

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

FORTY-FOURTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 30, 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, H.
Adams	Eken	Kaley	Norman	Sieben, M.
Ainley	Eloff	Kalis	Norton	Simoneau
Albrecht	Enebo	Kelly	Novak	Stoa
Anderson, B.	Erickson	Kempe	Nysether	Stowell
Anderson, D.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, G.	Evans	Kroening	Omnen	Swanson
Anderson, I.	Ewald	Kvam	Osthoff	Thiede
Anderson, R.	Faricy	Laidig	Otis	Tomlinson
Battaglia	Fjoslien	Lehto	Patton	Valan
Begich	Forsythe	Levi	Pavlak	Valento
Berglin	Friedrich	Long	Pehler	Vanasek
Berkelman	Fritz	Ludeman	Peterson	Voss
Biersdorf	Fudro	Luknic	Piepho	Waldorf
Blatz	Greenfield	Mann	Pleasant	Weaver
Brinkman	Halberg	McCarron	Prahl	Welch
Byrne	Haukoos	McDonald	Redalen	Welker
Carlson, D.	Heap	McEachern	Reding	Wenzel
Carlson, L.	Heinitz	Mehrkens	Rees	Wieser
Casserly	Hoberg	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.	Searles	
Den Ouden	Jude	Nelson	Sherwood	

A quorum was present.

Stadum was excused. Ellingson was excused until 2:40 p.m.
Kostohryz was excused until 3:40 p.m.

The Chief Clerk proceeded to read the Journals of the preceding days. Kelly moved that further reading of the Journals be dispensed with and that the Journals 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. 1518, 1519, 1526, 1431, 935, 1005, 1249, 1386 and 261 and S. F. Nos. 766, 1341, 1388, 1392, 236, 521, 622, 876 and 1245 have been placed in the members' files.

S. F. No. 1388 and H. F. No. 1431, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Heinitz moved that S. F. No. 1388 be substituted for H. F. No. 1431 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

April 30, 1979

The Honorable Rod Searle
Speaker of the House
State of Minnesota

Dear Speaker Searle:

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

H. F. No. 843, relating to housing and redevelopment authorities; providing that by agreement a housing and redevelopment authority may exercise powers in a county or municipality which has no active housing and redevelopment authority; amending Minnesota Statutes 1978, Section 462.445, Subdivision 5.

H. F. No. 486, relating to usury; extending the expiration date on the law authorizing flexible interest rates on home loans; regulating assumptions of certain mortgages; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 4, 6 and 9.

H. F. No. 523, relating to public health; prescribing fees for diagnostic laboratory services provided by the department of health; providing exemptions for charging fees; authorizing

the commissioner of health to promulgate rules; amending Minnesota Statutes 1978, Chapter 144, by adding a section.

H. F. No. 103, relating to highway traffic regulations; allowing loads of round baled hay with a width of 11-1/2 feet to be transported pursuant to permit; amending Minnesota Statutes 1978, Chapter 169, by adding a section.

H. F. No. 167, relating to the city of Virginia; extending an eligibility deadline for special funding for the improvement of a segment of a certain municipal state-aid street within the city.

H. F. No. 297, relating to the city of Chisholm; exempting volunteer firefighters from civil service commission jurisdiction.

H. F. No. 638, 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; 282.341, 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.

H. F. No. 186, 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.

Sincerely,

ALBERT H. QUIE
Governor

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

April 27, 1979

The Honorable Rod Searle
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

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

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1979</i>	<i>Date Filed 1979</i>
322		43	April 27	April 27

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 990, A bill for an act relating to energy; clarifying the procedures for declaring an energy emergency; prescribing the powers of the governor and executive council in an emergency; providing for the issuance of emergency rules by the director of the energy agency; prescribing additional elements of the energy emergency conservation and allocation plan; providing for earth sheltered construction zoning variances; prohibiting local governments from banning earth sheltered construction; requiring certain building energy reports and audits; providing for an adult and post-secondary energy education plan; limiting the time for application for certain variances; providing a method for determining certain efficiencies for air conditioners; providing partial funding to school districts, private nonsectarian schools, post-secondary schools, townships, municipalities and counties for energy audits and energy conservation measures; requiring the commissioner of administration to prepare plans for new buildings that utilize alternative energy sources; establishing a state building solar demonstration pro-

gram; requiring notice to the Minnesota energy agency of the proposed discontinuance of municipal steam heat systems; appropriating funds to the energy agency for various energy related purposes; prescribing a penalty; authorizing a weatherization program for low-income persons; amending Minnesota Statutes 1978, Sections 12.02, Subdivision 1; 12.03, Subdivision 4, and by adding a subdivision; 12.21, Subdivisions 1 and 3, and by adding a subdivision; 12.28; 12.32; 16.32, by adding a subdivision; 116H.02, Subdivisions 3 and 5, and by adding subdivisions; 116H.08; 116H.09, Subdivisions 1, 4, and 5; 116H.11; 116H.12, Subdivisions 1a, 1b, 3a, 3b, and 10; 116H.122; 116H.123; 116H.124; 116H.126; 116H.13; 116H.15; 120.78, Subdivision 1; 325.989, by adding a subdivision; 394.25, Subdivision 3; 394.27, Subdivision 7; 451.09; 462.357, Subdivisions 1 and 6; 462A.02, by adding a subdivision; and Chapter 116H, by adding sections; and Chapter 268, by adding a section; repealing Minnesota Statutes 1978, Section 116H.125.

Reported the same back with the following amendments:

Page 2, line 16, after "earthquake" insert "*, nuclear accident*"

Page 9, line 11, after "regulations" insert "*, shall be based on reasonable energy savings or transfers from scarce energy resources*"

Page 19, delete lines 9 to 33

Page 20, delete lines 1 to 3

Page 23, line 3, delete "*conditioners*" and insert "*conditioner models*"

Page 32, line 2, before "On" insert "*Prior to the start of construction of the facility*"

Renumber preceding sections in the article

Page 34, delete lines 26 to 30 and insert the following:

"Sec. 17. *The agency shall make known to the public by public meeting, seminars, the toll free telephone number, and public service announcements prepared for radio, television stations, and print media, not only suggestions as to the advisability of various kinds and methods of home insulation, ventilation, and construction but the potential hazards, if any, of such kinds and methods.*

ARTICLE IV: RESIDENTIAL WEATHERIZATION"

Page 34, line 31, delete "19" and insert "1"

Page 35, line 11, delete "*Grant applications shall*"

Page 35, delete lines 12 to 14 and insert "*Grants made with state appropriations shall be only for employing supervisory personnel, except that if federal funds for other personnel are not available or are totally expended, the remaining state appropriations may be used for other personnel.*"

Page 35, line 15, delete "*all*" and insert "*temporary*" and after "*rules*" insert "*by July 1, 1979 and shall promulgate permanent rules by July 1, 1980*"

Page 35, line 16, delete "*by July 1,*"

Page 35, line 17, delete "*1979*"

Page 36, line 4, delete "*20*" and insert "*2*"

Page 36, line 6, delete "*\$4,800,000*" and insert "*\$2,000,000*"

Page 36, line 6, delete "*biennium*" and insert "*year*"

Page 36, line 6, delete "*1981*" and insert "*1980*"

Page 36, line 7, delete "*19*" and insert "*1. No more than 10 percent of these moneys shall be available to the department for administrative purposes*"

Page 36, line 8, delete "*21*" and insert "*3*"

Page 37, line 30, delete "*12 and 13*" and insert "*11 and 12*"

Page 38, line 23, delete "*\$692,017*" and insert "*\$713,737*"

Page 40, line 25, delete "*\$160,000*" and insert "*\$64,000*"

Renumber articles accordingly

Further amend the title as follows:

Page 1, line 18, delete "*private nonsectarian schools,*"

Page 1, line 19, delete "*post-secondary schools, townships,*"

Page 2, line 4, delete "*sections*" and insert "*a section*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

H. F. No. 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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 501.43, is amended to read:

501.43 [REMOVAL OF TRUSTEE.] (UPON THE COMPLAINT OF ANY PERSON INTERESTED IN THE EXECUTION OF AN EXPRESS TRUST, AND UNDER SUCH REGULATIONS AS SHALL BE ESTABLISHED BY THE COURT FOR THAT PURPOSE, IT MAY REMOVE ANY TRUSTEE WHO HAS VIOLATED OR THREATENED TO VIOLATE HIS TRUST, OR WHO IS INSOLVENT, OR WHOSE INSOLVENCY IS APPREHENDED, OR WHO FOR ANY OTHER CAUSE IS DEEMED AN UNSUITABLE PERSON TO EXECUTE THE TRUST.) *Any person interested in an express trust may petition the district or county court wherein a trustee resides or has his place of business for the removal of that trustee for cause at any time. Upon filing of the petition the court shall fix a time and place for hearing. Notice shall be given to the trustee and other interested parties pursuant to the provisions of section 501.35 or as the court shall otherwise order.*

Cause for removal exists when removal is in the best interests of the trust estate, when the trustee has violated his trust, has become incapable of discharging the duties of his office, or has mismanaged the trust estate. In determining the best interests of the trust estate, the trustee's compensation and fees, and administrative expenses, shall also be considered.

Sec. 2. Minnesota Statutes 1978, Section 524.3-611, is amended to read:

524.3-611 [TERMINATION OF APPOINTMENT BY REMOVAL; CAUSE; PROCEDURE.] (a) A person interested in the estate may petition for removal of a personal representative for cause at any time. Upon filing of the petition, the court shall fix a time and place for hearing. Notice shall be given by the petitioner to the personal representative, and to other persons as the court may order. Except as otherwise ordered as provided in section 524.3-607, after receipt of notice of removal proceedings, the personal representative shall not act except to account, to correct maladministration or preserve the estate. If

removal is ordered, the court also shall direct by order the disposition of the assets remaining in the name of, or under the control of, the personal representative being removed.

(b) Cause for removal exists when removal (WOULD BE) is in the best interests of the estate, or if it is shown that a personal representative or the person seeking his appointment intentionally misrepresented material facts in the proceedings leading to his appointment, or that the personal representative has disregarded an order of the court, has become incapable of discharging the duties of his office, or has mismanaged the estate or failed to perform any duty pertaining to the office. *In determining the best interests of the estate, the personal representative's compensation and fees, and administrative expenses, shall also be considered.* Unless the decedent's will directs otherwise, a personal representative appointed at the decedent's domicile, incident to securing appointment of himself or his nominee as ancillary personal representative, may obtain removal of another who was appointed personal representative in this state to administer local assets.

Sec. 3. Minnesota Statutes 1978, Section 524.3-719, is amended to read:

524.3-719 [COMPENSATION OF PERSONAL REPRESENTATIVE.] (a) A personal representative is entitled to reasonable compensation for his services. If a will provides for compensation of the personal representative and there is no contract with the decedent regarding compensation, he may renounce the provision before qualifying and be entitled to reasonable compensation. A personal representative also may renounce his right to all or any part of the compensation. A written renunciation of fee may be filed with the court.

(b) *In determining what is reasonable compensation, the court shall give consideration to the following factors:*

- (1) *The time and labor required;*
- (2) *The complexity and novelty of problems involved; and*
- (3) *The extent of the responsibilities assumed and the results obtained."*

Delete the title and insert:

"A bill for an act relating to fiduciaries; providing for replacement of trustees; establishing guidelines for compensation of personal representatives; providing that cost considerations are a factor in the removal of trustees and personal representatives; amending Minnesota Statutes 1978, Sections 501.43; 524.3-611, and 524.3-719."

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

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 450, A bill for an act relating to probate; clarifying the form for a self-proved will; amending Minnesota Statutes 1978, Section 524.2-504.

Reported the same back with the following amendments:

Page 1, line 6, after the enacting clause insert:

"Section 1. Minnesota Statutes 1978, Section 484.70, Subdivision 3, is amended to read:

Subd. 3. (NO) *A full-time referee sitting in juvenile court may hear a contested trial (ON ANY PETITION,), hearing, or (ANY) motion (MADE PURSUANT TO SECTION 260.125) unless either party or his attorney objects orally on the record or in writing prior to or at the time of commencement of the trial, hearing, or motion.*"

Renumber the remaining section.

Delete the title and insert:

"A bill for an act relating to courts; authorizing juvenile court referees to hear contested trials, hearings, or motions unless objection is made; clarifying the form for a self-proved will; amending Minnesota Statutes 1978, Sections 484.70, Subdivision 3; and 524.2-504."

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. 990 and 1473 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1388 and 450 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Patton, Berkelman, Laidig and Searle introduced:

H. F. No. 1541, A bill for an act relating to elections; authorizing corporations to establish political funds under certain conditions; exempting certain political funds from prohibitions against corporate political contributions; limiting solicitations by political funds established by corporations; requiring certain approval for transfer of union dues to a union political fund; establishing requirements for a negative checkoff; imposing criminal and civil penalties; amending Minnesota Statutes 1978, Sections 10A.12, by adding a subdivision; 10A.22, Subdivision 7; 210A.34, by adding a subdivision; and Chapter 10A, by adding a section.

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

Stowell, Lehto, Voss, Mehrkens and Biersdorf introduced:

H. F. No. 1542, A bill for an act relating to real property; providing that certain contracts and purchase agreements for the conveyance of real property are voidable within a specified time.

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

Lehto, Munger, Jaros, Berkelman and Battaglia introduced:

H. F. No. 1543, A bill for an act relating to the state planning agency; providing assistance for the environmental and economic development of the Duluth harbor; appropriating money.

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

Elioff, Battaglia and Begich introduced:

H. F. No. 1544, A bill for an act relating to state lands; providing for a conveyance to the city of Buhl.

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

Peterson; Searles; Anderson, D.; Begich and Brinkman introduced:

H. F. No. 1545, A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, adding a section; providing constitutional limits on state spending.

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

Pehler and Corbid introduced:

H. F. No. 1546, A bill for an act relating to taxation; sales; allowing carriers transporting certain goods in interstate commerce to make direct payment of taxes to the commissioner of revenue for certain purchases; amending Minnesota Statutes 1978, Section 297A.211, Subdivision 1.

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

Laidig introduced:

H. F. No. 1547, A bill for an act relating to the town of Baytown; providing for its legal status in certain consolidation proceedings.

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

Luknic and Vanasek introduced:

H. F. No. 1548, A bill for an act relating to the city of Waterville; clarifying its governing statutes.

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

Clawson, Welch, Clark, Crandall and Onnen introduced:

H. F. No. 1549, A bill for an act relating to health care; requiring certain optional and mandatory benefits under certain health care plans; providing increased flexibility in benefit levels; modifying certain benefit requirements under the Minnesota comprehensive health insurance act of 1976; amending Minnesota Statutes 1978, Section 62E.06, Subdivision 1; and Chapter 62A, by adding a section; repealing Minnesota Statutes 1978, Sections 62A.043; 62A.149; 62A.15; 62A.151; 62A.152; and 62A.153.

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

Carlson, L.; Swanson and Otis introduced:

H. F. No. 1550, A bill for an act relating to elections; regulating the financing of political campaigns and disclosure of economic interests by certain candidates and elected officials in Hennepin county and certain adjoining municipalities and school districts; imposing duties on the ethical practices board, county election officials, city clerks and school district administrators; superseding other special laws, home rule charters and local ordinances; imposing late filing fees and criminal penalties; repealing Laws 1977, Chapter 131.

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

Sarna, Biersdorf, Patton and Enebo introduced:

H. F. No. 1551, A bill for an act relating to insurance; requiring certain property owners to file reports; providing for a late report penalty; appropriating money.

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

Norton, for the Committee on Appropriations, introduced:

H. F. No. 1552, A bill for an act relating to the organization and operation of state government; appropriating money for maintenance of various semi-state activities and for other purposes with certain conditions; authorizing basic life insurance and health benefits coverage for employees of semi-state agencies; amending Minnesota Statutes 1978, Sections 43.43, Subdivision 2; 138.01, by adding a subdivision; 139.17, Subdivision 2; and 139.18, Subdivisions 1 and 2.

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

Norton, for the Committee on Appropriations, introduced:

H. F. No. 1553, A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative and judicial expenses of state government with certain conditions; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; cancelling certain appropriations; amending Minnesota Statutes 1978, Sections 4.12, by adding a subdivi-

sion; 4.26, Subdivision 1; 5.08, Subdivision 2; 15.015, Subdivision 1; 15.191, Subdivision 1; 16.02, by adding a subdivision; 16.822, Subdivision 3; 16.825, Subdivision 1; 16.826, Subdivision 4; 16.97; 16A.126; 21.115; 21.116; 21.55; 43.067, Subdivision 1; 85A.03, Subdivisions 4 and 5; 85A.04, Subdivisions 1 and 2; 85A.05, Subdivisions 3, 4 and 6; 168.54, Subdivisions 4 and 5; 179.04; 179.72, Subdivision 1; 197.16; 270.051, Subdivision 2; 271.06, Subdivision 4; 341.10; 362.20; 403.11, Subdivision 3; 472.11, Subdivision 9; 484.54, Subdivision 1; 546.27; Chapters 3, by adding a section; and 86, by adding a section; and Laws 1976, Chapter 233, Section 14; repealing Minnesota Statutes 1978, Sections 85A.02, Subdivision 12; 85A.04, Subdivisions 1a and 1b; 168.54, Subdivisions 2 and 3; and 345.48, Subdivision 2.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Sarna, Biersdorf, Rice, Metzen, and Anderson, I., introduced:

H. A. No. 31, A proposal for a study relating to labor, of the job-impact of container legislation.

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

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration, pursuant to Rule 1.9, designated the following bills as a Special Order to be acted upon immediately preceding General Orders for today, Monday, April 30, 1979:

H. F. Nos. 870, 546, 1394, 772, 852, 1126, 797, 1212 and 450.

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. 145, A bill for an act relating to health; changing requirements for school employee tuberculosis examinations; amending Minnesota Statutes 1978, Section 123.69, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Carlson, L., moved that the House refuse to concur in the Senate amendments to H. F. No. 145, that the Speaker shall appoint 2 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 2 members to a conference committee, and that the House requests that a conference committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 30, 478 and 681.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 935.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1047.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 704.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 188 and 285.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 579.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 273 and 1215.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 756 and 923.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 107 and 732.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 303, 682 and 951.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 971 and 1002.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 436, 486 and 506.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 133 and 722.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 332 and 1312.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1144, 1243 and 1273.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

S. F. Nos. 895, 947 and 1051.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

S. F. Nos. 333, 1210 and 1288.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

S. F. Nos. 1328 and 1338.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 30, A bill for an act relating to administrative rules; providing for the effect of the failure of the legislature to enact a bill repealing a suspended rule; amending Minnesota Statutes 1978, Section 3.965, Subdivision 2.

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

S. F. No. 478, A bill for an act relating to town roads; providing for the establishment of certain cartways, and authorizing the expenditure of town road and bridge funds under certain conditions; amending Minnesota Statutes 1978, Section 164.08, Subdivision 2.

The bill was read for the first time.

Fjoslien moved that S. F. No. 478 and H. F. No. 1249, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 681, A bill for an act relating to game and fish; providing for the licensing and regulation of commercial fishing in inland waters; contracts for removal of rough fish; amending Minnesota Statutes 1978, Section 98.46, by adding a subdivision; and Chapter 102, by adding a section; repealing Minnesota Statutes 1978, Section 97.4861.

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

S. F. No. 935, A bill for an act relating to the University of Minnesota; requiring establishment of a small business set aside program for certain university procurements.

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

S. F. No. 1047, A bill for an act relating to workers' compensation; providing for settlement of claims; amending Minnesota Statutes 1978, Section 176.521, Subdivisions 1 and 2.

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

S. F. No. 704, A bill for an act relating to savings banks; authorizing service corporations and also authorizing certain detached facilities; amending Minnesota Statutes 1978, Chapter 50, by adding sections.

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

S. F. No. 188, A bill for an act relating to noise pollution; exempting skeet, trap and shooting sports clubs from noise standards of any state agency; amending Minnesota Statutes 1978, Section 116.07, by adding a subdivision.

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

S. F. No. 285, A bill for an act relating to interest rates; increasing permissible finance charges for open end credit sales; providing for calculation of finance charges on open end credit sales; amending Minnesota Statutes 1978, Section 334.16, Subdivision 1, and by adding a subdivision.

The bill was read for the first time.

Friedrich moved that S. F. No. 285 and H. F. No. 500, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 579, A bill for an act relating to workers' compensation; requiring employer to provide certain podiatric treatment and orthotics; permitting change of podiatrists; amending Minnesota Statutes 1978, Section 176.135, Subdivisions 1 and 2.

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

S. F. No. 273, A bill for an act relating to commerce; providing a floating usury rate for contracts for deed on residential property; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 2 and 4, and by adding a subdivision.

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

S. F. No. 1215, A bill for an act relating to public safety; prohibiting scuba or skin diving during certain hours and under certain conditions; amending Minnesota Statutes 1978, Section 361.09, by adding a subdivision.

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

S. F. No. 756, A bill for an act relating to taxation; providing income tax credit for contributions to candidates for federal and local public offices; clarifying application of the tax credit in certain special elections; amending Minnesota Statutes 1978, Section 290.06, Subdivision 11.

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

S. F. No. 923, A bill for an act relating to the city of Duluth; authorizing the issuance of bonds in connection with the municipal steam utility plant; authorizing the governing body to transfer money from the steam division account of the public utility fund to the general fund; authorizing the governing body to delegate the power to make certain purchases for the municipal steam utility to a private management organization.

The bill was read for the first time.

Munger moved that S. F. No. 923 and H. F. No. 971, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 107, A bill for an act relating to state government; extending the contract preference for United States materials to include Mexican and Canadian made materials; amending Minnesota Statutes 1978, Section 16.073.

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

S. F. No. 732, A bill for an act relating to game and fish; modifying the definitions of rough fish and minnows; amending Minnesota Statutes 1978, Section 97.40, Subdivisions 11 and 12.

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

S. F. No. 303, A bill for an act relating to littering; imposing civil liability on the owner of a vehicle from which certain articles and materials are thrown, deposited, or dumped; prescribing procedures, civil damages, and penalties; amending Minnesota Statutes 1978, Chapter 169, by adding a section.

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

S. F. No. 682, A bill for an act relating to game and fish; authorizing the use of handguns in taking small game; amending Minnesota Statutes 1978, Section 100.29, Subdivision 2.

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

S. F. No. 951, A bill for an act relating to small businesses; establishing a uniform definition of small business; amending Minnesota Statutes 1978, Section 161.321, Subdivisions 1 and 3; and Chapter 645, by adding a section; repealing Minnesota Statutes 1978, Section 16.082, Subdivisions 2, 3, 4 and 5.

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

S. F. No. 971, A bill for an act relating to creditor's remedies; defining property exempt from legal process; amending Minnesota Statutes 1978, Section 550.37, Subdivisions 4 and 19, and by adding a subdivision.

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

S. F. No. 1002, A bill for an act relating to the city of Duluth; defining construction powers of the Spirit Mountain Area Authority; amending Laws 1973, Chapter 327, Section 5, Subdivision 3.

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

S. F. No. 436, A bill for an act relating to financial institutions; permitting graduated payment home mortgages; amending Minnesota Statutes 1978, Chapters 47, by adding a section; and 52, by adding a section.

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

S. F. No. 486, 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.

S. F. No. 506, A bill for an act relating to alcoholic beverages; prohibiting consumption or possession in certain highway facilities where appropriate signs are posted; providing a penalty; amending Minnesota Statutes 1978, Section 160.27, by adding a subdivision.

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

S. F. No. 133, A bill for an act relating to partnerships; enacting the 1976 uniform limited partnership act.

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

S. F. No. 722, A bill for an act relating to elections; directing the secretary of state to authorize and direct demonstration projects for the use of punchcard ballots for absent voters.

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

S. F. No. 332, A bill for an act relating to pipelines; limiting negotiation and acquisition of easements; requiring public meetings and information books for affected landowners; requiring minimum depth of cover on cultivated land; authorizing adoption of local ordinances to protect public roads and drainage facilities; authorizing counties to adopt ordinances to establish pipeline construction standards; requiring pipelines to pay inspection fees; providing for a county inspector; limiting liability for certain unintentional damage to pipelines; establishing a pipeline property tax credit; providing for reversion of certain easements and recording of survey points; imposing duties on

the environmental quality board and certain county boards; providing for enforcement by injunctive relief; imposing criminal and civil penalties; appropriating money.

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

S. F. No. 1312, A bill for an act relating to unemployment compensation; providing for conformity with federal requirements; altering certain definitions; altering certain provisions as to employer contributions; altering provisions as to deductions from benefits; altering provisions as to between term denial of benefits to certain educational employees; altering certain provisions for disqualification from benefits; altering certain appeal provisions; removing limitation on certain reciprocal benefit arrangements; amending Minnesota Statutes 1978, Sections 268.04, Subdivisions 10, 12 and 23; 268.06, Subdivisions 5, 8, 21, 22, and by adding a subdivision; 268.08, Subdivisions 3 and 4, and 6, as amended; 268.09, Subdivisions 1, 2 and 3; 268.10, Subdivision 2; 268.12, Subdivision 13; 268.13, Subdivision 2; and 268.18, Subdivisions 1 and 2.

The bill was read for the first time.

Kaley moved that S. F. No. 1312 and H. F. No. 1350, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1144, A bill for an act relating to public drainage systems; increasing repair authority; providing for abandonment of systems; increasing repair funds; amending Minnesota Statutes 1978, Sections 106.011, by adding a subdivision; 106.471, Subdivisions 2 and 6; 106.651; and Chapter 106, by adding a section.

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

S. F. No. 1243, A bill for an act relating to waters; limiting the rule making power of the commissioner of natural resources in regard to flood plain management; amending Minnesota Statutes 1978, Section 104.05.

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

S. F. No. 1273, A bill for an act relating to natural resources; authorizing the commissioner to utilize volunteer services; amending Minnesota Statutes 1978, Chapter 84, by adding a section; and Section 176.011, Subdivision 9; repealing Minnesota Statutes 1978, Section 85.041.

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

S. F. No. 895, A bill for an act relating to intoxicating liquor; permitting earlier hours for Sunday sale; amending Minnesota Statutes 1978, Section 340.14, Subdivision 5.

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

S. F. No. 947, A bill for an act relating to the city of Duluth; fixing the expiration of a city sales tax; removing a report requirement; amending Laws 1977, Chapter 438, Section 2; repealing Laws 1977, Chapter 438, Section 1, Subdivision 3.

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

S. F. No. 1051, A bill for an act relating to welfare; excluding educational grants and loans from income when determining the amount of assistance granted under aid to families with dependent children; amending Minnesota Statutes 1978, Section 256.74, Subdivision 1.

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

S. F. No. 333, A bill for an act relating to education; providing for nonpublic school administrative unit representation at organizational meetings of educational cooperative service units, for participation in their programs, the composition of their governing boards and advisory councils and for their annual reports; changing the name of the advisory task force on nonpublic schools and extending its term; amending Minnesota Statutes 1978, Section 123.58, Subdivisions 2, 4, 5, 6, 7, and 8; and Laws 1976, Chapter 271, Section 8, Subdivision 1, as amended.

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

S. F. No. 1210, A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in Beltrami County.

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

S. F. No. 1288, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey certain lands in Kittson County, under certain conditions, to the Galilee Bible Camp.

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

S. F. No. 1328, A bill for an act relating to labor; authorizing commissioner of labor and industry to seek restraining orders against certain violators of child labor laws; amending Minnesota Statutes 1978, Section 181A.08, by adding a subdivision.

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

S. F. No. 1338, A bill for an act relating to workers' compensation; providing fact finding powers to compensation judges; amending Minnesota Statutes 1978, Chapter 176, by adding a section.

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

CONSENT CALENDAR

S. F. No. 668 was reported to the House.

Piepho moved to amend S. F. No. 668 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Laws 1973, Chapter 38, Section 1, is amended to read:

Section 1. Notwithstanding the provisions of any other law to the contrary, Blue Earth county may enter into rental purchase agreements (OR), conditional sales agreements or *installment purchase agreements* for the acquisition of (ROAD EQUIPMENT) *personal property*, provided that under such agreements the seller is limited to the remedy of recovery of the property in case of nonpayment of all or part of the purchase price. (THE PURCHASE PRICE SHALL BE PAYABLE OVER A PERIOD NOT TO EXCEED FIVE YEARS.)

Sec. 2. *This act is effective upon approval by the board of county commissioners of Blue Earth County and upon compliance with Minnesota Statutes, Section 645.021."*

Further amend by deleting the title and inserting:

"A bill for an act relating to Blue Earth County; authorizing the county to enter into various agreements for acquisition of property; amending Laws 1973, Chapter 38, Section 1."

The motion prevailed and the amendment was adopted.

Den Ouden moved to amend S. F. No. 668, as amended, as follows:

Page 1, line 11, strike "county" and insert ", Redwood, Kandiyohi, and Renville counties"

Page 1, line 19, delete section 2 and insert:

"Sec. 2. This act is effective for each county named in section 1 upon its approval by the board of county commissioners of the county and upon compliance with Minnesota Statutes, Section 645.021."

Further amend the title:

Line 2, delete "County" and insert ", Redwood, Kandiyohi, and Renville Counties"

Line 3, delete "county" and insert "counties"

The motion prevailed and the amendment was adopted.

S. F. No. 668, A bill for an an act relating to Blue Earth, Redwood, Kandiyohi, and Renville Counties; authorizing the counties to enter into various agreements for acquisition of property; amending Laws 1973, Chapter 38, Section 1.

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 127 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Enebo Kahn

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

H. F. No. 980 was reported to the House.

There being no objection, H. F. No. 980 was returned to General Orders.

H. F. No. 1052, A bill for an act relating to retirement; Eveleth joint retired police and firefighters retirement trust fund; providing for a post retirement adjustment.

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

The bill was passed and its title agreed to.

H. F. No. 1274 was reported to the House.

Moe moved to amend H. F. No. 1274, as follows:

Page 5, after line 27, add a new section to read: "Sec. 6. *This act is effective the day following final enactment.*"

The motion prevailed and the amendment was adopted.

H. F. No. 1274, A bill for an act relating to retirement; teachers retirement association; qualifications for executive director; definition of teacher; application of proportionate annuity; payment of teachers' annuities; refunds of accumulated contributions; amending Minnesota Statutes 1978, Sections 354.05, Subdivision 2; 354.06, Subdivision 2; 354.44, Subdivision 1a, and by adding a subdivision; and 354.47, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

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

S. F. No. 218, A bill for an act relating to game and fish; authorizing exporting of leeches; time for possession of certain equipment usable in taking fish; amending Minnesota Statutes 1978, Sections 97.45, Subdivision 15; and 101.42, Subdivision 18.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 466 was reported to the House.

There being no objection, S. F. No. 466 was continued on the Consent Calendar for one day.

S. F. No. 538, A bill for an act relating to state lands; authorizing the lease of certain state lands in Itasca County for use by the Itasca Ski and Outing Club, Inc.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 1386, A bill for an act relating to the city of St. Paul; fixing the rate of the franchise fee for utility supplies to residential dwellings.

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

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

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelson	Sieben, H.
Adams	Eken	Kahn	Niehaus	Sieben, M.
Ainley	Elioff	Kaley	Norman	Simoneau
Albrecht	Ellingson	Kalis	Norton	Stoa
Anderson, B.	Enebo	Kelly	Novak	Stowell
Anderson, D.	Erickson	Kempe	Nysether	Sviggum
Anderson, G.	Esau	Knickerbocker	Olsen	Swanson
Anderson, I.	Evans	Kroening	Onnen	Thiede
Anderson, R.	Ewald	Kvam	Osthoff	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	Mann	Prahl	Welch
Byrne	Halberg	McCarron	Redalen	Welker
Carlson, D.	Haukoos	McDonald	Reding	Wenzel
Carlson, L.	Heap	McEachern	Rees	Wieser
Casserly	Heinitz	Mehrkens	Reif	Wigley
Clark	Hoberg	Metzen	Rice	Wynia
Clawson	Hokanson	Minne	Rose	Zubay
Corbid	Jacobs	Moe	Rothenberg	Speaker Searle
Crandall	Jaros	Munger	Sarna	
Dean	Jennings	Murphy	Schreiber	
Dempsey	Johnson, C.	Nelsen, B.	Searles	
Den Ouden	Johnson, D.	Nelsen, M.	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 236, A bill for an act relating to the state auditor; providing for the examination of municipal records pursuant to petition; requiring signatures of 20 percent of the number of voters in the last presidential election for a petition to examine municipal records; establishing certain other requirements for petitions for examination of towns and school districts; requiring that the city, town and school district as well as county auditor be notified when the petition is certified; amending Minnesota Statutes 1978, Section 6.54.

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 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G. Berglin Corbid Osthoff

The bill was passed and its title agreed to.

S. F. No. 362, A bill for an act relating to Hennepin County; providing for the appointment, compensation, and duties of the medical examiner; amending Laws 1963, Chapter 848, Section 1, Subdivision 2; Section 5; repealing Laws 1963, Chapter 848, Section 1, Subdivision 4.

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

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kroening Stoa

The bill was passed and its title agreed to

S. F. No. 521, A bill for an act relating to the city of St. Cloud; authorizing sale of liquor at the Municipal Sports Complex.

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 105 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Adams	Berglin	Clark	Evans	Heinitz
Ainley	Berkelman	Dean	Ewald	Hoberg
Anderson, B.	Biersdorf	Dempsey	Faricy	Hokanson
Anderson, G.	Blatz	Drew	Friedrich	Jacobs
Anderson, I.	Brinkman	Eken	Fudro	Jaros
Anderson, R.	Byrne	Elioff	Greenfield	Jennings
Battaglia	Carlson, L.	Ellingson	Haukoos	Johnson, C.
Begich	Casserly	Enebo	Heap	Johnson, D.

Jude	Mann	Norton	Rice	Valan
Kahn	McCarron	Novak	Rose	Valento
Kaley	McEachern	Olsen	Rothenberg	Vanasek
Kalis	Mehrkens	Patton	Sarna	Voss
Kelly	Metzen	Pavlak	Schreiber	Waldorf
Knickerbocker	Minne	Pehler	Searles	Weaver
Kvam	Moe	Peterson	Sieben, H.	Welch
Laidig	Munger	Piepho	Sieben, M.	Welker
Lehto	Murphy	Pleasant	Simoneau	Wenzel
Levi	Nelsen, M.	Prahl	Stoa	Wieser
Long	Nelson	Redalen	Stowell	Wigley
Ludeman	Niehaus	Reding	Swanson	Wynia
Luknic	Norman	Reif	Tomlinson	Speaker Searle

Those who voted in the negative were:

Aasness	Crandall	Fritz	Nysether	Sviggun
Anderson, D.	Den Ouden	Kempe	Onnen	Thiede
Carlson, D.	Erickson	Kroening	Osthoff	
Clawson	Esau	McDonald	Rees	
Corbid	Fjoslien	Nelsen, B.	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 876 was reported to the House.

There being no objection, S. F. No. 876 was continued on the Consent Calendar until Wednesday, May 2, 1979.

S. F. No. 1245, A bill for an act relating to city of Duluth; providing for the management of the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Sections 2, Subdivision 2; 5, Subdivision 4; 7, as amended; and 8.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 261, A bill for an act relating to municipal industrial development; amending the definition of project; requiring a notice and hearing; amending Minnesota Statutes 1978, Sections 474.01, Subdivision 7a, and by adding a subdivision; and 474.02, Subdivision 1c, and by adding a subdivision; and 474.12.

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 117 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Johnson, D.	Nelsen, B.	Schreiber
Adams	Eken	Jude	Nelsen, M.	Searles
Ainley	Elioff	Kahn	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	Stoa
Anderson, R.	Evans	Kroening	Nysether	Stowell
Battaglia	Ewald	Kvam	Olsen	Sviggum
Begich	Faricy	Laidig	Osthoff	Swanson
Berglin	Fjoslien	Lehto	Patton	Thiede
Berkelman	Forsythe	Levi	Pavlak	Tomlinson
Biersdorf	Friedrich	Long	Pehler	Valan
Blatz	Fudro	Ludeman	Peterson	Valento
Brinkman	Greenfield	Luknic	Pleasant	Vanasek
Byrne	Halberg	Mann	Prahl	Voss
Carlson, D.	Haukoos	McCarron	Redalen	Weaver
Carlson, L.	Heap	McDonald	Reding	Welch
Casserly	Heinitz	Mehrkens	Rees	Wenzel
Clark	Hoberg	Metzen	Reif	Wigley
Clawson	Hokanson	Minne	Rice	Wynia
Corbid	Jacobs	Moe	Rose	
Crandall	Jaros	Munger	Rothenberg	
Dean	Johnson, C.	Murphy	Sarna	

Those who voted in the negative were:

Dempsey	Jennings	Onnen	Waldorf	Wieser
Den Ouden	Kaley	Piepho	Welker	Speaker Searle
Fritz	McEachern			

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Norton requested immediate consideration of H. F. Nos. 1526, 1518 and 1519.

H. F. No. 1526 was reported to the House.

Speaker pro tem Heinitz was called to the Chair.

H. F. No. 1526, A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes with certain conditions, including the department of education, aids to libraries, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals; amending Minnesota Statutes 1978, Sections 120.81, Subdivision 2; and 124.572, 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 132 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	Stoa
Anderson, D.	Erickson	Kempe	Nysether	Stowell
Anderson, G.	Esau	Knickerbocker	Olsen	Sviggunm
Anderson, I.	Evans	Kroening	Onnen	Swanson
Anderson, R.	Ewald	Kvam	Osthoff	Thiede
Battaglia	Farley	Laidig	Otis	Tomlinson
Begich	Fjoslien	Lehto	Patton	Valan
Berglin	Forsythe	Levi	Pavlak	Valento
Berkelman	Friedrich	Long	Pehler	Vanasek
Biersdorf	Fritz	Ludeman	Peterson	Voss
Blatz	Fudro	Luknic	Piepho	Waldorf
Brinkman	Greenfield	Mann	Pleasant	Weaver
Byrne	Halberg	McCarron	Prahl	Welch
Carlson, D.	Haukoos	McDonald	Redalen	Welker
Carlson, L.	Heap	McEachern	Reding	Wenzel
Casserly	Heinitz	Mehrkens	Rees	Wieser
Clark	Hoberg	Metzen	Reif	Wigley
Clawson	Hokanson	Minne	Rice	Wynia
Corbid	Jacobs	Moe	Rose	Zubay
Crandall	Jaros	Munger	Rothenberg	Speaker Searle
Dean	Jennings	Murphy	Sarma	
Dempsey	Johnson, C.	Nelsen, B.	Schreiber	
Den Ouden	Johnson, D.	Nelsen, M.	Searles	

The bill was passed and its title agreed to.

H. F. No. 1518 was reported to the House.

CALL OF THE HOUSE

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

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

Kempe 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.

Kempe offered an amendment to H. F. No. 1518.

POINT OF ORDER

Norton raised a point of order pursuant to Section 401, Subdivision 4, of "Mason's Manual of Legislative Procedure" that the amendment offered by Kempe was not in order. The Speaker pro tem ruled the point of order well taken and the amendment out of order.

Kempe appealed the decision of the Chair.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Chair stand as the judgment of the House?" The roll was called and there were 91 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Ainley	Ellingson	Kahn	Olsen	Simoneau
Anderson, B.	Enebo	Kaley	Otis	Stoa
Anderson, D.	Erickson	Kalis	Patton	Stowell
Anderson, G.	Evans	Knickerbocker	Pavlak	Swanson
Anderson, R.	Ewald	Kvam	Pehler	Tomlinson
Berglin	Faricy	Laidig	Peterson	Valan
Berkelman	Forsythe	Lehto	Piepho	Vanasek
Biersdorf	Friedrich	Levi	Pleasant	Voss
Blatz	Greenfield	Long	Prahl	Weaver
Byrne	Halberg	Ludeman	Redalen	Welker
Carlson, D.	Haukoos	Mann	Reding	Wieser
Carlson, L.	Heap	McCarron	Rees	Wigley
Casserly	Heinitz	Mehrkens	Reif	Wynia
Clark	Hoberg	Minne	Rose	Zubay
Clawson	Hokanson	Moe	Rothenberg	Speaker Searle
Crandall	Jaros	Munger	Schreiber	
Dean	Jennings	Nelson	Searles	
Den Ouden	Johnson, C.	Norton	Sieben, H.	
Eken	Johnson, D.	Novak	Sieben, M.	

Those who voted in the negative were:

Aasness	Drew	Kempe	Nelsen, M.	Sviggun
Adams	Elioff	Kostohryz	Niehaus	Thiede
Albrecht	Esau	Kroening	Norman	Valento
Anderson, I.	Fjoslien	Luknic	Nysether	Waldorf
Battaglia	Fritz	McDonald	Onnen	Welch
Begich	Fudro	McEachern	Osthoff	Wenzel
Brinkman	Jacobs	Metzen	Rice	
Corbid	Jude	Murphy	Sarna	
Dempsey	Kelly	Nelsen, B.	Sherwood	

So it was the judgment of the House that the decision of the Chair should stand.

Wenzel moved to amend H. F. No. 1518 as follows:

Page 8, after line 52, insert

"Energy Assistance

\$5,000,000 \$5,000,000

This appropriation includes funds to provide financial assistance for the payment of utility, or fuel bills to households with incomes less than 125% of the federal poverty level. If the appropriation is insufficient for either year, priority for assistance shall be given to senior citizens. The commissioner of public welfare shall determine the amount of assistance per household based on probable costs of essential energy purchases and shall promulgate temporary rules necessary to administer the assistance payments by September 1, 1979. The departments of welfare and economic security shall share records regarding applicants and recipients of energy assistance programs to avoid duplicative payments. Any unexpended balance remaining in the first year shall be available for the second year of the biennium."

A roll call was requested and properly seconded.

POINT OF ORDER

Carlson, D., raised a point of order pursuant to rule 3.10 that the amendment offered by Wenzel was not in order. The Speaker pro tem ruled the point of order not well taken.

CALL OF THE HOUSE LIFTED

Knickerbocker moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

The question recurred on the Wenzel amendment to H. F. No. 1518 and the roll was called. There were 38 yeas and 88 nays as follows:

Those who voted in the affirmative were:

Adams	Clawson	Kelly	Nelsen, M.	Rice
Battaglia	Elioff	Kostohryz	Nelson	Sarna
Begich	Enebo	Kroening	Novak	Sieben, M.
Berglin	Fjoslien	Lehto	Osthoff	Tomlinson
Brinkman	Fudro	McEachern	Patton	Welch
Byrne	Greenfield	Metzen	Pehler	Wenzel
Carlson, L.	Jaros	Moe	Prahl	
Clark	Jude	Murphy	Reding	

Those who voted in the negative were:

Aasness	Ellingson	Johnson, D.	Norton	Stoa
Ainley	Erickson	Kahn	Nysether	Stowell
Albrecht	Esau	Kaley	Olsen	Sviggum
Anderson, D.	Evans	Kalis	Onnen	Swanson
Anderson, G.	Ewald	Knickerbocker	Otis	Thiede
Anderson, R.	Faricy	Kvam	Pavlak	Valan
Berkelman	Forsythe	Laidig	Peterson	Valento
Biersdorf	Friedrich	Levi	Piepho	Vanasek
Blatz	Fritz	Ludeman	Pleasant	Voss
Carlson, D.	Halberg	Luknic	Redalen	Waldorf
Casserly	Haukoos	Mann	Rees	Weaver
Corbid	Heap	McCarron	Reif	Welker
Crandall	Heinitz	McDonald	Rose	Wieser
Dean	Hoberg	Mehrkens	Rothenberg	Wigley
Dempsey	Hokanson	Minne	Schreiber	Zubay
Den Ouden	Jacobs	Nelsen, B.	Searles	Speaker Searle
Drew	Jennings	Niehaus	Sherwood	
Eken	Johnson, C.	Norman	Simoneau	

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

Rice and Moe moved to amend H. F. No. 1518 as follows:

Page 15, line 40, delete "credit" and insert "grant"

Page 15, delete lines 41 to 49

Page 16, delete lines 1 to 38 and insert "participating in the Community Corrections Act that retain in the community those

offenders for which the penalty of imprisonment provided by law is five years or less. The amount of the grant to each county shall be determined by the commissioner who shall annually project the number of offenders who are retained in the community by participating counties. The commissioner shall allocate this appropriation based on the proportion of offenders retained in all participating counties. The commissioner shall make necessary adjustments to the grants at the end of each fiscal year to reflect the actual number of these offenders retained in participating counties."

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 49 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Adams	Clark	Jennings	Moe	Sarna
Anderson, G.	Eken	Kelly	Munger	Sieben, M.
Anderson, R.	Eloff	Kempe	Murphy	Simoneau
Battaglia	Ellingson	Kostohryz	Nelsen, M.	Swanson
Begich	Enebo	Kroening	Nelson	Tomlinson
Berglin	Fudro	Laidig	Norton	Vanasek
Berkelman	Greenfield	Lehto	Novak	Voss
Blatz	Hokanson	Long	Otis	Welch
Byrne	Jacobs	McCarron	Pehler	Wenzel
Carlson, L.	Jaros	Minne	Rice	

Those who voted in the negative were:

Aasness	Esau	Kahn	Olsen	Sherwood
Ainley	Evans	Kaley	Onnen	Sieben, H.
Albrecht	Ewald	Kalis	Osthoff	Stoa
Anderson, D.	Faricy	Kvam	Patton	Stowell
Biersdorf	Fjoslien	Levi	Pavlak	Sviggum
Brinkman	Forsythe	Ludeman	Peterson	Thiede
Carlson, D.	Friedrich	Luknie	Piepho	Valan
Casserly	Fritz	Mann	Pleasant	Valento
Clawson	Halberg	McDonald	Prahl	Waldorf
Corbid	Haukoos	McEachern	Redalen	Weaver
Crandall	Heap	Mehrkins	Reding	Welker
Dean	Heinitz	Metzen	Rees	Wieser
Dempsey	Hoberg	Nelsen, B.	Reif	Wigley
Den Ouden	Johnson, C.	Niehaus	Rose	Wynia
Drew	Johnson, D.	Norman	Rothenberg	Zubay
Erickson	Jude	Nysether	Searles	Speaker Searle

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

H. F. No. 1518, A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes with certain conditions; providing appropriations for the departments of public welfare, economic security, corrections, corrections ombudsman, health, health related boards; amending Minnesota Statutes 1978, Sections 145.917, by adding a subdivision; and 145.921, by

adding subdivisions; repealing Minnesota Statutes 1978, Section 145.921, Subdivisions 2 and 4.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht	Kempe	Niehaus	Sherwood	Waldorf
Fritz	McDonald			

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

H. F. No. 1519, A bill for an act relating to transportation; appropriating money for highway development.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

SPECIAL ORDERS

Sieben, H., moved that the bills on Special Orders for today be continued for one day. The motion prevailed.

GENERAL ORDERS

Sieben, H., moved that the bills on General Orders for today be continued for one day. The motion prevailed.

MOTIONS AND RESOLUTIONS

Murphy moved that the name of Haukoos be added as an author on H. F. No. 1537. The motion prevailed.

Piepho moved that the name of Den Ouden be added as an author on H. F. No. 579. The motion prevailed.

Sarna moved that the name of Minne be added as an author on H. F. No. 1551. The motion prevailed.

Den Ouden moved that his name be stricken as an author on H. F. No. 91. The motion prevailed.

ANNOUNCEMENTS 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 to a Conference Committee on H. F. No. 13: Sherwood, Thiede, Battaglia, and Sieben, M.

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on H. F. No. 444: McCarron, Sarna, Pavlak, and Biersdorf.

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on H. F. No. 145: Carlson, L.; Swanson; Heinitz; and Crandall.

ADJOURNMENT

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, May 1, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

