

STATE OF MINNESOTA
SEVENTIETH SESSION - 1977

THIRTY-SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 18, 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	Jaros	Moe	Searles
Adams	Corbid	Jensen	Munger	Sherwood
Albrecht	Cummiskey	Johnson	Murphy	Sieben, H.
Anderson, B.	Dahl	Jude	Neisen	Sieben, M.
Anderson, D.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, G.	Den Ouden	Kaley	Nelsen, M.	Skoglund
Anderson, I.	Eckstein	Kalis	Nelson	Smogard
Anderson, R.	Eken	Kelly, R.	Niehaus	Spanish
Arlandson	Ellingson	Kelly, W.	Norton	Stanton
Battaglia	Enebo	Kempe, A.	Novak	Stoa
Beauchamp	Erickson	Kempe, R.	Osthoff	Suss
Begich	Esau	King	Patton	Swanson
Berg	Evans	Knickerbocker	Pehler	Tomlinson
Berglin	Ewald	Kostohryz	Peterson	Vanasek
Berkelman	Fariy	Kroening	Petrateso	Voss
Biersdorf	Fjoslien	Kvam	Pleasant	Waldorf
Birnstihl	Forsythe	Laidig	Prahl	Welch
Brandl	Friedrich	Langseth	Reding	Wenstrom
Braun	Fudro	Lehto	Rice	Wenzel
Brinkman	Fugina	Lemke	Rose	White
Byrne	George	Mangan	St. Onge	Wieser
Carlson, A.	Gunter	Mann	Samuelson	Wigley
Carlson, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Haugerud	McCollar	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	

A quorum was present.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1172, 888, 756, 979, 1107, 946, 947, 285, 1017, 313, 424, 542, 544 and 652 and S. F. Nos. 13, 345, 827, 828, 872 and 1072 have been placed in the members' files.

S. F. No. 345 and H. F. No. 53, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Petrafeso moved that the rules be so far suspended that S. F. No. 345 be substituted for H. F. No. 53 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL

April 14, 1977

The Honorable Martin Sabo
Speaker of the House
State of Minnesota

Dear Speaker Sabo:

I have the honor to inform you that I received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 168, An act relating to Yellow Medicine County; authorizing participation in a mental health services program outside its region.

H. F. No. 418, An act relating to public welfare; exempting licensed hospitals from licensing requirements.

Sincerely,

RUDY PERPICH
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

April 15, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1977</i>	<i>Date Filed 1977</i>
43		22	April 14	April 15
104		23	April 14	April 15
	168	24	April 14	April 15
	418	25	April 14	April 15

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

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

H. F. No. 41, A bill for an act relating to public safety; requiring fire detection devices in certain residential housing; directing the commissioner of administration to amend the state building code; amending Minnesota Statutes 1976, Section 16.85, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Section 16.85, Subdivision 1, is amended to read:

16.85 [GENERAL POWERS OF COMMISSIONER, STATE BUILDING CODE.] Subdivision 1. Subject to the provisions of sections 16.83 to 16.867, the commissioner shall by rule establish a code of standards for the construction, reconstruction, alteration, and repair of state-owned buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety. The commissioner may amend the code from time to time as provided in sections 16.83 to 16.867. The code and any amendment thereof shall conform insofar as practicable to model building codes generally accepted and in use throughout the United States. In the preparation of the code consideration shall be given to the existing state-wide specialty codes presently in use in the state of Minnesota. Such model codes with modifications as may be deemed necessary and state-wide specialty codes may be adopted by reference. The code so promulgated and any amendments thereof shall be based on the application of scientific principles, approved tests, and professional judgment; and to the extent that it is practical so to do the code shall be promulgated in terms of desired results instead of the means of achieving such results, avoiding wherever possible the incorporation of specifications of particular methods or materials. To that end the code shall encourage the use of new methods and new materials.

The code shall require that any parking ramp or other parking facility constructed in accordance with the code include an appropriate number of spaces suitable for the parking of motor vehicles having a capacity of seven to 16 persons and which are principally used to provide prearranged commuter transportation of employees to or from their place of employment or to or from a transit stop authorized by a local transit authority.

The code shall require that all dwellings, lodging houses, apartment houses, and hotels as defined in section 2 comply with the provisions of section 2.

Sec. 2. Minnesota Statutes 1976, Chapter 299F, is amended by adding a section to read:

[299F.362] [INSTALLATION OF SMOKE DETECTORS IN DWELLINGS, LODGING HOUSES, APARTMENT HOUSES, AND HOTELS.] Subdivision 1. [DEFINITIONS.] *For the purposes of this section, the following definitions shall apply:*

(a) "Apartment house" is any building, or portion thereof, which is designed, built, rented, leased, let, or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the said building, and shall include flats and apartments.

(b) "Dwelling" is any building constructed, remodeled, rented, or offered for rent after January 1, 1978, or any portion

thereof which is not an "apartment house", "lodging house" or a "hotel" as defined in this section, which contains one or two "dwelling units" which are, or are intended or designed to be, occupied for living purposes.

(c) "Dwelling unit" is a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

(d) "Hotel" is any building containing six or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests.

(e) "Lodging house" is any building or portion thereof, containing not more than five guest rooms which are used by no more than five guests where rent is paid in money, goods, labor or otherwise. A lodging house shall comply with all the requirements of this code for dwellings.

Subd. 2. [FIRE WARNING SYSTEMS; DWELLINGS.] Every dwelling unit within a dwelling shall be provided with a smoke detector meeting the requirements of Underwriters Laboratories, Inc., or approved by the International Conference of Building Officials. The detector shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms used for sleeping purposes. Where sleeping rooms are on an upper level, the detector shall be placed at the center of the ceiling directly above the stairway. A smoke detector located on the ceiling shall be at least six inches from the wall and a smoke detector on a wall shall be between six and 12 inches from the ceiling. Care shall be exercised to insure that the installation will not interfere with the operating characteristics of the detector. When actuated, the detector shall provide an alarm in the dwelling unit.

Subd. 3. [FIRE WARNING SYSTEMS; APARTMENT HOUSES, LODGING HOUSES, AND HOTELS.] Every dwelling unit within an apartment house and every guest room in a lodging house or hotel used for sleeping purposes shall be provided with a smoke detector conforming to the requirements of Underwriters Laboratories, Inc., or approved by the International Conference of Building Officials. In dwelling units, detectors shall be mounted on the ceiling or wall at a point centrally located in the corridor area giving access to rooms used for sleeping purposes. In an efficiency dwelling unit, hotel or lodging house sleeping room and in hotel suites, the detector shall be centrally located on the ceiling of the main room or hotel sleeping room. Where sleeping rooms are on an upper level, the detector shall be placed at the center of the ceiling directly above the stairway. A smoke detector located on the ceiling shall be at least six inches from the wall and a smoke detector on a wall shall be

between six and 12 inches from the ceiling. Care shall be exercised to insure that the installation will not interfere with the operating characteristics of the detector. When actuated, the detector shall provide an alarm in the dwelling unit or guest room.

Subd. 4. [MAINTENANCE RESPONSIBILITIES.] For all occupancies covered by this section where the occupant is not the owner of the dwelling unit or the guest room, responsibilities for maintenance of the smoke detectors shall be as follows:

(a) It shall be the responsibility of the owner to provide the occupant with a written explanation of the location and operation of the detector or detectors and with instructions on what to do when the alarm sounds, how to test the detector, and how to contact the owner when a low battery tone sounds or a power light on fails. Furthermore, when an owner has been notified by an occupant that the detector is defective or nonoperative, or that a special tone has been given off or a power light on has failed, the owner shall remedy the condition within 72 hours.

In hotel guest rooms a written notice posted on the inside of the entry door outlining such instructions shall satisfy the requirements of this subdivision.

(b) It shall be the responsibility of the occupant to notify the owner when any tone sounds or power light on fails.

Subd. 5. [PENALTY.] Any person who violates any provision of this section shall be subject to the same penalty incurred for violation of the fire safety code, as specified in section 299F.39, subdivision 4.

Subd. 6. Nothing in this section shall prohibit a local unit of government from adopting more stringent standards than those provided in this section.

Sec. 3. [EFFECTIVE DATE.] This act is effective January 1, 1979."

Further amend the title as follows:

Page 1, line 6, delete "by adding a".

Page 1, line 7, delete "subdivision" and insert "Subdivision 1; and Chapter 299F, by adding a section".

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. 240, A bill for an act relating to intoxicating liquors; removing prohibition against sale of liquor on election days; amending Minnesota Statutes 1976, Sections 340.034, Subdivision 1; and 340.14, Subdivision 1.

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

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 2, line 5, strike "two" and insert "three".

Page 2, line 11, after the period insert "*It shall be sufficient compliance with the time requirement of this subdivision if such deposit or written statement as required by this subdivision is placed in the United States mail as first class mail, postage pre-paid, in an envelope with a proper return address, correctly addressed according to the mailing address or delivery instructions furnished by the tenant, within the time required by this subdivision.*".

Page 2, lines 14 and 15, restore the stricken language.

Page 2, line 27, strike "two" and insert "three".

Page 2, line 31, delete "*the amount of twice the*".

Page 2, line 32, delete the entire line.

Page 3, line 1, delete "*in subdivision 2*" and insert "*an amount equal to the sum of such deposit and interest thereon as provided in subdivision 2, as a penalty, in addition to the amount of such deposit and interest thereon withheld by the landlord*".

Page 3, line 8, strike "Failure by" and insert "If".

Page 3, line 9, strike "to provide the written statement required by" and insert "*has failed to comply with the provisions of*".

Page 3, line 10, strike "and to return" and insert "*, his retention of such deposit shall be presumed to be in bad faith unless he returns*".

Page 3, line 12, after "deposit" strike the remainder of the line.

Page 3, line 13, strike the entire line except the period.

Page 3, after line 13, add a new section to read:

"Sec. 5. Minnesota Statutes 1976, Section 504.20, Subdivision 7a, is amended to read:

Subd. 7a. No tenant may withhold payment of all or any portion of rent for the last payment period of a residential rental agreement, except an oral or written month to month residential rental agreement concerning which neither the tenant nor landlord has served a notice to quit, on the grounds that such deposit should serve as payment for the rent. Withholding all or any portion of rent for the last payment period of the residential rental agreement creates a rebuttable presumption that the tenant withheld the last payment on the grounds that such deposit should serve as payment for the rent. (VIOLATION OF THIS SUBDIVISION AFTER WRITTEN DEMAND AND NOTICE OF THIS SUBDIVISION SHALL SUBJECT THE TENANT TO DAMAGES OF TWICE THE DEPOSIT AND FORFEITURE OF ANY INTEREST DUE ON THE DEPOSIT IN ADDITION TO ANY ACTUAL DAMAGES.) *Any tenant who violates this subdivision after written demand and notice of this subdivision shall be liable to the landlord for damages in an amount equal to the deposit plus interest on the deposit as provided in subdivision 2, as a penalty, in addition to the amount of rent withheld by the tenant in violation of this subdivision.*"

Further amend the title:

Line 7, delete "and" and insert a comma and after "7" insert "and 7a".

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 338, A bill for an act relating to commerce; concerning products liability; providing a statute of limitations; allowing installment payments of judgments; providing certain defenses.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Sec. 1. [DEFINITIONS.] Subdivision 1. As used in this act the words defined in this section have the meanings given them.

Subd. 2. “Product liability action” means any action brought against a designer, manufacturer, distributor or seller of a product for the recovery of damages for personal injury, death or property damage arising out of the manufacture of or consumption of the product, including actions based on negligence, breach of implied warranty or strict liability in tort. A products liability action shall not include an action based on express warranty, fraudulent or intentional misrepresentation, concealment, or nondisclosure or other intentional misconduct.

Subd. 3. “Distributor” means any person or entity to which products are delivered or sold for purposes of distribution to sellers, not including a manufacturer or a seller.

Subd. 4. “Manufacturer” means any person or entity which assembles, fabricates, produces, constructs or otherwise prepares a product or any part of the complete product for ultimate sale through commercial channels to a consumer.

Subd. 5. “Seller” means any person or entity which as a regular part of its business holds products for dissemination directly to consumers through commercial channels, or to which products are delivered or sold for purposes of sale to consumers.

Subd. 6. “Unauthorized” means made without actual, implied or apparent authority.

Subd. 7. “Unforseeable” means not foreseeable by a reasonable person in the position of the defendant.

Sec. 2. [INDIVIDUAL APPLICATION.] This act shall apply to product liability actions brought by individuals on their own behalf, guardians, trustees on behalf of individuals, trustees on behalf of the survivors and next of kin of individuals, representatives, or any other person in any capacity on behalf of an individual for damages.

Sec. 3. [LIMITATIONS ON PRODUCT LIABILITY ACTIONS.] Subdivision 1. For purposes of this section the term “product liability action” means any product liability action

brought (a) to recover for damages to property or (b) by an employee for injury arising out of and in the course of employment within the meaning of Minnesota Statutes, Section 176.021, Subdivision 1.

Subd. 2. A product liability action shall be commenced within the time limits prescribed by chapter 541 for such actions, but in no case later than 15 years after the date when the product is sold or distributed to its initial user or consumer.

Subd. 3. Notwithstanding subdivision 2, any products liability action predicated on a duty, which arises, extends or is assumed by the defendant after the date the product is sold or distributed to its initial user or consumer, shall be commenced not later than 15 years after the product has left the control of the defendant or after the defendant ceases to be under a legal duty to inspect, repair, maintain, modify or improve the product.

Sec. 4. [DEFENSES TO PRODUCT LIABILITY ACTIONS.] Subdivision 1. [COMPARATIVE NEGLIGENCE.] The defenses provided for in this section shall be treated as contributory negligence for the purposes of section 604.01, regardless of whether recovery is sought on the basis of negligence, breach of warranty or strict liability in tort.

Subd. 2. The following shall constitute defenses to a products liability action:

(a) Any unauthorized alteration or modification of a product after it has left the control of the defendant which is a material and proximate cause of the injury, death or damage for which recovery is sought;

(b) Any unforeseeable misuse or abnormal use of a product by a person other than the defendant, or a person under his direction or control, which is a material and proximate cause of the injury, death or damage for which recovery is sought; and

(c) The failure of an owner or user of a product to properly maintain, service or repair the product which is a material and proximate cause of the injury, death or damage for which recovery is sought, unless the defendant failed to provide adequate instructions and warnings as to the safety of the product if it is not properly maintained, serviced or repaired.

Subd. 3. The defenses listed under this section are not intended as exclusive, and a defendant in a products liability action may plead any defense available to him at law or in equity.

Sec. 5. [DUTY TO WARN.] The duty of a manufacturer, distributor or seller to give adequate warning of unreasonable dangers or risks which may arise in the foreseeable use or mis-

use of a product shall not extend to dangers or risks which are open and obvious to the user or a reasonable person in the position of the user.

Sec. 6. [DAMAGES.] In any product liability action no punitive damages shall be awarded except upon proof by clear and convincing evidence that the defendant acted in flagrant and gross disregard of public health or safety.

Sec. 7. [APPLICATION.] This act applies to any products liability action whenever accrued except as to a products liability action commenced prior to the effective date of this act.

Sec. 8. [ELIMINATION OF SUBROGATION RIGHTS.] Subdivision 1. In a products liability action for personal injury or death which is based on an incident subject to the Minnesota workers' compensation law, Minnesota Statutes, Chapter 176, the defendant shall not have an action for indemnity or contribution against any person protected by the exclusive remedy provisions of the workers' compensation law.

Subd. 2. Any damage award made against a defendant in a products liability act shall be reduced by an amount equal to the benefits paid or payable pursuant to the workers' compensation law.

Subd. 3. No employer shall have any lien against or right to share in the proceeds of any judgment or settlement which an injured employee or his representative recovers from a defendant in a products liability action. Nor shall such employer maintain any subrogation action, direct or indirect, against such third party defendant.

Sec. 9. No dollar amount shall be specified in the prayer or request for relief in a complaint when filed or amended in a product liability action. The complaint shall merely state that recovery of reasonable damages is sought.

Sec. 10. [DEFINITIONS.] Subdivision 1. For purposes of sections 10 to 13 the terms defined in this section shall have the meanings given.

Subd. 2. "Commissioner" means the commissioner of insurance.

Subd. 3. "Insurer" means any person authorized to transact casualty and liability insurance as defined in section 60A.06, subdivision 1, clause (13).

Sec. 11. [REPORTING OF CLAIMS.] Subdivision 1. For the purpose of providing the legislature of the state of Minnesota with information on claims, settlements and other dispositions

of product liability actions and payments made by insurers on behalf of manufacturers, distributors or sellers in this state, each insurer licensed to do business in Minnesota shall within 30 days of payment, provide a written report to the commissioner. Each report shall contain:

(1) The name and address of the manufacturer, distributor or seller;

(2) A brief description of the acts of omission or commission which gave rise or allegedly gave rise to the claim and the date thereof;

(3) The name of the plaintiff and the injury which resulted or allegedly resulted therefrom;

(4) The amount paid in settlement or discharge of the claim whether paid by compromise, by payment of judgment, by payment of arbitration award, or otherwise; and

(5) Where any judicial opinion has been rendered with regard to a claim, a copy of all such opinions shall be attached to the report, provided that no report shall be required for compromise settlements of claims where the amount paid is \$1,000 or less, except where such payments were made in satisfaction or compromise of any judgment of a court or of an award of arbitrators.

Sec. 12. [COMMISSIONER, DUTIES.] Subdivision 1. The commissioner shall compile all reports that are filed with its office pursuant to the provisions of this law and shall summarize and otherwise make this information available to the legislature as requested.

Sec. 13. [LIABILITY EXEMPTION.] There shall be no liability on the part of any insurer or person acting for said insurer, for any statements made in good faith in the reports required by this section.”.

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

“A bill for an act relating to commerce; providing an exclusive remedy for products liability actions; providing a statute of limitations; providing certain defenses; providing for the reporting of claims to the commissioner of insurance.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 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.

Reported the same back with the following amendments:

Page 2, delete lines 8 to 26.

Renumber the remaining sections.

Page 2, line 29, delete "5b" and insert "5a".

Page 4, line 9, after "Revoke" insert "or suspend".

Amend the title as follows:

Page 1, line 3, delete "establishing a duty of reasonable".

Delete line 4.

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 972, A bill for an act relating to fire and casualty loss insurance companies; termination of agency contracts; requiring certain notice before termination; prescribing civil penalties.

Reported the same back with the following amendments:

Page 1, line 11, delete "five" and insert "three".

Page 1, line 14, delete "six" and insert "three".

Page 1, line 16, after the word "for" insert "not more than one year for".

Page 1, line 18, delete "six" and insert "nine".

Page 3, delete line 1.

Page 3, line 2, delete "it shall be subject to a civil".

With the recommendation that when so amended the bill pass.

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1094, A bill for an act relating to insurance; providing for competitive bids on group contracts for certain public bodies; amending Minnesota Statutes 1976, Section 471.616, Subdivision 1.

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. 405, A bill for an act relating to gambling; authorizing certain activities by nonprofit organizations; amending Minnesota Statutes 1976, Sections 325.54, Subdivision 1; and 609.75, Subdivision 3, and by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 325.54, Subdivision 1, is amended to read:

325.54 [GAMBLING DEVICE; POSSESSION OF.] Subdivision 1. [INTENTIONAL POSSESSION; WILFUL KEEPING.] The intentional possession or wilful keeping of a gambling device upon any licensed premises is cause for the revocation of any license under which the licensed business is carried on upon the premises where the gambling device is found, *provided that gambling devices commonly known as "paddlewheels" or "tipboards" or apparatus used in conducting raffles shall not be cause for revocation when the gambling devices are operated by organizations licensed for such operation pursuant to section 349.26.*

Sec. 2. Minnesota Statutes 1976, Section 340.14, Subdivision 2, is amended to read:

Subd. 2. [RESTRICTIONS.] Every licensee shall be responsible for the conduct of his place of business and for condi-

tions of sobriety and order therein. No licensee shall keep, possess, or operate, or permit the keeping, possession, or operation of, on the licensed premises, or in any room adjoining the licensed premises, any slot machine, dice, or any gambling device or apparatus, nor permit any gambling therein, nor permit the licensed premises or any room in the same, or in any adjoining building, directly or indirectly under its control to be used as a resort for prostitutes or other disorderly persons, *except that gambling devices may be operated and raffles conducted on licensed premises and adjoining rooms when such activities are licensed by the local unit of government pursuant to section 349.26.* No person under 18 years of age shall be employed in any rooms constituting the place in which intoxicating liquors are sold at retail "on-sale", except that persons under 18 years of age may be employed as musicians or to perform the duties of a busboy or dishwashing services in places defined as a restaurant or hotel or motel serving food in rooms in which intoxicating liquors are sold at retail "on-sale".

Sec. 3. Minnesota Statutes 1976, Chapter 349, is amended by adding a section to read:

[349.26] [GAMBLING DEVICES.] *Subdivision 1. For purposes of this section "gambling devices" shall mean those gambling devices known as "paddlewheels" and "tipboards" and apparatus used in conducting raffles.*

Subd. 1a. For purposes of this section a "paddlewheel" is a wheel marked off into sections containing one or more numbers, and which, after being turned or spun, uses a pointer or marker to indicate winning chances.

For purposes of this section a "tipboard" is a board, placard or other device measuring at least 12 inches square, marked off in a grid or similar pattern, in which each section contains a hidden number or numbers, or other symbol, which determines the winning chances.

For purposes of this section a "raffle" is a lottery in which participant buys a ticket for a chance at a prize with the winner determined by a random drawing.

Nothing in this section shall be construed to authorize any use or operation of:

(a) any gambling device which is activated by the insertion of a coin or token, or

(b) any gambling game or device in which the winning numbers, tickets or chances are in any way determined by the outcome of any athletic contest or sporting event.

Subd. 2. For purposes of this section "profit" shall mean the gross receipts from the operation of gambling devices and the conduct of raffles, less reasonable sums expended for prizes, local licensing fees and taxes and maintenance costs for the devices.

Subd. 3. Any county or city may establish a system for the licensing of organizations to operate gambling devices and to conduct raffles and such system may include a fee for each license in an amount to be determined by the local governing body. Licenses issued pursuant to this section shall be valid for one year, and may be suspended or revoked for any violation of this section. A local governing body shall act on a license application within 180 days from the date of application, but shall not issue a license until at least 30 days after the date of the application. Nothing in this section shall be construed to prohibit a county or city from adopting regulations for the operation of gambling devices or the conduct of raffles that are more restrictive than state regulations, including regulations prohibiting the operation of such devices.

Subd. 4. License shall be issued only to a fraternal, religious, veterans or other nonprofit organization which has been in existence for at least three years and has at least 30 active members, as defined in section 349.12, subdivision 2.

Subd. 5. Profits from the operation of gambling devices or the conduct of raffles shall be used solely for those purposes defined as "lawful purposes" in section 349.12, subdivision 6, as authorized at a regular meeting of the organization.

Subd. 6. All operation of gambling devices and conduct of raffles shall be under the supervision of a single gambling manager designated by the organization, who shall be responsible for gross receipts and profits from gambling devices and raffles and for their operation. The gambling manager shall give a fidelity bond in the sum of \$10,000 in favor of the organization conditioned on the faithful performance of his duties, and the bond and the waiver thereof shall be subject to the same provision as those applying to the bond required of a bingo manager pursuant to section 349.17, subdivision 7. A person may act as both gambling manager and bingo manager for a single organization, but a gambling manager for a single organization shall not act as either a gambling manager or bingo manager for any other organization. A gambling manager for an organization shall be an active member of the organization, as defined in section 349.12, subdivision 2.

Subd. 7. No compensation shall be paid to any person in connection with the operation of a gambling device or the conduct of a raffle by a licensed organization. No person who is not an active member of an organization, or its auxiliary, or the spouse or surviving spouse of an active member may participate in the

organization's operation of a gambling device or conduct of a raffle.

Subd. 8. Each organization licensed to operate gambling devices shall keep records of its gross receipts and profits for each single gathering or occasion at which gambling devices are operated or a raffle is conducted. All deductions from gross receipts for each single gathering or occasion shall be documented with receipts or other records. The distribution of profits shall be itemized as to payee, amount and date of payment.

Gross receipts from the operation of gambling devices and the conduct of raffles shall be segregated from other revenues of the organization, including bingo gross receipts, and placed in a separate account. Each organization shall have separate records of its gambling operations. The person who accounts for gross receipts and profits from the operation of gambling devices or the conduct of raffles shall not be the same person who accounts for other revenues of the organization, except that such person may be the same person who accounts for bingo gross receipts and profits.

Each organization licensed to operate gambling devices or to conduct raffles shall report monthly to its membership, and to the licensing local unit of government, its gross receipts and profits from gambling devices or raffles, and the distribution of profits itemized as required in this subdivision.

Records required by this act shall be preserved for three years, and organizations shall make available their records relating to operation of gambling devices and the conduct of raffles for public inspection at reasonable times and places.

Subd. 9. Gambling devices shall be operated and raffles conducted by a licensed organization only unless authorized in another location by the local unit of government.

Subd. 10. Total prizes from the operation of paddlewheels and tipboards awarded in any single day in which they are operated shall not exceed \$500. Total prizes resulting from any single spin of a paddlewheel, or from any single tipboard, shall not exceed \$100. Total prizes awarded in any calendar year by any organization from the operation of paddlewheels and tipboards and the conduct of raffles shall not exceed \$15,000. Merchandise prizes shall be valued at fair market retail value.

Subd. 11. Violation of any provision of this section is a misdemeanor. This subdivision shall not preclude civil or criminal action under other applicable law or preclude any agency of government from investigating or prosecuting violations of the provisions of this section.

Sec. 4. Minnesota Statutes 1976, Section 609.75, Subdivision 3, is amended to read:

Subd. 3. [WHAT ARE NOT BETS.] The following are not bets:

(1) A contract to insure, indemnify, guarantee or otherwise compensate another for a harm or loss sustained, even though the loss depends upon chance.

(2) A contract for the purchase or sale at a future date of securities or other commodities.

(3) Offers of purses, prizes or premiums to the actual contestants in any bona fide contest for the determination of skill, speed, strength, endurance, or quality or to the bona fide owners of animals or other property entered in such a contest.

(4) The game of bingo when conducted in compliance with sections 349.11 to 349.23.

(5) A private social bet not part of or incidental to organized, commercialized, or systematic gambling.

(6) *The operation of a gambling device or the conduct of a raffle as defined in section 349.26, subdivision 1, by an organization licensed for such operation by a local unit of government.*

Sec. 5. Minnesota Statutes 1976, Section 609.76, is amended to read:

609.76 [OTHER ACTS RELATING TO GAMBLING.] Whoever does any of the following may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$1,000, or both:

(1) Maintains or operates a gambling place or operates a bucket shop; or

(2) Intentionally participates in the income of a gambling place or bucket shop; or

(3) Conducts a lottery, or, with intent to conduct a lottery, possesses facilities for doing so; or

(4) Sets up for use for the purpose of gambling, or collects the proceeds of, any gambling device or bucket shop; or

(5) With intent that it shall be so used, manufactures, sells or offers for sale, in whole or any part thereof, any gambling device including those defined in section 325.53, subdivision 2, and any facility for conducting a lottery, *except that any person*

may manufacturer, sell or offer for sale a gambling device, as defined in section 349.26, subdivision 1, to an organization licensed to operate the device; or

(6) Receives, records, or forwards bets or offers to bet or, with intent to receive, record, or forward bets or offers to bet, possesses facilities to do so.”.

Further amend the title by deleting lines 2 to 6 and inserting: “relating to gambling; authorizing the operation of certain gambling devices by licensed organizations; providing a penalty; amending Minnesota Statutes 1976, Sections 325.54, Subdivision 1; 340.14, Subdivision 2; 609.75, Subdivision 3; 609.76; and Chapter 349, by adding a section”.

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. 898, A bill for an act relating to veterans affairs; providing for a study of the need for a veterans facility; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 3, A bill for an act relating to state government; creating a department of economic security; transferring powers; abolishing the departments of employment services and vocational rehabilitation; appropriating money; amending Minnesota Statutes 1976, Sections 15.01; 15A.081, Subdivision 1; 15.0411, Subdivision 2; 43.09, Subdivision 2a; 62E.52, Subdivision 7; 129A.01; 144.656; 144A.611, Subdivision 3; 144A.10, Subdivision 8; 145.895; 245.75; 245.76; 245.765, Subdivision 1; 245.77; 256.01, Subdivision 2; 256.011; 256.045; 256.462, Subdivision 3; 256.482, Subdivision 1; 256.73, Subdivision 2; 256.736, Subdivisions 2, 3, 4, 5 and 7; 256.75; 256.863; 256.871, Subdivision 7; 256.88; 256.89; 256.90; 256.91; 256.92; 256.965; 256.978; 256B.02, Subdivision 5; 256B.041, Subdivision 6; 256B.064, Subdivision 2; 256B.26; 256B.27; 256B.30; 256B.35, Subdivision 2; 256D.01, Subdivisions 1 and 2; 256D.02, Subdivisions 2, 3, 4 and 11; 256D.11, Subdivisions 1, 2, 6, 7 and 9; 256D.22; 256D.35,

Subdivisions 1, 5 and 6; 256D.39; 256D.41; 261.003; 261.232; 261.25; 268.04, Subdivision 8; and Laws 1976, Chapter 332, Section 9, Subdivisions 1, 7 and 8; repealing Minnesota Statutes 1976, Sections 129A.02, Subdivision 1; 256.01, Subdivisions 3 and 4; 256.12, Subdivisions 10, 14 and 15; and 256.73, Subdivision 5.

Reported the same back with the following amendments:

Page 2, line 8, delete “, for a four year”.

Page 2, delete all of line 9.

Page 2, line 10, delete “until his successor is appointed and qualified”.

Page 5, delete subdivisions 5 and 6 and insert:

“Subd. 5. Except as otherwise provided in this act, all classified employees and their positions assigned by a department or agency to perform any of the functions, powers or duties which are transferred by this act to the department of economic security, are transferred to the department of economic security. The positions of all employees who are employed in the unclassified civil service by a department or agency to perform any of the functions, powers or duties which are transferred by this act to the department of economic security, with the exception of the unclassified positions established pursuant to the provisions of sections 43.05, subdivision 2, clause (11), and 43.09, subdivision 2, clause (9), are abolished. Any employee in the unclassified civil service whose position is abolished by this act and who is not appointed to an unclassified position authorized by this act may be otherwise continued in the unclassified civil service in the department of economic security, but for a period not to exceed 12 months from the date on which the department commences operation. Such positions shall be authorized pursuant to the provisions of section 43.05, subdivision 2, clause (11). Nothing herein shall be construed as abrogating or modifying any rights now enjoyed by affected employees under terms of an agreement between an exclusive bargaining representative and the state or one of its appointing authorities.

Subd. 6. If the programs of the Federal Comprehensive Employment and Training Act, the Federal Economic Opportunity Act, and the Federal Community Services Act are transferred to the department of economic security, state employees involved in administration and implementation of these programs in the unclassified civil service of the state shall be transferred, except for the positions of executive director and deputy director of the programs, to the classified civil service of the state without competitive examination and shall be placed in the proper classification by the commissioner of personnel with such compen-

sation as such classifications carry. Incumbents of positions placed in the classified civil service shall receive such status and length of service credit as would have accrued to them had they originally been appointed to the classified civil service; however, such length of service credit shall not include seniority under the provisions of a collective bargaining agreement negotiated pursuant to sections 179.61 to 179.77, until effective date of classified civil service. Annual leave and sick leave shall be transferred and accrued in accordance with the provisions of section 43.222.”.

Page 23, line 14, delete “shall”.

Page 23, line 15, after “(1)” insert “Shall”.

Page 23, line 25, after “(3)” insert “Shall”.

Page 23, line 28, after “(4)” insert “Shall”.

Page 23, line 32, after “(5)” insert “Shall”.

Page 24, line 15, after “(7)” insert “Shall”.

Page 24, line 18, after “(8)” insert “Shall”.

Page 25, line 1, after “5.” insert “The commissioner shall”.

Page 57, line 1, delete “356D.40” and insert “256D.40”.

Page 59, line 23, after the period insert “In no instance shall such notification be later than three months from the date of appointment of the commissioner of economic security.”.

Page 59, delete lines 24 to 32.

Page 60, delete lines 1 and 2, and insert:

“Subd. 3. Within six months after commencement of the departmental operations the commissioner of economic security shall submit a plan to the governor and the legislature. The plan shall be the guide for the organization and management of the department. The plan shall provide for but not be limited to:

(a) Development of a single departmental process for addressing policy issues and budgets;

(b) Integrating administrative activities, procedures and reporting requirements of department programs;

(c) Reducing administrative costs and administrative staff by five percent within two years;

(d) *Development of a process for consumer input into the department;*

(e) *Establishment of a unified local delivery system for state administered department programs;*

(f) *Integrating programs for job training, development, and placement services;*

(g) *Integrating and simplifying client intake and eligibility processes; and*

(h) *Standardization of administrative boundaries.*

Each element of the plan shall include a target date for implementation. During the first three years of departmental operation the commissioner of economic security shall, on a semi-annual basis, report on the progress made in implementing the plan to the governor and the legislature. The report shall also compare current and historical productivity measurements."

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 978, A bill for an act relating to administrative procedures; providing for water resource and conservation hearings to be held in accordance with the administrative procedure act; amending Minnesota Statutes 1976, Sections 105.44, Subdivisions 3, 5, 6, 7 and 8; 105.45; 105.461; and 105.78; repealing Minnesota Statutes 1976, Section 105.47.

Reported the same back with the following amendments:

Page 2, line 29, reinstate the stricken language.

Page 2, line 30, reinstate the stricken "and shall be conducted by" and insert "a hearing examiner from the office of hearing examiners."

Page 2, line 31, reinstate the stricken "All affected persons shall have an".

Page 2, line 32, reinstate the stricken language.

Page 3, line 1, reinstate the stricken language.

Page 3, line 6, reinstate the stricken "Except where a".

Page 3, lines 7 and 8, reinstate the stricken language, and before the reinstated colon insert "*if after the hearing the commissioner's action, taken pursuant to subdivision 2, is affirmed without modification*".

Page 3, lines 9 to 11, reinstate the stricken language, and after the reinstated "commissioner" insert "*; however, in no event shall the applicant pay more than \$750*".

Page 3, lines 14 to 24, reinstate the stricken language and delete the new language.

Page 3, line 25, reinstate the stricken language.

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 267, A bill for an act relating to negligence; proscribing certain liability of good samaritans; amending Minnesota Statutes 1976, Section 604.05.

Reported the same back with the following amendments:

Page 1, line 9, strike "No" and insert "A".

Page 1, line 13, after "is" insert "not".

Page 1, line 14, strike "such" and insert "that".

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 420, A bill for an act relating to education; Montessori schools; excluding Montessori schools from day care regulation; amending Minnesota Statutes 1976, Section 245.791.

Reported the same back with the following amendments:

Page 3, line 7, delete "*Facilities which have been certified as Montessori*".

Page 3, delete lines 8 and 9.

Page 3, line 10, delete "functions" and insert "*Montessori schools which conduct educational programs for children for less than five hours a day and do not receive federal funds for day care services. The board of education shall promulgate rules establishing standards, including health and safety standards, for such programs*".

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

"Sec. 2. The commissioner of education shall charge a reasonable fee for the issuance or renewal of a license or a provisional license to a Montessori school. This fee shall be determined by the commissioner according to a fee schedule established by rule by the state board of education. This fee schedule shall provide for a waiver of all or a portion of the fee in cases where a school can demonstrate financial hardship."

Renumber the subsequent section.

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

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

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

Reported the same back with the following amendments:

Page 1, line 10, delete "INDIVIDUAL OWNERSHIP OF MEDICAL RECORDS" and insert "PROVISION OF HEALTH RECORD INFORMATION TO PERSONS".

Page 1, delete lines 11 to 18 and insert "*Upon written request, a provider shall supply to a person, or a person's representative as designated in writing complete and current information concerning any diagnosis, treatment and prognosis of that person in terms and language the person can reasonably be expected to understand. When that information is determined by a provider to be reasonably detrimental to the physical or mental health of the person or would be likely to cause the person to harm another, the information shall be supplied only to another provider, designated by the person. That designated provider may supply information concerning the health record in question to the person.*

The person's health record, or pertinent portion thereof relating to a specific condition, or its summary, including laboratory reports, x-rays, prescriptions, and other technical information used by a provider in assessing the person's health condition, shall be loaned or transferred to another provider upon the written request of the person. Nothing in this section shall preclude the customary exchange of health record information between providers. This written request shall specify the other provider to whom the health record is to be loaned or transferred. The provider from whom the health record is loaned or transferred may maintain a copy of that person's health record. All costs of loaning or transferring health records shall be the responsibility of the person who is the subject of the record.

For purpose of this section, "provider" means any person who furnishes health care services and is licensed to render these services, pursuant to chapters 147, 148, 150A, 151 and 153, or is a licensed health care facility, pursuant to chapters 144 or 144A."

Further amend the title:

Page 1, line 2, delete "providing for ownership".

Page 1, delete line 3.

Page 1, line 4, delete "subjects" and insert "requiring the provision of health record information to certain persons; requiring the transfer of health records under certain conditions".

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 41, 240, 829, 338, 635, 972, 1094, 405, 978, 267 and 462 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 345 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Adams, Arlandson, Casserly and King introduced:

H. F. No. 1442, A bill for an act relating to professional corporations; including architects, professional engineers and land surveyors within the definition of professional service for the purposes of formation of professional corporations; amending Minnesota Statutes 1976, Section 319A.02, Subdivision 2.

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

Suss introduced:

H. F. No. 1443, A bill for an act relating to agriculture; food licensing; defining a custom processor and providing for a custom processing permit; amending Minnesota Statutes 1976, Sections 28A.03; 28A.04; and 28A.13.

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

Suss, Kalis, Lemke, Eckstein and Mann introduced:

H. F. No. 1444, A bill for an act relating to agriculture; amending public notice requirements for elections and referenda; clarifying the uses of checkoff fees; establishing an account within the department of agriculture for administration of several commodity checkoff orders; providing for the department of agriculture to audit promotion fund accounts; amending Minnesota Statutes 1976, Sections 17.54, Subdivision 3; 17.56, Subdivision 3; 17.57, Subdivision 6; 17.59, Subdivision 4, and by adding a subdivision; 21A.09; 21A.12; 29.15, Subdivision 4; 29.17; 30.467; 30.469; 32B.04, Subdivision 5; and 32B.07.

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

McCarron, Pehler, Kahn, Voss and Dean introduced:

H. F. No. 1445, A bill for an act relating to public welfare; establishing a revolving fund for data processing services; providing an appropriation; 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 Appropriations.

White, Wenstrom, Samuelson, Anderson, R., and Evans introduced:

H. F. No. 1446, A bill for an act relating to tourism; establishing a department of tourism; providing for its powers and duties; transferring certain functions from the department of economic development; appropriating money; amending Minnesota Statutes 1976, Sections 301A.01, Subdivision 1; 301A.05; 301A.07, Subdivision 1; 362.09, Subdivision 2; 362.10; 362.12, Subdivision 1a; 362.125; 362.13; and 362.23.

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

Waldorf, Mangan, Scheid, Berkelman and Knickerbocker introduced:

H. F. No. 1447, A bill for an act relating to education; teachers; providing continuing contract and tenure rights for certain athletic coaches; amending Minnesota Statutes 1976, Section 125.12, by adding a subdivision; and 125.17, Subdivision 1.

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

Suss, Stanton, Tomlinson and Eken introduced:

H. F. No. 1448, A bill for an act relating to education; teachers; abolishing life licenses; amending Minnesota Statutes 1976, Section 125.185, Subdivision 4.

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

Pehler, Hanson, Osthoff, Den Ouden and Wieser introduced:

H. F. No. 1449, A bill for an act relating to education; permitting six school districts to implement and experiment with an educational grant system; permitting both public and nonpublic schools to participate; permitting participating school districts to contract for other funds; establishing guidelines for school participation; providing demonstration boards to administer, regulate, test and report the operation of the program; appropriating money.

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

Brinkman, George, St. Onge and Eckstein introduced:

H. F. No. 1450, A bill for an act relating to game and fish; free fishing licenses to certain disabled persons; amending Minnesota Statutes 1976, Section 98.47, Subdivision 8.

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

Abeln, McCollar, Kroening, Voss and Kelly, W., introduced:

H. F. No. 1451, A bill for an act relating to water conservation; prescribing water consumption standards for certain flush type toilets; amending Minnesota Statutes 1976, Chapter 16, by adding a section.

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

Suss, Erickson, Braun, Peterson and Fjoslien introduced:

H. F. No. 1452, A bill for an act relating to pesticides; actions for injury resulting from application; limitation of time; amending Minnesota Statutes 1976, Chapter 18A by adding a section; and Section 541.07.

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

Den Ouden; Wenstrom; Anderson, G.; Albrecht and Anderson, D., introduced:

H. F. No. 1453, A bill for an act relating to pipelines; minimum depth in certain areas; limiting grants of easements, restricting landowners liability; amending Minnesota Statutes 1976, Chapter 299F, by adding a section.

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

Zubay, Kaley, Reding, Friedrich and Sherwood introduced:

H. F. No. 1454, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 6; limiting legislative service from the same territory to ten years.

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

Sieben, H., introduced:

H. F. No. 1455, A bill for an act relating to taxation; changing income tax credit for political contributions to include federal and local candidates; increasing maximum credit; amending Minnesota Statutes 1976, Section 290.06, Subdivision 11.

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

Hokanson and Berglin introduced:

H. F. No. 1456, A bill for an act relating to collection and dissemination of data; prescribing penalties; amending Minnesota Statutes 1976, Chapter 15, by adding sections.

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

Nelsen, M., introduced:

H. F. No. 1457, A bill for an act relating to state lands; authorizing the conveyance of certain lands in Aitkin county.

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

Welch, Reding, Murphy, Evans and Gunter introduced:

H. F. No. 1458, A bill for an act relating to worker's compensation; providing that persons assisting law enforcement officials may be eligible for benefits; amending Minnesota Statutes 1976, Section 176.011, Subdivision 9.

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

Eckstein, Suss, Lemke, Carlson, D., and Stanton introduced:

H. F. No. 1459, A bill for an act relating to veterinarians; repealing requirement to file license with clerk of district court; repealing Minnesota Statutes 1976, Section 156.09.

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

Carlson, L.; Kaley; Dahl; Berglin and Heinitz introduced:

H. F. No. 1460, A bill for an act relating to nursing assistant training; providing for a report to the legislature by the state board of health; delaying implementation of certain training requirements; amending Minnesota Statutes 1976, Section 144A.61, Subdivision 6.

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

Clark, Rice, Berglin, McCollar and Lehto introduced:

H. F. No. 1461, A bill for an act relating to public health; regulating the use of psychosurgery and electro convulsive treatment; providing patient rights; providing board of health review; providing a penalty.

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

Berkelman, Jaros, Lehto and Munger introduced:

H. F. No. 1462, A bill for an act relating to the city of Duluth; authorizing the city to acquire, construct, and maintain parking facilities and to finance same.

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

Vanasek, Birnstihl, Kalis, Johnson and McDonald introduced:

H. F. No. 1463, A bill for an act relating to taxation; property; allowing certain land near lakeshores to qualify for assessment with reference to agricultural classification; amending Minnesota Statutes 1976, Section 273.111, Subdivision 4.

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

Carlson, A.; Abeln; Kempe, A.; Evans and Jacobs introduced:

H. F. No. 1464, A bill for an act relating to taxation; providing a deduction from income for a lessee's share of real property taxes paid on his rented residence less the amount of any rent credit; disallowing deductions in certain sham rental situations; amending Minnesota Statutes 1976, Section 290.09, Subdivision 4.

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

Peterson introduced:

H. F. No. 1465, A bill for an act relating to taxation; limiting property taxes levied on residential property to amounts required to finance property-related functions of local governments; providing for a local income tax on individuals; amending Minnesota Statutes 1976, Sections 275.03; 276.04; and 290.08, by adding a subdivision.

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

Pehler, White, Vanasek and Kelly, W., introduced:

H. F. No. 1466, A bill for an act relating to taxation; updating the reference to the Internal Revenue Code for income tax purposes; permitting an optional means of computing individual income tax; amending Minnesota Statutes 1976, Section 290.01, Subdivision 20; and Chapter 290, by adding a section.

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

Fugina introduced:

H. F. No. 1467, A bill for an act relating to the city of Mountain Iron; validating certain aid overpayments.

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

Kelly, R., and Laidig introduced:

H. F. No. 1468, A bill for an act relating to motor vehicles; denying registration, reregistration and the issuance of title documents to the owner of a vehicle who fails to respond to a summons or citation for a parking violation; specifying information to be supplied on an application for registration or certificate of title to a motor vehicle; appropriating money; amending Minnesota Statutes 1976, Chapter 168, by adding a section; Sections 168.10, Subdivision 1; 168A.04, Subdivision 1; and 168A.05, Subdivision 3.

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

Novak introduced:

H. F. No. 1469, A bill for an act relating to transportation; extending the time for submission by the commissioner of certain proposals relating to certain modes of transportation; amending Minnesota Statutes 1976, Section 174.06, Subdivision 7.

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

Heinitz, Simoneau and Mangan introduced:

H. F. No. 1470, A bill for an act relating to motor vehicles; subjecting motor vehicle dealers to penalties if they fail to properly notify the registrar of motor vehicles of vehicle ownership interest transfers; amending Minnesota Statutes 1976, Sections 168A.10, Subdivision 2, and by adding subdivisions; and 168A.14, by adding a subdivision.

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

Wenstrom, Fudro, Evans, Langseth and Anderson, R., introduced:

H. F. No. 1471, A bill for an act relating to aeronautics; requiring boards of adjustment to grant or deny applications for zoning variances within six months; authorizing the commissioner of transportation to develop an air transportation system; amending Minnesota Statutes 1976, Section 360.015, Subdivision 14; 360.017, Subdivision 1; and 360.067, Subdivision 2.

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

St. Onge; Anderson, R.; Samuelson; Anderson, I., and Fugina introduced:

H. F. No. 1472, A bill for an act relating to transportation; providing for certain permitted advertising signs on federal primary aid highways; amending Minnesota Statutes 1976, Sections 173.03; 173.08; 173.13, Subdivision 1; and 173.16, Subdivision 1.

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

Fugina, Prahl, Begich, Battaglia and Anderson, I., introduced:

H. F. No. 1473, A bill for an act relating to taxation; increasing the tax on taconite production and providing for the distribution of its proceeds; establishing a taconite environmental and economic protection fund; imposing a tax on residual materials attributable to the production of concentrates from taconite; appropriating money; amending Minnesota Statutes 1976, Sections 273.134; 273.135, Subdivision 2; 298.03; 298.22, by adding a subdivision; 298.24, Subdivision 1; 298.244, Subdivision 2; 298.25; 298.26; 298.27; 298.28, Subdivision 1, and by adding subdivisions; 298.282, Subdivisions 1 and 2; and Chapter 298, by adding sections; repealing Minnesota Statutes 1976, Sections 298.24, Subdivision 2; 298.241; 298.243; 298.244, Subdivision 1; 298.28, Subdivision 1a; and 298.281.

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

Beauchamp introduced:

H. F. No. 1474, A bill for an act relating to employment services; authorizing the release of information to certain state agencies; amending Minnesota Statutes 1976, Section 268.12, Subdivision 12.

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

Kelly, W.; Anderson, I.; Vanasek and Sabo introduced:

H. F. No. 1475, A bill for an act relating to taxation; providing changes in classification ratios and assessment procedures; increasing local government aids and certain tax credits; altering levy limits; imposing a minimum tax on certain types of income; appropriating money; amending Minnesota Statutes 1976, Sections 124.212, Subdivision 10; 273.11, Subdivision 1; 273.12; 273.13, Subdivisions 6, 7 and 14a; 273.132; 275.50, Subdivision 5; 275.51, by adding a subdivision; 275.52, Subdivisions 2, 3 and 4; 278.01; 287.241, Subdivision 2; 290A.04, Subdivisions 1 and 2; 477A.01, Subdivisions 1, 2, 4, 4a, 4b, and by adding a subdivision; 477A.03; and Chapters 272, 290, 290A and 477A, by adding sections; repealing Minnesota Statutes 1976, Sections 275.51, Subdivisions 3b and 3c; and 287.241, Subdivisions 3 and 4.

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:

Cummiskey introduced:

H. A. No. 26, A proposal to set standards of responsibility for safety for motorcyclists and motor vehicle operators.

The advisory was referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 283, A bill for an act relating to securities; disciplinary action against a licensee; clarifying the time for initiating a proceeding; amending Minnesota Statutes 1976, Sections 80A.07, Subdivision 2, and 80A.21, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Johnson moved that the House concur in the Senate amendments to H. F. No. 21 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

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

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 231, A bill for an act relating to transportation, particular uses of highway right of way; amending Minnesota Statutes 1976, Section 160.27, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jude moved that the House concur in the Senate amendments to H. F. No. 231 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 231, A bill for an act relating to transportation; permitting advertising on bus shelters and trash receptacles on high-

way right of way; amending Minnesota Statutes 1976, Section 160.27, Subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 126 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.	Farcy	Osthoff	Wieser
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The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Nelsen, B., moved that the House concur in the Senate amendments to H. F. No. 661 and that the bill be repassed as amended by the Senate. The motion prevailed.

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 third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Munger	Sherwood
Adams	Cummiskey	Johnson	Murphy	Sieben, H.
Albrecht	Dahl	Jude	Neisen	Sieben, M.
Anderson, B.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Den Ouden	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	Essau	King	Patton	Swanson
Begich	Evans	Knickerbocker	Pehler	Tomlinson
Berglin	Ewald	Kostohryz	Peterson	Vanasek
Berkelman	Faricy	Kroening	Petraleso	Voss
Biersdorf	Fjoslien	Kvam	Pleasant	Waldorf
Birnstihl	Forsythe	Laidig	Prahl	Welch
Brandl	Friedrich	Langseth	Reding	Wenstrom
Braun	Fudro	Lehto	Rice	Wenzel
Brinkman	Fugina	Lemke	Rose	White
Byrne	George	Mangan	St. Onge	Wieser
Carlson, A.	Gunter	Mann	Samuelson	Wigley
Carlson, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Haugerud	McCollar	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	
Cohen	Jaros	Moe	Searles	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

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

S. F. Nos. 450, 478 and 757.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 651, 826, 847 and 919.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 450, A bill for an act relating to banks and banking; authorizing certain branch banks; permitting consolidation of banks in regions; amending Minnesota Statutes 1976, Sections 48.34 and 49.34.

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

S. F. No. 478, A bill for an act relating to cities; amending the definition of first class cities; amending Minnesota Statutes 1976, Section 410.01.

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

S. F. No. 757, A bill for an act relating to transportation; repealing the "Sunday holiday law"; allowing commercial vehicles to operate within 35 miles of cities of the first class on Sundays and legal holidays; amending Minnesota Statutes 1976, Section 221.221; repealing Minnesota Statutes 1976, Sections 221.191, 221.201 and 221.211.

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

S. F. No. 651, A bill for an act relating to health; developing standards for safe drinking water; providing penalties; defining terms; amending Minnesota Statutes 1976, Section 115.71, Subdivision 7; and 144.12, Subdivision 1.

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

S. F. No. 826, A bill for an act relating to seaway port authorities; personnel; contracts; authorizing port authorities to employ a certified public accountant to audit the books of the authority and authorizing the state auditor to accept such audits in lieu of his audit; amending Minnesota Statutes 1976, Section 458.18.

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

S. F. No. 847, A bill for an act relating to statutory publications; providing for the distribution of Minnesota Statutes and session laws; amending Minnesota Statutes 1976, Section 648.39, Subdivision 1.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 919, A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1976, Section 169.80, Subdivision 2.

The bill was read for the first time.

Lemke moved that S. F. No. 919 and H. F. No. 1076, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. No. 38 was reported to the House.

CONSENT CALENDAR

H. F. No. 749 was reported to the House.

There being no objection, H. F. No. 749 was continued on the Consent Calendar for one day.

H. F. No. 61 was reported to the House.

There being no objection, H. F. No. 61 was continued on the Consent Calendar for one day.

