

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## THIRTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 19, 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	Niehaus	Sieben, M.
Adams	Eken	Kaley	Norman	Simoneau
Ainley	Elioff	Kalis	Norton	Stadum
Albrecht	Ellingson	Kelly	Novak	Stoa
Anderson, B.	Enebo	Kempe	Nysether	Stowell
Anderson, D.	Erickson	Knickerbocker	Olsen	Sviggum
Anderson, G.	Esau	Kostohryz	Onnen	Swanson
Anderson, I.	Evans	Kroening	Osthoff	Thiede
Anderson, R.	Ewald	Kvam	Otis	Tomlinson
Battaglia	Faricy	Laidig	Patton	Valan
Begich	Fjoslien	Lehto	Pavlak	Valento
Berglin	Forsythe	Levi	Pehler	Vanasek
Berkelman	Friedrich	Long	Peterson	Voss
Biersdorf	Fritz	Ludeman	Piepho	Waldorf
Blatz	Fudro	Luknic	Pleasant	Weaver
Brinkman	Greenfield	McCarron	Prahl	Welch
Byrne	Halberg	McDonald	Redalen	Welker
Carlson, D.	Haukoos	McEachern	Reding	Wenzel
Carlson, L.	Heap	Mehrkens	Rees	Wieser
Casserly	Heinitz	Metzen	Reif	Wigley
Clark	Hokanson	Minne	Rice	Wynia
Clawson	Jacobs	Moe	Rose	Zubay
Corbid	Jaros	Munger	Rothenberg	Speaker Searle
Crandall	Jennings	Murphy	Sarna	
Dean	Johnson, C.	Nelsen, B.	Schreiber	
Dempsey	Johnson, D.	Nelsen, M.	Sherwood	
Den Ouden	Jude	Nelson	Sieben, H.	

A quorum was present.

Hoberg, Mann and Searles were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Johnson, C., 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. 1394, 313, 971, 1011, 1023, 1063, 1126, 1169, 386, 954, 970, 1049, 1216, 496, 567, 582, 772, 852, 993, 177, 508, 579, 882, 489, 222, 475, 644, 747, 260 and 317 and S. F. Nos. 550, 607, 728, 876, 450, 905, 346, 363, 467, 708, 491, 600, 410, 660, 709, 361, 980, 186, 712, 759, 866 and 926 have been placed in the members' files.

S. F. No. 728 and H. F. No. 691, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Pavlak moved that S. F. No. 728 be substituted for H. F. No. 691 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 346 and H. F. No. 181, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Heinitz moved that the rules be so far suspended that S. F. No. 346 be substituted for H. F. No. 181 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 361 and H. F. No. 176, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Heinitz moved that the rules be so far suspended that S. F. No. 361 be substituted for H. F. No. 176 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 410 and H. F. No. 616, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Rothenberg moved that the rules be so far suspended that S. F. No. 410 be substituted for H. F. No. 616 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 491 and H. F. No. 496, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Reding moved that the rules be so far suspended that S. F. No. 491 be substituted for H. F. No. 496 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 693, A bill for an act relating to education; extending the teacher mobility incentives to certain teachers in the vocational center schools, area vocational-technical schools, community colleges and state universities; amending Minnesota Statutes 1978, Sections 125.60, Subdivisions 1, 2, 2a, 3, 6 and 7, and by adding subdivisions; 125.61, Subdivisions 1, 2, 4 and 6, and by adding subdivisions; 354.094, Subdivisions 2 and 5; 354.66, Subdivisions 1, 2, 7 and 10, and by adding subdivisions; 354.69; and 354A.091, Subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

"Section 1. [136.88] [EXTENDED LEAVES OF ABSENCE.] *Subdivision 1. As used in this section, the terms defined in this subdivision have the meanings given them.*

(a) *"Board" means the state board for community colleges and the state university board.*

(b) *"Teacher" means a person on the instructional or administrative staff of the community college or state university system who is a member of the teachers retirement association. It shall not include a chancellor or vice-chancellor.*

*Subd. 2. A board may grant an extended leave of absence without salary to a full time teacher who has been employed by the board for at least five years and has at least ten years of allowable service as defined in section 354.05, subdivision 13. The maximum duration of an extended leave of absence pursuant to this section shall be determined by mutual agreement of the board and the teacher at the time the leave is granted and shall be at least three but no more than five years. An extended leave of absence pursuant to this section shall be taken by mutual consent of the board and the teacher. No teacher may receive more than one leave of absence pursuant to this section.*

*Subd. 3. A board which denies a request for an extended leave of absence pursuant to this section shall record the denial and the reasons therefor. Prior to February 1, 1980, and each year thereafter by the same date, a board shall file a written report with the education committees of the legislature on any denials recorded pursuant to this subdivision.*

*Subd. 4. A teacher on an extended leave of absence pursuant to this section shall have the right to be reinstated to the same position or a similar position within the department or program from which the leave was granted at the beginning of the school year which immediately follows a year of extended leave of absence, unless the teacher is discharged or placed on retrenchment or on lay-off or his contract is terminated while he is on the extended leave. A board shall not be obligated to reinstate a teacher who is on an extended leave of absence pursuant to this section unless the teacher advises the board of his intention to return before February 1 in the school year preceding the school year in which he wishes to return.*

*Subd. 5. A teacher who is reinstated to the same or similar position after an extended leave pursuant to this section shall not lose tenure or credit for previous seniority in the employing community college or state university. A teacher shall not accrue seniority credit during the time of a leave of absence pursuant to this section.*

*Subd. 6. The years spent by a teacher on an extended leave of absence pursuant to this section shall not be included in the determination of his salary upon his reinstatement to the same or similar position by the board which granted the leave. The credits earned by a teacher on an extended leave of absence pursuant to this section shall not be included in the determination of his salary upon his reinstatement to the same or similar position by the board which granted the leave for a period of time equal to the time of the extended leave of absence.*

*Subd. 7. Nothing within the provisions of this section shall be construed to limit the authority of a board to grant a teacher a leave of absence which is not subject to the provisions of this section and section 354.094.*

*Subd. 8. A board shall not grant extended leaves of absence pursuant to this section beyond the limits of the appropriation to that board for the purposes of section 354.094.*

*Subd. 9. This section shall expire June 30, 1986.*

**Sec. 2. [136.89] [TEACHER EARLY RETIREMENT INCENTIVE PROGRAM.]** *Subdivision 1. As used in this section, the terms defined in this subdivision have the meanings given them.*

(a) "Board" means the state board for community colleges and the state university board.

(b) "Retirement" means termination of services with the employing board and withdrawal from active teaching service.

(c) "Teacher" means a teacher as defined in section 1, subdivision 1, who has not less than 15 total years of full time teaching service in the community college system or the state university system, and who has or will have attained the age of 55 years but less than 65 years as of June 30 in the school year during which an application for an early retirement incentive is made.

Subd. 2. A teacher meeting the requirements of subdivision 1 may be offered a contract for termination of services with the employing board, withdrawal from active teaching service and payment of an early retirement incentive by the employing board. An offer may be accepted by the teacher by submitting a written resignation to the employing board. Applications shall be submitted prior to May 1 of the school year at the end of which the teacher wishes to retire.

Subd. 3. An eligible teacher who is or will be 55 years of age as of the end of the school year during which an application for an early retirement incentive is made and accepted shall receive an early retirement incentive in the amount of \$10,000. This amount shall be reduced by \$500 for each year that a teacher is over the age of 55 years to a maximum age of 60 years and by an additional \$1,500 for each year that a teacher is over the age of 60 years. The age of a teacher shall be determined as of June 30 following the deadline for the application.

Subd. 4. The early retirement incentive shall be paid by the employing board at the time and in the manner agreed to by the board and the teacher. An early retirement incentive shall not be paid to any teacher who is discharged by a board.

Subd. 5. A board shall approve or disapprove applications pursuant to this section within the limits of the appropriation for the purposes of this section.

Subd. 6. This section shall expire June 30, 1986.

Sec. 3. Minnesota Statutes 1978, Section 354.094, Subdivision 1, is amended to read:

354.094 [EXTENDED LEAVES OF ABSENCE.] Subdivision 1. If a member is granted an extended leave of absence pursuant to section 125.60 or section 1 of this act, he may receive allowable service credit toward annuities and other benefits

under this chapter, for each year of his leave by paying into the fund employee contributions during the period of the leave which shall not exceed five years. The state shall pay employer contributions into the fund for each year for which a member who is on extended leave pays employee contributions into the fund. The employee and employer contributions shall be based upon the rates of contribution prescribed by section 354.42 for the salary received during the year immediately preceding the extended leave. Payments for the years for which a member is receiving service credit while on extended leave shall be made on or before June 30 of each fiscal year for which service credit is received.

Sec. 4. Minnesota Statutes 1978, Section 354.094, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding section 354.49, subdivision 4, clause (3), a member on extended leave who pays employee contributions into the fund pursuant to subdivision 1 shall retain membership in the association for as long as he continues to pay employee contributions, under the same terms and conditions as if he had continued to teach in the district, *the community college system or the state university system.*

Sec. 5. Minnesota Statutes 1978, Section 354.094, Subdivision 3, is amended to read:

Subd. 3. A member on extended leave of absence pursuant to section 125.60 or *section 1 of this act* who does not pay employee contributions into the fund in any year shall be deemed to cease to render teaching services beginning in that year for purposes of this chapter.

Sec. 6. Minnesota Statutes 1978, Section 354.094, Subdivision 5, is amended to read:

Subd. 5. The provisions of this section shall not apply to a member who is *discharged or placed on unrequested leave of absence or retrenchment or lay-off* or whose contract is terminated (PURSUANT TO SECTION 125.12 OR 125.17) while he is on an extended leave of absence pursuant to section 125.60 or *section 1 of this act.*

Sec. 7. Minnesota Statutes 1978, Section 354.094, is amended by adding a subdivision to read:

Subd. 7. *After June 30, 1986, the provisions of this section shall not apply to employees of the community college system or the state university system.*

Sec. 8. Minnesota Statutes 1978, Section 354.66, Subdivision 1, is amended to read:

**354.66 [QUALIFIED PART TIME TEACHERS; PARTICIPATION IN FUND.]** Subdivision 1. As used in this section, the term "teachers" shall have the meaning given it in section 125.03, subdivision 1, but shall not include superintendents. *It shall also have the meaning given it in section 1, subdivision 1 of this act.*

Sec. 9. Minnesota Statutes 1978, Section 354.66, is amended by adding a subdivision to read:

*Subd. 1a. For purposes of this section, "board" means a school district board, the state board for community colleges and the state university board.*

Sec. 10. Minnesota Statutes 1978, Section 354.66, is amended by adding a subdivision to read:

*Subd. 1b. For purposes of this section, "district" means a school district, the community college system and the state university system.*

Sec. 11. Minnesota Statutes 1978, Section 354.66, Subdivision 2, is amended to read:

**Subd. 2.** A teacher in the public elementary or secondary schools, *in the community college system or the state university system* of the state who has 20 years or more of allowable service may, by agreement with the board of the employing district, be assigned to teaching service within the district in a part time teaching position.

Sec. 12. Minnesota Statutes 1978, Section 354.66, Subdivision 7, is amended to read:

**Subd. 7.** Only teachers who are (IN THE BARGAINING UNIT) *public employees* as defined in section 179.63, subdivision (17) 7, during the *school* year preceding the period of part time employment pursuant to this section shall qualify for the continuation of contributions and accrual of service credit pursuant to subdivision 4. Notwithstanding the provisions of section 179.63, subdivision 7, clauses (e) and (f), teachers who are employed on a part time basis for purposes of this section and who would therefore be disqualified from the bargaining unit by one or both of those provisions, shall continue to be in the bargaining unit during the period of part time employment pursuant to this section for purposes of compensation, fringe benefits and the grievance procedure.

Sec. 13. Minnesota Statutes 1978, Section 354.66, Subdivision 9, is amended to read:

Subd. 9. A *school* district shall not assign a teacher to a part time teaching position qualifying for the continuation of contributions and accrual of service credit pursuant to this section without applying for and receiving the authorization of the commissioner of education. In cooperation with the boards of trustees of the appropriate retirement fund associations and within the limits of the amount appropriated for the purpose of this section, the commissioner of education shall approve or disapprove applications from *school* districts for authorization to assign teachers to part time teaching positions qualifying for the continuation of contributions and accrual for service credit pursuant to this section. *The state board for community colleges and the state university board may within the limits appropriated to them for purposes of this section assign a teacher to a part time teaching position qualifying for the continuation of contributions and accrual of service credit pursuant to this section without applying for and receiving the authorization of the commissioner of education.*

Sec. 14. Minnesota Statutes 1978, Section 354.66, Subdivision 10, is amended to read:

Subd. 10. Nothing within the provisions of this section shall be construed to limit the authority of a (SCHOOL) board to assign a teacher to a part time teaching position which does not qualify for the continuation of contributions and accrual of service credit pursuant to this section.

Sec. 15. Minnesota Statutes 1978, Section 354.66, is amended by adding a subdivision to read:

*Subd. 11. After June 30, 1986, the provisions of this section shall not apply to employees of the community college system or the state university system.*

Sec. 16. Minnesota Statutes 1978, Section 354.69, is amended to read:

354.69 [INFORMATION SUPPLIED BY DISTRICT.] Each school district *and the community college and state university systems* shall furnish to the appropriate retirement fund association all information and reports deemed necessary by the appropriate board of trustees to administer the provisions of (LAWS 1977, CHAPTER 447, ARTICLE 9) *sections 125.60, 125.61, 354.094, 354.66, 354A.091 and 354A.22.*

Sec. 17. [APPROPRIATION.] Subdivision 1. *There is appropriated from the general fund to the state university board to meet the state's obligations, for teachers employed by the state university board, pursuant to Minnesota Statutes, Sections 354.094 and 354.66, and sections 1 to 13 of this act, the sum of \$174,800 for the fiscal year ending June 30, 1980, and the sum*



of \$177,660 for the fiscal year ending June 30, 1981. These amounts include \$150,000 in each year for the early retirement incentive program pursuant to section 2 of this act, \$23,800 in 1980 and \$25,500 in 1981 for the extended leave of absence program pursuant to section 1 of this act and Minnesota Statutes, Section 354.094, and \$1,000 in 1980 and \$2,160 in 1981 for the part-time teaching program pursuant to Minnesota Statutes, Section 354.66.

*Subd. 2. There is appropriated from the general fund to the community college board to meet the state's obligations, for teachers employed by the community college board, pursuant to Minnesota Statutes, Sections 354.094 and 354.66, and sections 1 to 13 of this act, the sum of \$21,000 for the fiscal year ending June 30, 1980 and the sum of \$23,000 for the fiscal year ending June 30, 1981. These amounts include \$12,000 in each year for the early retirement incentive program pursuant to section 2 of this act, and \$9,000 in 1981 and \$11,000 in 1982 for the extended leave of absence program pursuant to section 1 of this act and Minnesota Statutes, Section 354.094.*

*Subd. 3. Any unexpended balance remaining from the appropriations in this section for fiscal year 1980 shall not cancel but shall be available for the second year of the biennium. If the appropriation amount attributable to either year for the purpose indicated is insufficient, the state shall not be obligated for any amount in excess of the appropriation in this section for this purpose.*

*Subd. 4. Notwithstanding the provisions of sections 354.43 and 354A.12, the state's obligation prescribed in Minnesota Statutes, Sections 354.094 and 354.66 shall not be financed out of standing appropriations for the state's obligations pursuant to chapter 354 or 354A."*

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

"A bill for an act relating to education; providing and regulating certain mobility incentives for certain teachers in the community colleges and state universities; appropriating money; amending Minnesota Statutes 1978, Sections 354.094, Subdivisions 1, 2, 3 and 5, and by adding a subdivision; 354.66, Subdivisions 1, 2, 7, 9 and 10, and by adding subdivisions; and 354.69."

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

The report was adopted.

Wigley from the Committee on Energy and Utilities to which was referred:

H. F. No. 770, A bill for an act relating to energy; appropriating funds to the Minnesota energy agency for a study of potential impacts of renewable energy systems.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Wigley from the Committee on Energy and Utilities to which was referred:

H. F. No. 787, A bill for an act relating to energy; Minnesota energy assistance act; providing assistance for certain homeowners and renters for costs of energy needed to sustain life; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256.879, Subdivision 3, and by adding subdivisions; and Chapter 290A, by adding sections.

Reported the same back with the following amendments:

Page 1, line 22, after "4 to" insert "6 and 8 to"

Page 2, line 32, delete "4,"

Page 3, line 26, after "spouse" insert "while"

Page 4, delete lines 9 and 10 and insert "insulation as defined in section 325.984, subdivision 5."

Page 8, line 10, after "endorsement." insert "No person providing a second endorsement, pursuant to this section, shall release information indicating the identity of any recipient under the Minnesota energy assistance act, to any consumer reporting agency as defined in the Fair Credit Reporting Act, Public Law 91-508, 15 U.S.C. 1681 to 1681t, as amended."

Page 9, after line 27, insert

"Sec. 17. Notwithstanding the provisions of section 7, subdivision 1, and section 11, during 1979, a credit shall be allowed to each qualified claimant who has filed a claim under sections 4 to 17 by September 30 and the commissioner shall disburse to each qualified claimant the amount determined to be payable under sections 4 to 17 on or before November 15."

Renumber the sections in sequence

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 898, A bill for an act relating to traffic regulation; allowing an authorized emergency vehicle to use an oscillating white light; amending Minnesota Statutes 1978, Section 169.55, Subdivision 1.

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 9, delete "this section" and insert "sections 1 and 2"

Page 1, line 9, delete "(a)"

Page 1, line 12, delete "and (b) to provide for"

Page 1, delete lines 13 and 14 to the period

Page 1, line 15, delete "this section" and insert "sections 1 and 2"

Page 2, line 1, delete "licensee of" and insert "station holding a license or operating under program test authority from"

Page 2, delete lines 6 to 23 and insert:

"(d) "Operating income" may include: (1) individual and other community contributions; (2) all grants received from the Corporation for Public Broadcasting; (3) grants received from foundations, corporations, or federal, state or local agencies or other sources for the purpose of programming or general operating support; (4) interest income; (5) earned income; (6) employee salaries paid through the federal Comprehensive Employment and Training Act, or other similar public employment programs, provided that only salary expended for employee duties directly relating to radio station operations shall be counted; (7) employee salaries paid through supporting educa-

tional institutions, provided that only salary expended for employee duties directly relating to radio station operations shall be counted; (8) direct operating costs provided by supporting educational institutions; (9) no more than \$15,000 in volunteer time calculated at the federal minimum wage.

The following are specifically excluded in determining a station's operating income: (1) dollar representations of in-kind assistance from any source except as stipulated in (8) above; (2) grants or contributions from any source for the purpose of purchasing capital improvements or equipment; (3) non-commercial radio station grants received in the previous fiscal year pursuant to sections 1 and 2."

Page 2, line 33, after "persons" insert "or the equivalent in part time staff"

Page 3, line 1, after "persons" insert "or the equivalent in part time staff"

Page 4, line 18, delete the third "the" and insert "a"

Page 4, line 19, after "Broadcasting" insert "audit"

Page 4, line 21, after the period insert "If the applicant station is not qualified for assistance from the Corporation for Public Broadcasting, an independent audit is required."

Page 4, line 32, after "the" and before "fiscal" insert "applicant station's"

Page 5, line 3, after the period insert "The board of the arts may promulgate rules to implement sections 1 and 2 for this purpose. The board may promulgate temporary rules pursuant to Minnesota Statutes, Section 15.0412, Subdivision 5."

Page 5, line 6, after "in" insert "private"

Page 5, line 7, after "state" delete ", excluding" and insert a period and "No"

Page 5, line 8, after "expenditures" insert "shall be counted." and delete ", and"

Page 5, line 13, after the period insert "A station's total allocation for volunteer time shall not exceed 20 percent of its total grant pursuant to sections 1 and 2."

Page 5, line 14, before "The" insert "(c)"

Page 5, line 17, after "until" insert "the applicant station has received \$10,000 in grant funds under sections 1 and 2, and thereafter grant funds shall be distributed on a dollar for dollar basis until"

Page 5, line 19, after "applicants" delete ", except" and insert "; provided"

Page 5, line 23, delete "budget" and insert "income"

Page 5, line 24, delete everything after the period

Page 5, delete lines 25 and 26

Page 5, line 27, after "grant funds" insert "under sections 1 and 2"

Page 5, line 28, delete ", except that a station shall not use grant funds"

Page 5, delete lines 29 and 30 to the period

Page 5, line 33, after "auditor" insert "or Corporation for Public Broadcasting audit"

Page 6, line 4, delete "shall be available to the"

Page 6, line 5, delete "public and a copy"

Page 6, delete section 2

Renumber succeeding section

Page 6, line 25, delete "Subdivision 1."

Page 6, line 26, delete "\$250,000" and insert "\$150,000"

Page 6, line 27, delete "each" and insert "the first"

Page 6, line 27, after "biennium" insert "and \$200,000 in the second year of the biennium"

Page 6, delete lines 32 and 33

Delete page 7

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

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

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

The report was adopted.

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

H. F. No. 1144, A bill for an act relating to state lands; authorizing conveyance of certain land to Independent School District No. 281.

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

The report was adopted.

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

H. F. No. 1268, A bill for an act relating to state lands; authorizing the conveyance of certain lands in Otter Tail County to the city of Fergus Falls.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1272, A bill for an act relating to aeronautics; excluding parachutes and parachuting from the jurisdiction of the department of transportation; amending Minnesota Statutes 1978, Section 360.013, Subdivisions 2, 3 and 11.

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

The report was adopted.

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

H. F. No. 1324, A bill for an act relating to arson; fire loss information; authorizing certain agencies to request and receive from insurance companies information relating to fire losses; providing for immunity to insurance companies providing fire loss information; providing for confidentiality of released information; providing for testimony in matters under litigation; providing for penalties.

Reported the same back with the following amendments:

Page 2, delete lines 5, 6, 7, 8, 9, and insert:

“(f) Chief administrative officer of municipal fire department arson squad.”

Page 2, line 23, delete “but” insert “and”, delete “not”

Page 3, line 23, delete “Except when actual malice can be proved,” capitalize “An”

Page 3, line 26, after “written,” insert “acting in good faith,”

Page 4, line 6, delete “or knowingly”

Page 4, line 9, delete “or knowingly”

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1353, A bill for an act relating to motor vehicles; establishing fees for motorized bicycle operator permits; excepting motorized bicycles from seat belt requirements; amending Minnesota Statutes 1978, Sections 169.685, Subdivision 1; and 171.02, Subdivision 3.

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

The report was adopted.

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

H. F. No. 1379, A bill for an act relating to peace officers; authorizing the peace officers standards and training board to receive complaints, require investigations, and hold revocation hearings with respect to statutes or rules it is empowered to en-

force; amending Minnesota Statutes 1978, Section 214.10, by adding subdivisions.

Reported the same back with the following amendments:

Page 3, line 29, after "*including*" insert "*but not limited to*"

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. 1381, A bill for an act relating to the county of St. Louis; permitting the sale of certain tax-forfeited land.

Reported the same back with the following amendments:

Page 1, line 8, after "sell" insert "at its regular tax-forfeited land sale" and delete "tax-forfeited"

Page 1, line 11, after "quarter" insert ", less 200 feet on either side of the river from high water mark that would be exempted from the parcels for sale"

Page 1, delete lines 13 and 14

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. 898, 1101, 1144, 1268, 1272, 1324, 1353, 1379 and 1381 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 728, 346, 361, 410 and 491 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:



Rice; Carlson, L.; Murphy; Sieben, M., and Clawson introduced:

H. F. No. 1439, A bill for an act relating to labor relations; making collective bargaining agreements binding and enforceable upon transferee employers; defining transferee employer; creating certain exclusions; requiring the disclosure of collective bargaining agreements; providing for enforcement procedures.

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

Wynia and Faricy introduced:

H. F. No. 1440, A bill for an act relating to liquor; limiting sales in various places; permitting an additional wine license near a University of Minnesota campus; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3.

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

Sieben, M., introduced:

H. F. No. 1441, A bill for an act relating to hospitalization and commitment; requiring committing courts to establish result oriented evaluation programs for committed persons; appointment of counsel guardians for committed persons; establishing a central agency within the department of public welfare which shall develop a program of statistical analysis relating to treatment of committed persons.

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

Waldorf introduced:

H. F. No. 1442, A bill for an act relating to the legislature; creating a Legislative Commission on Science and Technology and a legislative office of science and technology research; defining their powers and duties; and appropriating money.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Rose, Dempsey, Adams, Schreiber and Simoneau introduced:

H. F. No. 1443, A bill for an act relating to transportation; providing for a transportation board; providing for transfer of certain duties, powers and functions of the public service commission and the commissioner of transportation to the transportation regulation board; regulating railroads and other common carriers of persons or property for hire; providing penalties; appropriating funds; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 1; 174.02, Subdivision 4; 174.03, Subdivision 2; 174.10, Subdivisions 1, 3, 4; 218.011, Subdivision 7; 218.021; 218.025; 218.031, Subdivisions 1, 6, 8, 10; 218.041; 218.071; 219.03; 219.14; 219.23; 219.24; 219.25; 219.27; 219.28; 219.383; 219.39; 219.40; 219.41; 219.42; 219.43; 219.46, Subdivision 7; 219.47; 219.51; 219.52; 219.54; 219.55; 219.562, Subdivision 3; 219.65; 219.681; 219.70; 219.71; 219.741; 219.85; 219.86; 219.87; 221.011, Subdivisions 2b, 15, 22; 221.021; 221.031, Subdivision 1; 221.041; 221.051; 221.061; 221.071; 221.081; 221.101; 221.121; 221.131; 221.141, Subdivision 2; 221.151; 221.161; 221.171; 221.181; 221.221; 221.261; 221.271; 221.281; 221.291, Subdivision 1; 221.293; 221.295; 221.296, Subdivisions 2, 3, 4, 8; 221.55; 221.68; repealing Minnesota Statutes 1978, Section 219.742.

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

Nelsen, M., introduced:

H. F. No. 1444, A bill for an act relating to the city of McGregor; authorizing the issuance of bonds for the acquisition and betterment of a municipal fire hall and community center.

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

Vanasek, Evans, Jacobs, Kvam and Brinkman introduced:

H. F. No. 1445, A bill for an act relating to insurance; providing a deduction for health and accident benefits paid in the taxation of insurance companies; amending Minnesota Statutes 1978, Section 60A.15, Subdivision 1.

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

Stowell, Den Ouden, Piepho, Nelsen, B., and Kaley introduced:

H. F. No. 1446, A bill for an act relating to workers' compensation; providing the time in which actions or proceedings shall be taken; amending Minnesota Statutes 1978, Section 176.151.

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

Stowell, Kaley, McCarron, Den Ouden and Sviggum introduced:

H. F. No. 1447, A bill for an act relating to taxation; sales; exempting goods and services sold by certain charitable organizations; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

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

Battaglia, Elioff, Hoberg, Murphy and Kroening introduced:

H. F. No. 1448, A bill for an act relating to retirement; teachers; authorizing purchase of certain prior service credit; amending Minnesota Statutes 1978, Section 354.51, by adding a subdivision.

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

Wynia, Kelly, Novak, Ellingson and Byrne introduced:

H. F. No. 1449, A bill for an act relating to taxation; increasing the homestead credits; increasing the maximum property tax refund; amending Minnesota Statutes 1978, Sections 273.13, Subdivisions 6, 7 and 14a; 290A.03, Subdivisions 11 and 13; 290A.04, Subdivisions 2a and 2b.

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

Erickson, by request, introduced:

H. F. No. 1450, A bill for an act relating to dogs; removing the urban location requirement in actions for damages against a dog owner; amending Minnesota Statutes 1978, Section 347.22.

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

Vanasek, Munger, Ludeman, Ainley and Johnson, D., introduced:

H. F. No. 1451, A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks and authorizing land acquisition in relation thereto.

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

Schreiber; Jude; Carlson, L.; Ellingson and Heinitz introduced:

H. F. No. 1452, A bill for an act relating to Independent School District No. 279; authorizing the issuance of bonds authorized by the electors.

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

Johnson, D.; Fritz and Murphy introduced:

H. F. No. 1453, A bill for an act relating to retirement; authorizing payment of severance pay to retiring employees; validating past payments; amending Minnesota Statutes 1978, Sections 356.24 and 465.72.

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

Ainley, Hoberg, Searle, Stoa and Pehler introduced:

H. F. No. 1454, A bill for an act relating to education; changing the requirements for membership on the state university board and on the state board for community colleges; amending Minnesota Statutes 1978, Sections 136.12, Subdivision 1; and 136.61, Subdivision 1.

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

Anderson, R., introduced:

H. F. No. 1455, A bill for an act relating to public safety; prohibiting scuba diving during certain hours; amending Minnesota Statutes 1978, Section 361.09, Subdivision 2.

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

Anderson, B.; Elioff; Kvam; Onnen and Welch introduced:

H. F. No. 1456, A bill for an act relating to retirement; authorizing retirement plans for certain ambulance drivers and attendants; providing for the financing thereof.

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

Anderson, B., and Welch introduced:

H. F. No. 1457, A bill for an act relating to taxation; school taxes; providing a method for determining the market value of agricultural lands by the equalization aid review committee; amending Minnesota Statutes 1978, Section 124.212, Subdivision 10.

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

Jennings introduced:

H. F. No. 1458, A bill for an act relating to Independent School District No. 836 (Butterfield-Odin) and Independent School District No. 840 (St. James); providing for a transfer of property between the districts.

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

Nelsen, M.; Begich; Battaglia; Anderson, I., and Minne introduced:

H. F. No. 1459, A bill for an act relating to cooperatives; providing for open cooperative meetings; amending Minnesota Statutes 1978, Section 308.09, by adding a subdivision.

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

Jaros and Berkelman introduced:

H. F. No. 1460, A bill for an act relating to crimes; requiring the state to pay all costs and expenses in criminal cases where a change of venue has been ordered; appropriating money; amending Minnesota Statutes 1978, Section 627.02.

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

Jaros introduced:

H. F. No. 1461, A bill for an act relating to taxation; extending the homemaker income tax credit to certain parents of handicapped children; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3e.

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

Jaros introduced:

H. F. No. 1462, A bill for an act relating to retirement; authorizing purchase of allowable service credit by certain members of the teachers retirement fund for prior service as non-public school teachers; amending Minnesota Statutes 1978, Chapter 354, by adding a section.

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

Greenfield, Rothenberg and Jaros introduced:

H. F. No. 1463, A bill for an act relating to taxation; providing for an additional homestead credit to be paid on earthsheltered structures used for homestead purposes; appropriating funds; amending Minnesota Statutes 1978, Section 273.13, Subdivision 15a; and Chapter 273, by adding a section.

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

Clawson introduced:

H. F. No. 1464, A bill for an act relating to tax delinquent real estate; requiring notice to the commissioner of natural resources of forfeiture and sale of tax delinquent real estate; clarifying ownership of certain tax forfeited real estate; amending Minnesota Statutes 1978, Sections 281.23, Subdivision 8; 281.25; and 282.01, Subdivisions 1 and 3.

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

Battaglia and Begich introduced:

H. F. No. 1465, A bill for an act relating to taxation; extending the time for claiming credits against the tax on taconite and iron sulphides; amending Minnesota Statutes 1978, Section 298.24, Subdivision 3.

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

Clawson, Minne, Stoa, Mehrkens and Dean introduced:

H. F. No. 1466, A bill for an act relating to the collection and dissemination of data; public records; administration of the state archives and state and local public records; classifying data; providing a penalty; amending Minnesota Statutes 1978, Sections 15.17, Subdivision 1; 138.161; 138.17, Subdivisions 1, 6, and 7, and by adding subdivisions; 138.18; 138.19; 138.20; and 138.21; and Chapter 138, by adding sections; repealing Minnesota Statutes 1978, Section 16.66.

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

Sieben, M.; Pehler; Knickerbocker; Ainley and Johnson, D., introduced:

H. F. No. 1467, A bill for an act relating to state employees; providing for wage and fringe benefits for certain state employees; ratifying a collective bargaining agreement; amending Minnesota Statutes 1978, Sections 43.01, Subdivision 14; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 8a, 10, 12, 14, 16, 17, 23, 24, 25, and by adding subdivisions; 43.122, Subdivision 5; 43.17, Subdivision 3; 43.43, by adding a subdivision; 43.44, Subdivision 2; 43.50, Subdivision 1; 43.51; and 645.44, Subdivision 5.

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

Casserly, Pehler, Vanasek, Brinkman and Jaros introduced:

H. F. No. 1468, A bill for an act relating to taxation; real property; providing reduced assessment of certain commercial property; providing reimbursement to taxing districts for revenue lost as a result of the reduced assessment; appropriating money; amending Minnesota Statutes 1978, Section 273.13, by adding a subdivision.

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

Begich; Battaglia; Carlson, D.; Anderson, I., and Rose introduced:

H. F. No. 1469, A bill for an act relating to mines and mining; regulating blasting; establishing air overpressure and ground vibration standards.

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

Stadum, Corbid and Eken introduced:

H. F. No. 1470, A bill for an act relating to Polk County; regulating fees charged for acquisition and maintenance of the Polk County law library; amending Laws 1967, Chapter 223, Section 1.

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

Stadum; Eken; Anderson, G.; Albrecht and Nelsen, B., introduced:

H. F. No. 1471, A bill for an act relating to workers' compensation; providing that certain farmers owning baling or threshing equipment may be considered as independent contractors; amending Minnesota Statutes 1978, Section 176.011, Subdivision 12.

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

Vanasek; Johnson, C.; Eken and Anderson, G., introduced:

H. F. No. 1472, A bill for an act relating to taxation; providing for reduction of motor vehicle excise tax when purchase price of vehicle is reduced by value of goods traded for vehicle; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

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

Ellingson, Evans, Norton, Rice and Pavlak introduced:

H. F. No. 1473, A bill for an act relating to fiduciaries; providing for replacement of corporate trustees; establishing guidelines for compensation of personal representatives; changing procedure for removing personal representatives; amending Minnesota Statutes 1978, Sections 524.3-611; 524.3-719; and Chapter 501, by adding a section.

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



## HOUSE ADVISORIES

The following House Advisory was introduced:

Heinitz, Heap, Norman and Elioff introduced:

H. A. No. 26, A proposal to equalize the compensation of teachers at state institutions of higher education.

The advisory was referred to the Committee on Labor-Management Relations.

REPORTS FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

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

<i>H.F. No.</i>	<i>Date Referred to Committee</i>	<i>Committee Referral</i>
1428	Apr. 18, 1979	Taxes

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

House Concurrent Resolution No. 5, A house concurrent resolution relating to violence and vandalism in Stearns and Pope Counties along the route of a new powerline.

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

The report was adopted.

## HOUSE CONCURRENT RESOLUTION NO. 5

A house concurrent resolution relating to violence and vandalism in Stearns and Pope Counties along the route of a new powerline.

*Whereas*, the state of Minnesota's electrical energy supply is becoming increasingly dependent on transmission lines which transport energy from areas with abundant supplies of lignite coal; and,

*Whereas*, the state of Minnesota has enacted laws to determine the need and location of these facilities; and,

*Whereas*, United Power Association of Elk River, Minnesota, and Cooperative Power Association of Minneapolis, Minnesota, two generation and transmission rural electric cooperatives, have followed the state mandated processes for determining need and location in constructing a high voltage transmission line to serve the electrical needs of over one million rural Minnesotans; and,

*Whereas*, acts of lawlessness and violence along the route of the powerline and primarily in Pope and Stearns Counties, have resulted in the wounding of one person, heavy damage to construction equipment, and continuing destruction of utility facilities, all of which have substantially delayed the operation of the project adding millions of dollars in cost to the rural consumers; and,

*Whereas*, law enforcement authorities in the areas of continuing heavy vandalism have been unable or unwilling to prevent or curtail this lawlessness; and,

*Whereas*, to date there have been no arrests for tower or insulator destruction; and,

*Whereas*, now, therefore, the destruction of utility facilities continues at an alarming rate;

*Be it resolved* by the House of Representatives of the state of Minnesota, the Senate concurring, that it condemns these acts as senseless violence and destruction and strongly urge the Governor, the Bureau of Criminal Apprehension, and all public safety officials and law enforcement authorities in Minnesota to reaffirm the rule of law in Minnesota and bring the violence and vandalism to a halt.

Carlson, D., moved that House Concurrent Resolution No. 5 be now adopted.

A roll call was requested and properly seconded.

Pehler moved to amend House Concurrent Resolution No. 5, as follows:

Page 2, delete lines 5 through 7

A roll call was requested and properly seconded.

The question was taken on the adoption of the Pehler amendment and the roll was called. There were 40 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Corbid	Kahn	Nelsen, B.	Sieben, H.
Anderson, D.	Elioff	Kelly	Norton	Sieben, M.
Anderson, I.	Ellingson	Kempe	Osthoff	Simoneau
Battaglia	Faricy	Kostohryz	Otis	Stoa
Begich	Fjoslien	Long	Pehler	Vanasek
Berglin	Fudro	McCarron	Prahl	Waldorf
Byrne	Greenfield	Moe	Rice	Welch
Casserly	Jaros	Murphy	Sarna	Wynia

Those who voted in the negative were:

Aasness	Eken	Kalis	Novak	Stowell
Adams	Enebo	Knickerbocker	Nysether	Sviggum
Ainley	Erickson	Kroening	Olsen	Swanson
Albrecht	Esau	Kvam	Onnen	Thiede
Anderson, G.	Evans	Laidig	Patton	Tomlinson
Anderson, R.	Ewald	Lehto	Pavlak	Valan
Berkelman	Forsythe	Levi	Peterson	Valento
Biersdorf	Friedrich	Ludeman	Piepho	Weaver
Blatz	Fritz	Luknic	Pleasant	Welker
Brinkman	Halberg	McDonald	Redalen	Wenzel
Carlson, D.	Haukoos	McEachern	Reding	Wieser
Carlson, L.	Heap	Mehrkins	Rees	Wigley
Clawson	Hokanson	Metzen	Reif	Zubay
Crandall	Jacobs	Minne	Rose	Speaker Searle
Dean	Jennings	Munger	Rothenberg	
Dempsey	Johnson, C.	Nelsen, M.	Schreiber	
Den Ouden	Johnson, D.	Niehaus	Sherwood	
Drew	Jude	Norman	Stadum	

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

Wenzel moved to amend House Concurrent Resolution No. 5, as follows:

Page 2, line 6, delete "or unwilling"

The motion prevailed and the amendment was adopted.

Fjoslien moved that House Concurrent Resolution No. 5, as amended, be re-referred to the Committee on Appropriations.

A roll call was requested and properly seconded.

The question was taken on the motion to re-refer and the roll was called. There were 20 yeas and 104 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Corbid	Greenfield	Long	Prahl
Anderson, D.	Drew	Jaros	Moe	Reding
Anderson, I.	Fjoslien	Kahn	Niehaus	Rice
Berglin	Fritz	Kelly	Pehler	Wynia

## Those who voted in the negative were:

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

The motion did not prevail.

The question recurred on the adoption of House Concurrent Resolution No. 5, as amended, and the roll was called. There were 110 yeas and 11 nays as follows:

## Those who voted in the affirmative were:

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

## Those who voted in the negative were:

Anderson, R.	Greenfield	Long	Prahl	Rice
Berglin	Kahn	Moe	Reding	Vanasek
Byrne				

The motion prevailed and House Concurrent Resolution No. 5, as amended, was adopted.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 638, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating duplicate, redundant, conflicting and superseded provisions; amending Minnesota Statutes 1978, Sections 5.06; 15.0411, Subdivision 2; 16.723; 16A.71; 18.023, Subdivision 3a; 43.224; 52.04, Subdivision 1; 61A.245, Subdivisions 4, 7, and 12; 112.87; 122.531, Subdivision 4; 124.17, Subdivision 1; 150A.06, Subdivision 2a; 168.041, Subdivision 2; 168A.01, Subdivisions 18 and 19; 176.611, Subdivision 6a; 179.70, Subdivision 1; 192A.25, Subdivision 2; 192A.555; 221.011, Subdivision 22; 237.295, Subdivision 3; 270.01; 270.02, Subdivision 4; 270.10, Subdivision 1; 273.02, Subdivisions 2 and 3; 273.061, Subdivision 8; 274.18; 276.07; 279.03; 281.275; 282.15; 282.341, Subdivision 2; 290.01, Subdivision 20; 294.26; 326.48, Subdivision 2; 352B.11, Subdivision 2; 352D.02, Subdivision 1; 352E.01, Subdivision 2; 353.16; 354.44, Subdivisions 4 and 6; 355.56; 356.20, Subdivision 2; 356.60, Subdivision 1; 414.033, Subdivision 1; 414.035; 420.06; 422A.09, Subdivision 3; 423.076; 458A.03, Subdivision 2; 458A.06, Subdivisions 1 and 4; 462A.05, Subdivision 16; 462A.21, Subdivision 5; 507.09; 507.10; 507.13; 507.14; 518.005, Subdivisions 3 and 4; 524.3-303; 648.31, Subdivision 1; Laws 1975, Chapter 339, Section 10; repealing Minnesota Statutes 1978, Section 144.49, Subdivisions 2, 3 and 4; Laws 1977, Chapter 11, Section 8; 412, Section 2; Laws 1978, Chapters 538, Section 6; and 720, Section 5.

PATRICK E. FLAHAVER, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Jude moved that the House concur in the Senate amendments to H. F. No. 638 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 638, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating duplicate, redundant, conflicting and

superseded provisions; amending Minnesota Statutes 1978, Sections 5.06; 15.0411, Subdivision 2; 16.723; 16A.71; 18.023, Subdivision 3a; 43.224; 52.04, Subdivision 1; 61A.245, Subdivisions 4, 7, and 12; 112.87; 122.531, Subdivision 4; 124.17, Subdivision 1; 150A.06, Subdivision 2a; 168.041, Subdivision 2; 168A.01, Subdivisions 18 and 19; 176.611, Subdivision 6a; 179.70, Subdivision 1; 192A.25, Subdivision 2; 192A.555; 221.011, Subdivision 22; 237.295, Subdivision 3; 270.01; 270.02, Subdivision 4; 270.10, Subdivision 1; 273.02, Subdivisions 2 and 3; 273.061, Subdivision 8; 274.18; 276.07; 279.03; 281.275; 282.15; 282.341, Subdivision 2; 290.01, Subdivision 20; 294.26; 326.48, Subdivision 2; 352B.-11, Subdivision 2; 352D.02, Subdivision 1; 352E.01, Subdivision 2; 353.16; 354.44, Subdivisions 4 and 6; 355.56; 356.20, Subdivision 2; 356.60, Subdivision 1; 414.033, Subdivision 1; 414.035; 420.06; 422A.09, Subdivision 3; 423.076; 458A.03, Subdivision 2; 458A.06, Subdivisions 1 and 4; 462A.05, Subdivision 16; 462A.-21, Subdivision 5; 507.09; 507.10; 507.13; 507.14; 518.005, Subdivisions 3 and 4; 524.3-303; 648.31, Subdivision 1; Laws 1975, Chapter 339, Section 10; repealing Minnesota Statutes 1978, Section 144.49, Subdivisions 2, 3 and 4; Laws 1977, Chapter 11, Section 8; 412, Section 2; Laws 1978, Chapters 538, Section 6; and 720, Section 5.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker :

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

H. F. No. 186, A bill for an act relating to metropolitan government; providing for the debt of the metropolitan transit commission; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; and Chapter 473, by adding a section; repealing Minnesota Statutes 1978, Section 473.438, Subdivisions 5 and 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Schreiber moved that the House concur in the Senate amendments to H. F. No. 186 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 186, A bill for an act relating to metropolitan government; providing for the debt of the metropolitan transit commission; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; and Chapter 473, by adding a section; repealing Minnesota Statutes 1978, Section 473.438, Subdivisions 5 and 6.

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

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Byrne	Erickson	Jacobs	Lehto
Adams	Carlson, D.	Esau	Jaros	Levi
Ainley	Carlson, L.	Evans	Jennings	Long
Albrecht	Casserly	Ewald	Johnson, C.	Ludeman
Anderson, B.	Clark	Faricy	Johnson, D.	Luknie
Anderson, D.	Clawson	Fjoslien	Jude	McCarron
Anderson, G.	Corbid	Forsythe	Kahn	McDonald
Anderson, I.	Crandall	Friedrich	Kaley	Mehrkens
Anderson, R.	Dean	Fritz	Kalis	Metzen
Battaglia	Dempsey	Fudro	Kelly	Minne
Begich	Den Ouden	Greenfield	Kempe	Moe
Berglin	Drew	Halberg	Knickerbocker	Munger
Berkelman	Eken	Haukoos	Kostohryz	Murphy
Biersdorf	Elioff	Heap	Kroening	Nelsen, B.
Blatz	Ellingson	Hejnitz	Kvam	Nelsen, M.
Brinkman	Enebo	Hokanson	Laidig	Nelson

Niehaus	Peterson	Sarna	Swanson	Welker
Norton	Piepho	Schreiber	Thiede	Wenzel
Novak	Pleasant	Sherwood	Tomlinson	Wieser
Nysether	Prahl	Sieben, H.	Valan	Wigley
Olsen	Reding	Sieben, M.	Valento	Wynia
Onnen	Rees	Simoneau	Vanasek	Zubay
Osthoff	Reif	Stadum	Voss	Speaker Searle
Otis	Rice	Stoa	Waldorf	
Patton	Rose	Stowell	Weaver	
Pehler	Rothenberg	Sviggum	Welch	

Those who voted in the negative were:

Pavlak

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

Carlson, D., was excused for the remainder of the day.

Mr. Speaker:

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

S. F. No. 719.

PATRICK E. FLAHAVEN, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 719, A bill for an act relating to education; permitting a school district to sell certain buildings at auction; setting conditions for the sale.

The bill was read for the first time.

Dempsey moved that S. F. No. 719 and H. F. No. 993, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

## CALENDAR

H. F. No. 361, A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means of securing full performance; amending Minnesota Statutes 1978, Sections 161.322; 162.04; 162.10; and 429.041, Subdivision 6.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 2 nays as follows:



Those who voted in the affirmative were:

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

Those who voted in the negative were:

Faricy Kelly

The bill was passed and its title agreed to.

H. F. No. 183, A bill for an act relating to pollution control; authorizing the pollution control agency to assist small businesses; amending Minnesota Statutes 1978, Section 115.03, by adding subdivisions; and 474.03.

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

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

The bill was passed and its title agreed to.

H. F. No. 222, A bill for an act relating to the public service commission and public service department; regulating commissioners' and employees' conflicts of interest; amending Minnesota Statutes 1978, Section 216A.035.

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

The bill was passed and its title agreed to.

H. F. No. 260 was reported to the House and given its third reading.

## UNANIMOUS CONSENT

Carlson, L., requested unanimous consent to offer an amendment. The request was granted.

Minne moved to amend H. F. No. 260 as follows:

Page 13, line 9, after "hospitals" insert ", with 100 beds or less,"

The motion prevailed and the amendment was adopted.

H. F. No. 260, A bill for an act relating to health; providing for health planning; requiring certificates of need for construction or modification of certain health care facilities and services; repealing Minnesota Statutes 1978, Sections 145.71 to 145.831.

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

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 10 nays as follows:

## Those who voted in the affirmative were:

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

## Those who voted in the negative were:

Dempsey	Kalis	Ludeman	Piepho	Welker
Jennings	Kvam	Niehaus	Thiede	Wieser

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

H. F. No. 282, A bill for an act relating to game and fish; establishing a procedure for selection of applicants for licenses to take wild turkeys; providing a penalty; amending Minnesota Statutes 1978, Section 100.271.

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 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clawson	Faricy	Swanson
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The bill was passed and its title agreed to.

H. F. No. 475, A bill for an act relating to hospitals; requiring adoption of federal medicare standards for hospital licensing; regulating hospital inspections; providing for licensing of hospitals accredited by the joint commission on hospital accreditation; amending Minnesota Statutes 1978, Sections 144.55; and Section 144.50, 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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 122, A bill for an act relating to life insurance; providing for advance payment of certain benefits under policies insuring persons who are absent and presumed dead; amending Minnesota Statutes 1978, Chapter 576, by adding sections.

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 1 nay as follows:

Those who voted in the affirmative were:

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

Pavlak	Rees	Sieben, H.	Tomlinson	Wenzel
Pehler	Reif	Sieben, M.	Valento	Wieser
Peterson	Rice	Simoneau	Vanasek	Wigley
Piepho	Rose	Stadum	Voss	Wynia
Pleasant	Rothenberg	Stoa	Waldorf	Zubay
Prahl	Sarna	Stowell	Weaver	Speaker Searle
Redalen	Schreiber	Swanson	Welch	
Reding	Sherwood	Thiede	Welker	

Those who voted in the negative were:

Svigum

The bill was passed and its title agreed to.

H. F. No. 644, A bill for an act relating to health; prohibiting applicants for certain dental licenses who fail a clinical examination twice from further taking the examination without additional education and training; requiring the board of dentistry to promulgate rules establishing requirements for this education and training; requiring licensed dentists, dental hygienists and registered dental assistants to inform the board of dentistry when changing addresses; setting standards for the names under which dentists may practice; authorizing the board of dentistry to promulgate rules governing advertising by dentists; authorizing the board of medical examiners to promulgate rules governing advertising by physicians; establishing penalties; amending Minnesota Statutes 1978, Chapter 147, by adding a section; Sections 150A.06, Subdivisions 1, 2 and 2a; 150A.09, Subdivision 3; and 150A.11, Subdivisions 1 and 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 122 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Corbid	Kvam	Ludeman	Pleasant	Vanasek
Jennings				

The bill was passed and its title agreed to.

S. F. No. 52, A bill for an act relating to the uniform commercial code; providing for the appropriation of the proceeds of bulk transfers; providing for the payment of creditors; amending Minnesota Statutes 1978, Sections 336.6-107; 336.6-108; and 336.6-109; and Chapter 336 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 127 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berglin	Faricy
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The bill was passed and its title agreed to.

H. F. No. 815, A bill for an act relating to state lands; authorizing the sale of certain lands within Beltrami County.

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 69 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Jude	Minne	Reding
Ainley	Ellingson	Kalis	Moe	Rice
Anderson, D.	Enebo	Kelly	Murphy	Sarna
Anderson, I.	Ewald	Kempe	Nelsen, B.	Sieben, H.
Anderson, R.	Friedrich	Knickerbocker	Norman	Sieben, M.
Battaglia	Fritz	Kostohryz	Novak	Simoneau
Begich	Fudro	Kroening	Nysether	Tomlinson
Berglin	Greenfield	Levi	Olsen	Vanasek
Berkelman	Haukoos	Long	Osthoff	Waldorf
Blatz	Hokanson	Ludeman	Otis	Weaver
Brinkman	Jacobs	McCarron	Patton	Welch
Byrne	Jaros	McEachern	Pavlak	Wenzel
Carlson, L.	Jennings	Mehrkens	Pehler	Wynia
Drew	Johnson, C.	Metzen	Prahl	

Those who voted in the negative were:

Aasness	Esau	Lehto	Pleasant	Stowell
Albrecht	Evans	Luknic	Redalen	Sviggum
Biersdorf	Faricy	McDonald	Rees	Swanson
Corbid	Fjoslien	Munger	Reif	Thiede
Crandall	Forsythe	Nelsen, M.	Rose	Valento
Dean	Halberg	Nelson	Rothenberg	Welker
Dempsey	Heap	Niehaus	Schreiber	Wieser
Den Ouden	Heinitz	Norton	Sherwood	Wigley
Eken	Johnson, D.	Peterson	Stadum	Speaker Searle
Erickson	Kvam	Piepho	Stoa	

The bill was passed and its title agreed to.

S. F. No. 68, A bill for an act relating to civil actions; providing for the issuance of process in proceedings supplementary to execution; amending Minnesota Statutes 1978, Section 575.02.

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	Albrecht	Anderson, G.	Battaglia	Berkelman
Adams	Anderson, B.	Anderson, I.	Begich	Biersdorf
Ainley	Anderson, D.	Anderson, R.	Berglin	Blatz



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

The bill was passed and its title agreed to.

H. F. No. 198, A bill for an act relating to tort liability; requiring political subdivisions to indemnify officers and employees for certain judgments and settlements; amending Minnesota Statutes 1978, Section 466.07, by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

Wenzel  
Wieser

Wigley

Wynia

Zubay

Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 519, A bill for an act relating to motor vehicles; limiting the authority of the registrar of motor vehicles to refuse to issue certificates of title in certain circumstances; amending Minnesota Statutes 1978, Sections 168A.23, by adding a subdivision; and 297B.06.

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

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 659, A bill for an act relating to local government; providing for facilities of the jointly owned airport of the city of Brainerd and Crow Wing County; authorizing the issuance of bonds to finance the acquisition and betterment of airport facilities; repealing Laws 1965, Chapter 152.

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

The bill was passed and its title agreed to.

H. F. No. 711, A bill for an act relating to highway traffic regulations; authorizing physician's trained mobile intensive care paramedics to withdraw blood for the purpose of determining the presence of alcohol or controlled substances under the implied consent law; amending Minnesota Statutes 1978, Section 169.123, Subdivision 3.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Mehrkens	Olsen	Reding	Stadum	Welch
Metzen	Onnen	Rees	Stoa	Welker
Minne	Osthoff	Reif	Stowell	Wenzel
Moe	Otis	Rice	Sviggum	Wieser
Munger	Patton	Rose	Swanson	Wigley
Murphy	Pavlak	Rothenberg	Thiede	Wynia
Nelsen, B.	Pehler	Sarna	Tomlinson	Zubay
Nelson	Peterson	Schreiber	Valento	Speaker Searle
Niehaus	Piepho	Sherwood	Vanasek	
Norton	Pleasant	Sieben, H.	Voss	
Novak	Prahl	Sieben, M.	Waldorf	
Nysether	Redalen	Simoneau	Weaver	

Those who voted in the negative were:

Nelsen, M.

The bill was passed and its title agreed to.

S. F. No. 606, A bill for an act relating to the revisor of statutes; publication of the Minnesota Statutes, Supplement and Session Laws by the revisor; correcting certain obsolete provisions; clarifying certain provisions; amending Minnesota Statutes 1978, Sections 482.09, 482.11; 648.31, Subdivision 1; 648.32; 648.40; and 648.41, 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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 294, A bill for an act relating to private passenger vehicle insurance; prohibiting certain premium increases attributable to relatives living in the same household; amending Minnesota Statutes 1978, Chapter 65B, 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 102 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Aasness	Dean	Jude	Nelsen, M.	Schreiber
Adams	Eken	Kahn	Nelson	Sherwood
Anderson, B.	Elioff	Kalis	Norman	Sieben, H.
Anderson, D.	Ellingson	Kelly	Norton	Sieben, M.
Anderson, G.	Enebo	Kempe	Novak	Simoneau
Anderson, I.	Esau	Knickerbocker	Nysether	Stadum
Anderson, R.	Evans	Kostohryz	Olsen	Stoa
Battaglia	Ewald	Kroening	Onnen	Swanson
Begich	Faricy	Laidig	Osthoff	Tomlinson
Berglin	Fjoslien	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pehler	Vanasek
Biersdorf	Fritz	Long	Peterson	Voss
Blatz	Fudro	Luknic	Piepho	Waldorf
Brinkman	Greenfield	McCarron	Prahl	Welch
Byrne	Halberg	McDonald	Redalen	Wenzel
Carlson, L.	Haukoos	McEachern	Reding	Wieser
Casserly	Hokanson	Metzen	Reif	Wynia
Clark	Jacobs	Minne	Rice	Zubay
Clawson	Jaros	Moe	Rose	
Corbid	Johnson, C.	Murphy	Rothenberg	
Crandall	Johnson, D.	Nelsen, B.	Sarna	

Those who voted in the negative were:

Albrecht	Forsythe	Kvam	Rees	Wigley
Dempsey	Heap	Ludeman	Sviggum	Speaker Searle
Den Ouden	Heinitz	Niehaus	Thiede	
Drew	Jennings	Pavlak	Valento	
Erickson	Kaley	Pleasant	Welker	

The bill was passed and its title agreed to.

### CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Sieben, H., requested immediate consideration of H. F. No. 177.

H. F. No. 177 was reported to the House.

Casserly moved to amend H. F. No. 177 as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1978, Chapter 270, is amended by adding a section to read:

[270.80] [TAXATION OF RAILROAD PROPERTY.] *Subdivision 1. "Railroad company" means any company which as a common carrier operates a railroad or a line or lines of railway situated within or partly within Minnesota.*

*Subd. 2. "Railroad property" means all property owned or used by a railroad company.*

*Subd. 3. The railroad property of every railroad company doing business in Minnesota shall be assessed and taxed as otherwise provided by law.*

Sec. 2. Minnesota Statutes 1978, Chapter 270, is amended by adding a section to read:

[270.85] [PAYMENT OF TAXES IN 1980 AND 1981 ONLY.] *Subdivision 1. For purposes of this section, "railroad property" means all property owned or used by a railroad company which was not locally assessed for the 1978 assessment. For the assessment years 1979 and 1980 only, after the assessor has determined the market value of the railroad property located within his jurisdiction, he shall compute the assessed value of the railroad property by applying the classification percentage contained in section 273.13, subdivision 9 to the market value. Only for taxes levied in 1979 payable in 1980 and for taxes levied in 1980 payable in 1981, the county auditor shall exclude the assessed value of railroad property when computing the rate of tax pursuant to section 275.09. By March 1, 1980 and 1981, the county auditor shall compute the tax due from each company by applying the countywide average mill rate for payable 1980 and 1981 times the assessed value of railroad property for assessment years 1979 and 1980 respectively and shall certify to the commissioner of revenue by company the assessed value of the railroad property and the tax due from each. The commissioner of revenue shall prepare a statement of taxes for each railroad company and shall send it to each company on or before April 1, 1980 and 1981, and shall indicate the assessed value of its railroad property, the mill rate applied in determining the taxes and the total amount of taxes due and payable. That amount shall be compared to the amount of gross earnings tax imposed under section 5. If the amount paid pursuant to section 5 is less than the amount computed in this section, the additional tax shall be payable to the commissioner and shall be deposited by him in the general fund of the state treasury. The provisions of section 279.01 pertaining to due dates and penalties for late payment*

*of taxes for nonhomestead property shall be applicable to the taxes payable under this section. If the amount paid pursuant to section 5 exceeds the amount computed in this section, the commissioner shall refund the amount of excess within 60 days. The amounts necessary to make the refunds provided in this section are appropriated to the commissioner from the general fund in the state treasury.*

*Subd. 2. The commissioner shall give a report to the legislature in March 1980 and in March 1981 which shall contain by railroad company the valuation of railroad property for payable 1980 and 1981, the taxes payable in 1980 and 1981 based upon that valuation, and the amount of gross earnings tax imposed under section 5 for each year.*

Sec. 3. Minnesota Statutes 1978, Section 272.02, Subdivision 1, is amended to read:

272.02 [EXEMPT PROPERTY.] Subdivision 1. Except as provided in other subdivisions of this section or in section 272.025, all property described in this section to the extent herein limited shall be exempt from taxation:

- (1) All public burying grounds;
- (2) All public schoolhouses;
- (3) All public hospitals;
- (4) All academies, colleges, and universities, and all seminaries of learning;
- (5) All churches, church property, and houses of worship;
- (6) Institutions of purely public charity;
- (7) All public property exclusively used for any public purpose;
- (8) All natural cheese held in storage for aging by the original Minnesota manufacturer;
- (9) (a) Class 2 property of every household of the value of \$100, maintained in the principal place of residence of the owner thereof. The county auditor shall deduct such exemption from the total valuation of such property as equalized by the revenue commissioner assessed to such household, and extend the levy of taxes upon the remainder only. The term "household" as used in this section is defined to be a domestic establishment maintained either (1) by two or more persons living together within the same house or place of abode, subsisting in common

and constituting a domestic or family relationship, or (2) by one person.

(b) During the period of his active service and for six months after his discharge therefrom, no member of the armed forces of the United States shall lose status of a householder under paragraph (a) which he had immediately prior to becoming a member of the armed forces.

In case there is an assessment against more than one member of a household the \$100 exemption shall be divided among the members assessed in the proportion that the assessed value of the Class 2 property of each bears to the total assessed value of the Class 2 property of all the members assessed. The Class 2 property of each household claimed to be exempt shall be limited to property in one taxing district, except in those cases where a single domestic establishment is maintained in two or more adjoining districts.

Bonds and certificates of indebtedness hereafter issued by the state of Minnesota, or by any county or city of the state, or any town, or any common or independent school district of the state, or any governmental board of the state, or any county or city thereof, shall hereafter be exempt from taxation; provided, that nothing herein contained shall be construed as exempting such bonds from the payment of a tax thereon, as provided for by section 291.01, when any of such bonds constitute, in whole or in part, any inheritance or bequest, taken or received by any person or corporation.

(10) Farm machinery manufactured prior to 1930, which is used only for display purposes as a collectors item;

(11) The taxpayer shall be exempted with respect to, all agricultural products, inventories, stocks of merchandise of all sorts, all materials, parts and supplies, furniture and equipment, manufacturers material, manufactured articles including the inventories of manufacturers, wholesalers, retailers and contractors; and the furnishings of a room or apartment in a hotel, rooming house, tourist court, motel or trailer camp, tools and machinery which by law are considered as personal property, and the property described in section 272.03, subdivision 1 (c), except personal property which is part 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 and structures. *Railroad docks and wharves which are part of the operating property of a railroad company as defined in section 1 are not exempt.*



(12) Containers of a kind customarily in the possession of the consumer during the consumption of commodities, the sale of which are subject to tax under the provisions of the excise tax imposed by Extra Session Laws 1967, Chapter 32;

(13) All livestock, poultry, all horses, mules and other animals used exclusively for agricultural purposes;

(14) All agricultural tools, implements and machinery used by the owners in any agricultural pursuit.

(15) Real and personal property used primarily for the abatement and control of air, water, or land pollution to the extent that it is so used.

Any taxpayer requesting exemption of all or a portion of any equipment or device, or part thereof, operated primarily for the control or abatement of air or water pollution shall file an application with the commissioner of revenue. Any such equipment or device shall meet standards, regulations or criteria prescribed by the Minnesota Pollution Control Agency, and must be installed or operated in accordance with a permit or order issued by that agency. The Minnesota Pollution Control Agency shall upon request of the commissioner furnish information or advice to the commissioner. If the commissioner determines that property qualifies for exemption, he shall issue an order exempting such property from taxation. Any such equipment or device shall continue to be exempt from taxation as long as the permit issued by the Minnesota Pollution Control Agency remains in effect.

Sec. 4. Minnesota Statutes 1978, Section 273.061, Subdivision 8, is amended to read:

Subd. 8. [POWERS AND DUTIES.] The county assessor shall have the following powers and duties:

(1) He shall call upon and confer with the township and city assessors in his county, and advise and give them the necessary instructions and directions as to their duties under the laws of this state, to the end that a uniform assessment of all real property in the county will be attained.

(2) He shall assist and instruct the local assessors in the preparation and proper use of land maps and record cards, in the property classification of real and personal property, and in the determination of proper standards of value.

(3) He shall keep the local assessors in his county advised of all changes in assessment laws and all instructions which he receives from the commissioner of revenue relating to their duties.

(4) He shall attend all county seat instructional meetings of the local assessors of his county called by the commissioner of revenue, and shall assist the representatives of the commissioner in conducting those meetings.

(5) He shall have authority to require the attendance of groups of local assessors at sectional meetings called by him for the purpose of giving them further assistance and instruction as to their duties.

(6) He shall immediately commence the preparation of a large scale topographical land map of the county, in such form as may be prescribed by the commissioner of revenue, showing thereon the location of all railroads, highways and roads, bridges, rivers and lakes, swamp areas, wooded tracts, stony ridges and other features which might affect the value of the land. Appropriate symbols shall be used to indicate the best, the fair and the poor land of the county. For use in connection with the topographical land map, he shall prepare and keep available in his office tables showing fair average minimum and maximum market values per acre of cultivated, meadow, pasture, cut-over, timber and waste lands of each township. He shall keep the map and tables available in his office for the guidance of town assessors, boards of review, and the county board of equalization.

(7) He shall also prepare and keep available in his office for the guidance of town assessors, boards of review and the county board of equalization, a land valuation map of the county, in such form as may be prescribed by the commissioner of revenue. This map, which shall include the bordering tier of townships of each county adjoining, shall show the average market value per acre, both with and without improvements, as finally equalized in the last biennial assessment of real estate, of all land in each town or unorganized township which lies outside the corporate limits of cities.

(8) He shall regularly examine all conveyances of land outside the corporate limits of cities of the first and second class, filed with the county recorder of his county, and keep a file, by descriptions, of the considerations shown thereon. From the information obtained by comparing the considerations shown with the market values assessed, he shall make recommendations to the county board of equalization of necessary changes in individual assessments or aggregate valuations.

(9) He shall prepare annually and keep available in his office for the guidance of boards of review and the county board of equalization, a table showing the market value per capita of all personal property in each assessment district in the county as finally equalized in the last previous assessment of personal property. For the guidance of the county board of equalization, he shall also add to the table the market value per capita of all

personal property of each assessment district for the current year as equalized by the local board of review.

(10) He shall familiarize himself with the values of the different items of personal property so that he will be in a position when called upon to advise the boards of review and the county board of equalization concerning property, market values thereof.

(11) While the county board of equalization is in session, he shall give it every possible assistance to enable it to perform its duties. He shall furnish the board with all necessary charts, tables, comparisons and data which it requires in its deliberations, and shall make whatever investigations the board may desire.

(12) At the request of either the board of county commissioners or the commissioner of revenue, he shall investigate applications for reductions of valuation and abatements and settlements of taxes, examine the real or personal property involved, and submit written reports and recommendations with respect to the applications, in such form as may be prescribed by the board of county commissioners and commissioner of revenue.

(13) He shall make diligent search each year for real and personal property which has been omitted from assessment in his county, and report all such omissions to the county auditor.

(14) He shall render such other services pertaining to the assessment of real and personal property in his county as are not inconsistent with the duties set forth in this section, and as may be required of him by the board of county commissioners or by the commissioner of revenue.

*(15) He shall annually value and assess the railroad property located within his jurisdiction.*

Sec. 5. Minnesota Statutes 1978, Section 295.02, is amended to read:

295.02 [ANNUAL RETURN.] Every railroad company owning or operating any line of railroad situated within, or partly within, this state shall, annually, pay to the commissioner of revenue, in lieu of all taxes upon all property within this state owned or operated for railway purposes by such company, including equipment, appurtenances, appendages and franchises thereof, a sum of money equal to (FIVE) two percent of the gross earnings derived from the operation of such line of railway within this state.

On or before September first, annually, each such railroad company shall file a true and just return of all such gross earn-

ings for the six months ending June thirtieth, next preceding, and the tax of (FIVE) two percent thereon shall become due and payable to the state of Minnesota, in manner provided by law, on September first.

On or before March first, annually, each such railroad company shall file a true and just return of all such gross earnings for the six months ending December thirty-first, next preceding, and tax of (FIVE) two percent thereon shall become due and payable to the state of Minnesota, in manner provided by law, on March first. The payments of such sums at the times hereinbefore set forth shall be in full and in lieu of all other taxes upon the property and franchises so taxed.

Such returns shall be filed with the commissioner, in such form as he shall prescribe, and the provisions of chapter 294 and acts amendatory thereto, shall be applicable to such railroad companies and to the returns and the taxes submitted therewith by them.

The lands acquired by public grant shall be and remain exempt from taxation until sold or contracted to be sold or conveyed, as provided in the respective acts whereby such grants were made or recognized.

Sec. 6. [REPEALER.] *Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14 are repealed.*

Sec. 7. [EFFECTIVE DATE.] *Section 6 shall be effective beginning for taxable years after December 31, 1980. The remainder of this act shall be in effect for all years beginning after December 31, 1978."*

Further, delete the title and insert:

"A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; providing a two year extension of a reduced gross earnings tax equivalent to ad valorem tax during transition; amending Minnesota Statutes 1978, Chapter 270, by adding sections; Sections 272.02, Subdivision 1; 273.061, Subdivision 8; 295.02; and repealing Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14."

A roll call was requested and properly seconded.

#### NOTICE OF INTENTION TO MOVE RECONSIDERATION

Nysether gave notice of intention to move reconsideration of H. F. No. 815 which was passed by the House on the Calendar today.

## CALL OF THE HOUSE

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

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

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

The question recurred on the adoption of the Casserly amendment and the roll was called. There were 53 yeas and 77 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Brinkman	Evans	Haukoos	Kalis
Adams	Clawson	Ewald	Heap	Kempe
Ainley	Crandall	Fjoslien	Heinitz	Knickerbocker
Albrecht	Dempsey	Forsythe	Jacobs	Kvam
Anderson, D.	Den Ouden	Friedrich	Jennings	Laidig
Anderson, R.	Drew	Fritz	Johnson, D.	Levi
Biersdorf	Erickson	Fudro	Jude	Ludeman
Blatz	Esau	Halberg	Kaley	Luknic

McDonald	Olsen	Redalen	Stadum	Wenzel
McEachern	Onnen	Reding	Stowell	Wieser
Mehrkens	Osthoff	Rees	Sviggum	Wigley
Metzen	Patton	Reif	Thiede	Zubay
Nelsen, B.	Pavlak	Rose	Valan	Speaker Searle
Nelsen, M.	Peterson	Rothenberg	Valento	
Niehaus	Piepho	Schreiber	Weaver	
Nysether	Pleasant	Sherwood	Welker	

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

H. F. No. 177, A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; amending Minnesota Statutes 1978, Chapter 270, by adding sections; Sections 272.02, Subdivision 1; and 295.02; repealing Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14.

The bill was read for the 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 108 yeas and 22 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, R.	Ellingson	Kahn	Norton	Vanasek
Begich	Enebo	Kroening	Prahl	Voss
Casserly	Faricy	McCarron	Rice	
Corbid	Greenfield	Moe	Stoa	
Elioff	Jaros	Nelson	Swanson	

The bill was passed and its title agreed to.

## GENERAL ORDERS

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

## REPORT OF COMMITTEE OF THE WHOLE

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

S. F. No. 346 which it recommended to pass.

S. F. No. 410 which it recommended progress.

H. F. No. 592 which it recommended to pass with the following amendment offered by Reding:

Page 2, lines 12 and 13 after "DATE.]" delete the sentence and insert "*Section 1 of this act is effective March 1, 1980. Section 2 is effective the day following final enactment.*"

S. F. No. 384 which it recommended to pass with the following amendment to the unofficial engrossment offered by Norman:

Page 1, line 21, delete "*election judges*" and insert "*county, city or township employees during their normal work day*"

S. F. No. 361 which it recommended to pass with the following amendment offered by Heinitz:

Page 2, line 17, after the period insert:

*"All signs erected by local authorities to designate speed limits in school zones shall conform to the manual on uniform control devices."*

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

## MOTIONS AND RESOLUTIONS

Pehler moved that the name of Ewald be added as an author on H. F. No. 996. The motion prevailed.

Norman moved that his name be stricken as an author on House Advisory No. 26. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER AND THE CHAIRMAN OF THE  
COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House of Representatives to the following commissions:

*Midwestern Education Board*, pursuant to the provisions of Minnesota Statutes 1978, Section 121.844: McEachern

*Indian Affairs Intertribal Board*, pursuant to the provisions of Minnesota Statutes 1978, Section 3.922: Ainley, Drew and Wenzel

*Interstate Cooperation Commission*, pursuant to the provisions of Minnesota Statutes 1978, Section 3.29: Anderson, I.; Erickson; Johnson, C.; Nelsen, B.; and Luknic

*Citizens' Committee on Voyageurs' National Park*, pursuant to the provisions of Minnesota Statutes 1978, Section 84B.11: Anderson, I.; and Rothenberg

## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 23, 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., Monday, April 23, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives