

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## THIRTY-SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 16, 1979

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Aasness	Drew	Kahn	Nelson	Sherwood
Adams	Eken	Kaley	Niehhaus	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	Hoberg	Mehrkens	Rees	Wenzel
Clark	Hokanson	Metzen	Reif	Wieser
Clawson	Jacobs	Minne	Rice	Wynia
Corbid	Jaros	Moe	Rose	Zubay
Crandall	Jennings	Munger	Rothenberg	Speaker Searle
Dean	Johnson, C.	Murphy	Sarna	
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	

A quorum was present.

Heinitz and Wigley were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kempe 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. 430, 499, 581, 710, 774, 813, 842, 1065, 1158, 123, 728, 900, 913, 976, 1214, 606, 691, 870, 936, 357 and 455 and S. F. Nos. 118, 219, 484, 549, 122, 420, 498, 58, 144 and 842 have been placed in the members' files.

S. F. No. 122 and H. F. No. 545, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Norton moved that the rules be so far suspended that S. F. No. 122 be substituted for H. F. No. 545 and that the House File be indefinitely postponed. The motion prevailed.

## PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

April 12, 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. 493, relating to the city of Bemidji; authorizing the issuance of bonds authorized at a special election.

Sincerely,

ALBERT H. QUIE  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

April 12, 1979

The Honorable Rod Searle  
Speaker of the House of Representatives

The Honorable Edward J. Gearty  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1979 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1979	Date Filed 1979
298		27	April 12	April 12
	493	28	April 12	April 12

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

## REPORTS OF STANDING COMMITTEES

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 305, A bill for an act relating to education; requiring the expungement of certain material from the files of certain supervisory employees; amending Minnesota Statutes 1978, Sections 125.12, Subdivision 14 and 125.17, Subdivision 12.

Reported the same back with the following amendments:

Page 1, line 14, strike "his"

Page 1, line 18, strike "his"

Page 2, line 6, before the period insert "; provided, the grievance procedure promulgated by the director of the bureau of mediation services, pursuant to section 179.71, subdivision 5, clause (i), shall apply to those principals and supervisory em-

*ployees not included in an appropriate unit as defined in section 179.63, subdivision 1"*

Page 3, line 1, before the period insert "*; provided, the grievance procedure promulgated by the director of the bureau of mediation services, pursuant to section 179.71, subdivision 5, clause (i), shall apply to those principals and supervisory employees not included in an appropriate unit as defined in section 179.63, subdivision 1"*

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. 311, A bill for an act relating to credit unions; allowing membership by spouses of relatives of regularly qualified members; amending Minnesota Statutes 1978, Section 52.05.

Reported the same back with the following amendments:

Page 1, lines 15, 16, and 19, delete the new language

Page 1, line 20, after the period insert "*The surviving spouse of a regularly qualified member may become a member.*"

Further amend the title as follows:

Page 1, line 3, delete "spouses of relatives" and insert "surviving spouses"

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 318, A bill for an act relating to domestic relations; contracts and conveyances between husband and wife; amending Minnesota Statutes 1978, Sections 500.19, by adding a subdivision; and 519.06.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 500.19, Subdivision 2, is amended to read:

Subd. 2. [CONSTRUCTION OF GRANTS AND DEVISES.] All grants and devises of lands, made to two or more persons, shall be construed to create estates in common, and not in joint tenancy, unless expressly declared to be in joint tenancy. This (SECTION) *subdivision* shall not apply to mortgages, nor to devises or grants made in trust, or to executors.

Sec. 2. Minnesota Statutes 1978, Section 500.19, is amended by adding a subdivision to read:

Subd. 3. [JOINT TENANCY REQUIREMENTS ABOLISHED.] *The common law requirement for unity of time, title, interest, and possession in the creation of a joint tenancy is abolished.*

Sec. 3. Minnesota Statutes 1978, Section 500.19, is amended by adding a subdivision to read:

Subd. 4. [CONVERTING ESTATES.] *An owner of an interest in real estate may convey the interest directly to himself and one or more other persons as joint tenants.*

Sec. 4. Minnesota Statutes 1978, Section 500.19, is amended by adding a subdivision to read:

Subd. 5. [SEVERANCE OF ESTATES IN JOINT TENANCY.] *A severance of a joint tenancy interest in real estate by a joint tenant shall be legally effective only if (1) the instrument of severance is recorded in the office of the county recorder or the registrar of titles in the county where the real estate is situated; or (2) the instrument of severance is executed by all of the joint tenants; or (3) the severance is ordered by a court of competent jurisdiction; or (4) a severance is effected pursuant to bankruptcy of a joint tenant.*

Sec. 5. Minnesota Statutes 1978, Section 507.02, is amended to read:

507.02 [CONVEYANCES BY HUSBAND AND WIFE; POWERS OF ATTORNEY.] *If the owner (BE) is married, no (MORTGAGE) conveyance of the homestead, except a mortgage for purchase money unpaid thereon, a conveyance between spouses pursuant to section 3, or a severance of a joint tenancy pursuant to section 4, (NOR ANY SALE OR OTHER ALIENATION THEREOF) shall be valid without the signatures of both husband and wife.*

A husband and wife, by their joint deed, may convey the real estate of either. The husband, by his separate deed, may convey any real estate owned by him, except the homestead, subject to the rights of his wife therein; and the wife, by her separate deed,

may convey any real estate owned by her, except the homestead, subject to the rights of her husband therein; and either husband or wife may, by separate conveyance, relinquish his or her rights in the real estate so conveyed by the other. Subject to the foregoing provisions, either husband or wife may separately appoint an attorney to sell or convey any real estate owned by such husband or wife, or join in any conveyance made by or for the other. A minor husband or wife has legal capacity to join in a conveyance of real estate owned by his or her spouse, so long as the minor husband or wife is not incapacitated because of some reason other than his or her minor age.

Sec. 6. Minnesota Statutes 1978, Section 519.06, is amended to read:

**519.06 [CONTRACTS BETWEEN HUSBAND AND WIFE.]** No contract between husband and wife relative to the real estate of either, or any interest therein, nor any power of attorney or other authority from the one to the other to convey real estate, or any interest therein, shall be valid, *except as provided in section 3*; but, in relation to all other subjects, either may be constituted the agent of the other, or contract with the other. In all cases where the rights of creditors or purchasers in good faith come in question, each spouse shall be held to have notice of the contracts and debts of the other as fully as if a party thereto."

Amend the title as follows:

Page 1, line 2, delete "domestic relations" and insert "real estate"

Page 1, line 2, after the semicolon, insert "providing for the conveyance and limiting the severance of joint tenancy interests; permitting certain"

Page 1, line 4, after "500.19," insert "Subdivision 2, and"

Page 1, line 5, delete "a subdivision" and insert "subdivisions"

Page 1, line 5, after the semicolon, insert "507.02;"

With the recommendation that when so amended 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. 376, A bill for an act relating to pipelines; establishing a process for routing and issuing construction permits for

certain pipelines; establishing standards for pipeline routing to protect the environment and minimize adverse impact to agricultural land; granting powers and imposing duties on the environmental quality board; prohibiting construction of certain pipelines, exercise of eminent domain power and acquisition of easements without a construction permit; allowing exemptions for certain pipelines; requiring public meetings and hearings; requiring state inspection of pipeline construction; requiring minimum depth of cover for certain pipelines; relieving liability for damage to certain pipelines; establishing a property tax credit for land crossed by certain pipelines; setting fees to cover routing and inspection costs; authorizing permanent and temporary rules; providing penalties; appropriating money; amending Minnesota Statutes 1978, Sections 117.49; 276.04; 299F.61; and Chapter 299F, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 12, the terms defined in this section have the meanings given them, unless otherwise provided or indicated by the context.

Subd. 2. "Construction" means any clearing of land, excavation, or other action that would adversely affect the natural environment of a pipeline route but does not include changes needed for temporary use of a route for purposes other than installation of a pipeline, or for securing survey or geological data.

Subd. 3. "Pipeline" means pipe located in this state which is used to transport natural or synthetic gas, crude petroleum or petroleum fuels or oil or their derivatives, coal, anhydrous ammonia or any mineral slurry to a distribution center or storage facility which is located within or outside of this state.

Subd. 4. "Cultivated agricultural land" means land which is used to raise agricultural crops, is capable of use for that purpose, is plowed, fallow or contains harvested crop residue, or is pasture land.

Sec. 2. [PIPELINE PROPOSAL; ACQUISITION OF EASEMENTS; PUBLIC MEETINGS.] Subdivision 1. Any person proposing to construct or operate a pipeline shall comply with the provisions of this section before negotiating or acquiring any easement or right of way agreement for that purpose.

Subd. 2. Any person proposing to construct or operate a pipeline shall so notify the environmental quality board and the county board of each county through which the pipeline will be constructed. The notice shall include a description of the route on

which the pipeline is proposed to be located, the size and type of pipeline to be constructed, the types of commodities to be carried and the construction and operational characteristics of the pipeline. The proposed route shall be described in sufficient detail so that the owners or lessees of property on which the route is located can be identified. Notice to the environmental quality board shall be accompanied by a fee of \$25,000 for preparation of an information book as provided in section 3 and for expenses incurred by state agencies to participate in public meetings as provided in section 4. The environmental quality board shall refund any amount that exceeds the actual cost to the board of preparing the information book, including necessary revisions, and to state agencies for participating in the public meetings.

If the pipeline route described in the notice is changed to the extent that, in any county, 20 percent or more of the owners or lessees of property on which the new route is located were not owners or lessees of property on which the other route was located, the person proposing to construct and operate the pipeline shall notify the environmental quality board and the county board of that county of the change in the proposed route. No additional fee shall be required for a notice of change of a proposed route.

Subd. 3. No person shall negotiate or acquire an easement or right of way agreement for the purpose of constructing and operating a pipeline until 30 days after:

(a) A public meeting has been held as provided in section 4 in the county in which the right of way in question is located; and

(b) That person has provided to the owner or lessee from whom the easement or agreement is acquired a copy of the information book prepared pursuant to section 3. If the original information book is revised pursuant to section 3, each owner or lessee of property which the original route did not affect shall be provided with a copy of the revised book.

Sec. 3. [INFORMATION BOOK.] Within 45 days after receiving the notification and fee required by section 2 the environmental quality board shall prepare and make available to the person proposing to construct the pipeline sufficient copies of an information book for owners and lessees of property along the pipeline route. The board may allow the person proposing the pipeline to prepare the book at his own expense subject to approval of the book by the board. The information book shall contain at least the following information:

(1) A description of the pipeline proposed for construction, including the proposed route, types of commodities to be carried, size of the line and construction and operational characteristics;

(2) Explanation of the steps which must be taken to acquire right of way for the pipeline and of the rights and alternatives of the owner;

(3) Explanation of the legal requirements that must be met in constructing the pipeline; and

(4) Explanation of the county inspection procedure and instructions for contacting the inspector in the event of noncompliance with legal requirements.

Within 45 days after receiving notification of a change in a proposed route the board shall prepare and make available or shall approve a revision of the original information book so that a description of the new route and any other required information relevant to the new route is incorporated in the book.

Sec. 4. [PUBLIC MEETINGS REQUIRED.] Within 60 days of receiving notification as provided in section 2 the county board of each county in which the pipeline route is proposed to be located shall hold a public meeting as provided in this section. If a county board receives a required notification of a change in the proposed pipeline route in that county, the board shall hold an additional public meeting as provided in this section within 30 days after receiving that notification. The purpose of a public meeting held pursuant to this section shall be to provide information to the public concerning:

(1) The pipeline proposed for construction, including the proposed route, the size of the pipeline, types of commodities to be carried and construction and operating characteristics; and

(2) The legal requirements which must be met in acquiring easements and in constructing and operating the pipeline.

Notice and agenda of the public meeting shall be given by the county board at least ten days but no earlier than 45 days before the meetings. Notice shall be by publication in a legal newspaper of the county and a newspaper of general circulation in the area in which the public meeting is to be held and written notice to the clerk of each town and incorporated municipality in the county. State agencies authorized to issue permits required for construction or operation of the pipeline shall participate in the public meetings in each county. The agencies shall explain the procedures for issuing the permits and the manner in which the public may participate in those procedures.

Sec. 5. [INTERSTATE GAS PIPELINES; FEDERAL EMINENT DOMAIN; CONDITIONS NOT APPLICABLE.] Any person that proposes to construct or operate an interstate natural gas pipeline and that has power to acquire an easement or right of way agreement for that pipeline by eminent domain under the authority of the federal Natural Gas Act, Title 15,

United States Code, Chapter 15B, shall not be required to comply with the provisions of sections 2 to 4 as a condition of acquiring the easement or right of way pursuant to that action.

**Sec. 6. [PROTECTION OF PUBLIC FACILITIES AND CULTIVATED AGRICULTURAL LAND.]**

**Subdivision 1. [DEPTH OF COVER.]** Unless waived in the manner provided in subdivisions 2 or 3, any pipeline installed after the effective date of this section shall be buried with a minimum level cover of not less than four and one-half feet in all areas where the pipeline crosses the right of way of any public drainage facility or any county, town or municipal street or highway and where the pipeline crosses cultivated agricultural land. Where the pipeline crosses the right of way of any drainage ditch, the pipeline shall be at least 4-1/2 feet below the authorized depth of the ditch, unless waived in the manner provided in subdivisions 2 and 3.

**Subd. 2. [WAIVER OF DEPTH REQUIREMENT.]** In any easement granting right of way for a pipeline over cultivated agricultural land the grantor of the easement may waive the minimum depth of cover requirement of subdivision 1 with respect to all or part of the pipeline to be buried under that land. A waiver of the minimum depth of cover requirement of subdivision 1 shall be effective only if the waiver:

(a) Is separately and expressly stated in the easement agreement and includes an express statement by the grantor acknowledging that he has read and understood the waiver;

(b) Is printed in capital letters and in language understandable to an average person not learned in law; and

(c) Is separately signed or initialed by the grantor.

**Subd. 3. [WAIVER AND RULES OF POLITICAL SUBDIVISIONS.]** Any political subdivision authorized by law to approve the use of the right of way of any public drainage facility or any public street or highway for a pipeline may:

(1) Waive the minimum depth of cover requirement of subdivision 1 if the depth of cover or other means approved for the use of the right of way adequately protects the health and safety of the public; or

(2) Adopt and enforce by ordinance or resolution reasonable rules or regulations establishing a greater depth of cover than the minimum required in subdivision 1 and other measures for protection of public roads and drainage facilities under their jurisdiction.

Subd. 4. [INTERSTATE GAS PIPELINES; EXEMPTION.] Subdivisions 1 to 3 shall not apply to interstate natural gas pipelines subject to safety regulations under the federal Natural Gas Pipeline Safety Act of 1968, Public Law 90-481, as amended.

Subd. 5. [AGRICULTURAL PROTECTION STANDARDS.] A county board may establish by ordinance reasonable standards and conditions for pipeline construction which are necessary to protect and restore cultivated agricultural land crossed by a pipeline and to mitigate the adverse impact of pipeline construction on the productive use of that land. The standards may include but shall not be limited to standards and conditions concerning restoration of drainage tile and drainage patterns, soil compaction and removal of rocks and debris after construction. A county adopting standards and conditions for pipeline construction shall consult with adjacent counties and other counties in the same development region and shall endeavor to adopt standards and conditions which are reasonably uniform with standards and conditions in adjacent counties and in other counties in that region.

Subd. 6. [INSPECTION FEE.] Before beginning construction a person proposing to construct a pipeline shall pay an inspection fee to the treasurer of each county through which the pipeline will be constructed. The fee shall be in the amount of \$500 for each mile or fraction of a mile of pipeline that will be constructed in the county.

Subd. 7. [COUNTY INSPECTOR.] The county board of each county through which a pipeline will be constructed shall designate an inspector who shall conduct on site inspections of the construction to determine whether the pipeline is constructed in compliance with the provisions of this section and ordinances or resolutions adopted pursuant to this section. The inspector shall promptly report to the county board any failure or refusal to comply with the provisions of this section or ordinances or resolutions adopted pursuant to this section and shall issue a written notice to the person constructing the pipeline specifying the violation and the action to be taken in order to comply.

During on site inspection the inspector shall maintain a written log which shall include a record of comments and complaints concerning the pipeline construction made by owners and lessees of land crossed by the pipeline and by local officials. The log shall note in particular any complaints concerning failure to settle damage claims filed by any owner or lessee or failure to comply with the terms of an easement agreement. The log, reports and other records of the inspector shall be preserved by the county board.

Subd. 8. [EQUITABLE RELIEF.] The provisions of subdivision 1 or of ordinances or resolutions adopted pursuant to subdivisions 3 and 5 may be enforced by injunction, action to compel performance or other appropriate equitable relief in the district court of the county in which the violation occurs. The relief may be sought by petition of the county attorney or the attorney of the political subdivision that adopted the ordinance or resolution violated or in which the violation occurs.

Subd. 9. [CRIMINAL PENALTY.] Any person who violates the provisions of subdivision 1 or any ordinance or resolution adopted pursuant to subdivisions 3 and 5 is guilty of a misdemeanor for each offense. Any person who violates the provisions of section 2, subdivision 1, is guilty of a gross misdemeanor.

Subd. 10. [CIVIL PENALTY.] When the court finds that any person has violated the provisions of subdivision 1 or section 2, subdivision 1, or any ordinance or resolution adopted pursuant to subdivisions 3 and 5 or has violated any court order issued under subdivision 8 the court may impose a civil penalty of not more than \$5,000 for each violation. These penalties shall be paid to the county in which the violation occurred.

Sec. 7. [LIMITATION OF LIABILITY.] Subdivision 1. [GENERAL RULE.] Any owner or lessee of any real property or any person acting with the authority of that owner or lessee who, in the ordinary conduct of agricultural operations upon that property, causes any injury to any underground pipeline, shall not be liable for any of the direct or incidental costs of repairing, restoring or replacing the pipeline in the absence of a showing of gross negligence or willful or wanton misconduct.

"Ordinary conduct of agricultural operations", as that term is used in this subdivision, does not include well drilling or other excavation but includes the installation or repair of agricultural drainage tile subject to the provisions of subdivision 2.

Subd. 2. [NOTICE REQUIREMENT.] An owner or lessee of any real property or a person acting with his authority who installs or repairs agricultural drainage tile on that property shall be relieved of liability as provided in subdivision 1 only if that owner, lessee or other person acting with his authority notifies the designated agent of the owner or operator of the pipeline of the intention to install or repair drainage tile on the property at least seven days before that work commences. An owner or operator of a pipeline shall provide to the county auditor of each county in which that pipeline is located the name, address and phone number of the individual to whom notice shall be given as provided in this subdivision. Notice is effective if made in writing by certified mail to this designated agent of the owner or operator of the pipeline.

**Sec. 8. [PROPERTY TAX CREDIT FOR PROPERTY CROSSED BY PIPELINES.]** Every owner of land defined as class 3, 3b, 3c, 3cc, 3d, or 3f pursuant to section 273.13 listed on records of the county auditor or treasurer through which there is located any part of a pipeline constructed after the effective date of this section shall receive a credit against the tax due on the parcel of land so affected. The credit shall be in an amount determined by multiplying a fraction, the numerator of which is the length of pipeline located on that parcel and the denominator of which is the total length of that particular pipeline located on all property within the county, by ten percent of the tax revenue derived from the tax on that pipeline pursuant to section 273.33. Where a right of way width is shared by more than one property owner, the numerator shall be adjusted by multiplying the length of pipeline on the parcel by the proportion of the total width on the parcel owned by that property owner. The amount of credit for which an owner qualifies pursuant to this section shall not exceed 20 percent of the total gross tax on the affected parcel prior to deduction of the state paid agricultural credit and the state paid homestead credit.

The auditor of the county in which the affected parcel is located shall calculate the amount of the credit due for each parcel and transmit that information to the county treasurer.

**Sec. 9. [REVERSION OF EASEMENTS.]** Notwithstanding any law to the contrary, all easement interests acquired after the effective date of this section for the purpose of constructing and operating a pipeline shall revert to the then fee owner if the pipeline ceases operation for a period of five years.

**Sec. 10. [RECORDING OF SURVEY POINTS.]** The permanent location of monuments or markers found or placed in a survey of right of way for a pipeline route shall be placed on record in the office of the county recorder or registrar of titles by the owner of the pipeline. No fee shall be charged for recording this information.

**Sec. 11. [SEVERABILITY.]** If any provision of sections 1 to 12 is found to be unconstitutional and void with respect to pipelines transporting one or more of the substances enumerated in section 1, subdivision 3, the provision shall remain effective with respect to pipelines transporting any of the other enumerated substances. This provision shall supplement any general law on the subject of severability.

**Sec. 12. [SAVINGS PROVISION.]** Sections 2 to 4 shall not apply to a pipeline if, on or before the effective date of this act:

(a) An application for a certificate of need has been filed for the pipeline pursuant to section 116H.13 and easements

have been acquired for at least 85 percent of the length of the proposed pipeline right of way; or

(b) An environmental impact statement has been prepared, pursuant to chapter 116D concerning the construction of the pipeline and the environmental quality board has determined that the statement is adequate under that chapter.

Sec. 13. [EFFECTIVE DATE.] This act is effective the day after final enactment."

Delete the title in its entirety and insert:

"A bill for an act relating to pipelines; limiting negotiation and acquisition of easements; requiring public meetings and information books for affected landowners; requiring minimum depth of cover on cultivated land; authorizing adoption of local ordinances to protect public roads and drainage facilities; authorizing counties to adopt ordinances to establish pipeline construction standards; requiring pipelines to pay inspection fees; providing for a county inspector; limiting liability for certain unintentional damage to pipelines; establishing a pipeline property tax credit; providing for reversion of certain easements and recording of survey points; imposing duties on the environmental quality board and certain county boards; providing for enforcement by injunctive relief; imposing criminal and civil penalties."

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

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 536, A bill for an act relating to insurance; removing certain licensing and regulatory controls from appraisers, adjusters, solicitors and other persons handling insurance claims; repealing Minnesota Statutes 1978, Chapter 72B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 72B.01, is amended to read:

72B.01 [PURPOSE AND SCOPE.] It is the purpose of sections 72B.01 to 72B.14 to provide high quality service to insureds and insurance claimants in the state of Minnesota by pro-

viding for well trained (APPRAISERS,) adjusters and persons engaged in soliciting business for adjusters, who are qualified to deal with the public in the interest of a fair resolution of insurance claims. Sections 72B.01 to 72B.14 shall apply to all (APPRAISERS,) adjusters, and adjusters' solicitors, except as specifically stated to the contrary; but nothing in sections 72B.01 to 72B.14 shall apply to:

(a) An attorney at law who is licensed or otherwise allowed to practice law in this state and who does not hold himself out to be an adjuster, (APPRAISER) or adjuster's solicitor.

(b) A licensed agent of an authorized insurer who adjusts losses for such insurer solely under policies issued by him or his agency or on which he is the agent of record, provided the agent receives no extra compensation for such services.

(c) Personnel of township mutual companies.

(d) Adjusters for crop hail and farm windstorm damage claims who are on the staff of companies covering such risks.

(e) Persons who process life insurance annuity contract or accident and health insurance claims.

(f) Persons processing or adjusting wet marine or inland transportation claims or losses.

Sec. 2. Minnesota Statutes 1978, Section 72B.03, is amended to read:

72B.03 [LICENSES.] Subdivision 1. [REQUIREMENT; EXCEPTIONS.] Except as otherwise provided, no person shall act as an independent adjuster, public adjuster, or public adjuster solicitor (OR APPRAISER) for money, a commission, or any other thing of value, unless such person shall first obtain from the commissioner a license. No license shall be required for a person:

(a) Undergoing a training or education program under the guidance of a licensed adjuster and who is registered with the commissioner for a one year temporary permit;

(b) Acting in a catastrophe or emergency situation, and who has registered with the commissioner for that purpose;

((C) WHO IS ENGAGED AS A STAFF APPRAISER;)

((D)) (c) A nonresident adjuster who occasionally is in this state to adjust a single loss; provided, however, that if a nonresident adjusts more than six losses in this state in one year he

must qualify for and receive a nonresident's license as provided in sections 72B.01 to 72B.14, and provided the adjuster's domiciliary state affords a like privilege.

Subd. 2. [CLASSES OF LICENSES.] There shall be (FOUR) *three* classes of licenses, as follows:

- (a) Independent adjuster's license.
- (b) Public adjuster's license.
- (c) Public adjuster solicitor's license.

((D) APPRAISER'S LICENSE.)

The independent adjuster and public adjuster licenses shall be issued in at least three fields each, as follows:

(a) Fire and allied lines, inland marine lines and including all perils under homeowners' policies.

(b) All lines written as casualty insurance under section 60A.06, and including workers' compensation.

(c) A combination of the fields described in (a) and (b), above. Separate licenses shall be required for each field, but the same person may obtain licenses in more than one field. No person shall be licensed as both a public and independent adjuster. The license shall state the class for which the person is licensed and, where applicable, the field in which the person is licensed, and shall state the licensee's name and residence address, the date of issuance and the date of expiration of the license and any other information prescribed by the commissioner which is consistent with the purpose of the license.

Subd. 3. [PAYMENT FOR SERVICES; UNLAWFUL PRACTICE.] No insurer, agent, or other representative of an insurer nor any adjuster (OR APPRAISER) shall pay any fee or other compensation to any person for acting as an adjuster, (AN APPRAISER,) or a public adjuster solicitor, except to a person duly licensed to so act or to a person not required to be licensed by sections 72B.01 to 72B.14; and it shall be unlawful for any person to act as an independent adjuster, a public adjuster or a public adjuster solicitor (OR AN APPRAISER), who is not duly licensed, or excluded from the licensing requirement.

Sec. 3. Minnesota Statutes 1978, Section 72B.04, Subdivision 1, is amended to read:

72B.04 [LICENSE PROCEDURE AND REQUIREMENTS; EXAMINATIONS; FEES.] Subdivision 1. [APPLI-

CATION.] A license to act as an adjuster, (APPRAISER,) or public adjuster solicitor shall only be granted by the commissioner to a qualified person upon request.

Sec. 4. Minnesota Statutes 1978, Section 72B.04, Subdivision 2, is amended to read:

Subd 2. [QUALIFICATIONS.] An applicant for licensing as an adjuster under sections 72B.01 to 72B.14 shall be at least 18 years of age, and shall have one year's training and experience in adjusting insurance claims for damage or loss from risks in the field stated in his application. The applicant shall be competent and trustworthy and shall not have been engaged in any practice which would be grounds for suspension or revocation of a license under sections 72B.01 to 72B.14 within the three years next preceding the date of his application.

(AN APPLICANT FOR LICENSING AS AN APPRAISER UNDER SECTIONS 72B.01 TO 72B.14 SHALL BE AT LEAST 18 YEARS OF AGE AND SHALL HAVE HAD ONE YEAR'S TRAINING AND EXPERIENCE IN EVALUATING MOTOR VEHICLE PHYSICAL DAMAGE. THE APPLICANT SHALL BE COMPETENT AND TRUSTWORTHY AND SHALL NOT HAVE BEEN ENGAGED IN ANY PRACTICE WHICH WOULD BE GROUNDS FOR SUSPENSION OR REVOCATION OF A LICENSE UNDER SECTIONS 72B.01 TO 72B.14 WITHIN THE THREE YEARS NEXT PRECEDING THE DATE OF HIS APPLICATION.)

An applicant for licensing as a public adjuster solicitor under sections 72B.01 to 72B.14 shall be at least 18 years of age, shall be competent and trustworthy, and shall not have been engaged in any practice which would be grounds for suspension or revocation of a license under sections 72B.01 to 72B.14 within the three years next preceding the date of his application.

In the case of any applicant who has been convicted of a felony within the ten years next preceding the date of his application, and who in the judgment of the commissioner, meets the other qualifications, the commissioner may impose the additional requirement of the filing of a bond in accordance with the requirements of section 72B.08, subdivision 8.

Sec. 5. Minnesota Statutes 1978, Section 72B.04, Subdivision 5, is amended to read:

Subd. 5. [EXAMINATIONS.] A person applying for a license under sections 72B.01 to 72B.14 must successfully complete an examination prescribed by the commissioner, which examination shall be at least in part a written examination. Examinations shall be given at such time and place as designated by the commissioner and there shall be different examina-

tions for adjusters, (APPRAISERS) public adjuster solicitors, and applicants for temporary permits. Adjusters' examinations shall be given in at least each of three fields: fire and allied lines, inland marine lines and including all perils under homeowners policies; all lines written as casualty insurance under section 60A.06, and including workers' compensation; and a combination of the two foregoing fields. Each examination shall be, in the judgment of the commissioner with the advice of the advisory committee, sufficient to require for a satisfactory score such knowledge of insurance, adjusting practices and appraisal techniques, to the extent that such knowledge is necessary for the class of license applied for and the field in which the applicant is being examined, that the people of Minnesota will receive insurance claim service from persons who are sufficiently trained to make fair and well informed judgments in the evaluation or settlement of insured losses. The examination for an applicant for a temporary permit may be oriented to the specified fields, but shall be less exacting than the examination for a license.

The commissioner may by rule determine the period of time between failure of an examination and re-examination.

A person shall not be eligible to take an examination if his license as an adjuster (, APPRAISER,) or public adjuster solicitor has been revoked in this or any other state within the three years next preceding the date of his application.

No examination shall be required for the timely renewal of a license, unless the license has been revoked.

Sec. 6. Minnesota Statutes 1978, Section 72B.04, Subdivision 7, is amended to read:

Subd. 7. [LICENSE TERM.] Every adjuster's (, APPRAISER'S) and public adjuster solicitor's license shall be for a term expiring on December 31 next following the date of its issuance, and may be renewed for the ensuing calendar year upon the timely filing of an application for renewal.

Sec. 7. Minnesota Statutes 1978, Section 72B.08, Subdivision 1, is amended to read:

72B.08 [DENIAL, SUSPENSION AND REVOCATION OF LICENSES.] Subdivision 1. [CAUSES.] The commissioner may suspend, revoke, or refuse to issue an initial or renewal license or temporary permit for any of the following causes:

(a) Failure to pass a required examination;

(b) Material misrepresentation or fraud in obtaining or attempting to obtain a license or a temporary permit;

(c) Willful violation of any insurance law or of any provision of sections 72B.01 to 72B.14;

(d) Misappropriation, conversion or illegal withholding of moneys required to be held in a fiduciary capacity;

(e) Materially misrepresenting the terms and effect of any insurance contract, with intent to deceive, or engaging in, or attempting to engage in, any fraudulent transaction with respect to a claim or loss that the licensee or holder of a temporary permit is adjusting (OR APPRAISING) and, in the case of a public adjuster solicitor, misrepresenting the services offered or the fees or commission to be charged.

(f) Conviction of a felony under the laws of this state, any other state, the United States, or any foreign country.

(g) The licensee or holder of a temporary permit has demonstrated his incompetency or untrustworthiness to act as an adjuster (, APPRAISER,) or public adjuster solicitor;

(h) Refusal to comply with any lawful order of the commissioner.

Sec. 8. Minnesota Statutes 1978, Section 72B.10, is amended to read:

72B.10 [STAFF ADJUSTERS.] A staff adjuster (OR A STAFF APPRAISER) who adjusts (OR APPRAISES) losses or claims in this state shall not be subject to the application, licensing, or examination requirements or other qualifications set forth in sections 72B.01 to 72B.14. Such a staff adjuster (OR APPRAISER) shall not, however, engage in any of the practices forbidden to a licensee under section 72B.08, subdivision 1, clauses (c), (d), (e), (f), (g) or (h). If the commissioner has information, which if true, would establish that a staff adjuster (OR APPRAISER) has engaged or is engaging in any such prohibited practices, he may issue an order for a hearing to determine the facts involved. The order shall fix the time and place for hearing. The staff adjuster (OR APPRAISER) and one or more representatives of the insurer or insurers employing the staff adjuster (OR APPRAISER) shall make an appearance at the hearing unless the commissioner expressly waives the appearance of one or more such parties. If, following the hearing, the commissioner determines that the staff adjuster (OR APPRAISER) has engaged or is engaging in any prohibited practices, he may impose a fine, not in excess of \$500, on the staff adjuster (OR APPRAISER) or on the employing insurer or insurers, or on both such parties. In addition, the commissioner may order the employing insurer to suspend the staff adjuster (OR APPRAISER) from his duties for such period as the commissioner may deem appropriate.

Any final order of the commissioner shall be subject to judicial review. Any hearing or judicial review under this section shall be in accordance with the contested case provisions of chapter 15.

Sec. 9. [REPEALER.] *Minnesota Statutes 1978, Section 72B.02, Subdivisions 9 and 10, are repealed.*"

Amend the title as follows:

Page 1, line 3, delete the comma

Page 1, delete line 4

Page 1, line 5, delete "insurance claims"

Page 1, line 5, after the semicolon insert "amending Minnesota Statutes 1978, Sections 72B.01; 72B.03; 72B.04, Subdivisions 1, 2, 5, and 7; 72B.08, Subdivision 1; and 72B.10;"

Page 1, line 6, delete "Chapter 72B" and insert "Section 72B.02, Subdivisions 9 and 10"

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. 546, A bill for an act relating to insurance; prohibiting discrimination in the sale of automobile insurance solely on the basis of a disability; 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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 65B.13, is amended to read:

65B.13 [AUTOMOBILE INSURANCE, DISCRIMINATION IN AUTOMOBILE POLICIES FORBIDDEN.] No insurance company, or its agent, shall refuse to issue any standard policy of (AUTOMOBILE LIABILITY) *motor vehicle* insurance or make any discrimination in the acceptance of risks, in rates, premiums, dividends, or benefits of any kind, or by way of rebate:

(a) between persons of the same class, (NOR) or

(b) on account of race, or

(c) on account of physical handicap if the handicap is compensated for by special training, equipment, prosthetic device, corrective lenses, or medication and if the physically handicapped person;

(1) is licensed by the department of public safety to operate a motor vehicle in this state, and

(2) operates only vehicles which are equipped with auxiliary devices and equipment necessary for safe and effective operation by the handicapped person.

Every company or agent violating any of the foregoing provisions shall be fined not (LESS THAN \$50, NOR) more than \$100 per violation, and every officer, agent, or solicitor violating the same shall be guilty of a misdemeanor. The commissioner of insurance is authorized to treat violations of this section as an unfair insurance practice and to enforce this section using the procedures, remedies, and penalties provided in sections 72A.17 to 72A.32.

Sec. 2. Minnesota Statutes 1978, Section 65B.131, is repealed."

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon.

Page 1, delete lines 5 to 9 and insert "amending Minnesota Statutes 1978, Section 65B.13; repealing Minnesota Statutes 1978, Section 65B.131."

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. 748, A bill for an act relating to retirement; actuarial reporting law; implementing a procedure to extend the period for the amortization of unfunded liabilities in the event of changes in actuarial assumptions or increases in annuities and benefits; amending Minnesota Statutes 1978, Sections 356.215, Subdivision 4; 356.22, Subdivision 2; 422A.08, Subdivision 2; and 422A.39, Subdivision 2.

Reported the same back with the following amendments:

Page 3, line 24, after "in" insert "any or all of"

Page 3, line 27, after the comma insert "a change in the actuarial cost method used in calculating the accrued liability of all or a portion of the fund,"

Page 3, line 28, delete "two" and insert "three" and delete "produces" and insert "change or changes by themselves without inclusion of any other items of increase or decrease produce"

Page 4, line 2, after "in" insert "any or all of"

Page 4, line 5, after the comma insert "a change in the actuarial cost method used in calculating the accrued liability of all or a portion of the fund,"

Page 4, line 6, delete "two" and insert "three"

Page 4, line 6, delete "produces" and insert "change or changes by themselves without inclusion of any other items of increase or decrease produce"

Page 4, line 15, after "The" insert "level" and after "annual" insert "dollar"

Page 4, line 28, after "The" insert "level" and after "annual" insert "dollar"

Page 5, line 3, after "The" insert "level" and after "annual" insert "dollar"

Page 5, line 4, after "the" insert "level" and after "annual" insert "dollar"

Page 5, line 8, after "total" insert "level" and after "annual" insert "dollar"

Page 9, line 24, strike "five percent per annum" and insert "interest equal to the interest assumption specified in section 356.215, subdivision 4, clause (4)"

Page 10, line 4, after "1979," insert "or if the following amortization target date provides a longer amortization period than the amortization period defined by the established date for full funding as determined pursuant to section 356.215, subdivision 4, clause (7),"

With the recommendation that when so amended 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:

H. F. No. 749, A bill for an act relating to retirement; teachers retirement fund associations in cities of the first class; codification of a coordinated program for the Minneapolis and St. Paul teachers retirement fund associations; recodification of the law governing first class city teachers retirement fund associations; amending Minnesota Statutes 1978, Sections 354A.05; 354A.08; 354A.09; 354A.091; 354A.11; 354A.12; 354A.21; and 356.32, Subdivision 2; and Chapter 354A by adding sections; repealing Minnesota Statutes 1978, Sections 354A.01; 354A.02; 354A.03; 354A.04; 354A.10; 354A.13; and 354A.22.

Reported the same back with the following amendments:

Page 4, line 22, after "*payable*" insert "*to a member*" and delete "*the member*"

Page 4, line 25, after "*payable*" insert "*to a member*"

Page 5, line 21, after "*payable*" insert "*to a member*" and delete "*the member*"

Page 5, line 23, delete "*the member*"

Page 5, line 26, after "*payable*" insert "*to a member*" and delete "*the member*"

Page 5, line 28, delete "*the member*"

Page 15, line 21, after "*Minneapolis*" insert "*teachers retirement fund association*" and after "*or*" insert "*the*"

Page 15, line 22, delete "*associations*" and insert "*association*"

Page 16, line 28, after "*Minneapolis*" insert "*teachers retirement fund association*" and after "*or*" insert "*the*"

Page 16, line 29, delete "*associations*" and insert "*association*"

Page 24, line 12, delete "*respective*" and after "*district*" insert "*in which the association is located*"

Page 24, line 13, delete "*the respective*" and insert "*that*"

Page 27, line 19, delete "*liability*" and insert "*disability*"

Page 30, line 9, delete "filing of an"

Page 30, line 11, delete "Payment of"

Page 32, line 21, delete "are required to" and insert "shall"

Page 32, line 31, delete "retired" and insert "retires"

Page 33, line 6, after "to" insert "the member's"

Page 36, line 13, delete "Payment of"

Page 40, line 10, delete "recipient" and insert "recipient's"

Page 40, line 21, after "refund" insert "in lieu of any other annuity or benefit from the teachers retirement fund association other than an annuity from a tax shelter annuity program and fund as authorized pursuant to section 2, subdivision 5"

Page 42, line 22, after "A" insert "coordinated"

Page 43, line 1, after "the" insert "coordinated"

Page 44, line 12, after "member" insert "of either the Minneapolis teachers retirement fund association or of the St. Paul teachers retirement fund association"

Page 44, line 29, after "member" insert "of either the Minneapolis teachers retirement fund association or of the St. Paul teachers retirement fund association"

Page 45, line 9, after "member" insert "of either the Minneapolis teachers retirement fund association or of the St. Paul teachers retirement fund association"

Page 47, line 10, after "354A.22" insert " ; Laws 1976, Chapter 238, Section 12; and Laws 1977, Chapter 429, Section 60"

Amend the title as follows:

Page 1, line 14, after "354A.22" insert " ; Laws 1976, Chapter 238, Section 12; and Laws 1977, Chapter 429, Section 60"

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

The report was adopted.

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

H. F. No. 877, A bill for an act relating to insurance premium finance companies; authorizing finance charges at rates permitted by the general usury provisions; amending Minnesota Statutes 1978, Section 59A.09, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, delete lines 11 to 18 and insert:

*"Subd. 6. The maximum rate limitations of this section shall not apply to finance charges under an insurance premium finance agreement, if the rate does not exceed the maximum rate permissible under section 334.011 and the agreement was made to finance an insurance policy for business or agricultural purposes, as defined by section 334.011. The maximum rate limitations of this section shall not apply to an insurance premium finance agreement, if the insured is a corporation or cooperative.*

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

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. 914, A bill for an act relating to retirement; providing for continued membership in public safety employee pension funds for certain current public safety employees who may not have the power of arrest with a warrant; amending Minnesota Statutes 1978, Sections 352B.01, Subdivision 2; and 353.64, Subdivision 1.

Reported the same back with the following amendments:

Page 3, line 2, after "subdivision" insert *"in a position in the same department in which the person was employed on that date"*

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

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 924, A bill for an act relating to commerce; regulating conduct of business under assumed business names; amending

Minnesota Statutes 1978, Sections 301.09; 333.01; 333.04; 333.06; and Chapter 333, by adding sections; repealing Minnesota Statutes 1978, Sections 333.001; 333.035; and 333.055.

Reported the same back with the following amendments:

Page 4, line 3, delete "\$1" and insert "\$5"

Page 5, after line 5, add a section:

"Sec. 8. [EFFECTIVE DATE.] *This act is effective the day following its final enactment.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 929, A bill for an act relating to real estate brokers and salespersons; regulating the real estate education, research and recovery fund; setting fees; providing guidelines for the amount of the recovery portion of the fund and for paying claims; amending Minnesota Statutes 1978, Section 82.34.

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

The report was adopted.

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

H. F. No. 1165, A bill for an act relating to insurance; authorizing use of facsimile signatures on certain insurance policies; amending Minnesota Statutes 1978, Sections 60A.08, Subdivision 5; and 65A.01, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 11, strike "its" and insert "insurance"

Page 1, line 14, delete "Any" and strike "of"

Page 1, line 15, strike "a" and strike "signature" and insert "signatures"

Page 1, lines 19 to 23 delete the new language

Page 2, line 6, delete "*if a sample of the facsimile signature*"

Page 2, delete lines 7 and 8

Page 2, line 9, delete everything up to the period

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 1226, A bill for an act relating to courts; providing that probate court shall have tort action jurisdiction; amending Minnesota Statutes 1978, Section 524.3-105.

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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 1227, A bill for an act relating to health; adding a time limit for hearing appeals under the hospitalization and commitment act; amending Minnesota Statutes 1978, Section 253A.21, Subdivision 5.

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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 1235, A bill for an act relating to real estate; setting effective dates for provisions regulating the validation of foreclosure sales; amending Minnesota Statutes 1978, Section 582.27.

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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 1238, A bill for an act relating to crimes; prohibiting the obtaining or retaining of a child in violation of a court order; prescribing penalties; amending Minnesota Statutes 1978, Section 609.26.

Reported the same back with the following amendments:

Page 1, line 11, reinstate "(INTENTIONALLY)" and before "*knowingly*" insert "*and*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 1245, A bill for an act relating to crime victims reparations; providing that the record of a claim may be used as evidence by the state on its subrogation claim; providing that the state's right of subrogation shall not limit the claimant's right to recover for pain and suffering; amending Minnesota Statutes 1978, Sections 299B.10; and 299B.14.

Reported the same back with the following amendments:

Page 1, line 19, delete "*pain and suffering*" and insert "*other damages*"

Amend the title as follows:

Page 1, lines 6 and 7, delete "*pain and suffering*" and insert "*other damages*"

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 305, 311, 318, 536, 546, 748, 749, 877, 914, 924, 929, 1165, 1226, 1227, 1235, 1238 and 1245 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. No. 122 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Sieben, M., and Sieben, H., introduced:

H. F. No. 1391, A bill for an act relating to the environment; establishing a state program for processing and storing hazardous wastes; establishing a state hazardous waste commission; prescribing the commission's powers and duties; providing for a penalty; appropriating money.

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

Enebo, Rice, Rothenberg, Heap and Begich introduced:

H. F. No. 1392, A bill for an act relating to labor; requiring operators of motor vehicles to stop and proceed with caution at certain entrances and exits.

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

Long, Valento, Pleasant, Fritz and Casserly introduced:

H. F. No. 1393, A bill for an act relating to taxation; reducing the assessment ratio applied to seasonal recreational property; amending Minnesota Statutes 1978, Section 273.13, Subdivisions 4 and 5a.

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

Johnson, C., for the Committee on Education, introduced:

H. F. No. 1394, A resolution memorializing the Legislature and Governor of the state of Wisconsin to amend the Wisconsin statute governing tuition reciprocity payments.

The bill was read for the first time and laid over one day.

Metzen introduced:

H. F. No. 1395, A bill for an act relating to the city of South St. Paul; permitting certain methods of financing equipment purchases.

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

Carlson, L.; Heinitz; Kaley; Berglin and Swanson introduced:

H. F. No. 1396, A bill for an act relating to health; altering a requirement governing the issuance of certificates of authority; amending Minnesota Statutes 1978, Section 62D.04, Subdivision 1.

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

Jaros introduced:

H. F. No. 1397, A bill for an act relating to public employees; providing for a uniform system of health care benefits for active and retired public employees and their dependents; establishing a public employees health plan board; prescribing its powers and duties; appropriating money.

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

Wenzel, Brinkman, Byrne, Novak and Faricy introduced:

H. F. No. 1398, A bill for an act relating to retirement; directing post retirement lump sum payments to certain annuitants, disabilitants and survivors; appropriating funds.

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

Nelson, Byrne, Welch, McEachern and Eken introduced:

H. F. No. 1399, A bill for an act relating to education; establishing a basic skills program; appropriating money.

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

Valento introduced:

H. F. No. 1400, A bill for an act relating to insurance; placing certain restrictions on life insurance policies designed to protect certain interests arising out of business relationships; amending Minnesota Statutes 1978, Chapter 61A, by adding a section.

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

Elioff, Brinkman, Jennings, Pavlak and Murphy introduced:

H. F. No. 1401, A bill for an act relating to automobile insurance; providing for calculation of premium payments; prohibiting consideration of traffic offenses more than three years old; amending Minnesota Statutes 1978, Section 65B.70, by adding a subdivision.

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

Berkelman, Jaros, Munger and Lehto introduced:

H. F. No. 1402, A bill for an act relating to retirement; extending the combined service annuity to members of the University of Minnesota faculty plan; amending Minnesota Statutes 1978, Section 356.30, Subdivision 3.

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

Patton; Sieben, H.; Laidig; Searle and Berkelman introduced:

H. F. No. 1403, A bill for an act relating to corporations; permitting employee contribution funds for political purposes; amending Minnesota Statutes 1978, Section 210A.34, by adding a subdivision.

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

Heinitz, Ewald, Metzen, Voss and Brinkman introduced:

H. F. No. 1404, A bill for an act relating to financial institutions; permitting variable payment home mortgages; amending Minnesota Statutes 1978, Chapter 47, by adding a section.

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

Kalis, Clawson, Murphy, Rose and Olsen introduced:

H. F. No. 1405, A bill for an act relating to state government; providing for the distribution of state publications and documents; amending Minnesota Statutes 1978, Sections 3.195; 15.047, Subdivision 2; 15.051, Subdivision 4; 15.18; and 648.39, Subdivision 1.

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

Kalis and Reding introduced:

H. F. No. 1406, A bill for an act relating to probate; allowing claims based on certain medical assistance to be made against the homestead; amending Minnesota Statutes 1978, Sections 510.05; and 525.16.

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

McCarron, Voss, Kostohryz, Rees and Pleasant introduced:

H. F. No. 1407, A bill for an act relating to employment; prohibiting certain cities from establishing residency requirements as a condition of employment.

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

Mehrkens, Luknic, Hokanson, Dempsey and Eliooff introduced:

H. F. No. 1408, A bill for an act relating to motor vehicles; providing for the proration of taxes on certain vehicles on the basis of the registration period; providing for the issuance and use of certain motor vehicle dealer plates; adjusting the bond provisions for certain dealers; authorizing dealers' licenses for the sale of motorized bicycles; specifying grounds for suspension and revocation of dealers' licenses; amending Minnesota Statutes 1978, Sections 168.013, Subdivision 2; and 168.27, Subdivisions 2, 12, 20, 22 and 24.

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

Clawson, Stoa and Clark introduced:

H. F. No. 1409, A bill for an act relating to the legislature; fixing the size of the legislature in 1983 and thereafter; amending Minnesota Statutes 1978, Section 2.021.

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

#### HOUSE ADVISORIES

The following House Advisory was introduced:

Clawson, Kroening, McDonald, Byrne and Heinitz introduced:

H. A. No. 25, A proposal to study the printing and distribution of the State Register.

The advisory was referred to the Committee on Governmental Operations.

### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Berglin moved that the House concur in the Senate amendments to H. F. No. 396 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

The question was taken on the repassage of the bill and the roll was called. There were 118 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Berkelman	Dempsey	Forsythe	Jennings
Adams	Biersdorf	Den Ouden	Friedrich	Johnson, C.
Ainley	Blatz	Drew	Fritz	Jude
Albrecht	Brinkman	Eken	Fudro	Kahn
Anderson, B.	Byrne	Elioff	Greenfield	Kaley
Anderson, D.	Carlson, D.	Ellingson	Halberg	Kalis
Anderson, G.	Carlson, L.	Enebo	Haukoos	Kelly
Anderson, I.	Clark	Erickson	Heap	Knickerbocker
Anderson, R.	Clawson	Esau	Hoberg	Kostohryz
Battaglia	Corbid	Evans	Hokanson	Kroening
Begich	Crandall	Ewald	Jacobs	Kvam
Berglin	Dean	Faricy	Jaros	Lehto

Levi	Murphy	Patton	Rothenberg	Valan
Long	Nelsen, B.	Pavlak	Sarna	Valento
Ludeman	Nelsen, M.	Pehler	Sherwood	Vanasek
Luknic	Nelson	Peterson	Sieben, H.	Voss
Mann	Niehaus	Piepho	Sieben, M.	Waldorf
McCarron	Norton	Pleasant	Simoneau	Welch
McEachern	Novak	Prahl	Stadum	Wenzel
Mehrkens	Nysether	Redalen	Stoa	Wynia
Metzen	Olsen	Reding	Stowell	Zubay
Minne	Onnen	Rees	Sviggum	Speaker Searle
Moe	Osthoff	Reif	Swanson	
Munger	Otis	Rice	Tomlinson	

Those who voted in the negative were:

Thiede            Wieser

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

### CONSENT CALENDAR

H. F. No. 523, A bill for an act relating to public health; prescribing fees for diagnostic laboratory services provided by the department of health; providing exemptions for charging fees; authorizing the commissioner of health to promulgate rules; amending Minnesota Statutes 1978, Chapter 144, 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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 982, A bill for an act relating to transportation; authorizing an increase in the mileage of the municipal state-aid street system; amending Minnesota Statutes 1978, Section 162.09, 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 125 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kalis

The bill was passed and its title agreed to.

H. F. No. 357, A bill for an act relating to professional regulation; regulating architects, engineers, surveyors, and landscape architects; amending Minnesota Statutes 1978, Section 326.02, Subdivision 4.

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

Those who voted in the negative were:

Erickson	Ludeman	Rees	Sviggum	Welker
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The bill was passed and its title agreed to.

H. F. No. 499, A bill for an act relating to Lac qui Parle and Big Stone Counties; changing the boundary lines between the counties; amending Laws 1937, Chapter 423, Section 1, as amended.

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	Anderson, D.	Begich	Brinkman	Clark
Adams	Anderson, G.	Berglin	Byrne	Clawson
Ainley	Anderson, I.	Berkelman	Carlson, D.	Corbid
Albrecht	Anderson, R.	Biersdorf	Carlson, L.	Crandall
Anderson, B.	Battaglia	Blatz	Casserly	Dean

Dempsey	Hoberg	Luknic	Otis	Stadum
Den Ouden	Hokanson	Mann	Patton	Stoa
Drew	Jacobs	McCarron	Pavlak	Stowell
Eken	Jaros	McDonald	Pehler	Sviggum
Elioff	Jennings	McEachern	Peterson	Swanson
Ellingson	Johnson, C.	Mehrrens	Piepho	Thiede
Enebo	Johnson, D.	Metzen	Pleasant	Tomlinson
Erickson	Jude	Minne	Prahl	Valan
Esau	Kaley	Moe	Redalen	Valento
Evans	Kalis	Murphy	Reding	Vanasek
Ewald	Kelly	Nelsen, B.	Rees	Voss
Farcy	Kempe	Nelsen, M.	Reif	Waldorf
Fjoslien	Knickerbocker	Nelson	Rice	Welch
Forsythe	Kostohryz	Niehaus	Rose	Welker
Friedrich	Kroening	Norman	Rothenberg	Wenzel
Fritz	Kvam	Norton	Sarna	Wieser
Fudro	Laidig	Novak	Searles	Wynia
Greenfield	Lehto	Nysether	Sherwood	Zubay
Halberg	Levi	Olsen	Sieben, H.	Speaker Searle
Haukoos	Long	Onnen	Sieben, M.	
Heap	Ludeman	Osthoff	Simoneau	

The bill was passed and its title agreed to.

H. F. No. 606, A bill for an act relating to controlled substances; amending the definition of Cannabis; amending certain schedules; adding the precursors of phencyclidine; amending Minnesota Statutes 1978, Sections 152.01, Subdivision 9; and 152.02, Subdivisions 2, 3 and 4.

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

Vanasek  
Voss

Waldorf  
Welch

Welker  
Wenzel

Wieser  
Wynia

Zubay  
Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 728, A bill for an act relating to education; allowing not more than ten days used by kindergarten teachers for parent-teacher conferences or teachers' workshops to count as part of the required minimum number of days school is in session; amending Minnesota Statutes 1978, Section 124.19, 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	Den Ouden	Johnson, D.	Nelsen, B.	Sarna
Adams	Drew	Jude	Nelsen, M.	Schreiber
Ainley	Eken	Kaley	Nelson	Searles
Albrecht	Elioff	Kalis	Niehaus	Sherwood
Anderson, B.	Ellingson	Kelly	Norman	Sieben, H.
Anderson, D.	Enebo	Kempe	Norton	Sieben, M.
Anderson, G.	Erickson	Knickerbocker	Novak	Simoneau
Anderson, I.	Esau	Kostohryz	Nysether	Stadum
Anderson, R.	Evans	Kroening	Olsen	Stoa
Battaglia	Ewald	Kvam	Onnen	Stowell
Begich	Faricy	Laidig	Osthoff	Sviggum
Berglin	Fjoslien	Lehto	Otis	Swanson
Berkelman	Forsythe	Levi	Patton	Thiede
Biersdorf	Friedrich	Long	Paviak	Tomlinson
Blatz	Fritz	Ludeman	Pehler	Valan
Brinkman	Fudro	Luknic	Peterson	Valento
Byrne	Greenfield	Mann	Piepho	Vanasek
Carlson, D.	Halberg	McCarron	Pleasant	Voss
Carlson, L.	Haukoos	McDonald	Prahl	Waldorf
Casserly	Heap	McEachern	Redalen	Welch
Clark	Hoberg	Mehrrens	Reding	Welker
Clawson	Hokanson	Metzen	Rees	Wenzel
Corbid	Jacobs	Minne	Reif	Wieser
Crandall	Jaros	Moe	Rice	Wynia
Dean	Jennings	Munger	Rose	Zubay
Dempsey	Johnson, C.	Murphy	Rothenberg	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 774 was reported to the House. Upon objection of ten members H. F. No. 774 was stricken from the Consent Calendar and returned to General Orders.

H. F. No. 813, A bill for an act relating to crimes; regulating dance halls; removing the limitation on persons under the age of 16; amending Minnesota Statutes 1978, Section 624.49.

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

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	Kroening	Pleasant	Rees	Welker
Erickson	Ludeman			

The bill was passed and its title agreed to.

H. F. No. 842, A bill for an act relating to local government; providing for certain local improvements and special assessments; amending Minnesota Statutes 1978, Sections 429.011, by adding a subdivision; and 429.021, 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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, D.	Begich	Brinkman	Clark
Adams	Anderson, G.	Berglin	Byrne	Clawson
Ainley	Anderson, I.	Berkelman	Carlson, D.	Corbid
Albrecht	Anderson, R.	Biersdorf	Carlson, L.	Crandall
Anderson, B.	Battaglia	Blatz	Casserly	Dean

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

The bill was passed and its title agreed to.

H. F. No. 936, A bill for an act relating to education; expanding a definition of "American Indian child"; amending Minnesota Statutes 1978, Sections 126.47, Subdivision 2.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 976, A bill for an act relating to bingo; raising the compensation allowed persons conducting a bingo occasion; amending Minnesota Statutes 1978, Section 349.17, 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 123 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	Corbid	Faricy	Pavlak	Sherwood
Carlson, D.	Erickson			

The bill was passed and its title agreed to.

H. F. No. 1065 was reported to the House.

There being no objection H. F. No. 1065 was continued on the Consent Calendar for one day.

H. F. No. 1158, A bill for an act relating to Independent School District No. 275; providing for the consolidation of Independent School District No. 275.

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

The bill was passed and its title agreed to.

S. F. No. 322 was reported to the House.

There being no objection, S. F. No. 322 was continued on the Consent Calendar for one day.

#### CALL OF THE HOUSE

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

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

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

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

### CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Sieben, H., requested immediate consideration of H. F. No. 1129.

H. F. No. 1129 was reported to the House.

Sieben, H., moved to amend H. F. No. 1129 as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 124.212, Subdivision 7c, is amended to read:

Subd. 7c. For the 1980-1981 school year a district shall receive in foundation aid \$1,220 per pupil unit less (27) 25 mills times the 1978 adjusted assessed valuation of the district, plus the amount of the agricultural tax credit by which 1979 payable 1980 property taxes in the district are reduced pursuant to section 273.132.

Sec. 2. Minnesota Statutes 1978, Section 273.11, is amended to read:

273.11 [VALUATION OF PROPERTY.] Subdivision 1. Except as provided in (SUBDIVISIONS 2 AND) *subdivision* 6 or section 273.17, subdivision 1, all property shall be valued at its market value. In estimating and determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall

he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for a fair, voluntary sale, for cash. In valuing real property which is vacant, the fact that such property is platted shall not be taken into account. An individual lot of such platted property shall not be assessed in excess of the assessment of the land as if it were unplatted until the lot is improved with a permanent improvement all or a portion of which is located upon the lot, or for a period of three years after final approval of said plat whichever is shorter. When a lot is sold or construction begun, the assessed value of that lot or any single contiguous lot fronting on the same street shall be eligible for reassessment. All property, or the use thereof, which is taxable under sections 272.01, subdivision 2, or 273.19, shall be valued at the market value of such property and not at the value of a leasehold estate in such property, or at some lesser value than its market value.

(SUBD. 2. (A) THE ASSESSOR AFTER DETERMINING THE VALUE OF ANY PROPERTY SHALL COMPARE THE VALUE WITH THAT DETERMINED IN THE PRECEDING ASSESSMENT. NOTWITHSTANDING THE PROVISIONS OF SECTION 273.17, THE AMOUNT OF THE INCREASE ENTERED IN THE CURRENT ASSESSMENT SHALL NOT EXCEED TEN PERCENT OF THE VALUE IN THE PRECEDING ASSESSMENT OR ONE-FOURTH OF THE TOTAL AMOUNT OF THE INCREASE IN VALUATION WHICHEVER IS GREATER; THE EXCESS SHALL BE ENTERED IN A SUBSEQUENT YEAR OR YEARS; PROVIDED, HOWEVER, THAT IF THE AMOUNT OF THE INCREASE IN MARKET VALUE IS)

((i) MORE THAN TEN PERCENT BUT NO MORE THAN 20 PERCENT, THE EXCESS SHALL BE ENTERED IN THE FOLLOWING YEAR;)

((ii) MORE THAN 20 PERCENT BUT NO MORE THAN 40 PERCENT, TEN PERCENT SHALL BE ENTERED IN EACH SUBSEQUENT YEAR UNTIL THE AMOUNT REMAINING TO BE ENTERED IS LESS THAN 10 PERCENT IN WHICH CASE THE AMOUNT REMAINING WILL BE ENTERED IN THE NEXT SUBSEQUENT YEAR; OR)

((iii). MORE THAN 40 PERCENT, THE EXCESS SHALL BE ENTERED EQUALLY IN THE THREE SUBSEQUENT YEARS.)

((B) IN THE CASE OF PROPERTY DESCRIBED IN SECTION 273.13, SUBDIVISIONS 6, 7, 7B, 10, 12, 17, 17B AND 19, PLUS ALL AGRICULTURAL PROPERTY AND ALL REAL ESTATE DEVOTED TO TEMPORARY AND SEASONAL RESIDENTIAL OCCUPANCY FOR RECREATIONAL PURPOSES WHICH WAS NOT SUBJECT TO THE FIVE PERCENT LIMITATION IN VALUATION INCREASE FOR THE 1973 OR THE 1974 ASSESSMENT THAT WAS PREVIOUSLY PROVIDED PURSUANT TO MINNESOTA STATUTES 1974, SECTION 273.11, SUBDIVISION 2, THE VALUE TO BE USED FOR LEVYING THE 1976 TAXES PAYABLE IN 1977 SHALL BE SET AT THE AVERAGE PERCENT OF MARKET VALUE USED FOR THE RESPECTIVE CLASS OF PROPERTY IN THE 1976 TAX LEVIES IN ITS ASSESSMENT DISTRICT IF THE MARKET VALUE AS DETERMINED BY THE ASSESSOR PURSUANT TO SECTION 273.11, SUBDIVISION 1 EXCEEDS BY MORE THAN TEN PERCENT THE LIMITED MARKET VALUE ESTABLISHED FOR THAT CLASS OF PROPERTY. SUCH PROPERTY SHALL SUBSEQUENTLY INCREASE IN VALUE FOR PROPERTY TAX PURPOSES AS PRESCRIBED IN CLAUSE (A).)

Subd. 5. Notwithstanding any other provision of law to the contrary, the limitation contained in (SUBDIVISIONS) *subdivision 1* (TO 5) shall also apply to the authority of the local board of review as provided in section 274.01, the county board of equalization as provided in section 274.13, and the state board of equalization and the commissioner of revenue as provided in section 270.11, 270.12 and 270.16 (, AND ANY INCREASE EFFECTED BY THESE BOARDS OVER THE VALUATION CURRENTLY BEING USED IN COMPUTING TAXES SHALL BE ADDED TO THE PREVIOUS ASSESSED VALUATION IN ANNUAL INCREMENTS AS PROVIDED IN SUBDIVISION 2).

Subd. 6. For purposes of property taxation, the market value of real and personal property installed prior to January 1, 1984, which is a solar, wind, or agriculturally derived methane gas system used as a heating, cooling, or electric power source of a building or structure shall be excluded from the market value of that building or structure if the property is not used to provide energy for sale.

Sec. 3. Minnesota Statutes 1978, Section 273.122, is amended to read:

273.122 [FLEXIBLE HOMESTEAD BASE VALUE.] Subdivision 1. [HOMESTEAD BASE VALUE.] For (1975 AND

PRIOR YEARS) *the 1979 assessment*, the homestead base value shall mean (\$12,000) \$30,000 of market value of any property which qualifies as homestead property for assessment purposes. The homestead base value shall be increased in any subsequent assessment year as provided in subdivision 2.

Subd. 2. [HOMESTEAD BASE VALUE INDEX.] In assessment years subsequent to (1975) 1979, the homestead base value shall be adjusted pursuant to the homestead base value index. The homestead base value index shall be computed by the equalization aid review committee for each year immediately preceding an assessment year. This index is computed in the following manner. The annual statewide average market value of homestead property as indicated by bona fide real estate sales during the year shall be divided by the statewide average market value of all homestead property sold in (1974) 1978. This quotient is multiplied by 100. For each increase of a full three and one-half points in the index the homestead base value shall be increased (\$500) \$1,000 in the following assessment year. On or before December 1 of any year preceding an assessment year the commissioner of revenue shall certify the homestead base value for that year.

Sec. 4. Minnesota Statutes 1978, Section 273.13, Subdivision 4, is amended to read:

Subd. 4. [CLASS 3.] (a) Tools, implements and machinery of an electric generating, transmission or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products or mains and pipes used in the distribution of steam or hot or chilled water for heating or cooling buildings, which are fixtures, all agricultural land, except as provided by classes 1, 3b, 3e, all buildings and structures assessed as personal property and situated upon land of the state of Minnesota or the United States government which is rural in character and devoted or adaptable to rural but not necessarily agricultural use shall constitute class 3 and shall be valued and assessed at 33 1/3 percent of the market value thereof, except as provided in clause (b). Except as provided in subdivision 5a, all real property devoted to temporary and seasonal residential occupancy for recreational purposes, and which is not devoted to commercial purposes for more than 200 days in the year preceding the year of assessment, shall be class 3 property and assessed accordingly. For this purpose, property is devoted to commercial use on a specific day if it is used, or offered for use, and a fee is charged for such use.

(b) For taxes (ASSESSED) *levied in (1977) 1979*, payable in (1978) 1980 and subsequent years, agricultural land and real property devoted to temporary and seasonal residential occupancy for recreation purposes which is classified as class 3 shall be assessed at (31) 24 percent of its market value (, AND FOR TAXES ASSESSED IN 1978, PAYABLE IN 1979 AND

THEREAFTER, IT SHALL BE ASSESSED AT 30 PERCENT OF ITS MARKET VALUE).

Sec. 5. Minnesota Statutes 1978, Section 273.13, Subdivision 6, is amended to read:

Subd. 6. [CLASS 3B.] Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead shall constitute class 3b and shall be valued and assessed at (18) 12 percent of the market value thereof in (1977) 1979, for taxes payable in (1978) 1980, and (AT 16 PERCENT THEREAFTER) *subsequent years*. The property tax to be paid on class 3b property as otherwise determined by law not exceeding (120) 320 acres less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, shall be reduced by (45) 60 percent of the tax; provided that the amount of said reduction shall not exceed (\$325. VALUATION SUBJECT TO RELIEF IN 1977 FOR TAXES PAYABLE IN 1978 SHALL BE LIMITED TO 120 ACRES OF LAND, MOST CONTIGUOUS SURROUNDING, OR BORDERING THE HOUSE OCCUPIED BY THE OWNER AS HIS DWELLING PLACE, AND, SUCH OTHER STRUCTURES AS MAY BE INCLUDED THEREON UTILIZED BY THE OWNER IN AN AGRICULTURAL PURSUIT. FOR TAXES LEVIED IN 1978 PAYABLE 1979 AND SUBSEQUENT YEARS,) \$800 nor be less than \$200. However, the reduction provided in this subdivision shall not exceed the property taxes payable for that year. Valuation subject to relief shall be limited to (160) 320 acres of land, most contiguous surrounding, (OR) bordering, or closest to the house occupied by the owner as his dwelling place, and such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the market value is in excess of the homestead base value, the amount in excess of that sum shall be valued and assessed at (31) 24 percent of its market value in (1977,) 1979 for taxes payable in (1978,) 1980 and (AT 30 PERCENT THEREAFTER) *subsequent years*. The first \$12,000 market value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section 273.132, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Sec. 6. Minnesota Statutes 1978, Section 273.13, Subdivision 6a, is amended to read:

Subd. 6a. [HOMESTEAD OWNED BY FAMILY FARM CORPORATION OR PARTNERSHIP.] (a) Each family farm corporation and each partnership operating a family farm shall be entitled to class 3b assessment and shall be eligible for the credit provided in subdivision 6 for one homestead occupied by a shareholder or partner thereof who is residing on the land and actively engaged in farming of the land owned by the corporation or partnership. Such a homestead shall not exceed (160) 320 acres, and shall be assessed as provided in subdivision 6, notwithstanding the fact that legal title to the property may be in the name of the corporation or partnership and not in the name of the person residing thereon. "Family farm corporation" and "family farm" shall mean as defined in section 500.24.

(b) In addition to property specified in paragraph (a), any other residences owned by corporations or partnerships described in paragraph (a) which are located on agricultural land and occupied as homesteads by shareholders or partners who are actively engaged in farming on behalf of the corporation or partnership shall also be assessed as class 3b property, and be entitled to the credit provided in subdivision 6, but the property eligible shall be limited to the residence itself and as much of the land surrounding the homestead, not exceeding one acre, as is reasonably necessary for the use of the dwelling as a home, and shall not include any other structures that may be located thereon.

Sec. 7. Minnesota Statutes 1978, Section 273.13, Subdivision 7, is amended to read:

Subd. 7. [CLASS 3C, 3CC.] All other real estate and class 2a property, except as provided by classes 1 and 3cc, which is used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at (22) 19 percent of the market value thereof in (1977,) 1979 for taxes payable in (1978,) 1980 and (AT 20 PERCENT THEREAFTER) *subsequent years*. The property tax to be paid on class 3c property as otherwise determined by law, less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, shall be reduced by (45) 60 percent of the amount of such tax; provided that the amount of said reduction shall not exceed (\$325) \$800 *nor be less than \$200. However, the reduction provided in this subdivision shall not exceed the property taxes payable that year.* If the market value is in excess of the sum of the homestead base value, the amount in excess of that sum shall be valued and assessed at (36) 32 percent of market value in (1977,) 1979 for taxes pay-

able in (1978,) 1980 and (AT 33 1/3 PERCENT THEREAFTER) subsequent years. The first \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. Class 3cc property shall include only real estate which is used for the purposes of a homestead by (a) any blind person, if such blind person is the owner thereof or if such blind person and his or her spouse are the sole owners thereof; or (b) any person (hereinafter referred to as veteran) who: (1) served in the active military or naval service of the United States and (2) is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheelchair, and (3) with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability; or (c) any person who: (1) is permanently and totally disabled and (2) is receiving (i) aid from any state as a result of that disability, or (ii) supplemental security income for the disabled, or (iii) workers' compensation based on a finding of total and permanent disability, or (iv) social security disability, or (v) aid under the federal railroad retirement act of 1937, 45 United States Code Annotated, Section 228b(a)5; which aid is at least 90 percent of the total income of such disabled person from all sources. Class 3cc property shall be valued and assessed at five percent of the market value thereof. Permanently and totally disabled for the purpose of this subdivision means a condition which is permanent in nature and totally incapacitates the person from working at an occupation which brings him an income. The property tax to be paid on class 3cc property as otherwise determined by law, less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, for all purposes shall be reduced by (45) 60 percent of the amount of such tax; provided that the amount of said reduction shall not exceed (\$325) \$800 nor be less than \$200. However, the reduction provided in this subdivision shall not exceed the property taxes payable for that year. If the market value is in excess of the sum of \$28,000, the amount in excess of that sum shall be valued and assessed at (31) 24 percent in (1977,) 1979 for taxes payable in (1978) 1980 and (30 PERCENT THEREAFTER) subsequent years, in the case of agricultural land used for a homestead and (36) 32 percent in the case of all other real estate used for a homestead for taxes payable in (1978) 1980 (AND 33 1/3 PERCENT FOR TAXES PAYABLE IN 1979) and subsequent years.

Sec. 8. Minnesota Statutes 1978, Section 273.13, Subdivision 14a, is amended to read:

Subd. 14a. [BUILDINGS AND APPURTENANCES ON LAND NOT OWNED BY OCCUPANT.] The property tax to be paid in respect of the value of all buildings and appurtenances thereto owned and used by the occupant as a permanent residence, which are located upon land subject to property taxes and the title to which is vested in a person or entity other than the occupant, for all purposes shall be reduced by (45) 60 percent of the amount of the tax in respect of said value as otherwise determined by law, but not by more than (\$325) \$800.

Sec. 9. *The 1978 adjusted assessed values determined under the provisions of section 124.212 shall be computed using the assessment ratios for taxes payable in 1980 provided by sections 4, 5, and 7. In the case of adjusted assessed values which are limited under the provisions of section 124.212, subdivision 11, clause (a), the recomputation provided in this section shall be made on the limited value.*

Sec. 10. Minnesota Statutes 1978, Section 273.132, is amended to read:

273.132 [STATE PAID AGRICULTURAL CREDIT.] The county auditor shall reduce the tax for school purposes on all property receiving the homestead credit pursuant to section 273.13, subdivision 6, by an amount equal to the tax levy that would be produced by applying a rate of (15) 17 mills on the property. The county auditor shall reduce the tax for school purposes on all other agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, by an amount that would be produced by applying a rate of (TEN) 12 mills on the property. The amounts so computed by the county auditor shall be submitted to the commissioner of revenue as part of the abstracts of tax lists required to be filed with the commissioner under the provisions of section 275.29. Any prior year adjustments shall also be certified in the abstracts of tax lists. The commissioner of revenue shall review such certifications to determine their accuracy. He may make such changes in the certification as he may deem necessary or return a certification to the county auditor for corrections.

In 1977, payment shall be made according to the procedure provided in section 273.13, subdivision 15a, for the purpose of replacing revenue lost as a result of the reduction of property taxes provided in this section. In 1978, payment shall be made pursuant to sections 124.212, subdivision 7b and 124.11, for the purpose of replacing revenue lost as a result of the reduction in property taxes provided in this section. There is appropriated from the general fund in the state treasury to the commissioner of revenue the amount necessary to make these payments in fiscal year 1978. There is appropriated from the general fund in the state treasury to the department of education the amount

necessary to make these payments in fiscal year 1979 and thereafter.

Sec. 11. Minnesota Statutes 1978, Section 273.17, Subdivision 1, is amended to read:

273.17 [ASSESSMENT OF REAL PROPERTY.] Subdivision 1. In every year, on January 2, the assessor shall also assess all real property that may have become subject to taxation since the last previous assessment, including all real property platted since the last real estate assessment, and all buildings or other structures of any kind, whether completed or in process of construction, of over \$1,000 in value, the value of which has not been previously added to or included in the valuation of the land on which they have been erected. (THE NEWLY ASSESSED PROPERTY SHALL BE VALUED INITIALLY AT A VALUE NOT EXCEEDING THE AVERAGE PERCENT OF MARKET VALUE USED IN THE TAX LEVIES FOR ITS RESPECTIVE CLASS OF PROPERTY IN ITS ASSESSMENT DISTRICT IF THE MARKET VALUE AS DETERMINED BY THE ASSESSOR PURSUANT TO SECTION 273.11, SUBDIVISION 1 EXCEEDS BY MORE THAN TEN PERCENT THE LIMITED MARKET VALUE ESTABLISHED FOR THAT CLASS OF PROPERTY. THE ASSESSMENT SHALL BE INCREASED TO MARKET VALUE IN ANNUAL INCREMENTS AS PROVIDED IN SECTION 273.11, SUBDIVISION 2 UNTIL SUCH TIME AS THE PROPERTY IS REASSESSED.) He shall make return thereof to the county auditor, with his return of personal property, showing the tract or lot on which each structure has been erected and the market value added thereto by such erection. Every assessor shall list, without revaluing, in each year, on a form to be prescribed by the commissioner of revenue, all parcels of land that shall have become homesteads or shall have ceased to be homesteads for taxation purposes since the last real estate assessment, and other parcels of land when the use of the land requires a change in classification or the land has been incorrectly classified in a previous assessment.

The county auditor shall note such change in the assessed valuation upon the tax lists, caused by a change in classification, and shall calculate the taxes for such year on such changed valuation. In case of the destruction by fire, flood, or otherwise of any building or structure, over \$100 in value, which has been erected previous to the last valuation of the land on which it stood, or the value of which has been added to any former valuation, the assessor shall determine, as nearly as practicable, how much less such land would sell for at private sale in consequence of such destruction, and make return thereof to the auditor.

Sec. 12. Minnesota Statutes 1978, Section 290A.03, Subdivision 11, is amended to read:

Subd. 11. [RENT CONSTITUTING PROPERTY TAXES.] "Rent constituting property taxes" means (22) 25 percent of the gross rent actually paid in cash, or its equivalent, or that portion of gross rent which is paid in lieu of property taxes, in (1977) 1979 or any subsequent calendar year by a claimant solely for the right of occupancy of his Minnesota homestead in the calendar year, and which rent constitutes the basis, in the succeeding calendar year of a claim for relief under sections 290A.01 to 290A.21 by the claimant.

Sec. 13. Minnesota Statutes 1978, Section 290A.03, Subdivision 13, is amended to read:

Subd. 13. [PROPERTY TAXES PAYABLE.] "Property taxes payable" means the property tax exclusive of special assessments, penalties, and interest payable on a claimant's homestead before reductions made pursuant to section 273.13, subdivisions 6 and 7, but after deductions made pursuant to sections 273.132 and 273.135, in 1977 or any calendar year thereafter. No apportionment or reduction of the "property taxes payable" shall be required for the use of a portion of the claimant's homestead for a business purpose if the claimant does not deduct any business depreciation expenses for the use of a portion of the homestead in the determination of federal adjusted gross income. For homesteads which are mobile homes as defined in section 168.011, subdivision 8, "property taxes payable" shall also include (22) 25 percent of gross rent paid in the preceding year for the site on which the homestead is located, exclusive of charges for utilities or services. When a homestead is owned by two or more persons as joint tenants or tenants in common, such tenants shall determine between them which tenant may claim the property taxes payable on the homestead. If they are unable to agree, the matter shall be referred to the commissioner of revenue and his decision shall be final. Property taxes are considered payable in the year prescribed by law for payment of the taxes.

In the case of a claim relating to "property taxes payable", the claimant must have owned and occupied the homestead on January 2 of the year in which the tax is payable.

Sec. 14. Minnesota Statutes 1978, Section 290A.04, Subdivision 2, is amended to read:

Subd. 2. The refund shall be paid to claimants whose property taxes payable exceed the following percentages of their income, up to the designated maximum credit amounts:

For claimants earning:

\$0 to (\$2,999) \$3,599, 0.5 percent, up to \$475;

(3,000) 3,600 to (3,999) 4,799, 0.6 percent, up to \$475;  
(4,000) 4,800 to (4,999) 5,999, 0.7 percent, up to \$475;  
(5,000) 6,000 to (5,999) 7,199, 0.8 percent, up to \$475;  
(6,000) 7,200 to (6,999) 8,399, 0.9 percent, up to \$475;  
(7,000) 8,400 to (7,999) 9,599, 1.0 percent, up to \$475;  
(8,000) 9,600 to (8,999) 10,799, 1.1 percent, up to \$475;  
(9,000) 10,800 to (9,999) 11,999, 1.2 percent, up to \$475;  
(10,000) 12,000 to (10,999) 13,199, 1.3 percent, up to \$475;  
(11,000) 13,200 to (11,999) 14,399, 1.4 percent, up to \$475;  
(12,000) 14,400 to (19,999) 23,999, 1.5 percent, up to \$475;  
(20,000) 24,000 to (22,999) 27,599, 1.6 percent, up to \$475;  
(23,000) 27,600 to (25,999) 31,199, 1.8 percent, up to \$425;  
(26,000) 31,200 to (30,999) 37,199, 2.0 percent, up to \$375;  
(31,000) 37,200 to (35,999) 43,199, 2.2 percent, up to \$350;  
(36,000) 43,200 to (40,999) 49,199, 2.4 percent, up to \$325;  
(41,000) 49,200 to (44,999) 53,999, 2.6 percent, up to \$325;  
(45,000) 54,000 to (52,999) 63,599, 2.8 percent, up to \$325;  
(53,000) 63,600 to (65,999) 79,199, 3.0 percent, up to \$325;  
(66,000) 79,200 to (81,999) 98,399, 3.2 percent, up to \$325;  
(82,000) 98,400 to (99,999) 119,999, 3.5 percent, up to \$325;  
(100,000) 120,000 and over, 4.0 percent, up to \$325;

provided that maximum credits for incomes above (\$20,000) \$24,000 decline according to the following schedule:

between (\$20,000) \$24,000 and (\$26,000) \$31,200 decline (\$16.67) \$1.39 per (\$1,000) \$100; between (\$26,000) \$31,200 and (\$36,000) \$43,200 decline (\$5) \$.42 per (\$1,000) \$100.

The payment made to a claimant shall be the amount of refund calculated pursuant to this subdivision, but not exceeding \$675, less the homestead credit given pursuant to section 273.13, subdivisions 6 and 7.

Sec. 15. Minnesota Statutes 1978, Section 290A.04, Subdivision 2a, is amended to read:

Subd. 2a. An additional refund shall be allowed each claimant who was not disabled or who had not attained the age of 65 by June 1 of the year in which the taxes were payable (AND WHOSE CLAIM IS BASED ON TAXES PAID ON THE HOME HE OWNS) in an amount equal to (35) 50 percent of the amount by which property taxes payable (AND) or rent constituting property taxes exceed the sum of (a) the refund calculated pursuant to subdivision 2 and (b) the percentage of the claimant's household income specified in subdivision 2. The sum of the refunds provided in subdivision 2 and this subdivision shall not exceed the maximum amounts provided below.

For claimants earning:

\$0 to (19,999) 23,999, up to (\$800) \$1,100;

(20,000) 24,000 to (25,999) 43,199, up to (\$800) \$1,100;

(26,000 TO 35,999, UP TO \$650;)

(36,000) 43,200 and over, up to \$325;

provided that maximum refunds for incomes above (\$20,000) \$24,000 decline according to the following schedule:

between (\$20,000) \$24,000 and (\$26,000) \$43,200 decline (\$25) \$4.04 per (\$1,000; BETWEEN \$26,000 AND \$36,000 DECLINE \$32.50 PER \$1,000) \$100. A claimant who owns his own homestead part of the year and rents part of the year may add his rent constituting property taxes to the qualifying tax on his homestead and receive the additional refund provided in subdivision 2a.

Sec. 16. Minnesota Statutes 1978, Section 290A.04, Subdivision 2b, is amended to read:

Subd. 2b. An additional refund shall be allowed each claimant who is disabled or has attained the age of 65 by June 1 of the year in which the taxes were payable in an amount equal to (50) 60 percent of the amount by which property taxes payable or rent constituting property taxes exceed the sum of (a) the refund calculated pursuant to subdivision 2 and (b) the percentage of the claimant's household income specified in subdivi-

sion 2. The sum of the refunds provided in subdivision 2 and this subdivision shall not exceed the maximum amounts provided below.

For claimants earning:

\$0 to (19,999) 23,999, up to (\$800) \$1,100;

(20,000) 24,000 to (22,999) 43,199, up to (\$800) \$1,100;

(23,000 TO 25,999, UP TO \$763;)

(26,000 TO 35,999, UP TO \$725;)

(36,000) 43,200 and over, up to \$525;

provided that maximum refunds for incomes above (\$20,000) \$24,000 decline according to the following schedule:

between (\$20,000) \$24,000 and (\$26,000) \$43,200 decline (\$12.50) \$3.00 per (\$1,000; BETWEEN \$26,000 AND \$36,000 DECLINE \$20 PER \$1,000) \$100.

In the case of a claimant who was disabled on or before June 1 or who attained the age of 65 on the date specified in subdivision 1, the refund shall not be less than the refund which the claimant's household income as defined in section 290A.03 and property tax or rent constituting property tax would have entitled him to receive under Minnesota Statutes 1974, Section 290.0618.

Sec. 17. Minnesota Statutes 1978, Section 290A.04, is amended by adding a subdivision to read:

Subd. 2c. [INFLATION ADJUSTMENT.] *For claims based on property taxes payable in 1981 and rent constituting property taxes paid in 1980 and thereafter, the income amounts in subdivisions 2, 2a, and 2b shall be adjusted for inflation. The commissioner of revenue shall annually determine the percentage increase in the consumer price index (revised series) for the Minneapolis-St. Paul metropolitan area prepared by the United States department of labor with 1967 as a base year. The commissioner of revenue shall determine the percentage change occurring over the prior one year period ending in August of the current year. The commissioner shall then multiply each of the income amounts by that percentage and add the resulting product, rounded to the nearest dollar, to such base income amounts which shall be allowed under this subdivision for that taxable year. The commissioner shall announce his determination by November 1 of each taxable year.*

Sec. 18. Minnesota Statutes 1978, Section 290A.04, Subdivision 3, is amended to read:

Subd. 3. The commissioner of revenue shall construct and make available to taxpayers a comprehensive table showing the property taxes to be paid and credit allowed at various levels of income and assessment. The table shall follow the schedule of income percentages, maximums and other provisions specified in (SUBDIVISION) *subdivisions 2, 2a, 2b, and 2c*, except that the commissioner may graduate the transition between income brackets.

For homestead property owners who are disabled or are 65 or older, as provided in subdivision 1, the commissioner shall base his determination of the credit on the gross qualifying tax reduced by the average statewide effective homestead credit percentage for taxes payable in 1975 calculated under section 273.13, subdivisions 6 and 7.

Sec. 19. [EFFECTIVE DATE.] *Sections 2, 3, 4, 5, 6, 7, 8, 10 and 11 are effective for taxes levied in 1979 payable in 1980 and subsequent years. Sections 12, 13, 14, 15, 16 and 18 are effective for claims based on property taxes payable in 1980 and rent constituting property taxes paid in 1979 and subsequent years. Section 17 is effective for claims based on property taxes payable in 1981 and rent constituting property taxes paid in 1980 and subsequent years."*

Further, delete the title and insert:

"A bill for an act relating to taxation; repealing limited market value; changing homestead base value; decreasing classification ratios on certain property; increasing homestead credit percentage and maximum amount; increasing property tax refund amounts for renters and homeowners; providing a basic adjustment and annual adjustments to property tax refund income amounts according to rate of change in the cost of living index; amending Minnesota Statutes 1978, Sections 124.212, Subdivision 7c; 273.11; 273.122; 273.13, Subdivisions 4, 6, 6a, 7 and 14a; 273.132; 273.17, Subdivision 1; 290A.03, Subdivisions 11 and 13; 290A.04, Subdivisions 2, 2a, 2b and 3, and by adding a subdivision."

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 67 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Adams	Anderson, I.	Berglin	Byrne	Clark
Anderson, B.	Battaglia	Berkelman	Carlson, L.	Clawson
Anderson, G.	Begich	Brinkman	Casserty	Corbid

Eken	Jude	McEachern	Otis	Swanson
Elioff	Kahn	Metzen	Patton	Tomlinson
Ellingson	Kalis	Minne	Pehler	Vanasek
Enebo	Kelly	Moe	Prahl	Voss
Faricy	Kempe	Munger	Reding	Waldorf
Fudro	Kostohryz	Murphy	Rice	Welch
Greenfield	Kroening	Nelsen, M.	Sarna	Wenzel
Hokanson	Lehto	Nelson	Sieben, H.	Wynia
Jacobs	Long	Norton	Sieben, M.	
Jaros	Mann	Novak	Simoneau	
Johnson, C.	McCarron	Osthoff	Stoa	

Those who voted in the negative were:

Aasness	Erickson	Johnson, D.	Nysether	Searles
Ainley	Esau	Kaley	Olsen	Sherwood
Albrecht	Evans	Knickerbocker	Onnen	Stadum
Anderson, D.	Ewald	Kvam	Pavlak	Stowell
Anderson, R.	Fjoslien	Laidig	Peterson	Sviggum
Biersdorf	Forsythe	Levi	Piepho	Thiede
Blatz	Friedrich	Ludeman	Pleasant	Valan
Carlson, D.	Fritz	Luknic	Redalen	Valento
Crandall	Halberg	McDonald	Rees	Weaver
Dean	Haukoos	Mehrkins	Reif	Welker
Dempsey	Heap	Nelsen, B.	Rose	Wieser
Den Ouden	Hoberg	Niehaus	Rothenberg	Zubay
Drew	Jennings	Norman	Schreiber	Speaker Searle

The motion prevailed and the amendment was adopted.

H. F. No. 1129, A bill for an act relating to taxation; repealing limited market value; changing homestead base value; decreasing classification ratios on certain property; increasing homestead credit percentage and maximum amount; increasing property tax refund amounts for renters and homeowners; providing a basic adjustment and annual adjustments to property tax refund income amounts according to rate of change in the cost of living index; amending Minnesota Statutes 1978, Sections 124.-212, Subdivision 7c; 273.11; 273.122; 273.13, Subdivisions 4, 6, 6a, 7 and 14a; 273.132; 273.17, Subdivision 1; 290A.03, Subdivisions 11 and 13; 290A.04, Subdivisions 2, 2a, 2b and 3, and by adding a subdivision.

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 67 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Adams	Brinkman	Elioff	Jaros	Kroening
Anderson, B.	Byrne	Ellingson	Johnson, C.	Lehto
Anderson, G.	Carlson, L.	Enebo	Jude	Long
Anderson, I.	Casserly	Faricy	Kahn	Mann
Battaglia	Clark	Fudro	Kalis	McCarron
Begich	Clawson	Greenfield	Kelly	McEachern
Berglin	Corbid	Hokanson	Kempe	Metzen
Berkelman	Eken	Jacobs	Kostohryz	Minn

Moe	Novak	Reding	Stoa	Welch
Munger	Osthoff	Rice	Swanson	Wenzel
Murphy	Otis	Sarna	Tomlinson	Wynia
Nelsen, M.	Patton	Sieben, H.	Vanasek	
Nelson	Pehler	Sieben, M.	Voss	
Norton	Prahl	Simoneau	Waldorf	

Those who voted in the negative were:

Aasness	Erickson	Johnson, D.	Nysether	Searles
Ainley	Esau	Kaley	Olsen	Sherwood
Albrecht	Evans	Knickerbocker	Onnen	Stadum
Anderson, D.	Ewald	Kvam	Pavlak	Stowell
Anderson, R.	Fjoslien	Laidig	Peterson	Sviggum
Biersdorf	Forsythe	Levi	Piepho	Thiede
Blatz	Friedrich	Ludeman	Pleasant	Valan
Carlson, D.	Fritz	Luknic	Redalen	Valento
Crandall	Halberg	McDonald	Rees	Weaver
Dean	Haukoos	Mehrkens	Reif	Welker
Dempsey	Heap	Nelsen, B.	Rose	Wieser
Den Ouden	Hoberg	Niehaus	Rothenberg	Zubay
Drew	Jennings	Norman	Schreiber	Speaker Searle

The bill was not passed, as amended.

### GENERAL ORDERS

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

#### REPORT OF COMMITTEE OF THE WHOLE

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

H. F. No. 455 which it recommended to pass as amended by the Committee of the Whole on Thursday, April 12, 1979.

H. F. No. 361 which it recommended progress.

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:

Kahn moved to amend H. F. No. 455 as follows:

Page 4, after line 8, insert:

"Sec. 2. Minnesota Statutes 1978, Section 129.121 is amended by adding a subdivision to read:

*Subd. 1d. The league shall not require member schools to restrict a team to members of one sex when athletic opportunities for the members of the excluded sex have previously been limited."*

The question was taken on the adoption of the amendment and the roll was called. There were 47 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ellingson	Laidig	Novak	Swanson
Berglin	Faricy	Lehto	Osthoff	Tomlinson
Berkelman	Greenfield	Long	Otis	Vanasek
Blatz	Hokanson	McCarron	Pehler	Voss
Byrne	Jaros	Metzen	Prahl	Wenzel
Carlson, L.	Jude	Moe	Rice	Wynia
Cassery	Kahn	Munger	Rothenberg	Zubay
Clark	Kaley	Murphy	Sieben, H.	
Clawson	Kelly	Nelson	Sieben, M.	
Corbid	Kostohryz	Norton	Stoa	

Those who voted in the negative were:

Aasness	Drew	Jennings	Niehaus	Sherwood
Adams	Eken	Johnson, C.	Norman	Simoneau
Ainley	Elioff	Johnson, D.	Nysether	Stadum
Albrecht	Erickson	Kalis	Olsen	Stowell
Anderson, D.	Esau	Kempe	Onnen	Sviggum
Anderson, G.	Evans	Knickerbocker	Patton	Thiede
Anderson, I.	Ewald	Kroening	Pavlak	Valan
Anderson, R.	Fjoslien	Kvam	Peterson	Valento
Battaglia	Forsythe	Levi	Piepho	Waldorf
Begich	Friedrich	Ludeman	Redalen	Weaver
Biersdorf	Fritz	Luknic	Reding	Welch
Brinkman	Fudro	Mann	Rees	Welker
Carlson, D.	Halberg	McDonald	Reif	Wieser
Crandall	Haukoos	McEachern	Rose	Speaker Searle
Dean	Heap	Mehrkens	Sarna	
Dempsey	Hoberg	Minne	Schreiber	
Den Ouden	Jacobs	Nelsen, B.	Searles	

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

Kahn moved to amend H. F. No. 455 as follows:

Page 2, line 4, after "sex" insert "*whether or not*"

Page 2, line 4, reinstate the stricken language "this restriction is"

Page 2, lines 5 and 6, reinstate the stricken language

Further amend the title as follows:

Page 1, line 2, delete "providing equal opportunity" and insert "permitting sex restricted athletic teams whether or not they serve the purpose of equal opportunity"

Page 1, delete line 3

Page 1, line 4, delete "certain athletics"

The question was taken on the adoption of the amendment and the roll was called. There were 27 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Berglin	Ellingson	Lehto	Otis	Stoa
Byrne	Enebo	Long	Patton	Voss
Casserly	Greenfield	McCarron	Pehler	Wynia
Clark	Jaros	Norton	Rice	
Clawson	Kahn	Novak	Sieben, H.	
Corbid	Kelly	Osthoff	Sieben, M.	

Those who voted in the negative were:

Aasness	Drew	Johnson, C.	Munger	Searles
Adams	Eken	Johnson, D.	Murphy	Sherwood
Ainley	Elioff	Jude	Nelsen, B.	Stadum
Albrecht	Erickson	Kalis	Niehaus	Swiggum
Anderson, D.	Esau	Kempe	Norman	Swanson
Anderson, G.	Evans	Knickerbocker	Nysether	Thiede
Anderson, I.	Ewald	Kostohryz	Olsen	Tomlinson
Anderson, R.	Fjoslien	Kroening	Onnen	Valan
Battaglia	Forsythe	Kvam	Pavlak	Valento
Begich	Friedrich	Laidig	Peterson	Vanasek
Biersdorf	Fritz	Levi	Piepho	Waldorf
Blatz	Fudro	Ludeman	Redalen	Weaver
Brinkman	Halberg	Luknic	Reding	Welch
Carlson, D.	Haukoos	Mann	Rees	Welker
Carlson, L.	Heap	McDonald	Reif	Wenzel
Crandall	Hoberg	McEachern	Rose	Wieser
Dean	Hokanson	Mehrkens	Rothenberg	Zubay
Dempsey	Jacobs	Metzen	Sarna	Speaker Searle
Den Ouden	Jennings	Minne	Schreiber	

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

The question was taken on the motion to recommend passage of H. F. No. 455, as amended by the Committee of the Whole on Thursday, April 12, 1979, and the roll was called. There were 95 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, I.	Carlson, D.	Eken	Friedrich
Adams	Anderson, R.	Carlson, L.	Elioff	Fritz
Ainley	Battaglia	Clawson	Erickson	Fudro
Albrecht	Begich	Crandall	Esau	Halberg
Anderson, B.	Biersdorf	Dempsey	Evans	Haukoos
Anderson, D.	Blatz	Den Ouden	Fjoslien	Heap
Anderson, G.	Brinkman	Drew	Forsythe	Hoberg

Hokanson	Levi	Niehaus	Reding	Sviggum
Jacobs	Ludeman	Norman	Rees	Swanson
Jennings	Luknic	Nysether	Reif	Thiede
Johnson, C.	Mann	Olsen	Rose	Valan
Johnson, D.	McDonald	Onnen	Rothenberg	Valento
Jude	McEachern	Patton	Sarna	Waldorf
Kalis	Mehrkens	Paviak	Schreiber	Weaver
Kempe	Metzen	Peterson	Searles	Welker
Knickerbocker	Minne	Piepho	Sherwood	Wenzel
Kostohryz	Munger	Pleasant	Simoneau	Wieser
Kroening	Murphy	Prahl	Stadum	Zubay
Kvam	Nelsen, B.	Redalen	Stowell	Speaker Searle

Those who voted in the negative were:

Berglin	Ellingson	Kaley	Nelson	Sieben, H.
Berkelman	Enebo	Kelly	Norton	Sieben, M.
Byrne	Ewald	Laidig	Novak	Stoa
Casserly	Faricy	Lehto	Osthoff	Tomlinson
Clark	Greenfield	Long	Otis	Vanasek
Corbid	Jaros	McCarron	Pehler	Voss
Dean	Kahn	Moe	Rice	Wynia

The motion prevailed.

## MOTIONS AND RESOLUTIONS

McEachern moved that the name of Otis be stricken and the name of Drew be added as an author on H. F. No. 870. The motion prevailed.

Sieben, H., moved that the name of Pehler be added as an author on H. F. No. 1358. The motion prevailed.

## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, April 18, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, April 18, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

