

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

THIRTIETH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 29, 1979

The House of Representatives convened at 12:00 noon 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	Drew	Kahn	Nelson	Sherwood
Adams	Eken	Kaley	Niehaus	Sieben, H.
Ainley	Elioff	Kalis	Norman	Sieben, M.
Albrecht	Ellingson	Kelly	Norton	Simoneau
Anderson, B.	Enebo	Kempe	Novak	Stadum
Anderson, D.	Erickson	Knickerbocker	Nysether	Stoa
Anderson, G.	Esau	Kostohryz	Olsen	Stowell
Anderson, I.	Evans	Kroening	Onnen	Sviggum
Anderson, R.	Ewald	Kvam	Osthoff	Swanson
Battaglia	Faricy	Laidig	Otis	Thiede
Begich	Fjoslien	Lehto	Patton	Tomlinson
Berglin	Forsythe	Levi	Pavlak	Valan
Berkelman	Friedrich	Long	Pehler	Valento
Biersdorf	Fritz	Ludeman	Peterson	Vanasek
Blatz	Fudro	Luknic	Piepho	Voss
Brinkman	Greenfield	Mann	Pleasant	Waldorf
Byrne	Halberg	McCarron	Prahl	Weaver
Carlson, D.	Haukoos	McDonald	Redalen	Welch
Carlson, L.	Heap	McEachern	Reding	Welker
Casserly	Heinitz	Mehrkins	Rees	Wenzel
Clark	Hokanson	Metzen	Reif	Wieser
Clawson	Jacobs	Minne	Rice	Wigley
Corbid	Jaros	Moe	Rose	Wynia
Crandall	Jennings	Munger	Rothenberg	Zubay
Dean	Johnson, C.	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	

A quorum was present.

Hoberg was excused until 1:00 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 715, 451, 521 and 191 and S. F. No. 327 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 28, 1979

The Honorable Rod Searle
Speaker of the House
State of Minnesota

Dear Speaker Searle:

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

H. F. No. 3, ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.

Sincerely,

ALBERT H. QUIE
Governor

REPORTS OF STANDING COMMITTEES

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 31, A bill for an act relating to taconite and semi-taconite companies; withdrawing the right to exercise eminent domain; authorizing the grant of licenses, permits and leases of state owned land; amending Minnesota Statutes 1978, Section 117.47; repealing Minnesota Statutes 1978, Sections 117.46; and 117.461.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 103, A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; limiting the width and prescribing conditions for the movement of loads of round baled hay; amending Minnesota Statutes 1978, Section 169.80, Subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 169, is amended by adding a section to read:

[169.862] [PERMITS FOR CERTAIN LOADS.] *The commissioner of transportation, with respect to highways under his jurisdiction, and local authorities, with respect to highways under their jurisdiction, may issue an annual permit to enable a vehicle carrying round baled hay, with a total outside width of the vehicle or the load thereon not exceeding 11-1/2 feet, to be operated on public streets and highways. Permits issued pursuant to this section shall be governed by the applicable provisions of section 169.86 except as otherwise provided herein, and in addition shall carry the following restrictions:*

(a) *The vehicles shall not be operated between sunset and sunrise, when visibility is impaired by weather, fog or other conditions rendering persons and vehicles not clearly visible at a distance of 500 feet, or on Saturdays, Sundays and holidays.*

(b) *The vehicles shall not be operated on interstate highways.*

(c) *The vehicles shall not be operated on a trunk highway with a pavement less than 24 feet wide.*

(d) *A vehicle operated under the permit shall be equipped with a retractable or removable mirror on the left side so located that it will reflect to the driver a clear view of the highway for a distance of at least 200 feet to the rear of the vehicle. Simultaneous flashing amber lights, as provided in section 169.59, subdivision 4, shall be displayed to the front and rear of the vehicle. The flashing amber lights shall be lighted only when the width of the load exceeds eight feet. The flashing amber light system shall be in addition to and separate from the turn signal system and the hazard warning light system.*

(e) *A vehicle operated under the permit shall display red, orange or yellow flags, 12 inches square, as markers at the front*

and rear, and on both sides of the load. The load shall be securely bound to the transporting vehicle.

The fee for the permit shall be \$25.

Sec. 2. This act is effective the day following final enactment."

Amend the title as follows:

Delete lines 3 to 6 and insert:

"allowing loads of round baled hay with a width of 11-1/2 feet to be transported pursuant to permit; amending Minnesota Statutes 1978, Chapter 169, by adding a section."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 122, A bill for an act relating to juveniles; providing for a hearing to determine detrimental relationships involving children; providing for a penalty for those engaging children in detrimental relationships; amending Minnesota Statutes 1978, Section 260.315; and Chapter 260, by adding a section.

Reported the same back with the following amendments:

Page 2, line 3, after "*notification*" delete "*that the*"

Page 2, delete lines 4 and 5

Page 2, line 6, delete "*against persons named therein*" and insert "*of his rights against self-incrimination as provided under the Fifth Amendment of the United States Constitution and of his rights to counsel as provided under the Sixth Amendment of the United States Constitution*"

Page 2, line 7, delete "*may*" and insert "*shall*"

Page 3, after line 14, insert

"Sec. 3. [EXPIRATION.] This act expires on July 31, 1981.

Sec. 4. [EFFECTIVE DATE.] This act is effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 219, A bill for an act relating to electricians; establishing an additional class of installers license; amending Minnesota Statutes 1978, Sections 326.01, Subdivision 6b; and 326.242, Subdivision 3.

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

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 235, A bill for an act relating to state parks; removing certain lands from within the boundaries of Split Rock Lighthouse State Park.

Reported the same back with the following amendments:

Page 1, after line 11 insert:

"Sec. 2. Subdivision 1. The following described land in Lake County is added to Split Rock Lighthouse State Park:

The Northwest Quarter of Section 6, Township 54 North, Range 8 West. All of Section 1, and the North Half of the Northwest Quarter, Southeast Quarter of the Northwest Quarter, West Half of the Northeast Quarter, and the Northeast Quarter of the Northeast Quarter of Section 12, Township 54 North, Range 9 West.

Subd. 2. Within three years after the effective date of this act, the commissioner shall offer for sale in the manner provided by law or declare surplus for sale in the manner provided by law lands in no case to exceed 1,200 acres in total area, all located in Lake County, to offset the removal from the tax rolls of those private lands acquired for state parks. The commissioner shall consult with the Lake County board before offering lands for sale or declaring lands surplus.

Sec. 3. Subdivision 1. The following area is deleted from Judge C. R. Magney State Park:

That portion of land known as Naniboujou Lodge defined as being bounded on the North by Trunk Highway No. 61 as it is now located and constructed, on the West by the Brule (Arrow-

head) River, on the South and Southeast by Lake Superior, on the East by a line formed by producing the West boundary line of Lot 1, Subdivision B, southerly to Lake Superior and northerly to the aforesaid Trunk Highway in Government Lot 1, Section 34, and Government Lots 1 and 2, Section 27, Township 62 North, Range 3 East of the Fourth Principal Meridian in Cook County, Minnesota.

Subd. 2. If the land described in subdivision 1 or any part thereof is offered to the state, the commissioner of natural resources may purchase said lands and when acquired the park boundary shall be extended to include said lands.

Subd. 3. The department of natural resources may accept by gift or purchase a conservation easement along the Brule River stream bank and the Lake Superior shoreline. Funds allocated for park and recreation purposes may be used for this purpose.

Sec. 4. [AFTON STATE PARK.] The following described land in Washington County is added to Afton State Park:

That part of the South Half of the Northwest Quarter of Section 10, Township 27 North, Range 20 West, lying easterly of the following described line: Commencing at the Northwest Corner of said South Half of the Northwest Quarter; thence on an assumed bearing of North 88 degrees 32 feet 11 inches East, 1855.-97 feet along the North line of said South Half of the Northwest Quarter to the point of beginning; thence South three degrees 21 feet 55 inches East, 1315 feet, more or less, to the South line of said South Half of the Northwest Quarter and there terminating.

Sec. 5. This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 4, after "Park" insert "and Judge C. R. Magney State Park; adding lands to the boundaries of Split Rock Light-house State Park and Afton State Park"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 248, A bill for an act relating to banks and banking; authorizing state banks to lease personal property under certain conditions; amending Minnesota Statutes 1978, Section 48.152.

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

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

H. F. No. 272, A bill for an act relating to public welfare; child care services; defining a sliding fee schedule payment plan for child care; appropriating money; amending Minnesota Statutes 1978, Section 245.84, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 11, after "available" insert "and subject to the allocation requirements of section 245.87"

Page 1, line 12, strike the comma

Page 1, strike line 13

Page 1, line 14, strike "care facilities"

Page 3, after line 2, add the following:

"Sec. 3. The sliding fee schedule payment plan specified in section 1 shall be an experimental program. The commissioner shall promulgate rules establishing eligibility requirements to be complied with by counties applying for grants pursuant to section 1. The rules shall require collection of data and periodic reports as the commissioner deems necessary to demonstrate the short and long-range effectiveness of the experimental program in preventing and reducing dependence of participants on public assistance and in providing other benefits. The commissioner shall make a report to the legislature no later than January 15, 1981 on the effectiveness of the experimental program and his recommendations regarding making this program an integral part of the child care services administered by counties. The experimental program shall expire no later than June 30, 1981."

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

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 361, A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means

of securing full performance; amending Minnesota Statutes 1978, Sections 162.04; and 162.10.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

"Section 1. [15.71] [PUBLIC CONTRACTS; SECURITY FOR COMPLETION OF PERFORMANCE; DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 3, unless the context clearly indicates otherwise, the terms defined in this section have the meanings given them.*

Subd. 2. "Public contract" means any purchase, lease or sale by a public agency of personal property, public improvements or services, other than agreements which are exclusively for personal services.

Subd. 3. "Public agency" or "public contracting agency" means any agency of the state of Minnesota or any of its political subdivisions authorized by law to enter into public contracts.

Subd. 4. "Public improvement" means any construction of improvements on real property or highways by or for a public agency.

Subd. 5. "Retainage" means the difference between the amount earned by the contractor on a public contract and the amount paid on the contract by the public contracting agency.

Sec. 2. [15.72] [PROGRESS PAYMENTS ON PUBLIC CONTRACTS; RETAINAGE; INTEREST.] *Subdivision 1. Unless the terms of the contract provide otherwise, a public contracting agency shall make progress payments on a public contract for a public improvement monthly as the work progresses. Payments shall be based upon estimates of work completed as approved by the public contracting agency. A progress payment shall not be considered acceptance or approval of any work or waiver of any defects therein.*

Subd. 2. A public contracting agency may reserve as retainage from any progress payment on a public contract for a public improvement an amount not to exceed five percent of the payment. A public agency may reduce the amount of the retainage and may eliminate retainage on any monthly contract payment if, in the agency's opinion, the work is progressing satisfactorily.

Sec. 3. [15.73] [ALTERNATIVE FORMS OF RETAINAGE.] *Subdivision 1. At the option of the contractor, re-*

tainage shall be paid to the contractor in accordance with this section.

Subd. 2. If the contractor elects, the retainage as accumulated shall be deposited by the appropriate local or state financial officer in an interest-bearing account in a bank, savings bank, trust company or savings association for the benefit of the public contracting agency. Interest earned on the account shall be payable to the contractor as it accrues.

Subd. 3. The contractor may deposit bonds or securities with the public contracting agency or in any bank or trust company to be held in lieu of cash retainage for the benefit of the public contracting agency. In such event the public agency shall reduce the retainage in an amount equal to the value of the bonds and securities and pay the amount of the reduction to the contractor. Interest on the bonds or securities shall be payable to the contractor as it accrues.

Subd. 4. Bonds and securities deposited or acquired in lieu of retainage, as permitted by subdivision 3, shall be of a character approved by the state treasurer, including but not limited to:

- (a) Bills, certificates, notes or bonds of the United States;*
- (b) Other obligations of the United States or its agencies;*
- (c) Obligations of any corporation wholly owned by the federal government; or*
- (d) Indebtedness of the Federal National Mortgage Association.*

Subd. 5. If the public agency incurs additional costs as a result of the exercise of the options described in this section, the agency may recover the costs from the contractor by reducing the final payment due under the contract. As work on the contract progresses, the agency shall, upon demand, inform the contractor of all accrued costs.

Sec. 4. Minnesota Statutes 1978, Section 161.322, is amended to read:

161.322 [PAYMENT OF INTEREST TO CONTRACTORS.] When any contract for the construction, improvement, or repair of any trunk highway has been entered into by the commissioner of transportation of the state of Minnesota, and the work provided for in the contract has been in all things completed to the satisfaction of the commissioner or his agent except for the release of sureties, in accordance with the contract, by

the person with whom the commissioner has contracted, herein termed the contractor, unless final estimate for the work is made within 90 days after the contractor has so completed the work, he shall be entitled to receive interest at the rate (OF FOUR PERCENT PER ANNUM) *equal to the monthly index of long term United States bond yields for the month prior to the month in which this obligation is incurred plus an additional one percent per annum* from the date of the expiration of that 90 day period upon all amounts finally determined to be due him which were not paid prior to the expiration of that period, to be paid in the same manner as, and at the time of, the final payment under the contract. The 90 day requirement, and the interest provisions provided for herein, shall not apply if delay is caused by the contractor; nor shall the 90 day requirement apply to contracts over (ONE) two million dollars if the contract provides specifically for a different period of time in which to make such final estimate.

Sec. 5. Minnesota Statutes 1978, Section 162.04, is amended to read:

162.04 [LIMITATION ON PAYMENT OF CONTRACT PRICE.] Whenever the construction or improvement of any county state-aid highway is to be done by contract, and the construction or improvement is not financed in whole or in part by federal aid highway money, the county board shall agree in the contract to pay the contractor on account an amount not to exceed (90) 95 percent of the value of the work from time to time actually completed as shown by monthly estimates thereof, made by the county engineer on the basis of the contract prices, and shall further agree that when the work is (90) 95 percent or more completed upon the recommendation of the county engineer such portions of the retained price shall be released as the county board determines are not required to be retained to protect the county's interest in completion of the contract. In such case it shall be lawful for the county auditor to issue a warrant on the county treasurer to the contractor for an amount consistent with the above prescribed limitations of the value of the work so completed and specified in the engineer's monthly estimate without allowance of a claim therefor by the county board. Failure to pay any amount due and payable under the terms of the contract within 30 days of a monthly estimate or 90 days after the final estimate of the value of the work completed shall obligate the county to pay to the contractor simple interest on the past due amount at an annual rate equal to the monthly index of long term United States bond yields for the month prior to the month in which this obligation is incurred plus an additional one percent per annum. Interest shall not be imposed with respect to any amount which a county may legally withhold as a result of breach of contract or other contractual claim, *or if the delay is caused by the contractor.*

Sec. 6. Minnesota Statutes 1978, Section 162.10, is amended to read:

162.10 [LIMITATION ON PAYMENT OF CONTRACT PRICES.] Whenever the construction or improvement of any municipal state-aid street is to be done by contract, and the construction or improvement is not financed in whole or in part by federal aid highway money, the governing body of the city shall agree in the contract to pay the contractor an amount not exceeding (90) 95 percent of the value of the work from time to time actually completed, as shown by monthly estimates thereof made by the engineer of the city on the basis of the contract prices, and shall further agree that when the work is (90) 95 percent or more completed upon the recommendation of the city engineer such portions of the retained price shall be released as the governing body of the city determines are not required to be retained to protect the city's interest in completion of the contract. In such case it shall be lawful for the appropriate disbursing officers of the city to pay the contractor an amount consistent with the above prescribed limitations of the value of the work so completed and specified in the engineer's monthly estimate without allowance of a claim therefor by the governing body of the city. Failure to pay any amount due and payable under the terms of the contract within 30 days of a monthly estimate or 90 days after the final estimate of the value of the work completed shall obligate the city to pay to the contractor simple interest on the past due amount at an annual rate equal to the monthly index of long term United States bond yields for the month prior to the month in which this obligation is incurred plus an additional one percent per annum. Interest shall not be imposed with respect to any amount which a city may legally withhold as a result of breach of contract or other contractual claim, *or if the delay is caused by the contractor.*

Sec. 7. Minnesota Statutes 1978, Section 429.041, Subdivision 6, is amended to read:

Subd. 6. [PERCENTAGE PAYMENT ON ENGINEER'S ESTIMATE.] In case the contractor properly performs the work, the council shall, from month to month before completion of the work, pay him not to exceed (90) 95 percent of the amount already earned under the contract, upon the estimate of the engineer or other competent person selected by the council, and the contract shall so provide, and shall further agree that when the work is (90) 95 percent or more completed upon the recommendation of the engineer such portions of the retained price shall be released as the governing body of the municipality determines are not required to be retained to protect the municipality's interest in satisfactory completion of the contract. Failure to pay any amount due and payable under the terms of the contract within 30 days of a monthly estimate or 90 days after the final estimate of the amount earned shall obligate the municipality to pay to the contractor simple interest on the past due amount at an annual rate equal to the monthly index of long term United States bond yields for the month prior to the month in which this obligation is incurred plus an additional one percent per annum. Interest shall not be imposed with respect to

any amount which a municipality may legally withhold as a result of breach of contract or other contractual claim or if the delay is caused by the contractor.

Sec. 8. [15.74] *Sections 1 to 3 shall apply to all public contracts except those contracts in which receipt of federal financing is conditioned on adherence to terms and conditions prescribed by a federal agency which are inconsistent with this act.*

Sec. 9. [EFFECTIVE DATE.] *This act is effective July 1, 1979 and applies to all public contracts entered into on or after that date."*

Amend the title by deleting it in its entirety and inserting the following:

"A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means of securing full performance; amending Minnesota Statutes 1978, Sections 161.322; 162.04; 162.10; and 429.041, Subdivision 6."

With the recommendation that when so amended the bill pass.

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

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.

Reported the same back with the following amendments:

Page 1, delete lines 9 to 11 and insert:

"Subdivision 2, is amended to read:

Subd. 2. (THE COMMISSIONER SHALL NOT MAKE SPECIAL GRANTS PURSUANT TO THIS SECTION TO ANY NONPROFIT CORPORATION WHICH PERFORMS ABORTIONS. NO STATE FUNDS SHALL BE USED UNDER CONTRACT FROM A GRANTEE TO ANY NONPROFIT CORPORATION WHICH PERFORMS ABORTIONS. THIS PROVISION SHALL NOT APPLY TO HOSPITALS LICENSED PURSUANT TO SECTIONS 144.50 TO 144.56, OR HEALTH MAINTENANCE ORGANIZATIONS CERTIFIED PURSUANT TO CHAPTER 62D.) *No state family planning funds provided under this section shall be granted by the commissioner, or used under contract from a grantee, to any corporation,*

agency, individual, or entity which performs abortions other than abortions certified in writing by the attending physician as medically necessary to prevent the death of the mother."

Further delete the title in its entirety and insert:

"A bill for an act relating to health; prohibiting family planning funds to any corporation, agency, individual, or entity which performs abortions; amending Minnesota Statutes 1978, Section 145.925, Subdivision 2."

With the recommendation that when so amended the bill pass.

The report was adopted.

Nelson from the Committee on Education to which was referred:

H. F. No. 455, A bill for an act relating to education; providing equal opportunity for members of both sexes to participate in certain athletics; modifying the coverage and terms of the current law providing for equal opportunity in certain athletics; requiring the state board of education to promulgate certain rules and giving it exclusive jurisdiction over certain sex discrimination charges; amending Minnesota Statutes 1978, Sections 126.21 and 363.02, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 17, after the period, insert:

"The legislature recognizes certain past inequities in access to athletic programs and in the various degrees of athletic opportunity previously afforded members of each sex. The purpose of this section is to provide an equal opportunity for members of both sexes to participate in athletic programs."

Page 1, line 19, reinstate "OR PUBLIC SERVICES"

Page 2, line 6, after "institution" insert "or a public service"

Page 3, lines 4 to 15, reinstate the stricken language

Page 3, after line 15, insert:

"In determining whether equal opportunity to participate in athletic programs is available for the purposes of this section, at least the following factors shall be considered to the extent that they are applicable to a given situation: selection of sports available; levels of competition available; provision of equipment and supplies; scheduling of games and practice time; as-

signment of coaches; provision of locker rooms, practice and competitive facilities; and the provision of necessary funds for teams of one sex."

Page 4, line 4, after "institution" insert "or a public service"

Page 4, line 10, after "exclusive" insert "state agency"

Page 4, after line 12, insert:

"The state board of education shall have the same powers, duties, authority and responsibilities over these charges as would otherwise be provided to the commissioner of human rights pursuant to this chapter. All charging parties and respondents shall have the same rights as would otherwise be available pursuant to any other provision of this chapter."

Amend the title as follows:

Page 1, line 9, after "charges;" insert "providing for the rights of certain parties in the case of certain sex discrimination charges;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 481, A bill for an act relating to historic sites; authorizing the Minnesota Historical Society to exchange certain state owned nonhistoric land for certain privately owned historic land.

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

The report was adopted.

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

H. F. No. 555, A bill for an act relating to crimes; limiting juvenile court jurisdiction with respect to certain juveniles; requiring the defendant in criminal actions to prove duress by a preponderance of the evidence; providing that expunged conviction records may be used for certain purposes; specifying the crime of offering substances purporting to be prohibited for sale; creating a new category of offense for assault; reclassifying assaults by degrees; specifying the crime of interference

with privacy; reclassifying the pecuniary categories of the crime of theft; redefining certain felonies; authorizing arrest without warrant for gross misdemeanors although not committed in a peace officer's presence; authorizing agents of the bureau of criminal apprehension to obtain search warrants; clarifying the locus of venue; providing penalties; amending Minnesota Statutes 1978, Sections 260.015, by adding a subdivision; 260.111, by adding a subdivision; 609.02, by adding subdivisions; 609.08; 609.11; 609.12, Subdivisions 1 and 3; 609.168; 609.25, Subdivision 2; 609.341, Subdivision 3, and by adding a subdivision; 609.343; 609.344; 609.345; 609.52, Subdivision 3; 609.53; 609.562; 609.563; 609.595, Subdivision 1; 626.05, Subdivision 2; 627.01; 629.34; 629.35; Chapters 152, by adding a section; and 609, by adding sections; repealing Minnesota Statutes 1978, Sections 246.43; 609.12, Subdivision 2; 609.22; 609.225; and 611.033.

Reported the same back with the following amendments:

Pages 2, 3 and 4, delete Sections 3, 4 and 5

Pages 5 and 6, delete Sections 7, 8 and 9

Page 6, lines 32 and 33, delete "*of such gravity as would normally require hospitalization, or,*"

Page 8, line 17, after "*suffers*" insert "*great*"

Page 12, line 17, delete "\$300" and insert "\$150"

Page 12, line 21, delete "\$300" and insert "\$150"

Page 13, line 10, delete "\$300" and insert "\$150"

Pages 13 and 14, delete Section 23

Page 16, after line 19, insert:

"Sec. 21. Minnesota Statutes 1978, Section 611.033, is amended to read:

611.033 [COPY OF CONFESSION OR ADMISSION.] No statement, confession, or admission in writing shall be received in evidence in any criminal proceeding against any defendant unless (AT THE) *within a reasonable length of time of the taking thereof* such defendant shall have been furnished with a copy thereof and which statement, confession, or admission shall have endorsed thereon or attached thereto the receipt of the accused *or certification of a peace officer* which shall state that a copy thereof has been received by (HIM) *or made available to the accused.*"

Page 16, after line 25, insert:

"Sec. 23. Minnesota Statutes 1978, Section 626.11, is amended to read:

626.11 [ISSUANCE OF WARRANT.] If the court or justice of the peace is thereupon satisfied of the existence of the grounds of the application, or that there is probable cause to believe their existence, he must issue a search warrant, signed by him with his name of office, to a peace officer in his county or to an agent of the bureau of criminal apprehension, commanding him forthwith to search the person or place named, for the property or things specified, and to retain such property or things in his custody subject to order of the court or justice of the peace issuing the warrant.

Sec. 24. Minnesota Statutes 1978, Section 626.13, is amended to read:

626.13 [SERVICE, PERSONS MAKING.] A search warrant may in all cases be served by any of the officers mentioned in its directions, but by no other person, except in aid of the officer on his requiring it, he being present and acting in its execution. *If the warrant is to be served by an agent of the bureau of criminal apprehension he shall notify the sheriff or a deputy sheriff of the county in which service is to be made prior to execution."*

Page 17, line 9, delete "*portion of an*"

Pages 17 and 18, delete Sections 30 and 31

Page 18, line 12, after "609.22" delete the semicolon and insert "*and*"

Page 18, line 12, after "609.225" delete "*; and 611.033*"

Page 18, delete lines 16 and 17

Page 18, delete lines 27 to 30

Renumber the sections

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

"A bill for an act relating to crimes; specifying the crime of offering substances purporting to be prohibited for sale; creating a new category of offense for assault; reclassifying assaults by degrees; specifying the crime of interference with privacy; reclassifying the pecuniary categories of the crime of theft; redefining certain felonies; authorizing agents of the bureau of

criminal apprehension to obtain search warrants; clarifying the locus of venue; providing penalties; amending Minnesota Statutes 1978, Sections 609.02, by adding subdivisions; 609.11; 609.25, Subdivision 2; 609.341, Subdivision 3, and by adding a subdivision; 609.343; 609.344; 609.345; 609.52, Subdivision 3; 609.562; 609.563; 609.595, Subdivision 1; 611.033; 626.05, Subdivision 2; 626.11; 626.13; 627.01; Chapters 152, by adding a section; and 609, by adding sections; repealing Minnesota Statutes 1978, Sections 246.43; 609.22; and 609.225."

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 623, A bill for an act relating to state lands; providing for the conveyance of state land to the city of St. Cloud for use as a fire station.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 810, A bill for an act relating to motor vehicles; providing for taxing and registering modified vehicles manufactured prior to 1949; regulating storage of modified vehicles and requiring certain equipment; amending Minnesota Statutes 1978, Section 168.10.

Reported the same back with the following amendments:

Page 1, line 13, delete the new language and insert "1d and 1g,"

Page 10, line 14, delete "\$2" and insert "\$5"

Page 11, after line 7, insert:

"Subd. 1g [ORIGINAL PLATES.] A vehicle registered pursuant to subdivision 1a, 1b, 1c or 1d may in lieu of being issued number plates by the registrar display original Minnesota number plates issued in the same year as the model year of the car on which they are displayed. The number of the original plates must be provided to the registrar. The original plates must be in good condition and shall be used in pairs one to be dis-

played in the front of the car and one in the rear. Any person currently using plates issued pursuant to subdivision 1a, 1b, 1c or 1d shall return those plates to the registrar before substituting original plates. The registrar may charge a fee for registering the number on original plates."

Further amend the title as follows:

Line 5, after the semicolon insert "providing for use of original plates on certain vehicles;"

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

The report was adopted.

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

H. F. No. 866, A bill for an act relating to peace officers; regulating part-time and reserve officers; providing an appropriation; amending Minnesota Statutes 1978, Section 626.84; and Chapter 626, by adding sections.

Reported the same back with the following amendments:

Page 4, line 3, delete "*resignation*" insert "*termination*"

Page 4, line 22, after the word "*of*" delete "*the chief*"

Page 4, line 23, delete "*administrative officer of the employing agency, or*"

Page 4, line 25, after the word "*officer*" delete comma and insert "*of the employing agency, either directly or*"

Page 5, line 8, after the word "*county*" insert the words "*or the chief law enforcement official of the municipality*".

Page 5, after line 26 insert "Sec. 5. [EXPIRATION DATE.] *This act expires July 1, 1983.*"

Page 5, line 27, delete "Sec. 5" and insert "Sec. 6"

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

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 876, A bill for an act relating to peace officers benefits; making certain deaths by heart attack compensable; amending Minnesota Statutes 1978, Section 352E.04.

Reported the same back with the following amendments:

Page 2, line 10, after "*attack*" insert "*suffered within 48 hours after an active tour of duty*"

Page 2, line 14, after "*report*" insert "*, or any later examination and report,*"

Page 2, line 18, after "*enactment*" insert "*, except that it shall apply to any peace officer who died after January 1, 1975*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

S. F. No. 288, A bill for an act relating to unemployment compensation; making certain employees of educational cooperative service units ineligible for benefits during certain periods; amending Minnesota Statutes 1978, Section 268.08, Subdivision 6.

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

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

S. F. No. 298, A bill for an act relating to the city of South International Falls; authorizing the city to lease municipal buildings.

Reported the same back with the following amendments:

Page 1, line 21, after "*private*" insert "*, non-profit*"

Page 2, line 1, after "*organization or*" insert "*non-profit*"

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

The report was adopted.

Niehaus from the Committee on Health and Welfare to which was referred:

S. F. No. 307, A bill for an act relating to health; permitting placement of pets in certain institutions; requiring placement efforts by the Minnesota humane society; amending Minnesota Statutes 1978, Chapters 144, by adding a section; 144A, by adding a section; and 343, by adding a section.

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

The report was adopted.

POINT OF ORDER

Kahn raised a point of order pursuant to rule 5.7 that H. F. No. 455 be re-referred to the Committee on Appropriations.

The Speaker submitted the following question to the House:

"Is it the judgement of the House that the point of order is well taken?"

It was the judgement of the House that the point of order was not well taken.

POINT OF ORDER

Osthoff raised a point of order pursuant to rule 5.8 that H. F. No. 455 be re-referred to the Committee on Governmental Operations. The Speaker ruled the point of order not well taken.

SECOND READING OF HOUSE BILLS

H. F. Nos. 31, 103, 122, 219, 235, 248, 361, 399, 455, 481, 555, 623, 810 and 876 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 288, 298 and 307 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Patton, Biersdorf, Kaley, Sarna and Moe introduced:

H. F. No. 1077, A bill for an act relating to retirement; Minneapolis municipal employees retirement fund; increasing the employee contribution rate; amending Minnesota Statutes 1978, Section 422A.10, Subdivision 1.

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

Greenfield, Laidig, Dean, Hokanson and Pehler introduced:

H. F. No. 1078, A bill for an act relating to education; providing for grants for noncommercial radio stations and for an audit of certain grant recipients; appropriating money.

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

Luknic, Kempe, Kalis, Ainley and Valento introduced:

H. F. No. 1079, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, by adding a section; requiring a three-fifths majority of each house of the legislature to increase taxes or impose new taxes.

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

Redalen; Nelsen, M.; Den Ouden; Mann and Carlson, D., introduced:

H. F. No. 1080, A bill for an act relating to agriculture; allowing certain containers for dairy products; repealing Minnesota Statutes 1978, Sections 116F.21 and 116F.22.

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

Redalen, Stowell and Friedrich introduced:

H. F. No. 1081, A bill for an act relating to appropriations; appropriating funds for establishment of a music library and interpretive center.

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

Jaros, Munger, Kahn, Begich and Casserly introduced:

H. F. No. 1082, A bill for an act relating to insurance; regulating cancellation, renewal, and issuance of automobile insurance policies; amending Minnesota Statutes 1978, Sections 65B.13; and 65B.15, Subdivision 1.

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

Nelsen, M.; Anderson, I., and Nysether introduced:

H. F. No. 1083, A bill for an act relating to education; providing a public lands allowance to certain school districts; adjusting a levy to take into account the allowance; regulating the allowance and the computation of the payments; authorizing a county auditor to bill a school district for certain expenses; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section.

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

Moe introduced:

H. F. No. 1084, A bill for an act relating to financial reports; requiring the preparation of annual reports on state finances; appropriating money; amending Minnesota Statutes 1978, Sections 16A.055, 16A.50, 16A.55, Subdivision 1; repealing Minnesota Statutes 1978, Section 16A.55, Subdivisions 2 to 9.

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

Berkelman introduced:

H. F. No. 1085, A bill for an act relating to health; providing for rule making authority to the board of medical examiners in relation to the licensure and regulation of midwives; amending Minnesota Statutes 1978, Chapter 148, by adding a section.

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

Sieben, M., introduced:

H. F. No. 1086, A bill for an act relating to health; placing certain restrictions on the sale of hearing aids; establishing a penalty; amending Minnesota Statutes 1978, Chapter 145, by adding a section.

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

Berglin, Faricy, Metzen, Fritz and Casserly introduced:

H. F. No. 1087, A bill for an act relating to taxation; property tax; providing a computation method for adjusted assessed valuation for school aid purposes; providing for a state reimbursement for certain types of residential housing; changing the assessment ratio on certain types of property; increasing the levy limit base of certain cities; appropriating money; amending Minnesota Statutes 1978, Sections 124.212, Subdivisions 1 and 2; 273.13, Subdivision 17b; 275.51, by adding a subdivision; and Chapter 273, by adding a section; repealing Minnesota Statutes 1978, Section 275.51, Subdivision 3d.

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

Kvam, Jacobs, Valento, Novak and Peterson introduced:

H. F. No. 1088, A bill for an act relating to taxation; income; providing job expansion and investment credits for new businesses.

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

Carlson, L.; Swanson; Wynia; Heinitz and Pavlak introduced:

H. F. No. 1089, A bill for an act relating to insurance; prohibiting certain discrimination on account of disability in the sale of automobile insurance; providing procedures for establishing discrimination in the sale of automobile insurance on the basis of race or disability; providing penalties; amending Minnesota Statutes 1978, Sections 65B.13 and 72A.20, Subdivision 1.

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

Wynia; Carlson, L.; Jude and Norman introduced:

H. F. No. 1090, A bill for an act relating to education; authorizing the state board for community colleges to contract for certain insurance coverage for students; amending Minnesota Statutes 1978, Section 136.62, by adding a subdivision.

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

Kalis, Clawson, Redalen, Valan and Lehto introduced:

H. F. No. 1091, A bill for an act relating to natural resources; providing a public policy directed to preservation of these lands; establishing a temporary joint legislative committee on agricultural and forest land preservation; requiring studies and reports by the state planning agency; providing for staffing of the joint legislative committee.

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

Reding introduced:

H. F. No. 1092, A bill for an act relating to small businesses; establishing a uniform definition of small business; amending Minnesota Statutes 1978, Section 161.321, Subdivisions 1 and 3; and Chapter 645, by adding a section; repealing Minnesota Statutes 1978, Section 16.082, Subdivisions 2, 3, 4 and 5.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Reding introduced:

H. F. No. 1093, A bill for an act relating to bingo; changing the filing requirements for organizations conducting bingo; amending Minnesota Statutes 1978, Section 349.21, Subdivision 3.

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

Halberg, Casserly, McCarron, Berglin and Weaver introduced:

H. F. No. 1094, A bill for an act relating to county human services facilities; providing authority to issue and sell revenue bonds, lease facilities, pledge revenues, and pledge full faith and credit; amending Minnesota Statutes 1978, Chapter 402, by adding a section.

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

Corbid, Nysether, Faricy and Casserly introduced:

H. F. No. 1095, A bill for an act relating to courts; venue; authorizing actions against public officers to be retained in a county other than where the public officer resides; amending Minnesota Statutes 1978, Section 542.03.

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

Clawson, Minne, Otis, Onnen and Laidig introduced:

H. F. No. 1096, A bill for an act relating to elections; increasing compensation for presidential electors; amending Minnesota Statutes 1978, Section 204A.23.

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

Anderson, B.; Mehrkens; Welch; Erickson and Anderson, G., introduced:

H. F. No. 1097, A bill for an act relating to agriculture; regulating alien ownership of land; providing for permanent resident alien and loss of status; amending Minnesota Statutes 1978, Section 500.221, Subdivisions 1, 3, and by adding a subdivision.

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

Knickerbocker introduced:

H. F. No. 1098, A bill for an act relating to evidence; declaring certain kinds of records of legislative proceedings to be not relevant evidence of legislative intent.

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

McDonald, Jude, Welch and Rees introduced:

H. F. No. 1099, A bill for an act proposing an amendment to the Minnesota Constitution; adding an article to limit state expenditures.

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

Faricy introduced:

H. F. No. 1100, A bill for an act relating to courts; second judicial district; providing for an increase in transcript fees; amending Minnesota Statutes 1978, Section 486.06.

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

Kelly introduced:

H. F. No. 1101, A bill for an act relating to motor vehicles; providing for the issuance of handicapped license plates; amending Minnesota Statutes 1978, Section 168.021, Subdivision 1.

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

Murphy introduced:

H. F. No. 1102, A bill for an act relating to labor; clarifying the definition of supervisor in the public employees labor relations act; amending Minnesota Statutes 1978, Section 179.63, Subdivision 9.

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

Sieben, M., introduced:

H. F. No. 1103, A bill for an act relating to real estate; limiting published notice of mortgage foreclosure where there is personal service; amending Minnesota Statutes 1978, Section 580.04.

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

Kalis; Johnson, C.; Wigley; Erickson and Mann introduced:

H. F. No. 1104, A bill for an act relating to education; establishing a minimum aid payment to certain school districts; expanding the definition of special state aid; appropriating money; amending Minnesota Statutes 1978, Section 124.65; and Chapter 124, by adding a section.

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

McEachern introduced:

H. F. No. 1105, A bill for an act relating to notaries public; appointing notaries on a statewide rather than a county basis; altering the commission recording requirement; clarifying enforcement powers of a notary; amending Minnesota Statutes 1978, Sections 359.01; 359.03, Subdivision 1; 359.061; and 359.11.

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

Enebo, Clawson, Tomlinson, Heap and Ewald introduced:

H. F. No. 1106, A bill for an act relating to economic security; providing for the establishment of placement services for public school employees; appropriating money.

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.

Stoa introduced:

H. F. No. 1107, A bill for an act relating to railroads; extending to home rule charter and statutory cities the powers granted to town and county boards to require safe railroad crossings; increasing the penalty for noncompliance by a railroad; amending Minnesota Statutes 1978, Sections 219.10; 219.11; and 219.12.

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

Jude and McEachern introduced:

H. F. No. 1108, A bill for an act relating to statute of limitations; providing a limitation on actions against land surveyors; amending Minnesota Statutes 1978, Chapter 541 by adding a section.

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

Reif, Blatz, Drew, Otis and Elioff introduced:

H. F. No. 1109, A bill for an act relating to education; providing for four year averaging in the declining pupil unit formula; appropriating money; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.

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

Berkelman, Schreiber, Clawson, Kroening and Casserly introduced:

H. F. No. 1110, A bill for an act relating to commerce; limiting projects for municipal industrial development; repealing Minnesota Statutes 1978, Section 474.02, Subdivisions 1a and 1b.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Stadum, Stoa, Ainley, Metzen and Blatz introduced:

H. F. No. 1111, A bill for an act relating to pollution; authorizing water pollution control fund grants for certain wastewater treatment projects; providing for use of state and federal funds in certain proportions; authorizing issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1978, Section 116.18, Subdivisions 1 and 4.

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

Haukoos, Jennings, Elioff, Weaver and Jacobs introduced:

H. F. No. 1112, A bill for an act relating to the state fire marshal; providing rule making requirements of the uniform fire code; deleting references to a dedicated fund and to archaic misdemeanor fines; repealing obsolete statutory requirements pertaining to flammable liquids, fire extinguishers, doors of buildings, and theaters; correcting an erroneous designation of responsibility concerning fire insurance premium returns; providing a penalty; amending Minnesota Statutes 1978, Sections 299F.011, Subdivision 1; 299F.19; 299F.20; 299F.21; 299F.22; 299F.23; 299F.24; 299F.26, Subdivision 1; 299F.29; 299F.31; and 299F.36, Subdivision 2; repealing Minnesota Statutes 1978, Sections 299F.011, Subdivision 2; 299F.27; 299G.10; 299H.01; and 299H.02.

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

Jaros introduced:

H. F. No. 1113, A bill for an act relating to intoxicating liquor; permitting the sale of certain intoxicating malt liquors by certain wine licensees; amending Minnesota Statutes 1978, Section 340.11, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Jaros introduced:

H. F. No. 1114, A bill for an act relating to juveniles; providing for certain parents and guardians to pay damages and costs of delinquent acts of juveniles.

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

Jaros introduced:

H. F. No. 1115, A bill for an act relating to public welfare; adding an exclusion to the public welfare licensing act in order to allow certain persons 16 years of age or older to receive residential care in unlicensed facilities; amending Minnesota Statutes 1978, Section 245.791.

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

Johnson, C.; Kalis; Esau; Anderson, G., and Den Ouden introduced:

H. F. No. 1116, A bill for an act relating to education; reducing the percentage of aid recapture; changing a levy limitation provision which applies to certain school districts; changing the effective date of a repeal; amending Minnesota Statutes 1978, Section 275.125, Subdivision 2b; and Chapter 124, by adding a section; repealing Minnesota Statutes 1978, Section 124.213.

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

Berglin introduced:

H. F. No. 1117, A bill for an act relating to taxation; income; increasing the maximum dependent care credit and removing income limitations; amending Minnesota Statutes 1978, Section 290.067.

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

Kahn and Voss introduced:

H. F. No. 1118, A bill for an act relating to liquor; giving local governing authorities exclusive control over process of issuing on-sale and off-sale licenses and enforcement of liquor regulations without review by the commissioner of public safety; removing requirements for filing wholesale liquor prices with commissioner of public safety; amending Minnesota Statutes 1978, Sections 299A.02, Subdivision 2; 340.07, Subdivision 5; 340.11, Subdivisions 5, 8, 10, 10a, 11, 13, and 20; 340.119, Subdivisions 3 and 5; 340.12; 340.355; 340.356; 340.485, Subdivisions 2 and 3; 340.492; 340.55; and 340.85, Subdivision 2; repealing Minnesota Statutes 1978, Sections 340.11, Subdivision 4; and 340.983.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Kaley and Zubay introduced:

H. F. No. 1119, A bill for an act relating to children; requiring that adoptive parents and the adoptive child shall be made parties to certain proceedings related to terminating adoptions; prohibiting a presumption that biological parents should be favored in such proceedings; amending Minnesota Statutes 1978, Sections 259.24, Subdivision 6; and 259.25, Subdivision 2.

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

Esau, Mann, Erickson, McEachern and Heinitz introduced:

H. F. No. 1120, A bill for an act relating to local government; providing emergency snow removal aid; permitting an emergency levy; appropriating money.

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

Sieben, H.; Schreiber; Pehler; Casserly and Halberg introduced:

H. F. No. 1121, A bill for an act relating to taxation; property; eliminating the requirement for providing certificates of rent paid for purposes of the property tax refund; amending Minnesota Statutes 1978, Section 290A.19.

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

Weaver, Luknic, Welch and Carlson, D., introduced:

H. F. No. 1122, A bill for an act relating to health; establishing hospital planning committees for state hospitals; prescribing their duties; amending Minnesota Statutes 1978, Chapter 246, by adding a section.

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

Pehler, Jaros, Evans, Peterson and Brinkman, introduced:

H. F. No. 1123, A bill for an act relating to taxation; sales and use tax; clarifying the definition of a sale; specifying tax on food, meals, drinks, and lodging; providing methods of collecting unpaid taxes; providing requirements for refunds; imposing penalties; amending Minnesota Statutes 1978, Sections 297A.01, Subdivision 3; 297A.14; 297A.33, Subdivision 1, and by adding a subdivision; 297A.35, Subdivision 1, and by adding a subdivision; and 297A.39, Subdivision 3.

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

Berkelman, Voss, Novak, Evans and Blatz introduced:

H. F. No. 1124, A bill for an act relating to taxation; income tax; providing an additional credit against tax for paraplegics and quadriplegics; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3c.

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

Anderson, G.; Biersdorf; Johnson, C.; Ludeman and Reding introduced:

H. F. No. 1125, A bill for an act relating to agriculture; transferring certain duties and personnel involved in the sale, storage and transportation of certain agricultural products from the department of public service to the department of agriculture; amending Minnesota Statutes 1978, Sections 223.02; 229.01, Subdivision 2; 229.06; 229.07; 232.01, Subdivision 1; 233.01, Subdivision 1; 233.03; 233.24; 234.02; 234.10; 235.01; 236.01, Subdivision 5.

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.

Sieben, M., introduced:

H. F. No. 1126, A bill for an act relating to state parks; authorizing the acquisition of certain lands for Afton State Park by eminent domain.

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

Osthoff introduced:

H. F. No. 1127, A bill for an act relating to elections; providing for the election days of certain cities and school districts; amending Minnesota Statutes 1978, Sections 123.32, Subdivision 1; and 205.20, Subdivision 3.

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

Wenzel introduced:

H. F. No. 1128, A bill for an act relating to state land; authorizing the conveyance by the state of certain lands in Mille Lacs County.

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

Sieben, H., introduced:

H. F. No. 1129, A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; providing a one year extension of a reduced gross earnings tax equivalent to ad valorem tax during transition; eliminating the use of limited market valuation in the assessment of property; reducing the classification ratios applied to homesteads and agricultural and seasonal recreational property; increasing the percentage and maximum amount of the homestead credit; providing state aid to local taxing authorities containing reduced assessment property and natural resources land; increasing the percentage of rent to be used to compute property tax refunds; increasing maximum amounts of property tax refunds; increasing the amount of local government aid paid by the state; appropriating money; amending Minnesota Statutes 1978, Sections 273.061, Subdivision 8; 273.11, Subdivision 2; 273.13, Subdivisions 4, 6, 7, and 14a; 273.17, Subdivision 1; 275.51, Subdivision 3d; 276.04; 290A.03, Subdivision 11; 290A.04, Subdivisions 2, 2a and 2b; 295.02; 477A.01, Subdivisions 1 and 4; and Chapters 270 and 273, by adding sections; repealing Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14.

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

Brinkman and Heinitz introduced:

H. F. No. 1130, A bill for an act relating to financial institutions; authorizing securities for investment of deposits of savings banks and other financial institutions and for deposit to secure deposits of public funds; amending Minnesota Statutes 1978, Sections 50.14, Subdivision 4; and 118.01.

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

Berglin; Carlson, L.; Reding; Rose and Wieser introduced:

H. F. No. 1131, A bill for an act relating to human services; providing state recognition and financial grants to volunteer programs for retired senior citizens; appropriating money.

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

Berglin, Berkelman, Moe, Schreiber and McDonald introduced:

H. F. No. 1132, A bill for an act relating to retirement; providing for the merging of the Minneapolis municipal employees retirement fund into the public employees retirement association; providing an appropriation; amending Minnesota Statutes 1978, Chapters 353, by adding sections; and 355, by adding a section; repealing Minnesota Statutes 1978, Chapter 422A.

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

Berglin, Moe, Patton and Norman introduced:

H. F. No. 1133, A bill for an act relating to retirement; Minneapolis municipal employees; providing for increased contributions; appropriating money; amending Minnesota Statutes 1978, Sections 422A.08, Subdivision 2, and by adding a subdivision; and 422A.10, Subdivision 1; and Chapter 355, by adding a section.

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

HOUSE ADVISORIES

The following House Advisories were introduced:

Prahl, Begich, Biersdorf, Anderson, I., and Minne introduced:

H. A. No. 11, A proposal to study the feasibility of converting wood scrap to alcohol.

The advisory was referred to the Committee on Energy and Utilities.

Clawson; Welch; Sieben, M.; Esau and Blatz introduced:

H. A. No. 12, A proposal to determine need for long-range plan relative to developmental achievement centers (DACs).

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

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the committee referral of the following bills, which bills were referred to the committee upon objection pursuant to the organizational agreement:

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
945	Mar. 22, 1979	Local and Urban Affairs
960	Mar. 22, 1979	Judiciary
970	Mar. 22, 1979	Governmental Operations
984	Mar. 22, 1979	General Legislation and Veterans Affairs
991	Mar. 22, 1979	Education
1000	Mar. 22, 1979	Taxes
1007	Mar. 26, 1979	Governmental Operations
1009	Mar. 26, 1979	Health and Welfare
1012	Mar. 26, 1979	Judiciary

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
1015	Mar. 26, 1979	Governmental Operations
1016	Mar. 26, 1979	Appropriations
1020	Mar. 26, 1979	Judiciary
1021	Mar. 26, 1979	Taxes
1023	Mar. 26, 1979	Education
1024	Mar. 26, 1979	Governmental Operations
1028	Mar. 26, 1979	Judiciary
1031	Mar. 26, 1979	General Legislation and Veterans Affairs
1035	Mar. 26, 1979	Commerce, Economic Development and Housing
1036	Mar. 26, 1979	Commerce, Economic Development and Housing
1038	Mar. 26, 1979	Governmental Operations
1046	Mar. 27, 1979	Transportation
1047	Mar. 27, 1979	Governmental Operations
1074	Mar. 27, 1979	Local and Urban Affairs

Speaker pro tem Heinitz was called to the Chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 201, A bill for an act relating to political subdivisions; regarding public officers; permitting contracts between hospital district boards and board members; amending Minnesota Statutes 1978, Section 471.88, Subdivision 1.

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. 472, A resolution urging the President, Congress and the Secretary of Transportation to retain the Amtrak North Coast Hiawatha in the National Amtrak Transportation System.

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. 124.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

S. F. Nos. 114, 276 and 340.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Senate Concurrent Resolution No. 9 was referred to the Committee on Rules and Legislative Administration.

FIRST READING OF SENATE BILLS

S. F. No. 124, A bill for an act relating to taxation; changing computation of certain income tax credits for contributions; providing that certain income tax credits for contributions may be carried forward; amending Minnesota Statutes 1978, Section 290.21, Subdivision 3.

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

S. F. No. 114, A bill for an act relating to taxation; altering procedure for obtaining refunds of tax on certain gasoline or special fuel used for exempt purposes; appropriating funds; amending Minnesota Statutes 1978, Sections 290.06, by adding a subdivision; and 296.18, Subdivisions 1, 2, 3 and 8.

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

S. F. No. 276, A bill for an act relating to workers' compensation; prohibiting the refusal to cover under accident or health policy because of certain workers' compensation option; defining "closely held corporation"; providing for coverage of certain business owners upon election; amending Minnesota Statutes 1978, Chapter 62A, by adding a section; Sections 176.011, by adding a subdivision; 176.012; and 176.041, Subdivision 1.

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

S. F. No. 340, 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; defining candidate to include candidates for certain judicial offices and excluding those candidates from reporting under the Fair Campaign Practices Act; amending Minnesota Statutes 1978, Sections 10A.01, Subdivisions 2 and 5; 10A.14, Subdivision 1; 10A.20, Subdivision 2; 210A.01, Subdivision 3; and 290.06, Subdivision 11.

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

Carlson, D., was excused for the remainder of today's session.

CONSENT CALENDAR

H. F. No. 713, A bill for an act relating to banks and banking; providing for publication of certain bank reports; amending Minnesota Statutes 1978, Section 48.48, Subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Ainley	Anderson, B.	Anderson, G.	Anderson, R.
Adams	Albrecht	Anderson, D.	Anderson, I.	Battaglia

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

The bill was passed and its title agreed to.

H. F. No. 715, A bill for an act relating to interstate motor vehicle carriers; eliminating certain registration requirements for certain interstate carriers; amending Minnesota Statutes 1978, Section 221.62.

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

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

Those who voted in the affirmative were:

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

Sviggum	Valento	Welch	Wigley	Zubay
Swanson	Vanasek	Welker	Wynia	Speaker Searle
Thiede	Voss	Wenzel		
Tomlinson	Waldorf	Wieser		

The bill was passed and its title agreed to.

S. F. No. 204 was reported to the House.

There being no objection, S. F. No. 204 was continued on the Consent Calendar for one day.

CALENDAR

H. F. No. 206 was reported to the House and given its third reading.

UNANIMOUS CONSENT

Biersdorf requested unanimous consent to offer an amendment. The request was granted.

Biersdorf moved to amend H. F. No. 206 as follows:

Page 1, line 5, delete “; providing for recovery of”

Page 1, line 6, delete “damages”

The motion prevailed and the amendment was adopted.

Speaker Searle resumed the chair.

H. F. No. 206, A bill for an act relating to construction contracts; requiring distribution of partial payments to subcontractors or material suppliers; requiring interest on delayed payments.

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

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

Those who voted in the affirmative were:

Aasness	Anderson, R.	Byrne	Dempsey	Esau
Adams	Battaglia	Carlson, L.	Den Ouden	Evans
Ainley	Begich	Casserly	Drew	Ewald
Albrecht	Berglin	Clark	Eken	Faricy
Anderson, B.	Berkelman	Clawson	Elioff	Fjoslien
Anderson, D.	Biersdorf	Corbid	Ellingson	Forsythe
Anderson, G.	Blatz	Crandall	Enebo	Friedrich
Anderson, I.	Brinkman	Dean	Erickson	Fritz

Fudro	Knickerbocker	Murphy	Prahl	Swiggum
Greenfield	Kostohryz	Nelsen, M.	Redalen	Swanson
Halberg	Kroening	Nelson	Reding	Thiede
Haukoos	Kvam	Niehaus	Rees	Tomlinson
Heap	Laidig	Norman	Reif	Valan
Heinitz	Lehto	Norton	Rice	Valento
Hokanson	Levi	Novak	Rose	Vanasek
Jacobs	Long	Nysether	Rothenberg	Voss
Jaros	Ludeman	Olsen	Sarna	Waldorf
Jennings	Luknic	Onnen	Schreiber	Weaver
Johnson, C.	Mann	Osthoff	Searles	Welch
Johnson, D.	McCarron	Otis	Sherwood	Welker
Jude	McEachern	Patton	Sieben, H.	Wenzel
Kahn	Mehrkens	Pavlak	Sieben, M.	Wieser
Kaley	Metzen	Pehler	Simoneau	Wigley
Kalis	Minne	Peterson	Stadum	Wynia
Kelly	Moe	Piepho	Stoa	Zubay
Kempe	Munger	Pleasant	Stowell	Speaker Searle

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

S. F. No. 254, A bill for an act relating to rates of interest; regulating interest on loans for business or agricultural purposes; amending Minnesota Statutes 1978, Section 334.011, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 451, A bill for an act relating to parking privileges for handicapped persons; defining terms; extending the uses, in relation to parking privileges, of the special license plates issued to physically handicapped persons and clarifying the meaning of unauthorized use of those plates; recognizing parking certificates, insignia or license plates issued to handicapped persons by other jurisdictions; modifying the criteria for posted signs designating handicapped parking spaces; imposing penalties; amending Minnesota Statutes 1978, Sections 168.021, Subdivisions 3 and 5, and by adding a subdivision; 169.345; and 169.346, Subdivisions 1, 2 and 3.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 521, A bill for an act relating to domestic abuse; authorizing judicial intervention to provide protection from domestic abuse; prescribing penalties.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 677, A bill for an act relating to courts; providing for the interest rate on verdicts and judgments; amending Minnesota Statutes 1978, Sections 549.09 and 550.36.

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

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

Those who voted in the affirmative were:

Aasness	Clawson	Fudro	Kroening	Norton
Adams	Corbid	Greenfield	Kvam	Novak
Ainley	Crandall	Halberg	Laidig	Nysether
Albrecht	Dean	Haukoos	Lehto	Olsen
Anderson, B.	Dempsey	Heap	Levi	Onnen
Anderson, D.	Den Ouden	Heinitz	Long	Osthoff
Anderson, G.	Drew	Hokanson	Ludeman	Otis
Anderson, I.	Eken	Jacobs	Luknic	Patton
Anderson, R.	Elioff	Jaros	Mann	Pavlak
Battaglia	Ellingson	Jennings	McCarron	Pehler
Begich	Enebo	Johnson, C.	McDonald	Peterson
Berglin	Erickson	Johnson, D.	McEachern	Piepho
Berkelman	Esau	Jude	Mehrkens	Pleasant
Biersdorf	Evans	Kahn	Metzen	Prahl
Blatz	Ewald	Kaley	Minne	Redalen
Brinkman	Faricy	Kalis	Moe	Reding
Byrne	Fjoslien	Kelly	Murphy	Rees
Carlson, L.	Forsythe	Kempe	Nelson	Reif
Casserly	Friedrich	Knickerbocker	Niehaus	Rice
Clark	Fritz	Kostohryz	Norman	Rose

Rothenberg	Sieben, M.	Swanson	Voss	Wieser
Sarna	Simoneau	Thiede	Waldorf	Wigley
Schreiber	Stadum	Tomlinson	Weaver	Wynia
Searles	Stoa	Valan	Welch	Zubay
Sherwood	Stowell	Valento	Welker	Speaker Searle
Sieben, H.	Sviggum	Vanasek	Wenzel	

The bill was passed and its title agreed to.

S. F. No. 198, A bill for an act relating to professional corporations; clarifying the kinds of professional services which may be rendered; permitting pharmacists to organize professional corporations; allowing nonprofessionals to hold certain corporate offices and positions; providing for reconstitution of corporate powers and privileges; amending Minnesota Statutes 1978, Sections 319A.02, Subdivision 2; 319A.12, by adding a subdivision; 319A.15; and 319A.16.

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

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	Anderson, G.	Kroening	Osthoff	Vanasek
--------------	--------------	----------	---------	---------

The bill was passed and its title agreed to.

H. F. No. 60, A bill for an act relating to natural resources; modifying certain trespass laws; amending Minnesota Statutes 1978, Section 100.273, Subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 92 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Aasness	Ellingson	Kahn	Nelsen, M.	Stowell
Ainley	Erickson	Kalis	Niehaus	Swiggum
Albrecht	Esau	Kelly	Norton	Thiede
Anderson, B.	Evans	Knickerbocker	Nysether	Tomlinson
Anderson, D.	Forsythe	Kostohryz	Onnen	Valan
Anderson, G.	Friedrich	Kvam	Otis	Valento
Anderson, I.	Fritz	Laidig	Patton	Vanasek
Battaglia	Greenfield	Lehto	Pavlak	Voss
Begich	Haukoos	Levi	Peterson	Waldorf
Berkelman	Heap	Long	Pleasant	Weaver
Blatz	Heinitz	Ludeman	Prahl	Welch
Brinkman	Hoberg	Luknie	Redalen	Welker
Clawson	Hokanson	Mann	Reif	Wenzel
Corbid	Jacobs	McDonald	Rothenberg	Wieser
Dean	Jaros	McEachern	Schreiber	Wigley
Dempsey	Jennings	Mehrkens	Searles	Speaker Searle
Den Ouden	Johnson, C.	Minne	Sherwood	
Eken	Johnson, D.	Munger	Simoneau	
Elioff	Jude	Murphy	Stadum	

Those who voted in the negative were:

Adams	Drew	Kempe	Osthoff	Sieben, M.
Anderson, R.	Enebo	Kroening	Pehler	Stoa
Berglin	Ewald	Metzen	Piepho	Swanson
Byrne	Faricy	Moe	Reding	Wynia
Carlson, L.	Fjoslien	Nelson	Rice	Zubay
Casserly	Fudro	Norman	Rose	
Clark	Halberg	Novak	Sarna	
Crandall	Kaley	Olsen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 191, A bill for an act relating to state lands; providing for the conveyance of certain lands to the city of Hastings.

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

The question was taken on the passage of the bill and the roll was called. There were 106 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Aasness	Begich	Casserly	Ellingson	Fudro
Adams	Berglin	Clark	Enebo	Greenfield
Ainley	Berkelman	Corbid	Esau	Halberg
Albrecht	Biersdorf	Crandall	Evans	Heap
Anderson, B.	Blatz	Dean	Ewald	Heinitz
Anderson, I.	Brinkman	Dempsey	Faricy	Hoberg
Anderson, R.	Byrne	Drew	Friedrich	Hokanson
Battaglia	Carlson, L.	Elioff	Fritz	Jacobs

Jaros	Mann	Nysether	Rice	Vanasek
Johnson, D.	McCarron	Osthoff	Rose	Voss
Jude	McDonald	Otis	Rothenberg	Waldorf
Kahn	McEachern	Patton	Sarna	Weaver
Kaley	Mehrkens	Pavlak	Searles	Welch
Kelly	Metzen	Pehler	Sherwood	Wenzel
Kempe	Moe	Peterson	Sieben, H.	Wigley
Kostohryz	Munger	Piepho	Sieben, M.	Wynia
Kroening	Murphy	Pleasant	Simoneau	Zubay
Laidig	Nelsen, M.	Prahl	Stoa	Speaker Searle
Lehto	Nelson	Redalen	Stowell	
Levi	Norman	Reding	Tomlinson	
Long	Norton	Rees	Valan	
Luknic	Novak	Reif	Valento	

Those who voted in the negative were:

Anderson, D.	Fjoslien	Kalis	Olsen	Welker
Anderson, G.	Forsythe	Kvam	Onnen	Wieser
Den Ouden	Haukoos	Ludeman	Stadum	
Eken	Jennings	Minne	Svigum	
Erickson	Johnson, C.	Niehaus	Thiede	

The bill was passed and its title agreed to.

H. F. No. 214, A bill for an act relating to taxation; excise tax on intoxicating liquor and malt beverages; providing for a refund of taxes paid if product is destroyed upon an agency order; appropriating money; amending Minnesota Statutes 1978, Chapter 340, by adding a section.

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

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

Those who voted in the affirmative were:

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

Simoneau	Swanson	Vanasek	Welker	Zubay
Stadum	Thiede	Voss	Wenzel	Speaker Searle
Stoa	Tomlinson	Waldorf	Wieser	
Stowell	Valan	Weaver	Wigley	
Svigum	Valento	Welch	Wynia	

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with 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

Speaker pro tem Heinitz assumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 486 which it recommended to pass with the following amendments:

Offered by Faricy:

Page 3, after line 24, insert a new section to read as follows:

"Sec. 2. Minnesota Statutes 1978, Section 47.20, Subdivision 6, is amended to read:

Subd. 6. *No conventional loan or loan authorized in subdivision 1 or a mortgage securing such a loan shall contain a provision prohibiting assumption of the loan or requiring the consent of the lender for assumption of the loan or obligation by another person.* No conventional loan or loan authorized in subdivision 1 made on or after (THE EFFECTIVE DATE OF LAWS 1977, CHAPTER 350) May 28, 1977 shall contain a provision requiring or permitting the imposition of a fee or penalty in excess of one-tenth of one percent of the remaining unpaid principal balance in the event the loan or advance of credit and the obligation incurred thereby is assumed by another person."

Further, amend the title:

Line 5, delete "Subdivision 4" and insert "Subdivisions 4 and 6"

Offered by Sieben, M.:

As previously amended, page 3, after line 24, add a section to read:

"Sec. 2. Minnesota Statutes 1978, Section 47.20, Subdivision 9, is amended to read:

Subd. 9. (1) For purposes of this subdivision the term "mortgagee" shall mean all state banks and trust companies, national banking associations, state and federally chartered savings and loan associations, mortgage banks, mutual savings banks, insurance companies, credit unions or assignees of the above. Each mortgagee requiring funds of a mortgagor to be paid into an escrow, agency or similar account for the payment of taxes or insurance premiums with respect to a mortgaged one to four family, owner occupied residence located in this state, unless the account is required by federal law or regulation or maintained in connection with a conventional loan in an original principal amount in excess of 80 percent of the lender's appraised value of the residential unit at the time the loan is made or maintained in connection with loans insured or guaranteed by the secretary of housing and urban development, by the administrator of veterans affairs, or by the administrator of the farmers home administration, shall calculate interest on such funds at a rate of not less than (FOUR) *five* percent per annum. Such interest shall be computed on the average monthly balance in such account on the first of each month for the immediately preceding 12 months of the calendar year or such other fiscal year as may be uniformly adopted by the mortgagee for such purposes and shall be annually credited to the remaining principal balance on the mortgage, or at the election of the mortgagee, paid to the mortgagor or credited to his account. If the interest exceeds the remaining balance, the excess shall be paid to the mortgagor or vendee. The requirement to pay interest shall apply to such accounts created prior to June 1, 1976 as well as to accounts created after June 1, 1976.

(2) A mortgagee offering the following option (c) to a mortgagor but not requiring maintenance of escrow accounts as described in clause (1), whether or not the accounts were required by the mortgagee or were optional with the mortgagor, shall offer to each of such mortgagors the following options:

(a) the mortgagor may manage the payment of insurance and taxes by himself;

(b) the mortgagor may open with the mortgagee a pass-book savings account carrying the current rate of interest being paid on such accounts by the mortgagee in which the mortgagor can deposit the funds previously paid into the escrow account;
or

(c) the mortgagor may elect to maintain a non-interest bearing escrow account as described in clause (1) to be serviced by the mortgagee at no charge to the mortgagor.

A mortgagee that is not a depository institution offering passbook savings accounts shall instead of offering option (b) above notify its mortgagors (1) that they may open such accounts at a depository institution and (2) of the current maximum legal interest rate on such accounts.

A mortgagee offering option (c) above to a mortgagor but not requiring the maintenance of escrow accounts shall notify its mortgagor of the options under (a), (b) and (c). The notice shall state the option and state that an escrow account is not required by the mortgagee, that the mortgagor is legally responsible for the payment of taxes and insurance, and that the notice is being given pursuant to subdivision 9.

Notice shall be given within 30 days after the effective date of the provisions of Laws 1977, Chapter 350 amending the subdivision, as to mortgagees offering option (c) above to mortgagors but not requiring escrow accounts as of the effective date, or within 30 days after a mortgagee's decision to discontinue requiring escrow accounts if the mortgagee continues to offer option (c) above to mortgagors. If no reply is received within 30 days, option (c) shall be selected for the mortgagor but the mortgagor may, at any time, select another option.

A mortgagee making a new mortgage and offering option (c) above to a prospective mortgagor shall, at the time of loan application, notify the prospective mortgagor of options (a), (b) and (c) above which must be extended to the prospective mortgagor. The mortgagor shall select one of the options at the time the loan is made.

Any notice required by this clause (2) shall be on forms approved by the commissioner of banking and shall provide that at any time a mortgagor may select a different option. The form shall contain a blank where the current passbook rate of interest shall be entered by the mortgagee. Any option selected by the mortgagor shall be binding on the mortgagee.

This clause (2) does not apply to escrow accounts which are excepted from the interest paying requirements of clause (1).

(3) A mortgagee shall be prohibited from charging a direct fee for the administration of the escrow account.

(4) A mortgagee shall make timely payments of tax and insurance bills provided that funds paid into the account by the mortgagor are sufficient for the payment. If there is a shortage of funds the mortgagee shall promptly notify the mortgagor of the shortage. Failure to make the payment required by this clause shall subject the mortgagee to liability for all damages caused by the failure except that this sentence shall not deprive the mortgagee of the right to present any

legal defenses in any subsequent proceeding. The mortgagee is permitted to make any payment on behalf of the mortgagor even though there are not sufficient funds in a particular account to cover the payment."

Delete the title amendment in the Faricy amendment and further amend the title as follows:

Line 5, delete "Subdivision 4" and insert "Subdivisions 4, 6 and 9"

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

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Greenfield moved to amend H. F. No. 486, as follows:

Page 3, lines 16 to 23, reinstate the stricken language

Page 3, lines 18 and 19, strike the reinstated "July 31, 1979" and insert "*November 30, 1982*"

Page 3, reinstate line 24

Page 3, line 24, strike the reinstated "July 31, 1979" and insert "*November 30, 1982*"

The question was taken on the adoption of the amendment and the roll was called. There were 61 yeas and 72 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Ainley	Anderson, D.	Biersdorf	Brinkman
Adams	Albrecht	Anderson, R.	Blatz	Crandall

Dean	Heap	McDonald	Piepho	Swiggum
Dempsey	Heinitz	McEachern	Pleasant	Thiede
Den Ouden	Hoberg	Mehrkens	Redalen	Valan
Drew	Jennings	Metzen	Rees	Valento
Erickson	Johnson, D.	Nelsen, B.	Reif	Weaver
Esau	Jude	Niehaus	Rose	Welker
Evans	Kaley	Norman	Rothenberg	Wieser
Ewald	Kalis	Nysether	Schreiber	Wigley
Fjoslien	Knickerbocker	Olsen	Searles	Zubay
Forsythe	Kvam	Onnen	Sherwood	Speaker Searle
Friedrich	Laidig	Patton	Stadum	
Halberg	Levi	Pavlak	Stoa	
Haukoos	Ludeman	Peterson	Stowell	

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

Faricy moved to amend H. F. No. 486 as follows:

Page 3, after line 24, insert a new section to read as follows:

"Sec. 2. Minnesota Statutes 1978, Section 47.20, Subdivision 6, is amended to read:

Subd. 6. *No conventional loan or loan authorized in subdivision 1 or a mortgage securing such a loan shall contain a provision prohibiting assumption of the loan or requiring the consent of the lender for assumption of the loan or obligation by another person. No conventional loan or loan authorized in subdivision 1 made on or after (THE EFFECTIVE DATE OF LAWS 1977; CHAPTER 350) May 28, 1977 shall contain a provision requiring or permitting the imposition of a fee or penalty in excess of one-tenth of one percent of the remaining unpaid principal balance in the event the loan or advance of credit and the obligation incurred thereby is assumed by another person."*

Further, amend the title:

Line 5, delete "Subdivision 4" and insert "Subdivisions 4 and 6"

The question was taken on the adoption of the amendment and the roll was called. There were 78 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Carlson, L.	Elioff	Haukoos	Kempe
Anderson, G.	Casserly	Ellingson	Hoberg	Kostohryz
Anderson, I.	Clark	Enebo	Hokanson	Kroening
Battaglia	Clawson	Erickson	Jacobs	Laidig
Begich	Corbid	Faricy	Jennings	Lehto
Berglin	Crandall	Fritz	Johnson, C.	Long
Berkelman	Dean	Fudro	Jude	McCarron
Blatz	Drew	Greenfield	Kahn	McEachern
Byrne	Eken	Halberg	Kelly	Minne

Moe	Onnen	Reding	Sieben, M.	Voss
Murphy	Osthoff	Rees	Simoneau	Waldorf
Nelsen, M.	Otis	Reif	Stoa	Weaver
Nelson	Pehler	Rice	Stowell	Welch
Norton	Peterson	Rothenberg	Swanson	Wynia
Novak	Pleasant	Sarna	Tomlinson	
Olsen	Prahl	Sieben, H.	Vanasek	

Those who voted in the negative were:

Aasness	Evans	Kvam	Nysether	Thiede
Adams	Ewald	Levi	Patton	Valan
Ainley	Fjoslien	Ludeman	Pavlak	Valento
Albrecht	Forsythe	Luknic	Piepho	Welker
Anderson, D.	Friedrich	Mann	Redalen	Wenzel
Anderson, R.	Heap	McDonald	Rose	Wieser
Biersdorf	Heinitz	Mehrkens	Schreiber	Wigley
Brinkman	Johnson, D.	Metzen	Searles	Zubay
Dempsey	Kaley	Nelsen, B.	Sherwood	Speaker Searle
Den Ouden	Kalis	Niehaus	Stadum	
Esau	Knickerbocker	Norman	Svigum	

The motion prevailed and the amendment was adopted.

Sieben, M., moved to amend H. F. No. 486, as amended, as follows:

Page 3, after line 24, add a section to read:

"Sec. 2. Minnesota Statutes 1978, Section 47.20, Subdivision 9, is amended to read:

Subd. 9. (1) For purposes of this subdivision the term "mortgagee" shall mean all state banks and trust companies, national banking associations, state and federally chartered savings and loan associations, mortgage banks, mutual savings banks, insurance companies, credit unions or assignees of the above. Each mortgagee requiring funds of a mortgagor to be paid into an escrow, agency or similar account for the payment of taxes or insurance premiums with respect to a mortgaged one to four family, owner occupied residence located in this state, unless the account is required by federal law or regulation or maintained in connection with a conventional loan in an original principal amount in excess of 80 percent of the lender's appraised value of the residential unit at the time the loan is made or maintained in connection with loans insured or guaranteed by the secretary of housing and urban development, by the administrator of veterans affairs, or by the administrator of the farmers home administration, shall calculate interest on such funds at a rate of not less than (FOUR) five percent per annum. Such interest shall be computed on the average monthly balance in such account on the first of each month for the immediately preceding 12 months of the calendar year or such other fiscal year as may be uniformly adopted by the mortgagee for such purposes and shall be annually credited to the remaining principal balance on the mortgage, or at the

election of the mortgagee, paid to the mortgagor or credited to his account. If the interest exceeds the remaining balance, the excess shall be paid to the mortgagor or vendee. The requirement to pay interest shall apply to such accounts created prior to June 1, 1976 as well as to accounts created after June 1, 1976.

(2) A mortgagee offering the following option (c) to a mortgagor but not requiring maintenance of escrow accounts as described in clause (1), whether or not the accounts were required by the mortgagee or were optional with the mortgagor, shall offer to each of such mortgagors the following options:

(a) the mortgagor may manage the payment of insurance and taxes by himself;

(b) the mortgagor may open with the mortgagee a pass-book savings account carrying the current rate of interest being paid on such accounts by the mortgagee in which the mortgagor can deposit the funds previously paid into the escrow account; or

(c) the mortgagor may elect to maintain a non-interest bearing escrow account as described in clause (1) to be serviced by the mortgagee at no charge to the mortgagor.

A mortgagee that is not a depository institution offering passbook savings accounts shall instead of offering option (b) above notify its mortgagors (1) that they may open such accounts at a depository institution and (2) of the current maximum legal interest rate on such accounts.

A mortgagee offering option (c) above to a mortgagor but not requiring the maintenance of escrow accounts shall notify its mortgagor of the options under (a), (b) and (c). The notice shall state the option and state that an escrow account is not required by the mortgagee, that the mortgagor is legally responsible for the payment of taxes and insurance, and that the notice is being given pursuant to subdivision 9.

Notice shall be given within 30 days after the effective date of the provisions of Laws 1977, Chapter 350 amending the subdivision, as to mortgagees offering option (c) above to mortgagors but not requiring escrow accounts as of the effective date, or within 30 days after a mortgagee's decision to discontinue requiring escrow accounts if the mortgagee continues to offer option (c) above to mortgagors. If no reply is received within 30 days, option (c) shall be selected for the mortgagor but the mortgagor may, at any time, select another option.

A mortgagee making a new mortgage and offering option (c) above to a prospective mortgagor shall, at the time of loan

application, notify the prospective mortgagor of options (a), (b) and (c) above which must be extended to the prospective mortgagor. The mortgagor shall select one of the options at the time the loan is made.

Any notice required by this clause (2) shall be on forms approved by the commissioner of banking and shall provide that at any time a mortgagor may select a different option. The form shall contain a blank where the current passbook rate of interest shall be entered by the mortgagee. Any option selected by the mortgagor shall be binding on the mortgagee.

This clause (2) does not apply to escrow accounts which are excepted from the interest paying requirements of clause (1).

(3) A mortgagee shall be prohibited from charging a direct fee for the administration of the escrow account.

(4) A mortgagee shall make timely payments of tax and insurance bills provided that funds paid into the account by the mortgagor are sufficient for the payment. If there is a shortage of funds the mortgagee shall promptly notify the mortgagor of the shortage. Failure to make the payment required by this clause shall subject the mortgagee to liability for all damages caused by the failure except that this sentence shall not deprive the mortgagee of the right to present any legal defenses in any subsequent proceeding. The mortgagee is permitted to make any payment on behalf of the mortgagor even though there are not sufficient funds in a particular account to cover the payment."

Delete the title amendment in the Faricy amendment and further amend the title as follows:

Line 5, delete "Subdivision 4" and insert "Subdivisions 4, 6 and 9"

The question was taken on the adoption of the amendment and the roll was called. There were 76 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Crandall	Haukoos	Kroening	Nelson
Anderson, G.	Drew	Hokanson	Laidig	Niehaus
Anderson, I.	Eken	Jacobs	Lehto	Norton
Battaglia	Elioff	Jaros	Long	Novak
Berglin	Ellingson	Jennings	Mann	Nysether
Berkelman	Enebo	Johnson, C.	McCarron	Onnen
Byrne	Erickson	Jude	McEachern	Osthoff
Carlson, L.	Faricy	Kahn	Minne	Otis
Casserly	Fritz	Kelly	Moe	Pehler
Clark	Fudro	Kempe	Munger	Prahl
Clawson	Greenfield	Knickerbocker	Murphy	Reding
Corbid	Halberg	Kostohryz	Nelsen, M.	Reif

Rice	Sieben, H.	Swanson	Weaver	Wenzel
Rothenberg	Sieben, M.	Tomlinson	Welch	Wynia
Sarna	Simoneau	Vanasek		
Sherwood	Stoa	Voss		

Those who voted in the negative were:

Aasness	Den Ouden	Kalis	Pavlak	Thiede
Adams	Esau	Kvam	Peterson	Valan
Ainley	Evans	Levi	Piepho	Valento
Albrecht	Ewald	Ludeman	Pleasant	Waldorf
Anderson, D.	Fjoslien	Luknic	Redalen	Welker
Anderson, R.	Forsythe	McDonald	Rees	Wieser
Begich	Friedrich	Mehrkens	Rose	Wigley
Biersdorf	Heap	Metzen	Schreiber	Zubay
Blatz	Heinitz	Nelsen, B.	Searles	
Brinkman	Hoberg	Norman	Stadum	
Dean	Johnson, D.	Olsen	Stowell	
Dempsey	Kaley	Patton	Sviggun	

The motion prevailed and the amendment was adopted.

The question was taken on the motion to recommend passage of H. F. No. 486, as amended, and the roll was called. There were 120 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Enebo	Kroening	Minne	Osthoff	Rice
Fritz	Long	Nelsen, M.	Prahl	

The motion prevailed.

MOTIONS AND RESOLUTIONS

Enebo moved that H. F. No. 876, now on Technical General Orders, be re-referred to the Committee on Appropriations.

The motion prevailed.

Pleasant moved that H. F. No. 503 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on Judiciary. The motion prevailed.

Pleasant moved that H. F. No. 513 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on Judiciary. The motion prevailed.

Norman moved that the name of Piepho be added as an author on H. F. No. 720. The motion prevailed.

Biersdorf moved that the name of Biersdorf be stricken and the name of Sviggum be added as chief author on H. F. No. 771. The motion prevailed.

Sieben, H., moved that the names of Tomlinson, Novak, Pehler, and Vanasek be added as authors on H. F. No. 1129. The motion prevailed.

Anderson, B., moved that the name of Sviggum be added as an author on H. F. No. 922. The motion prevailed.

Fritz, Begich and Biersdorf introduced:

House Resolution No. 17, A house resolution relating to the Job Corps; urging that a new site be found for the proposed Job Corps Center in Minnesota.

The resolution was referred to the Committee on Rules and Legislative Administration. Anderson, I., objected to the reference and the resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

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

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker pro tem declared the House stands adjourned until 2:00 p.m., Monday, April 2, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives