

STATE OF MINNESOTA

SEVENTIETH SESSION - 1978

SEVENTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 23, 1978

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

A quorum was present.

Adams, Cummiskey, Erickson, Kalis, Stoa and Wenstrom were excused. George was excused until 3:25 p.m.

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. 1787, 1882, 1966, 838, 1726, 2043 and 1857 and S. F. No. 804 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1807, A bill for an act relating to agriculture; providing for the promotion, improvement and development of markets for Minnesota agricultural products; appropriating money; amending Minnesota Statutes 1976, Section 17.101.

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

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1931, A bill for an act relating to agriculture; corporate farming; providing new definitions; declaring the desirability of family farm stability; amending Minnesota Statutes 1976, Sections 268.04, Subdivision 31; 308.11; 500.24; and Minnesota Statutes, 1977 Supplement, Section 176.041, Subdivision 1.

Reported the same back with the following amendments:

Page 2, lines 1 and 2, strike clause (3) and renumber following clauses.

Page 2, line 10, before the period insert "*or the production of poultry or poultry products*".

Page 3, line 7, after "*corporation*" delete "*by reason of.*" and insert: "*The commissioner when reviewing a report of agricultural corporations may consider but is not limited to the following criteria.*".

Page 3, delete lines 18 to 22.

Page 7, line 2, after "*regulations.*" insert "*(o) Agricultural land owned or leased by a corporation prior to the effective date of this act, which was exempted from the restriction of subdivision 2 under the provisions of Laws 1975, Chapter 324, including*

normal expansion of such ownership or leasehold interest, to be exercised at a rate not to exceed 20 percent of the amount of land owned or leased on the effective date of this act in any five year period and the additional ownership reasonably necessary to meet requirements of pollution control regulations."

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. 1692, A bill for an act relating to the operation of state government; establishing a department of justice; transferring certain functions of the departments of public safety, administration, commerce, natural resources, public service, public welfare, revenue, health, labor and industry and the division of insurance and state court administrator.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [MINNESOTA COUNCIL ON THE ADMINISTRATION OF CRIMINAL JUSTICE.] Subdivision 1. [CREATION.] The Minnesota council on the administration of criminal justice is hereby created as an independent agency of state government.

Subd. 2. [COMPOSITION OF COUNCIL.] The council shall be composed of 22 members, 16 of whom shall be voting members as follows:

- (1) The chief justice of the supreme court, or if he elects not to serve, a justice he designates;
- (2) The attorney general, or a member of his staff designated by him;
- (3) The commissioner of public safety;
- (4) The commissioner of corrections;
- (5) The commissioner of administration;
- (6) The executive director of the crime control planning board;
- (7) The director of the state planning agency;

(8) The superintendent of the bureau of criminal apprehension;

(9) A county attorney designated by the county attorneys council; and

(10) Seven members to be appointed by the governor.

The remaining six members shall serve without vote. Three of these remaining members shall be members of the senate appointed by the majority leader of the senate, and three shall be members of the house appointed by the speaker of the house.

The chairperson of the council shall be designated by the governor.

Subd. 3. [SELECTION; TERMS; COMPENSATION; REMOVAL.] Except as otherwise provided herein, the membership terms, compensation and removal of members shall be as provided in 15.059.

Sec. 2. [DUTIES AND POWERS.] Subdivision 1. The council shall prepare for consideration by the governor and the legislature alternative proposals for improving the administration of criminal justice in the state. Alternatives shall be proposed in a report which shall be the result of study and investigation of the activities, functions, and programs related to public safety, protection, and the administration of justice in state government. The study and investigation shall include but not be limited to the administration, organization, and financing of the functions of investigation, enforcement, prosecution, defense, corrections, justice planning and regulation. The study shall be based on an examination of the office of the attorney general, the office of state court administrator, the state public defender and the law enforcement, regulatory or judicial-related functions of the departments of administration, commerce, corrections, health, labor and industry, natural resources, public safety, public service, public welfare, revenue, transportation, the crime control planning board, and the state planning agency.

Each alternative organizational proposal shall be evaluated in the report on the basis of costs and benefits associated with implementation and ongoing operation. The report shall be delivered to the governor and the legislature no later than December 31, 1979.

Subd. 2. To accomplish the purposes of sections 1 to 3 the council may:

(a) Study and evaluate justice-related organizational structures in other states;

(b) Elect council officers, promulgate procedures for meetings, and establish council committees and advisory task forces as it deems appropriate;

(c) Enter into contracts for office supplies and services, consultant services and any other goods or commodities necessary for the fulfillment of its duties;

(d) Enter into contracts with the federal government, state agencies or local governmental units for the provision of any advisory, technical or other services;

(e) Apply for, receive and expend grant moneys, or receive and accept money, property or services from any source, for any purpose within the scope of its authority. All money so received is hereby appropriated for those purposes in the manner and subject to laws applicable to the appropriation of state funds;

(f) Compel state agencies and their officials to appear before the council, or produce any records or materials for council review, or provide such staff assistance or undertake any other action, as is deemed necessary by the council; and

(g) Undertake in a manner consistent with other law any other related activity necessary to implement the powers and fulfill the responsibilities set forth in sections 1 to 3.

Sec. 3. [STAFF; SERVICES.] The legislative coordinating commission shall provide office space and administrative services for the council and shall provide for council staff. The Minnesota crime control planning board shall serve as a primary research and data source.

Sec. 4. [APPROPRIATION.] There is appropriated to the legislative coordinating commission the sum of \$ to carry out the purposes of this act. Any unencumbered balance remaining in the first year shall not cancel but is available for the second year of council operations.

Sec. 5. [EFFECTIVE DATE.] This act shall be effective the day after final enactment and shall expire June 30, 1980."

Further amend the title:

Page 1, line 3, delete "a department of justice; transferring".

Page 1, delete lines 4, 5, 6, 7, 8.

Page 1, line 9, delete "administrator" and insert "the Minnesota council on the administration of criminal justice".

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

The report was adopted.

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

H. F. No. 1977, A bill for an act relating to marijuana; retroactively reducing past convictions involving a small amount of marijuana to a petty misdemeanor; amending Minnesota Statutes 1976, Section 152.18, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 2, after "*amount*" insert "*of marijuana as defined by section 152.01, subdivision 16,*".

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. 2128, A bill for an act relating to crimes; authorizing counties to establish victim support funds and to provide services to victims of crime; providing for a penalty assessment on convicted persons; appropriating money.

Reported the same back with the following amendments:

Page 3, line 7, after "counties" insert "in cooperation with existing criminal justice planning councils".

Page 3, line 29, delete "as a".

Page 3, line 30, delete "part of" and insert "in addition to" delete "criminal by".

Page 3, line 31, delete "Minnesota Statutes, Section 609.02" and insert "misdemeanors, gross misdemeanors and felonies" delete "a".

Page 3, line 32, delete "penalty" and insert "an" delete "\$10" and insert "not less than \$5 nor more than \$30" delete "penalty".

Page 4, line 4, delete "penalty".

Further amend the title:

Page 1, line 4, delete "a".

Page 1, line 5, delete "penalty" and insert "an".

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

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 1936, A bill for an act relating to Independent School District No. 272 (Eden Prairie) and Independent School District No. 273 (Edina); providing for the transfer of territory from Independent School District No. 272 to Independent School District No. 273.

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

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 2312, A bill for an act relating to Independent School District No. 272 (Eden Prairie) and Independent School District No. 271 (Bloomington); providing for the transfer of territory from Independent School District No. 272 to Independent School District No. 271.

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

The report was adopted.

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

H. F. No. 1256, A bill for an act relating to aircraft; clarifying compulsory insurance requirements; requiring maintenance of liability coverage only during periods of contemplated aircraft operation; amending Minnesota Statutes 1976, Section 360.59, Subdivision 10.

Reported the same back with the following amendments:

Page 2, line 19, after the period insert:

"The requirements of this subdivision shall not apply to any aircraft built by the original manufacturer prior to December 31, 1939 and owned and operated solely as a collector's item, if the owner files an affidavit with the commissioner. The affidavit shall state the owner's name and address, the name and

address of the person from whom the aircraft was purchased, the make, year and model number of the aircraft, the manufacturer's identification number, and that the aircraft is owned and operated solely as a collector's item and not for general transportation purposes.

Sec. 2. Minnesota Statutes 1976, Section 360.55, is amended by adding a subdivision to read:

Subd. 4. [COLLECTOR'S AIRCRAFT; PIONEER LICENSES.] Any aircraft built by the original manufacturer prior to December 31, 1939, and owned and operated solely as a collector's item shall be listed for taxation and registration as follows: A sworn affidavit shall be executed stating the name and address of the owner, the name and address of the person from whom purchased, the make of the aircraft, year and number of the model, the federal aircraft registration number, the manufacturer's identification number and that the aircraft is owned and operated solely as a collector's item and not for general transportation or commercial operations purposes. The affidavit shall be filed with the commissioner along with a fee of \$25. Upon satisfaction that the affidavit is true and correct, the commissioner shall issue to the applicant number plates, decalcomania labels or stamps bearing the inscription "Pioneer", "Minnesota" and the registration number but no date. The number plates, decalcomania labels or stamps are valid without renewal as long as the owner operates the aircraft solely as a collector's item. Should such aircraft be operated other than as a collector's item, the pioneer number plates, decalcomania labels or stamps shall be void and removed, and the owner shall list the aircraft for taxation and registration in accordance with the other provisions of sections 360.511 to 360.67. Upon the sale of such aircraft, the new owner must list the aircraft for taxation and registration in accordance with the provisions of this subdivision (including the payment of \$25 fee) or the other provisions of sections 360.511 to 360.67, whichever is applicable.

In the event of defacement, loss or destruction of the number plates, decalcomania labels or stamps, the commissioner, upon receiving and filing a sworn affidavit of the aircraft owner setting forth the circumstances, together with any defaced plates, labels or stamps and fee of \$5, shall issue replacement plates, labels or stamps. The commissioner shall note on his records the issue of replacement number and shall proceed to cancel the original plates, labels or stamps."

Renumber the following section.

Further amend the title as follows:

Page 1, line 5, after the semicolon insert "setting forth the registration procedure for pioneer aircraft;"

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

Page 1, line 7, delete the period and insert "and 360.55, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1738, A bill for an act relating to children; establishing a comprehensive child protective services program; prescribing duties of the commissioner of public welfare and county welfare boards; authorizing grants for experimental programs to encourage interagency cooperation; 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. 1773, A bill for an act relating to unemployment compensation; providing limited benefits to certain employees; amending Minnesota Statutes, 1977 Supplement, Section 268.09, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 17, strike "or".

Page 2, line 20, strike the period and insert "; or".

Page 2, line 21, delete "An" and insert "(e) If such".

Page 2, line 21, delete "shall not be disqualified under clause".

Page 2, line 22, delete "(1) of this subdivision if he".

Page 3, line 18, strike "clause" and insert "clauses".

Page 3, line 18, after "(c)" insert "and (2) (e)".

Page 3, line 25, after "pregnancy" insert "; provided further that no charges against an employer's account shall be made for benefits paid to an individual separated under clause (2) (e), if the employer paid to the individual his normal wage or salary for the period between the date of notice and the date of intended termination, or for four weeks, whichever is shorter".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1861, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1976, Sections 353.01, Subdivisions 12, 16, and 20; 353.017, Subdivision 2; 353.30, by adding a subdivision; 353.32, Subdivisions 5 and 9; 353.33, Subdivision 11; 353.34, Subdivision 6; 353.656, Subdivision 6; 356.32, Subdivision 1; Minnesota Statutes, 1977 Supplement, Sections 353.01, Subdivision 2b; and 353.36, Subdivision 2; repealing Minnesota Statutes, 1977 Supplement, Section 353.32, Subdivision 7.

Reported the same back with the following amendments:

Page 3, after line 24, insert "*(q) Town, city or county assessors elected or appointed pursuant to chapter 273 who do not receive compensation in excess of \$250 per month from any one employing governmental subdivision or who are employed pursuant to an employment contract which sets forth the total compensation to be paid and the length of service, not to exceed three months in duration, required for the performance of the contract and which was entered into in advance of the commencement of employment.*".

Page 6, line 7, strike "Dependent" and insert "Surviving".

Page 6, line 17, before "within" insert "*before July 1, 1978 or*".

Page 6, line 18, reinstate the stricken language.

Page 6, after line 18, insert a section to read:

"Sec. 6. Minnesota Statutes 1976, Section 353.30, Subdivision 1b, is amended to read:

Subd. 1b. Any person with 30 years or more of allowable service credit who elects early retirement under subdivision 1, shall receive an annuity reduced by (ONE-HALF) *one-fourth* of one percent for each month that such person is under age 62 at the time of retirement.

Page 6, after line 28, insert a section to read:

"Sec. 8. Minnesota Statutes 1976, Section 353.31, Subdivision 1, is amended to read:

353.31 [SURVIVOR BENEFITS.] Subdivision 1. [BENEFITS FOR SURVIVING SPOUSE AND DEPENDENT CHILDREN; BEFORE RETIREMENT.] Upon the death of a "basic member" before retirement or upon the death of a "basic member" who was disabled and receiving disability benefits pursuant to section 353.33 at the time of his death who has had at least 18 months of credited allowable service, his surviving (DEPENDENT) spouse and dependent children, as defined in section 353.01, subdivisions 15 and 20, shall receive the monthly benefit provided below:

(a) Surviving dependent spouse—30 percent of the member's monthly average salary in effect over the last full six months of allowable service preceding death

(b) Each dependent child—10 percent of the member's monthly average salary in effect over the last full six months of allowable service preceding death

Payments for the benefit of any dependent child, as defined in section 353.01, subdivision 15, shall be made to the surviving parent, or if there be none, to the legal guardian of such child. The maximum monthly benefit for any one family shall not exceed \$450, and the minimum benefit per family shall not be less than 30 percent of the "basic member's" said average salary, subject to the aforementioned maximum. The surviving (DEPENDENT) spouse benefit shall terminate upon his or her remarriage, and the dependent children's benefit shall be reduced pro tanto when any child is no longer dependent.

Any survivor of a "basic member" whose average salary was less than \$75 per month shall not be entitled to the benefits provided in this subdivision.

Under the terms of this subdivision there are no survivor benefits, as such, payable to the surviving spouse or dependent children of any deceased "coordinated member."

Page 9, line 14, delete the new language and insert "*the applicable percentage*".

Page 9, line 15, strike "percent".

Page 9, line 15, delete the new language.

Page 9, line 16, delete the new language.

Page 9, line 18, delete "*for the coordinated member*" and after the period insert "*If the person is a basic member, the applicable percentage is eight percent, and if the person is a coordinated member, the applicable percentage is four percent.*"

Page 10, line 8, insert sections to read as follows:

"Sec. 15. Minnesota Statutes 1976, Section 353.657, Subdivision 1, is amended to read:

353.657 [SURVIVOR BENEFITS.] Subdivision 1. In the event any member of the police and fire fund shall die from any cause, the association shall grant survivor benefits to any (DEPENDENT) *surviving* spouse who was residing with him at the time of his death and who was married to him for a period of at least one year, and to a dependent child or children, unmarried and under the age of 18 years. The spouse and child or children shall be entitled to monthly benefits as provided in the following subdivisions.

Sec. 16. Minnesota Statutes, 1977 Supplement, Section 354.41, Subdivision 6, is amended to read:

Subd. 6. Any such former member who elects membership in the fund as authorized by subdivision 4 shall be eligible to make payment for service which was rendered prior to July 1, 1975 in any of the organizations enumerated in subdivision 4, provided the organization makes satisfactory certification of such service as prescribed in section 354.05, subdivision 28. This payment shall be limited to the most recent five years of allowable service credit and shall include all required employee and employer contributions as provided in section 354.42, subdivisions 2, 3 and 5 *at the rates in effect when the service was rendered.* Interest shall be paid on both the employee and employer contributions at the rate of six percent per annum compounded annually from the end of the fiscal year during which such service was rendered to the date of payment. *The employer may pay the required employer contributions as provided in section 354.42, subdivisions 3 and 5, plus interest at the specified rate.* The payment described herein must be made in one lump sum prior to July 1, 1980 or prior to retirement, whichever is earlier. *No allowable or formula service with respect to such payment shall be credited to the employee's account until payment is received by the executive director.*

Sec. 17. Minnesota Statutes 1976, Section 354.41, is amended by adding a subdivision to read:

Subd. 8. Any member who has been employed by an organization designated in subdivision 4 may receive up to five years of allowable service credit in the fund by making payment for such service under the conditions prescribed by subdivision 6."

Re-number sections accordingly.

Page 10, line 30, after "15." insert "*Section 5 shall be effective the day following enactment. The balance of*".

Page 10, line 30, after "1978." insert "*Any person who was a member pursuant to section 353.01, subdivision 16, clause (3), prior to the election authorized by section 5 and was a basic member shall remain a basic member notwithstanding the contrary provisions of section 353.017, subdivision 1.*"

Further, amend the title:

Page 1, line 6, after "353.30," insert "Subdivision 1b, and".

Page 1, line 6, after "subdivision;" insert "353.31, Subdivision 1;"

Page 1, line 8, after the second "Subdivision 6;" insert "353.657, Subdivision 1; 354.41, by adding a subdivision;"

Page 1, line 10, delete "and".

Page 1, line 11, after "2;" insert "and 354.41, Subdivision 6;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2013, A bill for an act relating to domestic relations; contracts and conveyances between husband and wife; amending Minnesota Statutes 1976, Sections 500.19, by adding a subdivision; and 519.06.

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

The report was adopted.

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

H. F. No. 2020, A bill for an act relating to workers' compensation; changing the definition of family farms; amending Minnesota Statutes, 1977 Supplement, Section 176.011, Subdivision 11a.

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

The report was adopted.

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

H. F. No. 2023, A bill for an act relating to retirement; the highway patrolmen's retirement fund; payment of survivor benefits; amending Minnesota Statutes 1976, Section 352B.11, Subdivision 2.

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

The report was adopted.

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

H. F. No. 2160, A bill for an act relating to retirement; teachers retirement association; prospective discontinuation of the variable annuity program; amending Minnesota Statutes 1976, Sections 354.44, Subdivision 7; 354.62, Subdivisions 1 and 2; and Chapter 354, by adding a section.

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

The report was adopted.

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

H. F. No. 2221, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating duplicate, redundant, conflicting and superseded provisions; amending Minnesota Statutes 1976, Sections 6.58; 15.0411, Subdivision 3; 16A.26; 40.072, Subdivision 3; 41.53, Subdivision 2; 44.06, Subdivision 2; 53.03, by adding a subdivision; 84A.55, Subdivision 14; 150A.09, Subdivision 1; 161.09, Subdivision 1; 161.14, Subdivision 19; 251.09; 251.10; 251.11; 251.12; 251.13; 254A.08, Subdivision 3; 270.08; 290.24; 290.49, Subdivision 10; 326.08, Subdivision 2; 366.10; 475.51, Subdivision 1; Minnesota Statutes, 1977 Supplement, Sections 15.0411, Subdivision 2; 15A.083, Subdivision 2; 16A.129; 50.14, Subdivision 5; 116C.63, Subdivision 4; 214.01, Subdivision 3; 256B.48, Subdivision 1; 290.01, Subdivision 20; 290.09, Subdivision 4; 319A.02, Subdivision 2; 343.08; 517.08, Subdivision 1; 593.42, Subdivision 5; 593.45, Subdivision 4; 593.46, Subdivision 2; Extra Session Laws 1959, Chapter 19, by adding a section; repealing Minnesota Statutes 1976, Sections 33.10; 33.11; 33.12; 33.14; 33.15; 33.171; 270.051, Subdivision 1; 602.04; Minnesota Statutes, 1977 Supplement, Sections 33.13; Laws 1975, Chapters 61, Section 8; 136, Sections 11, 13, 57 and 58; Laws 1976, Chapters 44, Section 18; 163, Section 54; 222, Sections 25, Subdivision

8, and 78; 263, Section 8; Laws 1977, Chapters 264, Section 3; 299, Section 6; 326, Section 8; 346, Section 7.

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

The report was adopted.

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

H. F. No. 2283, A bill for an act relating to the division of highway patrol; concerning salaries; increasing the salary of a corporal; amending Minnesota Statutes, 1977 Supplement, Section 299D.03, Subdivision 2.

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

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1834, A bill for an act relating to labor; increasing fees for boiler inspection and engineers' licenses; amending Minnesota Statutes 1976, Sections 183.545, Subdivisions 1, 2, 3, and 4; and 183.57, Subdivision 2.

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

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 2372, A bill for an act relating to public employee labor relations; including physical therapists and occupational therapists in the definition of "teacher"; amending Minnesota Statutes 1976, Section 179.63, Subdivision 13.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

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

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 340.11, is amended by adding a subdivision to read:

Subd. 10a. [OFF-SALE LICENSES; CERTAIN COUNTIES.] (1) Off-sale licenses may be issued for the sale of intoxicating liquors by certain counties herein provided for.

(2) A county board of any county containing unorganized area may issue an off-sale liquor license within any unorganized area of the county to a proprietor of a general food store or an exclusive liquor store with the approval of the commissioner of public safety.

All licenses issued pursuant to this clause shall be governed by the appropriate provisions of the intoxicating liquor act except as otherwise provided herein. The license fee for an off-sale license issued pursuant to this section shall be fixed by the county board in an amount not to exceed \$500".

Further, strike the title in its entirety and insert:

"A bill for an act relating to intoxicating liquor; authorizing certain counties to issue off-sale liquor licenses in unorganized areas of the county; amending Minnesota Statutes 1976, Section 340.11, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1839, A bill for an act relating to political subdivisions; authorizing loans to acquire town halls; amending Minnesota Statutes, 1977 Supplement, Section 465.73.

Reported the same back with the following amendments:

Page 2, line 1, after "(j)" strike ", and" and insert a period.

Page 2, line 2, delete "not".

Page 2, line 3, strike "political subdivision" and insert "city or county but not the town".

Page 2, after line 10, insert a new section to read:

"Sec. 2. [EFFECTIVE DATE.] *This act is effective on the day following final enactment.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1873, A bill for an act relating to the county of Anoka; validating the acquisition of and payment for certain real estate.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2049, A bill for an act relating to local units of government; removing certain restrictions on contracts affecting the financial interests of public officers; amending Minnesota Statutes 1976, Section 471.89, Subdivisions 2 and 3; and Minnesota Statutes, 1977 Supplement, Section 471.88, Subdivision 5.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2175, A bill for an act relating to the city of South St. Paul; authorizing an on-sale liquor license for Wakota arena.

Reported the same back with the following amendments:

Page 1, line 13, after the period insert a new sentence to read: "A license may be issued to any person, firm or corporation who has contracted for the use of the arena premises for an event or to the caterer of such person, firm or corporation."

Page 1, line 21, delete "or organization" and insert ", firm or corporation".

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2242, A bill for an act relating to Yellow Medicine county; authorizing the expenditure of money by the county board to restore county ditch number nine.

Reported the same back with the following amendments:

Page 1, line 10, delete "each year".

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2243, A bill for an act relating to the city of Rochester; issuance of licenses for the sale of intoxicating liquor at Mayo civic auditorium.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

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.

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

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

H. F. No. 819, A bill for an act relating to motor vehicles; registration and taxation; exempting certain disabled war vet-

erans from the motor vehicle registration tax; amending Minnesota Statutes 1976, Section 168.031.

Reported the same back with the following amendments:

Page 2, line 4, after "*found*" insert "*by the United States social security administration*".

Page 2, line 4, delete "*the*".

Page 2, delete lines 5 and 6 and insert "*a service-connected disability*".

With the recommendation that when so amended the bill pass and be re-referred to the Committee on General Legislation and Veterans Affairs.

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

H. F. No. 2066, A bill for an act relating to commerce; providing for delivery of motor vehicle certificates of title to owners; amending Minnesota Statutes 1976, Sections 168A.06; and 168A.20, Subdivision 1.

Reported the same back with the following amendments:

Page 1, delete section 1.

Page 2, line 4, delete "*45*" and insert "*ten*".

Re-number section.

Further amend the title as follows:

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

Page 1, line 5, delete "*168A.06; and*".

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

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

H. F. No. 2111, A bill for an act relating to aeronautics; providing for reimbursement for services; changing the permitted

number of certain types of airports; permitting municipalities flexibility in airport acquisition; amending Minnesota Statutes 1976, Sections 360.015, Subdivision 7; 360.032, by adding a subdivision; and 360.305, Subdivision 3.

Reported the same back with the following amendments:

Page 2, delete lines 10 to 32.

Page 3, delete lines 1 to 8 and insert:

“A municipality may exercise the powers set forth in this subdivision solely for the purpose of acquiring or assisting the relocation of air navigation facilities, structures, and other property incidental to airport operations, from an airport owned or formerly owned by the municipality.

A municipality may acquire air navigation facilities, structures and other property incidental to airport operations, which are located at an airport owned or formerly owned by the municipality. In lieu of such acquisition, the municipality may move and relocate such property to another public airport. The manner of acquisition of such property shall be in accordance with subdivision 2 of this section. The municipality may expend its funds to pay for the costs of such acquisition, moving and relocation. The commissioner may pay a portion of such acquisition, moving and relocation costs in accordance with the provisions of section 360.305, subdivision 4, clause (2).”

With the recommendation that when so amended the bill pass.

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

H. F. No. 2112, A bill for an act relating to highway traffic regulations; authorized emergency vehicles; approval of specifications and equipment test fees for lighting and vehicle safety equipment; warning devices on certain vehicles; and vehicle modification standards; amending Minnesota Statutes 1976, Sections 169.01, Subdivision 5; 169.65; and 169.75; repealing Minnesota Statutes 1976, Section 169.47, Subdivision 2.

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

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

H. F. No. 2192, A bill for an act relating to transportation; establishing a rail user loan guarantee program; creating a rail user loan guarantee account; prescribing powers and duties of the commissioner of transportation; appropriating money; amending Minnesota Statutes 1976, Sections 362A.01, Subdivision 2; and 474.02, Subdivision 2.

Reported the same back with the following amendments:

Page 8, line 1, delete everything after "[APPROPRIATIONS.]".

Page 8, delete lines 2 to 8 and insert the following:

"The commissioner may transfer from the rail service improvement account to the rail user loan guarantee account an amount not to exceed \$500,000 to be used solely for insurance of loans as provided in section 4. Any amount so transferred is appropriated for the purposes of section 4. None of the funds so appropriated shall cancel but shall be available until expended."

With the recommendation that when so amended the bill pass.

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

H. F. No. 2348, A bill for an act relating to highways; allowing private landowners to install drainage tiles in highway right-of-way; amending Minnesota Statutes 1976, Section 160.20, by adding a subdivision.

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

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

S. F. No. 265, A bill for an act relating to highways; providing that towns be reimbursed for repairing and restoring town roads damaged while utilized as a haul road in transporting road building materials used in construction or maintenance.

Reported the same back with the following amendments:

Page 1, line 23, delete "1977" and insert "1978".

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

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

S. F. No. 1096, A bill for an act relating to highway traffic regulations; required equipment on certain vehicles; exempting military vehicles of the United States from wheel flap requirements; amending Minnesota Statutes 1976, Section 169.733.

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

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

S. F. No. 1758, A bill for an act relating to the department of transportation; permitting the commissioner of transportation to designate primary and alternate routes for the Great River Road; deleting the statutory route; removing duty of the commissioner to maintain the road; amending Minnesota Statutes 1976, Sections 161.142 and 161.148, Subdivisions 1, 2 and 3; repealing Minnesota Statutes 1976, Section 161.148, Subdivision 4.

Reported the same back with the following amendments:

Page 2, line 21, reinstate the stricken language.

Page 2, lines 23 and 24, delete the new language.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1931, 1977, 1936, 2312, 1256, 1773, 1861, 2013, 2020, 2023, 2160, 2221, 2283, 1834, 2372, 649, 1839, 1873, 2049, 2175, 2242, 2243, 2066, 2111, 2112, 2192 and 2348 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 478, 265, 1096 and 1758 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Heinitz and Nelson introduced:

H. F. No. 2431, A bill for an act relating to crimes; authorizing convictions to be set aside; providing for the nullification or expungement of criminal records; providing penalties.

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

Sieben, M.; George and Laidig introduced:

H. F. No. 2432, A bill for an act relating to Washington county; providing for the appointment and compensation of probation officers and supporting staff.

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

Cohen introduced:

H. F. No. 2433, A bill for an act relating to highway traffic regulations; arrest; procedures; notice to appear; authorizing release of certain traffic and motor vehicle law offenders upon written promise to appear in court, and specifying procedures upon nonappearance; providing for the suspension of driving privileges for violation of the written promise to appear; authorizing the commissioner of public safety to enter into reciprocal agreements; providing penalties; amending Minnesota Statutes 1976, Sections 169.91, Subdivisions 1, 3, and by adding a subdivision; 169.92; 171.01, Subdivision 18; and 171.18.

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

Fjoslien introduced:

H. F. No. 2434, A bill for an act relating to Independent School District No. 206 (Alexandria); permitting the school district to transfer funds for the purpose of a vocational-technical building addition.

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

Novak introduced:

H. F. No. 2435, A bill for an act relating to elections; providing for the filing of certain nominating petitions; amending Minnesota Statutes 1976, Section 202A.65, Subdivision 3.

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

Vanasek, Johnson and Birnstihl introduced:

H. F. No. 2436, A bill for an act relating to the county of LeSueur; allowing the LeSueur county court to appoint a judicial officer.

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

McCarron introduced:

H. F. No. 2437, A bill for an act relating to public welfare; establishing a pilot work experience program for general assistance recipients; providing penalties; appropriating money; amending Minnesota Statutes 1976, Chapter 256D, by adding a section.

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

Searles introduced:

H. F. No. 2438, A bill for an act relating to taxation; delaying the effective date of change in allocation of gross income of estates and trusts; amending Laws 1977, Chapter 423, Article I, Section 16.

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

Cummiskey introduced:

H. F. No. 2439, A bill for an act relating to taxation; sales tax; exempting newsprint and ink; amending Minnesota Statutes 1976, Sections 297A.14; and 297A.25, Subdivision 1.

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

Cummiskey introduced:

H. F. No. 2440, A bill for an act relating to taxation; sales tax; changing requirements for exemption of textbooks; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

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

Hokanson, Dean and Fudro introduced:

H. F. No. 2441, A bill for an act relating to transportation; adding new routes to the trunk highway system.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 8, A Concurrent Resolution relating to adjournment.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 438, 1073, 1685 and 1765.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 438, A bill for an act relating to bank charters; classifying data contained in financial statements of applicants; requiring payment of certain costs; requiring approval of managing officers; regulating issuance and expiration of certificates of authorization and charters; amending Minnesota Statutes 1976, Sections 45.04; and 45.07.

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

S. F. No. 1073, A bill for an act relating to corrections; establishing a facility for the care and treatment of inmates of correctional institutions who become mentally ill; providing for their commitment and detention for treatment; appropriating money.

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

S. F. No. 1685, A bill for an act relating to health; providing for review of certain health care planning; requiring certificates of need for construction or modifications of certain health care facilities and services; amending Minnesota Statutes 1976, Sections 145.71, Subdivision 1; 145.72; 145.73; 145.74; 145.75; 145.751; 145.76, Subdivisions 1 and 2; 145.761; 145.77; 145.78; 145.79; 145.80; 145.83; and Chapter 145, by adding sections.

The bill was read for the first time.

Carlson, L., moved that S. F. No. 1685 and H. F. No. 1824, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1765, A bill for an act relating to the organization of state government; restructuring the Gillette hospital board; requiring an annual report; amending Minnesota Statutes 1976, Section 250.05, Subdivisions 1, 3 and 5; Minnesota Statutes, 1977 Supplement, Section 250.05, Subdivision 2.

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

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

That Rule 3.4 of the permanent rules of the House, as they appear in the Journal for the ninth day, January 27, 1977, be amended to read as follows:

“3.4 MOTION FOR RECONSIDERATION. When a question has been decided either in the affirmative or negative, it shall be in order for any member who voted with the prevailing side to move its reconsideration, provided that such motion is made either on the same day the vote was taken or within the following two days of actual session of the House. A motion for reconsideration shall take precedence over all other questions except the motion to adjourn and the notice of intention to move reconsideration. Such motion or notice shall not be in order if the document, bill, resolution, message, report or other official

action on which the vote was taken shall have left the possession of the House.

When a member gives notice of intention to move reconsideration of the final action of the House on any bill, resolution, message, report or other official action, the Chief Clerk shall retain the same until after the matter is disposed of or the time has expired during which the motion for reconsideration can be made.

On the last day allowed for the motion to reconsider, it shall be in order for any member who voted on the prevailing side to make the motion, unless the matter has been already disposed of.

A motion for reconsideration having been voted upon and lost shall not be renewed.

The notice of intention to move reconsideration shall not be in order after (MAY 2, 1977 THROUGH MAY 23, 1977) *March 1, 1978.*"

The motion prevailed and the report was adopted.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. Nos. 544 and 405 and S. F. No. 65 was reported to the House.

CONSENT CALENDAR

H. F. No. 2190, A bill for an act relating to aeronautics; setting forth the registration procedure for pioneer aircraft; amending Minnesota Statutes 1976, Section 360.55 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 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Begich	Carlson, A.	Eken	Gunter
Albrecht	Berg	Carlson, D.	Enebo	Hanson
Anderson, B.	Berglin	Carlson, L.	Esau	Heinitz
Anderson, D.	Berkelman	Casserly	Evans	Hokanson
Anderson, G.	Biersdorf	Clark	Ewald	Jacobs
Anderson, I.	Birnstihl	Clawson	Faricy	Jaros
Anderson, R.	Brandl	Cohen	Fjoslien	Jensen
Arlandson	Braun	Dean	Forsythe	Johnson
Battaglia	Brinkman	Den Ouden	Fudro	Jude
Beauchamp	Byrne	Eckstein	Fugina	Kahn

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

The bill was passed and its title agreed to.

S. F. No. 1802 was reported to the House.

There being no objection, S. F. No. 1802 was continued on the Consent Calendar until Wednesday, March 1, 1978.

There being no objection H. F. No. 1882, on the Technical Consent Calendar, was reported to the House.

H. F. No. 1882, A bill for an act relating to commerce; repealing the fair trade laws; repealing Minnesota Statutes 1976, Sections 325.08 to 325.14.

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 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Casserly	Jacobs	McCarron	Prahl
Albrecht	Clark	Jaros	McCollar	Reding
Anderson, B.	Clawson	Jensen	McDonald	Rose
Anderson, D.	Cohen	Johnson	McEachern	St. Onge
Anderson, G.	Dean	Jude	Metzen	Samuelson
Anderson, I.	Den Ouden	Kahn	Moe	Sarna
Anderson, R.	Eckstein	Kaley	Munger	Savelkoul
Arlandson	Eken	Kelly, R.	Murphy	Scheid
Battaglia	Ellingson	Kelly, W.	Neisen	Schulz
Beauchamp	Enebo	Kempe, A.	Nelsen, B.	Searle
Begich	Esau	Kempe, R.	Nelsen, M.	Searles
Berg	Evans	King	Nelson	Sherwood
Berglin	Ewald	Knickerbocker	Niehaus	Sieben, H.
Berkelman	Faricy	Kostohryz	Norton	Sieben, M.
Biersdorf	Fjoslien	Kroening	Novak	Simoneau
Birnstihl	Forsythe	Kvam	Onnen	Skoglund
Brandl	Fudro	Laidig	Osthoff	Smogard
Brinkman	Fugina	Langseth	Patton	Spanish
Byrne	Gunter	Lehto	Pehler	Stanton
Carlson, A.	Hanson	Lemke	Peterson	Suss
Carlson, D.	Heinitz	Mangan	Petrafaso	Swanson
Carlson, L.	Hokanson	Mann	Pleasant	Tomlinson

Vanasek
Voss
Waldorf

Welch
Wenzel
White

Wieser
Wigley
Williamson

Wynia
Zubay

Speaker Sabo

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 1726, A bill for an act relating to special assessments; clarifying availability of certain appeal procedures; eliminating use of alternative procedures; increasing the time for appealing certain special assessments; amending Minnesota Statutes 1976, Section 429.081; and Minnesota Statutes, 1977 Supplement, Section 278.01.

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 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1857, A bill for an act relating to veterans; requiring counties to appoint a veterans service officer; amending Minnesota Statutes 1976, Section 197.60, 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 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CALL OF THE HOUSE

On the motion of Laidig and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

Laidig moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

H. F. No. 1782, A bill for an act relating to the state auditor; placing the position of the assistant to the state auditor in the unclassified service; amending Minnesota Statutes 1976, Section 43.09, 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.

Laidig moved that those not voting be excused from voting. The motion did not prevail.

There were 46 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Clawson	Kroening	Nelsen, M.	Simoneau
Anderson, I.	Enebo	Lehto	Norton	Stanton
Arlandson	Fudro	Mangan	Patton	Suss
Battaglia	Fugina	McCollar	Pehler	Tomlinson
Beauchamp	Jaros	McEachern	Petrafaso	Wenzel
Begich	Jensen	Metzen	Reding	Speaker Sabo
Berg	Jude	Moe	Rice	
Birnstihl	Kahn	Munger	Sarna	
Braun	Kelly, W.	Murphy	Sieben, H.	
Cassery	King	Neisen	Sieben, M.	

Those who voted in the negative were:

Abeln	Dean	Jacobs	Nelson	Sherwood
Albrecht	Den Ouden	Johnson	Novak	Skoglund
Anderson, D.	Eckstein	Kaley	Onnen	Smogard
Anderson, G.	Eken	Kelly, R.	Osthoff	Spanish
Anderson, R.	Ellingson	Kempe, A.	Peterson	Swanson
Berglin	Essau	Kempe, R.	Pleasant	Vanasek
Berkelman	Evans	Knickerbocker	Prahl	Voss
Biersdorf	Ewald	Kostohryz	Redalen	Waldorf
Brandl	Faricy	Kvam	Rose	Welch
Byrne	Fjoslien	Laidig	St. Onge	White
Carlson, A.	Forsythe	Langseth	Samuelson	Wieser
Carlson, D.	Friedrich	Lemke	Savelkoul	Wigley
Carlson, L.	Gunter	Mann	Scheid	Williamson
Clark	Hanson	McCarron	Schulz	Wynia
Cohen	Heinitz	McDonald	Searle	Zubay
Corbid	Hokanson	Nelsen, B.	Searles	

The bill was not passed.

H. F. No. 1822, A bill for an act relating to eminent domain; requiring that prepayment penalties be treated as a separate item of damages; amending Minnesota Statutes 1976, Chapter 117, 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 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

GENERAL ORDERS

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

REPORT OF COMMITTEE OF THE WHOLE

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

H. F. Nos. 1965 and 2067 which it recommended to pass.

H. F. No. 13 which it recommended progress until Wednesday, March 8, 1978 retaining its place on General Orders.

H. F. No. 1826 which it recommended to pass with the following amendment offered by Welch:

Amend the title as follows:

Page 1, line 6, delete "allowing".

Page 1, delete line 7.

Page 1, line 8, delete "operations;"

H. F. No. 842 which it recommended to pass with the following amendment offered by Kempe, A.:

Page 2, line 30, strike "30" and insert "10".

Page 2, line 30, strike "60" and insert "30".

Page 5, line 12, strike "30" and insert "10".

Page 5, line 12, strike "60" and insert "30".

Page 7, after line 14, add a new subdivision 3, as follows:

"Subd. 3. No order issued under sections 1 to 8 shall be subject to review by the Commerce Commission."

H. F. No. 2081 which it recommended to pass with the following amendment offered by Begich:

Page 2, line 15, after "state." insert "*Any program of instruction developed under this subdivision shall be voluntary for any adult participating in the program.*"

H. F. No. 2102 which it recommended to pass with the following amendment offered by St. Onge:

Page 1, line 17, delete "*this act*" and insert "*the provisions of sections 179.61 to 179.77*".

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:

The question was taken on the motion to recommend passage of H. F. No. 1965 and the roll was called. There were 96 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Abeln	Den Ouden	Kaley	Nelson	Simoneau
Albrecht	Eken	Kelly, W.	Niehaus	Skoglund
Anderson, G.	Ellingson	Kempe, A.	Norton	Spanish
Anderson, R.	Enebo	Kempe, R.	Novak	Stanton
Arlandson	Evans	King	Onnen	Swanson
Battaglia	Ewald	Kostohryz	Osthoff	Tomlinson
Beauchamp	Faricy	Kroening	Pehler	Voss
Berg	Fjoslien	Kvam	Petrafeso	Waldorf
Berglin	Forsythe	Laidig	Pleasant	Welch
Berkelman	Fudro	Langseth	Prahl	White
Biersdorf	Fugina	Lehto	Redalen	Wieser
Brandl	George	Mangan	Reding	Wigley
Carlson, A.	Hanson	McCarron	Rice	Williamson
Carlson, D.	Heinitz	McCollar	Rose	Wynia
Carlson, L.	Hokanson	McDonald	St. Onge	Zubay
Casserly	Jacobs	McEachern	Samuelson	Speaker Sabo
Clark	Jensen	Moe	Sarna	
Clawson	Johnson	Munger	Scheid	
Cohen	Jude	Murphy	Searles	
Dean	Kahn	Nelsen, B.	Sherwood	

Those who voted in the negative were:

Anderson, B.	Gunter	Metzen	Schulz	Suss
Braun	Lemke	Patton	Sieben, H.	Wenzel
Eckstein	Mann	Savelkoul	Sieben, M.	

The motion prevailed.

MOTIONS AND RESOLUTIONS

Brandl moved that his name be stricken and the name of Rice be added as chief author on H. F. No. 2050. The motion prevailed.

Forsythe moved that the name of Casserly be stricken and the name of Pehler be added as an author on H. F. No. 46. The motion prevailed.

Jacobs moved that the name of Kempe, A., be added as chief author on H. F. No. 2413. The motion prevailed.

Anderson, I., and Savelkoul introduced:

House Concurrent Resolution No. 9, A house concurrent resolution relating to adjournment.

SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that House Concurrent Resolution No. 9 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 9

A house concurrent resolution relating to adjournment.

Be It Resolved, by the House of Representatives, the Senate concurring, that when either the House of Representatives or the Senate adjourns on February 24, 1978, it may adjourn to any date not later than March 1, 1978.

Anderson, I., moved that House Concurrent Resolution No. 9 be now adopted. The motion prevailed and House Concurrent Resolution No. 9 was adopted.

Pursuant to Rule 1.15, McDonald moved that H. F. No. 2186 be now withdrawn from the Committee on Taxes, be given a second reading and be advanced to General Orders.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll was called. There were 37 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Albrecht	Eckstein	Kaley	Nelsen, M.	Searle
Anderson, D.	Esau	Kempe, R.	Niehaus	Searles
Anderson, R.	Evans	Knickerbocker	Onnen	Wieser
Biersdorf	Ewald	Kostohryz	Peterson	Wigley
Carlson, A.	Fjoslien	Kvam	Pleasant	Zubay
Carlson, D.	Forsythe	Laidig	Redalen	
Dean	Friedrich	McDonald	Rose	
Den Ouden	Heinitz	Nelsen, B.	Savelkoul	

Those who voted in the negative were:

Abeln	Clawson	Kahn	Neisen	Simoneau
Anderson, B.	Corbid	Kelly, R.	Nelson	Skoglund
Anderson, G.	Eken	Kelly, W.	Norton	Smogard
Anderson, I.	Ellingson	Kempe, A.	Novak	Stanton
Arlandson	Enebo	King	Osthoff	Suss
Battaglia	Farcy	Kroening	Petraleso	Swanson
Beauchamp	Fudro	Langseth	Prahl	Tomlinson
Begich	Fugina	Lehto	Reding	Vanasek
Berg	George	Lemke	Rice	Voss
Berglin	Gunter	Mangan	St. Onge	Waldorf
Berkelman	Hanson	Mann	Samuelson	Welch
Brandl	Hokanson	McCollar	Sarna	Wenzel
Braun	Jacobs	McEachern	Scheid	White
Byrne	Jaros	Metzen	Schulz	Williamson
Carlson, L.	Jensen	Moe	Sherwood	Wynia
Casserly	Johnson	Munger	Sieben, H.	Speaker Sabo
Clark	Jude	Murphy	Sieben, M.	

The motion did not prevail.

Kempe, A., moved that the name of Cohen be stricken and the name of Arlandson be added as an author on H. F. No. 1020. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 10:00 a.m., Friday, February 24, 1978. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Friday, February 24, 1978.

EDWARD A. BURDICK, Chief Clerk, House of Representatives