H. F. No. 145, A bill for an act relating to highways; requiring a hearing by a county board prior to the adoption of a resolution revoking a county highway that would revert to a town; amending Minnesota Statutes 1976, Section 163.11, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Jensen	Munger	Sherwood
Adams	Cummiskey	Johnson	Murphy	Sieben, H.
Albrecht	Dahl	Jude	Neisen	Sieben, M.
Anderson, B.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Den Ouden	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	Petrafeso	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, D.	Hanson	McCarron	Sarna	Williamson
Carlson, L.	Haugerud	McCollar	Savelkoul	Wynia
Casserly	Heinitz	McDonald	Scheid	Zubay
Clark	Hokanson	McEachern	Schulz	Speaker Sabo
Clawson	Jacobs	Metzen	Searle	
Cohen	Jaros	Moe	Searles	

The bill was passed and its title agreed to.

H. F. No. 557, A bill for an act relating to highways; requiring reimbursement of fire fighting and protection expenses in certain instances.

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

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Braun	Erickson	Jensen	Lemke
Adams	Brinkman	Esau	Johnson	Mangan
Albrecht	Byrne	Evans	Jude	Mann
Anderson, B.	Carlson, D.	Ewald	Kahn	McCarron
Anderson, D.	Carlson, L.	Faricy	Kaley	McCollar
Anderson, G.	Casserly	Fjoslien	Kalis	McDonald
Anderson, I.	Clark	Forsythe	Kelly, R.	McEachern
Anderson, R.	Clawson	Friedrich	Kelly, W.	Metzen
Arlandson	Cohen	Fudro	Kempe, A.	Moe
Battaglia	Corbid	Fugina	Kempe, R.	Munger
Beauchamp	Cummiskey	George	King	Murphy
Begich	Dahl	Gunter	Knickerbocker	Neisen
Berg	Dean	Hanson	Kostohryz	Nelsen, B.
Berglin	Den Ouden	Haugerud	Kroening	Nelsen, M.
Berkelman	Eckstein	Heinitz	Kvam	Nelson
Biersdorf	Eken	Hokanson	Laidig	Niehaus
Birnstihl	Ellingson	Jacobs	Langseth	Norton
Brandl	Enebo	Jaros	Lehto	Novak

Osthoff	Rose	Sherwood	Suss	White
Patton	St. Onge	Sieben, H.	Swanson	Wieser
Pehler	Samuelson	Sieben, M.	Tomlinson	Wigley
Peterson	Sarna	Simoneau	Vanasek	Williamson
Petrafeso	Savelkoul	Skoglund	Voss	Wynia
Pleasant	Scheid	Smogard	Waldorf	Zubay
Prahl	Schulz	Spanish	Welch	Speaker Sabo
Reding	Searle	Stanton	Wenstrom	
Rice	Searles	Stoa	Wenzel	

The bill was passed and its title agreed to.

H. F. No. 818, A bill for an act relating to highway traffic regulations; implements of husbandry; restricting the speed of certain implements of husbandry on the highways; providing a penalty; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 979, A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in St. Louis county.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1107 was reported to the House.

There being no objection, H. F. No. 1107 was continued on the Consent Calendar for one day.

H. F. No. 542, A bill for an act relating to the city of Saint Paul; establishing a public housing agency; transferring functions from housing and redevelopment authority.

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

The question was taken on the passage of the bill and the roll was called. There were 104 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Adams	Anderson, G.	Arlandson	Begich	Berkelman
Anderson, B.	Anderson, I.	Battaglia	Berg	Brandl
Anderson, D.	Anderson, R.	Beauchamp	Berglin	Braun

Brinkman	Fudro	Kempe, R.	Nelson	Skoglund
Byrne	Fugina	King	Niehaus	Smogard
Carlson, L.	George	Knickerbocker	Novak	Spanish
Casserly	Gunter	Kostohryz	Petrafaso	Stanton
Clark	Hanson	Laidig	Pleasant	Stoa
Clawson	Haugerud	Langseth	Prahl	Suss
Cohen	Heinitz	Lehto	Reding	Swanson
Corbid	Hokanson	Lemke	Rosa	Tomlinson
Cummiskey	Jacobs	Mangan	St. Onge	Vanasek
Dahl	Jaros	Mann	Samuelson	Voss
Dean	Jensen	McDonald	Sarna	Waldorf
Eckstein	Johnson	McEachern	Scheid	Welch
Eken	Jude	Metzen	Schulz	Wenstrom
Ellingson	Kahn	Moe	Searles	Wenzel
Enebo	Kalis	Munger	Sherwood	White
Evans	Kelly, R.	Murphy	Sieben, H.	Williamson
Ewald	Kelly, W.	Neisen	Sieben, M.	Zubay
Forsythe	Kempe, A.	Nelsen, M.	Simoneau	

Those who voted in the negative were:

Abeln	Erickson	Kaley	Norton	Savelkoul
Biersdorf	Esau	Kroening	Osthoff	Searle
Birnstihl	Faricy	Kvam	Patton	Wieser
Carlson, D.	Fjoslien	McCollar	Pehler	Speaker Sabo
Den Ouden	Friedrich	Nelsen, B.	Peterson	

The bill was passed and its title agreed to.

H. F. No. 946, A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Evans	Kahn	McDonald
Adams	Byrne	Ewald	Kaley	McEachern
Albrecht	Carlson, A.	Faricy	Kalis	Metzen
Anderson, B.	Carlson, D.	Fjoslien	Kelly, R.	Moe
Anderson, D.	Carlson, L.	Forsythe	Kelly, W.	Munger
Anderson, G.	Casserly	Friedrich	Kempe, A.	Murphy
Anderson, I.	Clark	Fudro	Kempe, R.	Neisen
Anderson, R.	Clawson	Fugina	King	Nelsen, B.
Arlandson	Corbid	George	Knickerbocker	Nelsen, M.
Battaglia	Cummiskey	Gunter	Kostohryz	Nelson
Beauchamp	Dahl	Hanson	Kroening	Niehaus
Begich	Dean	Haugerud	Kvam	Norton
Berg	Den Ouden	Heinitz	Laidig	Novak
Berglin	Eckstein	Hokanson	Langseth	Osthoff
Berkelman	Eken	Jacobs	Lehto	Patton
Biersdorf	Ellingson	Jaros	Lemke	Pehler
Birnstihl	Enebo	Jensen	Mangan	Petrafaso
Brandl	Erickson	Johnson	Mann	Pleasant
Braun	Esau	Jude	McCollar	Prahl

Reding	Schulz	Smogard	Voss	Williamson
Rice	Searle	Spanish	Waldorf	Wynia
Rose	Searles	Stanton	Welch	Zubay
St. Onge	Sherwood	Stoa	Wenstrom	Speaker Sabo
Samuelson	Sieben, H.	Suss	Wenzel	
Sarna	Sieben, M.	Swanson	White	
Savelkoul	Simoneau	Tomlinson	Wieser	
Scheid	Skoglund	Vanasek	Wigley	

The bill was passed and its title agreed to.

H. F. No. 947, A bill for an act relating to railroads; allowing reduced rates for transportation of waste material for reprocessing; amending Minnesota Statutes 1976, Section 218.021, Subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 324, A bill for an act relating to sheriffs; fees and mileage allowance; amending Minnesota Statutes 1976, Section 357.09, Subdivisions 1, 2, and 4; repealing Minnesota Statutes 1976, Sections 357.09, Subdivision 5; and 357.10.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Johnson	Neisen	Sieben, M.
Adams	Cummiskey	Jude	Nelsen, B.	Simoneau
Albrecht	Dahl	Kahn	Nelsen, M.	Skoglund
Anderson, B.	Dean	Kaley	Nelson	Smogard
Anderson, G.	Den Ouden	Kalis	Niehaus	Spanish
Anderson, I.	Eckstein	Kelly, R.	Norton	Stanton
Anderson, R.	Eken	Kelly, W.	Novak	Stoa
Arlandson	Ellingson	Kempe, A.	Osthoff	Suss
Battaglia	Enebo	Kempe, R.	Patton	Swanson
Beauchamp	Erickson	King	Pehler	Tomlinson
Begich	Esau	Knickerbocker	Peterson	Vanasek
Berg	Evans	Kostohryz	Petrafeso	Voss
Berglin	Ewald	Kroening	Pleasant	Waldorf
Berkelman	Faricy	Laidig	Prahl	Weich
Biersdorf	Fjoslien	Langseth	Reding	Wenstrom
Birnstihl	Forsythe	Lehto	Rice	Wenzel
Brandl	Friedrich	Lemke	Rose	White
Braun	Fudro	Mangan	St. Onge	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.	Heinitz	McEachern	Schulz	Speaker Sabo
Casserly	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	
Clawson	Jaros	Munger	Sherwood	
Cohen	Jensen	Murphy	Sieben, H.	

Those who voted in the negative were:

Anderson, D. Haugerud

The bill was passed and its title agreed to.

S. F. No. 483 was reported to the House and given its third reading.

Sieben, H., moved to amend S. F. No. 483, the unofficial engrossment, as follows:

In the title, page 1, line 11, delete "governor" and insert "commissioner of finance".

The motion prevailed and the amendment was adopted.

McDonald moved that S. F. No. 483, as amended, be returned to General Orders.

A roll call was requested and properly seconded.

The question was taken on the motion by McDonald and the roll was called. There were 30 yeas and 99 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Forsythe	Laidig	Rose
Anderson, D.	Den Ouden	Friedrich	McDonald	Savelkoul
Anderson, R.	Esau	Heinitz	Nelsen, B.	Searles
Byrne	Evans	Kaley	Niehaus	Spanish
Carlson, A.	Ewald	Kempe, R.	Peterson	Wigley
Carlson, D.	Fjoslien	Kvam	Pleasant	Zubay

Those who voted in the negative were:

Abeln	Cohen	Jude	Munger	Sieben, M.
Adams	Corbid	Kahn	Murphy	Simoneau
Anderson, B.	Cummiskey	Kalis	Neisen	Skoglund
Anderson, G.	Dahl	Kelly, R.	Nelsen, M.	Smogard
Anderson, I.	Eckstein	Kelly, W.	Nelson	Stanton
Arlandson	Ellingson	Kempe, A.	Norton	Stoa
Battaglia	Enebo	King	Novak	Suss
Begich	Erickson	Knickerbocker	Patton	Swanson
Berg	Faricy	Kostohryz	Pehler	Tomlinson
Berglin	Fudro	Kroening	Petrafeso	Vanasek
Berkelman	Fugina	Langseth	Prahl	Voss
Biersdorf	George	Lehto	Rice	Waldorf
Birnstihl	Gunter	Lemke	St. Onge	Wenstrom
Brandl	Hanson	Mangan	Samuelson	Wenzel
Braun	Haugerud	Mann	Sarna	White
Brinkman	Hokanson	McCarron	Scheid	Wieser
Carlson, L.	Jacobs	McCollar	Schulz	Williamson
Casserly	Jaros	McEachern	Searle	Wynia
Clark	Jensen	Metzen	Sherwood	Speaker Sabo
Clawson	Johnson	Moe	Sieben, H.	

The motion did not prevail.

S. F. No. 483, A bill for an act relating to the operation of state government; raising base salaries for certain executive branch employees, metropolitan agency officers, legislators, judges and judicial branch employees; limiting possible increases for certain executive branch employees; limiting the ability of appointing authorities to fill certain unclassified positions; prohibiting salaries of employees of political subdivisions from exceeding the salary of the governor; prohibiting salaries of court referees from exceeding the salaries of judges; removing achievement awards; appropriating money; amending Minnesota Statutes 1976, Sections 3.099; 3.102; 3A.02, Subdivision 1; 15A.081, Subdivision 1, and by adding subdivisions; 15A.083; 43.067; 43.09, Subdivision 2a; 473.123, Subdivision 4; 473.141, Subdivision 7; 473.605, Subdivision 2; 487.01, Subdivision 5; 487.02, Subdivision 1; 488A.021, Subdivision 8; and 488A.19, Subdivision 10; repealing Minnesota Statutes 1976, Sections 3.13; 15A.081, Subdivision 4; 43.066; 43.069; 487.05 and 490.102, Subdivision 5.

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 70 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jacobs	Metzen	Sieben, H.
Anderson, I.	Corbid	Jaros	Moe	Sieben, M.
Arlandson	Cummiskey	Johnson	Munger	Skoglund
Battaglia	Dahl	Kahn	Murphy	Stanton
Beauchamp	Eken	Kelly, R.	Nelson	Suss
Berg	Ellingson	Kelly, W.	Norton	Swanson
Berglin	Enebo	King	Pehler	Vanasek
Brandl	Faricy	Kostohryz	Petrafeso	Voss
Braun	Fudro	Kroening	Reding	Waldorf
Carlson, A.	Fugina	Langseth	Rice	Wenzel
Carlson, L.	George	Lehto	St. Onge	White
Casserly	Gunter	Mangan	Samuelson	Williamson
Clark	Hanson	Mann	Scheid	Wynia
Clawson	Haugerud	McCarron	Sherwood	Speaker Sabo

Those who voted in the negative were:

Adams	Dean	Jude	Nelsen, B.	Searle
Albrecht	Den Ouden	Kaley	Nelsen, M.	Searles
Anderson, B.	Eckstein	Kalis	Niehaus	Simoneau
Anderson, D.	Erickson	Kempe, A.	Novak	Smogard
Anderson, G.	Esau	Kempe, R.	Osthoff	Spanish
Anderson, R.	Evans	Knickerbocker	Patton	Stoa
Begich	Ewald	Kvam	Peterson	Tomlinson
Berkelman	Fjoslien	Laidig	Pleasant	Welch
Biersdorf	Forsythe	Lemke	Prahl	Wenstrom
Birnsthil	Friedrich	McCollar	Rose	Wieser
Brinkman	Heinitz	McDonald	Sarna	Wigley
Byrne	Hokanson	McEachern	Savelkoul	Zubay
Carlson, D.	Jensen	Neisen	Schulz	

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

Jude was excused at 3:30 p.m. and Novak was excused between the hours of 3:30 and 4:15 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:

S. F. No. 170 which it recommended to pass.

H. F. No. 585 which it recommended progress retaining its place on General Orders.

H. F. No. 7 which it recommended to pass with the following amendments:

Offered by Searles:

Page 1, line 22, after "*act.*" insert "*As used in this section, "employer" shall not include nonprofit corporations, businesses with ten or fewer employees or businesses with annual gross receipts less than \$500,000.*".

Offered by Enebo:

Page 3, line 14, delete "*party*" insert "*recognized exclusive representative of the employer*".

Offered by Enebo:

Page 1, line 20, after "*transferees*" insert "*who carry on substantially the same business as the employer*".

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:

Searles moved to amend H. F. No. 7.

Osthoff requested a division of the amendment.

The first portion of the Searles amendment reads, as follows:

Page 1, line 17, delete "*collective bargaining*" and insert "*employment*".

Page 1, line 21, delete "*collective bargaining*" and insert "*employment*".

Page 1, line 24, delete "*collective bargaining*" and insert "*employment*".

Page 2, line 2, delete "*collectively bargained*" and insert "*employment*".

Page 2, line 24, delete "*collective bargaining*" and insert "*employment*".

Page 2, line 31, delete "*collective bargaining*" and insert "*employment*".

Page 3, line 4, delete "collectively bargained" and insert "employment".

Page 3, after line 17, insert:

"Subd. 4. (a) Where an employment agreement between an employer and a labor organization contains a successor clause, such clause shall be binding upon and enforceable against any successor employer who succeeds to the contracting employer's business until the expiration date of the agreement stated in the agreement. No such successor clause shall be binding upon or enforceable against any successor employer for more than three years from the effective date of the employment agreement between the contracting employer and the labor organization.

(b) As used in this subdivision, "successor employer" means any purchaser, assignee, or transferee of a business the employees of which are subject to an employment agreement, if such purchaser, assignee, or transferee conducts or will conduct substantially the same business operation, or offer the same service, and use the same physical facilities, as the contracting employer.

(c) This subdivision shall not apply to a receiver or trustee in bankruptcy of any contracting employer who has gone into receivership or bankruptcy, or to any employer who acquires a business from a receiver or trustee in bankruptcy, or to any employer which is a public entity, or to any employer who is subject to the National Labor Relations Act, Agricultural Labor Relations Act of 1975, or the Railway Labor Act.

(d) An employer who is a party to an employment agreement containing a successor clause has the affirmative duty to disclose the existence of such agreement and such clause to any successor employer. Such disclosure requirement shall be satisfied by including in any contract of sale, agreement to purchase, or any similar instrument of conveyance, a statement that the successor employer is bound by such successor clause as provided for in the employment agreement."

Renumber the remaining section.

Further, amend the title as follows:

Page 1, line 3, delete "collective bargaining" and insert "employment".

Page 1, line 6, delete "collective bargaining" and insert "employment".

Page 1, line 10, delete "collective bargaining" and insert "employment".

The question was taken on the adoption of the first portion of the Searles amendment and the roll was called. There were 55 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Haugerud	Lemke	Schulz
Anderson, D.	Eckstein	Heinitz	Mann	Searle
Anderson, R.	Eken	Jensen	McDonald	Searles
Berkelman	Erickson	Johnson	Nelsen, B.	Smogard
Biersdorf	Esau	Kaley	Nelsen, M.	Stoa
Birnstihl	Evans	Kalis	Niehaus	Suss
Braun	Ewald	Kempe, R.	Osthoff	Vanasek
Carlson, A.	Fjoslien	King	Peterson	Wenstrom
Carlson, D.	Forsythe	Knickerbocker	Pleasant	White
Corbid	Friedrich	Kvam	Rose	Wigley
Dean	Gunter	Laidig	Savelkoul	Zubay

Those who voted in the negative were:

Abeln	Clark	Kahn	Murphy	Simoneau
Adams	Clawson	Kelly, R.	Neisen	Skoglund
Anderson, I.	Cummiskey	Kelly, W.	Norton	Spanish
Arlandson	Dahl	Kempe, A.	Patton	Stanton
Battaglia	Ellingson	Kostohryz	Pehler	Swanson
Beauchamp	Enebo	Kroening	Prahl	Tomlinson
Begich	Faricy	Lehto	Rice	Voss
Berg	Fudro	Mangan	St. Onge	Welch
Berglin	Fugina	McCarron	Samuelson	Wenzel
Brandl	George	McCollar	Sarna	Wieser
Brinkman	Hanson	McEachern	Scheid	Williamson
Byrne	Hokanson	Metzen	Sherwood	Wynia
Carlson, L.	Jacobs	Moe	Sieben, H.	Speaker Sabo
Casserly	Jaros	Munger	Sieben, M.	

The motion did not prevail and the first portion of the amendment was not adopted.

The second portion of the Searles amendment reads as follows:

Page 1, line 22, after "act." insert "*As used in this section, "employer" shall not include nonprofit corporations, businesses with ten or fewer employees or businesses with annual gross receipts less than \$500,000.*"

The question was taken on the adoption of the second portion of the Searles amendment and the roll was called. There were 69 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Albrecht	Birnstihl	Corbid	Esau	Gunter
Anderson, D.	Brandl	Dahl	Evans	Haugerud
Anderson, G.	Braun	Dean	Ewald	Heinitz
Anderson, R.	Brinkman	Den Ouden	Faricy	Jensen
Berg	Carlson, A.	Eckstein	Fjoslien	Johnson
Berkelman	Carlson, D.	Eken	Forsythe	Kaley
Biersdorf	Clawson	Erickson	Friedrich	Kalis

Kempe, R.	McDonald	Petrafeso	Searles	Wenzel
King	Munger	Pleasant	Sherwood	White
Knickerbocker	Nelsen, B.	Rose	Smogard	Wieser
Kvam	Nelsen, M.	Samuelson	Stoa	Wigley
Laidig	Niehaus	Savelkoul	Suss	Wynia
Lemke	Patton	Schulz	Vanasek	Zubay
Mann	Peterson	Searle	Wenstrom	

Those who voted in the negative were:

Abeln	Cummiskey	Kelly, W.	Neisen	Simoneau
Adams	Ellingson	Kempe, A.	Nelson	Skoglund
Anderson, I.	Enebo	Kostohryz	Norton	Spanish
Arlandson	Fudro	Kroening	Osthoff	Stanton
Battaglia	Fugina	Lehto	Pehler	Swanson
Beauchamp	George	Mangan	Prahl	Tomlinson
Begich	Hanson	McCarron	Rice	Voss
Berglin	Hokanson	McCollar	St. Onge	Welch
Byrne	Jacobs	McEachern	Sarna	Williamson
Carlson, L.	Jaros	Metzen	Scheid	Speaker Sabo
Casserly	Kahn	Moe	Sieben, H.	
Clark	Kelly, R.	Murphy	Sieben, M.	

The motion prevailed and the second portion of the amendment was adopted.

The question was taken on the motion by Savelkoul to re-refer H. F. No. 7, as amended, to the Committee on Commerce and Economic Development and the roll was called. There were 44 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Friedrich	Langseth	Searles
Anderson, B.	Den Ouden	Gunter	McDonald	Smogard
Anderson, D.	Eken	Haugerud	Nelsen, B.	Vanasek
Anderson, G.	Erickson	Heinitz	Niehaus	Welch
Anderson, R.	Esau	Johnson	Peterson	White
Biersdorf	Evans	Kaley	Pleasant	Wieser
Brinkman	Ewald	Knickerbocker	Rose	Wigley
Carlson, A.	Fjoslien	Kvam	Savelkoul	Zubay
Carlson, D.	Forsythe	Laidig	Searle	

Those who voted in the negative were:

Abeln	Cummiskey	Kelly, W.	Nelsen, M.	Sieben, M.
Adams	Dahl	Kempe, A.	Nelson	Simoneau
Anderson, I.	Eckstein	Kempe, R.	Norton	Skoglund
Arlandson	Ellingson	Kostohryz	Osthoff	Spanish
Battaglia	Enebo	Kroening	Patton	Stanton
Beauchamp	Faricy	Lehto	Pehler	Stoa
Begich	Fudro	Lemke	Petrafeso	Swanson
Berg	Fugina	Mangan	Reding	Tomlinson
Berglin	George	Mann	Rice	Voss
Berkelman	Hanson	McCarron	St. Onge	Waldorf
Birnstihl	Hokanson	McCollar	Samuelson	Wenstrom
Brandl	Jacobs	McEachern	Sarna	Wenzel
Byrne	Jaros	Metzen	Scheid	Williamson
Carlson, L.	Jensen	Moe	Schulz	Wynia
Clark	Kahn	Murphy	Sherwood	Speaker Sabo
Cohen	Kelly, R.	Neisen	Sieben, H.	

The motion did not prevail.

Knickerbocker moved to amend H. F. No. 7, as follows:

Page 3, after line 17 insert a new section to read:

"Sec. 2. This act shall not apply to a receiver or trustee in bankruptcy of any contracting employer who has gone into receivership or bankruptcy, or to any employer who acquires a business from a receiver or trustee in bankruptcy, or to any employer which is a public entity."

Renumber the remaining section.

The question was taken on the adoption of the amendment and the roll was called. There were 59 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Adams	Carlson, A.	Forsythe	Mann	Savelkoul
Albrecht	Carlson, D.	Friedrich	McDonald	Searle
Anderson, B.	Cohen	Gunter	Moe	Searles
Anderson, D.	Dean	Haugerud	Neisen	Smogard
Anderson, G.	Den Ouden	Heinitz	Nelsen, B.	Stoa
Anderson, R.	Eckstein	Johnson	Niehaus	Welch
Berg	Eken	Kaley	Patton	Wenstrom
Berkelman	Erickson	Knickerbocker	Peterson	Wenzel
Biersdorf	Esau	Kvam	Petrafeso	Wieser
Brand	Evans	Laidig	Pleasant	Wigley
Braun	Ewald	Langseth	Rose	Zubay
Brinkman	Fjoslien	Lemke	Samuelson	

Those who voted in the negative were:

Abeln	Dahl	Kelly, W.	Nelson	Simoneau
Anderson, I.	Ellingson	Kempe, A.	Norton	Skoglund
Arlandson	Enebo	Kempe, R.	Osthoff	Spanish
Battaglia	Faricy	King	Pehler	Stanton
Beauchamp	Fudro	Kostohryz	Prahl	Suss
Begich	Fugina	Kroening	Reding	Swanson
Berglin	George	Lehto	Rice	Tomlinson
Birnstihl	Hanson	Mangan	St. Onge	Vanasek
Byrne	Hokanson	McCollar	Sarna	Voss
Carlson, L.	Jacobs	McEachern	Scheid	Waldorf
Casserty	Jaros	Metzen	Schulz	White
Clark	Jensen	Munger	Sherwood	Williamson
Clawson	Kahn	Murphy	Sieben, H.	Wynia
Cummiskey	Kelly, R.	Nelsen, M.	Sieben, M.	Speaker Sabo

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

Pehler moved to amend H. F. No. 7, as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Chapter 179 is amended by adding a section to read:

[179.125] *Every collective bargaining contract between an employer and a labor organization shall be enforceable for the term of the contract against any successor to, or assignee, transferee, lessee, or purchaser of the employer's business, unless the successor, assignee, transferee, lessee, or purchaser and the labor organization jointly agree to modify or vacate the contract.*

Sec. 2. *This act is effective the day following final enactment.*"

Amend the title as follows:

Page 1, strike lines 2 through 10 and insert "relating to labor relations; requiring successor employers to assume certain obligations;"

The question was taken on the adoption of the amendment and the roll was called. There were 56 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Carlson, D.	Friedrich	McDonald	Skoglund
Anderson, D.	Corbid	Gunter	Nelsen, B.	Smogard
Anderson, G.	Dean	Heinitz	Niehaus	Stoa
Anderson, R.	Den Ouden	Jensen	Novak	Wenstrom
Arlandson	Eken	Kaley	Patton	Wieser
Beauchamp	Erickson	Kelly, R.	Pehler	Wigley
Berg	Esau	Kelly, W.	Peterson	Wynia
Biersdorf	Evans	Kempe, R.	Petrafeso	Zubay
Birnstihl	Ewald	King	Rose	
Brandl	Faricy	Knickerbocker	Savelkoul	
Brinkman	Fjoslien	Laidig	Searle	
Carlson, A.	Forsythe	Langseth	Searles	

Those who voted in the negative were:

Abeln	Cohen	Kahn	Nelson	Stanton
Adams	Cummiskey	Kempe, A.	Osthoff	Suss
Albrecht	Dahl	Kostohryz	Prahl	Swanson
Anderson, I.	Eckstein	Kroening	Reding	Tomlinson
Battaglia	Ellingson	Lemke	Rice	Vanasek
Begich	Enebo	Mangan	St. Onge	Waldorf
Berglin	Fudro	Mann	Samuelson	Wenzel
Berkelman	Fugina	McCollar	Sarna	White
Braun	George	McEachern	Scheid	Williamson
Byrne	Hanson	Metzen	Schulz	Speaker Sabo
Carlson, L.	Hokanson	Moe	Sieben, H.	
Casserly	Jacobs	Munger	Sieben, M.	
Clark	Jaros	Murphy	Simoneau	
Clawson	Johnson	Nelsen, M.	Spanish	

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

Beauchamp moved to amend H. F. No. 7, as amended, as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Chapter 179 is amended by adding a section to read:

[179.125] *Every collective bargaining contract between an employer and a labor organization shall be enforceable for the term of the contract against any successor to, or assignee, transferee, lessee, or purchaser of the employer's business, unless the successor, assignee, transferee, lessee, or purchaser and the labor organization jointly agree to modify or vacate the contract. Any violation of this act shall also be a gross misdemeanor.*

Sec. 2. *This act is effective the day following final enactment.*"

Amend the title as follows:

Page 1, strike lines 2 through 10 and insert "relating to labor relations; requiring successor employers to assume certain obligations; prescribing penalties;"

The question was taken on the adoption of the amendment and the roll was called. There were 10 yeas and 103 nays as follows:

Those who voted in the affirmative were:

Beauchamp	Fugina	King	Patton	Welch
Cohen	Hanson	Norton	Stoa	Zubay

Those who voted in the negative were:

Abeln	Casserly	Kahn	Nelsen, M.	Simoneau
Adams	Clark	Kaley	Nelson	Skoglund
Albrecht	Clawson	Kelly, W.	Niehaus	Smogard
Anderson, D.	Dean	Kempe, A.	Novak	Spanish
Anderson, G.	Den Ouden	Kempe, R.	Osthoff	Stanton
Anderson, I.	Eckstein	Kroening	Pehler	Suss
Anderson, R.	Eken	Kvam	Petrafeso	Swanson
Arlandson	Ellingson	Laidig	Pleasant	Tomlinson
Battaglia	Enebo	Langseth	Reding	Vanasek
Begich	Erickson	Lemke	Rice	Voss
Berg	Esau	Mangan	Rose	Waldorf
Berglin	Evans	Mann	St. Onge	Wenstrom
Berkelman	Fjoslien	McCollar	Samuelson	Wenzel
Biersdorf	Forsythe	McDonald	Sarna	White
Brandl	Fudro	McEachern	Savelkoul	Wieser
Braun	Gunter	Metzen	Scheid	Wigley
Brinkman	Heinitz	Moe	Schulz	Williamson
Byrne	Hokanson	Munger	Searle	Wynia
Carlson, A.	Jacobs	Murphy	Searles	Speaker Sabo
Carlson, D.	Jensen	Neisen	Sieben, H.	
Carlson, L.	Johnson	Nelsen, B.	Sieben, M.	

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

The question was taken on the motion to recommend passage of H. F. No. 7, as amended, and the roll was called. There were 70 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Kempe, A.	Nelson	Sieben, M.
Adams	Cummiskey	Kempe, R.	Norton	Simoneau
Anderson, I.	Dahl	Kostohryz	Novak	Skoglund
Arlandson	Ellingson	Kroening	Osthoff	Spanish
Battaglia	Enebo	Lehto	Pehler	Stanton
Begich	Fudro	Mangan	Prahl	Stoa
Berglin	Fugina	McCollar	Reding	Swanson
Berkelman	George	McEachern	Rice	Tomlinson
Brandl	Hanson	Metzen	St. Onge	Voss
Byrne	Hokanson	Moe	Samuelson	Waldorf
Carlson, L.	Jacobs	Munger	Sarna	Wenzel
Casserly	Jaros	Murphy	Scheid	Williamson
Clark	Kahn	Neisen	Sherwood	Wynia
Clawson	Kelly, R.	Nelsen, M.	Sieben, H.	Speaker Sabo

Those who voted in the negative were:

Albrecht	Corbid	Gunter	Langseth	Schulz
Anderson, B.	Dean	Haugerud	Lemke	Searle
Anderson, D.	Den Ouden	Heinitz	Mann	Searles
Anderson, G.	Eckstein	Jensen	McDonald	Smogard
Anderson, R.	Eken	Johnson	Nelsen, B.	Suss
Beauchamp	Erickson	Kaley	Niehaus	Vanasek
Biersdorf	Esau	Kalis	Patton	Welch
Birnstihl	Evans	Kelly, W.	Peterson	Wenstrom
Braun	Ewald	King	Petrafeso	White
Brinkman	Fjoslien	Knickerbocker	Pleasant	Wieser
Carlson, A.	Forsythe	Kvam	Rose	Wigley
Carlson, D.	Friedrich	Laidig	Savelkoul	Zubay

The motion prevailed.

MOTIONS AND RESOLUTIONS

Hokanson moved that the name of Jacobs be stricken, the name of Dean be shown as fifth author and the name of Berglin be added as second author on H. F. No. 415. The motion prevailed.

Ellingson moved that the names of Voss, Skoglund, and Carlson, A., be added as authors on H. F. No. 968. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, April 20, 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., Wednesday, April 20, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives