

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## SIXTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 12, 1979

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Aasness	Elioff	Kaley	Norman	Sieben, M.
Adams	Ellingson	Kalis	Norton	Simoneau
Ainley	Enebo	Kelly	Novak	Stadum
Albrecht	Erickson	Kempe	Nysether	Stoa
Anderson, B.	Esau	Knickerbocker	Olsen	Stowell
Anderson, D.	Evans	Kostohryz	Onnen	Sviggun
Anderson, G.	Ewald	Kroening	Osthoff	Swanson
Anderson, I.	Faricy	Kvam	Otis	Thiede
Battaglia	Fjoslien	Laidig	Patton	Tomlinson
Begich	Forsythe	Lehto	Pavlak	Valan
Berglin	Friedrich	Long	Pehler	Valento
Berkelman	Fritz	Ludeman	Peterson	Vanasek
Biersdorf	Fudro	Luknic	Pienho	Voss
Blatz	Greenfield	Mann	Pleasant	Waldorf
Brinkman	Halberg	McCarron	Prahl	Weaver
Byrne	Haukoos	McDonald	Redalen	Welch
Carlson, D.	Heap	McEachern	Reding	Welker
Carlson, L.	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wieser
Clawson	Hokanson	Minne	Rice	Wigley
Corbid	Jacobs	Moe	Rose	Wynia
Crandall	Jaros	Munger	Rothenberg	Zubay
Dean	Jennings	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	
Drew	Jude	Nelson	Sherwood	
Eken	Kahn	Niehaus	Sieben, H.	

A quorum was present.

Anderson, R.; Casserly and Levi were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Peterson 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. 3 and S. F. Nos. 20 and 63 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 13, A bill for an act relating to obscenity; prohibiting the showing of obscene motion pictures at drive-in theatres; providing for a hearing in the courts to determine if a motion picture is obscene; prescribing penalties.

Reported the same back with the recommendation that the bill pass as amended by the Committee on Criminal Justice and printed in the Journal of the House for Thursday, February 8, 1979.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 38, A bill for an act relating to reapportionment of the legislature and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3 to provide for congressional and legislative apportionments by a commission; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; appropriating money; imposing a penalty; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Subdivision 1. An amendment to the Minnesota Constitution is proposed to the people as provided by subdivisions 2 and 3.

Subd. 2. If the amendment is adopted, article IV, sections 2 and 3 will read as follows:

Sec. 2. The number of members who compose the senate and house of representatives shall be prescribed *by the legislature* by law. (THE REPRESENTATION IN BOTH HOUSES SHALL BE APPORTIONED EQUALLY THROUGHOUT THE DIFFERENT SECTIONS OF THE STATE IN PROPORTION TO THE POPULATION THEREOF.)

Sec. 3. (AT ITS FIRST SESSION AFTER EACH ENUMERATION OF THE INHABITANTS OF THIS STATE MADE BY THE AUTHORITY OF THE UNITED STATES, THE LEGISLATURE SHALL HAVE THE POWER TO PRESCRIBE THE BOUNDS OF CONGRESSIONAL AND LEGISLATIVE DISTRICTS. SENATORS SHALL BE CHOSEN BY SINGLE DISTRICTS OF CONVENIENT CONTIGUOUS TERRITORY. NO REPRESENTATIVE DISTRICT SHALL BE DIVIDED IN THE FORMATION OF A SENATE DISTRICT. THE SENATE DISTRICTS SHALL BE NUMBERED IN A REGULAR SERIES.) *The legislature shall make no law dividing the state into districts either for senators and representatives or for representatives in the congress of the United States.*

Subd. 3. If the amendment is adopted, a new article will be added to the Constitution which will read as follows:

## ARTICLE XV

### REAPPORTIONMENT COMMISSION

Section 1. [REAPPORTIONMENT COMMISSION.] *There shall be a reapportionment commission which shall divide the state into as many districts as there are or will be senators and representatives and as there are representatives of the state in the congress of the United States as provided by the law. The commission shall divide the state:*

(1) *following each decennial census of the United States; or,*

(2) *when required by a court order; or,*

(3) *when the number of senators and representatives has been changed by law.*

Sec. 2. [COMPOSITION OF COMMISSION.] *The commission shall consist of the members provided by this section. Before entering upon the duties of the office, each member of the commission shall take an oath to faithfully discharge the duties of the office.*

*The speaker and the caucus leader of each political party of the house of representatives, other than the political party the speaker represents, which has 20 percent or more of the membership, shall each either be members or shall each appoint a member as each shall choose.*

*The caucus leaders of each political party of the senate which has 20 percent or more of the membership shall each either be members or shall each appoint a member as each shall choose.*

*For the purposes of this section, political party shall be determined solely on the basis of the party designated by legislators on the most recent general election ballot on which they ran.*

*The governor shall appoint two members.*

*Two members shall be appointed by the state executive committee of each political party, other than the political party the governor represents, whose candidate for governor received 20 percent or more of the votes at the most recent gubernatorial election.*

*Five or six members, whichever is necessary in order to result in a commission composed of an odd number of members, shall be appointed by a 75 percent vote of the other members appointed to the commission. These members shall be impartial on the matter of reapportionment.*

**Sec. 3. [TIME OF APPOINTMENT.]** *The secretary of state shall request the appointing authorities provided in section 2, paragraphs 2 to 5, to appoint members of the commission:*

*(1) not later than January 15 of each year ending in the numeral one; or,*

*(2) within 15 days of the deposit with the secretary of state of an enrolled act signed by the governor which changes the number of senators or representatives effective at a time when a commission would not otherwise be constituted; or,*

*(3) upon receipt of a certified copy of a bill enacted by congress and signed by the president which changes the number of representatives of the state in the congress of the United States at a time when a commission would not otherwise be constituted.*

*Within ten days after the date of the secretary of state's request, the appointing authorities provided in section 2, paragraphs 2 to 5, shall either certify the members they have appointed, or, if permitted, that they personally will serve, to the secretary of state or shall notify the secretary of state of their failure to make an appointment.*

*The commission members appointed by section 2, paragraphs 2 to 5, shall meet within 17 days of the secretary of state's request at a time and place selected by the secretary. Within 17 days of the meeting, they shall either certify the names of the commission members they have appointed under section 2, paragraph 6, to the secretary of state or notify the secretary of state of their failure to make appointments.*

*Any vacancy on the commission shall be filled within five days by the same appointing authority as for the original appointment.*

**Sec. 4. [FAILURE TO MAKE APPOINTMENTS.]** *Within three days after receiving notice that an appointing authority provided in section 2, paragraphs 2 to 5, has failed to make an appointment, the secretary of state shall notify the chief justice of the supreme court of the failure. Within ten days after notification, the supreme court, by not less than majority vote, shall make the failed appointment and certify the names of the appointees to the secretary of state.*

*Within three days after receiving notice of a failure to make an appointment under section 2, paragraph 6, the secretary of state shall notify the chief justice of the failure. Within 17 days after the notification, the supreme court, by not less than a majority vote, shall make the failed appointment and certify the names of the appointees to the secretary of state.*

**Sec. 5 [REAPPORTIONMENT STANDARDS.]** *The districts created by the commission, to the extent which all three standards can be simultaneously complied with, shall be equal in population and composed of compact and contiguous territory. The boundaries of all districts shall, to the extent permitted by the requirement of equal population, follow the boundaries of counties, towns, and statutory or home rule charter cities. No district shall be drawn for the purpose of favoring any political party, incumbent legislator, or other person or group.*

**Sec. 6. [REVIEW.]** *The supreme court shall have original jurisdiction of all petitions concerning the reapportionment. If the court shall find that the districts into which the state was divided conflict with the United States constitution, this constitution or the laws of this state, it shall state the reasons for its findings and conclusions and require the commission to divide the state into districts with consideration to the court's findings and conclusions. If the commission which divided the state shall have been dissolved, the court shall order it reconstituted.*

*No action involving reapportionment shall be maintained unless commenced by filing a petition with the supreme court within 30 days from the effective date of the new districts. The supreme court shall render its opinion within 60 days of the date the action was commenced.*

**Sec. 7. [IMPLEMENTATION.]** *The legislature shall, by law, provide for the implementation of this article. However, the legislature shall make no law which infringes the duties and powers of the reapportionment commission.*

*Nothing in this article shall invalidate either:*

*(1) districts which exist at the date of the ratification of this article and prior to the effective date of the first division of the state into new districts by the commission; or,*

(2) *districts which exist on the date new districts are effective but prior to the first election at which they govern.*

Sec. 2. The amendment shall be submitted at the 1980 general election. The question proposed shall be:

"Shall the Minnesota Constitution be amended to transfer from the legislature to a commission the power to apportion congressional and legislative districts?"

Yes .....

No .....

Sec. 3. [2A.01] [CITATION.] *Sections 3 to 19 may be cited as the Reapportionment Implementation Act.*

Sec. 4. [2A.02] [DEFINITIONS.] *Subdivision 1. When used in sections 4 to 19, unless the context requires otherwise, the words in subdivisions 2 to 8 have the meanings given them.*

Subd. 2. "Commission" means the reapportionment commission established pursuant to article XV of the constitution.

Subd. 3. "Federal census" means the census required by federal law to be prepared by the United States Bureau of the Census in every year ending in zero.

Subd. 4. "Lobbyist" means any individual required to register pursuant to Minnesota Statutes, Section 10A.03.

Subd. 5. "Political party office" means membership in the state central committee or state executive committee of a political party; or the chairman, treasurer, secretary or similar office of a political party.

Subd. 6. "Public office" means any elected or appointed office or employment in the executive, judicial, or legislative branch or in any independent agency of the federal, state, or local government.

Subd. 7. "Relative" means any individual who is related to the person in question as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, grandfather, grandmother, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

Subd. 8. "State executive committee of each political party" shall mean the committee provided for in Minnesota statutes, Section 202A.12, Subdivision 3.

Sec. 5. [2A.03] [DUTIES OF COMMISSION.] Subdivision 1. *The commission may prescribe and shall publish, after notice and reasonable opportunity for public comment, written procedures necessary to carry out sections 4 to 22. The written procedures shall provide that not less than 60 percent of the members of the commission constitute a quorum to do business and that the votes of 60 percent of the members of the commission are required for any official action of the commission. No proxy voting is permitted. Any written procedures of the commission are exempt from the provisions of Minnesota Statutes, Sections 15.0411 to 15.052.*

Subd. 2. *The commission shall preserve all information filed with and developed by the commission. This information shall be available for public inspection and copying during regular office hours.*

Subd. 3. *The commission shall provide notice of all meetings of the commission in a manner reasonably calculated to give interested parties an opportunity to attend.*

Subd. 4. *The commission shall prepare and maintain written transcripts or audio recordings of all meetings of the commission. Transcripts or audio recordings shall be available within a reasonable time after the meeting for public inspection and copying during regular office hours.*

Sec. 6. [2A.04] [POWERS OF COMMISSION.] Subdivision 1. *Any commissioner shall have the power to administer oaths to persons who appear before the commission.*

Subd. 2. *A majority of the commission may compel the attendance of absent members in the manner that either the senate or house of representatives provide for their members.*

Sec. 7. [2A.05] [QUALIFICATIONS OF APPOINTEES.] Subdivision 1. *No person shall be appointed to the commission under the Minnesota Constitution, Article XV, Section 2, Paragraph 6 who:*

(a) *is not an eligible voter of the state at the time of appointment; or,*

(b) *holds or has held public or political party office within two years prior to selection; or,*

(c) *is a relative of either a member of the legislature or a person employed as a legislative employee by a member of the legislature; or,*

(d) *is a relative of either a member of congress or a person employed as a legislative employee by a member of congress; or,*

(e) is a relative of a person employed by the legislature or congress; or,

(f) is or has within two years prior to appointment been a lobbyist; or,

(g) is a relative of a member of the supreme court of the State of Minnesota.

Subd. 2. Persons appointed to the commission under the Minnesota Constitution, Article XV, Section 2, Paragraph 6, shall, to the extent practicable, represent different geographical areas of the state.

Sec. 8. [2A.06] [RESTRICTED ACTIVITIES.] No person appointed to the commission under the Minnesota Constitution, Article XV, Section 2, Paragraph 6, shall:

(a) hold or be a candidate for public or political party office while a member of the commission; or,

(b) participate in or contribute to any political campaign of any candidate for state or federal elective office while a member of the commission; or,

(c) hold or be a candidate for a seat in the state house of representatives, state senate, or United States House of Representatives for four years after the final report of the commission is issued.

Sec. 9. [2A.07] [SECRETARY OF STATE TO FURNISH STAFF.] The secretary of state is the executive secretary of the commission. The secretary of state shall furnish all staff, professional and technical services and other assistance as may be needed by the commission. The department of administration, attorney general and revisor of statutes shall make available to the secretary such personnel, facilities and other assistance as the commission may request.

Sec. 10. [2A.08] [INITIAL ORGANIZATION OF COMMISSION.] Subdivision 1. Within seven days of the date of receiving all certifications of appointment, the secretary of state shall select a time and place of the first meeting of the commission and shall notify the commission members of the time and place of the meeting. The first meeting shall be held not later than 21 days after the date of receiving all certifications of appointment.

Subd. 2. The secretary of state shall preside at the meeting until the election of a permanent presiding officer.

Subd. 3. The commission shall elect a presiding officer, and other officers as it shall find necessary.



Sec. 11 [2A.09] [MEETINGS.] *Subdivision 1. The commission shall meet upon the call of either the presiding officer or a majority of the members of the commission. The commission may meet anywhere in the state.*

Subd. 2. *All meetings of five or more members of the commission are open to the public. The votes of each commissioner shall be recorded in a journal kept for that purpose. The journal shall be open to the public and available in the office of the secretary of state. A person who violates this subdivision shall be punished as provided by Minnesota Statutes, Section 471.705, Subdivision 2. The provisions of this subdivision shall govern the commission notwithstanding the provisions of Minnesota Statutes, Section 471.705, Subdivision 1.*

Sec. 12. [2A.10] [REPORT OF COMMISSION.] *Subdivision 1. Not later than five months after either the first meeting of the commission or the date the population count for the state of the federal census is received by the secretary of the commission, whichever is later, the commission shall file its final report with the secretary of state.*

Subd. 2. *The final report shall consist of:*

(a) *a written description of all districts into which the state was divided; and,*

(b) *maps of the state showing exactly the district boundaries as provided in the written description; and,*

(c) *an explanation of the standards used in developing the districts; and,*

(d) *a justification of any deviation in excess of one-half of one percent in a districts population from the average district's population; and,*

(e) *such other information, conclusions and recommendations as the commission shall believe beneficial.*

Subd. 3. *The final report shall be adopted by an affirmative vote of 60 percent of the commission members. Any commission members in the minority may prepare a minority report and have it included in the report of the commission.*

Sec. 13. [2A.11] [EFFECTIVE DATE OF NEW DISTRICTS.] *The districts into which the state is divided by the commission in its report shall be effective upon the date of publication pursuant to section 14. They shall govern all offices at the next general election. The districts shall remain effective until the effective date of new districts into which the state is divided by the same or subsequent commission.*

Sec. 14. [2A.12] [PUBLICATION OF REPORT.] *Within ten days from the date of filing of the report of the commission, the secretary of state shall publish a summary of the report in at least eight newspapers of substantial circulation located throughout the state. The summary shall contain:*

- (a) *a map showing all the new districts in the state; and,*
- (b) *separate maps showing the districts in the principal area served by the newspaper in which the publication is made; and,*
- (c) *a statement of the population of each district; and,*
- (d) *a statement of the percentage variation of each district from the average population of other districts of the same kind; and,*
- (e) *an indication of where a copy of the final report of the commission may be examined; or purchased and its purchase price.*

Sec. 15. [2A.13] [REVIEW OF NEW DISTRICTS.]  
*Subdivision 1. Within 30 days after the publication required by section 14, a petition may be filed with the supreme court for reviewing the new districts created in the final report. The reapportionment commission shall be the named defendant in the petition. One copy of the petition shall be served upon the presiding officer of the commission and another upon the attorney general.*

*Subd. 2. A petition shall state such facts as the petitioner believes shows that the districts into which the state is divided conflict with the United States Constitution or the constitution or laws of this state.*

*Subd. 3. The supreme court shall hold hearings and arguments upon petition.*

*Subd. 4. The attorney general shall represent the commission and shall argue the validity of the districts created in the final report of the commission.*

*Subd. 5. The supreme court shall render its opinion within 45 days of the date the petition was filed.*

*Subd. 6. If the supreme court shall find that the districts into which the state was divided violate any constitutional or statutory standard, the court shall specify how the standards are violated and may make recommendations as to how the district boundaries should be redrawn. However, the court shall not redraw the boundaries itself but shall permit the commission to do so with consideration to the court's findings and conclusions.*

*If the commission which divided the state shall have been dissolved, the court shall order it reconstituted.*

*Subd. 7. The attorney general shall represent the commission in any federal court action to review the districts created in the final report. He or she shall request the court to expedite the proceedings.*

*Subd. 8. If a United States court determines that any districts into which the state was divided conflict with the United States constitution, the constitution of Minnesota or the laws of the United States or this state, and the court permits the commission to redraw the boundaries with consideration to the court's findings and conclusions, the commission shall reconstitute itself to redraw the districts.*

**Sec. 16. [2A.14] [COMMISSION RECONSTITUTED.]**  
*The reconstituted commission shall convene within 15 days of any court opinion finding the prior plan violates any constitutional or statutory provisions. Within 30 days of reconvening, it shall issue an amended report which shall consider the findings and conclusions of the court decision. The report shall be filed and a summary published as required for in the original final report. The amended report may be reviewed in the same manner as provided for in the original final report.*

**Sec. 17. [2A.15] [FAILURE OF COMMISSION TO ADOPT REPORT.]**  
*If the commission fails to adopt a final report or its final report fails to divide the state into all necessary districts, each member of the commission, individually or jointly with other members, may submit a proposed final report. The proposed final reports shall be drafted in the same manner as provided in section 12. The proposed final reports shall be submitted to the supreme court within 30 days after the expiration of the time established pursuant to section 12 for the filing of the commission's final report.*

*Within 90 days after submission, the supreme court shall select the proposed final report which it finds most closely satisfies the constitutional and statutory requirements and, with the modifications it finds necessary to make the plan comply with constitutional and statutory requirements, order it into effect.*

*If no commission member submits a proposed final report by the time specified, a majority of the entire supreme court shall select a panel of three district court judges to prepare a final report. The panel shall submit its final report within 120 days of the date which is 30 days after the expiration of the time established pursuant to section 12 for the filing of the commission's final report. The panel shall be governed by all substantial and procedural requirements of the United States con-*

*stitution and the constitution and laws of this state. The secretary of state shall furnish the panel with all requested staff, professional and technical services. The department of administration, attorney general and revisor of statutes shall make available to the secretary such personnel, facilities and other assistance as the panel may request.*

*The districting prescribed by the panel shall be published by the secretary of state within ten days of its filing. The report may be reviewed in the same manner as provided for a report by the commission.*

Sec. 18. [2A.16] [DISSOLUTION OF COMMISSION.] *When the final report becomes effective and all known legal challenges to the plan have been resolved, the commission shall conclude its business and dissolve. The conclusion of business shall include preparation of a financial statement disclosing all expenditures made by the commission. The official record shall contain all relevant information developed by the commission pursuant to carrying out its duties including records of public hearings, data collected, transcripts or audio recordings of hearings and meetings, and other information of a similar nature. The secretary of state shall provide for the permanent preservation of this official record.*

Sec. 19. [2A.17] [COMPENSATION AND EXPENSES OF COMMISSIONERS.] *Subdivision 1. Commissioners, other than commissioners who are paid a salary by the state, shall be compensated at the same rate provided by section 15.059, subdivision 3, for members of advisory councils and committees.*

*Subd. 2. Commissioners shall be compensated for their actual and necessary expenses in performing work on commission business.*

Sec. 20. *The sum of \$ . . . . . is appropriated to the secretary of state for the purpose of paying all costs relating to the commission, to be available until expended.*

Sec. 21. *Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811 are repealed effective January 1, 1982.*

Sec. 22. *Sections 3 to 21 shall take effect on the date the constitutional amendment in section 1 is ratified as provided by the constitution."*

*With the recommendation that when so amended the bill pass and be re-referred to the Committee on Rules and Legislative Administration.*

*The report was adopted.*

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

H. F. No. 107, A bill for an act relating to constables; exempting certain constables from licensing requirements; amending Minnesota Statutes 1978, Section 367.41, Subdivision 2.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 13 and 107 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Ludeman, Jennings, Onnen, Mann and Mehrkens introduced:

H. F. No. 369, A bill for an act relating to education; allowing school districts to make agreements, subject to the approval of the department of education, for the discontinuance of certain grades or portions of grades and to provide for the instruction of the pupils in the discontinued grades in a participating district; providing for the calculation of pupil units, for tuition payments, for teacher placement, for pupil transportation and transportation aids, for consultation with parents and the community and for termination of an agreement; requiring the department of education to promulgate certain rules; amending Minnesota Statutes 1978, Chapter 122, by adding a section.

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

McEachern, Welch and Clawson introduced:

H. F. No. 370, A bill for an act relating to hospitals; providing for payment of election judges; providing hospital board members with travel and other expenses incurred in the performance of their duties; authorizing hospital boards to set compensation for board members; amending Minnesota Statutes 1978, Section 447.32, Subdivision 4, and by adding a subdivision.

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

Begich, Elioff, Stadum and Biersdorf introduced:

H. F. No. 371, A bill for an act relating to crimes; regulating the possession and use of pistols; requiring permits to carry pistols within cities of the fourth class or larger; requiring transferee permits or transfer reports to transfer pistols within cities of the fourth class or larger; prohibiting discrimination in the issuance of permits to carry pistols; providing penalties; amending Minnesota Statutes 1978, Sections 624.712, Subdivisions 2, 4 and 5; 624.713, Subdivision 1; 624.7132, Subdivision 16; 624.714, Subdivisions 1, 4, 5, 6, 7, 9 and 10; 624.717; and Chapter 624, by adding a section.

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

Jacobs; Sieben, H.; Anderson, I.; Sarna and Metzen introduced:

H. F. No. 372, A bill for an act relating to taxation; requiring payment of an income tax rebate; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Anderson, G.; McDonald; Brinkman; Luknic and Mann introduced:

H. F. No. 373, A bill for an act relating to agriculture; allowing food products grown, processed or manufactured in Minnesota to be so labeled; amending Minnesota Statutes 1978, Chapter 17, by adding a section.

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

Osthoff, Metzen, Kroening, Wigley and Biersdorf introduced:

H. F. No. 374, A bill for an act relating to ethics in government; defining administrative action; clarifying campaign report filing dates; providing for the registration of political committees and political funds; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 2; 10A.14, Subdivision 1; and 10A.20, Subdivision 2.

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

Pehler; Evans; Johnson, C.; Luknic and Faricy introduced:

H. F. No. 375, A bill for an act relating to taxation; sales tax; exempting all newsprint and ink; amending Minnesota Statutes 1978, Sections 297A.14; and 297A.25, Subdivision 1.

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

Anderson, G.; Corbid; Erickson; Searle and Kalis introduced:

H. F. No. 376, A bill for an act relating to pipelines; establishing a process for routing and issuing construction permits for certain pipelines; establishing standards for pipeline routing to protect the environment and minimize adverse impact to agricultural land; granting powers and imposing duties on the environmental quality board; prohibiting construction of certain pipelines, exercise of eminent domain power and acquisition of easements without a construction permit; allowing exemptions for certain pipelines; requiring public meetings and hearings; requiring state inspection of pipeline construction; requiring minimum depth of cover for certain pipelines; relieving liability for damage to certain pipelines; establishing a property tax credit for land crossed by certain pipelines; setting fees to cover routing and inspection costs; authorizing permanent and temporary rules; providing penalties; appropriating money; amending Minnesota Statutes 1978, Sections 117.49; 276.04; 299F.61; and Chapter 299F, by adding a section.

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

Valan, Stadum, Brinkman, Evans and Ludeman introduced:

H. F. No. 377, A bill for an act relating to taxation; income; including all income and losses in the gross income of Minnesota residents; amending Minnesota Statutes 1978, Section 290.17, Subdivision 1.

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

Otis, Vanasek, Kahn, Fjoslien and Reif introduced:

H. F. No. 378, A bill for an act relating to nuclear waste management and disposal; requiring certificates of feasibility; administration by the Minnesota energy agency; legislative approval; providing penalties.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Jacobs and Anderson, I., introduced:

H. F. No. 379, A bill for an act relating to game and fish; authorizing the elderly to take small game, deer or bear without a license; amending Minnesota Statutes 1978, Section 98.47, Subdivision 1; repealing Minnesota Statutes 1978, Section 98.45, Subdivision 8.

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

Jacobs, Anderson, I., and Adams introduced:

H. F. No. 380, A bill for an act relating to taxation; income tax; reducing rates for individuals, estates, and trusts; amending Minnesota Statutes 1978, Section 290.06, Subdivision 2c.

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

Faricy; Searle; Johnson, C.; Sieben, M., and Erickson introduced:

H. F. No. 381, A bill for an act relating to education; increasing the maximum awards for scholarships and grants-in-aid; changing the eligibility for certain financial assistance; increasing the bonding authority of the higher education coordinating board; requiring that data on certain applicants for student financial assistance be classified as private and providing an exception; increasing the eligibility for a tuition subsidy for a public post-secondary vocational-technical school; appropriating money; amending Minnesota Statutes 1978, Sections 136A.121, Subdivisions 4, 5, 7 and 8; 136A.162; 136A.171; and 136A.236, Subdivision 2.

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

Pehler; Anderson, I.; Searle; Nelsen, B., and Haukoos introduced:

H. F. No. 382, A bill for an act relating to railroads; requiring the use of a caboose on freight trains; providing penalties.

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



Drew and Fritz introduced:

H. F. No. 383, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3; setting the size of the legislature and providing for apportionments.

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

Crandall, Valento, Jennings, Dempsey and Kempe introduced:

H. F. No. 384, A bill for an act relating to game and fish; authorizing resident deer or bear licenses for certain non-resident minors; amending Minnesota Statutes 1978, Section 98.45, by adding a subdivision.

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

Minne, Osthoff, Otis and Carlson, L., introduced:

H. F. No. 385, A bill for an act relating to elections; providing for the official identification of ballots; amending Minnesota Statutes 1978, Sections 123.32, Subdivision 5; 203A.13; 203A.15; 204A.26, Subdivision 1; 204A.32, Subdivision 3; and 206.17.

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

Elioff, Begich, Battaglia, Minne and Prael introduced:

H. F. No. 386, A bill for an act relating to the range association of municipalities and schools; providing for the court standing of the association; amending Minnesota Statutes 1978, Section 471.58.

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

Battaglia, Elioff, Begich, Sarna and Murphy introduced:

H. F. No. 387, A bill for an act relating to game and fish; authorizing the elderly to take small game without a license; amending Minnesota Statutes 1978, Section 98.47, Subdivision 1; repealing Minnesota Statutes 1978, Section 98.45, Subdivision 8.

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

Battaglia and Begich introduced:

H. F. No. 388, A bill for an act relating to the city of Ely; providing for the salaries of the mayor and council.

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

Onnen, McEachern, Clawson, Niehaus and Ludeman introduced:

H. F. No. 389, A bill for an act relating to towns; removing certain levy limitations; amending Minnesota Statutes 1978, Section 164.041; repealing Minnesota Statutes 1978, Section 275.10.

The bill was read for the first time and referred to the Committee on Taxes. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Rees, Weaver, Jacobs, Fritz and Pleasant introduced:

H. F. No. 390, A bill for an act relating to metropolitan government; changing procedures for contesting decisions by the metropolitan council to require modification of local land planning; amending Minnesota Statutes 1978, Section 473.866.

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

Lehto, Onnen, Kostohryz and Rice introduced:

H. F. No. 391, A bill for an act proposing an amendment to the Minnesota Constitution, changing Article IV, Sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 19, 20, 21, 22, 23, 24, 25 and 26, Article V, Sections 3 and 5, Article VIII, Section 1, Article IX, Sections 1 and 2, and Article XI, Section 5, and repealing Article IV, Section 18; providing for a unicameral legislature.

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

Jude introduced:

H. F. No. 392, A bill for an act relating to statutes; providing for the effect of grammar and punctuation; amending Minnesota Statutes 1978, Section 645.18.

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

Sieben, M., and Dean introduced:

H. F. No. 393, A bill for an act relating to education; providing for minimum reading standards and tests of reading achievement; providing state aid for reading teachers; appropriating money.

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

Clawson, Blatz, Novak, Onnen and Prah! introduced:

H. F. No. 394, A bill for an act relating to tax delinquent real estate; eliminating obsolete provisions relating to sale and redemption of tax delinquent real estate; amending Minnesota Statutes 1978, Sections 280.001; 280.07; 281.02; 281.36; and 281.37; repealing Minnesota Statutes 1978, Sections 279.32; 280.01; 280.02; 280.03; 280.04; 280.05; 280.06; 280.10; 280.11; 280.12; 280.13; 280.25; 280.26; 280.28; 280.29; 280.36; 281.15; 281.20; 281.24; 281.26; 281.27; 281.31; and 281.32.

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

Clawson; Carlson, D.; McEachern; Wenzel and Hoberg introduced:

H. F. No. 395, A bill for an act relating to state historic sites; authorizing management contracts with counties, municipalities, or county or local historical societies.

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

Berglin, Blatz, Byrne, Drew and Clark introduced:

H. F. No. 396, A bill for an act relating to welfare; altering the conditions under which a day care facility will be considered a single family residential use of property for zoning purposes; amending Minnesota Statutes 1978, Section 245.812, Subdivision 3.

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

Carlson, L.; Swanson; Norman; Otis and Heinitz introduced:

H. F. No. 397, A bill for an act relating to courts; providing for the election of Hennepin county municipal judges at the uniform municipal election; amending Minnesota Statutes 1978, Section 488A.021, Subdivision 3.

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

Clawson, Welch, Novak, Carlson, D., and Nelsen, M., introduced:

H. F. No. 398, A bill for an act relating to taxation; property tax; increasing the percentage of valuation used in the assessment of certain structures financed by the farmers home administration; amending Minnesota Statutes 1978, Section 273.13, Subdivision 17b.

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

Waldorf, Laidig, Jude, Den Ouden and Osthoff introduced:

H. F. No. 399, A bill for an act relating to health; providing for nonseverability of the provisions of the family planning services grant program; amending Minnesota Statutes 1978, Section 145.925, by adding a subdivision.

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

Erickson introduced:

H. F. No. 400, A bill for an act relating to Rock County; providing for the service of deputy assessors.

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

Berglin, Casserly and Pehler introduced:

H. F. No. 401, A bill for an act relating to taxation; providing for homestead classification of property owned by certain real estate trusts; amending Minnesota Statutes 1978, Section 273.133, by adding a subdivision.

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

Reding, Murphy, Thiede and Nelsen, M., introduced:

H. F. No. 402, A bill for an act relating to motor vehicles; removing penalties for registering and paying taxes late for certain vehicles; amending Minnesota Statutes 1978, Sections 168.11, Subdivision 1; 168.31, Subdivisions 3, 4 and 6; and 168.33, Subdivision 2.

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

Reding, Brinkman and Wieser introduced:

H. F. No. 403, A bill for an act relating to banks; authorizing banks to acquire and hold additional real estate for use as banking premises; amending Minnesota Statutes 1978, Sections 47.10; and 48.21.

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

Blatz, Jaros, Jacobs, Rees and Onnen introduced:

H. F. No. 404, A bill for an act relating to taxation; sales and use tax; providing an exemption for solar energy devices; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.

The bill was read for the first time and referred to the Committee on Energy and Utilities. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Blatz, Swanson, Peterson, and Pleasant introduced:

H. F. No. 405, A bill for an act relating to the city of Bloomington; placing the chief of police of Bloomington under the public employees police and fire fund.

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

Fjoslien, Mann, Stadum, Wenzel and Clawson introduced:

H. F. No. 406, A bill for an act relating to agriculture; changing the eligibility requirements for a family farm security loan; amending Minnesota Statutes 1978, Section 41.55.

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

Nelson; Anderson, D.; Hokanson and Osthoff introduced:

H. F. No. 407, A bill for an act relating to public welfare; establishing an energy assistance program; providing for installment payments for energy bills; setting penalties; appropriating money.

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

Prahl; Nelsen, M.; Stowell and Lehto introduced:

H. F. No. 408, A bill for an act relating to state lands; authorizing the lease of certain state lands in Itasca County for use by the Itasca Ski and Outing Club, Inc.

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

Sherwood; Prahl; Nelsen, B.; Carlson, D., and Nelsen, M., introduced:

H. F. No. 409, A bill for an act relating to taxation; requiring county to reimburse township for certain errors made by county auditor.

The bill was read for the first time and referred to the Committee on Taxes. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Nelsen, B.; Sherwood; Munger; Clawson and Carlson, D., introduced:

H. F. No. 410, A bill for an act relating to game and fish; increasing the general penalty for law violations; amending Minnesota Statutes 1978, Section 97.55, Subdivision 1.

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

Nelsen, B.; Sherwood; Munger; Clawson and Rose introduced:

H. F. No. 411, A bill for an act relating to game and fish; imposing a mandatory jail term upon persons convicted of shining deer or moose; amending Minnesota Statutes 1978, Section 97.55, Subdivision 9.

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

Halberg; Sieben, H.; Faricy; Vanasek and Evans introduced:

H. F. No. 412, A bill for an act relating to taxation; income; providing an exclusion of \$10,000 for pension income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Voss, Kelly, Heinitz, Jennings and Brinkman introduced:

H. F. No. 413, A bill for an act relating to insurance; providing for the coordination of reparations benefits for automobile losses; amending Minnesota Statutes 1978, Section 65B.49, by adding a subdivision.

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

Aasness, McDonald and Ewald introduced:

H. F. No. 414, A bill for an act relating to nursing homes; allowing county owned nursing homes to hire certified public accountants as auditors; amending Minnesota Statutes 1978, Sections 6.48; 6.55; and 6.552.

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

Prahl; Anderson, I.; Rice; Evans and Begich introduced:

H. F. No. 415, A bill for an act relating to labor; requiring employers to provide employees with a meal break.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Ellingson; Sieben, M.; Jude; Peterson and Friedrich introduced:

H. F. No. 416, A bill for an act relating to legal process; providing for replevin of personal property before and after a hearing; providing for bonds; providing a penalty; repealing Minnesota Statutes 1978, Sections 565.01; 565.02; 565.03; 565.04; 565.05; 565.06; 565.07; 565.08; 565.09; 565.10; and 565.11.

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

Wigley, Piepho, Jennings, Dempsey and Vanasek introduced :

H. F. No. 417, A bill for an act relating to retirement; increasing the service requirement for the legislator's retirement program; amending Minnesota Statutes 1978, Sections 3A.02, Subdivision 1; and 3A.03, Subdivision 2.

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

Piepho, Vanasek, Sviggum and Elioff introduced :

H. F. No. 418, A bill for an act relating to taxation; income; increasing the amount of the exemption for certain pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

Nelson introduced :

H. F. No. 419, A bill for an act relating to education; requiring the commissioner of education and the higher education coordinating board to review a new program for an area vocational-technical institute within a time limit; amending Minnesota Statutes 1978, Chapter 121, by adding a section; and Section 136A.04.

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

Nelson, Pleasant and Norton introduced :

H. F. No. 420, A bill for an act relating to education; authorizing a school district to make certain teacher terminations and reinstatements on the basis of affirmative action goals, as well as on the basis of seniority; making a substitution for a feminine pronoun; amending Minnesota Statutes 1978, Section 125.17, Subdivision 11.

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



Nelson and Evans introduced:

H. F. No. 421, A bill for an act relating to taxation; income tax; providing a residential energy credit; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Energy and Utilities. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Nelson, Rees, Minne and Battaglia introduced:

H. F. No. 422, A bill for an act relating to energy; authorizing establishment of community energy conservation councils; prescribing their powers and duties.

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

Pleasant introduced:

H. F. No. 423, A bill for an act relating to holidays; establishing January 15, Martin Luther King, Jr.'s birthday, as a holiday; amending Minnesota Statutes 1978, Section 645.44, Subdivision 5.

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

Valan, Erickson, Mann and Luknic introduced:

H. F. No. 424, A bill for an act relating to taxation; sales and use tax; reducing the tax rate on tractors and machines used in agriculture; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.

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

Faricy, Heap, Luknic, Onnen and Johnson, C., introduced:

H. F. No. 425, A bill for an act relating to taxation; increasing income tax credits for certain low income taxpayers; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3d.

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

Faricy, Halberg, Sviggum, Schreiber and Berkelman introduced:

H. F. No. 426, A bill for an act relating to taxation; changing the income tax rate structure for individuals, estates, and trusts; amending Minnesota Statutes 1978, Section 290.06, Subdivision 2c.

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

Pehler, Long, Stoa, Patton and Piepho introduced:

H. F. No. 427, A bill for an act relating to liquor; defining certain terms; amending Minnesota Statutes 1978, Section 624.701, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Brinkman; Anderson, D.; Mann and Wenzel introduced:

H. F. No. 428, A bill for an act relating to taxation; sales tax; exempting certain farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

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

Brinkman; Patton; Anderson, D.; Anderson, G., and Wenzel introduced:

H. F. No. 429, A bill for an act relating to courts; providing statewide jurisdiction for conciliation courts; providing statewide jurisdiction for the municipal courts of Hennepin and Ramsey counties; providing that venue for an action in conciliation court may lie in the county where the plaintiff resides; amending Minnesota Statutes 1978, Sections 487.30, Subdivision 1; 488A.01, Subdivision 8; 488A.12, Subdivision 3; 488A.18, Subdivisions 4 and 9; 488A.29, Subdivision 3; and 542.09.

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

Carlson, L.; Swanson; Laidig; Norman and Welch introduced:

H. F. No. 430, A bill for an act relating to elections; allowing employees of the state or its political subdivisions to serve as election judges; amending Minnesota Statutes 1978, Section 204A.18, Subdivision 3; repealing Minnesota Statutes 1978, Section 204A.17, Subdivision 5.

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

Levi; Sieben, M.; Pavlak and Minne introduced:

H. F. No. 431, A bill for an act relating to retirement; allowing early vesting of firefighters pensions in plans operated by nonprofit corporations; amending Minnesota Statutes 1978, Section 69.691, Subdivision 2.

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

Berglin, Levi, Clark, Kahn and Forsythe introduced:

H. F. No. 432, A bill for an act relating to taxation; gift tax; changing rates and credits; amending Minnesota Statutes 1978, Section 292.07, Subdivisions 1 and 5, and by adding a subdivision.

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

Olsen, Norman and Rothenberg introduced:

H. F. No. 433, A bill for an act relating to the legislature; providing for the payment only of actual claimed expenses of legislators; making limitations on in-session living expenses permanent; repealing certain redundant provisions; amending Minnesota Statutes 1978, Sections 3.099, Subdivision 1; and 3.102; repealing Minnesota Statutes 1978, Sections 3.101; and 3.103.

The bill was read for the first time and referred to the Committee on Governmental Operations. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Kahn, Greenfield, Casserly, Laidig and Berglin introduced:

H. F. No. 434, A bill for an act relating to the state board of investment; prohibiting certain investments; amending Minnesota Statutes 1978, Sections 11.13; and 11.16, Subdivision 13.

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

Kahn and Greenfield introduced:

H. F. No. 435, A bill for an act relating to medical assistance; excluding payments for services provided to a recipient after an irreversible cessation of brain function; amending Minnesota Statutes 1978, Section 256B.02, Subdivision 8.

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

Novak; Sieben, H.; Sarna; Kvam and Simoneau introduced:

H. F. No. 436, A bill for an act relating to taxation; income; increasing the exclusion for certain pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.

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

### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. No. 370.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 370, A bill for an act relating to taxation; requiring payment of an income tax rebate; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations. Anderson, I., objected to the reference.

### POINT OF ORDER

Knickerbocker raised a point of order stating that the reference of Senate files was not covered by the negotiated agreement, that the objection raised by Anderson, I., was therefore not in

order, and that the dispute and the Senate File should be referred to the standing 10-member subcommittee of Rules and Legislative Administration pursuant to the negotiated agreement.

The Speaker ruled that the point of order was well taken.

Anderson, I., appealed the decision of the chair.

A roll call was requested and properly seconded.

#### CALL OF THE HOUSE

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

Aasness	Eken	Jude	Nelsen, M.	Schreiber
Adams	Elioff	Kahn	Nelson	Sherwood
Ainley	Ellingson	Kaley	Niehaus	Sieben, H.
Albrecht	Enebo	Kalis	Norman	Sieben, M.
Anderson, B.	Erickson	Kelly	Norton	Simoneau
Anderson, D.	Esau	Kempe	Novak	Stadum
Anderson, G.	Evans	Knickerbocker	Nysether	Stoa
Anderson, I.	Ewald	Kostohryz	Olsen	Stowell
Battaglia	Faricy	Kroening	Onnen	Sviggun
Begich	Fjoslien	Kvam	Osthoff	Swanson
Berglin	Forsythe	Laidig	Otis	Thiede
Berkelman	Friedrich	Lehto	Patton	Tomlinson
Biersdorf	Fritz	Long	Pavlak	Valan
Blatz	Fudro	Ludeman	Pehler	Valento
Brinkman	Greenfield	Luknic	Peterson	Vanasek
Byrne	Halberg	Mann	Piepho	Voss
Carlson, D.	Haukoos	McCarron	Pleasant	Waldorf
Carlson, L.	Heap	McDonald	Prahl	Weaver
Clark	Heinitz	McEachern	Redalen	Welch
Clawson	Hoberg	Mehrkens	Reding	Welker
Corbid	Hokanson	Metzen	Rees	Wenzel
Crandall	Jacobs	Minne	Reif	Wieser
Dean	Jaros	Moe	Rice	Wigley
Dempsey	Jennings	Munger	Rose	Wynia
Den Ouden	Johnson, C.	Murphy	Rothenberg	Zubay
Drew	Johnson, D.	Nelsen, B.	Sarna	Speaker Searle

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

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" The roll was called and there were 65 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Aasness	Crandall	Evans	Haukoos	Knickerbocker
Ainley	Dean	Ewald	Heap	Kvam
Albrecht	Dempsey	Fjoslien	Heinitz	Laidig
Anderson, D.	Den Ouden	Forsythe	Hoberg	Ludeman
Biersdorf	Drew	Friedrich	Jennings	Luknic
Blatz	Erickson	Fritz	Johnson, D.	McDonald
Carlson, D.	Esau	Halberg	Kaley	Mehrkens

Nelsen, B.	Pavlak	Reif	Stadum	Weaver
Niehaus	Peterson	Rose	Stowell	Welker
Norman	Piepho	Rothenberg	Sviggun	Wieser
Nysether	Pleasant	Schreiber	Thiede	Wigley
Olsen	Redalen	Searles	Valan	Zubay
Onnen	Rees	Sherwood	Valento	Speaker Searle

Those who voted in the negative were:

Adams	Eken	Kelly	Nelsen, M.	Simoneau
Anderson, B.	Elioff	Kempe	Nelson	Stoa
Anderson, G.	Ellingson	Kostohryz	Norton	Swanson
Anderson, I.	Enebo	Kroening	Novak	Tomlinson
Battaglia	Faricy	Lehto	Osthoff	Vanasek
Begich	Fudro	Long	Otis	Voss
Berglin	Greenfield	Mann	Patton	Waldorf
Berkelman	Hokanson	McCarron	Pehler	Welch
Brinkman	Jacobs	McEachern	Prahl	Wenzel
Byrne	Jaros	Metzen	Reding	Wynia
Carlson, L.	Johnson, C.	Minne	Rice	
Clark	Jude	Moe	Sarna	
Clawson	Kahn	Munger	Sieben, H.	
Corbid	Kalis	Murphy	Sieben, M.	

So it was the judgment of the House that the decision of the Speaker should not stand and S. F. No. 370 was referred to the full Committee on Rules and Legislative Administration.

### GENERAL ORDERS

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

### REPORT OF COMMITTEE OF THE WHOLE

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

H. F. No. 3 upon which it recommended progress.

On the motion of Sieben, H., the report of the Committee of the Whole was adopted.

### MOTIONS AND RESOLUTIONS

Murphy moved that her name be stricken as an author on H. F. No. 69. The motion prevailed.

McEachern moved that the name of Jude be added as an author on H. F. No. 267. The motion prevailed.

Sviggun moved that his name be stricken as an author on H. F. No. 311. The motion prevailed.

Jacobs moved that the names of Pehler and Berkelman be added as authors on H. F. No. 379. The motion prevailed.

Olsen moved that the name of Piepho be added as an author on H. F. No. 433. The motion prevailed.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 15, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, February 15, 1979.

**EDWARD A. BURDICK, Chief Clerk, House of Representatives**

