Anderson, G.	Carlson, A.	Faricy	Kaley	Mann
Anderson, I.	Carlson, L.	Forsythe	Kelly, R.	McCarron
Arlandson	Casserly	Fudro	Kelly, W.	McCollar
Battaglia	Clark	Fugina	Kempe, A.	McDonald
Beauchamp	Clawson	George	Kempe, R.	McEachern
Begich	Cohen	Gunter	King	Metzen
Berg	Corbid	Hanson	Knickerbocker	Moe
Berglin	Cummiskey	Hokanson	Kostohryz	Munger
Berkelman	Dahl	Jacobs	Kroening	Murphy
Biersdorf	Dean	Jaros	Laidig	Neisen

Nelsen, M.	Pleasant	Sherwood	Stoa	Wenzel
Nelson	Prahl	Sieben, H.	Suss	White
Norton	Rice	Sieben, M.	Swanson	Williamson
Novak	Rose	Simoneau	Vanasek	Wynia
Osthoff	St. Onge	Skoglund	Voss	Zubay
Pehler	Sarna	Smogard	Waldorf	Speaker Sabo
Peterson	Savelkoul	Spanish	Welch	
Petrafses	Scheid	Stanton	Wenstrom	

Those who voted in the negative were:

Albrecht	Carlson, D.	Fjoslien	Lemke	Samuelson
Anderson, D.	Eckstein	Friedrich	Nelsen, B.	Schulz
Anderson, R.	Erickson	Haugerud	Niehaus	Searle
Birnstihl	Esau	Kalis	Patton	Wieser
Brinkman	Evans	Kvam	Reding	Wigley

The bill was passed and its title agreed to.

H. F. No. 235, A bill for an act relating to agriculture; soy-bean research and promotion council; powers of the commissioner of agriculture and the council; providing for an increase in fees and specifying the uses thereof; amending Minnesota Statutes 1976, Sections 21A.01; 21A.05; 21A.06; 21A.09; 21A.12; 21A.16, Subdivision 2; 21A.19, Subdivision 1; and Chapter 21A, by adding a section; repealing Minnesota Statutes 1976, Section 21A.18.

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

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

Those who voted in the affirmative were:

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

Welch	Wenzel	Wieser	Williamson	Zubay
Wenstrom	White	Wigley	Wynia	Speaker Sabo

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders until Thursday, March 3, 1977.

MOTIONS AND RESOLUTIONS

Laidig moved that the name of Wynia be added as an author on H. F. No. 568. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 3, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 3, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives