

## STATE OF MINNESOTA

## SEVENTIETH SESSION - 1977

## TWENTY-THIRD DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 14, 1977

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

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

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 332, 24, 82, 117, 140, 231, 334, 439, 531, 586, 33, 382 and 296 and S. F. Nos. 201, 166, 76, 183, 188, 70, 200, 254, 290 and 232 have been placed in the members' files.

S. F. No. 200 and H. F. No. 299, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Casserly moved that S. F. No. 200 be substituted for H. F. No. 299 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 76 and H. F. No. 115, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

George moved that S. F. No. 76 be substituted for H. F. No. 115 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 183 and H. F. No. 282, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Arlandson moved that S. F. No. 183 be substituted for H. F. No. 282 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 201 and H. F. No. 117, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

McCarron moved that the rules be so far suspended that S. F. No. 201 be substituted for H. F. No. 117 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 562, A bill for an act relating to motor vehicles; requiring informational labels on new pickup trucks; providing penalties.

Reported the same back with the following amendments:

Page 1, line 11, delete "any" and insert "the" and after "a" insert "Minnesota".

Page 1, line 13, after "a" insert "Minnesota".

Page 1, line 14, delete "such" and insert "the".

Page 2, after line 2, insert a new section to read:

"Sec. 2. [EFFECTIVE DATE.] This act shall apply to new trucks having a gross vehicle weight of 9,000 pounds or less beginning with model year 1978 trucks."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 2, after line 24, insert:

"Sec. 3. Minnesota Statutes 1976, Section 168.27, Subdivision 5, is amended to read:

Subd. 5. [MOTOR VEHICLE BROKER.] No person shall engage in the business of brokering motor vehicles by finding, offering to find, soliciting or advertising for prospective buyers of *used* motor vehicles and charging the seller or buyer a fee for his service without first acquiring a motor vehicle broker license. A motor vehicle broker licensee shall be entitled thereunder to broker and to solicit and advertise the brokerage of used motor vehicles *only*. Brokerage sales shall include sales by consignment and referral. *Except as provided in subdivision 2, brokerage sales of new motor vehicles are prohibited.*"

Renumber the sections in sequence.

Page 7, line 12, delete "licensing" and insert "bonding".

Page 7, line 14, delete "*licensing and bond*" and insert "*bonding*".

Further amend the title as follows:

Page 1, line 4, after the semicolon, insert "prohibiting brokerage sales of new motor vehicles by motor vehicle brokers;"

Page 1, line 4, delete "licensing and".

Page 1, line 6, after "4," insert "5,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

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

Reported the same back with the following amendments:

Amend the title as follows:

Page 1, line 2, delete "violation of laws or".

Page 1, line 3, delete "regulations;" and insert "defining".

Page 1, line 3, delete "and ineligibility for".

Page 1, line 4, delete "licensing" and after the semicolon insert "increasing the penalty for a conviction related to big game;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 351, A bill for an act relating to historic sites; providing for the administration and control of additional sites by the Minnesota historical society; appropriating money; amending Minnesota Statutes 1976, Section 138.025, by adding subdivi-

sions; repealing Minnesota Statutes 1976, Section 138.025, Subdivision 9.

Reported the same back with the following amendments:

Page 1, line 14, after "section" insert "*and as hereinafter provided*".

Page 1, line 22, delete "*county state-aid highway No. 12,*" and insert "*the town road*".

Page 2, line 1, delete "*540*" and insert "*1,690*".

Page 2, delete lines 2 to 7, and insert: "*thence south 79 degrees 30 minutes east 500 feet; thence south 10 degrees 30 minutes 1,600 feet to the north bank of the south branch of the Root river; thence westerly (upstream) along the north bank 150 feet, more or less to the point of beginning; containing 18.9 acres more or less.*"

*The commissioner of natural resources and the Minnesota historical society shall jointly prepare and enter into an agreement which delineates the responsibilities of each party in the management of the Forestville state historic site. The agreement shall be consistent with the management plan for Forestville state park prepared in compliance with the outdoor recreation act of 1975.*"

Page 2, line 12, delete "*and control the historic*".

Page 2, delete lines 13 to 22 and insert: "*an interpretive program and develop an interpretive center relating to the discovery of the source of the Mississippi river, the Mississippi headwaters region and the establishment of Itasca state park.*"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

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

H. F. No. 261, A bill for an act relating to veterans; permitting the commissioner of veterans affairs to act as guardian for minors or incompetents without posting bond; amending Minnesota Statutes 1976, Chapter 196, by adding a section.

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

The report was adopted.

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

H. F. No. 262, A bill for an act relating to veterans; commissioner of veterans affairs; changing residency requirements for the commissioner and certain officers and employees of the department of veterans affairs; amending Minnesota Statutes 1976, Section 196.02, Subdivision 1.

Reported the same back with the following amendments:

Page 2, strike lines 10 and 11 and insert:

"Sec. 2. Minnesota Statutes 1976, Section 197.601, is amended to read:

197.601 [QUALIFICATIONS OF VETERANS SERVICE OFFICERS.] No person shall be appointed a veterans service officer under sections 197.60 to 197.606 unless he has the following qualifications:

(1) Residence in the state of Minnesota (FOR AT LEAST FIVE YEARS PRIOR TO HIS APPOINTMENT);

(2) Citizenship in the United States;

(3) Veteran as defined in section 197.447;

(4) Education and training for the duties of veterans service officer;

(5) Knowledge of the law and the regulations and rulings of the United States Veterans Administration applicable to cases before it and the administration thereof."

Further, amend the title as follows:

Page 1, line 6, delete "Section" and insert "Sections".

Page 1, line 7, before the period insert "; and 197.601".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 301, A bill for an act relating to veterans; redefining the word "veteran" for certain purposes; amending Minnesota Statutes 1976, Section 197.447.

Reported the same back with the following amendments:

Page 1, after line 6 insert the following:

"Section 1. Minnesota Statutes 1976, Section 43.30, is amended to read:

43.30 [VETERANS PREFERENCE.] The provisions of this section shall govern the granting of veterans' preference for the state civil service.

A veterans' preference shall be available pursuant to this section to every person who (HAS BEEN) *enters the military service of this country prior to December 31, 1976, and is separated under honorable conditions from any branch of the armed forces of the United States; (a) after having served on active duty for 181 consecutive days or (b) by reason of disability incurred while serving on active duty, and who is a citizen of the United States.* A veteran thus preferred shall not be disqualified from holding any position in the classified service on account of his age or by reason of any physical disability provided such age or physical disability does not render him incompetent to perform the duties of the position.

Recognizing that training and experience in the services of the government and loyalty and sacrifice for the government are qualifications of merit which cannot be readily discovered by examination; there shall be added to the examination rating of a disabled veteran, if he so elects, a credit of ten points if the veteran obtained a passing grade without the addition of the credit points; and if the disabled veteran is able to perform the duties of the position sought with reasonable efficiency, his name shall be placed on the list of eligibles with the names of other eligible persons. The name of a veteran with such augmented rating shall be entered ahead of a nonveteran when their ratings are the same.

There shall be added to the examination rating of a nondisabled veteran, if he so elects, a credit of five points if the veteran obtained a passing grade without the addition of the credit points. The name of a veteran with such augmented rating shall be entered ahead of a nonveteran when their ratings are the same.

A governmental agency, when notifying an applicant that he has passed an examination, shall notify the veteran of his specific score and shall also notify the applicant that he may elect to use a veteran's preference to augment his passing rating.

A veteran's preference under this section may only be used in the state civil service and political subdivisions of the state in the securing of positions to be filled by open competitive examinations and may not be used for the filling of promotional positions. An open competitive examination is an examination open to current employees and nonemployees of the state or political subdivision. A veteran's preference under this section may not be used by any veteran who is receiving or who is eligible to receive a monthly veteran's pension benefit based exclusively on length of military service.

Notwithstanding the foregoing restrictions on use, in any governmental agency giving an examination, where an applicant for a promotional position is a disabled veteran who has passed the promotional examination for his first promotion after entering that position, he may elect to have a credit of five points added to that examination rating. The decision to make such election may be made either before or after the examination. This promotional preference may only be successfully used one time and only in the securing of the first promotional position after securing public employment.

A preference given by this section is hereby extended to the surviving spouses of deceased veterans and to the spouse of a disabled veteran, who because of the disability is unable to qualify.

The fact that an applicant has claimed a veterans preference shall not be made known to the examiners. The preference credit shall be added to the examination rating, and the records shall show the examination rating and the preference credit.

A disabled veteran is one who has a compensable service connected disability as adjudicated by the United States Veterans Administration, or by the retirement boards of the several branches of the armed forces, and which disability is existing at the time preference is claimed. The commissioner may require candidates claiming preference as disabled veterans to submit documentary evidence in support of their claim and may anticipate certification by the veterans administration where necessary to avoid delays in establishing an eligible list. For purposes of the preference to be used by a disabled veteran in securing a promotional position, the term "disabled veteran" means a person who, at the time of election to use his promotional preference, is entitled to disability compensation under laws administered by the veterans administration for a permanent service connected disability rated at 50 percent or more.



In the event of the rejection by the appointing officer of the person so preferred when certified to fill a vacancy or a new position, the appointing officer shall forthwith file in writing with the commissioner the reasons for such rejection and shall furnish to the rejected veteran a copy thereof.”.

Renumber the remaining section.

Further, amend the title by deleting it in its entirety and inserting:

“A bill for an act relating to veterans; establishing a deadline for entering military service and becoming eligible for veterans preference; redefining the term “veteran” for certain other purposes; amending Minnesota Statutes 1976, Sections 43.30 and 197.447.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 490, A bill for an act relating to veterans; authorizing commissioner of veterans affairs to assist in proceedings for upgrading other than honorable discharges; amending Minnesota Statutes 1976, Section 196.05.

Reported the same back with the following amendments:

Page 3, after line 11, insert a new section:

“Sec. 2. [APPROPRIATION.] *The sum of \$147,404 is appropriated to the commissioner of veterans affairs for the purpose of implementing this act for the biennium beginning July 1, 1977.*”.

Amend the title as follows:

Page 1, line 4, after the semicolon insert “appropriating money;”.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

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

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

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

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred :

H. F. No. 229, A bill for an act providing for withholding of pay to residents for active service as members of the armed forces; amending Minnesota Statutes 1976, Section 290.92, Subdivisions 1 and 16.

Reported the same back with the following amendments:

Page 1, line 20, strike "312(g)" and insert "3121(g)".

Page 1, line 21, strike "1972" and insert "1976".

With the recommendation that when so amended the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 562, 621, 188, 261, 262, 301, 636 and 229 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 200, 76, 183 and 201 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Smogard; Anderson, G.; Kalis; Mann and Birnstihl introduced:

H. F. No. 823, A bill for an act relating to public health; permitting plastic well casings; amending Minnesota Statutes 1976, Chapter 156A, by adding a section.

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

Biersdorf and Friedrich introduced:

H. F. No. 824, A bill for an act relating to appropriations; appropriating money to the historical society for the purpose of restoring the ruins of Wasioja Seminary in Dodge county.

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

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

H. F. No. 825, A bill for an act relating to energy; appropriating funds for the dissemination of energy related information to the public.

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

Adams, Fudro, McCarron, Casserly and Ewald introduced:

H. F. No. 826, A bill for an act relating to appropriations; providing funding for the continued operation of detached worker programs for assistance to young people.

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

Casserly, Jaros, Scheid, Carlson, A., and Reding introduced:

H. F. No. 827, A bill for an act relating to real estate; landlord and tenant; venue of actions brought to recover rent deposits; amending Minnesota Statutes 1976, Section 504.20, Subdivision 7.

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

Adams, Neisen, Beauchamp and Jaros introduced:

H. F. No. 828, A bill for an act relating to commerce; requiring the licensing of builders; requiring bonds and insurance.

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

Reding, Beauchamp, Jaros, Kroening and Stanton introduced:

H. F. No. 829, A bill for an act relating to landlord and tenant; establishing period for which interest is payable on security deposit; providing a measure of damages for the improper withholding of security deposits; amending Minnesota Statutes 1976, Section 504.20, Subdivisions 2, 3, 4 and 7.

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

Wenstrom; Anderson, G.; Kelly, W.; Fjoslien and Kalis introduced:

H. F. No. 830, A bill for an act relating to public utilities; regulation of cooperative electric associations; amending Minnesota Statutes 1976, Sections 216B.01; 216B.02, Subdivision 4; 216B.06; 216B.36; 216B.38, Subdivision 5; 216B.45; 216B.47; repealing Minnesota Statutes 1976, Sections 216B.48, Subdivision 7; 216B.49, Subdivision 6; 216B.50, Subdivision 2; and 216B.51, Subdivision 2.

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

Jaros, Ewald, Murphy, Stanton and Casserly introduced:

H. F. No. 831, A bill for an act relating to commerce; regulating the sale of motor vehicle fuel; granting the attorney general enforcement powers; providing a penalty.

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

McEachern, Neisen and Sieben, M., introduced:

H. F. No. 832, A bill for an act relating to intoxicating liquor; restrictions upon places of sale; amending Minnesota Statutes 1976, Sections 340.07, Subdivision 13; and 340.353, Subdivision 1.

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

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

H. F. No. 833, A bill for an act relating to law enforcement; appropriating funds to reimburse local governments for certain extraordinary expenses.

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

Kostohryz, McEachern, Metzen, Novak and Peterson introduced:

H. F. No. 834, A bill for an act relating to education; school districts; increasing aids and providing certain benefits for programs of education of the handicapped; providing funds for declining enrollments, adult education, transportation of additional pupils, mandated desegregation and certain employee contributions; appropriating money; amending Minnesota Statutes 1976, Sections 124.17, Subdivision 1; 124.223; and 124.32, Subdivisions 1, 1a and 1b.

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

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

H. F. No. 835, A bill for an act relating to eminent domain; payment of attorney's fees in certain instances; amending Minnesota Statutes 1976, Section 117.175, Subdivision 2.

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

Nelsen, M.; Patton and Kroening introduced:

H. F. No. 836, A bill for an act relating to Aitkin county; authorizing sale of certain tax forfeited lakeshore property.

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

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

H. F. No. 837, A bill for an act relating to electric utilities; appropriating funds for monitoring the operation of high voltage transmission lines.

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

Jensen; Anderson, G.; Braun; Friedrich and Sarna introduced:

H. F. No. 838, A bill for an act relating to natural resources; watershed districts; changing bonding provisions for managers; changing and clarifying administrative provisions; establishing a survey and data acquisition fund; creating fees for applications for permits and for field inspections; requiring a permit applicant to post a bond; providing penalties and enforcement provisions; amending Minnesota Statutes 1976, Sections 112.42, Subdivision 1; 112.43, Subdivision 1; 112.48, Subdivision 4; 112.49, by adding a subdivision; 112.50, Subdivision 1; 112.55; 112.61, by adding a subdivision; 112.62, by adding a subdivision; 112.69; 112.761, Subdivision 1; 112.801, Subdivision 8; 112.85, Subdivision 1; and Chapter 112, by adding sections.

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

Reding, Cummiskey, Williamson, Stanton and Jaros introduced:

H. F. No. 839, A bill for an act relating to no-fault automobile insurance; prohibiting certain rate discrimination based on age; amending Minnesota Statutes 1976, Sections 65B.70, Subdivision 5; and 70A.04, Subdivision 1.

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

Ellingson introduced:

H. F. No. 840, A bill for an act relating to commerce; providing a method for computing finance charges; amending Minnesota Statutes 1976, Section 48.185, Subdivision 3; and 334.16, Subdivision 1.

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

Simoneau, Skoglund and Brinkman introduced:

H. F. No. 841, A bill for an act relating to credit unions; authority of state chartered credit unions; amending Minnesota Statutes 1976, Section 52.04.

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

Kempe, A.; Faricy; McCollar; Kelly, R.; and Suss introduced:

H. F. No. 842, A bill for an act relating to financial institutions; establishing procedures for issuance of orders and removal of officers or directors in the event of violations of law or unsafe practices; providing penalties.

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

Lehto, Stoa, McDonald, Rice and Osthoff introduced:

H. F. No. 843, A bill for an act relating to elections; providing for training of all election officials; prescribing certain duties for the secretary of state; appropriating money.

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

Patton, Brinkman, Jensen, Birnstihl and Pehler introduced:

H. F. No. 844, A bill for an act relating to arts and sports; redesignating the board of the arts as the board of the arts and sports; authorizing limited pari-mutuel betting; appropriating the proceeds for stadium construction; amending Minnesota Statutes 1976, Sections 139.07; 139.08, Subdivision 1; 139.09; 139.16; and 139.18; and Chapter 139, by adding a section.

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

Anderson, B.; Kelly, R.; Voss; Dean and Murphy introduced:

H. F. No. 845, A bill for an act relating to ethics in government; requiring clarified forms for statements and reports; amending Minnesota Statutes 1976, Section 10A.02, by adding a subdivision.

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

Sherwood, Waldorf, Niehaus, Esau and Brinkman introduced:

H. F. No. 846, A resolution withdrawing ratification of a proposed amendment to the Constitution of the United States of America relating to equal rights for men and women under the law.

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

Patton, Reding, Biersdorf and Beauchamp introduced:

H. F. No. 847, A bill for an act relating to retirement; annuities of certain military affairs department personnel.

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

Patton, Moe, Beauchamp, Reding and Sabo introduced:

H. F. No. 848, A bill for an act relating to retirement; Minnesota municipal employees retirement fund; new employees into the public employees retirement association; amending Minnesota Statutes 1976, Section 353.01, Subdivision 2a; and Chapter 422A, by adding a section.

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

Patton, Biersdorf, Beauchamp and Reding introduced:

H. F. No. 849, A bill for an act relating to local firefighting organizations and retirement of police and firefighters; providing for municipal representation on the corporate governing body and requiring disclosure of records of nonprofit firefighting corporations; making portions of chapter 69 applicable to such corporations; providing for state fire aid to be paid first to municipalities and subsequently to relief associations and corporations; amending Minnesota Statutes 1976, Sections 69.011; 69.021, Subdivisions 4, 5, 6, 7 and 9; 69.031, Subdivisions 4, 5 and 6; 69.04; 69.051; 69.06; 69.691; 69.771, Subdivision 2; 69.772, Subdivisions 4 and 6; 69.773, Subdivisions 5 and 6; and Chapter 69, by adding a section; repealing Minnesota Statutes 1976, Sections 69.774; 424.30 and 424.31.

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

Jaros, Ewald, Berglin, Lehto and Munger introduced:

H. F. No. 850, A bill for an act relating to counties; prohibiting counties from publishing the names and salaries of county employees; amending Minnesota Statutes 1976, Section 375.17.

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



Arlandson and Petrafeso introduced:

H. F. No. 851, A bill for an act relating to the Hennepin county municipal court; clarifying fee exclusions for governmental units; amending Minnesota Statutes 1976, Section 488A.03, Subdivision 11a.

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

Reding, Moe, Beauchamp, Biersdorf and Patton introduced:

H. F. No. 852, A bill for an act relating to retirement; firemen's and police relief associations in cities other than cities of the first class; membership of new police officers and firefighters in the public employees police and fire fund; contributions and refunds.

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

Adams; Anderson, I.; Fudro and Osthoff introduced:

H. F. No. 853, A bill for an act relating to workers' compensation; providing supplementary benefits to employees suffering reoccurrences or aggravations of preexisting compensable injuries; amending Minnesota Statutes 1976, Section 176.132, Subdivision 1.

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

Clawson; Anderson, B.; Scheid; Forsythe and Samuelson introduced:

H. F. No. 854, A bill for an act relating to medical assistance; authorizing interest reimbursement to nonproprietary nursing homes; amending Minnesota Statutes 1976, Section 256B.44, Subdivision 2.

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

Heinitz, Fjoslien, Osthoff, Evans and Lemke introduced:

H. F. No. 855, A bill for an act relating to public welfare; providing for disregard of certain pension payment increases in calculating eligibility for supplemental aid; amending Minnesota Statutes 1976, Section 256D.38.

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

Clawson, Swanson, Dahl, Carlson, L., and Samuelson introduced:

H. F. No. 856, A bill for an act relating to welfare; authorizing the establishment of a centralized disbursement system for payments and for food stamp benefit documents; amending Minnesota Statutes 1976, Section 256.01, by adding a subdivision.

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

Berglin, Jacobs, Rice, Dahl and Samuelson introduced:

H. F. No. 857, A bill for an act relating to public welfare; providing for supplemental grants to families with dependent children; providing an appropriation; amending Minnesota Statutes 1976, Chapter 256, by adding a section.

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

Berglin, Jacobs, Dahl, Rice and Clawson introduced:

H. F. No. 858, A bill for an act relating to public welfare; providing a homestead exemption in eligibility computations for certain medical assistance benefits; amending Minnesota Statutes 1976, Section 256B.06, Subdivision 1.

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

Dean, Pehler, Beauchamp, Munger and Faricy introduced:

H. F. No. 859, A bill for an act relating to education; public radio; creating an advisory task force to study the feasibility of authorizing the combined post-secondary educational systems of the state to provide statewide public radio service; appropriating money.

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

McCollar and George introduced:

H. F. No. 860, A bill for an act relating to the White Bear Lake conservation district; increasing membership on its governing board; providing for selection of board officers; amending Laws 1971, Chapter 355, Sections 2, Subdivision 2; and 8, Subdivision 1.

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

Skoglund, Knickerbocker, Jude, Petrafeso and Heinritz introduced:

H. F. No. 861, A bill for an act relating to Hennepin county and tax levies and bond issues for the purposes of the county park reserve district; amending Laws 1967, Chapter 721, Section 2, as amended.

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

Tomlinson, Norton, Kostohryz, Kelly, R., and Waldorf introduced:

H. F. No. 862, A bill for an act relating to the city of St. Paul; providing that the employees of the housing and redevelopment authority of the city of St. Paul may remain employees of the authority or become employees of the city as the governing body of the city may determine; amending Laws 1976, Chapter 234, Section 4, Subdivision 4, and by adding a subdivision.

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

Ewald, Fudro, Lemke, Hokanson and Sherwood introduced:

H. F. No. 863, A bill for an act relating to energy conversation; requiring the state and city and county governments to purchase automobiles of intermediate size or smaller.

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

Begich introduced:

H. F. No. 864, A bill for an act relating to the town of White and the city of Aurora; providing for their separation.

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

Waldorf, Novak, McCarron, Cohen and Kelly, R., introduced:

H. F. No. 865, A bill for an act relating to the city of St. Paul; providing for a procedure to declare property transfers in the city of St. Paul on a form approved by the city; providing a penalty.

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

Erickson; Eckstein; Anderson, D.; Lemke and Esau introduced:

H. F. No. 866, A bill for an act relating to taxation; allocating the proceeds of the motor vehicle excise tax between the general fund and the highway user tax distribution fund; amending Minnesota Statutes 1976, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.

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

Jacobs, Voss, McCarron, Faricy and Kroening introduced:

H. F. No. 867, A bill for an act relating to taxation; providing for continuation of property tax classification of homesteads of survivors of disabled persons; amending Minnesota Statutes 1976, Section 273.13, Subdivision 7.

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

Ellingson introduced:

H. F. No. 868, A bill for an act relating to transportation; prohibiting motorcyclists with instruction permits from driving on controlled access highways; amending Minnesota Statutes 1976, Section 169.974, Subdivision 2.

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

Osthoff, Birnstihl and Kalis introduced:

H. F. No. 869, A bill for an act relating to motor vehicles; registration and taxation; fees for filing applications; appointment and duties of deputy registrars; amending Minnesota Statutes 1976, Section 168.33, Subdivisions 2 and 7.

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

Osthoff, Berglin, Anderson, I., and Sarna introduced:

H. F. No. 870, A bill for an act relating to taxation; allowing for a reduction in value of certain damaged property; providing for a tax abatement; amending Minnesota Statutes 1976, Sections 273.17, Subdivision 1; 274.19, Subdivision 1; and 375.192, Subdivision 2.

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

## HOUSE ADVISORIES

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

Haugerud introduced:

H. A. No. 19, A proposal for citizen dispute settlement.

The advisory was referred to the Committee on Governmental Operations.

## MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. No. 218.

PATRICK E. FLAHAVEN, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 218, A bill for an act relating to municipalities; procedures required for the letting of certain contracts; amending Minnesota Statutes 1976, Section 471.345, Subdivisions 3, 4 and 5.

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

## CONSENT CALENDAR

H. F. No. 33 was reported to the House.

Kahn moved to amend H. F. No. 33, as follows:

Further amend the title.

Page 1, lines 2 through 4, delete "requiring that certain optional insurance coverage be offered motorcycle owners;"

The motion prevailed and the amendment was adopted.

H. F. No. 33, A bill for an act relating to motor vehicles; defining motorized bicycles; providing for the registration of motorized bicycles and the licensing of their operators; providing

operating rules; amending Minnesota Statutes 1976, Chapter 169, by adding a section; and 168.011, Subdivision 26, and by adding a subdivision; 168.013, by adding a subdivision; 168.27, Subdivision 20; 168A.01, Subdivision 24; 169.01, Subdivision 4, and by adding a subdivision; 169.305, Subdivision 1; 171.01, Subdivision 17, and by adding a subdivision; and 171.02, by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

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

H. F. No. 334, A bill for an act relating to highway traffic regulations; lengths of certain vehicles and combinations of vehicles; amending Minnesota Statutes 1976, Section 169.81, Subdivision 3.

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Jaros	Kelly, R.	Moe	Searle	Voss
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The bill was passed and its title agreed to.

## CALENDAR

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

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Beauchamp	Byrne	Dahl	Faricy
Adams	Begich	Carlson, A.	Dean	Fjoslien
Albrecht	Berg	Carlson, D.	Eckstein	Forsythe
Anderson, B.	Berglin	Carlson, L.	Eken	Friedrich
Anderson, D.	Berkelman	Casserly	Ellingson	Fudro
Anderson, G.	Biersdorf	Clark	Enebo	Fugina
Anderson, I.	Birnstihl	Clawson	Erickson	George
Anderson, R.	Brandl	Cohen	Esau	Gunter
Arlandson	Braun	Corbid	Evans	Hanson
Battaglia	Brinkman	Cummiskey	Ewald	Haugerud

Heinitz	Kostohryz	Nelsen, B.	Samuelson	Suss
Hokanson	Kroening	Nelsen, M.	Sarna	Swanson
Jacobs	Kvam	Nelson	Savelkoul	Tomlinson
Jaros	Langseth	Niehaus	Scheid	Vanasek
Jensen	Lehto	Norton	Schulz	Voss
Johnson	Lemke	Novak	Searle	Waldorf
Jude	Mangan	Osthoff	Searles	Welch
Kahn	Mann	Patton	Sherwood	Wenstrom
Kaley	McCarron	Pehler	Sieben, H.	Wenzel
Kalis	McCollar	Peterson	Sieben, M.	White
Kelly, R.	McDonald	Petrafaso	Simoneau	Wieser
Kelly, W.	McEachern	Pleasant	Skoglund	Wigley
Kempe, A.	Moe	Prahl	Smogard	Williamson
Kempe, R.	Munger	Reding	Spanish	Wynia
King	Murphy	Rice	Stanton	Zubay
Knickerbocker	Neisen	St. Onge	Stoa	Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 232, A bill for an act relating to unemployment compensation; redefining "base period"; redefining "wages" for contribution purposes; changing contribution rates; providing for charging of benefits; increasing weekly benefits; redefining "credit week"; providing for disqualification for benefits; providing a penalty; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 2, 25 and 29; 268.06, Subdivisions 5 and 8; 268.07, Subdivision 2; 268.08, Subdivision 1; 268.09; and 268.18, Subdivision 3.

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

The question was taken on the passage of the bill and the roll was called. There were 98 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Abeln	Dean	Kelly, R.	Neisen	Skoglund
Adams	Eckstein	Kelly, W.	Nelsen, B.	Smogard
Albrecht	Eken	Kempe, A.	Niehaus	Stanton
Anderson, B.	Erickson	Kempe, R.	Novak	Stoa
Anderson, R.	Esau	King	Osthoff	Suss
Arlandson	Evans	Knickerbocker	Patton	Swanson
Beauchamp	Ewald	Kostohryz	Pehler	Tomlinson
Berkelman	Fjoslien	Kvam	Peterson	Vanasek
Biersdorf	Forsythe	Laidig	Petrafaso	Waldorf
Birnstihl	Friedrich	Langseth	Pleasant	Welch
Brandl	Fudro	Lehto	Reding	Wenstrom
Braun	George	Lemke	Rose	Wenzel
Brinkman	Gunter	Mangan	St. Onge	White
Carlson, A.	Heinitz	Mann	Savelkoul	Wieser
Carlson, D.	Hokanson	McCollar	Schulz	Wigley
Carlson, L.	Jacobs	McDonald	Searle	Williamson
Clawson	Johnson	McEachern	Searles	Zubay
Cohen	Jude	Metzen	Sherwood	Speaker Sabo
Corbid	Kaley	Munger	Sieben, H.	
Dahl	Kalis	Murphy	Sieben, M.	



Those who voted in the negative were:

Anderson, D.	Casslerly	Hanson	Moe	Scheid
Anderson, G.	Clark	Haugerud	Nelson	Simoneau
Anderson, I.	Cummiskey	Jaros	Norton	Spanish
Begich	Ellingson	Jensen	Prahl	Voss
Berg	Enebo	Kahn	Rice	Wynia
Berglin	Faricy	Kroening	Samuelson	
Byrne	Fugina	McCarron	Sarna	

The bill was passed and its title agreed to.

Anderson, G.; George and Wieser were excused at 3:40 p.m. Metzen was excused at 3:45 p.m. and Brinkman was excused at 4:00 p.m.

### GENERAL ORDERS

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

#### REPORT OF COMMITTEE OF THE WHOLE

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

H. F. No. 45 which it recommended to pass.

S. F. No. 76 which it recommended to pass.

H. F. No. 382 which it recommended to pass, as amended by the Committee of the Whole on Thursday, March 10, 1977, with the following amendments:

Offered by Hanson:

Page 3, after line 10, add a new section to read:

“Sec. 3. Minnesota Statutes 1976, Chapter 169, is amended by adding a section to read:

[169.975] *In any litigation based upon negligence arising from any motor vehicle accident, where damages are sought for any head injury suffered by an operator or passenger of a motorcycle, proof of the failure to use protective headgear of a type approved by the commissioner of public safety shall be admissible as evidence only to the issue of the extent of compensable damages for the head injury.”*

Renumber the following section.

Further amend the title:

Line 5, after "4" insert "; and Chapter 169, by adding a section".

Offered by Carlson, A., and Petrafeso:

Page 3, following line 10, insert:

"Sec. 3. Minnesota Statutes 1976, Section 169.974, is amended by adding a subdivision to read:

*Subd. 6. [NOISE LIMITS.] After December 31, 1978, noise regulations adopted by the pollution control agency for motor vehicles pursuant to section 169.693 shall also apply to motorcycles."*

Re-number remaining section.

Further, amend the title in line 3 after the semicolon by inserting "noise regulations;" and in line 5 after "4" by inserting ", and by adding a subdivision".

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

#### ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Carlson, D., moved to amend H. F. No. 45, as follows:

Page 1, line 8, delete "MILK" and insert "FLUID".

Page 1, line 11, delete "milk and other milk" and insert "fluid".

Page 1, line 16, delete "milk and other milk" and insert "fluid".

Page 1, delete lines 20 to 22.

Page 2, delete lines 1 to 4 and insert the following:

"Sec. 2. [116F.22] [PLASTIC PACKAGING FOR FLUIDS PROHIBITED.] Subdivision 1. No person shall sell at retail or offer for sale at retail in this state any fluid product packaged in a disposable plastic container. For the purposes of this section, "disposable" means not designed or intended for refilling, and "plastic container" means any rigid or semi-rigid container at least 50 percent of which is plastic."

Further, amend the title by striking it in its entirety and inserting:

“A bill for an act relating to solid waste pollution; prohibiting certain plastic packaging for fluids; providing penalties.”.

Kempe, A., moved to amend the Carlson, D., amendment, as follows:

Lines 3 and 4 delete “and” insert “fluid”.

Lines 5 and 6 delete “and” insert “fluid”.

Line 11 delete “fluid”.

Line 21 delete “for fluids”.

The motion prevailed and the amendment to the amendment was adopted.

The question was taken on the adoption of the Carlson, D., amendment, as amended, and the roll was called. There were 37 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Adams	Eckstein	Heinitz	Peterson	Searles
Albrecht	Eken	Kaley	Pleasant	Suss
Anderson, R.	Erickson	Kvam	Prahl	Swanson
Biersdorf	Ewald	Laidig	Rose	Wigley
Brinkman	Fjoslien	Lemke	St. Onge	Zubay
Carlson, A.	Friedrich	McDonald	Savelkoul	
Carlson, D.	Fudro	Nelsen, B.	Schulz	
Carlson, L.	Haugerud	Niehaus	Searle	

Those who voted in the negative were:

Abeln	Cohen	Jude	Munger	Simoneau
Anderson, B.	Corbid	Kahn	Murphy	Skoglund
Anderson, D.	Cummiskey	Kalis	Neisen	Smogard
Anderson, G.	Dahl	Kelly, R.	Neisen, M.	Stanton
Anderson, I.	Dean	Kelly, W.	Nelson	Stoa
Arlandson	Ellingson	Kempe, A.	Norton	Tomlinson
Battaglia	Enebo	Kempe, R.	Novak	Vanasek
Beauchamp	Evans	King	Osthoff	Waldorf
Begich	Faricy	Knickerbocker	Patton	Welch
Berg	Forsythe	Kostohryz	Pehler	Wenstrom
Berglin	Fugina	Kroening	Petrafeso	Wenzel
Berkelman	George	Langseth	Reding	White
Birnstihl	Gunter	Lehto	Rice	Wieser
Brandl	Hanson	Mangan	Samuelson	Williamson
Braun	Hokanson	Mann	Sarna	Wynia
Byrne	Jacobs	McCollar	Scheid	Speaker Sabo
Casserly	Jaros	McEachern	Sherwood	
Clark	Jensen	Metzen	Sieben, H.	
Clawson	Johnson	Moe	Sieben, M.	

The motion did not prevail and the amendment, as amended, was not adopted.

Dean moved to amend H. F. No. 45, as follows:

Page 1, line 8, delete "MILK" and insert "BEVERAGE".

Page 1, line 11, delete "milk and other milk" and insert "beverage".

Page 1, line 16, delete "milk and other milk" and insert "beverage".

Page 1, delete lines 20 to 22.

Page 2, delete lines 1 to 4 and insert the following:

"Sec. 2. [116F.22] [PLASTIC PACKAGING FOR FLUIDS PROHIBITED.] Subdivision 1. No person shall sell at retail or offer for sale at retail in this state any beverage product packaged in a disposable plastic container. For the purposes of this section, "disposable" means not designed or intended for refilling, and "plastic container" means any rigid or semi-rigid container at least 50 percent of which is plastic."

Further, amend the title by striking it in its entirety and inserting:

"A bill for an act relating to solid waste pollution; prohibiting certain plastic packaging for fluids; providing penalties."

The question was taken on the adoption of the amendment and the roll was called. There were 54 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Haugerud	Lemke	Searles
Adams	Dean	Heinitz	McDonald	Smogard
Albrecht	Eckstein	Jude	Nelsen, B.	Suss
Anderson, D.	Eken	Kaley	Niehaus	Swanson
Anderson, G.	Erickson	Kalis	Norton	Tomlinson
Anderson, R.	Esau	Kelly, R.	Novak	Wenstrom
Biersdorf	Evans	Kempe, A.	Peterson	Wenzel
Brinkman	Ewald	Kempe, R.	Pleasant	Wigley
Carlson, A.	Fjoslien	Knickerbocker	Rose	Williamson
Carlson, D.	Friedrich	Kvam	Savelkoul	Zubay
Carlson, L.	Fudro	Laidig	Schulz	

Those who voted in the negative were:

Anderson, B.	Beauchamp	Berkelman	Byrne	Cummiskey
Anderson, I.	Begich	Birnstihl	Casserly	Dahl
Arlandson	Berg	Brandl	Clark	Ellingson
Battaglia	Berglin	Braun	Cohen	Enebo

Faricy	King	Murphy	Samuelson	Vanasek
Forsythe	Kostohryz	Neisen	Sarna	Voss
Fugina	Kroening	Nelsen, M.	Scheid	Waldorf
Gunter	Lehto	Nelson	Searle	Welch
Hanson	Mann	Osthoff	Sherwood	White
Hokanson	McCarron	Pehler	Sieben, H.	Wieser
Jacobs	McCollar	Petrafeso	Sieben, M.	Wynia
Jensen	McEachern	Prahl	Simoneau	Speaker Sabo
Johnson	Metzen	Reding	Skoglund	
Kahn	Moe	Rice	Stanton	
Kelly, W.	Munger	St. Onge	Stoa	

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

The question was taken on the Wigley motion to re-refer H. F. No. 45 to the Committee on Agriculture and the roll was called. There were 39 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Albrecht	Esau	Kalis	Rose	Suss
Anderson, B.	Evans	Kvam	St. Onge	Welch
Anderson, R.	Fjoslien	Lemke	Samuelson	Wenzel
Biersdorf	Friedrich	McDonald	Savelkoul	White
Birnstihl	Haugerud	Nelsen, B.	Schulz	Wieser
Brinkman	Heinitz	Niehaus	Searle	Wigley
Eckstein	Johnson	Peterson	Searles	Zubay
Erickson	Kaley	Pleasant	Spanish	

Those who voted in the negative were:

Abeln	Clawson	Jaros	Metzen	Sherwood
Adams	Cohen	Jensen	Moe	Sieben, H.
Anderson, D.	Corbid	Jude	Munger	Sieben, M.
Anderson, G.	Cummiskey	Kahn	Murphy	Simoneau
Anderson, I.	Dean	Kelly, R.	Neisen	Skoglund
Arlandson	Eken	Kempe, A.	Neisen, M.	Smogard
Battaglia	Ellingson	Kempe, R.	Nelson	Stanton
Begich	Enebo	King	Norton	Stoa
Berg	Ewald	Knickerbocker	Novak	Swanson
Berglin	Faricy	Kostohryz	Osthoff	Tomlinson
Berkelman	Forsythe	Kroening	Patton	Vanasek
Brandl	Fudro	Laidig	Pehler	Voss
Braun	Fugina	Lehto	Petrafeso	Waldorf
Byrne	George	Mangan	Prahl	Wenstrom
Carlson, A.	Gunter	Mann	Reding	Williamson
Carlson, L.	Hokanson	McCarron	Rice	Wynia
Casserly	Hanson	McCollar	Sarna	Speaker Sabo
Clark	Jacobs	McEachern	Scheid	

The motion did not prevail.

The question was taken on the motion to recommend passage of H. F. No. 45 and the roll was called. There were 112 yeas and 18 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht	Erickson	Kaley	Schulz	Wigley
Birnstihl	Friedrich	Kalis	Searle	Zubay
Carlson, D.	Haugerud	Kvam	White	
Eckstein	Johnson	Lemke	Wieser	

The motion prevailed.

Hanson moved to amend H. F. No. 382 as follows:

Page 3, after line 10, add a new section to read:

"Sec. 3. Minnesota Statutes 1976, Chapter 169, is amended by adding a section to read:

[169.975] *In any litigation based upon negligence arising from any motor vehicle accident, where damages are sought for any head injury suffered by an operator or passenger of a motorcycle, proof of the failure to use protective headgear of a type approved by the commissioner of public safety shall be admissible as evidence only to the issue of the extent of compensable damages for the head injury."*

Renumber the following section.

Further amend the title:

Line 5, after "4" insert "; and Chapter 169, by adding a section".

The question was taken on the adoption of the amendment and the roll was called. There were 93 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Kahn	Neisen	Sieben, H.
Adams	Dahl	Kaley	Nelsen, B.	Simoneau
Anderson, B.	Eken	Kalis	Nelsen, M.	Skoglund
Anderson, I.	Enebo	Kelly, R.	Niehaus	Smogard
Arlandson	Erickson	Kelly, W.	Norton	Spanish
Battaglia	Ewald	Kempe, R.	Novak	Stanton
Beauchamp	Faricy	King	Osthoff	Suss
Begich	Fjoslien	Knickerbocker	Pehler	Swanson
Berglin	Forsythe	Kroening	Peterson	Voss
Berkelman	Friedrich	Kvam	Pleasant	Waldorf
Birnstihl	Fudro	Laidig	Reding	Welch
Brandl	Gunter	Langseth	Rose	Wenstrom
Braun	Hanson	Lehto	Samuelson	White
Carlson, A.	Heinitz	Mangan	Sarna	Wigley
Carlson, D.	Hokanson	McCarron	Savelkoul	Williamson
Carlson, L.	Jacobs	McCollar	Scheid	Wynia
Casserly	Jaros	McDonald	Schulz	Zubay
Clawson	Jensen	McEachern	Searles	
Cohen	Jude	Murphy	Sherwood	

Those who voted in the negative were:

Albrecht	Eckstein	Kempe, A.	Prahl	Vanasek
Anderson, D.	Ellingson	Kostohryz	Rice	Wenzel
Anderson, R.	Esau	Lemke	St. Onge	Speaker Sabo
Biersdorf	Evans	Mann	Sieben, M.	
Clark	Fugina	Moe	Stoa	
Cummiskey	Johnson	Patton	Tomlinson	

The motion prevailed and the amendment was adopted.

## MOTIONS AND RESOLUTIONS

Berg moved that the name of Dean be added as an author on H. F. No. 800. The motion prevailed.

Rose moved that the names of Neisen, Simoneau, and Heinitz be added as authors on H. F. No. 725. The motion prevailed.

## ADJOURNMENT

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

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

EDWARD A. BURDICK, Chief Clerk, House of Representatives

