

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## FIFTY-SECOND DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 11, 1979

The House of Representatives convened at 1:00 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	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	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	

A quorum was present.

Waldorf was excused until 1:50 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Clawson 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. 257, 1111, 1453, 597, 1084, 567, 1507, 970, 907, 1238, 1198, 1309 and 738 and S. F. Nos. 680, 932, 988, 1176, 334, 1310, 1327, 216, 426, 42, 1193, 623 and 905 have been placed in the members' files.

S. F. No. 334 and H. F. No. 305, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Heap moved that S. F. No. 334 be substituted for H. F. No. 305 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 623 and H. F. No. 536, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Rose moved that the rules be so far suspended that S. F. No. 623 be substituted for H. F. No. 536 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1193 and H. F. No. 1271, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Ellingson moved that the rules be so far suspended that S. F. No. 1193 be substituted for H. F. No. 1271 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 988 and H. F. No. 899, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Sherwood moved that the rules be so far suspended that S. F. No. 988 be substituted for H. F. No. 899 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1310 and H. F. No. 1308, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Greenfield moved that the rules be so far suspended that S. F. No. 1310 be substituted for H. F. No. 1308 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1327 and H. F. No. 1313, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Olsen moved that the rules be so far suspended that S. F. No. 1327 be substituted for H. F. No. 1313 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 1579, A bill for an act relating to state employees; providing for wage and fringe benefits for certain state employees; ratifying collective bargaining agreements.

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

The report was adopted.

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

H. F. No. 1580, A bill for an act relating to state employees; providing for wage and fringe benefits for certain state employees; ratifying a collective bargaining agreement.

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

The report was adopted.

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

S. F. No. 618, A bill for an act relating to education; transferring certain functions of teacher licensing from the state board of education, the department of education and the commissioner of education to the board of teaching; eliminating the authority of the state board to require that superintendents have teaching experience; eliminating the requirement that cer-

tain rules of the board of teaching be approved by the board of education; reducing the membership of the board of teaching; requiring that the board of teaching adopt certain rules pursuant to chapter 15; eliminating certain requirements for rule-making; providing that the expense of administering certain sections be paid for solely from appropriations made to the board of teaching; amending Minnesota Statutes 1978, Sections 125.05, Subdivisions 1 and 2; 125.08; 125.182, Subdivision 2; 125.183, Subdivisions 1 and 3; 125.185, Subdivisions 4, 4a, 6 and 9; and 179.63, Subdivisions 13 and 14; repealing Minnesota Statutes 1978, Section 125.182, Subdivision 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 125.03, is amended by adding a subdivision to read:

*Subd. 4. "Supervisory and support personnel" for the purpose of licensure means: superintendents; principals; professional employees who devote 50 percent or more of their time to administrative or supervisory duties over other personnel; counselors; school nurses; athletic coaches; and other professional employees who engage primarily in non-classroom activities. The term does not include: librarians; school psychologists; school social workers; audio-visual directors and coordinators; recreation personnel; media generalists; media supervisors; or speech therapists.*

Section 2. Minnesota Statutes 1978, Section 125.05, Subdivision 1, is amended to read:

125.05 [BOARD TO ISSUE LICENSES.] Subdivision 1. [QUALIFICATIONS.] The authority to license teachers as defined (HEREIN) in section 125.03 is vested in the board of teaching (BUT BASED SOLELY ON CRITERIA AND QUALIFICATIONS APPROVED BY THE STATE BOARD OF EDUCATION.) *except that the authority to license (SUPERINTENDENTS AND PRINCIPALS) supervisory and support personnel is vested in the state board of education. Licenses shall be issued to such persons as the board of teaching or the state board of education finds to be (PHYSICALLY) competent (AND MORALLY FIT TO TEACH) for their respective positions. Qualifications of teachers and other professional employees except supervisory and support personnel shall be determined by the board of teaching under the rules which it promulgates. Licenses under the jurisdiction of the board of teaching shall be issued (BY THE COMMISSIONER AND THE COMMISSIONER SHALL ISSUE LICENSES TO ANY QUALIFIED BLIND GRADUATES OF A SCHOOL OF EDUCATION) through the licensing section of the department of ed-*

*ucation. Licenses under the jurisdiction of the state board of education shall be issued through the licensing section of the department of education.*

Sec. 3. Minnesota Statutes 1978, Section 125.05, Subdivision 2, is amended to read:

Subd. 2. [EXPIRATION AND RENEWAL.] Each license *issued through the licensing section of the department of education* shall bear the date of issue. Licenses shall expire and be renewed in accordance with *the respective rules promulgated by the board of teaching or the state board of education*. Renewal requirements for the renewal of a license shall include the production of satisfactory evidence of successful teaching experience for at least one school year during the period covered by the license in grades or subjects for which the license is valid or the completion of such additional preparation as the board of teaching shall prescribe. *Requirements for the renewal of the licenses of supervisory and support personnel shall be established by the state board of education.*

Sec. 4. Minnesota Statutes 1978, Section 125.06, is amended to read:

125.06 [APPLICANTS TRAINED IN OTHER STATES.] When a license to teach is authorized to be issued to any holder of a diploma or a degree of a Minnesota state university, or of the University of Minnesota, or of a liberal arts university, or a technical training institution, such license may also, in the discretion of the board of teaching *or the state board of education, whichever has jurisdiction*, be issued to any holder of a diploma or a degree of a teacher training institution of equivalent rank and standing of any other state, granted by virtue of the completion of a course in teacher preparation essentially equivalent in content to that required by such Minnesota state university or the university of Minnesota or a liberal arts university in Minnesota or a technical training institution as preliminary to the granting of a diploma or a degree of the same rank and class.

Sec. 5. Minnesota Statutes 1978, Section 125.08, is amended to read:

125.08 [TEACHERS' AND ADMINISTRATORS' LICENSES, FEES.] Each application for the issuance, renewal, or extension of a license to teach shall be accompanied by a processing fee in an amount set by the board of teaching by rule. Each application for the issuance, renewal or extension of a (SUPERINTENDENT'S OR PRINCIPAL'S) license *as supervisory or support personnel* shall be accompanied by a processing fee in an amount set by the state board of education by rule. (EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THESE FEES) *The processing fee for a teacher's license*

*shall be paid to the executive secretary of the board of teaching. The processing fee for the licenses of supervisory and support personnel shall be paid to the commissioner (, WHO). The executive secretary of the board of teaching and the commissioner shall deposit (THEM) the fees with the state treasurer, as provided by law, and report each month to the commissioner of finance the amount of fees collected. The fees as set by the boards shall be nonrefundable for applicants not qualifying for a license, provided however, that a fee shall be refunded by the state treasurer in any case in which the applicant already holds a valid unexpired license. The boards may waive or reduce fees for applicants who apply at the same time for more than one license, even if the licenses are under the jurisdiction of different boards.*

Sec. 6. Minnesota Statutes 1978, Section 125.09, Subdivision 1, is amended to read:

125.09 [SUSPENSION OR REVOCATION OF LICENSES.] Subdivision 1. [GROUNDS FOR REVOCATION.] The board of teaching *or the state board of education, whichever has jurisdiction over a teacher's licensure*, may, on the written complaint of the board employing a teacher, or of a teacher organization, or of any other interested person, which complaint shall specify the nature and character of the charges, suspend or revoke such teacher's license to teach for any of the following causes:

- (1) Immoral character or conduct;
- (2) Failure, without justifiable cause, to teach for the term of his contract;
- (3) Gross inefficiency or wilful neglect of duty; or
- (4) Failure to meet licensure requirements; or
- (5) Fraud or misrepresentation in obtaining a license.

Sec. 7. Minnesota Statutes 1978, Section 125.121, Subdivision 1, is amended to read:

125.121 [COACHES, TERMINATION OF DUTIES.] Subdivision 1. Before a district terminates the coaching duties of an employee who is required to hold a license as an athletic coach from the (BOARD OF TEACHING) *state board of education*, the district shall notify the employee in writing and state its reason for the proposed termination. Within 14 days of receiving this notification, the employee may request in writing a hearing on the termination before the board. If a hearing is requested, the board shall hold a hearing within 25 days according to the hearing procedures specified in section 125.12, subdivision 9, and the termination shall not be final except upon the order of the board after the hearing.

Sec. 8. Minnesota Statutes 1978, Section 125.182, Subdivision 2, is amended to read:

Subd. 2. "Teacher" means a (SUPERVISOR,) classroom teacher (,) or other similar professional employee required to hold a license from the (STATE DEPARTMENT OF EDUCATION) *board of teaching*.

Sec. 9. Minnesota Statutes 1978, Section 125.183, Subdivision 1, is amended to read:

125.183 [MEMBERSHIP.] Subdivision 1. A board of teaching consisting of (17) 15 members appointed by the governor is hereby established. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. No member shall be reappointed for more than one additional term.

Sec. 10. Minnesota Statutes 1978, Section 125.183, Subdivision 3, is amended to read:

Subd. 3. Except for the representatives of higher education and the public, to be eligible for appointment to the board of teaching a person must be fully licensed for the position he holds and have at least five years teaching experience in Minnesota, including the two years immediately preceding nomination and appointment. The board shall be composed of one teacher whose responsibilities are those either of a (COUNSELOR,) librarian, psychologist, remedial reading teacher, speech therapist, or vocational teacher, (OR CERTIFIED SCHOOL NURSE, FOUR) *three* elementary school classroom teachers, (FOUR) *three* secondary classroom teachers, (THREE) *one* higher education representative, from a higher education faculty preparing teachers (, TWO OF WHOM SHALL BE REPRESENTATIVES OF STATE INSTITUTIONS AND ONE OF WHOM SHALL BE A REPRESENTATIVE OF PRIVATE INSTITUTIONS); one school administrator and (FOUR) *six* members of the public, *two of whom shall be present or former members of local school boards*. Each nominee other than a public nominee shall be selected on the basis of his professional experience, and knowledge of teacher education, accreditation and licensure.

Sec. 11. Minnesota Statutes 1978, Section 125.185, Subdivision 4, is amended to read:

Subd. 4. The board shall develop and create rules for the licensure of public school teachers and interns (, WHICH SHALL BE SUBMITTED TO THE STATE BOARD OF EDUCATION FOR APPROVAL), and from time to time the board of teaching shall revise or supplement the rules for licensure of public school teachers subject to (APPROVAL BY THE STATE BOARD OF EDUCATION) *the provisions of chapter 15*. It

shall be the duty of the board of teaching to establish rules for the approval of teacher education programs (SUBJECT TO APPROVAL BY THE BOARD OF EDUCATION. SUBJECT TO RULES APPROVED BY THE BOARD OF EDUCATION,); *provided these rules shall encourage teacher educators to obtain periodic classroom teaching experience.* The board of teaching shall also grant licenses to interns and to candidates for original licenses and receive recommendations from local committees as established by the board of teaching for the renewal of teaching licenses, grant life licenses to those who qualify according to requirements established by the board of teaching, and suspend or revoke licenses pursuant to sections 125.09 and 214.10. With regard to vocational education teachers the board of teaching shall adopt and maintain as its rules the rules of the state board for vocational education.

(IN THE EVENT THE STATE BOARD OF EDUCATION DISAPPROVES ANY PROPOSAL FROM THE BOARD OF TEACHING, IT SHALL GIVE WRITTEN NOTICE OF SUCH DISAPPROVAL WITHIN 60 DAYS AFTER THE RECEIPT OF THE PROPOSAL INCLUDING ITS REASONS. ANY PROPOSAL DISAPPROVED BY THE STATE BOARD MAY BE RESUBMITTED BY THE BOARD OF TEACHING AT ANY TIME AFTER THE EXPIRATION OF 45 DAYS AFTER THE DATE OF DISAPPROVAL.)

Sec. 12. Minnesota Statutes 1978, Section 125.185, Subdivision 4a, is amended to read:

Subd. 4a. Prior to the adoption by the board of teaching of any rule which must be submitted to public hearing (AND TO THE STATE BOARD OF EDUCATION FOR APPROVAL), a representative of the commissioner shall appear before the board of teaching and at the hearing required pursuant to section 15.0412, subdivision 4, to comment on the cost and educational implications of that proposed rule. (IF THE REPRESENTATIVE OF THE COMMISSIONER DOES NOT CARRY OUT THE DUTIES REQUIRED BY THIS SUBDIVISION, THE STATE BOARD OF EDUCATION SHALL NOT USE THE COST FACTOR AS A REASON FOR DISAPPROVAL OF THAT RULE.)

Sec. 13 Minnesota Statutes 1978, Section 125.185, Subdivision 6, is amended to read:

Subd. 6. The state board of education shall provide all necessary materials and assistance for the transaction of the business of the board of teaching and all moneys received by the board of teaching shall be paid into the state treasury as provided by law. The expenses of administering sections 125.01 to 125.187 *which are incurred by the board of teaching* shall be paid for from appropriations made to the (STATE BOARD OF EDUCATION AND TO THE) board of teaching.



Sec. 14. Minnesota Statutes 1978, Section 125.185, Subdivision 9, is amended to read:

Subd. 9. The board of teaching may adopt rules *subject to the provisions of chapter 15* to implement sections 125.04 to 125.09 and 125.181 to 125.187 (**AFTER APPROVAL BY THE STATE BOARD OF EDUCATION**).

Sec. 15. Minnesota Statutes 1978, Section 179.63, Subdivision 13, is amended to read:

Subd. 13. "Teacher" means any person other than a superintendent or assistant superintendent, employed by a school district in a position for which the person must be (CERTIFICATED) *licensed* by the *board of teaching or the state board of education* or in a position as a physical therapist or an occupational therapist; and such employment does not come within the exceptions stated in subdivision 7, or defined in subdivisions 8, 9, or 14.

Sec. 16. Minnesota Statutes 1978, Section 179.63, Subdivision 14, is amended to read:

Subd. 14. "Principal" and "assistant principal" means any person so (CERTIFICATED) *licensed* by the state (DEPARTMENT) *board of education* who devotes more than 50 percent of his time to administrative or supervisory duties.

Sec. 17. *Nothing contained in sections 1 to 16 shall be construed as affecting the validity of a permanent license or certificate issued prior to August 1, 1979.*

Sec. 18. *Minnesota Statutes 1978, Section 125.182, Subdivision 4, is repealed."*

Further, amend the title as follows:

Page 1, line 6, delete "eliminating the authority of the state"

Page 1, delete line 7

Page 1, line 8, delete "teaching experience;"

Page 1, line 18, after "Sections" insert "125.03, by adding a subdivision"

Page 1, line 18, before "125.08" insert "125.06;"

Page 1, line 18, after "125.08;" insert "125.09, Subdivision 1; 125.121, Subdivision 1;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 1025, A bill for an act relating to intoxicating liquor; permitting persons to hold more than one on-sale liquor license; amending Minnesota Statutes 1978, Section 340.13, Subdivisions 3 and 7.

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

The report was adopted.

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

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.

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

The report was adopted.

## SECOND READING OF SENATE BILLS

S. F. Nos. 334, 623, 1193, 988, 1310, 1327, 618, 1025 and 1243 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Mann, Kalis, Brinkman, Redalen and Fudro introduced:

H. F. No. 1595, A bill for an act relating to motor vehicles; providing for refunds of license fees; amending Minnesota Statutes 1978, Section 168.16.

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

## HOUSE ADVISORIES

The following House Advisory was introduced:

Ludeman, Aasness, Jacobs, Kalis and Dempsey introduced:

H. A. No. 36, A proposal to study tax incentives to encourage viable transportation by railroads.

The advisory was referred to the Committee on Transportation.

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>
1593	May 9, 1979	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 following the Special Orders for today, Friday, May 11, 1979:

S. F. Nos. 601, 856, 1436, 843, 1312, 186, 228, 233, 427, 117, 622, 363, 607, 1026, 432, 303, 498 and 926.

## 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 Files, herewith returned:

H. F. No. 318, A bill for an act relating to real estate; providing for the conveyance and limiting the severance of joint tenancy interests; permitting certain contracts and conveyances between husband and wife; amending Minnesota Statutes 1978, Sections 500.19, Subdivision 2, and by adding subdivisions; 507.02; and 519.06.

H. F. No. 757, A bill for an act relating to commerce; exempting certain sales of motor vehicles from provisions regulating

home solicitation sales; amending Minnesota Statutes 1978, Section 325.933, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

H. F. No. 1011, A bill for an act relating to labor; master and apprentice; identifying the ex officio member of the advisory council; authorizing equal opportunity in employment standards; providing for reciprocity recognition of certain programs; changing the terms of apprenticeships; changing the range in apprenticeship committee membership; amending Minnesota Statutes 1978, Sections 178.02, Subdivision 1; 178.03, Subdivision 3, and by adding a subdivision; 178.05, Subdivision 2; and 178.06.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1411, A bill for an act relating to Beltrami County; providing for disposition of the proceeds from the sale or rental of tax forfeited lands or from the sale of their products; increasing the amount that may be spent for promotion of tourist, agricultural and industrial developments; amending Laws 1967, Chapter 558, Section 1, Subdivision 5.

PATRICK E. FLAHAVEN, Secretary of 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. 219, A bill for an act relating to electricians; establishing an additional class of installers license; amending Minnesota Statutes 1978, Sections 326.01, Subdivision 6b; and 326.242, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Brinkman moved that the House concur in the Senate amendments to H. F. No. 219 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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 122 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Rees

Reif

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. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Stowell moved that the House concur in the Senate amendments to H. F. No. 282 and that the bill be repassed as amended by the Senate. The motion prevailed.

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, 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 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Albrecht      Corbid

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. 223, A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies and the distribution of tax revenues; granting certain powers and duties to teachers, school bus drivers, school boards, school districts, educational cooperative service units, the Minnesota educational computing consortium, courts, the commissioner of education, the commissioner of health, the department of education, the state board of education and the state board for vocational education and other state agencies; creating a legislative school finance study commission; changing the method of computing foundation aid and levy limitations; providing aid for sparsely populated school districts, basic skills programs, new jobs programs and programs for gifted and talented students; changing procedures for decisions concerning the education of handicapped children; increasing tuition at area vocational-technical institutes; appropriating money; amending Minnesota Statutes 1978, Sections 3.9271, Subdivision 1, and by adding a subdivision; 3.9272; 16.93; 120.075; 120.17, Subdivisions 3b and 7a; 121.912, by adding a subdivision; 121.92, Subdivision 2; 123.34, Subdivision 8; 123.35, by adding a subdivision; 123.58, Subdivision 6, and by adding a subdivision; 123.702, Subdivision 1, and by adding a subdivision; 123.703, Subdivisions 1 and 3; 123.705; 123.741, Subdivision 1; 123.937; 124.01; 124.11, Subdivision 4; 124.17, Subdivision 1; 124.212, Subdivisions 1, 6c, 7c, 11, 20, and by adding subdivisions; 124.222, Subdivisions 1a, 1b, 2a, 2b and 6; 124.223; 124.245, Subdivisions 1 and 2; 124.26, Subdivision 3; 124.271, Subdivisions 2, 5, and by adding a subdivision; 124.32, Subdivisions 1, 1a, 5, 7 and 10; 124.561, Subdivision 3a; 124.562, Subdivisions 1 and 2; 124.563, Subdivision 1; 124.565, Subdivision 3, 4, and by adding a subdivision; 124.572, Subdivi-

sion 2; 124.574, Subdivision 2; 124.646, Subdivision 1; 125.60, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 125.61, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 126.39, Subdivision 10; 126.40, Subdivision 3; 126.41, Subdivision 1; 126.52, Subdivision 10; 126.53, Subdivision 3; 126.54, Subdivision 1; 128A.02, Subdivision 6; 134.30, by adding a subdivision; 134.32, Subdivision 5; 134.33, Subdivision 1; 134.34, Subdivisions 1 and 2; 134.35, Subdivisions 1 and 2; 169.44, Subdivisions 1, 2, and by adding subdivisions; 275.125, Subdivisions 1, 2a, 2b, 8, 11a, and by adding subdivisions; 354.094, Subdivisions 3 and 6; 354.66, Subdivisions 1, 2, 3, 8, and by adding subdivisions; 354A.091, Subdivisions 1, 3, 6, and by adding a subdivision; 354A.22, Subdivisions 1, 2, 3, 8, and by adding subdivisions; 471.61, Subdivision 1b; and Chapters 124, by adding sections; and 134, by adding sections; repealing Minnesota Statutes 1978, Sections 120.171; 124.212, Subdivisions 6b and 7b; 124.241; 126.16; 126.18; 134.33, Subdivision 2; 169.44, Subdivisions 5 and 7; and 275.125, Subdivisions 6 and 7.

PATRICK E. FLAHAVEN, Secretary of the Senate

Eken moved that the House refuse to concur in the Senate amendments to H. F. No. 223, that the Speaker shall appoint 3 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 3 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 House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

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; 474.02, Subdivision 1c, and by adding a subdivision; and 474.12.

PATRICK E. FLAHAVEN, Secretary of the Senate

Schreiber moved that the House refuse to concur in the Senate amendments to H. F. No. 261, that the Speaker shall appoint 3 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 3 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 File, herewith transmitted:

S. F. No. 831.

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. 481.

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. 697.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 831, A bill for an act relating to the Hennepin county park reserve district; regulating tax levies; reaffirming the requirement that the environmental quality board make its decisions by a majority vote; permitting certain requests for reconsideration of board decisions; amending Laws 1967, Chapter 721, Section 2, as amended; and Minnesota Statutes 1978, Section 116D.04, Subdivision 3.

The bill was read for the first time.

Ellingson moved that S. F. No. 831 and H. F. No. 489, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 481, A bill for an act relating to transportation; appropriating money to the department of transportation for the purpose of providing operating subsidies for Medicine Lake transit service under certain conditions.

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

S. F. No. 697, A bill for an act relating to Independent School District No. 535, Rochester; providing that the funds previously authorized for certain purposes may be spent entirely for one of those purposes.

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

### CONSENT CALENDAR

H. F. No. 1050, A bill for an act relating to the department of veterans affairs; increasing the bed capacity at the Hastings veterans home; eliminating the requirement of certain informational reports relating to the interment of deceased veterans; amending Minnesota Statutes 1978, Section 198.31; repealing Minnesota Statutes 1978, Section 149.07.

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

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. 277 and 368.

H. F. No. 277 was reported to the House.

Kalis moved to amend H. F. No. 277 as follows:

Page 4, line 33, delete "2,500" and insert "4,000"

The motion prevailed and the amendment was adopted.

H. F. No. 277, A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; amending Minnesota Statutes 1978, Sections 18.023, Subdivisions 1 and 3a; and 275.50, Subdivision 6.

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 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

H. F. No. 368, A bill for an act relating to community social services; establishing a formula for allocating state and federal funds to counties for the administration and provision of community social services; providing for community social service tax levies; prescribing the duties of county boards and the commissioner of public welfare; establishing an experimental program of services for chronically mentally ill persons; appropriating money; amending Minnesota Statutes 1978, Sections 245.61; 245.62; 245.63; 245.64; 245.66; 245.68; 245.69; 245.84, Subdivisions 1 and 5; 245.85; 245.87; 252.21; 252.22; 252.24, Subdivisions 1, 3 and 4; 252.25; 252.26; 252.261; 253A.02, by adding a subdivision; 253A.07, Subdivisions 1 and 7; 253A.09, Subdivision 1; 253A.10, Subdivision 4; 253A.14, Subdivision 1; 253A.15, Subdivisions 6, 11, 12 and 13; 254A.05, Subdivision 1; 254A.07, Subdivisions 1 and 2; 254A.08, Subdivision 1; 254A.12; 254A.14; and 254A.16, Subdivision 2; repealing Minnesota Statutes 1978, Sections 245.65; 245.651; 245.691; 254A.07, Subdivision 3; 254A.08, Subdivision 3; and 254A.17.

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

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Brinkman	Carlson, D.	Niehaus	Welch
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The bill was passed and its title agreed to.

### SPECIAL ORDERS

S. F. No. 1158 was reported to the House.

Kahn moved to amend S. F. No. 1158, as follows:

Page 1, line 21, delete "*control and there shall*"

Page 1, delete line 22

Page 1, line 23, delete "*the adoptive parents*" and insert "*be considered*"

Page 2, line 11, delete "*control and there shall*"

Page 2, delete line 12

Page 2, line 13, delete "*the adoptive parents*" and insert "*be considered*"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 5 yeas and 115 nays as follows:

Those who voted in the affirmative were:

Berglin	Byrne	Greenfield	Jaros	Kahn
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Those who voted in the negative were:

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

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

Kahn moved to amend S. F. No. 1158, as follows:

Page 1, line 21, delete "*control*" insert "*be considered*"

Page 2, line 11, delete "*control*" insert "*be considered*"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 18 yeas and 108 nays as follows:

Those who voted in the affirmative were:

Byrne	Ellingson	Laidig	Nelson	Vanasek
Clark	Enebo	Long	Otis	Wynia
Clawson	Greenfield	McCarron	Sieben, H.	
Corbid	Kahn	Munger	Sieben, M.	

Those who voted in the negative were:

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

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

S. F. No. 1158, A bill for an act relating to children; requiring that adoptive parents and the adoptive child shall be made parties to certain proceedings related to terminating adoptions; prohibiting a presumption that biological parents should be favored in such proceedings; amending Minnesota Statutes 1978, Sections 259.24, Subdivision 6, and by adding a subdivision; and 259.25, Subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kaley	Niehaus	Sieben, M.
Adams	Elioff	Kalis	Norman	Simoneau
Ainley	Ellingson	Kelly	Norton	Stadum
Anderson, B.	Enebo	Kempe	Novak	Stoa
Anderson, D.	Erickson	Knickerbocker	Nysether	Stowell
Anderson, G.	Esau	Kostohryz	Olsen	Sviggum
Anderson, I.	Evans	Kroening	Onnen	Swanson
Anderson, R.	Ewald	Kvam	Osthoff	Thiede
Battaglia	Faricy	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	Rose	Wynia
Corbid	Jacobs	Moe	Rothenberg	Zubay
Crandall	Jaros	Munger	Sarna	Speaker Searle
Dean	Jennings	Murphy	Schreiber	
Dempsey	Johnson, C.	Nelsen, B.	Searles	
Den Ouden	Johnson, D.	Nelsen, M.	Sherwood	
Drew	Jude	Nelson	Sieben, H.	

Those who voted in the negative were:

Kahn

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. 1495.

H. F. No. 1495 was reported to the House.

### CALL OF THE HOUSE

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

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

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

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

H. F. No. 1495 was reported to the House.

Jaros moved to amend H. F. No. 1495 as follows:

Page 158, strike line 7

Renumber the remaining clauses in this subdivision accordingly

Page 159, line 21, strike the comma and insert a semicolon

Page 159, strike lines 22 and 23

Page 159, line 27, after "heat" strike ", for the billing months of November,"

Page 159, line 28, strike everything before the period

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

Norton moved to amend H. F. No. 1495 as follows:

Pages 86 to 89, delete section 1. Renumber the remaining sections accordingly.

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



Anderson, G., moved to amend H. F. No. 1495 as follows:

Page 28, line 14, after the period insert:

*"The maximum amount of this subtraction shall be \$12,000 less the amount by which the individual's federal adjusted gross income exceeds \$20,000."*

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 41 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Anderson, D.	Eken	Kahn	Norton	Vanasek
Anderson, G.	Ellingson	Kalis	Nysether	Voss
Berkelman	Enebo	Kelly	Patton	Waldorf
Byrne	Erickson	Lehto	Prahl	Wenzel
Casserly	Faricy	Long	Reding	Wynia
Clark	Fudro	Mann	Sherwood	
Clawson	Greenfield	McDonald	Stoa	
Corbid	Jaros	Nelson	Sviggum	
Drew	Jude	Niehaus	Tomlinson	

Those who voted in the negative were:

Aasness	Elioff	Kempe	Norman	Searles
Adams	Esau	Knickerbocker	Novak	Sieben, H.
Ainley	Evans	Kostohryz	Olsen	Sieben, M.
Albrecht	Ewald	Kroening	Onnen	Simoneau
Anderson, B.	Fjoslien	Kvam	Osthoff	Stadum
Anderson, I.	Forsythe	Laidig	Otis	Stowell
Anderson, R.	Friedrich	Levi	Pavlak	Swanson
Battaglia	Fritz	Ludeman	Pehler	Thiede
Begich	Halberg	Luknic	Peterson	Valan
Berglin	Haukoos	McCarron	Piepho	Valento
Biersdorf	Heap	McEachern	Pleasant	Weaver
Blatz	Heinitz	Mehrkins	Redalen	Welch
Brinkman	Hoberg	Metzen	Rees	Welker
Carlson, D.	Hokanson	Minne	Reif	Wieser
Carlson, L.	Jacobs	Moe	Rice	Wigley
Crandall	Jennings	Munger	Rose	Zubay
Dean	Johnson, C.	Murphy	Rothenberg	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Sarna	
Den Ouden	Kaley	Nelsen, M.	Schreiber	

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

H. F. No. 1495, A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; repealing limited market value; changing homestead base value; decreasing classification ratios on certain property; establishing a new category for certain residential nonhomestead property; increasing homestead credit percentages and maximum amounts; increasing agricultural aid credit; extend-

ing 3cc classification to qualifying mobile homeowners; extending 3cc classification to the surviving spouse of certain deceased veterans, blind and disabled persons; changing income sources and requirements for owners of 3cc property; allowing homestead owned by joint tenant to qualify for 3cc classification; providing for deferred assessment of value added by historical preservation; providing an exclusion of \$12,000 for pension income; excluding pensions of nonresidents from gross income; expanding the taxable net income brackets for individuals, estates and trusts; increasing personal, dependent, special credits and credits for certain low income taxpayers; providing for inflation adjustment to income tax and property tax refund brackets and credits; providing residential energy credit; allowing use of lump sum distribution tax computation for certain severance pay; altering the definition of gross income for income tax purposes for individuals, trusts and estates; placing restrictions on certain deductions; making certain changes in the minimum tax and in the treatment of small business corporations; allowing a ten year carryback of products liability losses; allowing adjustments to basis; allowing deductions for employer contributions to simplified employee plans; excluding from income certain payments to members of the armed services; increasing the maximum income tax credit for political contributions; providing an income tax deduction for certain political contributions; conforming individual deductions for business expenses, taxes, disaster losses, medical expenses and charitable contributions to federal deductions; removing certain limitations on the dependent care credit; standardizing the personal, dependent and special credits; increasing the standard deduction; updating the definition of income for property tax refund purposes; expanding inheritance and gift tax exemptions and credits; establishing a presumption of contribution by a spouse in property held jointly with the decedent; adjusting homestead exemption for inheritance tax purposes; providing a tax credit for feedlot and pollution control equipment; providing an income tax credit to a Minnesota resident for income taxes paid to a province or territory of Canada; reducing the income tax rate applicable to corporations; clarifying the purposes for which an additional property tax levy by governmental subdivisions is authorized; authorizing an additional property tax levy by governmental subdivisions in certain cases; providing for the calculation of tax levy limitations for governmental subdivisions; clarifying the taxable status of Title II property owned by a non-profit entity; providing that the commissioner of revenue shall administer and enforce the Minnesota unfair cigarette sales act; reducing the sales tax on newsprint and ink; excluding certain feminine hygiene products from the sales tax; exempting from the sales tax the furnishing of water and sewer services for residential use; providing for municipal regulation of subdivisions; providing penalties; appropriating money; amending Minnesota Statutes 1978, Sections 270.06; 272.02, Subdivision 1; 273.11; 273.122; 273.13, Subdivisions 4, 6, 6a, 7, 14a and 19; 273.132; 273.17, Subdivision 1; 275.11, Subdivision 2; 275.50, Subdivisions 5 and 6; 275.51, by adding a subdivision; 275.52, Subdivisions 2 and 5;

290.01, Subdivision 20; 290.032, by adding a subdivision; 290.06, Subdivisions 1, 2c, 3c, 3d, 9, 9a, 11, and by adding subdivisions; 290.067, Subdivisions 1 and 2; 290.081; 290.09, Subdivisions 2, 4, 5, 10, 15, 28, and by adding a subdivision; 290.091; 290.095, by adding a subdivision; 290.14; 290.17, Subdivision 2; 290.21, Subdivision 3; 290.26, Subdivision 2; 290.971, Subdivisions 1, 3 and 6; 290.972, Subdivisions 1, 3, and 5; 290A.03, Subdivisions 3, 11 and 13; 290A.04, Subdivisions 2, 2a, 2b, 3, and by adding a subdivision; 291.01, Subdivision 4; 291.05; 291.065; 292.04; 292.07, Subdivisions 1, 5 and by adding a subdivision; 295.02; 297A.01, Subdivision 3; 297A.14; 297A.25, Subdivision 1; 462.358, by adding subdivisions; 462.36, Subdivision 1; Chapters 270, by adding sections; 272, by adding a section; 273, by adding a section; and 298, by adding a section; repealing Minnesota Statutes 1978, Sections 275.51, Subdivision 3d; 290.06, Subdivisions 3e and 12; 290.21, Subdivision 3a; 290.971, Subdivision 5; 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; 295.14; and 462.352, 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 127 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clawson	Greenfield	Kahn	McCarron	Moe
Corbid	Jaros			

The bill was passed and its title agreed to.

## CALL OF THE HOUSE LIFTED

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

There being no objection the order of business reverted to Reports of Standing Committees.

## REPORTS OF STANDING COMMITTEES

Sieben, H., from the Committee on Taxes to which was referred:

S. F. No. 1351, A bill for an act relating to metropolitan government; providing for financing of metropolitan sports facilities; authorizing a revised site determination and establishing conditions for issuance of bonds; providing for appointment of members of the metropolitan sports facilities commission; exempting events sponsored at the metropolitan sports center from the three percent admission tax; appropriating money; amending Minnesota Statutes 1978, Sections 473.553, Subdivisions 2 and 4; 473.581, Subdivisions 2, 3, as amended, 4, as amended, and 5, as amended; 473.595, Subdivision 1; and Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Section 473.568.

Reported the same back with the following amendments:

Page 2, lines 25 to 27, delete the new language

Page 2, line 28, after "members" insert a comma

Page 2, line 28, after "governor" insert *"during the period before completion of construction of sports facilities pursuant to sections 473.551 to 473.595 and thereafter as hereinafter provided,"*

Page 3, line 2, delete *"substantial"*

Page 3, line 5, delete *"as"*

Page 3, line 6, delete *"follows:"* and insert *"by"*

Page 3, line 7, delete *"shall appoint a member to fill the first vacancy"*

Page 3, delete lines 8 to 10

Page 3, line 11, delete *"city council and county board of commissioners"*

Page 3, after line 26, insert a section to read:

"Sec. 4. Minnesota Statutes 1978, Section 473.556, Subdivision 6, is amended to read:

Subd. 6. [DISPOSITION OF PROPERTY.] The commission may sell or otherwise dispose of any real or personal property acquired by it which is no longer required for accomplishment of its purposes. The property shall be sold in the manner provided by section 458.196, insofar as practical and consistent with sections 473.551 to 473.595. *Real property at the metropolitan sports area (not including the indoor public assembly facility and adjacent parking facilities) which is no longer needed for sports facilities shall be sold.* The proceeds from the sale of any real property at the metropolitan sports area shall be paid to the council and used for debt service."

Page 4, line 28, delete "*construction cost not including*" and insert "*cost of constructing the facility under the construction contracts, not including costs paid from*"

Page 8, line 4, strike "contracts" and insert "agreements which will provide"

Page 8, line 5, after "facilities" insert "*for a certified construction price and completion date and which include performance bonds in an amount at least equal to 100 percent of the certified price to cover any costs which may be incurred over and above the certified price, including but not limited to costs incurred by the commission or loss of revenues resulting from incomplete construction on the completion date*"

Page 8, line 17, delete "*but not including proceeds of the*"

Page 8, line 18, delete "*taxes under section 8*" and insert "*and the revenue from the tax under section 8, clause 1,*"

Page 8, line 23, strike "a substantial portion"

Page 8, line 24, strike "of" and insert "*all administration,*"

Page 8, after line 30, insert the following:

"(m) *The commission has entered into an agreement with the professional football league or an agreement or agreements with a purchaser or purchasers of tickets of admission for a period of not less than twenty years to assure that, if the professional football organization cannot comply with the provisions of section 473.568, and if 90 or more percent of the tickets of admission for seats at a professional football game, which*

were available for purchase by the general public 120 hours or more before the scheduled beginning time of the game either at the sports facility where the game is to be played or at the box office closest to the sports facility, have been purchased 72 hours or more before the beginning time of the game, then all of such tickets which remain unsold will be purchased in sufficient time to permit the telecast to areas within the state which otherwise would not receive the telecast because of the terms of an agreement in which the professional football league has sold or otherwise transferred all or part of the rights of the league's member organizations in the sponsored telecasting of games of the organizations. The party or parties agreeing to the purchase of such unsold tickets shall be obligated for a period of at least twenty years in an unlimited aggregate amount sufficient to fulfill the terms of the agreement or agreements."

Page 8, line 32, after the comma insert "*the commencement of construction of facilities,*"

Page 9, line 2, after "bonds" insert "*and commencing construction of facilities*"

Page 10, line 29, strike "revenue"

Page 10, line 30, after "council" strike "or" and insert a comma

Page 10, line 30, after "commission" insert "*, city, or county*"

Page 11, line 33, strike "of the commission" and insert "*or taxes*"

Page 12, line 3, strike "first issuance of bonds under subdivision 1,"

Page 12, line 4, strike "clause (a)" and insert "*effective date of this act*"

Pages 12 to 15, delete section 8 and insert:

"Sec. 8. Minnesota Statutes 1978, Chapter 473 is amended by adding a section to read: [473.592] [TAX REVENUES.] Subdivision 1. [LOCAL SALES TAX.] Upon designation of a location for a sports facility pursuant to section 1, the municipality in which the facility is to be located may enter into an agreement with the metropolitan council and the commission which requires the municipality to impose a sales tax, supplemental to the general sales tax imposed in chapter 297A, for the purposes and in accordance with the requirements specified in sections 473.551 to 473.595. The tax may be imposed on the gross receipts from all retail on-sales of intoxicating liquor and fermented malt beverages when sold at licensed on-sale liquor

establishments and municipal liquor stores located within the municipality, or on the gross receipts from the furnishing for consideration of lodging for a period of less than 30 days at a hotel, motel, rooming house, tourist court, or trailer camp located within the municipality, or on both. The agreement between the municipality, the metropolitan council, and the commission shall require the municipality to impose the tax or taxes at whatever rate or rates may be necessary to produce revenues which are determined by the council from year to year to be required, together with the revenues available to the commission, to pay when due all debt service on bonds and revenue anticipation certificates issued under section 473.581, all debt service on bonds referred to in section 473.561, subdivision 2, and all expenses of operation, administration, and maintenance of the sports facilities. The agreement shall provide for the suspension, reimposition, reduction, or increase in tax collections upon determination by the metropolitan council that such actions are appropriate or necessary for the purposes for which the tax is imposed, provided that the balance in the debt service fund or funds, including any reserve, shall be maintained at least at an amount sufficient to pay the principal and interest on bonds which will become due within the next succeeding two year period and, except as otherwise provided by agreement, shall not be maintained at an amount greater than that required to pay principal and interest on bonds which will become due within the next succeeding two and one-half year period. The agreement shall be executed by the city, after approval by resolution of the city council and before the issuance of the bonds under section 473.581 and commencement of construction, and shall constitute a contract with and for the security of all holders of the bonds and revenue anticipation certificates secured by the tax. A sports facility shall not be constructed or remodeled in a municipality which has not entered into an agreement in accordance with this section. The tax shall be reported and paid to the commissioner of revenue with and as part of the state sales and use taxes, and shall be subject to the same penalties, interest, and enforcement provisions. The collections of the tax, less refunds and a proportionate share of the costs of collection, shall be remitted at least quarterly to the metropolitan council. The commissioner of revenue shall deduct from the proceeds remitted to the council an amount that equals the indirect statewide costs as well as the direct and indirect department costs necessary to administer, audit, and collect this tax. The amount deducted shall be deposited in the general fund of the state. The proceeds remitted shall be placed, together with the net revenues of the commission under section 473.595, into the debt service fund or reserve or special funds, established under section 473.581, and any funds established to secure payment of operating deficits of the commission. The proceeds may be used for payment of debt service on bonds and revenue anticipation certificates issued under section 473.581, debt service on bonds referred to in section 473.561, subdivision 2, and expenses of operation, administration, and maintenance of the

sports facilities. The proceeds shall not be used for any capital costs of sports facilities constructed under sections 473.551 to 473.595, except to pay interest on bonds during the construction period.

Subd. 2. [METROPOLITAN LIQUOR TAX.] All proceeds of the liquor tax collected by the council pursuant to the provisions of Minnesota Statutes 1978, Section 473.591, prior to August 1, 1979, not otherwise expended or applied as provided in chapter 473, together with any earnings derived from the investment of such revenues, shall be placed into the debt service fund or special funds established under section 473.581, subdivisions 4 and 5."

Page 16, after line 33, insert:

"Sec. 11. Minnesota Statutes 1978, Section 473.595, is amended by adding a subdivision to read:

Subd. 7. [SALE OF SEATS.] The commission may sell seats in any multipurpose sports facility constructed after June 30, 1979 at prices and subject to conditions consistent with this section. Ownership of a seat shall give the owner first preference for purchase of a season ticket of admission for professional sports exhibitions with a right to be seated in the owned seat. An owner may sell or otherwise transfer his rights on whatever terms he chooses. Rights to a seat may not be divided. No fee may be charged for a transfer of ownership of a seat. The commission may charge a maintenance fee not exceeding \$10 per year for each seat."

Page 17, delete section 12

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after the semicolon insert "473.556, Subdivision 6;"

Page 1, line 14, after "1" insert ", and by adding a subdivision"

Page 1, line 14, after "sections" delete "; repealing"

Page 1, line 15, delete "Minnesota Statutes 1978, Section 473.568"

With the recommendation that when so amended the bill pass.

The report was adopted.



## SECOND READING OF SENATE BILLS

S. F. No. 1351 was read for the second time.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 998, A bill for an act relating to corrections; providing for vocational training of the inmates of state correctional facilities; reorganizing and harmonizing the various laws relating to the industrial activities conducted at such facilities; amending Minnesota Statutes 1978, Sections 241.26, Subdivision 7; and 241.27; repealing Minnesota Statutes 1978, Sections 243.19; 243.41; 243.42; 243.43; 243.44; 243.45; 243.46; 243.47; 243.63; 243.66; 243.67; 243.68; 243.80; 243.84; 243.85; 325.45; 325.46; and 325.47.

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

H. F. No. 1473, 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

H. F. No. 1433, A bill for an act relating to certain political subdivisions; authorizing the issuance of revenue bonds for the acquisition and installation of equipment for hospital and medical purposes; authorizing the issuance of general obligation bonds for the construction of a municipal library and community center.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Sieben, H., requested immediate consideration of H. F. No. 257.

H. F. No. 257 was reported to the House.

Kahn moved to amend H. F. No. 257 as follows:

Page 5, after line 18, insert:

*"(c) Any redevelopment project may include the construction or rehabilitation of housing for occupancy only to the extent that the housing element of the project conforms to the definition of "housing project" in subdivision 11."*

Page 6, after line 7, insert:

*"Any economic development project may include the construction or rehabilitation of housing for occupancy only to the extent that the housing element of the project conforms to the definition of "housing project" in subdivision 11."*

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

H. F. No. 257, A bill for an act relating to taxation; providing standards and procedures for tax increment financing; authorizing the issuance of bonds; authorizing tax increment financing for the payment of principal and interest on such bonds; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1978, Sections 362A.05; 458.192, Subdivision 11; 462.545, Subdivision 5;

462.585, Subdivisions 2, 3 and 4; 472A.06; 472A.07, by adding a subdivision; 473F.02, Subdivision 3; 473F.05; 473F.08, Subdivisions 2, 4 and 6; 474.10, Subdivisions 2 and 3; and Chapter 273, by adding sections; repealing Minnesota Statutes 1978, Sections 458.192, Subdivision 12; 472A.02, Subdivision 3; 472A.07, Subdivision 4; and 472A.08.

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 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Anderson, I.	Dempsey	Patton	Pavlak
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The bill was passed and its title agreed to.

### SPECIAL ORDERS, Continued

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

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 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Faricy	Kroening	Nelsen, M.	Osthoff	Valento
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The bill was passed and its title agreed to.

S. F. No. 801 was reported to the House.

Redalen moved to amend S.F. 801 as follows:

Page 2, after line 9, insert a new section to read:

*"Sec. 3. (EFFECTIVE DATE.) The effective implementation date of Minnesota Statutes 1978, Sections 116F.21 and 116F.22 shall be July 1, 1981. The Minnesota department of agriculture is directed to perform a review of previous studies linking the decline in the consumption of fluid milk with the increase in the consumption of soft drinks especially as that decline and increase relate to the convenience of packaging of the various products; and to report its findings to the 1981 session of the Minnesota legislature. If Minnesota Statutes 1978, Sections 116F.21 and 116F.22 are declared unconstitutional, this review need not be performed."*

A roll call was requested and properly seconded.

## POINT OF ORDER

Faricy raised a point of order pursuant to rule 3.9 that the Redalen amendment was not in order.

The Speaker submitted the following question to the House:

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

A roll call was requested and properly seconded.

The roll was called and there were 63 yeas and 66 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

The question recurred on the Redalen amendment and the roll was called. There were 74 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Aasness	Albrecht	Battaglia	Biersdorf	Carlson, D.
Ainley	Anderson, R.	Begich	Brinkman	Crandall

Dempsey	Fudro	Laidig	Onnen	Sviggum
Den Ouden	Halberg	Levi	Pavlak	Swanson
Drew	Haukoos	Ludeman	Peterson	Thiede
Eken	Heap	Luknie	Piepho	Valan
Elioff	Hoberg	Mann	Pleasant	Valento
Erickson	Jennings	McDonald	Redalen	Weaver
Esau	Johnson, C.	McEachern	Reding	Welker
Evans	Johnson, D.	Mehrkens	Rees	Wenzel
Ewald	Jude	Nelsen, B.	Reif	Wieser
Fjoslien	Kaley	Niehaus	Rose	Wigley
Forsythe	Kalis	Norman	Schreiber	Zubay
Friedrich	Knickerbocker	Nysether	Stadum	Speaker Searle
Fritz	Kvam	Olsen	Stowell	

Those who voted in the negative were:

Adams	Clawson	Kelly	Nelsen, M.	Sherwood
Anderson, B.	Corbid	Kempe	Nelson	Sieben, H.
Anderson, D.	Dean	Kostohryz	Norton	Sieben, M.
Anderson, G.	Ellingson	Kroening	Novak	Simoneau
Anderson, I.	Enebo	Lehto	Osthoff	Stoa
Berglin	Faricy	Long	Otis	Tomlinson
Berkelman	Greenfield	McCarron	Patton	Vanasek
Blatz	Heinitz	Metzen	Pehler	Voss
Byrne	Hokanson	Minne	Prahl	Waldorf
Carlson, L.	Jacobs	Moe	Rice	Welch
Casserly	Jaros	Munger	Rothenberg	Wynia
Clark	Kahn	Murphy	Sarna	

The motion prevailed and the amendment was adopted.

Dean offered an amendment to S. F. No. 801.

#### POINT OF ORDER

Faricy raised a point of order pursuant to rule 3.10 that the Dean amendment was out of order. The Speaker ruled the point of order well taken and the amendment out of order.

S. F. No. 801, A bill for an act relating to non-alcoholic beverages; requiring laboratory examination of certain beverages; deleting registration exemption for identified beverages; amending Minnesota Statutes 1978, Section 34.05, Subdivision 1; repealing Minnesota Statutes 1978, Section 34.05, Subdivision 2.

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 81 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, I.	Biersdorf	Crandall	Eken
Ainley	Anderson, R.	Blatz	Dempsey	Elioff
Albrecht	Battaglia	Brinkman	Den Ouden	Erickson
Anderson, B.	Begich	Carlson, D.	Drew	Esau

Evans	Johnson, C.	McEachern	Prahl	Valan
Ewald	Johnson, D.	Mehrkens	Redalen	Valento
Fjoslien	Jude	Minne	Reding	Weaver
Forsythe	Kaley	Nelsen, B.	Rees	Welker
Friedrich	Kalis	Nelsen, M.	Reif	Wenzel
Fritz	Knickerbocker	Niehaus	Rose	Wieser
Fudro	Kvam	Norman	Schreiber	Wigley
Halberg	Laidig	Nysether	Searles	Zubay
Haukoos	Levi	Onnen	Stadum	Speaker Searle
Heap	Ludeman	Pavlak	Stowell	
Heinitz	Luknic	Peterson	Svigum	
Hoberg	Mann	Piepho	Swanson	
Jennings	McDonald	Pleasant	Thiede	

Those who voted in the negative were:

Adams	Dean	Kostohryz	Novak	Sieben, M.
Anderson, D.	Ellingson	Kroening	Olsen	Simoneau
Anderson, G.	Enebo	Lehto	Osthoff	Stoa
Berglin	Faricy	Long	Otis	Tomlinson
Berkelman	Greenfield	McCarron	Patton	Vanasek
Byrne	Hokanson	Metzen	Pehler	Voss
Carlson, L.	Jacobs	Moe	Rice	Waldorf
Casserly	Jaros	Munger	Rothenberg	Welch
Clark	Kahn	Murphy	Sarna	Wynia
Clawson	Kelly	Nelson	Sherwood	
Corbid	Kempe	Norton	Sieben, H.	

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

S. F. No. 549 was reported to the House.

There being no objection, S. F. No. 549 was continued on Special Orders for one day.

S. F. No. 871, A bill for an act relating to Anoka County; permitting redistricting of commissioner districts to seven for the 1982 election.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 491, A bill for an act relating to cities; authorizing cities engaged in gas distribution to secure gas by individual or joint action; authorizing the creation of municipal gas agencies; defining their powers and responsibilities; authorizing the issuance of bonds.

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

The bill was passed and its title agreed to.



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 third time and placed upon its final passage.

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 719 was reported to the House.

Dempsey moved to amend S. F. No. 719, as follows:

Page 1, line 13, after "secondary" insert "or post-secondary"

Page 1, delete line 14

Page 2, lines 7 and 8, delete the underscoring

The motion prevailed and the amendment was adopted.

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 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 132 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	Nysvack	Stowell
Anderson, G.	Esau	Knickerbocker	Olsen	Sviggunn
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	Pavlak	Valento
Berkelman	Friedrich	Levi	Pehler	Vanasek
Biersdorf	Fritz	Long	Peterson	Voss
Blatz	Fudro	Ludeman	Piepho	Waldorf
Brinkman	Greenfield	Luknic	Pleasant	Weaver
Byrne	Halberg	Mann	Prahl	Welch
Carlson, D.	Haukoos	McCarron	Redalen	Welker
Carlson, L.	Heap	McDonald	Reding	Wenzel
Casserly	Heinitz	McEachern	Rees	Wieser
Clark	Hoberg	Mehrken	Reif	Wigley
Clawson	Hokanson	Metzen	Rice	Wynia
Corbid	Jacobs	Minne	Rose	Zubay
Crandall	Jaros	Munger	Rothenberg	Speaker Searle
Dean	Jennings	Murphy	Schreiber	
Dempsey	Johnson, C.	Nelsen, B.	Searles	
Den Ouden	Johnson, D.	Nelsen, M.	Sherwood	

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

Biersdorf and Sarna were excused for the remainder of today's session.

S. F. No. 601, A bill for an act relating to trunk highways; requiring reimbursement of local expenses for fighting fires originating in the trunk highway right-of-way; amending Minnesota Statutes 1978, Section 161.465.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 856 was reported to the House.

Carlson, L., moved to amend S. F. No. 856, as follows:

Page 2, line 11, after "Act" insert "*and an out-of-hospital prescription drug benefit*"

The motion prevailed and the amendment was adopted.

S. F. No. 856, A bill for an act relating to public health; authorizing waiver of minimum health maintenance organization requirements for demonstration projects; amending Minnesota Statutes 1978, Chapter 62D, by adding a section.

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 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

S. F. No. 1436, A bill for an act relating to human services; altering provisions related to membership of human services boards; establishing procedures for planning by the boards; prescribing additional duties of the state planning officer; providing for reports by the board; amending Minnesota Statutes 1978, Sections 402.01; 402.02; 402.03; 402.04, Subdivision 1; 402.045; 402.05, by adding a subdivision; 402.06; 402.065; 402.07; and 402.095; and Chapter 402, by adding a section; repealing Minnesota Statutes 1978, Sections 402.046; and 402.05, Subdivision 2.

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

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

Those who voted in the affirmative were:

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

Valento	Waldorf	Welker	Wigley	Speaker Searle
Vanasek	Weaver	Wenzel	Wynia	
Voss	Welch	Wieser	Zubay	

The bill was passed and its title agreed to.

S. F. No. 843, A bill for an act relating to intoxicating liquor; authorizing on-sale wine licensees to sell certain beer; amending Minnesota Statutes 1978, Section 340.11, Subdivision 20.

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 50 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Drew	Jaros	Munger	Prahl
Battaglia	Elioff	Kahn	Nelson	Reif
Berglin	Ellingson	Knickerbocker	Norton	Searles
Berkelman	Evans	Kostohryz	Novak	Sieben, H.
Blatz	Ewald	Lehto	Osthoff	Sieben, M.
Casserly	Greenfield	Long	Otis	Stadum
Clark	Heap	McCarron	Patton	Stoa
Clawson	Heinitz	Mehrken	Pehler	Valan
Corbid	Hoberg	Metzen	Peterson	Vanasek
Dean	Jacobs	Minne	Pleasant	Voss

Those who voted in the negative were:

Aasness	Enebo	Kalis	Onnen	Tomlinson
Adams	Erickson	Kelly	Pavlak	Valento
Ainley	Esau	Kempe	Piepho	Waldorf
Albrecht	Faricy	Kroening	Redalen	Weaver
Anderson, B.	Fjoslien	Kvam	Reding	Welch
Anderson, D.	Friedrich	Laidig	Rees	Welker
Anderson, I.	Fritz	Levi	Rice	Wenzel
Anderson, R.	Fudro	Ludeman	Rose	Wieser
Begich	Halberg	Luknic	Rothenberg	Wigley
Byrne	Haukoos	Mann	Schreiber	Wynia
Carlson, D.	Hokanson	McDonald	Sherwood	Zubay
Carlson, L.	Jennings	Nelsen, B.	Simoneau	Speaker Searle
Crandall	Johnson, C.	Niehaus	Stowell	
Dempsey	Johnson, D.	Norman	Sviggum	
Den Ouden	Jude	Nysether	Swanson	
Eken	Kaley	Olsen	Thiede	

The bill was not passed.

#### MOTION FOR RECONSIDERATION

Faricy moved that the vote whereby S. F. No. 843 was not passed on Special Orders today be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll was called. There were 111 yeas and 11 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Begich	Esau	Rothenberg	Sviggunn
Albrecht	Den Ouden	Redalen	Sherwood	Thiede
Anderson, D.				

The motion prevailed.

There being no objection, S. F. No. 843 was continued on Special Orders for one day.

S. F. No. 1312 was reported to the House.

There being no objection, S. F. No. 1312 was continued on Special Orders for one day.

S. F. No. 186 was reported to the House.

There being no objection, S. F. No. 186 was continued on Special Orders for one day.

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

## GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders for one day.

## MOTIONS AND RESOLUTIONS

Voss moved that a message be sent to the governor requesting that H. F. No. 564 be returned to the House of Representatives and that it be re-presented to the governor on May 30, 1979. The motion prevailed.

Laidig moved that the name of Enebo be added as an author on H. F. No. 1580. The motion prevailed.

Heinitz moved that S. F. No. 757, now on General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Kvam introduced:

House Resolution No. 24, A house resolution proclaiming May 14 as Tax Freedom Day.

The resolution was referred to the Committee on Rules and Legislative Administration.

**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. 772:

Kvam, Ludeman, Fudro, and McEachern.

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. 261:

Schreiber, Pleasant, Haukoos, Kroening, Casserly, and Waldorf.

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. 260:

Carlson, L.; Berglin; Heinitz; and Kaley.

## ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 1:00 p.m., Monday, May 14, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Monday, May 14, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives