

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1980

SIXTY-FOURTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 4, 1980

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Corbid was excused. Halberg was excused until 2:15 p.m.
Swanson was excused until 2:45 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Erickson 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. 924, 1169 and 1074 and S. F. No. 702 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 1145, A bill for an act relating to banks and banking; providing for implementation of certain statutes relating to electronic fund transfers; authorizing the commissioner of banks to adopt temporary rules; amending Minnesota Statutes 1978, Section 47.71.

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

The report was adopted.

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

H. F. No. 1302, A bill for an act relating to financial institutions; permitting banks and trust companies to take junior liens under certain circumstances; amending Minnesota Statutes 1978, Section 48.19, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 19, delete "(i)"

Page 1, line 20, delete "*loans secured by*" and insert "*out-standing*"

Page 1, line 22, after "*value*" delete the remainder of the line

Page 2, delete lines 1 to 4

Page 2, line 5, delete "*of its most recent published statement*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1427, A bill for an act relating to banks; raising the amount of an employee loan possible without prior board approval; amending Minnesota Statutes 1978, Section 48.08.

Reported the same back with the following amendments:

Page 1, line 15, strike "servants" and insert "*employees*"

Page 1, line 19, after "authorized" insert "*in advance*"

Page 1, line 21, after "to" strike "an" and insert "*a director, officer, or*"

Page 1, line 22, delete "\$5,000" and insert "\$25,000"

Page 2, line 10, delete "1979" and insert "1980"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 998, A bill for an act relating to insurance; providing for cancellation of life insurance contracts providing benefits on a variable basis; amending Minnesota Statutes 1978, Sections 72A.51, Subdivision 3; and 72A.52.

Reported the same back with the following amendments:

Page 1, line 10, delete "*policy or*" and insert "*variable annuity*"

Page 1, line 17, after "Cancellation" insert "*under sections 72A.51 and 72A.52*"

Page 1, line 18, delete "*policy or*" and insert "*variable annuity*"

Page 1, line 22, delete "*policy or*"

Page 2, lines 1, 2, 3, and 4, delete "*policy or*"

Page 2, line 27, delete "*policies or*" and insert "*variable annuity*"

Page 3, line 9, delete "*policy or*"

Page 3, line 10, delete "*issued on a variable basis*" and insert "*a variable annuity contract issued pursuant to sections 61A.13 to 61A.21*"

Page 3, line 14, delete "*policy or contract on a*" and insert "*variable annuity contract, issued pursuant to sections 61A.13 to 61A.21, which is*"

Page 3, line 15, delete "*variable basis*"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1727, 1145, 1302 and 1427 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 998 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Dempsey, Peterson, B., and Halberg introduced:

H. F. No. 1774, A bill for an act relating to juries; authorizing the trial court in civil actions to seat a jury of 12 persons; amending Minnesota Statutes 1978, Section 593.01, by adding a subdivision.

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

Dempsey and Jennings introduced:

H. F. No. 1775, A bill for an act relating to the county attorney; requiring the county attorney to prosecute persons under certain circumstances; excepting Hennepin County; amending Minnesota Statutes 1978, Chapter 388, by adding a section.

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

Pehler, Dempsey, Osthoff, Niehaus and Rice introduced:

H. F. No. 1776, A bill for an act relating to education; providing individualized instructional materials to nonpublic school pupils; increasing the amount which may be spent for certain materials provided to nonpublic school pupils; amending Minnesota Statutes 1978, Sections 123.932, by adding a subdivision; and 123.933.

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

Fjoslien, Mann, Kalis, Esau and Munger introduced:

H. F. No. 1777, A bill for an act relating to commerce; prohibiting the sale of certain motor vehicles after a certain date unless a certain prescribed condition is met.

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

Kvam, by request, introduced:

H. F. No. 1778, A bill for an act relating to Independent School District No. 466; permitting the sale of certain land.

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

Jude introduced:

H. F. No. 1779, A bill for an act relating to judicial procedures; changing the procedures and circumstances under which guardians and conservators may be appointed; changing the powers and duties of guardians and conservators; providing for the appointment, powers, and duties of guardians and conservators of minors; amending Minnesota Statutes 1978, Sections 525.54; 525.541; 525.542; 525.543; 525.544; 525.55; 525.56; 525.57; 525.58; 525.581; 525.583; 525.59; 525.591; 525.60, Subdivision 1; 525.62; 525.63; 525.67; 525.69; 525.83; and Chapter 525, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 525.551; and 525.61; repealing Minnesota Statutes 1978, Sections 525.60, Subdivision 2; 525.611; 525.612; 525.613; 525.614; and 525.621.

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

Simoneau, Norman, Rodriguez and Begich introduced:

H. F. No. 1780, A bill for an act relating to workers' compensation; permitting the workers' compensation reinsurance association to incorporate; exempting the reinsurance association from taxation; providing for amendment to the reinsurance association plan of operation; making changes in rules, requirements and procedures affecting members of the reinsurance association; increasing temporary partial benefits; amending Minnesota Statutes 1978, Section 176.101, Subdivision 2; Minnesota Statutes, 1979 Supplement, Sections 79.34; 79.35; 79.36; 79.37; and 79.38; repealing Minnesota Statutes, 1979 Supplement, Sections 79.41 and 79.42.

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

McEachern; Anderson, B.; Jennings; Johnson, C., and Knickerbocker introduced:

H. F. No. 1781, A bill for an act relating to education; eliminating the requirement that school districts make referendum levies in order to qualify to make certain discretionary levies; amending Minnesota Statutes, 1979 Supplement, Section 275.125, Subdivision 7a.

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

Haukoos, Halberg, Sviggum, Valan and Dempsey introduced:

H. F. No. 1782, A bill for an act relating to insurance; providing indemnity from certain automobile insurers to certain employers paying workers' compensation claims; amending Minnesota Statutes 1978, Section 65B.53, by adding a subdivision.

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

Simoneau, Fudro, Heinitz, Kaley and Kelly introduced:

H. F. No. 1783, A bill for an act relating to licensed occupations; removing license renewal requirements; setting license fees; providing for competency hearings; amending Minnesota Statutes 1978, Chapters 15, by adding a section; and 214, by adding a section; and Sections 60A.14, Subdivision 1; 60A.17, Subdivisions 2 and 7; 80A.04, Subdivision 4; 80A.05, Subdivision 1; 82.20, Subdivisions 7 and 11; 82.22, Subdivisions 3, 8 and 13; 82.34, Subdivisions 3 and 4; 125.08; 154.065, Subdivision 1; 154.-

10; 154.16; 154.17; 154.18; 154.24; 155.02, Subdivision 7a; 155.09, Subdivision 5; 155.15; 183.545; 326.10, Subdivision 1; 326.12, Subdivision 2; 326.15; 326.241, Subdivision 2; 326.242, Subdivisions 7, 8 and 9; 326.331; 326.334, Subdivision 6; 326.40, Subdivision 5; 326.42; 326.50; 326.544; 326.546; 326.62; 386.66 and 386.69; and Minnesota Statutes, 1979 Supplement, Sections 82.21, Subdivision 1; 326.20, Subdivisions 1 and 2; repealing Minnesota Statutes 1978, Sections 80A.05, Subdivision 2; 82.20, Subdivisions 8 and 14; 82.22, Subdivision 10; 154.15; 326.10, Subdivision 5; and 326.22, Subdivision 2.

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

Jennings, Piepho, Ludeman, Welker and Thiede introduced:

H. F. No. 1784, A bill for an act relating to state departments; requiring final approval from the legislature for rules promulgated under the administrative procedure act; amending Minnesota Statutes 1978, Sections 15.0412; 15.0413, Subdivision 1; and 15.052, Subdivision 4.

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

Evans, Ainley and McEachern introduced:

H. F. No. 1785, A bill for an act relating to crimes; prescribing penalties for the possession or sale of drug related devices.

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

Evans, Patton, Biersdorf, Moe and Sarna introduced:

H. F. No. 1786, A bill for an act relating to retirement; providing a post retirement adjustment to certain omitted recipients; amending Laws 1979, Chapter 293, Section 10, Subdivision 1.

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

Ainley, Nelson, Friedrich, Reif and Voss introduced:

H. F. No. 1787, A bill for an act relating to energy; establishing state programs for emergency energy assistance, administration of federal grants, supplementing federal weatherization grants, reimbursing counties for home heating expenditures, and emergency energy conservation grants; appropriating funds.

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

Ludeman; Battaglia; Johnson, D.; Piepho and Jennings introduced:

H. F. No. 1788, A bill for an act relating to workers' compensation; abolishing duties of the rating bureau; transferring certain functions; amending Minnesota Statutes 1978, Sections 79.07; 79.08; 79.09; 79.21; 79.22; 79.24; 79.25; 79.28; 79.29; 79.30; and 79.31; repealing Minnesota Statutes 1978, Sections 79.11; 79.12; 79.13; 79.14; 79.15; 79.16; 79.17; 79.18; 79.26; 79.27; and 79.32.

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

Valento, Fudro, Reif, Anderson, R., and Eliooff introduced:

H. F. No. 1789, A bill for an act relating to occupations and professions; providing for licensing of public accountants; amending Minnesota Statutes, 1979 Supplement, Section 326.191.

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

Battaglia, Begich and Eliooff introduced:

H. F. No. 1790, A bill for an act relating to advertising devices; authorizing advertising devices within 500 feet of local parks under certain circumstances; amending Minnesota Statutes 1978, Section 173.08, Subdivision 2.

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

Ludeman, Friedrich and Nysether introduced:

H. F. No. 1791, A bill for an act relating to the environment; altering the funding formula for certain studies done by the environmental quality board; amending Minnesota Statutes 1978, Section 116C.69, Subdivision 3.

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

Greenfield, Rice, Byrne and Kahn introduced:

H. F. No. 1792, A bill for an act relating to unemployment compensation; regulating benefits for voluntary quitters; amending Minnesota Statutes, 1979 Supplement, Section 268.09, Subdivision 1.

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

Berglin, Dempsey, Vanasek, Searles and Johnson, C., introduced:

H. F. No. 1793, A bill for an act relating to taxation; providing a method of payment of excise tax for bulk purchasers of special fuel; defining subjobber for cigarette tax purposes; allowing the commissioner to refund taxes on cigarettes; requiring reports from common carriers; providing a method of taxing nonliquid intoxicating beverages; providing penalties; amending Minnesota Statutes 1978, Sections 296.12, by adding a subdivision; 297.01, Subdivision 14; 297.03, Subdivision 8; 340.47, by adding a subdivision; and Chapter 340, by adding a section.

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

Aasness; Anderson, G.; Fjoslien; Valan and Anderson, D., introduced:

H. F. No. 1794, A bill for an act relating to courts; providing for elections in a county court district.

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

Nysether introduced:

H. F. No. 1795, A bill for an act relating to historic sites; designating the Canadian National Depot in Warroad as an historic site; requiring notice to the Minnesota historical society when the state or a political subdivision of the state acquires certain property; amending Minnesota Statutes 1978, Section 138.59.

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

Nysether, Lehto, Stoa and Moe introduced:

H. F. No. 1796, A bill for an act relating to occupations and professions; allowing the board of cosmetology to waive certain license requirements for manager-operators with licenses from other states; amending Minnesota Statutes 1978, Section 155.14.

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

Evans, Fritz, Faricy, Brinkman and Minne introduced :

H. F. No. 1797, A bill for an act relating to taxation; providing an income tax credit for wages paid to certain disadvantaged employees; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

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

Byrne and Kostohryz introduced :

H. F. No. 1798, A bill for an act relating to courts; second judicial district; providing for the appointment of the juvenile court clerk; amending Laws 1951, Chapter 653, Section 1, as amended.

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

Stowell, Mann, McDonald, Kalis and Nysether introduced :

H. F. No. 1799, A bill for an act relating to agriculture; clarifying definition of warehouseman; requiring denaturing and labeling of certain foods; adopting certain federal food regulations; changing certain procedures; amending Minnesota Statutes 1978, Sections 28A.15, Subdivision 4; 31.02; and 218.041, Subdivisions 3 and 4; and Minnesota Statutes, 1979 Supplement, Section 31.101, Subdivision 8; and 231.01, Subdivision 5.

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

Minne, Wynia, Reif, Luknie and Brinkman introduced :

H. F. No. 1800, A bill for an act relating to health care; regulating benefits made available under certain health care plans; requiring coverage for reconstructive surgery under certain conditions; amending Minnesota Statutes 1978, Section 62E.06, Subdivision 1, as amended, and Chapter 62A, by adding a section.

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

Redalen and Friedrich introduced:

H. F. No. 1801, A bill for an act relating to state lands; authorizing the sale at public auction of lands and interests in lands located in Mower and Fillmore Counties.

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

Osthoff; Sieben, M.; Dean; Norton and Rose introduced:

H. F. No. 1802, A bill for an act relating to the metropolitan transit area; providing for contracts with socially or economically disadvantaged persons and handicapped persons; amending Minnesota Statutes 1978, Chapter 473, by adding a section.

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

Stowell; McDonald; Nelsen, B.; Stadum and Welker introduced:

H. F. No. 1803, A bill for an act relating to the state building code; providing for referenda on the state building code in certain non-metropolitan cities and towns.

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

Svigum; Anderson, B.; Wenzel; Haukoos and Wigley introduced:

H. F. No. 1804, A bill for an act relating to state departments; requiring final approval from the legislature for rules promulgated under the administrative procedure act; amending Minnesota Statutes 1978, Sections 15.0412; 15.0413, Subdivision 1; and 15.052, Subdivision 4.

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

Olsen, Halberg, McCarron, Pehler and Welch introduced:

H. F. No. 1805, A bill for an act relating to state employees; providing bonuses to certain state employees.

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

Anderson, I.; Minne; Battaglia; Begich and Rice introduced:

H. F. No. 1806, A bill for an act relating to unemployment compensation; removing the authorization for reducing benefits by the amount of holiday pay; amending Minnesota Statutes 1978, Section 268.07, Subdivision 2.

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

Hokanson, Berglin, Evans, Olsen and Rice introduced:

H. F. No. 1807, A bill for an act relating to taxation; property tax refund; increasing the percentage of rent constituting property taxes; amending Minnesota Statutes, 1979 Supplement, Section 290A.03, Subdivisions 11 and 13.

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

Clawson, Ludeman, Kroening and Anderson, B., introduced:

H. F. No. 1808, A bill for an act relating to eminent domain; limiting the authority to acquire certain property by condemnation; repealing certain obsolete provisions of law authorizing acquisition by condemnation; amending Minnesota Statutes 1978, Sections 84.033; 84.154, Subdivision 3; 84A.10; 84A.39; 84A.55, Subdivision 13; 85.015, Subdivisions 12 and 13; 88.09, Subdivision 2; 89.032, Subdivision 1; 105.39, Subdivision 4; and 463.03; repealing Minnesota Statutes 1978, Sections 38.05; 117.31; 123.40, Subdivision 6; 161.29; 222.42; 308.39; and 643.06.

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

Halberg, Schreiber, Jude, Novak and Heinitz introduced:

H. F. No. 1809, A bill for an act relating to driver's licenses; allowing the commissioner of public safety to waive behind-the-wheel testing for certain applicants; amending Minnesota Statutes 1978, Sections 169.974, Subdivision 2; and 171.13, by adding a subdivision.

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

Ellingson, Kelly, Heinitz, Johnson, D., and Blatz introduced:

H. F. No. 1810, A bill for an act relating to insurance; providing the commissioner with rule-making power on the subject of unfair methods and unfair or deceptive acts and practices; amending Minnesota Statutes 1978, Section 72A.19.

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

Anderson, R.; Anderson, G.; Evans; Casserly and Wenzel introduced:

H. F. No. 1811, A bill for an act relating to the environment; requiring the pollution control agency to promulgate a separate set of rules for solid waste control in rural areas; amending Minnesota Statutes 1978, Section 116.07, Subdivisions 2 and 4.

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

Anderson, B.; Clark; Carlson, L.; Blatz and Reif introduced:

H. F. No. 1812, A bill for an act relating to drivers licenses; providing that certain application forms include a place for applicants to indicate their desire to make an anatomical gift; requiring persons authorized to accept drivers license and renewal applications and applications for Minnesota identification cards to inquire of applicants whether they desire to make an anatomical gift; amending Minnesota Statutes 1978, Sections 171.06, Subdivision 3, and by adding a subdivision; and 171.07, Subdivision 3.

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

Anderson, B.; Sviggum; Nelsen, M., and Kalis introduced:

H. F. No. 1813, A bill for an act relating to public finance; authorizing the issuance of Minnesota state railroad assistance bonds; appropriating money; amending Minnesota Statutes 1978, Chapter 222, by adding a section.

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

Anderson, B.; Eken; Johnson, D.; Mann and Sherwood introduced:

H. F. No. 1814, A bill for an act relating to agriculture; clarifying certain requirements for authorized farm corporations; amending Minnesota Statutes 1978, Section 500.24, Subdivision 2.

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

Peterson, B.; Searles; Luknic; Weaver and Nelsen, B., introduced:

H. F. No. 1815, A bill for an act relating to taxation; increasing the percentage for indexing the taxable net income brackets; amending Minnesota Statutes, 1979 Supplement, Section 290.06, Subdivision 2d.

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

Clawson, Clark, Byrne, Vanasek and Laidig introduced:

H. F. No. 1816, A bill for an act relating to local correctional facilities; updating provisions concerning county jails, city lock-ups and workhouses; repealing provisions concerning correctional or work farms; amending Minnesota Statutes 1978, Sections 241.022, Subdivision 1; 243.91; 588.10; 609.105, Subdivision 3; 609.135, Subdivision 4; 631.461; 641.01; 641.04; 641.06; 641.14; 641.15; 641.16; 641.18; 641.21; 641.22; 642.02, Subdivision 2; 642.03; 642.07; 643.01; 643.02; and 643.29; repealing Minnesota Statutes 1978, Sections 641.17; 641.27; 641.28; 641.29; 641.30; 641.31; 641.32; 641.33; 641.34; 641.35; 641.36; 641.37; 641.38; 642.14; 643.03; 643.04; 643.05; 643.06; 643.07; 643.08; 643.09; 643.10; 643.11; 643.12; 643.13; 643.14; 643.15; 643.16; 643.17; 643.19; and 643.20.

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

Reding, Kalis and Wigley introduced:

H. F. No. 1817, A bill for an act relating to game and fish; prohibiting the taking of raccoon by nonresidents; amending Minnesota Statutes, 1979 Supplement, Sections 98.46, Subdivision 14; and 100.27, Subdivision 3.

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

Reding, Lehto and Nysether introduced:

H. F. No. 1818, A bill for an act relating to game and fish; authorizing moose seasons in the discretion of the commissioner; amending Minnesota Statutes 1978, Section 100.27, Subdivision 2.

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

Zubay, Kaley, Jaros and Berkelman introduced:

H. F. No. 1819, A bill for an act relating to taxation; income; providing for the nonrecognition of gain or loss from sales or exchanges certified by the Federal Communications Commission; amending Minnesota Statutes 1978, Section 290.13, by adding a subdivision.

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

Luknic, Patton, Sarna, Minne and Norman introduced:

H. F. No. 1820, A bill for an act relating to retirement; local police relief associations in cities of the third class; defining permissible investments; amending Minnesota Statutes 1978, Section 423.389.

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

Berglin, Clark, Wynia, Adams and Heinitz introduced:

H. F. No. 1821, A bill for an act relating to financial institutions; permitting credit unions to act as depositories of public funds; amending Minnesota Statutes 1978, Section 51A.02, Subdivision 23.

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

Kempe; Halberg; Sieben, H.; Metzen and Sviggum introduced:

H. F. No. 1822, A bill for an act relating to the Minnesota zoological garden; supplementing and clarifying the authority of the zoological garden board in regard to penalties for rule violations; regulating the use of the name or mark of the garden; providing penalties; amending Minnesota Statutes 1978, Section 85A.02, Subdivision 7; and Chapter 333, by adding sections.

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

Mehrkens, Dempsey, Elioff, Waldorf and Haukoos introduced:

H. F. No. 1823, A bill for an act relating to transportation; permitting informational notations on recorded maps and plats; simplifying correction of errors on them; amending Minnesota Statutes 1978, Section 160.085, Subdivision 1, and by adding a subdivision.

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

Halberg; Metzen; Sieben, H.; Sviggum and Kempe introduced:

H. F. No. 1824, A bill for an act relating to driver's licenses; providing for the disposition of the county fee in Dakota County.

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

Heinitz, Halberg, Reif and Kempe introduced:

H. F. No. 1825, A bill for an act relating to children; specifying rights of stepparents to visit certain children.

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

Norman, Byrne, Fritz, Simoneau and Luknic introduced:

H. F. No. 1826, A bill for an act relating to labor; providing certain powers and procedures in minimum wage enforcement; amending Minnesota Statutes 1978, Section 177.27, Subdivisions 2, 3 and 5.

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

Kalis introduced:

H. F. No. 1827, A bill for an act relating to taxation; income tax; extending the exclusion from gross income of family farm security loan interest to loans executed prior to January 1, 1978; amending Minnesota Statutes 1978, Section 290.08, Subdivision 24.

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

Kalis, Fjoslien, Reding and Mann introduced:

H. F. No. 1828, A bill for an act relating to state government; directing the department of administration to provide gasohol for state owned vehicles; amending Minnesota Statutes 1978, Chapter 16, by adding a section.

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

Greenfield, Clark, Drew, Blatz and Clawson introduced:

H. F. No. 1829, A bill for an act relating to general assistance; authorizing and setting minimum limits for allowances for personal needs in certain cases; amending Minnesota Statutes 1978, Section 256D.06, by adding a subdivision.

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

Greenfield, Berglin, Clark, Drew and Kaley introduced:

H. F. No. 1830, A bill for an act relating to welfare; changing certain eligibility requirements for aid to families with dependent children; amending Minnesota Statutes 1978, Section 256.73, Subdivision 2.

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

Greenfield, Berglin, Clark, Drew and Kaley introduced:

H. F. No. 1831, A bill for an act relating to welfare; changing certain eligibility requirements for supplemental aid; amending Minnesota Statutes 1978, Section 256D.37, Subdivision 2.

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

Tomlinson and Rothenberg introduced:

H. F. No. 1832, A bill for an act relating to taxation; correcting the text of the residential energy income tax credit provision; amending Minnesota Statutes, 1979 Supplement, Section 290.06, Subdivision 14.

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

Aasness, Corbid, Eken, Anderson, R., and Fjoslien introduced:

H. F. No. 1833, A bill for an act relating to veterans; establishing at the Fergus Falls State Hospital a domiciliary home for veterans and a unit for the treatment of drug dependent persons; making appropriations; amending Minnesota Statutes 1978, Sections 253.015 and 254A.03, by adding a subdivision.

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

Kalis, Mann and Jennings introduced:

H. F. No. 1834, A bill for an act relating to education; adding the commissioner of agriculture to the equalization aid review committee; amending Minnesota Statutes 1978, Section 124.212, Subdivision 10.

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

Schreiber, Sarna, Jude, Rose and Evans introduced:

H. F. No. 1835, A bill for an act relating to motor vehicles; setting due dates for installment payments of motor vehicle registration taxes; extending the coroner's reporting time of deaths resulting from motor vehicle accidents; authorizing the use of accident reports by certain agencies for accident analysis purposes; requiring bumpers on certain motor vehicles, and requiring rear rigid safeguards on certain trucks, trailers and semi-trailers; amending Minnesota Statutes 1978, Sections 168.31, Subdivision 4; 169.09, Subdivisions 11 and 13, and 169.73, Subdivision 2; repealing Minnesota Statutes 1978, Section 169.73, Subdivisions 1, 3, 4 and 5.

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

Clawson, Corbid, Eken, Osthoff and Wigley introduced:

H. F. No. 1836, A bill for an act relating to elections; requiring certain solicitors of information to identify the person for whom the information is sought; imposing a penalty.

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

Carlson, L.; Heinitz; Swanson; Rees and Brinkman introduced:

H. F. No. 1837, A bill for an act relating to insurance; extending the temporary joint underwriting association act for an additional two year period; amending Minnesota Statutes 1978, Section 62F.01, Subdivision 2.

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

Berglin, Tomlinson, Casserly, Blatz and Schreiber introduced:

H. F. No. 1838, A bill for an act relating to taxation; real property; clarifying the treatment of cooperatives and charitable corporations; amending Minnesota Statutes 1978, Section 273.133, Subdivision 1.

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

Patton, Fudro, McEachern, Redalen and Dempsey introduced:

H. F. No. 1839, A bill for an act relating to highways; requiring percentage payments to contractors for work completed under contracts for the construction and improvement of county state-aid highways and municipal state-aid streets; amending Minnesota Statutes 1978, Sections 162.04 and 162.10.

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

Patton, Fudro, McEachern, Redalen and Dempsey introduced:

H. F. No. 1840, A bill for an act relating to local improvements; increasing percentage payments to contractors for completed work under local improvement contracts; amending Minnesota Statutes 1978, Section 429.041, Subdivision 6.

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

Clawson, Wynia, Moe, Norton and Drew introduced:

H. F. No. 1841, A bill for an act relating to state government; providing for certain historical memorials; providing an appropriation.

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

Kahn, Rothenberg, Voss, Corbid and Nelson introduced:

H. F. No. 1842, A bill for an act relating to nuclear safety; licensing and regulating nuclear power plants, reactors, and spent nuclear fuel disposal sites; empowering the department of health to conduct monitoring and emergency contingency planning; appropriating funds.

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

Heinitz and Heap introduced:

H. F. No. 1843, A bill for an act relating to the legislature; repealing the requirement that the revisor of statutes furnish the legislature with copies of collective bargaining contracts between the state and state employees; repealing Minnesota Statutes 1978, Section 482.18.

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

Clawson, Swanson, Peterson, D., and Aasness introduced:

H. F. No. 1844, A bill for an act relating to health; authorizing the commissioner of health to investigate complaints under certain circumstances; amending Minnesota Statutes 1978, Section 214.13, by adding subdivisions.

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

McCarron introduced:

H. F. No. 1845, A bill for an act relating to public welfare; closing Anoka state hospital; providing for continued employment of its personnel; directing disposition of related buildings and land; instructing the revisor of statutes to eliminate certain obsolete references from statutes; amending Minnesota Statutes 1978, Sections 246.02, Subdivision 2; 253.015; and 254.05.

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

Prahl, McEachern, Kempe, Jacobs and Nelsen, B., introduced:

H. F. No. 1846, A bill for an act relating to highway traffic regulations; authorizing certain identification rights on motor vehicles operated by certificated volunteer ambulance drivers; amending Minnesota Statutes 1978, Section 169.58, by adding a subdivision.

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

Clawson and Onnen introduced:

H. F. No. 1847, A bill for an act relating to public welfare; providing for a study of revisions to the nursing home rate reimbursement formula; providing for an information retrieval system; appropriating money; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision.

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

Halberg, Dempsey, Rothenberg, Faricy and Casserly introduced:

H. F. No. 1848, A bill for an act relating to taxation; estate tax; making technical adjustments and clarifying certain provisions; amending Minnesota Statutes 1978, Sections 290.077, Subdivision 4; 291.07, Subdivision 3; 291.111, Subdivision 2; 291.15; 291.18; 291.32, Subdivision 1; 291.33, by adding a subdivision; 501.211, Subdivision 3, and by adding a subdivision; 524.3-505; 524.3-1003; 525.532, Subdivision 3; and Minnesota Statutes, 1979 Supplement, Sections 290.01, Subdivision 20; 290.14; 291.005, Subdivision 1; 291.01; 291.015; 291.03; 291.05; 291.051; 291.06; 291.07, Subdivision 1; 291.075; 291.09, Subdivisions 1a and 4a; 291.132; 291.215, Subdivision 1; 291.33, Subdivision 1; 524.3-105; and 524.3-1001; repealing Minnesota Statutes 1978, Sections 291.17; 291.20, Subdivision 4; and Minnesota Statutes, 1979 Supplement, Sections 291.111, Subdivision 1; and 291.19.

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

Carlson, L.; Otis; Minne and Norman introduced:

H. F. No. 1849, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; adding a section to allow the legislature or presiding officers to call a special session.

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

Carlson, D., introduced:

H. F. No. 1850, A bill for an act relating to agriculture; testing cattle for anaplasmosis; amending Minnesota Statutes 1978, Chapter 35, by adding a section.

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

Carlson, D., introduced:

H. F. No. 1851, A bill for an act relating to public welfare; allowing alleged father to initiate paternity actions; changing certain terms; imposing support liability on both parents of certain children; requiring attorneys to represent children in paternity actions; giving certain fathers right to custody and visitation; permitting blood tests in evidence in paternity actions; limiting lump-sum settlements of paternity actions; amending Minnesota Statutes 1978, Sections 257.251; 257.252; 257.253; 257.254; 257.255; 257.256; 257.257; 257.261; 257.262; 257.264; 257.27; 257.28; 257.29; 257.30; 257.31; and 257.33; and Chapter 257, by adding sections.

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

Carlson, L.; Haukoos; McEachern and Jennings introduced:

H. F. No. 1852, A bill for an act relating to education; changing the definition of teacher in the law governing limitations on the amount of severance pay for teachers; improving some of the language in a severance pay law; amending Minnesota Statutes, 1979 Supplement, Section 465.72.

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

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 Senate File, herewith transmitted:

S. F. No. 1261.

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. 1644.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1261, A bill for an act relating to public transit; authorizing the acquisition, betterment, operation and maintenance of a people mover system in St. Paul; establishing a procedure for payment of the operating deficit by the metropolitan transit commission, the city of St. Paul and benefited property owners; providing for assistance by the state; authorizing issuance of capital improvement bonds by the Twin Cities Metropolitan Transit Commission; amending Minnesota Statutes, 1979 Supplement, Section 473.436, by adding a subdivision; repealing Laws 1977, Chapter 454, Section 45.

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

S. F. No. 1644, A bill for an act relating to eminent domain; providing for the taking of possession and title by the petitioner under certain circumstances; providing that certain payments deposited with the court shall be paid out under direction of the court; amending Minnesota Statutes 1978, Section 117.042.

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

CALENDAR

H. F. No. 924, A bill for an act relating to commerce; regulating conduct of business under assumed business names; amending Minnesota Statutes 1978, Sections 301.09; 333.01;

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

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 84 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Aasness	Dempsey	Hokanson	Murphy	Schreiber
Adams	Den Ouden	Jennings	Nelsen, B.	Searle
Ainley	Drew	Johnson, C.	Nelsen, M.	Searles
Albrecht	Eken	Johnson, D.	Niehaus	Sherwood
Anderson, B.	Elioff	Kaley	Norman	Stadum
Anderson, D.	Erickson	Kalis	Nysether	Stowell
Anderson, R.	Evans	Kempe	Onnen	Swiggum
Battaglia	Ewald	Knickerbocker	Osthoff	Thiede
Begich	Fjoslien	Kvam	Patton	Valan
Berkelman	Forsythe	Laidig	Piepho	Valento
Biersdorf	Friedrich	Levi	Pleasant	Weaver
Blatz	Fritz	Ludeman	Redalen	Welker
Brinkman	Fudro	Luknic	Reding	Wenzel
Carlson, D.	Haukoos	Mann	Rees	Wieser
Carlson, L.	Heap	McDonald	Reif	Wigley
Crandall	Heinitz	Mehrkens	Rodriguez	Zubay
Dean	Hoberg	Metzen	Rose	

Those who voted in the negative were:

Anderson, G.	Greenfield	Long	Otis	Simoneau
Anderson, I.	Jacobs	McCarron	Pehler	Stos
Berglin	Jaros	McEachern	Peterson, B.	Tomlinson
Byrne	Jude	Minne	Peterson, D.	Vanasek
Casserly	Kahn	Moe	Prahl	Voss
Clark	Kelly	Munger	Rice	Waldorf
Clawson	Kostohryz	Nelson	Sarna	Welch
Ellingson	Kroening	Novak	Sieben, H.	Wynia
Faricy	Lehto	Olsen	Sieben, M.	Spkr. Norton

The bill was passed and its title agreed to.

H. F. No. 1169, A bill for an act relating to census taking; providing for the taking of special censuses by the United States bureau of the census rather than the secretary of state; providing for the approval of school district population estimates by the state demographer; providing for annual population estimates of governmental subdivisions by the state demographer and their use in the computation of tax levy limits and local government aid; abolishing the authority of the municipal board to determine the population of municipalities and towns; amending Minnesota Statutes 1978, Sections 4.12, Subdivision 7; 275.14; 275.45; 275.53; 414.01, Subdivision 14; 477A.01, Subdivision 4; and Chapter 477A, by adding a section; repealing Minnesota Statutes 1978, Sections 365.61; and 414.033, Subdivision 8.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G. Eken Pehler

The bill was passed and its title agreed to.

H. F. No. 1074, A bill for an act relating to courts; tenth judicial district; authorizing the position of civil commitment referee in Washington County; amending Minnesota Statutes 1978, Section 253A.21, by adding a subdivision; and Chapter 484, by adding a section.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 687, A bill for an act relating to banks and banking; regulating interest rates charged by state banks; amending Minnesota Statutes 1978, Chapter 48, by adding a section.

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

The question was taken on the passage of the bill and the roll was called. There were 114 yeas and 16 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Begich	Fritz	Kostohryz	Rice	Simoneau
Berglin	Greenfield	Kroening	Sarna	Voss
Clark	Jacobs	Nelsen, M.		
Faricy	Kahn	Peterson, D.		

The bill was passed and its title agreed to.

GENERAL ORDERS

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

REPORT OF COMMITTEE OF THE WHOLE

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

S. F. No. 285 which it recommended to pass, as amended by the Committee of the Whole on Wednesday, May 2, 1979.

S. F. No. 410 which it recommended progress until Thursday, February 14, 1980 retaining its place on General Orders.

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

ROLL CALLS IN COMMITTEE OF THE WHOLE

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

The question was taken on the Kroening motion that S. F. No. 285 be re-referred to the Committee on Commerce, Economic Development and Housing and the roll was called. There were 47 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Elioff	Kempe	Otis	Simoneau
Battaglia	Ellingson	Kostohryz	Pehler	Swanson
Begich	Faricy	Kroening	Peterson, D.	Tomlinson
Berglin	Fudro	Mann	Prahl	Voss
Byrne	Greenfield	Minne	Reding	Waldorf
Carlson, D.	Hokanson	Moe	Rice	Wynia
Carlson, L.	Jacobs	Murphy	Rodriguez	Spkr. Norton
Casserly	Jude	Nelsen, M.	Sarna	
Clark	Kahn	Novak	Sieben, H.	
Eken	Kelly	Osthoff	Sieben, M.	

Those who voted in the negative were:

Aasness	Den Ouden	Johnson, C.	Nelsen, B.	Searles
Adams	Drew	Johnson, D.	Niehaus	Sherwood
Ainley	Erickson	Kaley	Norman	Stadum
Albrecht	Esau	Kalis	Nysether	Stoa
Anderson, B.	Evans	Knickerbocker	Olsen	Stowell
Anderson, D.	Ewald	Kvam	Onnen	Sviggum
Anderson, G.	Fjoslien	Laidig	Patton	Thiede
Anderson, R.	Forsythe	Lehto	Peterson, B.	Valan
Berkelman	Friedrich	Levi	Piepho	Valento
Biersdorf	Fritz	Long	Pleasant	Vanasek
Blatz	Haukoos	Ludeman	Redalen	Weaver
Brinkman	Heap	Luknic	Rees	Welker
Clawson	Heinitz	McDonald	Reif	Wenzel
Crandall	Hoberg	Mehrrens	Rose	Wieser
Dean	Jaros	Metzen	Rothenberg	Wigley
Dempsey	Jennings	Munger	Schreiber	Zubay

The motion did not prevail.

Sieben, M., moved to amend S. F. No. 285, the unofficial engrossment, as follows:

Page 2, after line 17 insert:

"Sec. 3. Minnesota Statutes 1978, Chapter 334, is amended by adding a section to read:

[334.20] [FINANCE CHARGES FOR OTHER THAN OPEN END CREDIT.] *Subdivision 1. The parties to a consumer credit sale other than a sale pursuant to an open end credit plan may lawfully agree to payment by the consumer of a maximum finance charge which may not exceed one and one-third percent per month on the unpaid balance of the amount financed.*

Subd. 2. For the purposes of this section:

(a) *The finance charge may be calculated on the assumption that all scheduled payments will be made when due;*

(b) *The effect of prepayment is governed by the provisions on rebate upon prepayment under section 5 of this act; and*

(c) *The term of a consumer credit sale other than one pursuant to an open end credit plan commences thirty days after the credit is granted. Differences in lengths of months are disregarded and a day may be counted as 1/30 of a month.*

Subd. 3. Notwithstanding the provisions of subdivisions 1 and 2 of this section, a seller may contract for and receive a minimum finance charge of not more than \$10 with respect to a sale other than one pursuant to an open end credit plan.

Sec. 4. Minnesota Statutes 1978, Chapter 334, is amended by adding a section to read:

[334.21] [PREPAYMENT PENALTIES PROHIBITED.]

Subject to section 5, a buyer may prepay in full, or in any part, the unpaid balance of a consumer credit sale at any time without penalty.

Sec. 5. Minnesota Statutes 1978, Chapter 334, is amended by adding a section to read:

[334.22] [REBATE ON PREPAYMENT.] Subdivision 1.

Unless otherwise authorized by statute, and upon prepayment in full of the unpaid balance of a precomputed consumer credit sale, refinancing or consolidation, an amount not less than the unearned portion of the finance charge calculated according to this section shall be rebated to the buyer; provided, however, that the seller may collect or retain a minimum charge not to exceed \$10, but in no event more than the finance charge contracted for. If the total of all rebates, refunds and credits to be paid to the buyer is less than \$1, no rebate need be made.

Subd. 2. The unearned portion of the precomputed finance charge on consumer credit sales shall be at least as great a proportion of the time price differential as the sum of the periodic time balances after the month in which prepayment is made bears to the sum of all the periodic time balances under the schedule of payments in the original contract, which method of calculating rebates is commonly known as the "rule of 78" or "sum of the digits" method. When a rebate computed by this method results in a buyer having been charged an effective rate of interest in excess of that allowable under section 3, it shall not be a violation of law.

Subd. 3. Unless otherwise authorized by statute, the parties to a consumer credit sale other than one pursuant to an open end credit plan, may agree in writing at any time subsequent to the transaction to a deferral of all or part of any installments and an appropriate deferral charge which may not exceed one percent per month on the amount deferred. If prepayment in full is made on a transaction for which there was a prior agreement for a deferral and a deferral charge, the unearned portion of the finance charge shall be computed without regard to the deferral. The amount of deferral charge accumulated at the date of prepayment shall also be calculated. If the deferral charge accumulated is less than the deferral charge actually paid by the buyer, the difference shall be added to the unearned portion of the finance charge to be rebated to the buyer. If any part of a deferral charge has been accumulated but has not been paid, that part shall be subtracted from the unearned portion of the finance charge to be rebated to the buyer.

Subd. 4. In the absence of an agreement for deferral of any installment, as provided in subdivision 3, and if the contract between the seller and the buyer so provides, the seller may collect, or retain, in the event of prepayment, a delinquency charge with respect to any installment not paid in full within ten days after its due date, as originally scheduled or as deferred by agreement, up to a maximum amount which is five percent of the unpaid amount of the delinquent installments or \$5, whichever is less. A delinquency charge with respect to any single delinquent installment may be collected only once, however long the installment remains in default. A separate delinquency charge, as computed above, may be imposed with respect to each separate installment that is delinquent. A delinquency charge may not be collected on an installment paid in full within ten days after its scheduled or deferred installment due date even though an earlier maturing installment or a delinquency or deferral charge on an earlier installment has not been paid in full. For purposes of this subdivision, and in the absence of specific direction by the buyer to the contrary, a payment is applied first to any installment due and not delinquent at the time in which it is received and then to delinquent installments and charges. A delinquency charge may be collected at the time it accrues or at any time thereafter.

Subd. 5. Unless otherwise authorized by statute, if the maturity of the obligation is accelerated for any reason and judgment is obtained, the buyer is entitled to the same rebate as if payment in full had been made on the date judgment is entered against the buyer excluding delinquency charges previously collected by the creditor.

Sec. 6. Minnesota Statutes 1978, Chapter 334, is amended by adding a section to read:

[334.23] [ASSIGNEES AND PURCHASERS.] *Any conditional sales contract, personal note or other instrument arising out of or given in connection with a consumer credit sale which reflects or bears a finance charge higher than allowed under sections 3 to 8, or higher than otherwise authorized by statute, may not be held in good faith by an assignee or purchaser of commercial or negotiable paper, and any assignee who acquires the instrument shall be liable for the penalties provided in section 7.*

Sec. 7. Minnesota Statutes 1978, Chapter 334, is amended by adding a section to read:

[334.24] [PENALTY.] *Any seller who violates any of the provisions of sections 3 to 8 except as a bona fide error, shall forfeit to the buyer an amount which is equal to three times any finance charge imposed, charged or collected in connection with a consumer credit sale, with a minimum forfeiture of \$100 plus reasonable attorneys' fees and court costs.*

Sec. 8. Minnesota Statutes 1978, Chapter 334, is amended by adding a section to read:

[334.25] [MOTOR VEHICLE RETAIL INSTALLMENT SALES ACT.] *Sections 3 to 8 shall not apply to sales covered by sections 168.66 to 168.77, known as the motor vehicle retail installment sales act.*"

Renumber the sections as may be required by this amendment.

Amend the title as follows:

Page 1, line 5, after the semicolon, insert: "providing for maximum finance charges for closed end credit; providing a penalty;"

Page 1, line 6, before the period insert: "; and Chapter 334, by adding sections"

The question was taken on the amendment and the roll was called. There were 61 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Ellingson	Kroening	Otis	Swanson
Anderson, I.	Faricy	Lehto	Patton	Tomlinson
Battaglia	Fudro	Mann	Pehler	Vanasek
Begich	Greenfield	McCarron	Peterson, D.	Voss
Berglin	Hokanson	McEachern	Prahl	Waldorf
Byrne	Jacobs	Minne	Reding	Welch
Carlson, D.	Johnson, C.	Moe	Rice	Wenzel
Carlson, L.	Jude	Munger	Rodriguez	Wynia
Casserly	Kahn	Murphy	Sarna	Spkr. Norton
Clark	Kalis	Nelsen, M.	Sieben, H.	
Clawson	Kelly	Nelson	Sieben, M.	
Eken	Kempe	Novak	Simoneau	
Elioff	Kostohryz	Osthoff	Stoa	

Those who voted in the negative were:

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

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

Osthoff moved to amend S. F. No. 285, the unofficial engrossment, as follows:

Page 2, after line 23, add the following section:

"Sec. 4. [REFERENDA ON INCREASING PERMISSIBLE FINANCE CHARGES FOR OPEN END CREDIT SALES.] Notwithstanding any other provision of law to the contrary, a county containing a city of the first class may provide, by a vote of the majority of its electors, that no portion of the increase in permissible finance charges for open end credit shall apply within its jurisdiction.

The county board may, and upon petition therefore signed by voters equal in number to at least five percent of those voting in the last general election shall submit to the voters at a regular or special election the question of adopting the increase in permissible finance charges for open end credit sales. The question on the ballot shall be stated substantially as follows:

"Shall the increase in permissible finance charges for open end credit sales from 12% per year to 16% per year be adopted in County?"

If the majority of votes cast on the proposition is in the negative, the increase in permissible finance charges for open end credit sales shall not apply in the subject county."

The question was taken on the amendment and the roll was called. There were 53 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Crandall	Kostohryz	Novak	Swanson
Anderson, I.	Elioff	Kroening	Osthoff	Tomlinson
Anderson, R.	Ellingson	Lehto	Pehler	Vanasek
Battaglia	Faricy	Mann	Peterson, D.	Voss
Begich	Fudro	McCarron	Prahl	Waldorf
Berglin	Greenfield	McEachern	Rice	Welch
Byrne	Hokanson	Minne	Rodriguez	Wenzel
Carlson, L.	Jude	Moe	Sarna	Wynia
Cassery	Kahn	Murphy	Sieben, H.	Spkr. Norton
Clark	Kelly	Nelsen, M.	Sieben, M.	
Clawson	Kempe	Nelson	Simoneau	

Those who voted in the negative were:

Aasness	Dempsey	Fritz	Kalis	Niehaus
Adams	Den Ouden	Halberg	Knickerbocker	Norman
Ainley	Drew	Haukoos	Kvam	Nysether
Albrecht	Eken	Heap	Laidig	Olsen
Anderson, B.	Erickson	Heinitz	Levi	Onnen
Anderson, D.	Esau	Hoberg	Ludeman	Otis
Berkelman	Evans	Jaros	Luknic	Patton
Biersdorf	Ewald	Jennings	McDonald	Peterson, B.
Blatz	Fjoslien	Johnson, C.	Mehrkena	Piepho
Brinkman	Forsythe	Johnson, D.	Metzen	Pleasant
Dean	Friedrich	Kaley	Nelsen, B.	Redalen

Reding	Rothenberg	Stadum	Thiede	Welker
Rees	Schreiber	Stoa	Valan	Wieser
Reif	Searles	Stowell	Valento	Wigley
Rose	Sherwood	Sviggun	Weaver	Zubay

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

Casserly moved to amend S. F. No. 285, the unofficial engrossment, as follows:

Page 2, after line 7, insert:

"(c) Notwithstanding subsection (b), no finance charge in excess of one percent per month shall be imposed on an open end and consumer credit account by any seller whose Minnesota annual gross sales exceeds 5 million dollars."

The question was taken on the amendment and the roll was called. There were 59 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Elioff	Kalis	Nelson	Sieben, M.
Anderson, I.	Ellingson	Kelly	Novak	Simoneau
Battaglia	Faricy	Kempe	Osthoff	Stoa
Begich	Fjoslien	Kostohryz	Otis	Vanasek
Berglin	Fudro	Kroening	Pehler	Voss
Berkelman	Greenfield	Lehto	Peterson, D.	Waldorf
Byrne	Hokanson	McCarron	Prahl	Welch
Carlson, D.	Jacobs	McEachern	Reding	Wenzel
Casserly	Jaros	Minne	Rice	Wieser
Clark	Johnson, C.	Munger	Rodriguez	Wynia
Clawson	Jude	Murphy	Sarna	Spkr. Norton
Eken	Kahn	Nelsen, M.	Sieben, H.	

Those who voted in the negative were:

Aasness	Den Ouden	Johnson, D.	Norman	Searle
Adams	Drew	Kaley	Nysether	Searles
Ainley	Erickson	Knickerbocker	Olsen	Sherwood
Albrecht	Esau	Kvam	Onnen	Stadum
Anderson, B.	Evans	Laidig	Patton	Stowell
Anderson, D.	Ewald	Levi	Peterson, B.	Sviggun
Anderson, R.	Forsythe	Ludeman	Piepho	Thiede
Biersdorf	Friedrich	Luknic	Pleasant	Tomlinson
Blatz	Halberg	Mann	Redalen	Valan
Brinkman	Haukoos	McDonald	Rees	Valento
Carlson, L.	Heap	Mehrken	Reif	Weaver
Crandall	Heinitz	Metzen	Rose	Welker
Dean	Hoberg	Nelsen, B.	Rothenberg	Wigley
Dempsey	Jennings	Niehaus	Schreiber	Zubay

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

The question was taken on the motion to recommend passage of S. F. No. 285 and the roll was called. There were 77 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Knickerbocker	Olsen	Sherwood
Adams	Evans	Kvam	Onnen	Stadum
Ainley	Ewald	Laidig	Patton	Stowell
Albrecht	Fjoslien	Lehto	Pehler	Svigum
Anderson, B.	Forsythe	Levi	Peterson, B.	Thiede
Anderson, D.	Friedrich	Long	Piepho	Valan
Anderson, G.	Halberg	Ludeman	Pleasant	Valento
Anderson, R.	Haukoos	Luknie	Redalen	Vanasek
Berkelman	Heap	Mann	Reding	Welker
Biersdorf	Heinitz	McDonald	Rees	Wenzel
Brinkman	Hoberg	Mehrkens	Reif	Wieser
Crandall	Jennings	Metzen	Rose	Wigley
Dean	Johnson, C.	Nelsen, B.	Rothenberg	Zubay
Dempsey	Johnson, D.	Niehaus	Schreiber	
Den Ouden	Kaley	Norman	Searle	
Erickson	Kalis	Nysether	Searles	

Those who voted in the negative were:

Anderson, I.	Drew	Jude	Nelsen, M.	Sieben, M.
Battaglia	Eken	Kahn	Nelson	Simoneau
Begich	Elioff	Kelly	Novak	Stoa
Berglin	Ellingson	Kempe	Osthoff	Swanson
Blatz	Faricy	Kostohryz	Otis	Tomlinson
Byrne	Fritz	Kroening	Peterson, D.	Voss
Carlson, D.	Fudro	McCarron	Prahl	Waldorf
Carlson, L.	Greenfield	Minne	Rice	Weaver
Casserly	Hokanson	Moe	Rodriguez	Welch
Clark	Jacobs	Munger	Sarna	Wynia
Clawson	Jaros	Murphy	Sieben, H.	Spkr. Norton

The motion prevailed.

MOTIONS AND RESOLUTIONS

Kalis moved that the name of Wenzel be added as an author on H. F. No. 1827. The motion prevailed.

Anderson, B., moved that the name of Anderson, D., be added as an author on H. F. No. 1813. The motion prevailed.

Reding moved that the name of Haukoos be added as an author on H. F. No. 1817. The motion prevailed.

Norman moved that his name be stricken as an author on H. F. No. 1849. The motion prevailed.

Den Ouden introduced:

House Resolution No. 27, a house resolution relating to opposition to the registering of women for possible draft into the armed service.

Den Ouden moved that the Rules be so far suspended that House Resolution No. 27 be now considered and be placed upon its adoption.

A roll call was requested and properly seconded.

The question was taken on the motion to suspend the rules and the roll was called. There were 29 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Aasness	Erickson	Ludeman	Rothenberg	Waldorf
Albrecht	Esau	McDonald	Searle	Welker
Anderson, D.	Fjoslien	Niehaus	Sherwood	Wenzel
Carlson, D.	Fritz	Onnen	Stowell	Wieser
Dempsey	Hoberg	Rees	Thiede	Wigley
Den Ouden	Kempe	Rose	Valento	

Those who voted in the negative were:

Adams	Drew	Kaley	Nelsen, M.	Schreiber
Ainley	Eken	Kalis	Nelson	Searles
Anderson, G.	Elioff	Kelly	Norman	Sieben, H.
Anderson, I.	Ellingson	Kostohryz	Novak	Sieben, M.
Anderson, R.	Ewald	Kroening	Nysether	Simoneau
Battaglia	Faricy	Laidig	Olsen	Stadum
Begich	Forsythe	Lehto	Osthoff	Stoa
Berglin	Fudro	Levi	Otis	Swanson
Berkelman	Greenfield	Long	Patton	Tomlinson
Biersdorf	Haukoos	Luknic	Pehler	Valan
Blatz	Heap	Mann	Peterson, B.	Vanasek
Brinkman	Heinitz	McCarron	Peterson, D.	Voss
Byrne	Hokanson	McEachern	Plepho	Weaver
Carlson, L.	Jacobs	Mehrkens	Pleasant	Welch
Casserly	Jennings	Metzen	Prahl	Wynia
Clark	Johnson, C.	Minne	Reding	Zubay
Clawson	Johnson, D.	Moe	Reif	Spkr. Norton
Crandall	Jude	Munger	Rice	
Dean	Kahn	Murphy	Rodriguez	

The motion to suspend the rules did not prevail.

The resolution was referred to the Committee on General Legislation and Veterans Affairs.

Kvam introduced:

House Resolution No. 28, a house resolution commending the people of the City of Litchfield for their "Sister City" program; providing for the adoption of the City of Hartford, Alabama by the city of Litchfield as their "Sister City".

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following change in committee assignments:

Criminal Justice: Add the name of Blatz.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, February 7, 1980. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, February 7, 1980.

EDWARD A. BURDICK, Chief Clerk, House of Representatives