

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FORTY-SIXTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 3, 1977

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Evans was excused. Mann was excused until 3:30 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1594, 1595, 313, 600, 635, 808, 972, 41 and 338 and S. F. Nos. 603, 713, 787, 798, 830, 977, 1120, 1258, 1166, 1208, 1234, 1302, 1390, 1165, 109, 143, 324, 579, 767, 928, 1116, 695, 914, 1023, 1093 and 1140 have been placed in the members' files.

S. F. No. 1208 and H. F. No. 1096, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Neisen moved that the rules be so far suspended that S. F. No. 1208 be substituted for H. F. No. 1096 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1166 and H. F. No. 978, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Wenstrom moved that the rules be so far suspended that S. F. No. 1166 be substituted for H. F. No. 978 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1234 and H. F. No. 1428, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Nelsen, M., moved that the rules be so far suspended that S. F. No. 1234 be substituted for H. F. No. 1428 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1140 and H. F. No. 1443, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Suss moved that the rules be so far suspended that S. F. No. 1140 be substituted for H. F. No. 1443 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 109 and H. F. No. 612, 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. 109 be substituted for H. F. No. 612 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 1347, A bill for an act relating to grand juries; providing for grand juries drawn from more than one county; amending Minnesota Statutes 1976, Section 628.41.

Reported the same back with the following amendments:

Page 2, after line 7, insert new subdivisions to read:

"Subd. 3. All indictments, reports or other returns returned by a grand jury drawn from more than one county shall be returned without any designation of venue. Thereupon, the judge ordering the impanelling of the grand jury shall designate the county of venue for purposes of trial.

Subd. 4. If a grand jury drawn from more than one county was impanelled pursuant to the request of a county attorney, that county attorney shall prosecute indictments returned thereby, except that the county attorney of the county in which venue was designated pursuant to subdivision 3 may file a written request to prosecute with the judge impanelling the grand jury within 15 days, in which case the judge shall designate the prosecuting authority. In all other cases, the prosecuting authority shall be designated by the judge impanelling the grand jury.

Subd. 5. The costs of a grand jury drawn from more than one county shall be apportioned between the counties from which the grand jury was drawn as may be ordered by the judge impanelling the grand jury.

Subd. 6. Members of grand juries drawn from more than one county shall be compensated as provided in section 357.26. In addition, grand jurors residing more than 50 miles from the place where such grand jury sits shall be reimbursed for expenses actually incurred for meals and lodging, not to exceed \$35 per day."

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 1586, A bill for an act relating to juveniles; prescribing venue for neglect cases; amending Minnesota Statutes 1976, Section 260.121, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 14, after "*found*" insert "*, in the county of his residence,*".

Page 1, after line 18, insert the following:

"Sec. 2. Minnesota Statutes 1976, Section 260.015, Subdivision 17, is amended to read:

subd. 17. "Shelter care facility" means a physically unrestricted (DETENTION) facility, such as a group home or a licensed facility for foster care, excluding a detention home.

Sec. 3. Minnesota Statutes 1976, Section 260.171, Subdivision 1, is amended to read:

260.171 [RELEASE OR DETENTION.] Subdivision 1. If a child is taken into custody as provided in section 260.165, the parent, guardian, or custodian of the child shall be notified as soon as possible. Unless there is reason to believe that the child would (PHYSICALLY) endanger himself or others, not return for a court hearing, not remain in the care or control of the person to whose lawful custody he is released, or that the child's health or welfare would be immediately endangered, the child shall be *released to the* custody of his parent, guardian, custodian, or other suitable person. That person shall promise to bring the child to the court, if necessary, at the time the court may direct. If the person taking the child into custody believes it desirable he may request the parent, guardian, custodian, or other person designated by the court to sign a written promise to bring the child to court as provided above. The intentional violation of such a promise, whether given orally or in writing, shall be punishable as contempt of court.

The court may require the parent, guardian, custodian or other person to whom the child is released, to post any reasonable bail or bond required by the court which shall be forfeited to the court if the child does not appear as directed. The court may also release the child on his own promise to appear in juvenile court.

Sec. 4. Minnesota Statutes 1976, Section 260.171, Subdivision 2, is amended to read:

Subd. 2. If the child is not released as provided in subdivision 1, the person taking the child into custody shall notify the court as soon as possible of the detention of the child and the reasons for the detention. No child may be detained in a detention facility longer than 24 hours, excluding *Saturdays*, Sundays and holidays, after the taking into custody unless an order for detention, specifying the reason for detention, is signed by the judge or referee. No child may be held longer than (36) 48 hours, excluding *Saturdays*, Sundays or holidays, after the taking into custody unless a petition has been filed and the judge or referee determines pursuant to section 260.172 that the child shall remain in detention. If a child described in section 260.173, subdivision 4, is to be detained in a jail up to 48 hours, the judge or referee, in accordance with rules and procedures established by the commissioner of corrections, shall notify the commissioner of the place of the detention and the reasons therefor. The commissioner shall thereupon assist the court in the relocation of the child in an appropriate detention facility within the county or elsewhere in the state, or in determining suitable alternatives. If approved regional juvenile detention facilities exist, the commissioner may direct that the child be detained in the nearest approved regional juvenile detention facility. If the court refers the matter to the prosecuting authority pursuant to section 260.125, notice to the commissioner shall not be required.

Sec. 5. Minnesota Statutes 1976, Section 260.171, Subdivision 4, is amended to read:

Subd. 4. If the person who has taken the child into custody determines that the child should be placed in a detention facility, he shall advise the child and as soon as is possible, the child's parent, guardian, or custodian:

(a) of the reasons why the child has been taken into custody and why he is being placed in a detention facility; and

(b) of the location of the detention facility; and

(c) that the child's parent, guardian, or custodian and attorney may make an initial visit to the detention facility at any time. Subsequent visits by a parent, guardian, or custodian may be made on a reasonable basis during visiting hours and by the child's attorney at reasonable hours; and

(d) that the child may telephone his parents and an attorney from the detention facility immediately after being admitted to the detention facility and thereafter on a reasonable basis to be determined by the director of the facility; and

(e) that the child may not be held at the detention facility longer than (36) 48 hours, excluding *Saturdays*, Sundays and holidays, unless a petition has been filed within that time and the court orders the child's continued detention.

Sec. 6. Minnesota Statutes 1976, Section 260.172, Subdivision 1, is amended to read:

260.172 [DETENTION HEARING.] Subdivision 1. Within (36) 48 hours of a child's being taken into custody, excluding *Saturdays*, Sundays and holidays, a hearing shall be held to determine whether the child should continue in detention. Unless there is reason to believe that the child would (BE DANGEROUS TO) *endanger* himself or others, not return for a court hearing, not remain in the care or control of the person to whose lawful custody he is released, or that the child's health or welfare would be immediately endangered, the child shall be released to the custody of his parent, guardian, custodian or other suitable person.

Sec. 7. Minnesota Statutes 1976, Section 260.172, Subdivision 2, is amended to read:

Subd. 2. If the court determines that the child should continue in detention, it may order detention continued for eight days, excluding *Saturdays*, Sundays and holidays, from and including the date of the order. The court shall include in its order the reasons for continued detention and the findings of fact which support these reasons.

Sec. 8. Minnesota Statutes 1976, Section 260.172, Subdivision 3, is amended to read:

Subd. 3. Copies of the court's order shall be served upon the parties, including the supervisor of the detention facility, who shall release the child or continue to hold him as the court orders.

When the court's order is served upon these parties, notice shall also be given to the parties of the subsequent reviews provided by subdivision 4 and that at these reviews, a party may submit to the court any new evidence regarding whether the juvenile should be continued in detention.

Sec. 9. Minnesota Statutes 1976, Section 260.172, Subdivision 4, is amended to read:

Subd. 4. If a child held in detention under a court order issued under subdivision 2 has not been released prior to expiration of the order, (AN ADDITIONAL HEARING) *the court or referee shall review the juvenile's case to determine under the standards provided by subdivision 1, (SHALL BE HELD TO DETERMINE) whether detention should be continued. If detention is continued thereafter, (HEARINGS) reviews such as these shall be held within every eight days, excluding Saturdays, Sundays and holidays, of the child's detention.*

A hearing, rather than a review of the child's case, shall be held at the request of any one of the parties notified pursuant to subdivision 3, if that party notifies the court that he wishes to present to the court new evidence concerning whether the child should be continued in detention."

Further amend the title:

Page 1, line 4, delete "Section" and insert "Sections 260.015, Subdivision 17;" and after "1" insert "; 260.171, Subdivisions 1, 2, and 4; and 260.172".

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 1588, A bill for an act relating to venue for cases involving maltreatment of minors; amending Minnesota Statutes 1976, Chapter 627, by adding a section.

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

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

S. F. No. 188, A bill for an act relating to crimes; correcting references in the laws relating to criminal sexual conduct; amending Minnesota Statutes 1976, Sections 246.43, Subdivision 1; 609.11, Subdivision 1; 609.195; 609.293, Subdivision 5; 609.32, Subdivisions 1, 3, and 4; 609.341, Subdivision 10; and Section 626.556, Subdivision 2; repealing Minnesota Statutes 1976, Section 609.293, Subdivisions 2, 3, and 4.

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

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

S. F. No. 466, A bill for an act relating to post conviction remedy; authorizing the court to determine whether a petitioner must be present at a post conviction hearing; amending Minnesota Statutes 1976, Section 590.04, Subdivision 3.

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

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

S. F. No. 617, A bill for an act relating to the university of Minnesota; conferring university of Minnesota peace officers with limited powers of arrest; governing the operation and parking of vehicles upon property owned, leased or occupied by the regents of the university of Minnesota; amending Minnesota Statutes 1976, Section 137.12; 169.123, Subdivision 1; 169.965, Subdivision 1; 626.05, Subdivision 2; 626A.01, Subdivision 7; and Chapter 626, by adding a section.

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

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

S. F. No. 766, A bill for an act relating to crimes; public safety and health; dangerous weapons; short-barreled shotguns; providing penalties; amending Minnesota Statutes 1976, Chapter 609, by adding a section.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 609.67, is amended to read:

609.67 [MACHINE GUNS AND SHORT-BARRELED SHOTGUNS.] Subdivision 1. [DEFINITION.] (a) "Machine gun" means any firearm designed to discharge, or capable of discharging automatically more than once by a single function of the trigger.

(b) "Shotgun" means a weapon designed, redesigned, made or remade which is intended to be fired from the shoulder and uses the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(c) "Short-barreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any

weapon made from a shotgun if such weapon as modified has an overall length less than 26 inches.

Subd. 2. [ACTS PROHIBITED.] Except as otherwise provided herein, whoever owns, possesses, or operates a machine gun or a short-barreled shotgun may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both.

Subd. 3. [USES PERMITTED.] The following persons may own or possess a machine gun or short-barreled shotgun provided the provisions of subdivision 4 are complied with:

(1) Law enforcement officers for use in the course of their duties;

(2) Wardens of penal institutions and other personnel thereof authorized by them and persons in charge of other institutions for the retention of persons convicted or accused of crime, for use in the course of their duties; and

(3) Persons possessing machine guns or short-barreled shotguns as war relics, museum pieces, or as objects of curiosity, ornament, or keepsake, and not usable as a weapon.

Subd. 4. [REPORT REQUIRED.] A person owning or possessing a machine gun or short-barreled shotgun as authorized by subdivision 3 shall, within ten days after acquiring such ownership or possession, file a written report with the bureau of criminal apprehension, showing his name and address; his official title and position, if any; a description of the machine gun or short-barreled shotgun sufficient to enable identification thereof; the purpose for which it is owned or possessed; and the manner in which rendered unusable, if the right to possess the machine gun or short-barreled shotgun is claimed under clause (3) of subdivision 3 of this section; and such further information as the bureau may reasonably require.

Subd. 5. [EXCEPTIONS.] This section does not apply to members of the armed services of either the United States or the state of Minnesota for use in the course of their duties.

Sec. 2. *This act shall be effective the day following enactment.*"

Further amend the title:

Page 1, line 5, delete "Chapter 609, by adding a section" and insert "Section 609.67".

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

S. F. No. 922, A bill for an act relating to parking privileges for the physically handicapped; prohibiting nonhandicapped persons from parking in spaces designated for the handicapped; providing penalties.

Reported the same back with the following amendments:

Page 1, line 21, after "3" insert ", or Section 168.021".

Page 2, after line 25, insert a new section to read:

"Sec. 2. Minnesota Statutes 1976, Section 168.021, Subdivision 1, is amended to read:

168.021 [LICENSE PLATES FOR PHYSICALLY HANDICAPPED PERSONS.] Subdivision 1. [SPECIAL PLATES; APPLICATION FOR ISSUANCE.] Where a motor vehicle (REGISTERED PURSUANT TO MINNESOTA STATUTES 1974, SECTION 168.017) *with a gross weight of 9,000 pounds or less* is owned or primarily operated by a physically handicapped person, the owner may apply for and secure from the registrar of motor vehicles two license number plates with attached emblems, one plate to be attached to the front, and one to the rear of the vehicle. Application for issuance of these plates shall be made upon renewal for registration year 1977 and subsequent years, or where the person acquires the vehicle on or after March 1, 1976, when he first applies for its registration."

Underscore all new language.

Further amend the title:

Page 1, line 5, after "penalties" insert "; amending Minnesota Statutes 1976, Section 168.021, Subdivision 1".

With the recommendation that when so amended the bill pass.

The report was adopted.

Johnson from the Committee on Education to which was referred:

S. F. No. 1415, A bill for an act relating to Independent School District 625; providing for the severance pay of employees.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1347, 1586 and 1588 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1208, 1166, 1234, 1140, 109, 188, 466, 617, 766, 922 and 1415 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Searles, Jude, McDonald, Knickerbocker and George introduced:

H. F. No. 1606, A bill for an act relating to bodies of water; providing funds for the responsibilities of lake conservation districts; amending Minnesota Statutes 1976, Chapter 378, by adding a section.

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

Murphy introduced:

H. F. No. 1607, A bill for an act relating to workers' compensation; requiring an employer to furnish certain remodeling for a handicapped employee's residence; amending Minnesota Statutes 1976, Chapter 176, by adding a section.

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

Scheid introduced:

H. F. No. 1608, A bill for an act relating to licensing boards; providing for reissuance of licenses from the board of architecture, engineering, land surveying and landscape architecture; amending Minnesota Statutes 1976, Section 326.11, Subdivision 5.

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

Heinitz introduced:

H. F. No. 1609, A bill for an act relating to health; requiring safety caps on vitamins with iron supplements; prohibiting the sale of certain vitamins for children without a prescription; providing penalties.

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

Norton, for the Committee on Appropriations, introduced:

H. F. No. 1610, A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other purposes; amending Minnesota Statutes 1976, Sections 161.125, Subdivision 1; 219.40; and 299D.03, Subdivision 5; repealing Minnesota Statutes 1976, Sections 161.125, Subdivision 2; 161.50; 219.401; and 299D.03, Subdivision 4.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1510, A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes with certain conditions, including the department of education, aids to libraries, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals; amending Minnesota Statutes 1976, Sections 120.17, Subdivision 7a; 128A.02, Subdivision 3; 128A.06, Subdivision 1; 128A.07; 136A.121, Subdivision 3; 141.24; 141.36; 179.69, Subdivisions 4 and 5; and 197.78; repealing Minnesota Statutes 1976, Section 128A.08.

The Senate has appointed as such committee Messrs. Moe, Tennessen, Stumpf, Ogdahl and Keefe, J.

Said House File is herewith returned to the House.

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. 550, A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; providing additional aids and levies for school districts with declining enrollment; eliminating foundation aid for summer programs for non-handicapped children; changing the method of distributing the agricultural tax credit; eliminating state aid for community education; establishing formulas for current funding of adult and secondary vocational education; creating a legislative school finance study commission; providing special retirement privileges for experienced teachers who teach part time or take an extended leave of absence; appropriating money; amending Minnesota Statutes 1976, Sections 120.10, Subdivision 1; 120.17, Subdivisions 1a and 5a; 121.11, Subdivision 5; 121.902; 121.914, Subdivisions 1, 2, 3 and 4; 121.917, Subdivisions 1 and 2; 123.335, Subdivision 2; 123.39, Subdivision 5; 123.351, Subdivision 5; 123.581, Subdivisions 1, 2, 3 and 6; 123.71, Subdivisions 1 and 2; 123.742, Subdivision 1; 124.11; 124.14, Subdivision 1; 124.17, Subdivisions 1, 2, and by adding a subdivision; 124.19, Subdivision 1; 124.20; 124.212, Subdivisions 1, 3a, 6b, 7b and 8a, and by adding a subdivision; 124.213; 124.222, Subdivisions 1a, 1b, 2a, 3, 6, and by adding a subdivision; 124.223; 124.26, Subdivisions 1 and 4; 124.271, Subdivisions 2 and 5; 124.30, Subdivision 5; 124.32; 124.38, Subdivision 7; 124.562, Subdivision 1; 124.565, Subdivisions 1 and 3; 124.57; 124.572; 124.573; 128A.02, Subdivisions 2 and 3; 128A.06; 273.132; 273.138, Subdivision 3; 275.125, Subdivisions 2a, 8, 9, 9a, and 13; and 475.61, Subdivision 4; amending Minnesota Statutes 1976, Chapter 136A, by adding a section; Chapter 354, by adding sections and Chapter 354A, by adding sections; amending Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7, as amended; and Laws 1976, Chapter 271, Section 94; repealing Minnesota Statutes 1976, Sections 124.215, Subdivision 2a; 124.222, Subdivisions 4 and 5; 124.25; 124.271, Subdivisions 1, 2, 3, 4 and 5; 124.30; 124.562, Subdivision 6; 124.563, Subdivision 4; 124.565, Subdivision 2; 124.57, Subdivisions 1 and 3, as added; 473.633; and 473.635.

PATRICK E. FLAHAVER, Secretary of the Senate

Eken moved that the House refuse to concur in the Senate amendments to H. F. No. 550, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 32, A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; authorizing a shade tree disease control research program; appropriating money; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 1, 1a, 2, 3a, 4, 7, 8 and 11, and adding a subdivision; 116.07, Subdivision 4; and 275.50, by adding a subdivision; repealing Minnesota Statutes 1976, Section 18.023, Subdivision 6.

And the Senate respectfully requests that a Conference Committee of 5 members be appointed thereon. Messrs. Humphrey; Willet; Keefe, S.; Mrs. Staples and Mr. Dunn have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Berg moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 32. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 1034, A bill for an act relating to transportation; appropriating money for the operation of Amtrak rail service between the Twin Cities and Duluth.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Solon, Setzepfandt and Dunn have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Munger moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3

members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1034. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 1416, A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes, including appropriations for the departments of public welfare, vocational rehabilitation, corrections, corrections ombudsman, health, health related boards, and public assistance programs; and repealing Minnesota Statutes 1976, Section 261.233.

And the Senate respectfully requests that a Conference Committee of 5 members be appointed thereon. Messrs. Lewis, Perpich, Milton, Moe and Kirchner have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Samuelson moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1416. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 1350 and 1467.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1350, 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.

S. F. No. 1467, A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative and judicial expenses of state government and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; amending Minnesota Statutes 1976, Sections 10.30; 16A.095, Subdivision 2; 16A.10, Subdivisions 1 and 2; 16A.11, Subdivisions 2 and 3; 43.09, Subdivision 2; 43.31; 98.46, by adding a subdivision; 168.33, Subdivisions 2 and 7; 176.602; 183.545, Subdivisions 1, 3 and 4; 183.57, Subdivision 2; 186.04; 260.311, Subdivision 2; 268.06, Subdivision 25; 296.06, Subdivision 2; 296.12, Subdivision 1; 326.241, Subdivision 3; 362.125; 363.14, by adding a subdivision; 462.389, Subdivision 4; Chapter 16A, by adding a section; Laws 1971, Chapter 121, Section 2, as amended; and Laws 1976, Chapter 260, Section 3; repealing Minnesota Statutes 1976, Sections 15.61, Subdivision 3; 16.173; 16A.095, Subdivision 1; 16A.12 and 176.603.

The bill was read for the first time.

Norton moved that S. F. No. 1467 and H. F. No. 1595, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration, pursuant to rule 1.9, designated the following bills as a Special Order to be acted upon immediately following H. F. No. 801 on Special Orders for today, May 3, 1977: H. F. Nos. 405, 1500, 1287, 1102, 1223, 217, 577, 1119, 1130, 515, 774, 1283, 1387, 1086 and 257.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. No. 231 was reported to the House.

CONSENT CALENDAR

S. F. No. 836, A bill for an act relating to safe deposit companies; including credit unions among those businesses that may rent out safe deposit boxes without license or bond therefor; amending Minnesota Statutes 1976, Sections 52.04; and 55.06, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

SPECIAL ORDERS

H. F. No. 1322 was reported to the House.

There being no objection, H. F. No. 1322 was continued on Special Orders for one day.

H. F. No. 938 was reported to the House.

Lemke moved that H. F. No. 938 be re-referred to the Committee on Transportation.

A roll call was requested and properly seconded.

The question was taken on the motion by Lemke and the roll was called. There were 40 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Albrecht	Brinkman	Erickson	Heinitz	Kvam
Anderson, D.	Clawson	Esau	Jensen	Langseth
Anderson, G.	Den Ouden	Fjoslien	Johnson	Lemke
Anderson, R.	Eckstein	Friedrich	Kaley	Mangan
Braun	Eken	Haugerud	Kalis	McDonald

Nelsen, B.	Peterson	Searles	Stoa	Wenzel
Niehaus	Prahl	Sherwood	Suss	Wieser
Patton	Schulz	Smogard	Welch	Zubay

Those who voted in the negative were:

Abeln	Casserly	Jacobs	Neisen	Sieben, M.
Anderson, B.	Clark	Jaros	Nelsen, M.	Simoneau
Anderson, I.	Cohen	Jude	Nelson	Skoglund
Arlandson	Corbid	Kahn	Norton	Stanton
Battaglia	Cummiskey	Kelly, R.	Novak	Swanson
Beauchamp	Dahl	Kelly, W.	Osthoff	Tomlinson
Begich	Dean	Kempe, A.	Pehler	Voss
Berg	Ellingson	Kempe, R.	Petrafeso	Waldorf
Berglin	Enebo	King	Pleasant	Wenstrom
Berkelman	Ewald	Knickerbocker	Reding	White
Biersdorf	Faricy	Kostohryz	Rice	Wigley
Birnstihl	Forsythe	Kroening	Rose	Williamson
Brandl	Fugina	Laidig	Samuelson	Wynia
Byrne	George	Lehto	Savelkoul	Speaker Sabo
Carlson, A.	Gunter	McCarron	Scheid	
Carlson, D.	Hanson	McCollar	Searle	
Carlson, L.	Hokanson	Munger	Sieben, H.	

The motion did not prevail.

H. F. No. 938, A bill for an act relating to Ramsey county; providing for construction of necessary highway improvements; apportioning costs; prescribing certain limitations; amending Laws 1974, Chapter 435, Section 1.0209, as amended.

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 102 yeas and 22 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht	Den Ouden	Johnson	McDonald	Schulz
Anderson, G.	Eckstein	Kalis	Nelsen, B.	Wieser
Birnstihl	Esau	Kelly, W.	Niehaus	
Carlson, D.	Haugerud	Kvam	Patton	
Clawson	Heinitz	Lemke	Peterson	

The bill was passed and its title agreed to.

H. F. No. 1386 was reported to the House.

Wenzel moved to amend H. F. No. 1386, as follows:

Page 3, lines 20 to 23, delete the new language.

Page 3, after line 26, add *"If the bond is executed on a form furnished by the commissioner, the bond shall be limited to the protection of claimants whose residence or principal place of live-stock business is in the state of Minnesota at the time of the transaction. If the bond is filed on a form in accordance with the Packers and Stockyards Act, the bond shall cover claimants regardless of place of residence."*

The motion prevailed and the amendment was adopted.

H. F. No. 1386, A bill for an act relating to agriculture; clarifying certain terms; eliminating six months license provision; permitting license suspension; permitting waiver of the right to a hearing; clarifying weighing locations and weighing fees; amending Minnesota Statutes 1976, Sections 17A.03, Subdivisions 6 and 7; 17A.04, Subdivision 1, and by adding a subdivision; 17A.05, Subdivision 2; 17A.06, Subdivisions 2 and 3; 17A.10; and 17A.11.

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 125 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeln	Berglin	Clark	Erickson	Hokanson
Adams	Berkelman	Clawson	Esau	Jacobs
Albrecht	Biersdorf	Cohen	Ewald	Jaros
Anderson, B.	Birnstihl	Corbid	Faricy	Jensen
Anderson, D.	Brandl	Cummiskey	Fjoslien	Johnson
Anderson, G.	Braun	Dahl	Forsythe	Jude
Anderson, I.	Brinkman	Dean	Friedrich	Kahn
Arlandson	Byrne	Den Ouden	Fugina	Kaley
Battaglia	Carlson, A.	Eckstein	Gunter	Kalis
Beauchamp	Carlson, D.	Eken	Hanson	Kelly, R.
Begich	Carlson, L.	Ellingson	Haugerud	Kelly, W.
Berg	Cassery	Enebo	Heinitz	Kempe, A.

Kempe, R.	McDonald	Patton	Searles	Vanasek
King	McEachern	Pehler	Sherwood	Voss
Knickerbocker	Metzen	Peterson	Sieben, H.	Waldorf
Kostohryz	Moe	Pleasant	Sieben, M.	Welch
Kroening	Munger	Prahl	Simoneau	Wenstrom
Kvam	Murphy	Reding	Skoglund	Wenzel
Laidig	Neisen	Rice	Smogard	White
Langseth	Nelsen, B.	Rose	Spanish	Wieser
Lehto	Nelsen, M.	St. Onge	Stanton	Wigley
Lemke	Niehaus	Samuelson	Stoa	Williamson
Mangan	Norton	Savelkoul	Suss	Wynia
McCarron	Novak	Schulz	Swanson	Zubay
McCollar	Osthoff	Searle	Tomlinson	Speaker Sabo

Those who voted n the negative were:

Fudro Sarna

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

Berkelman was excused from 2:55 p.m. to 3:30 p.m.

H. F. No. 1015 was reported to the House.

Voss moved to amend H. F. No. 1015, as follows:

Page 6, lines 1 through 11, delete section 5 from the bill.

Renumber the following section.

Further, amend the title as follows:

Page 1, lines 8 and 9, delete “; and 363.14, by adding a sub-division”.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 66 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Adams	Cummiskey	Johnson	Metzen	Smogard
Anderson, B.	Den Ouden	Jude	Munger	Stoa
Anderson, D.	Eckstein	Kaley	Neisen	Suss
Anderson, R.	Eken	King	Nelsen, B.	Vanasek
Battaglia	Erickson	Knickerbocker	Niehaus	Voss
Beauchamp	Esau	Kostohryz	Novak	Welch
Begich	Fjoslien	Kvam	Osthoff	White
Biersdorf	Friedrich	Langseth	Pehler	Wieser
Birnstihl	Fudro	Lemke	Peterson	Williamson
Braun	Fugina	Mangan	Rice	Zubay
Brinkman	Gunter	McCarron	Rose	
Carlson, D.	Heinitz	McCollar	Sarna	
Clawson	Jacobs	McDonald	Schulz	
Corbid	Jensen	McEachern	Searle	

Those who voted in the negative were:

Abeln	Carlson, L.	Jaros	Patton	Skoglund
Albrecht	Casserly	Kahn	Petrafeso	Stanton
Anderson, G.	Clark	Kelly, R.	Prahl	Swanson
Anderson, I.	Cohen	Kelly, W.	Reding	Tomlinson
Arlandson	Dahl	Kempe, R.	St. Onge	Waldorf
Berg	Ellingson	Kroening	Scheid	Wenzel
Berglin	Enebo	Laidig	Searles	Wynia
Berkelman	Ewald	Lehto	Sherwood	Speaker Sabo
Brandl	Faricy	Murphy	Sieben, H.	
Byrne	Forsythe	Nelson	Sieben, M.	
Carlson, A.	Hokanson	Norton	Simoneau	

The motion prevailed and the amendment was adopted.

H. F. No. 1015, A bill for an act relating to human rights; clarifying the scope of sex discrimination; providing for an appeal by the commissioner; providing for a civil action without filing with the department; amending Minnesota Statutes 1976, Sections 363.01, by adding a subdivision; 363.02, Subdivision 1; 363.05, Subdivision 1; 363.072, Subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht Braun	Carlson, D. Eckstein	Stoa	Wieser	Wigley
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The bill was passed, as amended, and its title agreed to.

H. F. No. 343 was reported to the House.

Nelson moved to amend H. F. No. 343, as follows:

Page 3, line 7, delete "*knowingly*".

Page 3, delete all of line 8.

Page 3, line 9, delete "*as defined herein*" and insert the following: "*owns, operates, manages, or has a commercial interest in a business which disseminates an obscene work, knowing the character and content of the work disseminated,*".

Page 3, after line 9, add a subdivision as follows:

"Subd. 3. This act becomes effective on the day following its final enactment."

The motion prevailed and the amendment was adopted.

McDonald offered an amendment to H. F. No. 343.

POINT OF ORDER

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

Kempe, R., moved to amend H. F. No. 343, as amended, as follows:

Page 3, after line 9, add a new subdivision to read as follows:

"Subd. 3. A local governing body may revoke any licenses held by the employer relating to the establishment employing a person convicted of the offense described in subdivision 2."

The motion prevailed and the amendment was adopted.

H. F. No. 343, A bill for an act relating to obscenity; prohibiting the dissemination of obscene photographs or other similar visual representations which depict minors involved in scenes of

patently offensive sexual conduct; prescribing penalties; amending Minnesota Statutes 1976, Chapter 617, by adding a section.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Murphy	Sieben, H.
Adams	Corbid	Jude	Neisen	Sieben, M.
Albrecht	Cummiskey	Kahn	Nelsen, B.	Simoneau
Anderson, B.	Dahl	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Dean	Kalis	Nelson	Smogard
Anderson, I.	Eckstein	Kelly, R.	Niehaus	Spanish
Anderson, R.	Eken	Kelly, W.	Norton	Stanton
Arlandson	Ellingson	Kempe, A.	Novak	Stoa
Battaglia	Enebo	Kempe, R.	Osthoff	Suss
Beauchamp	Erickson	King	Patton	Swanson
Begich	Esau	Knickerbocker	Pehler	Tomlinson
Berg	Ewald	Kostohryz	Peterson	Vanasek
Berglin	Faricy	Kroening	Petraleso	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, A.	Hanson	McCollar	Savelkoul	Wynia
Carlson, D.	Haugerud	McDonald	Scheid	Zubay
Carlson, L.	Heinitz	McEachern	Schulz	Speaker Sabo
Cassery	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	
Clawson	Jaros	Munger	Sherwood	

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

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

H. F. No. 801 was reported to the House.

Cohen, Williamson and Dean moved to amend H. F. No. 801, as follows:

Page 5, line 11, delete "or to a".

Page 5, line 12, delete "television set".

Page 5, after line 12, insert "*Nothing herein shall be construed to prohibit the electronic video re-recording of program material transmitted on the cable communications system by a subscriber for fair use as defined by Public Law 94-553, Section 107.*".

The motion prevailed and the amendment was adopted.

Cohen moved to amend H. F. No. 801, as amended, as follows:

In the Cohen amendment, inserted at page 5, after line 12, after "Section 107" insert " , or to prohibit a subscriber from attaching or connecting to the cable additional receivers located on the subscriber's premises".

Further, page 5, line 18, after "unauthorized connection" insert "as defined in Minnesota Statutes, Section 609.52, Subdivision 2, clause (12)".

The motion prevailed and the amendment was adopted.

H. F. No. 801, A bill for an act relating to crimes; specifying certain acts which constitute theft in relation to cable television services and systems; providing penalties; amending Minnesota Statutes 1976, Section 609.52, Subdivision 2; and Chapter 609, by adding a section.

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 112 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	Anderson, I.	Clawson	Jaros	White
Anderson, G.	Braun	Corbid	Mangan	

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

H. F. No. 405 was reported to the House.

Reding moved to amend H. F. No. 405 as follows:

Strike all of section 4 and insert:

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

609.75 [GAMBLING; DEFINITIONS.] Subdivision 1. [LOTTERY.] A lottery is a plan (DESIGNED FOR OR RESULTING IN ANY PRIVATE PECUNIARY GAIN TO THE SPONSORS OR THEIR AGENTS, AND) which provides for the distribution of money, property or other reward or benefit to persons selected by chance from among participants some or all of whom have given a consideration for the chance of being selected. Acts in this state in furtherance of a lottery conducted outside of this state are included notwithstanding its validity where conducted.

Subd. 2. [BET.] A bet is a bargain whereby the parties mutually agree to a gain or loss by one to the other of specified money, property or benefit dependent upon chance although the chance is accompanied by some element of skill.

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.*

Subd. 4. [GAMBLING DEVICE.] A gambling device is a contrivance which for a consideration affords the player an opportunity to obtain something of value, other than free plays, automatically from the machine or otherwise, the award of which is determined principally by chance.

Subd. 5. [GAMBLING PLACE.] A gambling place is a location or structure, stationary or movable, or any part thereof, wherein, as one of its uses, betting is permitted or promoted, a lottery is conducted or assisted or a gambling device is operated.

Subd. 6. [BUCKET SHOP.] A bucket shop is a place wherein the operator is engaged in making bets in the form of purchases or sales on public exchanges of securities, commodities or other personal property for future delivery to be settled at prices dependent on the chance of those prevailing at the public exchanges without a bona fide purchase or sale being in fact made on a board of trade or exchange.”.

Page 8, after line 6, insert a section to read :

“Sec. 6. Minnesota Statutes 1976, Chapter 609, is amended by adding a section to read :

[609.761] [OPERATION PERMITTED.] *Notwithstanding sections 609.755 and 609.76, a fraternal, religious, veterans or other nonprofit organization may set up or operate a gambling device or conduct a raffle as defined in section 349.26, subdivision 1, if licensed by the local unit of government pursuant to section 349.26, and a person may manufacture, sell or offer for sale a gambling device to the organization.”.*

Further amend the title as follows :

Page 1, line 6, delete the comma.

Page 1, line 7, delete “Subdivision 3”.

Page 1, line 7, delete “Chapter” and insert “Chapters”.

Page 1, line 8, after “section” insert “; and 609, by adding a section”.

The motion prevailed and the amendment was adopted.

H. F. No. 405, A bill for an act 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 ; 609.76 ; and Chapters 349, by adding a section ; and 609, by adding a section.

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 83 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Kahn	Murphy	Sieben, M.
Adams	Eckstein	Kaley	Nelson	Simoneau
Anderson, I.	Ellingson	Kalis	Norton	Smogard
Arlandson	Friedrich	Kelly, R.	Novak	Spanish
Battaglia	Fudro	Kempe, A.	Osthoff	Stanton
Begich	Fugina	Knickerbocker	Patton	Suss
Berg	George	Kostohryz	Pehler	Tomlinson
Berglin	Gunter	Kroening	Petrafeso	Vanasek
Biersdorf	Hanson	Laidig	Prahl	Waldorf
Birnstihl	Haugerud	Lehto	Reding	White
Brandl	Heinitz	Lemke	Rose	Wieser
Braun	Hokanson	Mangan	St. Onge	Williamson
Brinkman	Jacobs	McCollar	Samuelson	Wynia
Byrne	Jaros	McDonald	Sarna	Zubay
Carlson, L.	Jensen	Metzen	Scheid	Speaker Sabo
Casserly	Johnson	Moe	Searles	
Clawson	Jude	Munger	Sieben, H.	

Those who voted in the negative were:

Albrecht	Dean	Kelly, W.	Nelsen, M.	Voss
Anderson, G.	Den Ouden	Kempe, R.	Niehaus	Welch
Anderson, R.	Eken	King	Peterson	Wenstrom
Beauchamp	Erickson	Kvam	Rice	Wenzel
Carlson, D.	Esau	Langseth	Savelkoul	Wigley
Clark	Faricy	Mann	Schulz	
Cohen	Fjoslien	McEachern	Sherwood	
Corbid	Forsythe	Nelsen, B.	Skoglund	

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

H. F. No. 1500 was reported to the House.

Skoglund moved to amend H. F. No. 1500, as follows:

Page 1, line 19, strike "shall" and insert "may".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 73 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Corbid	Erickson	Friedrich
Anderson, D.	Carlson, D.	Dean	Esau	Gunter
Anderson, G.	Carlson, L.	Den Ouden	Ewald	Hanson
Berglin	Casserly	Eckstein	Faricy	Heinitz
Biersdorf	Clark	Ellingson	Fjoslien	Hokanson
Brandl	Cohen	Enebo	Forsythe	Jaros

Jude	Laidig	Peterson	Sherwood	Wenzel
Kahn	Langseth	Pleasant	Skoglund	White
Kaley	McDonald	Prahl	Smogard	Wieser
Kalis	Murphy	Reding	Spanish	Wigley
Kelly, R.	Neisen	Rose	Swanson	Williamson
Kempe, A.	Nelsen, B.	Savelkoul	Tomlinson	Wynia
Kempe, R.	Nelson	Scheid	Vanasek	Zubay
Knickerbocker	Niehaus	Searle	Welch	
Kvam	Norton	Searles	Wenstrom	

Those who voted in the negative were:

Adams	Brinkman	Johnson	Metzen	Sarna
Albrecht	Byrne	King	Moe	Schulz
Anderson, B.	Clawson	Kostohryz	Munger	Sieben, H.
Anderson, I.	Cummiskey	Kroening	Nelsen, M.	Sieben, M.
Arlandson	Dahl	Lehto	Novak	Simoneau
Battaglia	Eken	Lemke	Osthoff	Suss
Beauchamp	Fudro	Mangan	Patton	Voss
Begich	Fugina	Mann	Petrafeso	Waldorf
Berg	George	McCarron	Rice	Speaker Sabo
Birnstihl	Jacobs	McCollar	St. Onge	
Braun	Jensen	McEachern	Samuelson	

The motion prevailed and the amendment was adopted.

Skoglund moved to amend H. F. No. 1500, as amended, as follows:

Page 2, line 31, strike "in a year" and insert "*within 180 days*".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 37 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Heinitz	Nelson	Tomlinson
Adams	Dean	Jaros	Pleasant	Wenzel
Anderson, B.	Den Ouden	Kaley	Prahl	Wigley
Berglin	Enebo	Kempe, R.	Rose	Wynia
Brandl	Erickson	Knickerbocker	Savelkoul	Zubay
Carlson, A.	Esau	Kvam	Sherwood	
Carlson, D.	Forsythe	Laidig	Skoglund	
Carlson, L.	Friedrich	McDonald	Spanish	

Those who voted in the negative were:

Albrecht	Biersdorf	Eken	Johnson	Lemke
Anderson, D.	Birnstihl	Ellingson	Jude	Mangan
Anderson, G.	Braun	Ewald	Kalis	Mann
Anderson, I.	Brinkman	Fjoslien	Kelly, R.	McCarron
Anderson, R.	Byrne	Fudro	Kelly, W.	McEachern
Arlandson	Clawson	Fugina	King	Metzen
Battaglia	Cohen	Gunter	Kostohryz	Moe
Beauchamp	Corbid	Hokanson	Kroening	Munger
Begich	Cummiskey	Jacobs	Langseth	Murphy
Berg	Dahl	Jensen	Lehto	Neisen

Nelsen, B.	Petrafeso	Schulz	Suss	White
Nelsen, M.	Reding	Searle	Swanson	Williamson
Niehaus	Rice	Searles	Vanasek	Speaker Sabo
Norton	St. Onge	Sieben, H.	Voss	
Novak	Samuelson	Sieben, M.	Waldorf	
Osthoff	Sarna	Simoneau	Welch	
Patton	Scheid	Smogard	Wenstrom	

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

H. F. No. 1500, A bill for an act relating to elections; vacancy in office of senator in congress; providing for special election to fill a vacancy; amending Minnesota Statutes 1976, Section 202A.72.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Prahl

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

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

H. F. No. 1287 was reported to the House.

Tomlinson moved to amend H. F. No. 1287, as follows:

Page 2, line 21, strike "August" and insert "*January*".

Page 13, line 9, delete "*122.34*;".

Amend the title as follows:

Page 1, line 17, delete "*122.34*;".

The motion prevailed and the amendment was adopted.

H. F. No. 1287, A bill for an act relating to education; revising provisions prescribing duties of school districts and the state department of education; correcting outdated definitions and references; changing certain levy authority; altering the foundation aid computation in certain cases; and providing school lunch aid; amending Minnesota Statutes 1976, Sections 6.62, Subdivision 1; 121.02, Subdivision 1; 123.34, Subdivisions 4 and 8; 123.-68; 124.212, by adding a subdivision; 124.66; 127.25, Subdivisions 1 and 2, and by adding a subdivision; 134.03; 275.09, Subdivision 4; 275.125, Subdivisions 4, 15 and 16; Chapters 123, by adding a section; and 124, by adding a section; repealing Minnesota Statutes 1976, Sections 120.02, Subdivisions 11 and 18; 121.-11, Subdivision 3; 123.14; 123.17; 123.18; 123.20; 124.215, Subdivisions 3, 4, 5, 6, 7 and 8; 124.23; 126.021; 126.022; 126.024; 128.01; 128.02; 128.03; 128.04; 128.05; 128.06; 128.069; 129.06; 129.07; 129.08; and 129.09.

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 124 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Nelsen, B.	Pleasant	Schulz	Stanton	Wenzel
Nelson	Prahl	Searles	Suss	White
Niehaus	Reding	Sherwood	Swanson	Wieser
Norton	Rice	Sieben, H.	Tomlinson	Wigley
Novak	Rose	Sieben, M.	Vanasek	Williamson
Osthoff	Samuelson	Simoneau	Voss	Wynia
Pehler	Sarna	Skoglund	Waldorf	Zubay
Peterson	Savelkoul	Smogard	Welch	Speaker Sabo
Petrafeso	Scheid	Spanish	Wenstrom	

Those who voted in the negative were:

Anderson, G.

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

H. F. No. 1102 was reported to the House.

Kaley moved to amend H. F. No. 1102, as follows:

Page 2, line 12, after "*centers*," add a new sentence to read: "*Service centers shall be established only after determination by the commissioner that total costs to the state shall not increase.*"

Page 2, after line 19, add a new subdivision to read:

"Subd. 4. Nothing contained in this section shall be considered as granting authority to the commissioner of administration to purchase property or construct buildings for regional service centers."

The motion prevailed and the amendment was adopted.

Savelkoul offered an amendment to H. F. No. 1102.

POINT OF ORDER

Sieben, H., raised a point of order pursuant to rule 3.9 that the Savelkoul amendment was not in order. Norton, as Speaker Pro Tempore, ruled the point of order well taken and the amendment out of order.

Savelkoul offered a second amendment to H. F. No. 1102.

POINT OF ORDER

Sieben, H., raised a point of order pursuant to rule 3.9 that the Savelkoul amendment was not in order. Norton, as Speaker Pro Tempore, ruled the point of order well taken and the amendment out of order.

Savelkoul appealed from the decision of the Speaker Pro Tempore.

A roll call was requested and properly seconded.

Patton moved the previous question. The motion was not properly seconded so the previous question was not called.

The question was taken on the appeal from the decision of the Speaker Pro Tempore and the roll was called. There were 92 yeas and 30 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Kahn	Neisen	Smogard
Adams	Cohen	Kalis	Nelsen, M.	Spanish
Anderson, B.	Corbid	Kelly, R.	Nelson	Stanton
Anderson, G.	Cummiskey	Kelly, W.	Norton	Suss
Anderson, I.	Dahl	Kempe, R.	Novak	Swanson
Arlandson	Eckstein	King	Osthoff	Tomlinson
Battaglia	Eken	Kostohryz	Patton	Vanasek
Beauchamp	Enebo	Kroening	Pehler	Voss
Begich	Fudro	Langseth	Petrafeso	Welch
Berg	Fugina	Lehto	Reding	Wenstrom
Berglin	George	Lemke	Rice	Wenzel
Birnstihl	Gunter	Mangan	St. Onge	White
Brandl	Hanson	McCarron	Samuelson	Wieser
Braun	Haugerud	McCollar	Sarna	Williamson
Brinkman	Hokanson	McEachern	Sherwood	Wynia
Byrne	Jacobs	Metzen	Sieben, H.	Speaker Sabo
Carlson, L.	Jaros	Moe	Sieben, M.	
Cassery	Jensen	Munger	Simoneau	
Clark	Jude	Murphy	Skoglund	

Those who voted in the negative were:

Albrecht	Dean	Forsythe	Laidig	Prahl
Anderson, D.	Den Ouden	Friedrich	McDonald	Rose
Anderson, R.	Erickson	Heinitz	Nelsen, B.	Savelkoul
Biersdorf	Esau	Kaley	Niehaus	Searles
Carlson, A.	Ewald	Knickerbocker	Peterson	Wigley
Carlson, D.	Fjoslien	Kvam	Pleasant	Zubay

It was the judgment of the House that the decision of the Speaker Pro Tempore shall stand.

Savelkoul moved to amend H. F. No. 1102, as follows:

Page 6, line 8, reinstate the stricken language.

Page 6, lines 9, 10 and 11, delete the new language.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 33 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Friedrich	Laidig	Savelkoul
Anderson, D.	Erickson	Hanson	McDonald	Searles
Anderson, R.	Esau	Heinitz	Nelsen, B.	Stanton
Biersdorf	Ewald	Kaley	Niehaus	Wigley
Carlson, D.	Faricy	Kelly, R.	Peterson	Zubay
Clawson	Fjoslien	Knickerbocker	Pleasant	
Dean	Forsythe	Kvam	Rose	

Those who voted in the negative were:

Abeln	Corbid	Kalis	Norton	Skoglund
Adams	Cummiskey	Kelly, W.	Novak	Smogard
Anderson, B.	Dahl	Kempe, R.	Osthoff	Spanish
Anderson, G.	Eckstein	King	Patton	Suss
Anderson, I.	Eken	Kostohryz	Pehler	Swanson
Arlandson	Ellingson	Kroening	Petrafeso	Tomlinson
Battaglia	Enebo	Langseth	Prahl	Vanasek
Beauchamp	Fudro	Lehto	Reding	Waldorf
Begich	Fugina	Lemke	Rice	Wenzel
Berg	George	Mangan	St. Onge	White
Berglin	Gunter	McCarron	Samuelson	Wieser
Birnstihl	Haugerud	McEachern	Sarna	Williamson
Braun	Hokanson	Metzen	Scheid	Wynia
Brinkman	Jacobs	Moe	Schulz	Speaker Sabo
Carlson, L.	Jaros	Munger	Sherwood	
Casserly	Jensen	Murphy	Sieben, H.	
Clark	Jude	Neisen	Sieben, M.	
Cohen	Kahn	Nelson	Simoneau	

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

H. F. No. 1102, A bill for an act relating to state agencies; purchasing and furnishing goods and services; amending Minnesota Statutes 1976, Chapter 16, by adding a section; Sections 15.047, Subdivision 1; 16.02, Subdivisions 2, 13, 16, 19, and by adding a subdivision; 16.07, Subdivision 8, and by adding a subdivision; 16.72, Subdivision 2; 16.75, Subdivision 7; 16.80, Subdivision 1; 238.04, Subdivision 2; and 327.51, Subdivisions 1 and 3, and by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 111 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Abeln	Arlandson	Biersdorf	Carlson, D.	Cummiskey
Adams	Battaglia	Birnstihl	Carlson, L.	Dahl
Anderson, B.	Beauchamp	Brandl	Casserly	Dean
Anderson, D.	Begich	Braun	Clark	Eken
Anderson, G.	Berg	Brinkman	Clawson	Ellingson
Anderson, I.	Berglin	Byrne	Cohen	Enebo
Anderson, R.	Berkelman	Carlson, A.	Corbid	Erickson

Ewald	Kaley	McCollar	Rice	Swanson
Faricy	Kalis	McEachern	St. Onge	Tomlinson
Forsythe	Kelly, R.	Metzen	Samuelson	Vanasek
Fudro	Kelly, W.	Moe	Sarna	Waldorf
Fugina	Kempe, R.	Munger	Scheid	Wenzel
George	King	Murphy	Schulz	White
Gunter	Knickerbocker	Neisen	Searles	Wieser
Hanson	Kostohryz	Nelson	Sherwood	Wigley
Haugerud	Kroening	Norton	Sieben, H.	Williamson
Hokanson	Laidig	Novak	Sieben, M.	Wynia
Jacobs	Langseth	Osthoff	Simoneau	Zubay
Jaros	Lehto	Patton	Skoglund	Speaker Sabo
Jensen	Lemke	Pehler	Smogard	
Johnson	Mangan	Petrafeso	Spanish	
Jude	Mann	Prahl	Stanton	
Kahn	McCarron	Reding	Suss	

Those who voted in the negative were:

Albrecht	Esau	Kvam	Niehaus	Savelkoul
Den Ouden	Fjoslien	McDonald	Peterson	Wenstrom
Eckstein	Heinitz	Nelsen, B.	Rose	

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

H. F. No. 1223, A bill for an act relating to administrative procedures; providing for notice and hearing in various administrative decisions; amending Minnesota Statutes 1976, Sections 10A.20, Subdivision 10; 17A.06, Subdivisions 2 and 3; 27.06; 53.03, Subdivisions 1, 2 and 3; 144.802; 155.11, Subdivisions 1 and 2; 216A.05, Subdivision 5; 218.041, Subdivision 3; and 219.741; repealing Minnesota Statutes 1976, Section 53.03, Subdivision 3.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 217, A bill for an act relating to St. Cloud; St. Cloud metropolitan transit commission; authorizing the inclusion of parts of municipalities in the transit area; amending Laws 1969, Chapter 1134, Section 2, Subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Pehler

The bill was passed and its title agreed to.

H. F. No. 577 was reported to the House.

There being no objection, H. F. No. 577 was continued on Special Orders for one day.

H. F. No. 1119, A bill for an act relating to Ramsey county; providing for additional membership on its civil service commission; further prescribing and clarifying the duties of the commission; eliminating per diem payments for library board members; amending Laws 1974, Chapter 435, Section 3.02; repealing Laws 1974, Chapter 435, Section 1.0208.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1130, A bill for an act relating to motor vehicle carriers; requiring insurance or bond before the issuance of a certificate or permit to a motor carrier; providing for suspension and revocation of certificate or permit for failure to maintain insurance or other security; registration fee exemptions; amending Minnesota Statutes 1976, Sections 221.141, Subdivision 1; and 221.64.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 515 was reported to the House.

There being no objection, H. F. No. 515 was continued on Special Orders for one day.

H. F. No. 774 was reported to the House.

Anderson, R., moved to amend H. F. No. 774, as follows:

Page 2, after line 21 insert:

“(b) Except in cases of emergency, when the tenant intends to hire outside contractors to remedy the breach, he must obtain three bona fide cost estimates of the work to be performed before such work can be commenced under the provisions of this section. The tenant must select the lowest bidder whose estimate meets the specifications of the work that is required to be done and who is qualified to perform such work in a sound and craftsmanlike manner.”

Renumber the following clauses.

The motion prevailed and the amendment was adopted.

Swanson moved to amend H. F. No. 774, as amended, as follows:

Page 2, line 31 strike "whether or not the tenant attempts" and insert "provided the tenant makes a reasonable attempt".

Page 2, line 32 after "landlord" insert ", his agent, his caretaker, or the person to whom rent is paid".

Page 3, line 4 after "not" insert "reasonably".

The motion prevailed and the amendment was adopted.

Carlson, A., moved to amend H. F. No. 774, as amended, as follows:

Page 1, line 19, delete "Section 504.18" and insert "Section 504.18, Subdivision 1, clause (c)".

The motion prevailed and the amendment was adopted.

H. F. No. 774, A bill for an act relating to landlords and tenants; providing remedies for tenants whose landlords have breached provisions of agreements; defining terms; providing for adjustment of rent.

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 123 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht

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

H. F. No. 1283, A bill for an act relating to economic development; industrial development bonds; removing requirement of approval by commissioner of economic development; amending Minnesota Statutes 1976, Section 474.01, Subdivision 7, and 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 124 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht Arlandson Erickson Faricy Kvam

The bill was passed and its title agreed to.

H. F. No. 1387, A bill for an act relating to housing; providing an exception to interest limitations for borrowing by housing and development authorities; amending Minnesota Statutes 1976, Section 462.555.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1086, A bill for an act relating to crimes; requiring the commissioner of corrections to conduct research to assess the extent and nature of juvenile prostitution and to develop a program for the prevention and treatment of prostitution; reports to legislature; pilot projects.

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

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

Those who voted in the affirmative were:

Abeln	Arlandson	Birnstihl	Casserly	Den Ouden
Adams	Battaglia	Brandl	Clark	Eckstein
Albrecht	Beauchamp	Braun	Clawson	Eken
Anderson, B.	Begich	Brinkman	Cohen	Ellingson
Anderson, D.	Berg	Byrne	Corbid	Enebo
Anderson, G.	Berglin	Carlson, A.	Cummiskey	Erickson
Anderson, I.	Berkelman	Carlson, D.	Dahl	Esau
Anderson, R.	Biersdorf	Carlson, L.	Dean	Ewald

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

The bill was passed and its title agreed to.

H. F. No. 257, A bill for an act relating to banks, trust companies and savings banks; rule making authority; fees for special investigations; accounts maintained by banking division employees; fees; banks minimum organizational capital, surplus and undivided profits; providing for certified deposit of capital funds in a custodial bank; providing for banks annual audit systems, approval and reports; state banks minimum capital requirements, establishing investigatory fee for application to acquire trust authority; trust company minimum capital requirements; relating to boards of directors of financial institutions; clarification of certain language; amending Minnesota Statutes 1976, Sections 46.01; 46.04; 46.05; 46.09; 46.131, Subdivision 2, and by adding a subdivision; 48.02; 48.10; 48.36; 48.37; 48.44; 48.67; 48.69; 300.025 and 300.20.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

McDonald	Norton	Rose	Smogard	Wenzel
McEachern	Novak	St. Onge	Spanish	White
Metzen	Osthoff	Samuelson	Stanton	Wieser
Moe	Patton	Sarna	Suss	Wigley
Munger	Pehler	Savelkoul	Swanson	Williamson
Murphy	Peterson	Searles	Tomlinson	Wynia
Neisen	Petraieso	Sherwood	Vanasek	Zubay
Nelsen, B.	Pleasant	Sieben, H.	Voss	Speaker Sabo
Nelsen, M.	Prahl	Sieben, M.	Waldorf	
Nelson	Reding	Simoneau	Welch	
Niehaus	Rice	Skoglund	Wenstrom	

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders until Wednesday, May 4, 1977, immediately following the Calendar. The motion prevailed.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders for one day.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 550:

Eken, Johnson, Berg, Tomlinson, and Esau.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 32:

Berg, Wynia, Welch, Kalis, and Friedrich.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 1034:

Munger, Haugerud, and Carlson, D.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 1416:

Samuelson, Rice, Hanson, Forsythe, and Corbid.

MOTIONS AND RESOLUTIONS

Wieser moved that the name of Sieben, H., be added as an author on H. F. No. 119. The motion prevailed.

SUSPENSION OF RULES

Simoneau moved that the rules be so far suspended that S. F. No. 713 be recalled from the Committee on Governmental Operations and be given its second reading. The motion prevailed.

S. F. No. 713 was read for the second time.

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Simoneau moved that the rule therein be suspended and an urgency be declared so that S. F. No. 713 be given its third reading and be placed upon its final passage. The motion prevailed.

Simoneau moved that the rules of the House be so far suspended that S. F. No. 713 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 713, A bill for an act relating to the city of Fridley; membership of new police officers in the public employees retirement association; benefits and contributions for remaining members of the Fridley police pension association.

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 122 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Schulz

The bill was passed and its title agreed to.

Lenke moved that S. F. No. 919 be recalled from the Senate for further consideration by the House. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, May 4, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives