

STATE OF MINNESOTA

SEVENTIETH SESSION - 1978

NINETY-FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 14, 1978

The House of Representatives convened at 1:00 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	Cummiskey	Kaley	Nelsen, M.	Sieben, M.
Adams	Dean	Kalis	Nelson	Simoneau
Albrecht	Den Ouden	Kelly, R.	Niehaus	Skoglund
Anderson, B.	Eckstein	Kelly, W.	Norton	Smogard
Anderson, D.	Eken	Kempe, A.	Novak	Spanish
Anderson, G.	Ellingson	Kempe, R.	Onnen	Stanton
Anderson, I.	Enebo	King	Osthoff	Stoa
Arlandson	Erickson	Knickerbocker	Patton	Suss
Battaglia	Esau	Kostohryz	Pehler	Swanson
Beauchamp	Evans	Kroening	Peterson	Tomlinson
Begich	Faricy	Kvam	Petrafeso	Vanasek
Berg	Fjoslien	Laidig	Pleasant	Voss
Berglin	Forsythe	Langseth	Prahl	Waldorf
Berkelman	Friedrich	Lehto	Redalen	Welch
Biersdorf	Fudro	Lemke	Reding	Wenstrom
Birnstihl	Fugina	Mangan	Rice	Wenzel
Brandl	George	Mann	Rose	White
Braun	Gunter	McCarron	St. Onge	Wieser
Brinkman	Hanson	McCollar	Samuelson	Wigley
Byrne	Heinitz	McDonald	Sarna	Williamson
Carlson, A.	Hokanson	McEachern	Savelkoul	Wynia
Carlson, L.	Jacobs	Metzen	Scheid	Zubay
Casserly	Jaros	Moe	Schulz	Speaker Sabo
Clark	Jensen	Munger	Searle	
Clawson	Johnson	Murphy	Searles	
Cohen	Jude	Neisen	Sherwood	
Corbid	Kahn	Nelsen, B.	Sieben, H.	

A quorum was present.

Anderson, R., was excused until 1:45 p.m. Carlson, D., was excused until 4:00 p.m. Ewald was excused until 2:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Osthoff 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.

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 the Consent Calendar for today, Tuesday, March 14, 1978.

H. F. Nos. 1758, 1998, 2024, 2518, 2077, 2004, 2093, 2094, 2236 and 2393 and S. F. Nos. 1614, 1704, 1495, 910, 194, 291, 1229, 1830, 861 and 1106.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2024, 2327, 2518, 960, 961, 1713, 2201, 2292, 2089, 1750, 2137, 2261, 2527, 2124, 2098, 2146, 2246, 1476, 1799, 2272, 2188, 2445, 1227, 449, 1995, 2248, 2291 and 2307 and S. F. Nos. 1, 1757, 1923, 798, 1765, 622, 2316 and 336 have been placed in the members' files.

S. F. No. 2316 and H. F. No. 2426, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Pehler moved that the rules be so far suspended that S. F. No. 2316 be substituted for H. F. No. 2426 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1 and H. F. No. 13, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Nelson moved that the rules be so far suspended that S. F. No. 1 be substituted for H. F. No. 13 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: Report on Medical Malpractice Claims of Health Facilities, Department of Health; Fiscal Year '77 Annual Report, Minnesota State Arts Board; Youth Employment Act Summer 1977, Department of Economic Security; Commuter Van Program Status Report, Department of Administration; Minnesota State Court Report 1976-77, Minnesota Supreme Court; Minnesota Security Hospital Treatment Program Task Force, Department of Public Welfare; Progress Report on Planning, Univer-

city of Minnesota; and The Containment of Medical Assistance Costs, Department of Public Welfare.

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 14, 1978

The Honorable Martin Sabo
Speaker of the House
State of Minnesota

Dear Speaker Sabo:

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

H. F. No. 1103, an act relating to the operation of state government; centralizing the management and review of all state contracts in the Office of the Commissioner of Administration; distinguishing consultant, professional and technical contracts; amending Minnesota Statutes 1976, Section 15.061; and Chapter 16, by adding a section; repealing Minnesota Statutes 1976, Sections 16.10; and 161.35.

Sincerely,

RUDY PERPICH
Governor

REPORTS OF STANDING COMMITTEES

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 387, A bill for an act relating to peace officers; setting forth criteria for the use of deadly force by peace officers; amending Minnesota Statutes 1976, Sections 609.065; 629.33; and Chapter 609, by adding a section.

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

The report was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 2017, A bill for an act relating to cable communications; providing for line extension; amending Minnesota Statutes 1976, Sections 238.02, by adding subdivisions; 238.08, Subdivision 1; and Chapter 238, by adding a section.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 387 and 2017 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1 and 2316 were read for the second time.

HOUSE ADVISORIES

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

Onnen, Swanson, Waldorf, Forsythe and Samuelson introduced:

H. A. No. 90, A proposal to study home care, including but not limited to health, housekeeping, homemaking, hygiene.

The advisory was referred to the Committee on Health and Welfare.

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. 1885, A bill for an act relating to education; providing for aids to education, tax levies, and the distribution of tax revenues; granting certain powers and duties to teachers, school boards, school districts, county auditors, the commissioner

of education, the commissioner of finance, and the state board of education; creating a legislative school finance study commission; revising the provisions governing effective date, levy limitations, and employee relations, in case of school district reorganization; allowing the experimental pairing of certain districts; limiting the liability of school bus contractors; increasing foundation aid, special education aid, capital expenditure aid and the capital expenditure levy limitation; providing a funding method for programs of secondary vocational education for handicapped children; increasing the reinstatement period for teachers on unrequested leave of absence; providing state funding for the employer's share of retirement contributions for teachers on extended leaves of absence; prohibiting wage reopening clauses in teachers' contracts; authorizing certain expenditures; transferring certain appropriated funds; appropriating money; amending Minnesota Statutes 1976, Sections 6.62, Subdivision 1; 121.904, Subdivision 7, and by adding a subdivision; 122.22, Subdivision 9, and by adding a subdivision; 122.23, Subdivisions 13, 15, and 18; 122.46, Subdivision 2; 123.37, Subdivision 1b; 124.17, Subdivision 3; 124.20; 124.212, by adding subdivisions; 124.74; 124.76; 125.12, Subdivisions 6a and 6b; 126.12; 127.29, Subdivision 1; 128A.02, by adding subdivisions; 134.03; 179.70, Subdivision 1; 275.125, Subdivisions 15, 16 and 18; 475.60, Subdivision 2; Chapter 122, by adding sections; Chapter 124, by adding a section; Minnesota Statutes, 1977 Supplement, Sections 121.912, Subdivision 1; 122.85, Subdivision 1; 124.17, Subdivisions 1 and 2; 124.19, Subdivision 1; 124.212, Subdivisions 5a, 7b and 8a; 124.213, Subdivisions 1 and 2; 124.222, Subdivision 6; 124.245, Subdivisions 1 and 2, and by adding a subdivision; 124.32, Subdivisions 1, 1a, 1b, 5, and by adding a subdivision; 124.38, Subdivision 7; 124.562, Subdivision 1; 124.572, Subdivision 2; 124.573, Subdivision 2; 125.60, Subdivisions 2 and 3, and by adding a subdivision; 125.61, Subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; 176.011, Subdivision 9; 275.07; 275.124; 275.125, Subdivisions 9, and 11a; 354.094, Subdivisions 1 and 4; 354.66, Subdivisions 1 and 9; 354A.091, Subdivisions 1 and 4; and 354A.22, Subdivisions 1 and 9; repealing Minnesota Statutes 1976, Sections 120.07; 122.53; 124.02; Minnesota Statutes, 1977 Supplement, Sections 125.61, Subdivision 5; 128A.06; and Laws 1977, Chapter 447, Article IX, Section 8.

The Senate has appointed as such committee Messrs. Merriam, Hughes, Dieterich, Dunn and Anderson.

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. 2527, A bill for an act relating to the organization and operation of state government; clarifying, supplementing, and providing for deficiencies in appropriations for the expenses of state government with certain conditions; providing for payment of claims; shortening time for cancellation of certain drafts; authorizing fees and special accounts in certain cases; transferring duties; extending existence of advisory council on economic status of women; appropriating money; amending Minnesota Statutes 1976, Sections 3.736, Subdivision 7; 3.98, Subdivision 4; 10.15; 10A.20, Subdivision 3, as amended; 10A.27, Subdivision 4, as amended; 10.32, Subdivision 3, as amended; 15.061; 16.32, Subdivision 1; 16A.128; 16A.15, Subdivision 1; 16A.60; 16A.67, Subdivision 2; 60A.13, Subdivision 7; 60A.14, Subdivision 1; 136A.29, Subdivision 9; 242.385, Subdivision 1; 299C.10; 299C.11; 299D.03, Subdivision 6; 341.12; 363.14, Subdivision 1; 480.13; and Chapter 16A, by adding sections; Minnesota Statutes, 1977 Supplement, Sections 15A.083, Subdivision 4, and by adding a subdivision; 16.125, Subdivisions 1 and 3; 16.72, Subdivision 7; 43.42; 43.43, Subdivision 2; 120.17, Subdivision 7a; 139.18, Subdivision 2; 298.28, Subdivision 1; 473.591, Subdivision 3; 484.62; 484.68, Subdivision 6; and 484.68, by adding subdivisions; amending Laws 1976, Chapter 337, Sections 1, Subdivision 4; and 4; amending Laws 1977, Chapter 421, Section 13, by adding a subdivision; Laws 1977, Chapter 445, Section 3, Subdivision 3; Laws 1977, Chapter 454, Section 5, Subdivision 1; repealing Minnesota Statutes 1976, Sections 3.732, Subdivision 4; 16.171; 60A.13, Subdivisions 3 and 4; 162.19; 325.64 to 325.76; and 363.122.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House refuse to concur in the Senate amendments to H. F. No. 2527, 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 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. 1918, A bill for an act relating to taxation; income tax; clarifying the exemption of certain pension benefits; amending Minnesota Statutes, 1977 Supplement, Section 290.01, Sub-

division 20; repealing Minnesota Statutes, 1977 Supplement, Section 290.08, Subdivision 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

Skoglund moved that the House refuse to concur in the Senate amendments to H. F. No. 1918, that the Speaker appoint a Conference Committee of 3 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 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. 1858, A bill for an act relating to retirement; clarifying various ambiguous retirement provisions; removing various obsolete gender references; amending Minnesota Statutes 1976, Sections 352B.05; 352B.06; 352B.14, Subdivisions 3 and 4; 352B.26, Subdivisions 2 and 3; 352B.28; 352D.05, Subdivision 3; 423.37; 423.371, Subdivision 2; 423.377; 423.38; 423.381; 423.387; 423.48; 423.51; 423.52; 423.58; 423.802, Subdivision 2; 423.810, Subdivisions 1 and 2; 424.16; 424.17; 424.24; 424.29; 424.31; Chapter 422A, by adding a section; Minnesota Statutes, 1977 Supplement, Sections 69.772, Subdivision 2; 352B.08, Subdivision 2; 422A.09, Subdivision 3; and 422A.33, Subdivision 3; Laws 1969, Chapter 1088, Section 4, Subdivision 4; and Laws 1977, Chapter 61, Section 5; repealing Minnesota Statutes 1976, Sections 423.22 to 423.36; and 425.01 to 425.09.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Patton moved that the House concur in the Senate amendments to H. F. No. 1858 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1858, A bill for an act relating to retirement; clarifying various ambiguous retirement provisions; removing various obsolete gender references; amending Minnesota Statutes 1976, Sections 352B.05; 352B.06; 352B.14, Subdivisions 3 and 4; 352B.26, Subdivisions 2 and 3; 352B.28; 352D.05, Subdivision 3; 423.37; 423.371, Subdivision 2; 423.377; 423.38; 423.381; 423.387; 423.48; 423.51; 423.52; 423.58; 423.802, Subdivision 2; 423.810, Subdivisions 1 and 2; 424.16; 424.17; 424.24; 424.29; 424.31; Chapter 422A, by adding a section; Minnesota Statutes, 1977 Supplement, Sections 69.772, Subdivision 2; 352B.08, Sub-

division 2; 422A.09, Subdivision 3; and 422A.33, Subdivision 3; Laws 1969, Chapter 1088, Section 4, Subdivision 4; and Laws 1977, Chapter 61, Section 5; repealing Minnesota Statutes 1976, Sections 423.22 to 423.36; and 425.01 to 425.09.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 2048, A bill for an act relating to municipalities; purpose and name of range association of municipalities and schools; amending Minnesota Statutes 1976, Section 471.58.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Begich moved that the House concur in the Senate amendments to H. F. No. 2048 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2048, A bill for an act relating to municipalities; changing the purpose and name of the range association of the municipalities and schools; amending Minnesota Statutes 1976, Section 471.58.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Smogard moved that the House concur in the Senate amendments to H. F. No. 2242 and that the bill be repassed as amended by the Senate. The motion prevailed.

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.

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

The question was taken on the repassage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 2298, A bill for an act relating to highway traffic regulation; change of course; clarifying requirement to signal

a turn; amending Minnesota Statutes 1976, Section 169.19, Sub-division 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Clark moved that the House concur in the Senate amendments to H. F. No. 2298 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2298, A bill for an act relating to highway traffic regulation; change of course; clarifying requirement to signal a turn; amending Minnesota Statutes 1976, Section 169.19, Sub-division 4.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in

which amendment the concurrence of the House is respectfully requested:

H. F. No. 1864, A bill for an act relating to retirement; providing for biennial local police and paid fire fund actuarial valuations; amending Minnesota Statutes 1976, Sections 69.77, Subdivisions 1, 2 and by adding a subdivision; 69.773, Subdivision 2; 69.78; 356.20, Subdivisions 1, 2 and 4; 356.215, Subdivisions 2 and 4; Chapter 356, by adding a section; Laws 1955, Chapter 75, Section 9, as added and Section 12, as amended; Laws 1959, Chapter 131, Section 10, Subdivision 1, as amended; Laws 1965, Chapter 446, Section 7, Subdivision 1; Laws 1965, Chapter 458, Section 3, Subdivision 2; Laws 1965, Chapter 498, Section 1, Subdivision 1; Laws 1967, Chapter 736, Section 11, Subdivision 1; Laws 1967, Chapter 775, Section 8; Laws 1967, Chapter 798, Section 1, Subdivisions 1 and 2; Laws 1969, Chapter 576, Section 1; Laws 1969, Chapter 641, Section 2, Subdivision 1; Laws 1971, Chapter 51, Section 9, and Section 10, Subdivisions 1 and 2; Laws 1971, Chapter 810, Section 7; Laws 1973, Chapter 587, Section 1; Laws 1975, Chapter 424, Sections 10 and 11; repealing Minnesota Statutes 1976, Sections 69.71; 69.72; 69.73; 69.74; 69.75; 69.76; 490.131; and Laws 1963, Chapter 643, Section 27.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Beauchamp moved that the House concur in the Senate amendments to H. F. No. 1864 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1864, A bill for an act relating to retirement; providing for biennial local police and paid fire fund actuarial valuations; amending Minnesota Statutes 1976, Sections 69.77, Subdivisions 1, 2 and by adding a subdivision; 69.773, Subdivision 2; 69.78; 356.20, Subdivisions 1, 2 and 4; 356.215, Subdivisions 2 and 4; Chapter 356, by adding a section; Laws 1955, Chapter 75, Section 9, as added and Section 12, as amended; Laws 1959, Chapter 131, Section 10, Subdivision 1, as amended; Laws 1965, Chapter 446, Section 7, Subdivision 1; Laws 1965, Chapter 458, Section 3, Subdivision 2; Laws 1965, Chapter 498, Section 1, Subdivision 1; Laws 1967, Chapter 736, Section 11, Subdivision 1; Laws 1967, Chapter 775, Section 8; Laws 1967, Chapter 798, Section 1, Subdivisions 1 and 2; Laws 1969, Chapter 576, Section 1; Laws 1969, Chapter 641, Section 2, Subdivision 1; Laws 1971, Chapter 51, Section 9, and Section 10, Subdivisions 1 and 2; Laws 1971, Chapter 810, Section 7; Laws 1973, Chapter 587, Section 1; Laws 1975, Chapter 424, Sections 10 and 11; repealing Minnesota Statutes 1976, Sections 69.71; 69.72; 69.73; 69.74; 69.75; 69.76; 490.131; and Laws 1963, Chapter 643, Section 27.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

S. F. No. 2078.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 2361.

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. 1450 and 1722.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 2062.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2078, A bill for an act relating to taxation; sales tax; changing definition of common carriers as retailers; amending Minnesota Statutes, 1977 Supplement, Section 297A.211, Subdivision 1.

The bill was read for the first time.

Pehler moved that S. F. No. 2078 and H. F. No. 2345, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2361, A bill for an act relating to peace officers; setting forth criteria for the use of deadly force by peace officers; amending Minnesota Statutes 1976, Sections 609.065; 629.33; and Chapter 609, by adding a section.

The bill was read for the first time.

Nelson moved that S. F. No. 2361 and H. F. No. 387, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1450, A bill for an act relating to economic development; creating an operating unit within the department of economic development relating to small businesses; creating an advisory task force; requiring reports and recommendations; transferring the administration of laws relating to community development corporations; amending Minnesota Statutes, 1977 Supplement, Section 362.41, Subdivision 5; and Minnesota Statutes 1976, Chapter 362, by adding a section.

The bill was read for the first time.

White moved that S. F. No. 1450 and H. F. No. 1446, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1722, A bill for an act relating to education; providing educational aids for children attending nonpublic schools; appropriating money; amending Minnesota Statutes 1976, Sections 120.17, Subdivision 9; 123.931; 123.932, Subdivision 7, and by adding subdivisions; 123.933; 123.935; 123.936; 123.937; 124.212, by adding a subdivision; and Chapter 123, by adding sections; Minnesota Statutes, 1977 Supplement, Sections 124.212, Subdivision 9a; and 124.223; repealing Minnesota Statutes 1976, Sections 123.932, Subdivisions 1, 2, 6 and 8; 123.934; and Laws 1977, Chapter 447, Article VI, Section 12.

The bill was read for the first time.

Pehler moved that S. F. No. 1722 and H. F. No. 1750, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2062, 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.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

House Concurrent Resolution No. 10 relating to the delivery of bills to the governor after final adjournment.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

HOUSE CONCURRENT RESOLUTION NO. 10

A house concurrent resolution relating to the delivery of bills to the governor after final adjournment.

Be It Resolved, by the House of Representatives, the Senate concurring, that on adjournment sine die of the 70th regular session of the Legislature, bills shall be presented to the Governor in conformity with the provisions of this resolution and as follows:

(a) That the Speaker of the House of Representatives, the Chief Clerk of the House of Representatives, the President of

the Senate, and the Secretary of the Senate shall certify and sign each bill in the same manner and upon the same certification as each bill is signed for presentation to the Governor prior to adjournment sine die, and each of those officers shall continue in his designated capacity during the three days following the date of final adjournment;

(b) That the Chief Clerk of the House of Representatives and the Secretary of the Senate in accordance with the rules of the respective bodies and under the supervision and direction of the standing Committee on Rules and Legislative Administration and the standing Committee on Rules and Administration shall carefully engross and enroll each bill and make delivery thereof to the Governor in the same manner as each bill is engrossed and enrolled and delivered to the Governor prior to the adjournment of the Legislature sine die;

(c) That the Revisor of Statutes shall continue to assist in all of the functions relating to the engrossment and enrollment of bills of the House of Representatives and of the Senate under the supervision of the Chief Clerk of the House of Representatives and the Secretary of the Senate in the same manner that his assistance was rendered prior to the adjournment of the Legislature sine die;

(d) That this concurrent resolution is enacted in accordance with the requirements of the Constitution, Article IV, Section 23; and

Be It Further Resolved, that the Chief Clerk of the House of Representatives deliver a copy of this Resolution to the Governor, and the Secretary of State.

Anderson, I., moved that House Concurrent Resolution No. 10 be now adopted. The motion prevailed and the resolution was adopted.

CONSENT CALENDAR

S. F. No. 1684, A bill for an act relating to federal aid to state government; requiring consultation with the legislative advisory commission prior to expenditure of certain federal aid.

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

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

Those who voted in the affirmative were:

Abeln Adams Albrecht Anderson, B. Anderson, D.

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

The bill was passed and its title agreed to.

H. F. No. 2015 was reported to the House.

Stanton moved to amend H. F. No. 2015, as follows:

Page 2, line 3, delete "July 1, 1978" and insert "upon final enactment".

The motion prevailed and the amendment was adopted.

H. F. No. 2015, A bill for an act relating to state government; providing for classifying certain CETA employees as state employees.

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 116 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeln	Berkelman	Clawson	Faricy	Jaros
Adams	Biersdorf	Cohen	Fjoslien	Jensen
Anderson, B.	Birnstihl	Corbid	Forsythe	Johnson
Anderson, D.	Brandl	Cummiskey	Friedrich	Jude
Anderson, G.	Braun	Dean	Fudro	Kahn
Anderson, I.	Brinkman	Eckstein	Fugina	Kaley
Arlandson	Byrne	Eken	George	Kalis
Battaglia	Carlson, A.	Ellingson	Gunter	Kelly, R.
Begich	Carlson, L.	Enebo	Hanson	Kelly, W.
Berg	Casserly	Erickson	Hokanson	Kempe, A.
Berglin	Clark	Evans	Jacobs	Kempe, R.

King	Munger	Prahl	Sieben, H.	Welch
Kostohryz	Murphy	Redalen	Sieben, M.	Wenstrom
Kroening	Neisen	Reding	Simoneau	Wenzel
Laidig	Nelsen, M.	Rice	Skoglund	White
Langseth	Nelson	Rose	Smogard	Wieser
Lehto	Niehaus	St. Onge	Stanton	Williamson
Lemke	Norton	Samuelson	Stoa	Wynia
Mangan	Novak	Sarna	Suss	Zubay
Mann	Onnen	Savelkoul	Swanson	Speaker Sabo
McCollar	Osthoff	Scheid	Tomlinson	
McDonald	Patton	Schulz	Vanasek	
McEachern	Peterson	Searles	Voss	
Metzen	Petrafaso	Sherwood	Waldorf	

Those who voted in the negative were:

Albrecht	Esau	Knickerbocker	Pleasant	Wigley
Den Ouden	Heinitz	Kvam	Searle	

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

There being no objection, H. F. No. 2327, now on the Technical Consent Calendar, was reported to the House.

H. F. No. 2327, A bill for an act relating to unemployment compensation; limiting the coverage of agricultural employers of certain children; amending Minnesota Statutes, 1977 Supplement, Section 268.04, Subdivision 12.

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 4 nays as follows:

Those who voted in the affirmative were:

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

Tomlinson
Vanasek
Voss

Waldorf
Welch
Wenstrom

Wenzel
White
Wieser

Wigley
Williamson
Wynia

Zubay
Speaker Sabo

Those who voted in the negative were:

Adams

Osthoff

Rice

Sarna

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Kelly, W., requested immediate consideration of H. F. Nos. 1699, 1803, 1805, 1806 and 2044.

H. F. No. 1699 was reported to the House.

Pehler moved to amend H. F. No. 1699, as follows:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 290.06 is amended by adding a subdivision to read:

Subd. 12. [NATIONAL GUARD CREDIT AND RESERVE ARMED FORCES.] The taxes due under the computation in accordance with section 290.06 shall be credited with \$150 for any individual who has income which includes compensation for personal services in the Minnesota National Guard or the Reserve Armed Forces of the United States.

Sec. 2. [EFFECTIVE DATE.] Section 1 shall be effective for taxable years beginning after December 31, 1977.”

Amend the title accordingly.

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 47 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Abeln
Adams
Beauchamp
Berg
Berglin
Biersdorf
Brand
Byrne
Carlson, A.
Carlson, L.

Casslerly
Clark
Clawson
Corbid
Cummiskey
Eken
Ellingson
Enebo
Gunter
Hanson

Jaros
Kahn
Kelly, R.
Kelly, W.
Kroening
Lehto
Mangan
McCarron
Metzen
Moe

Nelson
Osthoff
Pehler
Petrafeso
Prah
Rice
Scheid
Schulz
Sherwood
Simoneau

Skoglund
Stanton
Vanasek
White
Williamson
Wynia
Speaker Sabo

Those who voted in the negative were:

Albrecht	Eckatein	Kalis	Murphy	Searles
Anderson, B.	Erickson	Kempe, A.	Neisen	Sieben, M.
Anderson, D.	Esau	Kempe, R.	Nelsen, B.	Smogard
Anderson, I.	Evans	King	Niehaus	Spanish
Anderson, R.	Forsythe	Knickerbocker	Novak	Stoa
Arlandson	Friedrich	Kostohryz	Onnen	Suss
Battaglia	Fudro	Kvam	Patton	Swanson
Begich	George	Laidig	Peterson	Tomlinson
Berkelman	Heinitz	Langseth	Pleasant	Waldorf
Birnstihl	Hokanson	Lemke	Redalen	Welch
Braun	Jacobs	Mann	Rose	Wenstrom
Brinkman	Jensen	McCollar	St. Onge	Wenzel
Cohen	Johnson	McDonald	Sarna	Wieser
Dean	Jude	McEachern	Savelkoul	Wigley
Den Ouden	Kaley	Munger	Searle	Zubay

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

Fjoslien moved to amend H. F. No. 1699, as follows:

Page 7, strike lines 15 through 17 and insert a new clause to read:

“(11) The first \$3,000 received by an individual as compensation for personal services in the armed forces of the United States or the United Nations, shall be excluded from gross income in computing income taxes under the provisions of this chapter. The next \$2,000 received by an individual as compensation for personal services in the armed forces of the United States or the United Nations wholly performed outside of the state of Minnesota, shall also be excluded from gross income in computing taxes under the provisions of this chapter.”.

Amend the title accordingly.

A roll call was requested and properly seconded.

POINT OF ORDER

Wenzel raised a point of order pursuant to rule 3.9 that the Fjoslien amendment was out of order. The Speaker ruled the point of order not well taken and the amendment in order.

The question recurred on the adoption of the Fjoslien amendment and the roll was called. There were 46 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Albrecht	Biersdorf	Carlson, A.	Dean	Esau
Anderson, D.	Birnstihl	Cohen	Den Ouden	Evans
Anderson, R.	Byrne	Cummiskey	Erickson	Faricy

Fjoslien	Kostohryz	Niehaus	Rose	Wenstrom
Forsythe	Kvam	Onnen	St. Onge	Wieser
Friedrich	Laidig	Osthoff	Savelkoul	Wigley
Heinitz	Mangan	Patton	Searle	
Hokanson	McDonald	Peterson	Searles	
Jensen	Metzen	Prahl	Sherwood	
Kempe, R.	Nelsen, B.	Redalen	Spanish	

Those who voted in the negative were:

Abeln	Casserly	Jude	Murphy	Smogard
Adams	Clark	Kahn	Neisen	Stanton
Anderson, B.	Clawson	Kalis	Norton	Stoa
Anderson, I.	Corbid	Kelly, R.	Novak	Suss
Arlandson	Eckstein	Kelly, W.	Pehler	Tomlinson
Battaglia	Eken	Kempe, A.	Petrafeso	Vanasek
Beauchamp	Ellingson	King	Reding	Waldorf
Begich	Enebo	Kroening	Rice	Welch
Berg	Fudro	Langseth	Samuelson	Wenzel
Berglin	George	Lemke	Sarna	White
Berkelman	Gunter	Mann	Scheid	Williamson
Brandl	Hanson	McCollar	Schulz	Wynia
Braun	Jacobs	McEachern	Sieben, M.	Speaker Sabo
Brinkman	Jaros	Moe	Simoneau	
Carlson, L.	Johnson	Munger	Skoglund	

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

Biersdorf moved to amend H. F. No. 1699, as follows:

Page 7, line 15, strike "\$2,000" and insert "\$3,000".

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 54 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Kaley	Niehaus	Searle
Anderson, B.	Esau	Kempe, R.	Onnen	Searles
Anderson, D.	Evans	Knickerbocker	Patton	Smogard
Anderson, R.	Ewald	Kostohryz	Peterson	Spanish
Arlandson	Forsythe	Kvam	Pleasant	Swanson
Biersdorf	Friedrich	Laidig	Prahl	Wenstrom
Birnstihl	George	Mangan	Redalen	Wieser
Carlson, A.	Gunter	McDonald	Rose	Wigley
Cohen	Heinitz	Metzen	St. Onge	Williamson
Dean	Hokanson	Nelsen, B.	Samuelson	Zubay
Den Ouden	Jensen	Nelson	Savelkoul	

Those who voted in the negative were:

Abeln	Berg	Byrne	Cummiskey	Fugina
Adams	Berglin	Carlson, L.	Eckstein	Hanson
Anderson, I.	Berkelman	Casserly	Eken	Jacobs
Battaglia	Brandl	Clark	Ellingson	Jaros
Beauchamp	Braun	Clawson	Enebo	Johnson
Begich	Brinkman	Corbid	Fudro	Jude

Kahn	Mann	Novak	Sieben, M.	Waldorf
Kalis	McCarron	Osthoff	Simoneau	Welch
Kelly, R.	McCollar	Pehler	Skoglund	Wenzel
Kelly, W.	McEachern	Reding	Stanton	White
King	Moe	Rice	Stoa	Wynia
Kroening	Munger	Sarna	Suss	Speaker Sabo
Langseth	Murphy	Scheid	Tomlinson	
Lehto	Neisen	Schulz	Vanasek	
Lemke	Norton	Sherwood	Voss	

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

H. F. No. 1699, A bill for an act relating to taxation; providing that compensation for service in the Minnesota national guard or the reserve armed forces of the United States be exempt from the income tax; directing the adjutant general to study enlistment and reenlistment incentives; amending Minnesota Statutes, 1977 Supplement, Section 290.01, Subdivision 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 124 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Eken Kahn Kelly, W.

The bill was passed and its title agreed to.

H. F. No. 1803, A bill for an act relating to taxation; property tax; providing for delay in increased valuation on certain rehabilitation 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 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Braun Onnen

The bill was passed and its title agreed to.

H. F. No. 1805 was reported to the House.

Kelly, W., moved to amend H. F. No. 1805, as follows:

Pages 2 and 3, delete section 4.

Page 3, line 18, after "Statutes," insert "1975 Supplement,".

Page 3, line 27, delete "Section 4 is effective for sales made July 1,".

Page 3, line 28, delete "1978 and thereafter,".

Page 3, line 28, delete "5" and insert "4".

Renumber the remaining sections accordingly.

Further, amend the title as follows:

Line 5, delete "applying sales tax to certain tooling".

Line 6, delete "charges;"

Line 7, delete "Sections" and insert "Section".

Line 9, delete "and 297A.14;"

The motion prevailed and the amendment was adopted.

H. F. No. 1805, A bill for an act relating to taxation; clarifying tax status of certain leased United States property; limiting the assessment and taxation of certain leased property; clarifying status of certain taconite taxes; amending Minnesota Statutes 1976, Section 273.19, Subdivision 1, and by adding a subdivision; and Chapter 275, 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 1 nay as follows:

Those who voted in the affirmative were:

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

Voss
Waldorf
Welch

Wenstrom
Wenzel
White

Wieser
Wigley
Williamson

Wynia
Zubay

Speaker Sabo

Those who voted in the negative were:

Anderson, R.

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

H. F. No. 1806, A bill for an act relating to taxation; tax returns; excepting certain tax information about liquor license applicants from confidentiality requirements; amending Minnesota Statutes 1976, Section 297A.43; Chapter 290, by adding a section; and Chapter 297A, by adding a section; and Minnesota Statutes, 1977 Supplement, Section 290.61.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2044, A bill for an act relating to shade tree disease control; extending the special levy authority for sanitation and reforestation; clarifying utilization of appropriations; authorizing extension of temporary rules; amending Minnesota Statutes, 1977 Supplement, Section 275.50, Subdivision 6.

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 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kalis

The bill was passed and its title agreed to.

Pursuant to rule 1.10, Norton requested immediate consideration of H. F. Nos. 2261 and 2292; S. F. No. 336; and H. F. Nos. 2137, 2201, 960, 961 and 1713.

H. F. No. 2261 was reported to the House.

Laidig moved to amend H. F. No. 2261, as follows:

Page 11, after line 22, add a new section to read:

"Sec. 12. *There is appropriated from the general fund to the Minnesota energy agency the sum of \$50,000, or so much thereof as may be required, for the purpose of contracting the performance of aerial thermal infrared surveys. At least 50 percent of these surveys shall be conducted outside of the seven county metropolitan area as defined by section 478.121, subdivision 2.*

The director shall use the imagery and data collected from these surveys to inform owners of homes and other buildings of energy conservation opportunities."

Renumber the remaining section in sequence.

Amend the title accordingly.

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

Stanton offered an amendment to H. F. No. 2261.

POINT OF ORDER

Munger raised a point of order pursuant to rule 3.10 that the Stanton amendment was out of order. The Speaker ruled the point of order not well taken.

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

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

Swanson moved to amend H. F. No. 2261, as follows:

Page 4, line 15, after "occupied" delete the balance of the line.

Page 4, line 16, delete "government".

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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The motion prevailed and the amendment was adopted.

Forsythe was excused while in Conference Committee.

H. F. No. 2261, A bill for an act relating to energy; changing the powers of the Minnesota energy agency; implementing certain residential energy efficiency standards; establishing insulation product and application standards; prescribing penalties; appropriating money; amending Minnesota Statutes 1976, Section 116H.08; and Minnesota Statutes, 1977 Supplement, Section 116H.129, Subdivision 1, and by adding subdivisions.

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 69 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Jensen	Nelson	Skoglund
Anderson, I.	Cohen	Kahn	Norton	Spanish
Arlandson	Cummiskey	Kelly, R.	Novak	Stanton
Battaglia	Dean	Kempe, A.	Patton	Stoa
Beauchamp	Eken	Kempe, R.	Pehler	Tomlinson
Begich	Ellingson	King	Petrafaso	Vanasek
Berg	Enebo	Kostohryz	Prahl	Voss
Berglin	Faricy	Kroening	Rice	Waldorf
Berkelman	Fudro	Langseth	Sarna	Wenstrom
Brandl	George	Lehto	Scheid	Wenzel
Byrne	Hanson	Mangan	Sherwood	Williamson
Carlson, A.	Hokanson	Moe	Sieben, H.	Wynia
Carlson, L.	Jacobs	Munger	Sieben, M.	Speaker Sabo
Casserly	Jaros	Murphy	Simoneau	

Those who voted in the negative were:

Adams	Eckstein	Kalis	Nelsen, M.	Schulz
Albrecht	Erickson	Knickerbocker	Niehaus	Searle
Anderson, B.	Esau	Kvam	Onnen	Searles
Anderson, D.	Evans	Laidig	Osthoff	Smogard
Anderson, G.	Ewald	Lemke	Peterson	Suss
Anderson, R.	Fjoslien	Mann	Pleasant	Swanson
Biersdorf	Friedrich	McCarron	Redal	White
Birnstihl	Gunter	McCollar	Reding	Wieser
Brinkman	Heinitz	McDonald	Rose	Wigley
Carlson, D.	Johnson	McEachern	St. Onge	Zubay
Corbid	Jude	Metzen	Samuelson	
Den Ouden	Kaley	Nelsen, B.	Savelkoul	

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

H. F. No. 2292 was reported to the House.

Berg moved to amend H. F. No. 2292, as follows:

Page 3, line 19, after "statement" insert "or a summary thereof in such form as the state auditor may prescribe".

Page 3, line 24, after "statement" insert "or a summary thereof in such form as the state auditor may prescribe".

The motion prevailed and the amendment was adopted.

H. F. No. 2292, A bill for an act relating to cities; establishing requirements for financial statements, reports and audits; providing a time limit for submissions of certain reports to the state auditor; providing for enforcement of reporting requirements; appropriating money; amending Minnesota Statutes 1976, Chapter 471, by adding sections; repealing Minnesota Statutes 1976, Sections 412.281 and 412.291.

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 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht Fjoslien

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

S. F. No. 336, A bill for an act relating to Spanish-speaking people; creating a state board on affairs of the Spanish-speaking people; appropriating money.

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 109 yeas and 10 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Brinkman	Fjoslien	Kaley	Nelsen, B.	Savelkoul
Esau	Heinitz	Knickerbocker	Niehaus	Wieser

The bill was passed and its title agreed to.

Birnstihl was excused for the remainder of today's session. Kempe, A., was excused while in Conference Committee.

H. F. No. 2137 was reported to the House.

Lehto moved to amend H. F. No. 2137, as follows:

Page 7, line 23, reinstate the stricken "nothing in".

The motion prevailed and the amendment was adopted.

H. F. No. 2137, A bill for an act relating to natural resources; concerning water resources; revising certain provisions concerning dams, reservoirs, control structures, and waterway obstructions; prescribing certain fees to finance safety examinations relating to such projects; appropriating money; amending Minnesota Statutes 1976, Sections 105.42, Subdivision 2; 105.482, Subdivision 2, and by adding a subdivision; 105.52; 105.53; Chapter 105, by adding a section; and Minnesota Statutes, 1977 Supplement, Sections 105.44, Subdivision 10; and 105.482, Subdivision 5.

The bill was read for 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 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Kahn	Neisen	Searles
Adams	Corbid	Kaley	Nelsen, B.	Sherwood
Albrecht	Cummiskey	Kalis	Nelsen, M.	Sieben, H.
Anderson, B.	Den Ouden	Kelly, R.	Nelson	Sieben, M.
Anderson, D.	Eckstein	Kelly, W.	Niehaus	Simoneau
Anderson, G.	Eken	Kempe, R.	Norton	Skoglund
Anderson, I.	Ellingson	King	Onnen	Smogard
Anderson, R.	Erickson	Knickerbocker	Osthoff	Spanish
Arlandson	Evans	Kostohryz	Patton	Stoa
Battaglia	Ewald	Kroening	Pehler	Suss
Beauchamp	Faricy	Kvam	Peterson	Swanson
Begich	Fjoslien	Laidig	Petrafeso	Tomlinson
Berg	Friedrich	Langseth	Pleasant	Vanasek
Berglin	Fudro	Lehto	Prahl	Voss
Berkelman	Fugina	Lenke	Redalen	Waldorf
Biersdorf	George	Mangan	Reding	Welch
Brandl	Gunter	Mann	Rice	Wenzel
Brinkman	Hanson	McCarron	Rose	White
Byrne	Heinitz	McCollar	St. Onge	Wieser
Carlson, A.	Hokanson	McDonald	Samuelson	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	

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

H. F. No. 2201, A bill for an act relating to housing; providing funds for housing programs for native Americans; appropriating money; amending Minnesota Statutes 1976, Sections 462A.07, by adding a subdivision; 462A.21, 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 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 960, A bill for an act relating to data processing by certain public bodies; its regulation and control; establishing the Minnesota advisory council for information systems; prescribing its powers and duties; appropriating money; amending Minnesota Statutes 1976, Section 3.976; 16.80, by adding a subdivision; 16.90, Subdivision 4; 16.94; and 16.95; repealing Minnesota Statutes 1976, Sections 16.91 and 16.911.

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 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Berg	Clark	Erickson	Hanson
Adams	Berglin	Clawson	Esau	Hejnitz
Albrecht	Berkelman	Cohen	Evans	Hokanson
Anderson, B.	Biersdorf	Corbid	Ewald	Jacobs
Anderson, D.	Brandl	Cummiskey	Faricy	Jaros
Anderson, G.	Brinkman	Dean	Fjoslien	Johnson
Anderson, I.	Byrne	Den Ouden	Friedrich	Jude
Arlandson	Carlson, A.	Eckstein	Fudro	Kahn
Battaglia	Carlson, D.	Eken	Fugina	Kaley
Beauchamp	Carlson, L.	Ellingson	George	Kalis
Begich	Casserly	Enebo	Gunter	Kelly, R.

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

Those who voted in the negative were:

Anderson, R.

The bill was passed and its title agreed to.

H. F. No. 961, A bill for an act relating to education; data processing; establishing the Minnesota educational computing consortium as a state agency; prescribing powers and duties therefor; repealing Minnesota Statutes 1976, Section 16.93.

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 116 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, R.	Esau	Niehaus	Pleasant	Redalen
Den Ouden	McDonald	Onnen		

The bill was passed and its title agreed to.

H. F. No. 1713, A bill for an act relating to the department of veterans affairs; establishing a nursing home for veterans in Hastings; appropriating money; amending Minnesota Statutes, 1977 Supplement, Section 246.02, Subdivision 2.

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

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

Those who voted in the affirmative were:

Abeln	Corbid	Jude	Neisen	Searles
Adams	Cummiskey	Kahn	Nelsen, B.	Sherwood
Albrecht	Dean	Kaley	Nelsen, M.	Sieben, H.
Anderson, B.	Den Ouden	Kalis	Nelson	Sieben, M.
Anderson, D.	Eckstein	Kelly, R.	Niehaus	Simoneau
Anderson, G.	Eken	Kelly, W.	Norton	Skoglund
Anderson, I.	Ellingson	Kempe, R.	Novak	Smogard
Anderson, R.	Enebo	King	Onnen	Spanish
Arlandson	Erickson	Knickerbocker	Osthoff	Stoa
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	Friedrich	Lehto	Prahl	Waldorf
Biersdorf	Fudro	Lemke	Redalen	Welch
Brandl	Fugina	Mangan	Reding	Wenstrom
Brinkman	George	Mann	Rice	Wenzel
Byrne	Gunter	McCarron	Rose	White
Carlson, A.	Hanson	McCollar	St. Onge	Wieser
Carlson, D.	Heinitz	McDonald	Samuelson	Wigley
Carlson, L.	Hokanson	McEachern	Sarna	Williamson
Casserly	Jacobs	Metzen	Savelkoul	Wynia
Clark	Jaros	Moe	Scheid	Zubay
Clawson	Jensen	Munger	Schulz	Speaker Sabo
Cohen	Johnson	Murphy	Searle	

The bill was passed and its title agreed to.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1092, A bill for an act relating to public waters; establishing a lake restoration and protection program; making grants-in-aid available for improving water quality in public lakes; prescribing certain powers and duties for the pollution control agency; appropriating money; amending Minnesota Statutes 1976, Section 459.20.

Reported the same back with the following amendments:

Pages 1 to 8, delete all of sections 1 to 7.

Pages 9 and 10, delete section 9.

Renumber remaining section.

Amend the title:

Line 2, delete "establishing a lake".

Delete lines 3 to 6.

Line 7, delete "agency; appropriating money" and insert "establishing authority to improve and regulate".

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 2139, A bill for an act relating to emergency services; authorizing the division of emergency services to enter into an agreement with the federal disaster assistance administration for the maintenance of the Minnesota natural disaster assistance plan; appropriating money.

Reported the same back with the following amendments:

Page 2, line 2, delete "purposes of this act" and insert "period ending June 30, 1979".

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 2267, A bill for an act relating to emergency telephone systems; providing for the payment of certain costs of

operating emergency telephone systems; amending Minnesota Statutes, 1977 Supplement, Section 403.11.

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 1446, A bill for an act relating to the state council for the handicapped; authorizing appeals by the council from state building code decisions affecting the interests of handicapped persons; granting the commissioner of administration authority to promulgate rules governing display of the international symbol of accessibility; authorizing the council to initiate or intervene in proceedings affecting handicapped persons; amending Minnesota Statutes 1976, Sections 16.863; and 256.482, by adding a subdivision; Minnesota Statutes, 1977 Supplement, Section 256.48, Subdivision 5; and Chapter 16, by adding a section; repealing Minnesota Statutes 1976, Section 299G.12.

Reported the same back with the following amendments:

Page 3, line 7, delete "*provisions*" and insert "*other accessibility rules*".

Page 3, line 7, delete ", *but shall be*".

Page 3, delete line 8.

Page 3, line 9, delete "*state*".

Page 3, line 12, delete "*December 31, 1978*" and insert "*March 1, 1979*".

Page 4, delete the new language in lines 14 to 23.

Pages 4 and 5, delete all of section 4.

Renumber remaining sections.

Amend the title as follows:

Page 1, line 11, delete "*Sections*" and insert "*Section*".

Page 1, line 11, delete "*and 256.482, by adding a*".

Page 1, line 12, delete "*subdivision;*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 2032, A bill for an act relating to state employees; improving testing procedures; tightening provisions relating to provisional appointments; providing for a pilot reliability-based band width certification program; altering certain requirements for appointment and benefit eligibility; establishing special procedures for filling certain positions; providing for modified reimbursements of costs; providing for a notice to certain employees; providing for deputy commissioners of education; appropriating money; amending Minnesota Statutes 1976, Sections 43.13, Subdivision 1, and by adding a subdivision; 43.14, Subdivision 1; 43.18; 43.19, Subdivision 1; 43.20, Subdivisions 2, 3 and 5, and by adding a subdivision; 43.24, Subdivision 1; 43.32, Subdivision 11; 43.327, Subdivisions 1 and 2; 43.491, by adding a subdivision; and Chapter 43, by adding a section; and Minnesota Statutes, 1977 Supplement, Section 121.16, Subdivision 1.

Reported the same back with the following amendments:

Page 2, delete lines 10 to 31.

Page 2, line 32, delete “; TESTING IMPROVEMENTS”.

Page 3, line 3, delete everything after the period.

Page 3, delete lines 4 to 9.

Page 11, line 11, delete “shall” and insert “may”.

Page 11, line 12, delete everything following “designate”.

Page 11, line 13, delete “nor more than 20 percent of the”.

Page 11, line 14, delete “in the year beginning”.

Page 11, line 15, delete “the following July 1”.

Page 11, line 16, delete “To”.

Page 11, delete lines 17 to 24.

Page 11, line 25, delete “make use of written examinations.”.

Page 12, line 1, delete the period after "*class*" and insert a comma.

Page 12, line 1, delete "*After*".

Page 12, delete line 2.

Page 12, line 3, delete "*shall determine*" and insert "*based upon*".

Page 12, line 4, after "*examination*" insert a period and delete the remainder of line 4.

Page 12, delete lines 5 to 10.

Page 12, line 11, delete "*indistinguishable*".

Page 12, line 15, delete "*If*".

Page 12, delete lines 16 to 20.

Page 12, line 22, delete "*alphabetical*" and insert "*random*".

Page 13, delete lines 6 to 19.

Page 13, line 20, delete everything through "*persons*".

Page 13, line 21, delete "*he*" and insert "*the commissioner*".

Page 14, line 2, delete "*the following purposes*".

Page 14, delete lines 3 to 22 and insert "*personnel technical services in the amount of \$244,700*".

Renumber sections in sequence.

Amend the title as follows:

Page 1, line 13, delete ", and by adding".

Page 1, line 14, delete "a subdivision".

With the recommendation that when so amended the bill pass.

MINORITY REPORT

March 14, 1978

We, the undersigned, being a minority of the Committee on Appropriations, recommend that H. F. No. 2032 do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Section 10A.02, is amended by adding a subdivision to read:

Subd. 10a. The board shall consult with the commissioner of personnel in promulgating a code of ethics for state employees. In addition the board:

(a) May conduct investigations, hearings and have jurisdiction to decide complaints by or against any officer or employee of the state civil service charging a violation of the code of ethics for state employees established pursuant to this subdivision and Minnesota Statutes, Section 43.05, Subdivision 2, Clause (13);

(b) May conduct investigations, hearings or decide complaints by or against any officer or employee charging a violation of Minnesota Statutes, Section 43.28;

(c) Shall issue opinions pursuant to Minnesota Statutes, Section 43.28;

(d) May initiate, defend or appeal any civil or criminal action in the name of the board for the purposes of enforcing the provisions of this chapter and Minnesota Statutes, Sections 43.05, Subdivision 2, Clause (13) and 43.28. Criminal or civil action may be taken by the board upon its determination that there is probable cause to conclude that a violation of this chapter or Minnesota Statutes, Sections 43.05, Subdivision 2, Clause (13) or 43.28 has occurred.

Sec. 2. Minnesota Statutes 1976, Section 43.01, Subdivision 2, is amended to read:

Subd. 2. [ELIGIBLE.] "Eligible" means a person who is on an employment list and qualified for appointment, promotion, or reinstatement under this chapter. *Unless specifically provided otherwise by statute to be eligible a person must pass a competitive exam and meet the minimum qualification requirements for the position for which he applies.*

Sec. 3. Minnesota Statutes 1976, Section 43.01, Subdivision 22, is amended to read:

Subd. 22. [OFFICER, EMPLOYEE.] "Officer" or "employee" includes any individual who is hired by or responsible to any state department, agency or constitutional officer regardless of whether part or all of the individual's compensation is paid with funds appropriated by congress. For purposes of chapter 15A and of this chapter, the terms "officer" and "em-

ployee" may be used interchangeably within the executive branch.

Sec. 4. Minnesota Statutes 1976, Section 43.03, Subdivision 1, is amended to read:

43.03 [PERSONNEL BOARD CREATED.] Subdivision 1. The personnel board of the state of Minnesota is hereby created and established. It shall consist of seven members appointed by the governor with the advice and consent of the senate. The governor (MAY) *shall select at least one appointee each from lists submitted by the speaker of the house, the minority leader of the house, the majority leader of the senate, and the minority leader of the senate.* A member of the legislature is ineligible for appointment to the board. No member of the board shall hold any other public office or public employment, the office of notary public or a military office excepted, and no person shall be appointed as a member of the board who has held a paid position in a political party within the two years immediately preceding his appointment. *No more than four members shall support the same political party.* Each member shall take an oath of office before entering upon the duties of office. The chairman of the board shall be chosen by the members of the board from among their own number under such rules as they shall make. The chairman shall have the powers of a presiding officer.

Sec. 5. Minnesota Statutes 1976, Section 43.05, Subdivision 2, is amended to read:

Subd. 2. [SPECIFIED DUTIES.] The commissioner shall:

(1) Attend all meetings of the board;

(2) Prepare personnel rules for the purpose of carrying out the provisions of this chapter; these rules shall provide, among other things, *for minimum qualification requirements for all positions in the classified service and positions in the unclassified service in the executive branch,* for current records of efficiency, and standards of performance, for all officers and employees subject to the provisions of this chapter; the manner of completing appointments and promotions; rejection of eligible candidates; examinations; retention of examination records under the provisions of section 138.163; creation of eligible lists, with successful candidates ranked according to their ratings in the examinations; leaves of absence with and without pay; transfers, reinstatements, layoffs, vacations, and hours of work; public notice of examinations; procedure for changes in rates of pay; compulsory retirement at fixed ages; and other conditions of employment. If a rule is made concerning sick leave for illness in the immediate family of an employee, the term "immediate family" shall be limited to the spouse, minor

or dependent children, or parent where the parent has no other person to provide the necessary nursing care, living in the household of the employee;

(3) Appoint temporary and permanent employees and officers as are necessary to carry out the provisions of this chapter; these employees and officers shall be chosen in accordance with and shall be subject to, the provisions of this chapter;

(4) Keep in the office of the department of personnel an official roster of the state civil service showing the employment history of each and every person who has been appointed to, employed, promoted, reduced, or reinstated in any position in the service; which roster shall show, in connection with each name, the date of appointment, employment, promotion, reduction, reinstatement, increases or decreases in pay, the compensation and title of the position, changes in title, transfers, sick or annual leaves, (AND) separations from the service, *and exam scores and performance appraisals if available*; and the commissioner shall have access to all public records and papers, the examination of which will aid in the discharge of his duty in connection with the roster;

(5) Prepare, in accordance with the provisions of this chapter and the rules adopted hereunder, examinations, eligible lists, and ratings of candidates for appointment;

(6) Make certifications for appointment within the classified service, in accordance with the provisions of this chapter;

(7) Make investigations concerning all matters touching the enforcement and effect of the provisions of this chapter and the personnel rules prescribed hereunder;

(8) Discharge such duties as are imposed upon him by this chapter;

(9) Establish, publish and continually review logical career paths in the classified civil service;

(10) Consider all requests for other than state appropriated funds from any state department or agency for personnel purposes all of which shall be submitted to him for comment before any such request is made of a federal, local, or private agency; and

(11) Prepare rules regulating the temporary placement of positions in the unclassified civil service;

(12) Review, establish or change titles for the positions in the unclassified civil service in the executive branch of state government except those established by law or by the constitution,

to make titles descriptive of positions and consistent throughout the state service; (AND)

(13) In conformance with the rule making provisions of chapter 15, promulgate *in cooperation with the state ethical practices board* a code of ethics establishing standards of conduct to be observed by state employees in the performance of their official duties(.) ; *and*

(14) *Cooperate fully with the state ethical practices board concerning all matters covered by Minnesota Statutes, Sections 10A.02, Subdivision 10a, and 43.28.*

Sec. 6. Minnesota Statutes 1976, Section 43.056, is amended to read:

43.056 [FILES; SECURITY.] Written test questions and other information relating to the conduct of examinations shall be kept confidential to the extent necessary to ensure that all applicants for employment have a fair and equal opportunity to demonstrate their abilities to perform the duties of the position for which they are applying. An applicant appealing or contemplating an appeal of his examination score may review written test questions or other information relating to the examination unless the questions are to be used in a future examination. In the latter case, the applicant may designate a person skilled in the evaluation of employment tests to review the materials and evaluate them for his use in deciding to pursue or withdraw an appeal.

Notwithstanding any law to the contrary the name of each examinee and his exam score shall be public information. An examinee shall be notified at the time of his exam that his exam score will be public information.

Sec. 7. Minnesota Statutes 1976, Section 43.062, is amended by adding a subdivision to read:

Subd. 5. [PUBLIC INFORMATION.] Notwithstanding any law to the contrary the salaries of all officers and employees shall be public information.

Sec. 8. Minnesota Statutes 1976, Section 43.064, is amended to read:

43.064 [OTHER SALARIES SET BY COMMISSIONER OF PERSONNEL.] Notwithstanding any other law to the contrary, salaries for all unclassified positions in the executive branch not enumerated in the listing described in section 15A.081, shall be established by the commissioner of personnel except for the following: (1) positions listed in section 15A.083; (2) positions listed in section 299D.03; (3) employees in the of-

office of the governor whose salaries shall be determined by the governor; (4) employees in the office of the attorney general; (5) positions in the state university system, the community college system, and in the higher education coordinating board whose primary duties consist of instructing and counseling students, directing academic programs of schools, divisions or departments of colleges and community colleges or conducting research on academic subjects. Individual salaries for positions enumerated in clauses (4) and (5) shall be determined by the attorney general, the state university board, the state board for community colleges, and the higher education coordinating board, respectively, within the limits of salary plans which shall have been approved by the commissioner of personnel before becoming effective. *The governor and attorney general shall consult with the personnel board as to the salaries they are to set under clauses (3) and (4) respectively. The opinion of the board shall be advisory and shall be sought prior to the setting of salaries.*

No provision of any subsequent law relating to salaries of state employees shall be construed as inconsistent with this section unless it is expressly provided in such subsequent act that the provisions of this section shall not be applicable or shall be superseded, amended, or repealed.

Sec. 9. Minnesota Statutes, 1977 Supplement, Section 43.09, Subdivision 2a, is amended to read:

Subd. 2a. [ADDITIONAL UNCLASSIFIED POSITIONS.] Notwithstanding any other law to the contrary, the personnel board, upon the request of the governor, is hereby authorized to establish permanent unclassified positions, or to unclassify previously classified positions, provided that:

(1) Positions so established involve only deputy or assistant heads of departments or agencies, or director level positions which are not specifically established by law, and who are appointed by and report directly to a head of a department or agency who is required by law to be appointed by the governor, or by a gubernatorially appointed board; as well as one position for a personal secretary of any head of a department or agency listed in clause (4).

(2) Classified incumbents of such positions, if any, are not removed from that position for a period of one year except under applicable provisions of rules and laws governing classified state employees. An incumbent of a position that is declassified pursuant to this subdivision, if he so requests within 120 days after being removed from that position, shall be appointed to a classified position comparable to the position that was declassified, or if such a position is unavailable, to a position comparable to that which he held immediately prior to being appointed to the position that was declassified. If a position is declassified and

the incumbent at the time the position was declassified had no classified status immediately prior to the appointment to the position that was declassified, he shall, if he so requests within 120 days after being removed from that position, be appointed to a comparable or lower classified position within two salary ranges of the position that was declassified.

(3) If an employee in the classified civil service accepts a newly created unclassified position, he shall retain an inactive classified civil service status and, upon his request, shall be reappointed to a classified position comparable to that which he held immediately prior to being appointed to the position that was declassified.

(4) Positions so established are limited in number to six in the departments of administration, corrections, economic security, finance, transportation, natural resources, public safety, public welfare, and revenue; to five in the departments of commerce, education, health, labor and industry, and personnel; to four in the departments of agriculture, and economic development; to three in the department of public service, the planning agency, and the pollution control agency; and to two in the departments of human rights and veterans affairs. Departments or agencies not enumerated in this clause shall not be authorized to establish additional unclassified positions under the provisions of this subdivision. *The number of unclassified positions in existence pursuant to this subdivision shall not exceed 109 in any fiscal year.*

(5) State funds are available.

Sec. 10. Minnesota Statutes 1976, Section 43.09, is amended by adding a subdivision to read:

Subd. 2b. [EFFECT OF TRANSFER OF POWERS; ADDITIONAL CLASSIFIED POSITIONS.] Notwithstanding any other law to the contrary, whenever any powers, duties and functions of a state department or agency are transferred or assigned to another existing or newly created department or agency, the personnel board, upon the request of the governor, is authorized to abolish unclassified positions; to classify previously unclassified positions; to establish additional classified positions; or to create new job classifications provided that:

(1) *Any employee in the unclassified civil service whose position is abolished by the board and who is not appointed to another unclassified position or placed in a classified position, may be continued in his former position for a period not exceeding six months from the date on which the position is abolished;*

(2) *No unclassified incumbent shall be placed in a classified position if he is not first certified as eligible for that position;*

(3) Positions so established, created or classified shall be filled according to merit and fitness from eligible lists prepared upon the basis of open competitive examination. No employee shall be appointed, transferred, promoted, reduced or discharged in any manner or by any means other than those prescribed in this chapter and the rules adopted in accordance therewith;

(4) Unclassified positions which are transferred or assigned to the classified service shall be placed in the proper classification with compensation as the classification pays. In transferring or assigning unclassified positions to the classified service, no new classifications shall be established, if, in the opinion of the board, the positions within any new classification duplicate or have similar duties and responsibilities of any existing positions within existing job classifications;

(5) Nothing in this subdivision shall abrogate or modify any rights previously enjoyed by classified employees under the terms of an agreement between an exclusive bargaining representative and the state or one of its appointing authorities;

(6) If an employee in the unclassified service accepts a classified position established under this subdivision, he shall receive the status and length of service credit as would have accrued to him had he originally been appointed to the classified service, but in no event shall length of service credit for unclassified service include seniority under the provisions of a collective bargaining agreement negotiated pursuant to Minnesota Statutes, Sections 179.61 to 179.77 for classified employees. Annual leave and sick leave shall be transferred and accrued in accordance with the provisions of section 43.222; and

(7) State funds are available.

Sec. 11. Minnesota Statutes 1976, Section 43.09, Subdivision 5, is amended to read:

Subd. 5. [EMPLOYEES MAY BE APPOINTED FROM REGISTERS OF ELIGIBLES.] Officers authorized by law to make appointments to positions in the unclassified service, and appointing officers of departments or institutions whose employees are exempt from the provisions of this chapter because of the constitutional status of such departments or institutions shall be permitted to make appointments from appropriate registers of eligibles maintained by the department of personnel. The department shall provide a list of eligibles to officers authorized to make appointments in the unclassified service of the executive branch.

Sec. 12. Minnesota Statutes 1976, Section 43.09, is amended by adding a subdivision to read:

Subd. 8. [UNCLASSIFIED APPOINTMENTS.] An appointing authority shall interview at least three persons on the list of eligibles certified to him for a position in the executive branch unclassified service but he need not hire from the list. If an appointing authority interviews an individual not on the eligible list, that individual shall take, but need not pass, a competitive exam and meet the minimum qualification requirements before being hired. The appointing authority shall send to the commissioner a copy of the exam score, application and resume of any individual interviewed whose name is not on the eligible list.

Sec. 13. Minnesota Statutes 1976, Section 43.12, Subdivision 1, is amended to read:

43.12 [COMMISSIONER TO CLASSIFY EMPLOYEES.] Subdivision 1. **[CLASSIFICATION SPECIFICATIONS; DUTIES OF COMMISSIONER.]** The commissioner of personnel shall ensure that all positions in the classified service and also in the executive branch unclassified service are assigned to job classifications on the basis of the duties and responsibilities of each position in accordance with the appropriate line of promotion. Titles shall be established for each class of employment for use in examining and certifying names of persons for appointment under this chapter, and a description of the duties and responsibilities exercised by the persons appointed to each of them shall be drawn up, minimum qualifications required for satisfactory performance of the duties of each class formulated; and, so far as practicable, the lines of promotion from class to class shall be indicated. The titles of classifications, as defined by the specifications of duties and qualifications, shall be used for all official records affecting or relating to the status of personnel.

Sec. 14. Minnesota Statutes 1976, Section 43.122, Subdivision 1, is amended to read:

43.122 [INDIVIDUAL SALARY INCREASES.] Subdivision 1. Appointing authorities are authorized to grant achievement awards in the amount of one salary step for employees assigned to salary schedule A, who have demonstrated outstanding performance, subject to personnel rules which the commissioner shall issue. In no instance shall such awards be granted in excess of 30 percent of employees authorized at the beginning of each fiscal year. Employees within the 30 percent limitation who are at or above the maximum of their salary range may be granted an achievement award, but the award, if granted, shall be paid in a lump sum equal to the annual equivalent of one-half the difference between the last two steps of the employee's range. This payment shall be provided in accordance with the procedures established by the commissioner of finance. Appointing authorities shall make every effort to distribute achievement awards equitably among and within all classifications to eligible employees. *Individual salary increases and achievement awards*

shall be public information notwithstanding any law to the contrary.

Sec. 15. Minnesota Statutes 1976, Chapter 43, is amended by adding a section to read:

[43.162] [VALIDITY OF APPLICATIONS.] *No person shall be appointed to a position in the civil service until the appointing authority has made reasonable effort to verify any information contained in the prospective employee's job application which relates to the ability of the person to perform the job. The commissioner shall establish procedures, which shall not be promulgated as rules, for use by an appointing authority in performing this verification function. Notice of the verification responsibilities of the appointing authority for misrepresentations shall be conspicuously printed on all state employment application forms.*

Sec. 16. Minnesota Statutes 1976, Section 43.13, is amended to read:

43.13 [EXAMINATIONS.] Subdivision 1. [FAIR TESTS; RECORDS.] All examinations for positions in the classified service and also in the executive branch unclassified service shall relate to those matters which will fairly test the capacity and fitness of the persons examined to efficiently discharge the duties of the (OFFICE OR EMPLOYMENT) position sought by them. Each applicant in an oral examination shall be rated individually by (EACH EXAMINER) at least two examiners who shall sign (HIS) their rating of the applicant. The average of the examiners (,) separate ratings (, IF MORE THAN ONE EXAMINER CONDUCTS THE ORAL EXAMINATIONS,) is the applicant's oral examination rating. (THE APPOINTING AUTHORITY MAY PAY REASONABLE TRAVEL EXPENSES ACTUALLY INCURRED TO APPLICANTS INVITED FOR ORAL EXAMINATIONS FOR THOSE POSITIONS WHERE UNUSUAL DIFFICULTY IN RECRUITING QUALIFIED APPLICANTS IS BEING ENCOUNTERED.)

Subd. 2. [ELIGIBILITY; TIME; PLACE.] The competitive examinations shall (, AFTER PUBLISHED NOTICE,) be open to all applicants (, AND WHO MEET WITH REASONABLE STANDARDS OR REQUIREMENTS FIXED BY THE COMMISSIONER WITH REGARD TO SUCH FACTORS AS MAY BE HELD TO RELATE TO THE ABILITY OF THE CANDIDATES TO PERFORM WITH REASONABLE EFFICIENCY THE DUTIES OF THE POSITION. NO STANDARDS OR REQUIREMENTS SHALL BE FIXED WITH REFERENCE TO EDUCATION OR PHYSICAL CONDITION EXCEPT SUCH AS RELATE DIRECTLY TO THE DUTIES OF THE OFFICE OR EMPLOYMENT TO BE FILLED). Exams for all positions shall be administered and available for

taking continuously throughout the year. Persons under (SUCH) physical disability (AS NOT TO MAKE THEM INELIGIBLE BY REASON THEREOF,) shall be examined in such manner as will fairly test their ability to perform the duties of the position, notwithstanding such physical disability. In the case of an applicant who is blind, the department shall provide the applicant with either a braille examination, the services of a reader chosen by the applicant with the approval of the department, or, subject to the approval of the applicant, such other means of examination as are available to the examining department. The commissioner may require candidates in filing their applications to submit certificates of general or special qualifications as the good of the service may require.

Subd. 3. [TESTS VALIDATED.] Examination for positions in the classified service *and the executive branch unclassified service* shall relate to those areas which will reasonably measure success on the job. Appropriate scientific means of selection shall be used and empirical studies to validate examinations shall be conducted wherever feasible. *No criteria for selection shall be used concerning physical condition or educational qualifications unless they directly relate to the duties of the position to be filled by the selection.* No means of selection shall be used which are culturally specific unless it can be demonstrated that performance on such measures is significantly and directly related to job performance. The commissioner shall have discretionary authority regarding oral entrance level examinations.

Subd. 4. [INFORMATION TO APPLICANTS.] *Each applicant for a classified position or an unclassified position in the executive branch shall:*

(a) Be informed what experience, training or other requirements the department deems necessary for the position;

(b) Be informed of the relative importance of each of the requirements for a position by a system of point values of importance for each requirement with a total of 100 points available for valuation;

(c) Be informed of the minimum score needed to pass any test; and

(d) Be provided with a separate sheet to answer questions, if any, regarding his religious, social or ethnic background.

Sec. 17. Minnesota Statutes 1976, Section 43.14, Subdivision 1, is amended to read:

43.14 [ELIGIBILITY REFUSED; APPEAL; BOND.]
Subdivision 1. [REASONS FOR REFUSAL.] The commis-

sioner (MAY REFUSE TO EXAMINE AN APPLICANT, OR) after examination may refuse to certify an eligible, who is found to lack any of the (PRELIMINARY) requirements established (FOR THE EXAMINATION) for the position (OR EMPLOYMENT) for which he applies; or who is physically so disabled as to be rendered unfit for the proper performance of the duties of the position to which he seeks appointment; or who is addicted to habit-forming drugs or is *presently* an habitual user of intoxicating liquors to excess; or who has been guilty of any crime involving moral turpitude or of infamous or notoriously disgraceful conduct; or who has been dismissed from the public service for delinquency or misconduct; or who has made a false statement of any material fact; or who, directly or indirectly, shall give, render or pay, or promise to give, render or pay, any money, service, or other valuable thing to any person for, or on account of, or in connection with, his test, appointment, or proposed appointment; or who practiced, or attempted to practice, any deception or fraud in his application, in his certificate, in his examination, or in securing his eligibility or appointment; or who refuses to furnish testimony as required in section 43.07.

Sec. 18. Minnesota Statutes 1976, Section 43.14, Subdivision 2, is amended to read:

Subd. 2. [APPEAL FROM REFUSAL.] When the commissioner (REFUSES TO EXAMINE AN APPLICANT, OR) after an examination refuses to certify an eligible, as provided in this section, then the commissioner, upon request of the person so rejected, shall furnish to him a statement of the reasons for such refusal to examine or refusal to certify, as the case may be.

Sec. 19. Minnesota Statutes 1976, Section 43.17, Subdivision 2, is amended to read:

Subd. 2. [TERM OF ELIGIBILITY.] The term of eligibility of applicants on original entrance lists shall be six months, and *may be extended by written request of the applicant for additional six month periods up to a maximum of two years eligibility. The commissioner shall notify original employment applicants within 15 days of any expiration of eligibility of the fact that eligibility is expiring.* On promotion and reinstatement lists the term of eligibility shall be one year, but the term of any list may be extended by the commissioner. In no case may eligibility be extended for a period of more than three years, except for lay-off lists, eligibility on which shall extend for eight years or the length of the employee's state seniority, whichever is less.

Sec. 20. Minnesota Statutes 1976, Section 43.18, Subdivision 1, is amended to read:

43.18 [VACANCIES.] Subdivision 1. [NOTICE.] Appointing (OFFICERS) *authorities* shall give written notice to the commissioner of personnel of their intention to establish new

positions and of the existence of any vacancy to be filled in any office or employment in the classified service *and also in the executive branch unclassified service*, and, within a reasonable time after the receipt of this notice, the commissioner shall certify, from the list of eligibles, appropriate for the (GRADE AND) class in which the position is classified, names in the manner as provided in this section.

Sec. 21. Minnesota Statutes 1976, Section 43.18, Subdivision 2, is amended to read:

Subd. 2. [PROMOTIONS.] In the case of positions to be filled by examinations other than open competitive examinations, the commissioner shall certify, from the list of eligibles, appropriate for the grade and class in which the position is classified, the first three names on such list together with any additional names of persons having an examination rating within three points of the person on the list with the highest examination rating *and any additional names of persons having the same score as the last name certified in accordance with the above*, except as provided in sections 43.23 and 43.19, subdivision 1. *This subdivision also applies to promotions in the unclassified service of the executive branch.*

Sec. 22. Minnesota Statutes 1976, Section 43.18, Subdivision 3, is amended to read:

Subd. 3. [ORIGINAL ENTRY.] In the case of positions to be filled by open competitive examination, the commissioner shall certify (THE FIRST TEN NAMES) *those persons on the list according to the reliability-based band width certification procedure specified in subdivision 3b.* Appointments (FROM THE LIST) shall only be made from (THE FIRST TEN AVAILABLE ELIGIBLES) *those required to be certified from the list to the appointing authority by this subdivision.* The commissioner shall promulgate rules so that a determination of unavailability by an appointing authority will be based on a statement of unavailability from the eligible or lack of response by the eligible to notification by certified mail of the open position. Before requesting a recertification based on unavailability or rejection of an eligible, the appointing authority shall demonstrate the unavailability of an eligible or shall provide reasons for requesting the removal of an eligible's name from the certification.

Sec. 23. Minnesota Statutes 1976, Section 43.18, is amended by adding a subdivision to read:

Subd. 3b. As used in this section, reliability-based band width certification shall mean a process for the preparation of a certified list of eligibles for filling vacant positions within a job class. After administering an examination for the class, the commissioner shall determine the statistical reliability of the exami-

nation pursuant to professionally accepted procedures. Based upon this determination, the commissioner shall establish the length of the certified list of eligibles for that class and that examination. The list shall be composed of those persons who received a passing score and whose scores fell within that top range of scores which the reliability determination reveals to be substantially indistinguishable together with any additional names of persons having the same score as the last name so certified. In no event shall a certified list prepared under the band width certification procedure contain less than ten names unless fewer than ten persons received passing scores, in which case all persons who received passing scores shall be placed on the list. If more than ten persons receive passing scores but fewer than ten persons are included in the top band, then all the persons on each succeeding band shall be added to the certified list until the total number of persons on the included bands first equals or exceeds ten persons. Names on a certified list prepared under this section shall be placed in alphabetical order and shall not be ranked when delivered to an appointing authority. This section shall not be deemed to be inconsistent with other laws which would expand the size of an eligible list beyond the size provided for in this section.

Sec. 24. Minnesota Statutes 1976, Section 43.20, Subdivision 2, is amended to read:

Subd. 2. *When the commissioner determines there are urgent reasons for filling a vacancy in any position in the classified service and the commissioner is unable to certify from (ANY) a complete and appropriate eligible list for the vacancy, the commissioner may, upon the request of the appointing authority, issue a provisional permit or certify a suitable person to fill such vacancy provisionally only until a selection and appointment can be made after competitive examination (; BUT). When requesting a provisional appointment, an appointing authority shall give consideration to any persons certified to the appointing authority on an appropriate but incomplete eligible list. Before granting a provisional permit to a person, the commissioner shall review the qualifications of the prospective employee and shall make a preliminary determination that the person satisfies the minimum qualification requirements for the position on a permanent basis or is qualified in all respects except for completion of a licensure requirement. No person shall receive more than one provisional appointment (NOR SERVE MORE THAN) for a period up to six months in any 12 month period as a provisional appointee, except, where in individual cases the commissioner grants an exception for the good of the service. If the position is opened for competitive examination after the appointment of a provisional employee, no person shall be denied certification to an eligible list for the position solely because he did not serve in the position in a provisional capacity. If a provisional appointment is made after a determination of the unavailability or unsuitability of all persons on the incomplete list, the commissioner may at the request of the*

appointing authority designate the provisional appointee as a permanent appointee only if the employee has taken and passed a competitive exam for the position and has performed satisfactorily for at least 60 days in the provisional capacity and if no other person has taken and passed a competitive exam for the position prior to the expiration of the provisional appointment. A person receiving a permanent appointment after serving as a provisional appointee, shall be required to complete a probationary period comparable to other appointees to similar permanent positions.

Sec. 25. Minnesota Statutes 1976, Section 43.20, Subdivision 5, is amended to read:

Subd. 5. Where the services to be rendered by an appointee are for a temporary period not to exceed six months, the commissioner shall certify from an eligible list for the temporary service any person he deems qualified; the acceptance or refusal by an eligible of a temporary appointment shall not affect his standing on the register for permanent employment, nor shall the period of temporary service be counted as a part of the probationary period in case of subsequent appointment to a permanent position. No person shall receive more than one temporary appointment within one year. No temporary appointment shall exceed six months (EXCEPT TO FILL A VACANCY CREATED BY AN APPROVED LEAVE OF ABSENCE NOT TO EXCEED ONE YEAR OR WHERE THE COMMISSIONER GRANTS AN EXTENSION OF TEMPORARY APPOINTMENT TO THE MAXIMUM OF ONE YEAR IN THE BEST INTERESTS OF THE STATE). *If the temporary appointment is for more than 10 working days, the appointee must satisfy the minimum qualification requirements for the position.*

Sec. 26. Minnesota Statutes 1976, Section 43.20, is amended by adding a subdivision to read:

Subd. 7. Where the position to be filled is of a routine, service nature involving unskilled tasks, the performance of which cannot be directly related to qualifications beyond a minimum competency level, the commissioner may authorize the administration of a basic qualifying selection process designed to ascertain which candidates could perform the tasks of the job in a satisfactory manner. Any candidate found so qualified may be certified and appointed to such a position.

Sec. 27. Minnesota Statutes 1976, Section 43.24, Subdivision 1, is amended to read:

43.24 [REMOVAL.] Subdivision 1. **[WRITTEN STATEMENT.]** No permanent employee in the classified service, under the provisions of this chapter or the rules made pursuant thereto, shall be removed, discharged, suspended without pay for

more than 30 days, or reduced in pay or position, except for just cause, which shall not be religious or political, or because of the employee's race, sex, disability or age, subject however to the mandatory retirement ages specified by law. In case of any disciplinary action, as enumerated in this section, the employee shall, before the action is taken, be furnished with a statement, in writing, setting forth the reasons for the disciplinary action, be permitted five days time to reply thereto, in writing, or upon his request, to appear personally and reply to the head of the department. A copy of the statement and the employee's reply, if any, shall be filed with the commissioner prior to the effective date thereof. *Any permanent employee in the classified service who is removed, discharged, suspended without pay, or reduced in pay or position, shall be notified no later than the effective date of the action of his right to appeal the action to the board.*

Sec. 28. Minnesota Statutes 1976, Section 43.245, is amended to read:

43.245 [PERFORMANCE APPRAISAL SYSTEM.] The commissioner shall design and implement an employee performance appraisal system for the classified service *and also for the unclassified service in the executive branch.* This system shall be based on uniform position description and results oriented performance standards formats. The commissioner, in consultation with the departments, shall develop criteria and content as necessary so long as the system is uniform for all departments. The commissioner shall establish and enforce rules with respect to the utilization of the results of this performance appraisal system in all decisions relating to the status of employees. The commissioner may further by rule prescribe the extent to which these reports shall be open to inspection by the public and by the affected employee. Each employee in the classified and unclassified service in the executive branch shall be evaluated and counseled at least once a year on his work performance. Individual pay increases shall be based on such evaluation.

Sec. 29. Minnesota Statutes 1976, Section 43.25, is amended to read:

43.25 [COMMISSIONER NOTIFIED OF ANY DISCHARGE OR EMPLOYMENT.] Each appointing officer shall report to the commissioner forthwith, in writing, upon any appointment or employment in the service, the name of the appointee, or employee, *his exam score,* the title and character of his office or employment, the date of commencement of service by virtue thereof, and the salary or compensation thereof, and shall report, from time to time, upon the date of the official action in, or knowledge of, any separation of a person from the service, or any promotion, reduction, suspension, transfer, reinstatement, or other change therein, the efficiency of his subordinates and employees, and other information, in such manner as may be prescribed by the commissioner.

Sec. 30. Minnesota Statutes 1976, Section 43.28, is amended to read:

43.28 [UNETHICAL PRACTICES; POLITICAL ACTIVITIES PROHIBITED; CAMPAIGN ACTIVITIES PROHIBITED.] *Subdivision 1. [UNETHICAL PRACTICES.] (NO OFFICER, AGENT, CLERK, OR EMPLOYEE OF THIS STATE SHALL, DIRECTLY OR INDIRECTLY, DURING HIS HOURS OF EMPLOYMENT SOLICIT OR RECEIVE FUNDS, OR AT ANY TIME USE HIS AUTHORITY OR OFFICIAL INFLUENCE TO COMPEL ANY OFFICER OR EMPLOYEE IN THE CLASSIFIED SERVICE TO APPLY FOR MEMBERSHIP IN OR BECOME A MEMBER OF ANY ORGANIZATION, OR TO PAY OR PROMISE TO PAY ANY ASSESSMENT, SUBSCRIPTION, OR CONTRIBUTION, OR TO TAKE PART IN ANY POLITICAL ACTIVITY. ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION SHALL BE GUILTY OF A MISDEMEANOR, AND SHALL BE PUNISHED ACCORDINGLY, AND IF ANY OFFICER OR EMPLOYEE IN THE CLASSIFIED SERVICE IS FOUND GUILTY OF VIOLATING ANY PROVISION OF THIS SECTION, HE IS AUTOMATICALLY SEPARATED FROM THE SERVICE) The practices specified in this subdivision are unethical practices. Any officer or employee of the classified service or also in the executive branch unclassified service aggrieved by an unethical practice or knowing of an unethical practice as defined in clauses (a) to (e) may file a complaint with the state ethical practices board. Copies of any complaint filed pursuant to this subdivision shall be forwarded to the personnel board and the commissioner.*

Any officer or employee is prohibited from:

(a) Soliciting or receiving funds directly or indirectly during his hours of employment, or at any time using his authority or official influence to compel any officer or employee in the classified or executive branch unclassified service to apply for membership in or become a member of any organization, or to pay or promise to pay any assessment, subscription or contribution, or to take part in any political activity;

(b) Exercising or threatening to exercise any discrimination against or in favor of an applicant, eligible or employee of the classified or executive branch unclassified service because of his political opinions or affiliations;

(c) Distributing or circulating any list of individuals who, by virtue of their political opinions or affiliations, are to be given preference in, or blacklisted from, obtaining or retaining employment;

(d) *Violating the code of ethics for state employees established pursuant to Minnesota Statutes, Section 43.05, Subdivision 2, Clause (18); or*

(e) *Discharging or otherwise discriminating against an employee or officer because he has signed or filed an affidavit, petition or complaint or given any information or testimony under this subdivision to the state ethical practices board.*

Subd. 2. [POLITICAL ACTIVITY PROHIBITED.] Except as herein provided any officer or employee in the state classified or executive branch unclassified service shall:

((1)) (a) Take leave of absence upon assuming an elected federal or state public office, including elected state legislative office;

((2)) (b) Take leave of absence upon assuming any elected public office other than enumerated in clause ((1)) (a), if, in the opinion of the (COMMISSIONER OF PERSONNEL) *state ethical practices board*, the holding of such office conflicts with his regular state employment;

((3)) (c) Upon his request, be granted leave of absence upon becoming a candidate, or during the course of such candidacy, for any elected public office;

((4)) (d) Take leave of absence upon becoming a candidate, or during the course of candidacy, for any elected public office if, in the opinion of the (COMMISSIONER OF PERSONNEL) *state ethical practices board*, such candidacy conflicts with his regular state employment.

All requests for opinions of the (COMMISSIONER OF PERSONNEL, AND OPINIONS FROM THE COMMISSIONER) *state ethical practices board* under the provisions of clauses ((2)) (b) and ((4)) (d) shall be in written form and shall be delivered by registered mail to the *ethical practices board* and the *commissioner*.

The *state ethical practices board* may consult with the commissioner (OF PERSONNEL) regarding a request for an opinion and shall issue an opinion (UNDER THE PROVISIONS OF CLAUSES (2) AND (4)) within seven calendar days of receipt of the request.

Subd. 3. [CAMPAIGN ACTIVITIES PROHIBITED.] (a) *Notwithstanding any law to the contrary, no employee or officer in the state classified or executive branch unclassified service shall, directly or indirectly, during his hours of employment participate or take part in the campaign of any candidate as defined in section 10A.01, subdivision 5.*

(b) *Any employee or officer in the state classified or executive branch unclassified service shall take leave of absence if, in the opinion of the state ethical practices board, his participation in the campaign of any candidate as defined in section 10A.01, subdivision 5, conflicts with his regular state employment. All requests for opinions shall be handled in the same manner as set forth in subdivision 2.*

Subd. 4. Any person who violates a provision of this section shall be guilty of a misdemeanor and separated from the service.

Sec. 31. Minnesota Statutes 1976, Section 43.32, Subdivision 11, is amended to read:

Subd. 11. [REVIEW OF TRAINING PLANS.] The head of each department shall be responsible, with the advice and counsel of the commissioner, for planning, budgeting and conducting training programs within the scope of the overall training plan. He shall submit his training plans and budgets for each year of the biennium to the commissioner for review and comment prior to the implementation of any program, but in any case no later than six weeks after the budget appropriations are approved.

For purposes of training, the commissioner may accept funds from any source and may be reimbursed by the various departments for reasonable program cost. *Moneys transferred to the commissioner pursuant to this subdivision are appropriated to the commissioner to perform training functions as provided herein.*

Sec. 32. Minnesota Statutes 1976, Section 43.326, is amended by adding a subdivision to read:

Subd. 3. [POSTING OF POSITIONS; REQUIREMENTS.] *The commissioner shall place copies of job announcements for public inspection in county courthouses, post offices in county seats, and other selected locations throughout the state.*

Sec. 33. Minnesota Statutes 1976, Section 43.327, Subdivision 2, is amended to read:

Subd. 2. [COMMISSIONER TO MAKE RULES ON TRAVEL.] The commissioner shall make personnel rules relating to travel of state (OFFICERS AND) employees on state business and expenses incurred thereon. *When unusual difficulty in recruiting qualified applicants is being encountered the commissioner may authorize the appointing authority to pay travel expenses incurred by applicants invited for oral examinations or for employment interviews in the same manner and amounts authorized by personnel rules for state employees.*

Sec. 34. Minnesota Statutes 1976, Section 43.35, is amended to read:

43.35 [VIOLATIONS; PENALTIES.] Any personnel board member, the commissioner, or examiner or any other person,

(1) who wilfully or corruptly, by himself or in cooperation with one or more persons, defeats, deceives, or obstructs any person with respect to his rights of examination or application according to this chapter, or to any rules or regulations prescribed pursuant thereto, or

(2) who wilfully or corruptly falsely marks, grades, estimates, or reports upon the examination or proper standing of any person examined, registered, certified, employed, or promoted pursuant to the provisions of these sections, or aids in so doing, or who wilfully destroys any examination questions, answers, or records thereon of any applicant for civil service within a period of one year after any examination has been completed, or

(3) who wilfully or corruptly makes or files any false representations concerning the persons examined, registered, certified, appointed, employed, or promoted, or

(4) who wilfully or corruptly furnishes any person with any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, registered, or certified, being appointed, employed, or promoted, or

(5) who personates any other person, or permits or aids in any manner any other person to personate him in connection with any examination or registration, or application or request to be examined or registered, or

(6) who wilfully or corruptly shall appoint to a position in the classified service *or in an unclassified position of the executive branch*, or dismisses, suspends, reduces in rank or pay any officer or employee from any position in the classified service otherwise than in compliance with, and in conformity to, the provisions of this chapter and the rules and regulations of the commissioner of personnel adopted pursuant thereto, or

(7) who wilfully or corruptly refuses or neglects otherwise to comply with, or conform to, the provisions of this chapter and the rules and regulations made pursuant thereto, or violates any of these provisions, shall be deemed guilty of a misdemeanor and (PUNISHED ACCORDINGLY) *separated from the service.*

Any conviction under this section shall render the public officer or position held by the person so convicted vacant, and such

person shall be ineligible to hold public office for a period of five years from the date of the conviction.

Sec. 35. Minnesota Statutes 1976, Section 43.491, is amended by adding a subdivision to read:

Subd. 5. Notwithstanding the restrictions contained in section 43.44, subdivision 2, a state employee who retires prior to age 65 and who is eligible for, applies for and receives an annuity under a state retirement program shall be eligible to continue to participate at his own expense in the hospital benefits coverage and medical benefits coverage provided for other state employees by sections 43.42 to 43.50. The retired employee may also, at his own expense, continue hospital benefits coverage and medical benefits coverage for his dependents who meet the general dependent eligibility requirements for those coverages. The coverage may be maintained until the employee and the employee's spouse each become eligible for medicare. Within 30 days after the effective date of this section or within 30 days after the effective date of his retirement, whichever day is later, the employee shall notify the commissioner or his designee of his intention to continue the coverage. The commissioner shall establish forms and procedures for exercise of the option provided by this section and for payment of necessary premiums.

Sec. 36. Minnesota Statutes, 1977 Supplement, Section 121.16, Subdivision 1, is amended to read:

121.16 [COMMISSIONER OF EDUCATION.] Subdivision 1. The department shall be under the administrative control of the commissioner of education which office is established. The commissioner shall be the secretary of the state board. He shall be appointed by the state board with the approval of the governor under the provisions of section 15.06. For purposes of section 15.06, the board shall be the appointing authority.

The commissioner shall be a person who possesses educational attainment and breadth of experience in the administration of public education and of the finances pertaining thereto commensurate with the spirit and intent of this code. The commissioner *may appoint two deputy commissioners who shall serve in the unclassified service and shall appoint other employees as may be necessary for the organization of the department.* He shall perform such duties as the law and the rules of the state board may provide and be held responsible for the efficient administration and discipline of the department. He shall make recommendations to the board, and he shall be charged with the execution of powers and duties which the state board may prescribe, from time to time, to promote public education in the state, to safeguard the finances pertaining thereto, and to enable the state board to carry out its duties.

Sec. 37. [APPROPRIATIONS.] *There is appropriated from the general fund in the state treasury to the commissioner of personnel the following amounts for the period ending June 30, 1979, to be used for the following purposes:*

(a) *\$9,700 for the revision of job announcements so that all announcements will be precise, informative and job-specific as to the duties, the minimal qualifications, and the weight to be given various types of experience and training credits for the position;*

(b) *\$2,000 for the regular mailing of job announcements to county courthouses, post offices in county seats and other locations which the commissioner determines will substantially improve the ability of the department to notify potential job applicants of classes open to application;*

(c) *\$22,000 to establish toll free telephone service to assist potential job applicants in applying for state positions;*

(d) *\$400,000 to implement the reforms as provided in this act.*

The authorized complement of the department is increased by 15 full-time equivalent persons.

Sec. 38. [EFFECTIVE DATE.] *This act is effective the day following final enactment."*

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

"A bill for an act relating to state government; providing for reform of the state civil service system; regulating ethics of state employees; providing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 10A.02, by adding a subdivision; 43.01, Subdivisions 2 and 22; 43.03, Subdivision 1; 43.05, Subdivision 2; 43.056; 43.062, by adding a subdivision; 43.064; 43.09, Subdivision 5, and by adding subdivisions; 43.12, Subdivision 1; 43.122, Subdivision 1; 43.13; 43.14, Subdivisions 1 and 2; 43.17, Subdivision 2; 43.18, Subdivisions 1, 2 and 3, and by adding a subdivision; 43.20, Subdivisions 2 and 5, and by adding a subdivision; 43.24, Subdivision 1; 43.245; 43.25; 43.28; 43.32, Subdivision 11; 43.326, by adding a subdivision; 43.327, Subdivision 2; 43.35; 43.491, by adding a subdivision; Chapter 43, by adding a section; Minnesota Statutes, 1977 Supplement, Section 43.09, Subdivision 2a; and 121.16, Subdivision 1."

WILLIAM D. DEAN, DOUGLAS CARLSON, GARY W. LAIDIG,
WENDELL O. ERICKSON, MARY FORSYTHE and ROD SEARLE.

Dean moved that the Minority Report on H. F. No. 2032 be substituted for the Majority Report and that the Minority Report be now adopted.

A roll call was requested and properly seconded.

The question was taken on the adoption of the minority report and the roll was called. There were 34 yeas and 87 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The minority report was not adopted.

The question recurred on the adoption of the majority report from the Committee on Appropriations relating to H. F. No. 2032. The majority report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1092, 2139, 2267 and 2032 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1446 was read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 2214, A bill for an act relating to mutual insurance companies; providing for their conversion into stock companies; protecting the rights of guaranty fund certificate holders; amending Minnesota Statutes 1976, Section 66A.16; by adding a subdivision.

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. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Stanton moved that the House refuse to concur in the Senate amendments to H. F. No. 2192, that the Speaker appoint a Conference Committee of 3 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 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. 2196, A bill for an act relating to claims against the state; appropriating money for the payment thereof.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kahn moved that the House refuse to concur in the Senate amendments to H. F. No. 2196, 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 the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1864.

PATRICK E. FLAHAVER, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1864, A bill for an act relating to state employees; improving testing procedures; tightening provisions relating to provisional appointments; providing for a pilot reliability-based band width certification program; altering certain requirements for appointment and benefit eligibility; establishing special procedures for filling certain positions; providing for modified reimbursements of costs; providing notification of appeal rights; appropriating money; amending Minnesota Statutes 1976, Sections 43.13, Subdivision 1, and by adding a subdivision; 43.14, Subdivision 1; 43.18; 43.19, Subdivision 1; 43.20, Subdivisions 2, 3, 5, and by adding a subdivision; 43.24, Subdivision 1; 43.32, Subdivision 11; 43.327, Subdivisions 1 and 2; 43.491, by adding a subdivision; and Chapter 43, by adding a section.

The bill was read for the first time.

Berglin moved that S. F. No. 1864 and H. F. No. 2032, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1918:

Skoglund, Vanasek, and Tomlinson.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2527:

Norton, Kahn, Eckstein, Samuelson, and Searle.

MESSAGES FROM THE SENATE, Continued

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. 2098, A bill for an act relating to family planning services; providing for special grants to provide family planning services; requiring informed consent; providing a penalty; appropriating funds; amending Minnesota Statutes 1976, Section 145.922, by adding subdivisions.

PATRICK E. FLAHAVER, Secretary of the Senate

Berglin moved that the House refuse to concur in the Senate amendments to H. F. No. 2098, that the Speaker appoint a Conference Committee of 3 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.

MOTION FOR RECONSIDERATION

Lemke moved that the vote whereby H. F. No. 2272, as amended on Special Orders for Monday, March 13, 1978, was referred to the Committee on Taxes be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the motion for reconsideration and the roll was called. There were 59 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Abeln	Den Ouden	Kaley	Metzen	Samuelson
Albrecht	Eken	Kalis	Munger	Savelkoul
Anderson, B.	Ellingson	Kelly, W.	Nelsen, B.	Searle
Anderson, D.	Erickson	Kempe, R.	Niehaus	Searles
Anderson, G.	Esau	King	Norton	Sherwood
Anderson, R.	Evans	Knickerbocker	Onnen	Sieben, H.
Arlandson	Ewald	Kvam	Patton	Sieben, M.
Berkelman	Fjoslien	Laidig	Pehler	Stoa
Biersdorf	Friedrich	Lehto	Peterson	Wenzel
Brinkman	Heinitz	Lemke	Pleasant	Wigley
Corbid	Jaros	Mann	Redalen	Zubay
Dean	Jensen	McDonald	Rose	

Those who voted in the negative were:

Adams	Battaglia	Begich	Brandl	Carlson, A.
Anderson, I.	Beauchamp	Berglin	Byrne	Carlson, D.

Carlson, L.	Gunter	McCollar	St. Onge	Voss
Casserly	Hanson	McEachern	Sarna	Waldorf
Clark	Hokanson	Murphy	Scheid	Welch
Clawson	Johnson	Neisen	Schulz	Wenstrom
Cohen	Jude	Nelsen, M.	Simoneau	White
Cummiskey	Kahn	Nelson	Skoglund	Wieser
Eckstein	Kelly, R.	Novak	Smogard	Williamson
Enebo	Kostohryz	Osthoff	Spanish	Wynia
Faricy	Kroening	Petrafeso	Suss	Speaker Sabo
Fudro	Langseth	Prahl	Swanson	
Fugina	Mangan	Reding	Tomlinson	
George	McCarron	Rice	Vanasek	

The motion did not prevail.

SPECIAL ORDERS

H. F. No. 2027 was reported to the House.

McCarron moved to amend H. F. No. 2027, as follows:

Page 2, line 15, delete "*Subdivision 1.*"

Page 2, line 25, delete the new language.

Page 2, delete the new language in lines 26 through 32.

Page 3, delete the new language and strike the period lines 1 through 8.

Page 12, line 12, delete the semi colon.

Page 12, delete the new language lines 13 through 15.

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 94 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Kaley	Murphy	Sherwood
Adams	Dean	Kalis	Neisen	Simoneau
Albrecht	Den Ouden	Kelly, R.	Nelsen, B.	Spanish
Anderson, B.	Eckstein	Kempe, R.	Nelsen, M.	Stoa
Anderson, D.	Eken	King	Niehaus	Suss
Anderson, I.	Ellingson	Kostohryz	Novak	Swanson
Anderson, R.	Erickson	Kroening	Osthoff	Tomlinson
Battaglia	Esau	Kvam	Patton	Vanasek
Beauchamp	Evans	Laidig	Peterson	Waldorf
Begich	Ewald	Lehto	Pleasant	Welch
Berkelman	Fjoslien	Lemke	Prahl	Wenstrom
Biersdorf	Friedrich	Mann	Reding	Wenzel
Brinkman	Fudro	McCarron	Rice	White
Byrne	George	McCollar	Rose	Wieser
Carlson, A.	Gunter	McDonald	St. Onge	Wigley
Carlson, D.	Hanson	McEachern	Sarna	Williamson
Carlson, L.	Heinitz	Metzen	Savelkoul	Zubay
Clawson	Hokanson	Moe	Schulz	Speaker Sabo
Corbid	Jude	Munger	Searles	

Those who voted in the negative were:

Berglin	Cohen	Kahn	Redalen	Wynia
Brandl	Enebo	Langseth	Scheid	
Cassery	Jaros	Mangan	Sieben, M.	
Clark	Jensen	Onnen	Skoglund	

The motion prevailed and the amendment was adopted.

Jacobs and Rose were excused for the remainder of today's session.

H. F. No. 2027, A bill for an act relating to marriage and divorce; revising provisions allowing minors to marry; modifying prohibitions of marriage between certain parties; modifying requirements to receive a marriage license; modifying penalties for certain offenses; providing that children born of a prohibited marriage are legitimate; revising procedures and grounds for annulment actions; declaring the legal rights of putative spouses; providing new procedures for actions of dissolution and legal separation; limiting grounds for a dissolution to a finding that the marriage is irretrievably broken; modifying procedures for custody proceedings; declaring the right of a custodial parent to determine a child's upbringing; defining marital property; defining provisions for an award of maintenance to a spouse; amending Minnesota Statutes 1976, Sections 517.02; 517.03; 517.04; 517.05; 517.06; 517.07; 517.09; 517.13; 517.14; 517.15; 517.16; 517.19; 518.01; 518.02; 518.03; 518.05; 518.06, Subdivision 1, and by adding a subdivision; 518.07; 518.09; 518.10; 518.11; 518.13; 518.14; 518.16; 518.165; 518.17; 518.175, Subdivisions 1 and 3, and by adding a subdivision; 518.18; 518.24; 518.27; 518.54; 518.55; 518.57; 518.58; 518.61; 518.62; 518.63; 518.64; 518.65; Chapter 517, by adding a section; and Chapter 518, by adding sections; and Minnesota Statutes, 1977 Supplement, Sections 517.01; 517.08, Subdivisions 1 and 3; 518.155; and 518.551; repealing Minnesota Statutes 1976, Sections 517.17; 518.06, Subdivision 2; 518.15; 518.29; 518.59; and 518.67.

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 75 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Abeln	Brandl	Corbid	Friedrich	Kahn
Adams	Byrne	Cummiskey	Fugina	Kaley
Anderson, I.	Carlson, A.	Dean	George	Kelly, W.
Arlandson	Carlson, L.	Eckstein	Hanson	King
Beauchamp	Cassery	Ellingson	Heinitz	Knickerbocker
Berg	Clark	Enebo	Hokanson	Kostohryz
Berglin	Clawson	Ewald	Jaros	Laidig
Berkelman	Cohen	Farcy	Jensen	Lehto

Mangan	Neisen	Petraleso	Sieben, H.	Tomlinson
McCarron	Neison	Prahl	Sieben, M.	Vanasek
McCollar	Novak	Reding	Simoneau	Wenstrom
Metzen	Osthoff	Rice	Skoglund	White
Moe	Patton	Sarna	Stoa	Williamson
Munger	Pehler	Scheid	Suss	Wynia
Murphy	Peterson	Schulz	Swanson	Speaker Sabo

Those who voted in the negative were:

Albrecht	Carlson, D.	Kalis	Nelsen, M.	Sherwood
Anderson, B.	Den Ouden	Kempe, R.	Niehau	Smogard
Anderson, D.	Erickson	Kroening	Onnen	Spanish
Anderson, G.	Esau	Kvam	Pleasant	Waldorf
Anderson, R.	Evans	Langseth	Redalen	Welch
Battaglia	Fjoslien	Lemke	St. Onge	Wenzel
Begich	Fudro	Mann	Savelkoul	Wieser
Biersdorf	Gunter	McDonald	Searle	Wigley
Brinkman	Jude	Nelsen, B.	Searles	Zubay

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

H. F. No. 1758 was reported to the House.

Jensen moved to amend H. F. No. 1758, as follows:

Strike everything after the enacting clause and insert:

“Section 1. An amendment to the Minnesota Constitution, Article X, adding a section, is proposed to the people. If the amendment is adopted the section will read:

Sec. 8. The legislature may authorize and tax parimutuel wagering on horseracing in a manner prescribed by law.

Sec. 2. The proposed amendment shall be submitted at the 1978 general election. The question proposed shall be:

“Shall the Minnesota Constitution be amended to permit parimutuel wagering on horse races to be authorized by law?

Yes

No”.

Further, strike the title in its entirety and insert:

“A bill for an act proposing an amendment to the Minnesota Constitution, Article X, adding a section; permitting parimutuel wagering on races if authorized by law.”.

The motion prevailed and the amendment was adopted.

Laidig and McDonald offered an amendment to H. F. No. 1758.

POINT OF ORDER

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

Petrafeso moved that H. F. No. 1758, as amended, be referred to the Committee on Commerce and Economic Development.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll was called. There were 55 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Kempe, A.	Nelson	Smogard
Albrecht	Corbid	Kempe, R.	Niehaus	Spanish
Anderson, D.	Den Ouden	King	Novak	Stoa
Anderson, G.	Eken	Knickerbocker	Onnen	Swanson
Arlandson	Enebo	Kroening	Petrafeso	Welch
Battaglia	Erickson	Kvam	Prahl	Wenstrom
Beauchamp	Esau	Laidig	Redalen	Wenzel
Berg	Fjoslien	Langseth	Rice	Wieser
Berglin	Hanson	Moe	Savelkoul	Wigley
Byrne	Hokanson	Munger	Sherwood	Zubay
Carlson, D.	Johnson	Nelsen, B.	Skoglund	Speaker Sabo

Those who voted in the negative were:

Adams	Dean	Kahn	Murphy	Sieben, H.
Anderson, I.	Eckstein	Kaley	Neisen	Sieben, M.
Anderson, R.	Ellingson	Kalis	Nelsen, M.	Simoneau
Begich	Evans	Kelly, R.	Osthoff	Suss
Berkelman	Ewald	Kostohryz	Patton	Tomlinson
Biersdorf	Friedrich	Lehto	Pehler	Vanasek
Brandl	Fudro	Lemke	Peterson	Waldorf
Brinkman	Fugina	Mangan	Pleasant	White
Carlson, A.	George	Mann	Reding	Williamson
Casserly	Gunter	McCarron	St. Onge	Wynia
Clark	Heinitz	McCollar	Samuelson	
Clawson	Jaros	McDonald	Sarna	
Cohen	Jensen	McEachern	Searle	
Cummiskey	Jude	Metzen	Searles	

The motion did not prevail.

H. F. No. 1758, A bill for an act proposing an amendment to the Minnesota Constitution, Article X, adding a section; permitting parimutuel wagering betting on races if authorized by law.

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 59 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Adams	Cummiskey	Jensen	McEachern	Searles
Anderson, B.	Dean	Jude	Metzen	Sieben, H.
Anderson, I.	Eckstein	Kahn	Neisen	Sieben, M.
Anderson, R.	Ellingson	Kaley	Nelsen, M.	Simoneau
Arlandson	Evans	Kalis	Osthoff	Suss
Begich	Faricy	Kelly, R.	Patton	Tomlinson
Biersdorf	Friedrich	Lehto	Pehler	Vanasek
Brandl	Fudro	Lemke	Prahl	Waldorf
Brinkman	George	Mangan	Reding	White
Carlson, A.	Gunter	Mann	Samuelson	Williamson
Clark	Heinitz	McCarron	Sarna	Wynia
Clawson	Jaros	McDonald	Searle	

Those who voted in the negative were:

Abeln	Corbid	Kempe, R.	Niehaus	Spanish
Albrecht	Den Ouden	King	Norton	Stoa
Anderson, D.	Eken	Knickerbocker	Novak	Swanson
Anderson, G.	Enebo	Kostohryz	Onnen	Welch
Battaglia	Erickson	Kroening	Peterson	Wenstrom
Beauchamp	Esau	Kvam	Petrafaso	Wenzel
Berg	Ewald	Laidig	Plesant	Wieser
Berglin	Fjoslien	Langseth	Redalen	Wigley
Berkelman	Fugina	McCollar	Rice	Zubay
Byrne	Hanson	Moe	St. Onge	Speaker Sabo
Carlson, D.	Hokanson	Munger	Savelkoul	
Carlson, L.	Johnson	Murphy	Sherwood	
Casserly	Kelly, W.	Nelsen, B.	Skoglund	
Cohen	Kempe, A.	Nelson	Smogard	

The bill was not passed, as amended.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Wednesday, March 15, 1978, immediately following the Consent Calendar. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2098: Berglin, Reding, and Kaley.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2196: McCarron; Arlandson; Faricy; Sieben, M.; and Carlson, D.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2250: Kelly, W.; Sabo; Anderson, I.; Vanasek; and Savelkoul.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 11:00 a.m., Wednesday, March 15, 1978. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Wednesday, March 15, 1978.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

