

STATE OF MINNESOTA

SEVENTIETH SESSION - 1978

NINETY-SIXTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 21, 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:

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

A quorum was present.

Jacobs was excused. Ewald and Waldorf were excused until 2:15 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. No. 1951 have been placed in the members' files.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced :

Wenzel, Prah, Braun and Niehaus introduced :

H. F. No. 2535, A bill for an act proposing an amendment to the Minnesota Constitution, Article VI, by adding a section; providing for recall of judges.

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

Metzen, Wenzel, Kalis, Jude and Kempe, R., introduced :

H. F. No. 2536, A bill for an act relating to taxation; income tax; excluding certain military pay from gross income; amending Minnesota Statutes 1976, Section 290.65, by adding a subdivision; and Minnesota Statutes, 1977 Supplement, Section 290.01, Subdivision 20.

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

HOUSE ADVISORIES

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

Kelly, R.; Brinkman; Wynia; Heinitz and George introduced :

H. A. No. 98, A proposal to study the structures and powers of financial institutions.

The advisory was referred to the Committee on Financial Institutions and Insurance.

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 Files, herewith returned :

H. F. No. 1598, A bill for an act relating to uses and trusts; providing for the application to and limitation of certain general trust statutes in relation to industrial revenue bonds; amending Minnesota Statutes 1976, Section 501.37; and Minnesota Statutes, 1977 Supplement, Section 501.34.

H. F. No. 2219, A bill for an act relating to the city of Eagan; volunteer firefighter's service pensions; amending Laws 1975, Chapter 43, Section 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1884, A bill for an act relating to highway traffic regulations; prohibiting passing a school bus when it is stopped and is displaying stop signals; providing penalties; amending Minnesota Statutes 1976, Section 169.44, Subdivision 1.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1434, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Ottertail county for the purpose of correcting boundary description errors.

H. F. No. 2024, A bill for an act relating to courts; disqualification of a presiding judge without a showing of prejudice; amending Minnesota Statutes 1976, Sections 487.40, Subdivision 2; and 542.16.

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.

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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1767, A bill for an act relating to the city of Anoka; fire department relief association benefits; amending Laws 1971, Chapter 184, Section 1, Subdivisions 2, 3, 4, 5 and 6, as amended; and Section 2, Subdivision 2, as amended.

H. F. No. 1821, A bill for an act relating to the city of Brainerd; firefighters' service pensions; amending Laws 1973, Chapter 170, Section 1.

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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2282, A bill for an act relating to the city of Plymouth; firefighter's relief association benefits.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1998, A bill for an act relating to commerce; credit unions; modifying reserve fund requirements; amending Minnesota Statutes 1976, Section 52.17.

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. 2099.

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. 2165.

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. 2093, A bill for an act relating to retirement; transfer of pension coverage for university of Minnesota peace officers to the public employees police and fire fund; terminating the university of Minnesota police department retirement plan and fund; transfer of assets and records; providing for an extension of police state aid; amending Minnesota Statutes 1976, Sections 69.021, Subdivision 9; 69.031, Subdivision 4; 356.20, Subdivision 2; Minnesota Statutes, 1977 Supplement, Sections 69.011, Subdivisions 1 and 2; 69.021, Subdivisions 5, 6 and 7; and 69.031, Subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

Moe moved that the House refuse to concur in the Senate amendments to H. F. No. 2093, 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. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Lehto moved that the House refuse to concur in the Senate amendments to H. F. No. 2137, 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.

FIRST READING OF SENATE BILLS

S. F. No. 2099, A bill for an act relating to taxation; property tax; increasing property tax refunds for certain renters; amending Minnesota Statutes, 1977 Supplement, Section 290A.04, Subdivision 2a.

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

S. F. No. 2165, A bill for an act relating to retirement; increased benefits of former probate judges; payment by the Minnesota state retirement system; appropriating money; amending Minnesota Statutes 1976, Chapter 490, by adding a section.

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

MOTION FOR RECONSIDERATION

Cohen moved that the action on March 20, 1978, whereby the House acceded to the request of the Senate for the appointment of a Conference Committee on S. F. No. 318 be now reconsidered. The motion prevailed.

Cohen moved that S. F. No. 318 be returned to the Senate. The motion prevailed.

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 544

A bill for an act relating to highways; removing the construction moratorium on a certain interstate route, and extending it through the city of St. Paul; removing a certain route from the trunk highway system; amending Minnesota Statutes 1976, Sections 161.117; 161.12; and 161.123.

March 20, 1978

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

We, the undersigned conferees for H. F. No. 544, report that we have agreed upon the items in dispute and recommend as follows:

That the senate recede from its amendments and that H. F. No. 544 be further amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 161.117, is amended to read:

161.117 [TRUNK HIGHWAYS; ADDITIONAL ROUTES.]
There may be added by order of the commissioner of transportation to the trunk highway system new routes described as follows:

(1) Route No. 380. Beginning at a point on Route No. 390 at its intersection with Shepard Road in the city of St. Paul; thence extending in a northeasterly direction generally following along the course of Shepard Road to a point on Route No. 112; thence extending in a northeasterly direction to a point on Route No. 392 easterly of the downtown area of St. Paul; providing a connector route between Route No. 390 and Routes No. 112 and 392;

(2) (ROUTE NO. 381. BEGINNING AT A POINT ON ROUTE NO. 112, NORTHERLY OF THE LAFAYETTE STREET BRIDGE IN THE CITY OF ST. PAUL; THENCE EXTENDING IN A NORTHWESTERLY DIRECTION TO A POINT ON ROUTE NO. 390 SOUTHERLY OF MARYLAND AVENUE IN THE CITY OF ST. PAUL; PROVIDING A CONNECTOR ROUTE BETWEEN ROUTE NO. 112 AND ROUTE NO. 390; AND)

(3)) Route No. 382. Beginning at a point on Route No. 390 at its junction with Route No. 111, thence extending in a general northerly direction, within the corridor of the right of way already acquired on May 31, 1975, for Route No. 390, to a point on Short Line Road; thence extending in a northeasterly direction within said corridor of right of way to the intersection of Pleasant Avenue and Kellogg Boulevard in the city of St. Paul.

Sec. 2. Minnesota Statutes 1976, Section 161.12, is amended to read:

161.12 [ADDITIONAL ROUTES ADDED TO TRUNK HIGHWAY SYSTEM.] To take advantage of federal aid made available by the United States to the state of Minnesota for highway purposes, the following trunk highway routes are added to the trunk highway system which routes form a part of the national system of interstate and defense highways and may be referred to as the interstate system:

Route No. 390. Beginning at a point on the boundary between the states of Minnesota and Iowa, southerly of Albert Lea; thence extending in a (GENERAL NORTHERLY DIRECTION TO A POINT ON ROUTE NO. 111 IN THE CITY OF ST. PAUL; AND THEN BEGINNING AGAIN AT A POINT ON ROUTE NO. 392 IN THE CITY OF ST. PAUL; THENCE EXTENDING IN A) general northeasterly direction to a point in Duluth on the boundary between the states of Minnesota and Wisconsin. *Route No. 390 shall not include any portion of Route No. 382 as designated by section 161.117 or any portion of any route connecting Route No. 382 to Route No. 392, nor shall it include any portion of trunk highway marked No. 3 from trunk highway marked No. 110 in Dakota county to East Seventh Street in the city of St. Paul.*

Route No. 391. Beginning at a point on the boundary between the states of Minnesota and South Dakota, westerly of Luverne; thence extending in a general easterly direction to a point on the boundary between the states of Minnesota and Wisconsin, near La Crescent.

Route No. 392. Beginning at a point on the boundary between the states of Minnesota and North Dakota in or near Moorhead; thence extending in a general southeasterly direction through the city of Minneapolis; thence in a general easterly direction through the city of St. Paul to a point on the boundary between the states of Minnesota and Wisconsin in or near Lakeland.

Route No. 393. Beginning at a point on Route No. 392, easterly of the city of St. Paul; thence in a general southerly and westerly direction through the city of South St. Paul; thence in a general westerly direction to a point in Eden Prairie Township, Henne-

pin County; thence in a general northerly direction to a point in the city of Maple Grove, Hennepin County; thence in a general easterly direction to a point on Route 390; thence in a general easterly, southeasterly and southerly direction to the point of beginning on Route No. 392, easterly of St. Paul.

Route No. 394. Beginning at a point on Route No. 390, southerly of the Minnesota River; thence extending in a general northerly and northeasterly direction through the city of Minneapolis; thence continuing in a northeasterly direction to a point on Route No. 390, near Forest Lake and there terminating.

Route No. 395. Beginning at a point on Route No. 390 at or near the intersection of Superior Street and Nineteenth Avenue West in the city of Duluth, thence extending in a northeasterly direction to a point on Route No. 103 at or near the intersection of Superior Street and Tenth Avenue East in the city of Duluth.

Sec. 3. Minnesota Statutes 1976, Section 161.123, is amended to read:

161.123 [HIGHWAY CONSTRUCTION; PROHIBITIONS.] Following May 31, 1975 the department of transportation shall not cause any construction on, nor shall any lands be acquired for, any of the trunk highways designated as I-335, (THAT PORTION OF I-35E IN RAMSEY COUNTY DESCRIBED IN SECTION 161.117, CLAUSE (3), AS ROUTE NO. 382, NOR FOR) proposed I-394 between I-494 and the Hawthorne interchange, nor for any extension or connector of the Dartmouth interchange of the interstate route designated as I-94; nor shall the department construct or improve Legislative Route No. 116, marked trunk highway route No. 55, within the city of Minneapolis, to freeway or expressway standards; provided, that nothing in this section shall be construed to prohibit the department from taking the following actions:

(1) Construction of a parkway facility of not more than four lanes of traffic in the corridor previously designated for I-335 in the city of Minneapolis.

(2) Construction of not more than six lanes of travel on Legislative Routes No. 10 and No. 107 marked TH12 between I-494 and the Hawthorne interchange in the city of Minneapolis, provided that no additional lands shall be acquired for any such purpose except which is necessary for construction of six lanes of travel on said highway.

(3) CONSTRUCTION OF, ON THE ROUTE DESIGNATED IN SECTION 161.117, CLAUSE (3), AS ROUTE NO. 382, A FOUR LANE PARKWAY FACILITY WITH LIMITED ACCESS, PROVIDED THAT SUCH PARKWAY SHALL NOT BE PHYSICALLY CONNECTED WITH LEGISLATIVE ROUTE NO. 392.)

((4)) (3) Generally utilizing and widening present lanes of travel, increasing the number of lanes of travel up to but not exceeding six lanes, and upgrading Legislative Route No. 116 within the city of Minneapolis generally along its present traveled corridor.

(THE COMMISSIONER OF TRANSPORTATION SHALL PREPARE)

(4) *Preparation of any* environmental impact statements, recreational and other land use reports, and other elements of the planning process required by federal and state law, utilizing the most reasonably recent available data, on the following:

Routes and corridors enumerated above and all feasible and prudent alternate routes and corridors, giving the fullest possible consideration to each, without regard to prior authorization or to whether legislative approval or other action is necessary. In the preparation of such environmental impact statements the commissioner shall analyze and evaluate:

(a) Design modifications which may mitigate any adverse environmental impact; and

(b) The recommendations of the metropolitan council, transportation advisory board, and interstate study committee as reported to the legislature pursuant to Laws 1975, Chapter 203, Section 16; and

(c) All other matters required of an environmental impact statement by applicable state and federal laws.

Any highway facility authorized by this section shall be compatible with the immediate residential areas through which it passes. Upon the completion of any highway facility authorized herein, any right of way previously acquired within the utilized corridor and not needed for the construction and maintenance of such facility, shall be transferred to the city within which such excess right of way is located, for public purposes, or sold for utilization in a manner compatible with the immediate residential area through which it passes, such excess right of way being determined by order of the commissioner. The transfer shall be evidenced by a quit claim deed, in such form as the attorney general approves, executed by the governor in the name of the state of Minnesota to such city.

The commissioner of transportation shall consider a parkway or other alternatives for that portion of the trunk highway designated as I-35 or Route No. 390 in the city of Duluth.

Sec. 4. Minnesota Statutes 1976, Chapter 161, is amended by adding a section to read:

[161.124] [HIGHWAY CONSTRUCTION; AUTHORIZATIONS AND RESTRICTIONS.] *Subdivision 1. The commissioner of transportation is authorized to construct a four lane parkway with limited access along the right of way of Route No. 382 in the city of St. Paul, which parkway may be connected with Route No. 392 by a roadway that is not a controlled access highway as defined in section 160.02. The commissioner shall not construct any highway on Route No. 382 or connection to Route No. 392 other than that described in this subdivision.*

Subd. 2. The completion of an environmental impact statement analyzing all options for Route No. 382 and for that uncompleted portion of Route No. 390 in the metropolitan area shall be the responsibility of the metropolitan council. The metropolitan council shall pursuant to agreement with the commissioner of transportation complete the draft environmental impact statement with all reasonable speed and in conformance with all legal requirements but in any event no later than September 1, 1979. The commissioner of transportation and the city of St. Paul shall cooperate fully with and provide all necessary technical assistance to the metropolitan council.

Subd. 3. The commissioner of transportation shall not authorize the construction of any traffic lanes on trunk highway marked No. 3 from trunk highway marked No. 110 in Dakota county to East Seventh Street in the city of St. Paul in addition to those in existence on January 1, 1978.

Sec. 5. [EFFECTIVE DATE.] *This act is effective the day following its final enactment."*

Further, strike the title and insert:

"A bill for an act relating to highways; lifting the construction moratorium on I-35E in the city of St. Paul; removing a certain route from the trunk highway system; establishing priorities for planning for construction of a certain trunk route; amending Minnesota Statutes 1976, Sections 161.117; 161.12; 161.123; and Chapter 161, by adding a section."

We request adoption of this report and repassage of the bill.

House Conferees: ARNOLD E. KEMPE, C. THOMAS OSTHOFF and JOHN D. TOMLINSON.

Senate Conferees: CONRAD M. VEGA, STEVE KEEFE and NICHOLAS D. COLEMAN.

Kempe, A., moved that the report of the Conference Committee on H. F. No. 544 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 544, A bill for an act relating to highways; removing the construction moratorium on a certain interstate route, and extending it through the city of St. Paul; removing a certain route from the trunk highway system; amending Minnesota Statutes 1976, Sections 161.117; 161.12; and 161.123.

The bill was read for the third time, as amended by Conference, 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 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I. Jensen

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1091

A bill for an act relating to waters; permitting the establishment of rural water user districts.

March 20, 1978

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

We, the undersigned conferees for H. F. No. 1091, report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert:

"Section 1. [POLICY STATEMENT.] Conservation of the state's water resources is a state function, and the public interest, welfare, convenience, and necessity require the creation of water user districts and the construction of systems of works, in the manner provided, for the conservation, storage, distribution, and use of water. The construction of systems of works by districts, as provided, is hereby declared to be in all respects for the welfare and benefit of the people of Minnesota.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act the following terms have the definitions given in this section.

Subd. 2. "Water user district" or "district" means a district organized under this act, either as originally organized or as re-organized, altered, or extended.

Subd. 3. "Board" means the board of directors of a district organized under this act.

Subd. 4. "Works" and "system" include all lands, property, rights, rights of way, easements, and related franchises deemed necessary or convenient for their operation, all water rights acquired or exercised by the board in connection with works, all means of conserving, controlling, and distributing water, including, but not limited to outlets, treatment plants, pumps, lift stations, service connections, mains, valves, hydrants, wells, reservoirs, tanks and other appurtenances of public water systems. A work or system may be used for domestic, commercial, industrial and stock watering purposes only and shall not be used for irrigation purposes.

Subd. 5. "Project" means any one of the works defined, or any combination of works which are physically connected or jointly managed and operated as a single unit.

Subd. 6. "City" means any home rule charter, statutory or other city, however organized.

Subd. 7. "Court" means district court in the judicial district where the largest number of petitioners resides.

Sec. 3. [WATER USER DISTRICT; ORGANIZATION.] A water user district may be created and organized as provided in this act, and may sue and be sued in its corporate name. The procedure provided by this act is alternative to that provided by

other law. A district may not be organized in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott or Washington counties.

Sec. 4. [PETITION FOR ORGANIZATION.] A water user district may be organized under the provisions of this act after filing in the court a petition in compliance with the requirements set forth, and the approval of the petition by the court. The petition shall state that it is the intent and purpose of the petitioners to create a district under the provisions of this act, subject to approval by the court. The petition shall contain:

- (1) The name of the proposed district;
- (2) The object and purpose of the system proposed to be constructed or acquired, together with a general description of the nature, location, and method of operation of the proposed works;
- (3) A description of the land constituting the proposed district and its boundaries, and the names of any cities or towns included partly or wholly within the boundaries;
- (4) The location of the principal place of business of the proposed district;
- (5) A statement that the proposed district shall not have the power to levy taxes or assessments;
- (6) The number of members of the board of directors of the proposed district, which shall be not less than five nor more than 13, a statement as to whether the directors shall be elected at large or shall be apportioned to election divisions, the names and addresses of the members who shall serve until their successors are elected and qualified as provided in this act, and if election divisions are provided for, the respective divisions which the directors are to represent. The persons named in the petition as directors shall be owners of land within the district. If election divisions are provided for, they shall be owners of land within the divisions they are to represent.

Sec. 5. [LANDS INCLUDED.] The lands proposed to be included within the district need not consist of contiguous parcels. A district may to the extent authorized by resolution of the governing body of the city consist of land within the limits of a city and may consist of land within the limits of any town or county, located outside the metropolitan area, as defined by section 473.121, subdivision 2.

Sec. 6. [ORGANIZATION OF DISTRICT WITHIN TERRITORIAL BOUNDARIES OF ANOTHER DISTRICT.] A district may to the extent authorized by the existing district be organized within, or partly within, the territorial boundaries of another district organized under this or other law, so long as

the works or systems, their operation, the exercise of powers and the assumptions of duties and responsibilities, of one district, do not nullify, conflict with, or materially affect those of another pre-existing district. A new district may not be organized within the boundaries of a pre-existing district if the pre-existing district disapproves within 30 days after mailing of notice pursuant to section 13.

Sec. 7. [DIRECTORS; ELECTION.] Directors may be elected either at large, or from election divisions. If the petition states that the directors shall be elected from election divisions, the petition shall describe the boundaries of the divisions, which may be drawn either with or without regard to the limits of any city or town included within the district boundaries. So far as practicable, each district shall include the same number of parties to contracts with the district for purchase of water.

Sec. 8. [GROUPING OF DIRECTORS ELECTED AT LARGE; TERM OF OFFICE.] Directors shall be elected within 60 days after the petition is approved by the court and filed with the secretary of state. The directors named in the petition shall hold office until the election. So far as possible, an equal number of those elected shall serve one, two and three years.

Sec. 9. [112A.10] [PETITION; SIGNATURES.] The petition must be signed by 50 percent of the landowners, except the holders of easements for electric or telephone transmission and distribution lines, within the area outside the limits of any city constituting the proposed district. If the proposed district includes any area within a city, the petition must be accompanied by a resolution of the governing body of the city requesting a specific area within the city be included within the proposed district. On each petition, set opposite the signature of each petitioner, shall be stated his or her name and post office address and the location of land of which he or she is the owner.

Sec. 10. [INSTRUMENTS CONSTITUTING PETITION.] The petition may contain any number of separate instruments, and to each sheet for petitioners' signatures shall be attached a full and correct copy of the petition. Every sheet of every petition containing signatures shall have below the signatures an affidavit by the circulator in substantially the following form:

State of Minnesota,

County of

....., being first duly sworn, deposes, that he or she is the circulator of the foregoing petition containing ... signatures; that each person whose name appears on the petition sheet personally signed the petition in the presence of affiant; that he or she believes that each signer is an owner of the land described opposite his or her signature, to be included within the

proposed district, residing at the address written opposite his or her name, and that affiant stated to every petitioner before he or she affixed his or her signature the legal effect and nature of the petition.

.....

Circulator.

Sec. 11. [MAPS, PLANS AND ESTIMATES.] The petition shall be accompanied by the resolutions required by section 5, maps showing the location of land within the proposed district and the proposed system of works, and by other maps, plans, and estimates as necessary to describe fully the proposed system.

Sec. 12. [EXAMINATION OF PETITION.] Upon receipt of the petition, the court shall determine whether it complies with the requirements of this act and dismiss the petition if the requirements are not complied with. The petitioners may present a new petition covering the same matter, or the same petition with additional signatures if additional signatures are necessary.

Sec. 13. [PUBLICATION OF PETITION.] Subdivision 1. The petition and a map of the proposed district shall be published in each county in which lands within the proposed district lie, in a newspaper of general circulation published in the county, once each week for at least two successive weeks before the time the petition is filed with the court together with a list of names of the petitioners within the county and their addresses.

Subd. 2. Prior to being filed with the court, the petition and a map of the proposed district shall be sent by certified mail to each city with a population of 20,000 or less if the proposed district comes within one half mile of the city's boundary, each city with a population of greater than 20,000 if the proposed district comes within one mile of the city's boundary and to each existing district organized under sections 1 to 37 or Minnesota Statutes, Chapter 116A if the new district boundary comes within one mile of an existing system's boundary.

Sec. 14. [PROTEST AGAINST ORGANIZATION.] Any owner of land within the proposed district may file with the court a protest against the qualifications of any signer of the petition, and the court shall consider and determine the validity of protests.

Sec. 15. [INVESTIGATION OF PROPOSED DISTRICT AND WORKS.] If the court determines that the petitioners have complied with the requirements of this act, it shall make an immediate investigation of the proposed district and of its proposed works, systems, or plans and of the engineering and economic feasibility of the project. The court, in its discretion,

may make an estimate of the cost of the investigation and require the petitioners to defray part or all of the estimated cost before proceeding with the investigation.

Sec. 16. [FEASIBILITY; RECORDING; ESTABLISHMENT.] The court, within 90 days from the receipt of the petition, or within 90 days from the time funds are available to defray the cost of the investigation, shall declare that the proposed project is or is not feasible, will conform to public health and conform to public convenience and welfare. If the project is not feasible, the court shall dismiss the petition. If the court deems the project feasible and conforming to public convenience and welfare, it shall immediately execute a certificate setting forth a copy of the petition declaring that the petition is approved, and file it in the office of the secretary of state and a copy of it, certified by the secretary of state, in the office of the county auditor of each county in which any of the lands in the district are located. Thereupon, the district, under its designated name, shall be a body politic and corporate under the provisions of this act and a public corporation of the state.

Sec. 17. [DIRECTORS; QUALIFICATION; MEETING.] Upon the filing of the certificate in the office of the secretary of state and a certified copy in the office of each county auditor, the members of the board of directors named in the petition shall immediately qualify and assume the duties of their office. Failure or refusal to qualify within a period of 15 days thereafter shall be deemed to create a vacancy which shall be filled as provided by this act. The first meeting of the board of directors shall be called by the director first named in the petition.

Sec. 18. [ADDITIONAL TERRITORY.] The procedure for extending a water user district by including additional territory shall be as provided by sections 19 to 22.

Sec. 19. [PETITION TO INCLUDE ADDITIONAL TERRITORY.] A water user district may be extended by including additional territory by filing with the court a petition signed by at least 50 percent of the landowners except the holders of easements for electric or telephone transmission and distribution lines, in any area outside the limits of a city to be included, a copy of a resolution of the governing body of a city requesting a specific area within the city be included within the expanded district, and a resolution of the board of directors of the district approving the expansion of the district, upon compliance with the requirements hereinafter set forth. The petition shall contain a description of the lands to be included.

Sec. 20. [MAPS; PLANS; ESTIMATES.] The petition shall be accompanied by maps showing the location of the lands to be included, the proposed system of works and other plans and estimates as necessary to fully describe the project.

Sec. 21. [PUBLICATION; PROTESTS.] Subdivision 1. The petition shall be published in each county in which the lands to be included lie, in a newspaper of general circulation published in the county, once each week for at least two successive weeks before the time the petition is filed with the court together with the list of names of the petitioners and their addresses and land owned. Any owner of land within the area to be included, who did not sign the petition may file a written protest with the court as provided in section 14.

Subd. 2. Prior to being filed with the court, a map of the proposed district shall be sent by certified mail to each city with a population of 20,000 or less if the proposed district comes within one half mile of the city's boundary, each city with a population greater than 20,000 if the proposed district comes within one mile of the city's boundary and to each existing district organized under sections 1 to 37 or Minnesota Statutes, Chapter 116A if the new proposed district boundary comes within two miles of the existing system's boundary.

Sec. 22. [APPROVAL OF EXTENSION.] Upon receipt of the petition the court shall act upon the petition in the same manner as required upon an original petition to create a district, as set forth in sections 12 to 17.

Upon the approval of the petition and project, and the issuance and filing of the certificate of approval in the office of the secretary of state and filing a copy in the office of the county auditor of each county in which any lands in which the district is located, the included areas shall be part of the district.

Sec. 23. [MEMBERS; ELECTION; TERMS.] After the election of the board of directors members of the board to succeed those elected in the initial election provided for in section 8, respectively, and to fill unexpired terms, shall be nominated and elected and shall take office in the following manner. One year from the date of the initial election an election shall be held to elect directors to succeed those whose terms are about to expire. The term of each director thus elected shall commence two weeks after his or her election and continue for three years and until his or her successor is elected and qualified. Election of directors shall be conducted as provided by section 24.

Sec. 24. [ELECTIONS; PLACE.] Subdivision 1. The board of directors of the district shall fix the hour and place, within the boundaries of the district, of each election and shall preside. If the district is divided into election divisions, the board in its discretion may fix a place of election within each election division, and the directors who represent that division shall preside.

Subd. 2. Every person or corporation which is a party to a contract with the district for the purchase of water to be

furnished by the district, may cast one vote at each election for each director to be elected. In case election divisions are provided for, each person or corporation entitled to vote by reason of being a party to a contract shall select the division in which he or it shall vote, which selection shall be made under rules established by the board of directors.

Subd. 3. The board shall at least 20 days prior to the date of election, mail to each person or corporation entitled to vote, at his or its last known place of residence or business, a notice stating the time, place, and purpose of the election or, in the alternative, publish in each county in which lands within the district lie, in a newspaper of general circulation in the county, once each week for at least two successive weeks before the time of election, a notice that the election will be held giving the purpose, time and place.

Subd. 4. At the hour and place of the election, the presiding directors shall call the roll of those entitled to vote, and the number of votes to which each is entitled. They shall make a record of the qualified voters present and prescribe the manner of casting ballots and canvassing votes. If election divisions are provided for, but the election is held at one place within the district instead of being held in each division, the board shall call the roll for each division and conduct the election for each division separately. All costs incident to the election of directors shall be paid by the district.

Subd. 5. The candidate for director required to fill an existing vacancy or to succeed an outgoing director who receives the highest number of votes cast shall be declared elected.

Sec. 25. [DIRECTORS.] Subdivision 1. No person shall be qualified to hold office as a member of the board of directors of any district unless he or she is a party to a contract to purchase water from the district.

Subd. 2. Vacancies on the board by reason of death, disability, failure to hold land in the district, or in the election division if election divisions are provided for, or otherwise shall be filled by the board of directors. The members elected to fill vacancies shall serve until members to fill out the remainder of the terms may be elected at the next succeeding district election.

Subd. 3. Members of the board of directors shall be paid their actual expenses while engaged in performing the duties of their office or otherwise engaged upon the business of the district. In addition they shall receive as compensation for services at rates determined by qualified voters at an annual meeting.

Sec. 26. [OFFICERS.] Subdivision 1. The board of directors shall elect the officers of the district who shall be a presi-

dent, a vice president, a secretary and a treasurer. The board shall appoint an executive committee and other officers, agents, and employees as necessary to transact the business of the district. The president, vice president and treasurer shall be elected from the membership of the board of directors.

Subd. 2. The treasurer shall furnish and maintain a corporate surety bond in an amount sufficient to cover all moneys coming into his possession or control, which shall be satisfactory in form and with sureties approved by the board. The bond, as approved, shall be filed with the secretary of state, and copies filed with the auditors of counties within the district and the premium upon the bond paid by the district.

Sec. 27. [BOARD OF DIRECTORS.] Subdivision 1. The corporate powers of the district shall be exercised by the board of directors of the district.

Subd. 2. The board of directors may adopt rules and regulations or bylaws, consistent with this act, for the conduct of the business and affairs of the district. The board of directors shall cause to be kept accurate minutes of their meetings and accurate records and books of account, conforming to approved methods of bookkeeping, clearly setting out and reflecting the entire operation, management, and business of the district. The books and records shall be kept at the principal place of business of the district and at reasonable business hours always open to public inspection.

Sec. 28. [POWERS.] Subdivision 1. The district shall have all the usual powers of a public corporation, and may acquire by purchase, gift, or other lawful means and hold real or personal property reasonably necessary for the conduct of its business, or lease property for its proper purposes, and sell, lease, or otherwise dispose of property when not needed.

Subd. 2. The district may own, construct, reconstruct, improve, purchase, lease, receive by gift, or otherwise acquire, hold, extend, manage, use, or operate any works, as defined in this act, and any and every kind of property, personal or real, necessary, useful, or incident to their acquisition, extension, management, use, and operation, and may sell, mortgage, alienate, or otherwise dispose of works under the terms and conditions provided in this act.

Subd. 3. A district may enter into any contract, lease, agreement, or arrangement with a state, county, city, town, district, governmental or public corporation or association, or with a person, firm, or corporation, public or private, or with the government of the United States, or with any officer, department, bureau, or agency thereof, or with any corporation organized under federal law to exercise the powers set forth in this section, or for the sale, leasing, or otherwise furnishing or establishing

of water rights, water supply, conveyance and distribution of water, water service, or water storage, for domestic, industrial, municipal, or stock watering purposes, or for the financing or payment of the cost and expenses incident to the construction, acquisition, or operation of works, or incident to any obligation or liability entered into or incurred by the district.

Subd. 4. A district may exercise any of the powers enumerated in this section either within or beyond or partly within and partly beyond the boundaries of the district and of the state, unless prohibited by the law of the area or state concerned or of the United States of America.

Subd. 5. A district may appropriate the waters of the state in the same manner as other persons under the laws of this state. A district shall not, in the exercise of the powers conferred by this act, interfere with, injure, or otherwise damage or affect existing water rights, other than through the purchase of the rights or through condemnation proceedings. No district, corporation, association, or individual holding a water right for lands located either within or outside the boundaries of a district shall be in any way affected by the operations of the district other than by reason of a contract voluntarily entered into by the organization or individual with the district, or by reason of the exercise by the district of the power of eminent domain.

Subd. 6. A district may exercise the power of eminent domain pursuant to Minnesota Statutes, Chapter 117, after declaring by resolution the necessity for and purpose of the taking of property and the extent of the taking.

Subd. 7. The district shall have no power of taxation, or of levying assessments for special benefits. No governmental authority shall have power to levy or collect taxes or assessments for the purpose of paying, in whole or in part, any indebtedness or obligation of or incurred by the district or upon which the district may be or become in any manner liable. Nor shall any privately owned property within or outside a district, or the owner thereof, nor any city, town, county, or other political subdivision or public or private corporation or association or its property, be directly or indirectly liable for any district indebtedness or obligation beyond the liability to perform an express contract between the owner or public or private organization and the district.

Subd. 8. No person, city, town, county, or other governmental subdivision, or other public or private corporation or association shall be liable for the payment of any rent or charge for water storage, water supply, or for any of the costs of operation of a district, unless a contract has been entered into between the person or public or private organization and the district furnishing water storage or water supply. All capital and operating expenses shall be borne by the users in proportion to their use of water supplied by the district.

Subd. 9. A district organized under this act may exercise any power conferred by this act to obtain grants or loans or both from any federal agency pursuant to acts of congress, and may accept from private owners or other sources, gifts, deeds or instruments of trust or title relating to land, water rights and any other form of property.

Subd. 10. A district may purchase and acquire lands, water rights, rights of way, and real and personal properties of every nature in cooperation with the United States under conditions as may to the board seem advisable, and to convey them under the conditions, terms and restrictions approved by the directors and the federal government or any of its agencies and to pay the purchase price and any and all construction costs or other necessary expenses and costs in connection with any works contemplated by this act either from its own funds or cooperatively with the federal government.

Subd. 11. A district shall not, in the exercise of the powers conferred by this act, provide service to actual or potential residential, commercial, industrial or publicly-owned land uses within one half mile of the limits of a city of up to 20,000 persons without approval by the city council. Approval shall not be required prior to serving class 3b lands as defined in 273.13.

Subd. 12. A district shall not, in the exercise of the powers conferred by this act, provide service to actual or potential residential, commercial, industrial or publicly-owned land uses within one mile of the limits of a city of more than 20,000 persons without approval by the city council. Approval shall not be required prior to serving class 3b lands as defined in 273.13.

Sec. 29. [CONTRACTS.] Subdivision 1. Before a district shall enter into a contract for the construction, alteration, extension, or improvement of works, or any part or section thereof, or a building for the use of the district, or for the purchase of materials, machinery, or apparatus, the district shall cause estimates of the cost to be made by a competent engineer or engineers, and if the estimated cost exceeds \$10,000 no contract shall be entered into for a price, cost or consideration exceeding the estimate nor without advertising for sealed bids.

Subd. 2. Prior to advertisement, plans and specifications for the proposed construction work or materials shall be prepared and filed at the principal office or place of business of the district. The advertisement shall designate the nature of construction work proposed to be done or materials proposed to be purchased. The board shall supervise bid lettings by water user districts.

Sec. 30. [DEBT.] The district may borrow money and incur indebtedness by issuing its obligations or entering into con-

tracts for any lawful corporate purpose; provided that all such obligations and contracts, whether express or implied, shall be payable solely:

(1) From revenues, income, receipts and profits derived by the district from its operation and management of systems;

(2) From the proceeds of warrants, notes, revenue bonds, debentures, or other evidences of indebtedness issued and sold by the district which are payable solely from such revenues, income, receipts and profits; or

(3) From federal or state grant gifts or other moneys received by the district which are available therefor.

The district may by resolution pledge any such source to the payment of such obligations and contracts and the interest coming due thereon. Any resolution may specify the particular revenues that are pledged and the terms and conditions to be performed by the district and the rights of the holders of district obligations, and may provide for priorities of liens in any revenues as between the holders of district obligations issued at different times or under different resolutions. The district may provide for the refunding of any district obligation through the issuance of other district obligations, entitled to rights and priorities similar in all respects to those held by the obligations that are refunded. All such obligations and refunding obligations shall be issued in accordance with the provisions of Minnesota Statutes, Chapter 475, except that such obligations may be sold by negotiation.

Sec. 31. [SERVICE CHARGES.] Subdivision 1. The directors of the district are authorized to agree with the holders of district obligations as to the maximum or minimum amounts which the district shall charge and collect for water sold by the district.

Subd. 2. The directors of the district are authorized to fix and establish the prices, rates and charges at which any and all services, products, resources and facilities made available under the provisions of this act shall be sold and disposed of; to enter into any and all contracts and agreements, and to do any and all things which in its judgment are necessary, convenient or expedient for the accomplishment of any and all the purposes and objectives of this act, under the general regulations and upon the terms, limitations and conditions it shall prescribe; and the directors shall enter into contracts and fix and establish prices, rates and charges so as to provide at all times funds which will be sufficient to pay all costs of operation and maintenance of any and all of the works and systems authorized by this act, together with necessary repairs thereto, and which will provide at all times sufficient funds to meet and pay the principal and

interest of all obligations and other evidences of indebtedness of the district when due. Nothing in this act shall authorize any change, alteration or revision of rates, prices or charges established by any contract entered into under authority of this act except as provided by the contract.

Subd. 3. Every contract made by the board for the sale, conveyance and distribution of water, use of water, water storage, or other service, or for the sale of any property or facilities, shall provide that in the event of any failure or default in the payment of any moneys specified in the contract to be paid to the board, the board may, upon notice as shall be prescribed in the contract, terminate the contract and all obligations thereunder. The act of the board in ceasing on a default to furnish or deliver water, use of water, or water storage, under a contract shall not deprive the board of, or limit any remedy provided by the contract or by law for the recovery of money due or which may become due under the contract.

Sec. 32. [DISBURSEMENTS; FISCAL YEAR; AUDITS.] Subdivision 1. Money of the district shall be paid only upon approval of the board of directors and by warrant or other instrument in writing signed by the president and by the treasurer of the district. In case of the death, absence or other disqualification of the president, the vice president shall sign warrants or other instruments.

Subd. 2. The fiscal year of the district shall coincide with the calendar year. The board of directors, at the close of each year's business, shall cause an audit of the books, records and financial affairs of the district to be made by an experienced public accountant, copies of a written report of which audit, certified to by the auditors, shall be placed and kept on file at the principal place of business of the district and shall be filed with the secretary of state.

Sec. 33. [WORKS; OWNERSHIP; SALE.] Subdivision 1. No water supply works, owned by the district shall be sold, alienated, or mortgaged by the district, except under the circumstances described by this section.

Subd. 2. If in the judgment of the board of directors it is for the best interest of the district to sell any portion of the district works not needed for the performance of any outstanding contract, and not mortgaged or pledged as provided for in subdivision 3, the board shall pass a resolution to that effect. The board shall call a special election at which the question of selling the portion of the works shall be submitted to the electors of the district qualified to vote for district directors. The board shall mail to each qualified elector, at his last known place of residence or place of business, a notice stating the time, place, and purpose of the election, and so far as practicable shall con-

duct the election in all other respects as provided in section 24. If a majority of all qualified electors of the district vote "yes", the board may sell the portion of the works.

Subd. 3. If, in order to borrow money from the federal government or from any of its agencies, or from the state, it is necessary that the district mortgage or otherwise pledge any or all of its property to secure the payment of loans made to it, the district may mortgage or pledge property and assets for the purpose. Nothing in this section shall prevent the district from assigning, pledging, or otherwise legally committing its revenues, incomes, receipts, or profits to secure the payment of indebtedness to the federal government or any agency thereof, or the state. The state shall never pledge its credit or funds, or any part thereof, for the payment or settlement of any indebtedness or obligation whatsoever of any district created under the provisions of this act. Nothing in this act authorizes any agency of the state to make loans to a district, unless the agency is otherwise authorized by law.

Sec. 34. [FORECLOSURE.] If any district created under this act shall execute and deliver a mortgage or trust deed to secure the payment of any moneys borrowed by it for the purposes herein authorized, it may be provided in the mortgage or trust deed that it may be foreclosed upon default and a receiver may be appointed with the authority provided in the mortgage or trust deed.

Sec. 35. [DISSOLUTION.] Subdivision 1. Any district may be dissolved by authorization of a majority vote of the electors, qualified to vote for district directors, voting thereon at a special election called by the board of directors for that purpose, notice of which shall be mailed to each qualified elector at least 20 days prior to the date of the election and the procedure for which shall conform as nearly as may be to the procedure provided in section 24, for the election of directors. The district shall discharge its obligations before dissolution. The board may liquidate noncash assets prior to dissolution.

Subd. 2. Dissolution shall be completed upon resolution of the board of directors canvassing the vote and declaring that a majority of the qualified electors voting thereon have voted in favor of dissolution. A verified copy of the resolution shall be filed in the office of the secretary of state and with the auditors of counties within the district.

Subd. 3. In case of dissolution all applications for appropriation of water shall be canceled and all rights of the district in applications shall end.

Sec. 36. [112A.37] [APPEALS.] Any party aggrieved by a final order issued pursuant to section 12 of this act which approves or dismisses a petition or which refuses or establishes

a project or a district, may appeal therefrom to the supreme court in the manner provided in civil actions. The appeal shall be made and perfected within 30 days after the filing of the order. The notice of appeal shall be served on the clerk of district court and the members of the district's board of directors.

Sec. 37. [ORGANIZATION OF LINCOLN PIPESTONE DISTRICT.] The Lincoln Pipestone rural water district shall be organized under the provisions of this act instead of chapter 116A if a formal request signed by 50 percent of those who signed the original petition required by chapter 116A is presented to the court .

Sec. 38. This act is effective the day following final enactment.”.

Further, strike the title and insert:

“A bill for an act relating to waters; permitting the establishment of rural water user districts.”.

We request adoption of this report and repassage of the bill.

House Conferees: RUSSELL P. STANTON, JAMES R. CASSERLY and WENDELL O. ERICKSON.

Senate Conferees: JIM NICHOLS, MARVIN B. HANSON and ROGER E. STRAND.

Stanton moved that the report of the Conference Committee on H. F. No. 1091 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1091, A bill for an act relating to waters; permitting the establishment of rural water user districts.

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

The question was taken on the repassage 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 | Battaglia | Braun | Cohen | Erickson |
| Adams | Beauchamp | Brinkman | Corbid | Esau |
| Albrecht | Begich | Byrne | Cummiskey | Evans |
| Anderson, B. | Berg | Carlson, A. | Dean | Farcy |
| Anderson, D. | Berglin | Carlson, D. | Den Ouden | Fjoslien |
| Anderson, G. | Berkelman | Carlson, L. | Eckstein | Forsythe |
| Anderson, I. | Biersdorf | Casserly | Eken | Friedrich |
| Anderson, R. | Birnstihl | Clark | Ellingson | Fudro |
| Arlandson | Brandl | Clawson | Enebo | Fugina |

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

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1823

A bill for an act relating to public health; requiring certain immunizations for students; amending Minnesota Statutes 1976, Section 123.70.

March 20, 1978

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

We, the undersigned conferees for H. F. No. 1823, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments.

We request adoption of this report and repassage of the bill.

House Conferees: LYNDON R. CARLSON, JAMES C. SWANSON and LINDA L. BERGLIN.

Senate Conferees: B. ROBERT LEWIS, WILLIAM G. KIRCHNER and EMILY ANNE STAPLES.

Carlson, L., moved that the report of the Conference Committee on H. F. No. 1823 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1823, A bill for an act relating to public health; requiring certain immunizations for students; amending Minnesota Statutes 1976, Section 123.70.

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

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

Those who voted in the affirmative were:

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

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

There being no objection the order of business reverted to Messages From The Senate.

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, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1865, A bill for an act relating to retirement; fractional years of service for judges; amending Minnesota Statutes 1976, Sections 490.121, Subdivision 4, and by adding a subdivision; and 490.124, Subdivisions 1 and 12.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Patton moved that the House concur in the Senate amendments to H. F. No. 1865 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1865, A bill for an act relating to retirement; fractional years of service for judges; refunds to surviving spouses of judges; amending Minnesota Statutes 1976, Sections 490.121, Subdivision 4; and 490.124, Subdivisions 1 and 12.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

H. F. No. 1981, A bill for an act relating to natural resources; informal sales of state timber; removing the requirement of a

certain affidavit; amending Minnesota Statutes 1976, Section 90.191, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Anderson, I., moved that the House concur in the Senate amendments to H. F. No. 1981 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1981, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to grant a second extension of time for removal of cut timber, equipment and buildings for hardship reasons; informal sales of state timber; removing the requirement of a certain affidavit; amending Minnesota Statutes 1976, Section 90.191, Subdivisions 1 and 2.

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

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

Those who voted in the affirmative were:

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

which amendment the concurrence of the House is respectfully requested:

H. F. No. 2332, A bill for an act relating to retirement; local police, salaried firefighters and volunteer firefighters relief associations; specifying allowable administrative expenses; amending Minnesota Statutes 1976, Sections 69.40; 423.32; 423.38; 423.51; 423.808; 424.16; and 424.31; and Laws 1974, Chapter 382, Section 4, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Patton moved that the House concur in the Senate amendments to H. F. No. 2332 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2332, A bill for an act relating to retirement; local police, salaried firefighters and volunteer firefighters relief associations; specifying allowable administrative expenses; purchase of prior service for certain firefighter in the city of St. Cloud; amending Minnesota Statutes 1976, Sections 69.40; 423.32; 423.38; 423.51; 423.808; 424.16; and 424.31; and Laws 1974, Chapter 382, Section 4, Subdivision 3.

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 2 nays as follows:

Those who voted in the affirmative were:

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

| | | | | |
|-----------|----------|--------|------------|--------------|
| Tomlinson | Welch | White | Williamson | Speaker Sabo |
| Vanasek | Wenstrom | Wieser | Wynia | |
| Voss | Wenzel | Wigley | Zubay | |

Those who voted in the negative were:

Beauchamp Smogard

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. 2041, A bill for an act relating to labor and employment; prohibiting mandatory retirement of public or private employees; rights and remedies of employees; amending Minnesota Statutes 1976, Sections 356.32; 422A.13, Subdivision 2; 423.075, Subdivision 1; 473.606, Subdivision 5; and Chapter 181, by adding a section; and Minnesota Statutes, 1977 Supplement, Section 363.02, Subdivision 6; repealing Minnesota Statutes 1976, Sections 125.12, Subdivision 5; 163.07, Subdivision 2a; 352B.075; 354A.21; and 423.26; and Minnesota Statutes, 1977 Supplement, Sections 43.051, Subdivisions 1, 2 and 4; and 354.44, Subdivision 1a.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Enebo moved that the House concur in the Senate amendments to H. F. No. 2041 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2041, A bill for an act relating to labor and employment; prohibiting mandatory retirement of public or private employees before the age of 70; rights and remedies of employees; amending Minnesota Statutes 1976, Sections 356.32; 422A.13, Subdivision 2; 423.075, Subdivision 1; and Chapters 181, by adding a section; 423, by adding a section and Minnesota Statutes, 1977 Supplement, Sections 43.051, Subdivision 1; 363.02, Subdivision 6; 422A.09, Subdivision 3.

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 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht Prahl

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. 2102, A bill for an act relating to labor; clarifying the definition of public employer in the public employees labor relations act; amending Minnesota Statutes 1976, Section 179.63, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

St. Onge moved that the House refuse to concur in the Senate amendments to H. F. No. 2102, 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. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kelly, W., moved that the House refuse to concur in the Senate amendments to H. F. No. 1805, 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.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2093:

Moe, Patton and Beauchamp.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2137:

Lehto, Skoglund and Dean.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1861:

Reding, Patton and Beauchamp.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1805:

Kelly, W.; Casserly and Skoglund.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2102:

St. Onge, Jaros and Rose.

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. 474, A bill for an act relating to highway traffic regulations; defining terms; driving rules; pedestrian rules; regulating the operation of motor vehicles, bicycles and other human powered vehicles; amending Minnesota Statutes 1976, Sections 169.01, Subdivisions 2, 3, 31, 51, and by adding a subdivision; 169.18, Subdivision 7; 169.19, Subdivisions 1 and 8; 169.20, Subdivision 4; 169.21, Subdivision 3; 169.31; and Chapter 169, by adding a section; repealing Minnesota Statutes 1976, Section 169.221.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, G., moved that the House refuse to concur in the Senate amendments to H. F. No. 474, 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.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll was called. There were 121 yeas and 4 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-----------|---------------|-----------|
| Abeln | Carlson, A. | Fariy | Knickerbocker | Niehaus |
| Adams | Carlson, D. | Fjoslien | Kostohryz | Norton |
| Albrecht | Carlson, L. | Forsythe | Kroening | Novak |
| Anderson, B. | Casserly | Friedrich | Kvam | Onnen |
| Anderson, D. | Clark | Fudro | Laidig | Osthoff |
| Anderson, G. | Clawson | Fugina | Langseth | Patton |
| Anderson, I. | Cohen | George | Lehto | Peterson |
| Anderson, R. | Corbid | Gunter | Lemke | Pleasant |
| Arlandson | Cummiskey | Hokanson | Mangan | Prahl |
| Battaglia | Dean | Jaros | Mann | Redalen |
| Beauchamp | Den Ouden | Jensen | McCollar | Reding |
| Begich | Eckstein | Johnson | McDonald | Rice |
| Berg | Eken | Jude | McEachern | Rose |
| Berkelman | Ellingson | Kahn | Metzen | St. Onge |
| Biersdorf | Enebo | Kaley | Munger | Sarna |
| Birnstihl | Erickson | Kalis | Murphy | Savelkoul |
| Brandl | Esau | Kempe, A. | Neisen | Scheid |
| Braun | Evans | Kempe, R. | Nelsen, B. | Schulz |
| Byrne | Ewald | King | Nelsen, M. | Searle |

| | | | | |
|------------|---------|-----------|------------|--------------|
| Searles | Smogard | Tomlinson | Wenzel | Zubay |
| Sherwood | Spanish | Vanasek | White | Speaker Sabo |
| Sieben, H. | Stanton | Voss | Wieser | |
| Sieben, M. | Stoa | Waldorf | Wigley | |
| Simoneau | Suss | Welch | Williamson | |
| Skoglund | Swanson | Wenstrom | Wynia | |

Those who voted in the negative were:

| | | | |
|---------|-----------|----------|-----|
| Berglin | Kelly, R. | McCarron | Moe |
|---------|-----------|----------|-----|

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. 2111, A bill for an act relating to aeronautics; providing for reimbursement for services; changing the permitted number of certain types of airports; permitting municipalities flexibility in airport acquisition; amending Minnesota Statutes 1976, Sections 360.015, Subdivision 7; 360.032, by adding a subdivision; and 360.305, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Eckstein moved that the House concur in the Senate amendments to H. F. No. 2111 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2111, A bill for an act relating to aeronautics; providing for reimbursement for services; changing the permitted number of certain types of airports; permitting municipalities to assist the relocation of airport facilities; amending Minnesota Statutes 1976, Sections 360.015, Subdivision 7; 360.032, by adding a subdivision; and 360.305, Subdivision 3.

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

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

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. 1661, A bill for an act relating to pollution control; providing for publication in the state register of certain behind schedule and substandard wastewater treatment projects.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Battaglia moved that the House concur in the Senate amendments to H. F. No. 1661 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1661, A bill for an act relating to pollution control; providing for publication in the state register of certain behind schedule and substandard wastewater treatment projects.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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. 1773, A bill for an act relating to unemployment compensation; providing limited benefits to certain employees; amending Minnesota Statutes, 1977 Supplement, Section 268.09, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Simoneau moved that the House concur in the Senate amendments to H. F. No. 1773 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1773, A bill for an act relating to unemployment compensation; providing limited benefits to certain employees, and benefits for certain persons reaching mandatory retirement age; permitting the commissioner to waive interest penalties in payment of employer contributions; amending Minnesota Stat-

utes, 1977 Supplement, Sections 268.09, Subdivision 1; and 268.16, Subdivision 1; and Laws 1977, Chapter 242, by adding a section.

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 114 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

| | | | | |
|-----------|----------|----------|--------|--------|
| Braun | Erickson | Fjoslien | Wieser | Wigley |
| Den Ouden | Esau | Searle | | |

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. 774, A bill for an act relating to landlords and tenants; providing remedies for tenants whose landlords have breached provisions of agreements; defining terms; providing for adjustment of rent.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Berglin moved that the House concur in the Senate amendments to H. F. No. 774 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 774, A bill for an act relating to landlords and tenants; providing remedies for tenants whose landlords have breached provisions of statutory covenants or rental agreements; prohibiting the automatic renewal of certain leases; amending Minnesota Statutes 1976, Sections 504.21; 566.18, Subdivisions 6 and 8; 566.19, Subdivisions 2 and 3, and by adding a subdivision; 566.20, Subdivision 4; and 566.23.

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 110 yeas and 14 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

| | | | | |
|--------------|-----------|--------|---------|--------|
| Albrecht | Birnstihl | Esau | Kyam | Wieser |
| Anderson, R. | Den Ouden | Gunter | Niehaus | Wigley |
| Biersdorf | Erickson | Kalis | Redalen | |

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. 2518, A bill for an act relating to courts; authorizing the sealing of records of judicial commitment proceedings.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Wynia moved that the House concur in the Senate amendments to H. F. No. 2518 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2518, A bill for an act relating to courts; authorizing the sealing of records of judicial commitment proceedings.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

H. F. No. 2089, A bill for an act relating to county agricultural societies; providing for tort liability of county agricultural societies; authorizing county boards to levy a tax to pay certain judgments or liability insurance premiums; amending Minnesota Statutes 1976, Sections 38.27, by adding a subdivision; 466.01, Subdivision 1; and Chapter 38, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Brinkman moved that the House concur in the Senate amendments to H. F. No. 2089 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2089, A bill for an act relating to county agricultural societies; providing for tort liability of county agricultural societies; authorizing county boards to levy a tax to pay certain judgments or liability insurance premiums; amending Minnesota Statutes 1976, Sections 38.27, by adding a subdivision; 466.01, Subdivision 1; and Chapter 38, by adding a section.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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. 2429, A bill for an act relating to the cities of Mankato and North Mankato; prohibiting regulation of the rates of the public transit system by the public service commission.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Cummiskey moved that the House concur in the Senate amendments to H. F. No. 2429 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2429, A bill for an act relating to the cities of Mankato and North Mankato; prohibiting regulation of the rates of the public transit system by the public service commission.

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 127 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Anderson, D. Pleasant

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. 1009, A bill for an act relating to economic development; changing certain requirements for loan eligibility through the Minnesota area redevelopment administration; amending Minnesota Statutes 1976, Section 472.11, by adding subdivisions.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Nelsen, M., moved that the House concur in the Senate amendments to H. F. No. 1009 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1009, A bill for an act relating to economic development; changing certain requirements for loan eligibility through the Minnesota area redevelopment administration; permitting the city of Pine City to convey certain property; amending Minnesota Statutes 1976, Section 472.11, by adding subdivisions.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|---------------|------------|--------------|
| Abeln | Cohen | Kahn | Nelsen, B. | Sherwood |
| Adams | Corbid | Kaley | Nelsen, M. | Sieben, H. |
| Albrecht | Cummiskey | Kalis | Nelson | Sieben, M. |
| Anderson, B. | Dean | Kelly, R. | Niehaus | Simoneau |
| Anderson, D. | Den Ouden | Kelly, W. | Norton | Skoglund |
| Anderson, G. | Eken | Kempe, A. | Novak | Smogard |
| Anderson, I. | Ellingson | Kempe, R. | Onnen | Spanish |
| Anderson, R. | Enebo | King | Osthoff | Stanton |
| Arlandson | 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 | Mann | Rice | Wenstrom |
| Brandl | Fugina | McCarron | Rose | Wenzel |
| Braun | George | McCollar | St. Onge | White |
| Brinkman | Gunter | McDonald | Samuelson | Wieser |
| Byrne | Heinitz | McEachern | Sarna | Wigley |
| Carlson, A. | Hokanson | Metzen | Savelkoul | Williamson |
| Carlson, D. | Jaros | Moe | Scheid | Wynia |
| Carlson, L. | Jensen | Munger | Schulz | Zubay |
| Cassery | Johnson | Murphy | Searle | Speaker Sabo |
| Clark | 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 House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

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

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Patton moved that the House concur in the Senate amendments to H. F. No. 2023 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2023, A bill for an act relating to retirement; the highway patrolmen's retirement fund; payment of survivor benefits; amending Minnesota Statutes 1976, Sections 352B.02, Subdivision 1; and 352B.11, Subdivision 2.

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

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

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|---------------|------------|--------------|
| Abeln | Cohen | Kahn | Nelsen, B. | Sieben, H. |
| Adams | Corbid | Kaley | Nelsen, M. | Sieben, M. |
| Albrecht | Cummiskey | Kalis | Nelson | Simoneau |
| Anderson, B. | Dean | Kelly, R. | Niehaus | Skoglund |
| Anderson, D. | Den Ouden | Kelly, W. | Norton | Smogard |
| Anderson, G. | Eckstein | Kempe, A. | Novak | Spanish |
| Anderson, I. | Eken | Kempe, R. | Onnen | Stanton |
| Anderson, R. | Ellingson | King | Osthoff | Stoa |
| Arlandson | Enebo | Knickerbocker | Patton | Suss |
| Battaglia | Erickson | Kostohryz | Pehler | Swanson |
| Beauchamp | Esau | Kroening | Peterson | Tomlinson |
| Begich | Evans | Kvam | Petrafeso | Vanasek |
| Berg | Ewald | Laidig | Pleasant | Voss |
| Berglin | Faricy | Langseth | Prahl | Waldorf |
| Berkelman | Fjoslien | Lehto | Redalen | Welch |
| Biersdorf | Forsythe | Lemke | Reding | Wenstrom |
| Birnstihl | Friedrich | Mangan | Rice | Wenzel |
| Brandl | Fudro | Mann | Rose | White |
| Braun | Fugina | McCarron | St. Onge | Wieser |
| Brinkman | George | McCollar | Samuelson | Wigley |
| Byrne | Gunter | McDonald | Sarna | Williamson |
| Carlson, A. | Heinitz | McEachern | Savelkoul | Wynia |
| Carlson, D. | Hokanson | Metzen | Scheid | Zubay |
| Carlson, L. | Jaros | Moe | Schulz | Speaker Sabo |
| Casserly | Jensen | Munger | Searle | |
| Clark | Johnson | Murphy | Searles | |
| Clawson | Jude | Neisen | 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. 908, A bill for an act relating to the city of White Bear Lake; firemen's service pensions and disability benefits; amending Laws 1971, Chapter 214, Section 1.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McCollar moved that the House concur in the Senate amendments to H. F. No. 908 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 908, A bill for an act relating to the city of White Bear Lake; firemen's service pensions and disability benefits; amending Laws 1971, Chapter 214, Section 1.

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

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

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|---------------|------------|--------------|
| Abeln | Cohen | Kahn | Nelsen, B. | Sieben, H. |
| Adams | Corbid | Kaley | Nelsen, M. | Sieben, M. |
| Albrecht | Cummiskey | Kalis | Nelson | Simoneau |
| Anderson, B. | Dean | Kelly, R. | Niehaus | Skoglund |
| Anderson, D. | Den Ouden | Kelly, W. | Norton | Smogard |
| Anderson, G. | Eckstein | Kempe, A. | Novak | Spanish |
| Anderson, I. | Eken | Kempe, R. | Onnen | Stanton |
| Anderson, R. | Ellingson | King | Osthoff | Stoa |
| Arlandson | Enebo | Knickerbocker | Patton | Suss |
| Battaglia | Erickson | Kostohryz | Pehler | Swanson |
| Beauchamp | Esau | Kroening | Peterson | Tomlinson |
| Begich | Evans | Kvam | Petrafeso | Vanasek |
| Berg | Ewald | Laidig | Pleasant | Voss |
| Berglin | Faricy | Langseth | Prahl | Waldorf |
| Berkelman | Fjoslien | Lehto | Redalen | Welch |
| Biersdorf | Forsythe | Lemke | Reding | Wenstrom |
| Birnstihl | Friedrich | Mangan | Rice | Wenzel |
| Brandl | Fudro | Mann | Rose | White |
| Braun | Fugina | McCarron | St. Onge | Wieser |
| Brinkman | George | McCollar | Samuelson | Wigley |
| Byrne | Gunter | McDonald | Sarna | Williamson |
| Carlson, A. | Heintz | McEachern | Savelkoul | Wynia |
| Carlson, D. | Hokanson | Metzen | Scheid | Zubay |
| Carlson, L. | Jaros | Moe | Schulz | Speaker Sabo |
| Casserly | Jensen | Munger | Searle | |
| Clark | Johnson | Murphy | Searles | |
| Clawson | Jude | Neisen | 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. 523, A bill for an act relating to public safety; requiring fencing of unused open pit mines; providing a penalty; amending Minnesota Statutes 1976, Section 180.03.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Begich moved that the House concur in the Senate amendments to H. F. No. 523 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 523, A bill for an act relating to public safety; requiring fencing of unused open pit mines; providing a penalty; amending Minnesota Statutes 1976, Section 180.03.

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 | Cohen | Jude | Neisen | Sieben, H. |
| Adams | Corbid | Kahn | Nelsen, B. | Sieben, M. |
| Anderson, B. | Cummiskey | Kaley | Nelsen, M. | Simoneau |
| Anderson, D. | Dean | Kalis | Nelson | Skoglund |
| Anderson, G. | Den Ouden | Kelly, R. | Niehaus | Smogard |
| Anderson, I. | Eckstein | Kelly, W. | Norton | Spanish |
| Anderson, R. | Eken | Kempe, A. | Novak | Stanton |
| Arlandson | Ellingson | Kempe, R. | Onnen | Stoa |
| Battaglia | Enebo | King | Osthoff | Suss |
| Beauchamp | Erickson | Kostohryz | Patton | Swanson |
| Begich | Esau | Kroening | Pehler | Tomlinson |
| Berg | Evans | Kvam | Petrafeso | Vanasek |
| Berglin | Ewald | Laidig | Pleasant | Voss |
| Berkelman | Faricy | Langseth | Prahl | Waldorf |
| Biersdorf | Fjoslien | Lehto | Redalen | Welch |
| Birnstihl | Forsythe | Lenke | Reding | Wenstrom |
| Brandl | Friedrich | Mangan | Rice | Wenzel |
| Braun | Fudro | Mann | Rose | White |
| Brinkman | Fugina | McCarron | St. Onge | Wieser |
| Byrne | George | McCollar | Samuelson | Wigley |
| Carlson, A. | Gunter | McDonald | Sarna | Williamson |
| Carlson, D. | Heinitz | McEachern | Scheid | Wynia |
| Carlson, L. | Hokanson | Metzen | Schulz | Zubay |
| Casserly | Jaros | Moe | Searle | Speaker Sabo |
| Clark | Jensen | Munger | Searles | |
| Clawson | Johnson | Murphy | 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. 1575, A bill for an act relating to agriculture; grain inspection; weighing, sampling and analysis; appropriating money; amending Minnesota Statutes 1976, Sections 17B.03, Subdivision 1; 17B.04, Subdivision 1; and 17B.13.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Munger moved that the House concur in the Senate amendments to H. F. No. 1575 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1575, A bill for an act relating to agriculture; clarifying jurisdiction concerning grain inspection; weighing, sampling and analysis; appropriating money; amending Minnesota Statutes 1976, Sections 17B.03, Subdivision 1; 17B.04, Subdivision 1; and 17B.13.

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 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, R.

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. 2067, A bill for an act relating to transportation; authorizing permits for the construction of agricultural fences on a highway right-of-way.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Schulz moved that the House concur in the Senate amendments to H. F. No. 2067 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2067, A bill for an act relating to transportation; authorizing permits for the construction of agricultural fences on trunk highway right-of-way.

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

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. 2043, A bill for an act relating to the legislature; continuation in or return of members to their employment after legislative sessions; prescribing a period during which a member may not be discharged except for good cause; political discrimination; amending Minnesota Statutes 1976, Section 3.083.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Begich moved that the House concur in the Senate amendments to H. F. No. 2043 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2043, A bill for an act relating to the legislature; prohibiting an employer or employee organization from discharging or discriminating against legislators or former legislators in retribution for political statements or beliefs; amending Minnesota Statutes 1976, Section 3.083.

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 109 yeas and 17 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abeln. Anderson, D. Anderson, R. Carlson, D. Den Ouden

| | | | | |
|----------|------------|-----------|---------|--------|
| Erickson | Fjoslien | Niehaus | Searle | Wieser |
| Esau | Kvam | Onnen | Searles | |
| Evans | Nelsen, B. | Savelkoul | | |

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. 1781, A bill for an act relating to the city of Maplewood; authorizing the payment of lump sum service pensions by the Maplewood firefighters relief association.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kostohryz moved that the House concur in the Senate amendments to H. F. No. 1781 and that the bill be repassed as amended by the Senate.

Petrafeso moved that the House refuse to concur in the Senate amendments to H. F. No. 1781, 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.

A roll call was requested and properly seconded.

The question was taken on the motion to refuse to concur and the roll was called. There were 65 yeas and 50 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|---------------|-----------|--------------|
| Abeln | Carlson, L. | Fjoslien | Niehaus | Stanton |
| Adams | Cassery | Friedrich | Novak | Stoa |
| Albrecht | Clark | Fudro | Peterson | Suss |
| Anderson, B. | Clawson | Kahn | Petrafeso | Swanson |
| Anderson, D. | Cohen | Kaley | Pleasant | Tomlinson |
| Anderson, G. | Corbid | Kelly, W. | Rose | Waldorf |
| Anderson, R. | Cummiskey | Knickerbocker | Samuelson | Wenstrom |
| Berglin | Dean | Kroening | Savelkoul | White |
| Brandl | Eken | Kvam | Scheid | Wigley |
| Braun | Ellingson | Langseth | Schulz | Williamson |
| Brinkman | Erickson | Mangan | Searle | Wynia |
| Carlson, A. | Esau | McDonald | Smogard | Zubay |
| Carlson, D. | Ewald | Nelson | Spanish | Speaker Sabo |

Those who voted in the negative were:

| | | | | |
|--------------|-----------|-----------|------------|------------|
| Anderson, I. | Enebo | King | Munger | Rice |
| Arlandson | Evans | Kostohryz | Murphy | St. Onge |
| Battaglia | Fugina | Laidig | Neisen | Sarna |
| Beauchamp | Jaros | Lehto | Nelsen, B. | Searles |
| Begich | Jensen | Lemke | Nelsen, M. | Sieben, H. |
| Berkelman | Johnson | Mann | Onnen | Sieben, M. |
| Biersdorf | Jude | McCarron | Patton | Simoneau |
| Birnstihl | Kalis | McCollar | Prahl | Vanasek |
| Den Ouden | Kempe, A. | McEachern | Redalen | Wenzel |
| Eckstein | Kempe, R. | Metzen | Reding | Wieser |

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. 2216, A bill for an act relating to insurance companies; providing for the reporting of certain claims and other information to the commissioner of insurance; amending Minnesota Statutes 1976, Chapter 72A, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Abeln moved that the House concur in the Senate amendments to H. F. No. 2216 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2216, A bill for an act relating to insurance companies; providing for the reporting of certain claims and other information to the commissioner of insurance; amending Minnesota Statutes 1976, Chapter 72A, by adding a section.

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 | Beauchamp | Byrne | Dean | Fjoslien |
| Adams | Begich | Carlson, A. | Den Ouden | Fudro |
| Albrecht | Berg | Carlson, D. | Eckstein | Fugina |
| Anderson, B. | Berglin | Carlson, L. | Eken | George |
| Anderson, D. | Berkelman | Cassery | Ellingson | Gunter |
| Anderson, G. | Biersdorf | Clark | Enebo | Heinitz |
| Anderson, I. | Birnstihl | Clawson | Erickson | Hokanson |
| Anderson, R. | Brandl | Cohen | Esau | Jaros |
| Arlandson | Braun | Corbid | Evans | Jensen |
| Battaglia | Brinkman | Cummiskey | Ewald | Johnson |

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

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. 1329, A bill for an act relating to licensed employments; licensing and regulation of master plumbers; regulation and licensing of contracting steamfitters; amending Minnesota Statutes 1976, Sections 326.40 and 326.48.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Casserly moved that the House concur in the Senate amendments to H. F. No. 1329 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1329, A bill for an act relating to licensed employments; licensing and regulation of master plumbers; regulation and licensing of contracting steamfitters; amending Minnesota Statutes 1976, Sections 326.40 and 326.48.

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 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|--------------|-----------|-----------|----------|
| Abeln | Anderson, D. | Arlandson | Berglin | Brandl |
| Adams | Anderson, G. | Battaglia | Berkelman | Braun |
| Albrecht | Anderson, I. | Begich | Biersdorf | Brinkman |
| Anderson, B. | Anderson, R. | Berg | Birnsthil | Byrne |

| | | | | |
|-------------|---------------|------------|------------|--------------|
| Carlson, A. | Fugina | Lehto | Patton | Skoglund |
| Carlson, D. | George | Lemke | Peterson | Spanish |
| Carlson, L. | Gunter | Mangan | Petraleso | Stanton |
| Casserly | Heinitz | Mann | Pleasant | Stoa |
| Clark | Hokanson | McCarron | Prahl | Suss |
| Clawson | Jaros | McCollar | Redalen | Swanson |
| Cohen | Jensen | McDonald | Reding | Tomlinson |
| Corbid | Johnson | McEachern | Rice | Vanasek |
| Cummiskey | Jude | Metzen | Rose | Voss |
| Dean | Kahn | Munger | St. Onge | Waldorf |
| Den Ouden | Kaley | Murphy | Samuelson | Welch |
| Eckstein | Kelly, R. | Neisen | Sarna | Wenstrom |
| Eken | Kempe, A. | Nelsen, B. | Savelkoul | Wenzel |
| Ellingson | Kempe, R. | Nelsen, M. | Scheid | White |
| Enebo | King | Nelson | Searle | Wigley |
| Erickson | Knickerbocker | Niehaus | Searles | Williamson |
| Evans | Kostohryz | Norton | Sherwood | Wynia |
| Ewald | Kroening | Novak | Sieben, H. | Zubay |
| Fjoslien | Kvam | Onnen | Sieben, M. | Speaker Sabo |
| Fudro | Laidig | Osthoff | Simoneau | |

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. 316, A bill for an act relating to wrongful death; authorizing the commencement of an action within three years from the date of death; amending Minnesota Statutes 1976, Section 573.02, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, H., moved that the House concur in the Senate amendments to H. F. No. 316 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 316, A bill for an act relating to wrongful death; authorizing the commencement of an action within three years from the date of death; amending Minnesota Statutes 1976, Section 573.02, Subdivision 1.

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

The question was taken on the repassage of the bill and the roll was called. There were 124 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Prahl

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

MOTIONS AND RESOLUTIONS

Anderson, R., introduced:

House Resolution No. 27, A house resolution congratulating the New York Mills Senior High School girls basketball team on winning the Class A girls basketball championship.

The resolution was referred to the Committee on Rules and Legislative Administration.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1781:

Kostohryz, Neisen and Tomlinson.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 474:

Kahn, Vanasek and Anderson, D.

The Speaker announced the following change in a House standing committee appointment:

Strike the name of Sherwood as vice-chairman for the Committee on Environment and Natural Resources.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 1:00 p.m., Wednesday, March 22, 1978. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Wednesday, March 22, 1978.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

