

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1980

## EIGHTY-FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 18, 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        | Kaley         | Niehaus      | Sherwood     |
| Adams        | Elioff      | Kalis         | Norman       | Sieben, H.   |
| Ainley       | Ellingson   | Kelly         | Novak        | Sieben, M.   |
| Albrecht     | Erickson    | Kempe         | Nysether     | Simoneau     |
| Anderson, B. | Esau        | Knickerbocker | Olsen        | Stadum       |
| Anderson, D. | Evans       | Kostohryz     | Onnen        | Stoa         |
| Anderson, G. | Ewald       | Kroening      | Osthoff      | Stowell      |
| Anderson, R. | Faricy      | Kvam          | Otis         | Sviggun      |
| Battaglia    | Fjoslien    | Laidig        | Patton       | Swanson      |
| Begich       | Forsythe    | Lehto         | Pehler       | Thiede       |
| Berglin      | Friedrich   | Levi          | Peterson, B. | Tomlinson    |
| Berkelman    | Fritz       | Long          | Peterson, D. | Valan        |
| Biersdorf    | Fudro       | Ludeman       | Piepho       | Valento      |
| Blatz        | Greenfield  | Luknic        | Pleasant     | Vanasek      |
| Brinkman     | Halberg     | Mann          | Prahl        | Voss         |
| Byrne        | Haukoos     | McCarron      | Redalen      | Waldorf      |
| Carlson, D.  | Heap        | McDonald      | Reding       | Weaver       |
| Carlson, L.  | Heinitz     | McEachern     | Rees         | Welch        |
| Casserly     | Hoberg      | Mehrrens      | Reif         | Welker       |
| Clark        | Hokanson    | Metzen        | Rice         | Wenzel       |
| Clawson      | Jacobs      | Minne         | Rodriguez    | Wieser       |
| Corbid       | Jaros       | Moe           | Rose         | Wigley       |
| Crandall     | Jennings    | Munger        | Rothenberg   | Wynia        |
| Dean         | Johnson, C. | Murphy        | Sarna        | Zubay        |
| Dempsey      | Johnson, D. | Nelsen, B.    | Schreiber    | Spkr. Norton |
| Den Ouden    | Jude        | Nelsen, M.    | Searle       |              |
| Drew         | Kahn        | Nelson        | Searles      |              |

A quorum was present.

Anderson, I., was excused until 3:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly 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. 1255, 2082, 1963, 2185, 1780, 1908, 2022 and 2037 and S. F. Nos. 802, 1433, 1815, 1325, 769, 1398, 1837, 1132, 1641, 1854, 1847, 1963, 1322, 1633 and 1658 have been placed in the members' files.

S. F. No. 1674 and H. F. No. 1724, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Heinitz moved that S. F. No. 1674 be substituted for H. F. No. 1724 and that the House File be indefinitely postponed. The motion prevailed.

## PETITIONS AND COMMUNICATIONS

The following communications were received:

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

March 13, 1980

The Honorable Fred C. Norton  
Speaker of the House of Representatives

The Honorable Edward J. Gearty  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| <i>S.F.<br/>No.</i> | <i>H.F.<br/>No.</i> | <i>Session Laws<br/>Chapter No.</i> | <i>Date Approved<br/>1980</i> | <i>Date Filed<br/>1980</i> |
|---------------------|---------------------|-------------------------------------|-------------------------------|----------------------------|
| 54                  |                     | 351                                 | March 13                      | March 13                   |

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

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

March 17, 1980

The Honorable Fred C. Norton  
Speaker of the House of Representatives

The Honorable Edward J. Gearty  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| <i>S.F.<br/>No.</i> | <i>H.F.<br/>No.</i> | <i>Session Laws<br/>Chapter No.</i> | <i>Date Approved<br/>1980</i> | <i>Date Filed<br/>1980</i> |
|---------------------|---------------------|-------------------------------------|-------------------------------|----------------------------|
| 482                 |                     | 352                                 | March 17                      | March 17                   |
| 693                 |                     | 353                                 | March 17                      | March 17                   |
| 998                 |                     | 354                                 | March 17                      | March 17                   |

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 1130, A bill for an act relating to financial institutions; authorizing securities for investment of deposits of savings banks and other financial institutions and for deposit to secure deposits of public funds; amending Minnesota Statutes 1978, Sections 50.14, Subdivision 4; and 118.01.

Reported the same back with the following amendments:

Page 3, delete line 19

Page 3, line 20, delete "any other revenues" and insert "payable from revenues other than ad valorem taxes as contemplated in clause (a)"

Page 3, line 20, delete "*the state of*"

Page 3, line 21, delete "*Minnesota*" and insert "*any state or insular possession of the United States*"

Page 3, line 25, delete "*Minnesota*" and insert "*any state*"

Page 3, line 25, before "*obligations*" insert "*bonds or other interest bearing*"

Page 3, line 26, delete "*one-third*" and insert "*three*"

Page 3, line 27, delete "*of the*"

Page 3, line 27, after "*bonds*" insert "*or other interest bearing obligations*"

Page 3, line 29, delete "*securities*" and insert "*bonds or other interest bearing obligations*"

Page 4, line 8, after the comma insert "*and obligations issued pursuant to chapter 474,*"

Page 6, line 32, strike ", except that no"

Page 6, strike line 33

Page 7, strike lines 1 to 3 and delete the new language in line 1

Page 7, line 4, strike "sections 48.22 or 51A.20"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1262, A bill for an act relating to the city of Breezy Point; relating to its tax levy for general purposes; repealing Laws 1971, Chapter 110.

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

The report was adopted.

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

H. F. No. 1660, A bill for an act relating to taxation; property tax administration; eliminating mandatory assessors meetings; amending Minnesota Statutes 1978, Sections 273.03, Subdivision 1; 273.04; and Minnesota Statutes, 1979 Supplement, Sections 270.06; and 273.061, Subdivision 8.

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

The report was adopted.

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

H. F. No. 1709, A bill for an act relating to crimes; prohibiting the sale of drug related devices to minors; prohibiting the possession of drug related devices by minors; prescribing penalties.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [152.095] [PROHIBITING POSSESSION OR SALE OF DRUG RELATED DEVICES.] Subdivision 1. For purposes of this section, the following terms shall have the meanings given them.

(a) "Drug related device" means any pipe or other object suitable to be used for smoking which:

- (1) contains a visible fine wire mesh screen; or
- (2) contains a bowl with the interior surface made of metal, glass, acrylic, plexiglass or plastic; or
- (3) contains a bowl with an inside diameter of one-half inch or less at the halfway point between the top and the bottom of the bowl; or
- (4) contains a chamber; or
- (5) contains a flexible tube or tubes.

(b) "Chamber" means an enclosed area suitable for the collection or movement of smoke, other than a bowl, pipe stem, flexible tube, or a tube suitable for holding cigarettes or cigars.

(c) "Bowl" means a concave shaped object suitable for holding a smoking material to be lighted.

(d) "Pipe stem" means a nonflexible tube with one end entering directly into a bowl.

Subd. 2. It shall be unlawful to possess a drug related device with intent to violate any provisions of the controlled substance law, Minnesota Statutes, Chapter 152.

Subd. 3. It shall be unlawful for any person, firm or corporation to knowingly or intentionally sell, offer to sell, transfer, or display for sale or transfer, any drug related device.

Subd. 4. Any violation of this section is a misdemeanor."

Further, amend the title as follows:

Page 1, delete lines 2 to 5 and insert:

"relating to crimes; prescribing penalties for the possession or sale of drug related devices."

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

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1978, Section 72A.13, is amended to read:

72A.13 [ACCIDENT AND HEALTH INSURANCE, VIOLATIONS OF CERTAIN SECTIONS; PENALTIES.] *Subdivision 1.* Any company, corporation, association, society, or other insurer, or any officer or agent thereof, which or who *solicits*, issues or delivers to any person in this state any policy in (WILFUL) violation of the provisions of sections 62A.01 to 62A.10, (SHALL) *may* be punished by a fine of not more than \$100 for each offense, and the commissioner may revoke the license of any company, corporation, association, society, or other insurer of another state or country, or of the agent thereof, which or who wilfully violates any provision of sections 62A.01 to 62A.10.

*Subd. 2.* No insurer, company, corporation, association, society, trust or other person may solicit, deliver or issue to any

person in this state mass marketed life or health insurance if the total charges for the insurance to the persons insured are unreasonable in relation to the benefits provided. As to health insurance, the applicable standards are those established pursuant to section 62A.02, subdivision 3. A finding that total charges are unreasonable in relation to the benefits provided shall be made pursuant to the contested case provisions of chapter 15. After the finding is made, the commissioner may institute the penalties provided in subdivision 1 and may issue an order directing the insurer to cease and desist the solicitation, delivery or issuance of the insurance. The order shall be in effect until the total charges for the insurance are found to be reasonable in relation to the benefits. For the purposes of this section:

(a) "Mass marketed life or health insurance" means the insurance under any individual, franchise, group or blanket policy of life or health insurance which is offered by means of direct response solicitation through a sponsoring organization or through the mails or other mass communications media under which the person insured pays all or substantially all of the cost of the insurance.

(b) "Direct response solicitation" means any offer by an insurer to persons in this state, either directly or through a third party, to effect life or health insurance coverage which enables the individual to apply or enroll for the insurance on the basis of the offer. It does not include solicitations for insurance through an employee benefit plan which is defined in P.L. 93-406, 88 Stat. 829, nor does it include such a solicitation through the individual's creditor with respect to credit life or credit health insurance.

Subd. 3. Any insurer extending mass marketed life or health insurance under a group or blanket policy issued outside this state to residents of this state shall:

(a) Comply with respect to such insurance with the requirements of this state relating to advertising and to claims settlement practices; and

(b) Upon request of the commissioner make available, for the purpose of determining compliance with the provisions of this section, copies of any such policy or certificates issued thereunder, and advertising material used within this state in connection with the insurance."

Page 1, after line 21, insert:

"Sec. 3. Minnesota Statutes 72A.41, Subdivision 1, is amended to read:

72A.41 [TRANSACTIONING BUSINESS WITHOUT CERTIFICATE OF AUTHORITY PROHIBITED.] Subdivision 1.

It (SHALL BE) is unlawful for any company to enter into a contract of insurance as an insurer or to transact insurance business in this state, as set forth in subdivision 2, without a certificate of authority from the commissioner; provided that this subdivision (SHALL) does not apply to: (a) contracts of insurance procured by agents under the authority of section 60A.20; (b) contracts of reinsurance and contracts of ocean or wet marine and transportation insurance; (c) transactions in this state involving a policy lawfully solicited, written and delivered outside of this state covering only subjects of insurance not resident, located or expressly to be performed in this state at the time of issuance and which transactions are subsequent to the issuance of (SUCH) the policy; (d) transactions in this state involving group or blanket insurance and group annuities where the master policy of such groups was lawfully issued and delivered in a state in which the company was authorized to do an insurance business *where, except for group annuities, the insurer complies with section 72A.13. The commissioner may require the insurer which has issued such master policy to submit any information as the commissioner reasonably requires in order to determine if probable cause exists to convene a hearing to determine whether the total charges for the insurance to the persons insured are unreasonable in relation to the benefits provided under the policy*; (e) transactions in this state involving a policy of insurance or annuity issued prior to July 1, 1967; or (f) contract of insurance procured under the authority of section 60A.19, subdivision 8; or (g) transactions in this state involving contracts of insurance covering property or risks not located in this state."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "insurance;" insert "providing for the regulation of mass marketed life or health insurance;"

Page 1, line 6, delete "Section" and insert "Sections 72A.13;"

Page 1, line 6, after "72A.19" insert " ; and 72A.41, subdivision 1"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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.



Reported the same back with the following amendments:

Page 2, after line 7, after the period insert a new section to read:

"Sec. 2. Minnesota Statutes, 1979 Supplement, Section 100.271, Subdivision 1, is amended to read:

100.271 [MOOSE OR TURKEY; LICENSES.] Subdivision 1. At the time of issuing the order setting the dates of a moose or turkey season, the commissioner shall include in the same order the number of licenses to be issued for that season. Those eligible to receive a license shall be determined by the commissioner according to the provisions of this section and such rules as the commissioner may provide. The commissioner may, if he deems it advisable, conduct a separate selection for not to exceed 20 percent of the licenses to be issued for any one area, for which selection the only eligible applicants *for turkey licenses* will be persons who live as owners or tenants on 40 acres or more of *agricultural or grazing land within the prescribed area, and the only eligible applicants for moose licenses shall be persons who are owners of or live as tenants on not less than 160 acres of agricultural or grazing land within the prescribed area.* Landowners or tenants who are unsuccessful in (THIS) *these separate (SELECTION) selections* shall be included in the (SELECTION) *selections* for the remaining licenses.

Any landowner or tenant who is successful in the commissioner's separate selection shall permit turkey hunting on his land during the turkey season."

Further, amend the title as follows:

Page 1, line 3, after the semicolon insert "granting preference to landowners in obtaining moose licenses;"

Page 1, line 5, before the period insert "; and Minnesota Statutes, 1979 Supplement, Section 100.271, Subdivision 1"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 2, line 4, after "*dwelling*" insert "*that qualifies for assessment under this subdivision*"

Page 2, line 6, delete "*, and*" and insert a period

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 246.012, is amended to read:

246.012 [MEASURE OF SERVICE.] *Subdivision 1.* The measure of services hereinafter set forth are established and prescribed as the goal of the state of Minnesota, in its care and treatment of the mentally ill people of the state.

*Subd. 2.* To attain the goals of treatment prescribed in subdivision 1, the legislature determines that the needs of the citizens in the service area of the Anoka state hospital for the kind of acute and long term mental health care provided by a state hospital can best be provided by Anoka state hospital. Anoka state hospital shall be a facility for the provision of basic and specialized mental health care services to meet the needs of residents in its service area as determined by the commissioner in accordance with law and rule and that, within the limitations of statute and appropriations, treatment programs be developed there to deal with the unique needs of its patients and that staff be provided with the necessary training to help them address those needs.

Sec. 2. Minnesota Statutes 1978, Chapter 246, is amended by adding a section to read:

[246.022] [STATE HOSPITAL PLANNING COMMITTEES.] *Subdivision 1.* [APPOINTMENT.] The commissioner may appoint a hospital planning committee for each state hospital which includes, but is not limited to, the chief executive

officer of each state institution, appointed pursuant to section 246.02, representatives of the professional staff, human services technicians and of other staff as the chief executive officer deems appropriate, representatives of the patients served in the institution and representatives of the counties served by the institution.

**Subd. 2. [DUTIES OF COMMITTEE.]** *The hospital planning committee of each state institution may present recommendations on such matters as:*

(a) *setting measurable goals and objectives for the management and service programs of the institution;*

(b) *identification of the capital, staff and financial resources needed to attain the goals and objectives established; and*

(c) *a method, approved by the commissioner, whereby the degree of attainment of the established goals and objectives may be evaluated.*

**Subd. 3. [COMMISSIONER'S RESPONSIBILITY.]** *Within the appropriations available, the commissioner of public welfare shall provide technical assistance to each hospital planning committee in the performance of its duties.*

**Subd. 4. [BIENNIAL PLAN.]** *Each hospital planning committee shall submit to the commissioner a biennial report to be included in the report to the governor and legislature prepared pursuant to section 246.06. The commissioner shall establish schedules for submission of hospital planning committee plans so that each plan is substantially reflected in the biennial estimates prepared pursuant to section 246.12.*

**Sec. 3. [MENTAL EVALUATIONS OF DEFENDANTS; DESIGNATION OF HOSPITAL BY COMMISSIONER OF PUBLIC WELFARE.]** *Subdivision 1. In any of the following specified stages of the criminal process involving a court ordered mental evaluation, the court shall order confinement or continuing confinement to the state mental hospital or other suitable hospital or facility which the commissioner of public welfare designates as appropriate:*

(a) *Under Rule 20.01 of the Minnesota rules of criminal procedure relating to a defendant's competency to understand the proceedings and participate in his own defense:*

(i) *During the initial mental evaluation confinement period ordered by the criminal court to determine competency to proceed;*

(ii) *If the defendant is found not competent to proceed by the criminal court, during the interim confinement period prior*

to commencement of civil commitment proceedings in the civil commitment court; and

(iii) If the defendant is found to be mentally ill or mentally ill and dangerous and in need of further hospitalization by the civil commitment court, during the confinement period in which the defendant is under civil commitment subject to supervision by the court.

(b) Under Rule 20.02 of the Minnesota rules of criminal procedure relating to an assertion of the defense of mental illness:

(i) During the initial mental evaluation confinement period ordered by the court to determine the defendant's mental condition;

(ii) If the defendant is found not guilty by reason of mental illness, during the interim confinement period prior to commencement of civil commitment proceedings in the civil commitment court; and

(iii) If the defendant is found to be mentally ill or mentally ill and dangerous by the civil commitment court, during the confinement period during which the defendant is under civil commitment subject to supervision by the court.

(c) Under Rule 27 of the Minnesota rules of criminal procedure relating to presentence investigations of defendants convicted of crimes when the court orders the defendant to submit to a mental evaluation, during any confinement period necessary for the evaluation.

Subd. 2. When in accordance with Minnesota Statutes, Section 246.43 or other law, a court orders a defendant to submit to a mental evaluation, the court may order confinement or continuing confinement to the state mental hospital or other suitable hospital or facility which the commissioner designates as appropriate."

Further, delete the title and insert the following:

"relating to public welfare; providing that Anoka state hospital be the facility for certain services; establishing state hospital planning committees; prescribing their duties; providing for mental evaluations of defendants in certain stages of the criminal process in certain designated facilities; appropriating money; amending Minnesota Statutes 1978, Section 246.012; and Chapter 246, by adding a section."

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

The report was adopted.

Anderson, I., from the Committee on General Legislation and Veterans Affairs to which was referred:

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.

Reported the same back with the following amendments:

Page 1, line 21, delete *"both houses or upon the"* and insert *"each house filed with the Secretary of State"*

Page 1, line 22, delete *"order of the presiding officers of both houses"*

Page 2, line 1, after *"session"* insert *"at the date and time specified in the written agreement"*

Page 2, line 1, delete *"Any bill may"* and insert *"The written agreement shall specify the subjects to be considered and the special session shall be limited to the subjects designated."*

Page 2, delete line 2

Page 2, line 3, delete the underscored language

Page 2, line 15, before *"agreement"* insert *"written"*

Page 2, line 15, delete *"or upon the order of"*

Page 2, line 16, delete *"its presiding officers"*

Further, amend the title as follows:

Page 1, line 4, delete *"section"* and insert *"provision"*

Page 1, line 4, delete *"or presiding"*

Page 1, line 5, delete *"officers"*

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

The report was adopted.

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

H. F. No. 1878, A bill for an act relating to no-fault automobile insurance; prohibiting certain short-term insurance policies; coordinating reparation benefits; coordinating benefits with medicare and medical assistance; extending eligibility for the assigned claims plan; amending Minnesota Statutes 1978, Sections 65B.49, by adding subdivisions; 65B.61, Subdivisions 1 and 2; 65B.64, Subdivision 1; and Minnesota Statutes, 1979 Supplement, Section 65B.61, Subdivision 3.

Reported the same back with the following amendments:

Pages 1 and 2, delete all of sections 1 and 2 and insert:

"Section 1. Minnesota Statutes 1978, Section 65B.46, Subdivision 2, is amended to read:

Subd. 2. If the accident causing injury occurs outside this state *in the United States, United States possessions, or Canada*, the following persons and their surviving dependents suffering loss from injury arising out of maintenance or use of a motor vehicle have a right to basic economic loss benefits:

(1) Insureds, and

(2) the driver and other occupants of a secured vehicle, other than (a) a vehicle which is regularly used in the course of the business of transporting persons or property and which is one of five or more vehicles under common ownership, or (b) a vehicle owned by government other than this state, its political subdivisions, municipal corporations, or public agencies. *The reparation obligor may, if the policy expressly states, extend the basic economic loss benefits to any stated area beyond the limits of the United States, United States possessions and Canada.*

Sec. 2. Minnesota Statutes 1978, Section 65B.49, is amended by adding a subdivision to read:

Subd. 4a. [UNDERINSURED MOTORIST COVERAGE.] *No plan of reparation security may be renewed, delivered or issued for delivery, or executed in this state with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto, in an amount at least equal to the insured's residual liability limits, whereby the reparation obligor agrees to pay damages the insured is legally entitled to recover on account of a motor vehicle accident but which are uncompensated because the total damages exceed the residual bodily injury liability limit of the owner of the other vehicle. The reparation obligor is subrogated to any amounts it pays and upon payment has an assignment of the*

*judgment if any against the other person to the extent of the money it pays."*

Page 2, line 33, after "law" insert "or medicare"

Page 2, line 33, delete "medicare or"

Page 3, line 1, delete the new language

Page 3, line 7, after "2." insert "If" and after "Benefits" insert "are"

Page 3, line 8, delete the new language

Page 3, line 9, strike everything after "injury" and strike lines 10 and 11

Page 3, line 12, strike "loss benefits" and insert "*no disability income loss benefits are payable unless the weekly workers' compensation disability benefits are less than the weekly disability benefit as set out in section 65B.44, subdivision 3, in which case the reparation obligor shall pay to the injured person the amount that the weekly disability and income loss benefits payable under section 65B.44, subdivision 3, exceeds the weekly workers' compensation disability benefits*"

Page 3, delete all of section 5 and insert:

"Sec. 5. Minnesota Statutes 1978, Section 65B.61, is amended by adding a subdivision to read:

*Subd. 2a. If benefits are paid or payable under a workers' compensation law because of death, no survivors' economic loss benefits are payable unless the weekly workers' compensation dependency allowance is less than the weekly survivors' economic loss benefit rate as set out in section 65B.44, subdivision 6, in which case the reparation obligor shall pay to the surviving dependents the amount that the weekly survivors' economic loss benefits payable under section 65B.44, subdivision 6, exceed the weekly workers' compensation dependency allowances.*

Sec. 6. Minnesota Statutes 1978, Section 65B.61, is amended by adding a subdivision to read:

*Subd. 2b. If medicare benefits are paid or payable because of the injury, any benefits payable under section 65B.44, subdivision 2, are limited to the amount by which the medical expenses exceed the medicare payments."*

Page 4, delete Section 7 and insert:

"Sec. 8. [REPEALER.] Minnesota Statutes 1978, Section 65B.49, Subdivisions 5 and 6, are repealed.

Sec. 9. [EFFECTIVE DATE.] *Sections 2 and 8 are effective the day following final enactment.*"

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to no-fault automobile insurance; coordinating benefits with medicare and workers' compensation; extending eligibility for the assigned claims plan; providing for mandatory uninsured motorist coverage; eliminating certain mandatory offers; amending Minnesota Statutes 1978, Sections 65B.46, Subdivision 2; 65B.49, by adding a subdivision; 65B.61, Subdivisions 1 and 2, and by adding subdivisions; 65B.64, Subdivision 1; repealing Minnesota Statutes 1978, Section 65B.49, Subdivisions 5 and 6."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1945, A bill for an act relating to regional railroad authorities; providing for their organization and governmental purpose, powers and duties; providing for audits.

Reported the same back with the following amendments:

Page 7, line 25, before "chapter" insert "Minnesota Statutes,"

Page 14, after line 9, insert a new section to read:

"Sec. 8. [EMPLOYMENT PREFERENCE.] Individuals who have been previously employed by railroads, any part of whose property or assets are acquired pursuant to this act, shall have priority, based upon their length of service with that railroad, in employment with a purchasing carrier or other operator of a railroad incorporating that property or those assets."

Page 14, line 10, delete "8" and insert "9"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1970, A bill for an act relating to transportation; exempting certain substituted aircraft from payment of the air-



craft registration tax; limiting refunds under certain circumstances; clarifying the penalty assessed for late payment of registration tax; amending Minnesota Statutes 1978, Sections 360.55, by adding a subdivision; and 360.61.

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

The report was adopted.

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

H. F. No. 2003, A bill for an act relating to taxation; clarifying the provisions of the wetland credit for property tax purposes; amending Minnesota Statutes, 1979 Supplement, Section 273.115, Subdivisions 2 and 6.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1979 Supplement, Section 272.02, Subdivision 1, is amended to read:

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

- (1) All public burying grounds;
- (2) All public schoolhouses;
- (3) All public hospitals;
- (4) All academies, colleges, and universities, and all seminaries of learning;
- (5) All churches, church property, and houses of worship;
- (6) Institutions of purely public charity;
- (7) All public property exclusively used for any public purpose;
- (8) All natural cheese held in storage for aging by the original Minnesota manufacturer;
- (9) (a) Class 2 property of every household of the value of \$100, maintained in the principal place of residence of the own-

er thereof. The county auditor shall deduct such exemption from the total valuation of such property as equalized by the revenue commissioner assessed to such household, and extend the levy of taxes upon the remainder only. The term "household" as used in this section is defined to be a domestic establishment maintained either (1) by two or more persons living together within the same house or place of abode, subsisting in common and constituting a domestic or family relationship, or (2) by one person.

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

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

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

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

(11) The taxpayer shall be exempted with respect to, all agricultural products, inventories, stocks of merchandise of all sorts, all materials, parts and supplies, furniture and equipment, manufacturers material, manufactured articles including the inventories of manufacturers, wholesalers, retailers and contractors; and the furnishings of a room or apartment in a hotel, rooming house, tourist court, motel or trailer camp, tools and machinery which by law are considered as personal property, and the property described in section 272.03, subdivision 1 (c), except personal property which is part of an electric generating, transmission, or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products or mains and pipes used in the distribution of steam or hot or

chilled water for heating or cooling buildings and structures. Railroad docks and wharves which are part of the operating property of a railroad company as defined in section 270.80 are not exempt.

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

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

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

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

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

(16) Wetlands. For purposes of this subdivision, "wetlands" means land which is mostly under water, produces little if any income, and has no use except for wildlife or water conservation purposes. "Wetlands" shall be land preserved in its natural condition, drainage of which would be (LAWFUL,) feasible and practical and would provide land suitable for the production of livestock, dairy animals, poultry, fruit, vegetables, forage and grains, except wild rice. "Wetlands" shall include adjacent land which is not suitable for agricultural purposes due to the presence of the wetlands. Exemption of wetlands from taxation pursuant to this section shall not grant the public any additional or greater right of access to the wetlands or diminish any right of ownership to the wetlands.

(17) Native prairie. The commissioner of the department of natural resources shall determine lands in the state which are native prairie and shall notify the county assessor of each county in which the lands are located. Upon receipt of an application

*for the exemption and credit provided in this clause and section 7 for lands for which the assessor has no determination from the commissioner of natural resources, the assessor shall refer the application to the commissioner of natural resources who shall determine within 30 days whether the land is native prairie and notify the county assessor of his decision. Exemption of native prairie pursuant to this clause shall not grant the public any additional or greater right of access to the native prairie or diminish any right of ownership to it.*

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 273.-115, Subdivision 1, is amended to read:

273.115 [STATE PAID WETLANDS CREDIT.] Subdivision 1. The county auditor shall annually reduce the tax liability of each owner of wetlands exempt from property taxation pursuant to section 272.02, subdivision 1, clause (16), by an amount equal to three-fourths of one percent of the average level of estimated market value of an acre of tillable land in the township (OR), city or *unorganized territory* in which the qualifying wetland is located, multiplied by the number of acres of wetlands he owns. Any excess of credit over tax liability shall not be paid to the property owner *but shall be applied to the tax liability of the owner of the wetlands for any parcel he owns which is contiguous to the parcel containing the wetlands.*

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 273.-115, Subdivision 2, is amended to read:

Subd. 2. The total amounts of credits allowed pursuant to subdivision 1 and the total amounts of revenue lost as a result of the exemption provided in section 272.02, subdivision 1, clause (16), shall be submitted by the county auditor to the commissioner of revenue as part of the abstracts of tax lists required to be filed with the commissioner under the provisions of section 275.29. The amount of revenue lost as a result of the exemption shall be computed each year by applying the current mill rates of the taxing jurisdictions in which the wetlands are located to the assessed valuation of the wetlands for purposes of taxes levied in 1979, payable in 1980. Provided that payment to the county for lost revenue shall not be less than the revenue which would have been received in taxes if the wetlands had an assessed value of (\$20) \$5 per acre. The commissioner of revenue shall review such certifications to determine their accuracy. He may make such changes in the certification as he may deem necessary or return a certification to the county auditor for corrections.

Sec. 4. Minnesota Statutes, 1979 Supplement, Section 273.-115, Subdivision 5, is amended to read:

Subd. 5. In order to receive the wetlands credit provided in this section, an owner of wetlands shall agree not to drain the wetlands during the year for which he receives the credit. To

*initially qualify for the credit for taxes levied in 1980, payable in 1981, the agreement shall be made by June 30, 1980; to initially qualify for the credit for taxes levied subsequent to 1980, the agreement shall be made by a date to be set by the county board. After initial qualification, an owner of wetlands shall not be required to reapply to receive the credit for subsequent years. The agreement shall remain in effect until the wetlands are drained. The credit shall not be available (a) for any year prior to which a timely agreement has been made or (b) for any year in which the owner drains the wetlands. The local assessor shall certify that each land owner receiving the credit has so agreed.*

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 273.115, Subdivision 6, is amended to read:

Subd. 6. The (AMOUNTS) *amount* of the wetlands credit (AND THE TAX THAT WOULD HAVE BEEN DUE BUT FOR THE EXEMPTION IN SECTION 272.02, SUBDIVISION 1, CLAUSE (16)) shall be reflected on the property tax statement of each eligible taxpayer.

Sec. 6. Minnesota Statutes, 1979 Supplement, Section 273.115, is amended by adding a subdivision to read:

Subd. 7. *The total credits allowed by subdivision 1 shall be deducted from the gross property tax before determination of the homestead credit provided by section 273.13, subdivisions 6 and 7 and the taconite homestead credit provided by section 273.135.*

Sec. 7. Minnesota Statutes 1978, Chapter 273, is amended by adding a section to read:

[273.116] [STATE PAID NATIVE PRAIRIE CREDIT.]  
Subdivision 1. *The county auditor shall annually reduce the tax liability of each owner of native prairie exempt from property taxation pursuant to section 272.02, subdivision 1, clause (17), by an amount equal to one and one-half percent of the average level of estimated market value of an acre of tillable land in the township, city or unorganized territory in which the qualifying native prairie is located, multiplied by the number of acres of native prairie he owns. Any excess of credit over tax liability shall not be paid to the property owner but shall be applied to the tax liability of the owner of the native prairie for any parcel he owns which is contiguous to the parcel containing the native prairie.*

Subd. 2. *The total amounts of credits allowed pursuant to subdivision 1 and the total amounts of revenue lost as a result of the exemption provided in section 272.02, subdivision 1, clause (17), shall be submitted by the county auditor to the commissioner of revenue as part of the abstracts of tax lists required to be filed with the commissioner under the provisions of section*

275.29. The amount of revenue lost as a result of the exemption shall be computed each year by applying the current mill rates of the taxing jurisdictions in which the native prairie is located to the assessed valuation of the native prairie for purposes of taxes levied in 1979, payable in 1980. Provided that payment to the county for lost revenue shall not be less than the revenue which would have been received in taxes if the native prairie had an assessed value of \$5 per acre. The commissioner of revenue shall review such certifications to determine their accuracy. He may make any changes in the certification he may deem necessary or return a certification to the county auditor for corrections.

Subd. 3. Payment shall be made according to the procedure provided in section 273.13, subdivision 15a, for the purpose of replacing revenue lost as a result of the exemption provided in section 1, and the credit provided in this section.

Subd. 4. There is appropriated from the general fund in the state treasury to the commissioner of revenue the amount necessary to make the payments provided in subdivision 3.

Subd. 5. In order to receive the native prairie credit provided in this section, an owner of native prairie shall agree to preserve the prairie in its natural state during the year for which he receives the credit. To initially qualify for the credit for taxes levied in 1980, payable in 1981, the agreement shall be made by June 30, 1980; to initially qualify for the credit for taxes levied subsequent to 1980, the agreement shall be made by a date to be set by the county board. After initial qualification, an owner of native prairie shall not be required to reapply to receive the credit for subsequent years. The agreement shall remain in effect until the native prairie is no longer maintained in its natural state. The credit shall not be available (a) for any year prior to which a timely agreement has been made or (b) for any year in which the owner ceases to maintain the native prairie in its natural state. The local assessor shall certify that each land owner receiving the credit has so agreed.

Subd. 6. The amount of the native prairie credit shall be reflected on the property tax statement of each eligible taxpayer.

Subd. 7. The total credits allowed by subdivision 1 shall be deducted from the gross property tax before determination of the homestead credit provided by section 273.13, subdivisions 6 and 7 and the taconite homestead credit provided by section 273.135.

Sec. 8. [EFFECTIVE DATE.] This act is effective for taxes levied in 1980 and subsequent years and payable in 1981 and subsequent years."

Further, delete the title and insert the following:

"A bill for an act relating to taxation; clarifying the provisions of the wetland credit for property tax purposes; providing a property tax exemption and credit for native prairie; providing for payment to the county for revenue lost by the exemption and credit; appropriating money; amending Minnesota Statutes 1978, Chapter 273, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 272.02, Subdivision 1; 273.115, Subdivisions 1, 2, 5, 6, and by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2096, A bill for an act relating to commerce; providing for service of legal process on nonresident brokers and salespersons licensed to do business in Minnesota; amending Minnesota Statutes 1978, Section 82.31, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 19, after "*commissioner*" insert "*or his agent*"

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

The report was adopted.

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

H. F. No. 2118, A bill for an act relating to education; modifying the employment status of certain substitute teachers; amending Minnesota Statutes 1978, Section 123.35, Subdivision 5.

Reported the same back with the following amendments:

Page 1, line 17, delete "*because of*"

Page 1, line 18, delete "*illness or emergency*"

Page 2, line 1, after "*each*" insert "*full*"

Page 2, line 7, after "*or*" insert "*tenure status, pursuant to*"

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

The report was adopted.

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

H. F. No. 2189, A bill for an act relating to game and fish; requiring licenses of persons providing guide services for bear hunters; specifying fees; amending Minnesota Statutes 1978, Section 98.46, Subdivisions 4 and 16.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 97.40, Subdivision 7, is amended to read:

Subd. 7. "Fur bearing animals" includes all protected mammals, except *bear*, deer, moose, elk and caribou.

Sec. 2. [98.455] [BEAR HUNTING GUIDE LICENSE.] *No person shall for compensation engage in the business or occupation of placing bait for bear or guiding hunters in seeking to take bear without an annual license from the commissioner. The commissioner shall promulgate rules governing qualifications for, issuance and administration of licenses required by this section. No license shall be issued under this section after the day prior to the opening of the season for taking bear by firearms, and all license agents shall return all stubs and unsold license blanks to the county auditor on the first business day following the first day of the season.*

Sec. 3. Minnesota Statutes 1978, Section 97.48, Subdivision 23, is amended to read:

Subd. 23. If the date of the opening of the season for the taking of any protected wild animals, except those under federal regulations as prescribed by law, falls on any day other than a Saturday, the commissioner of natural resources may designate the nearest Saturday to said date as the opening day of the season. If the statutory closing date falls on a *Thursday, Friday or Saturday*, the commissioner of natural resources may extend it through the following Sunday.

Sec. 4. Minnesota Statutes 1978, Section 98.46, Subdivision 4, is amended to read:

Subd. 4. Fees for the following licenses, to be issued to residents only, shall be:

(1) To trap fur bearing animals, (EXCEPT BEAVER,) \$5;

(2) To buy or sell raw furs anywhere within the state including the privilege of selling to resident manufacturers or to



unlicensed non-residents, representing unlicensed non-residents as a broker or agent, or conducting a fur auction wherein sales are made to unlicensed non-residents or resident manufacturers, \$50, provided that any employee, partner or officer buying or selling at the established place of business only for such licensee may secure a supplemental license for \$20;

**((3) TO TRAP BEAVER DURING AN OPEN SEASON OR BY PERMIT WHEN DOING DAMAGE, \$2.50);**

*(3) To guide bear hunters, \$50.*

Sec. 5. Minnesota Statutes 1978, Section 98.46, Subdivision 16, is amended to read:

Subd. 16. Fee for the following license, to be issued to non-residents, shall be:

To buy or sell raw furs, \$400, except that a license shall not be required to buy from those licensed under subdivision 4, clause (2).

*To guide bear hunters, \$400.*

Sec. 6. Minnesota Statutes 1978, Section 98.46, Subdivision 22, is amended to read:

Subd. 22. No deer (OR), moose, or bear taken in this state shall be transported or possessed unless a tag of a type prescribed by the commissioner bearing the license number of the owner, the year of its issue, and such other information as the commissioner may require has been affixed to its carcass in a manner prescribed by the commissioner. The tag must be so affixed at the time the deer (OR), moose, or bear is brought into any hunting camp, dwelling, farm yard, or other place of abode of any kind occupied overnight, or before being placed wholly or partially on a motor vehicle of any kind, or upon a conveyance towed by a motor vehicle of any kind. Provided, that deer taken by bow and arrow and moose shall be tagged by a conservation officer or other authorized agent as may be prescribed by the commissioner, in addition to the tag herein provided for.

Sec. 7. Minnesota Statutes 1978, Section 98.47, Subdivision 7, is amended to read:

Subd. 7. No (LICENSE TO TRAP BEAVER SHALL BE ISSUED TO ANY PERSON TO WHOM A FUR BUYER'S LICENSE SHALL HAVE BEEN ISSUED AND IN FORCE, AND NO) license to take fish commercially in international waters extending from Pigeon Point West to the North Dakota boundary line shall be issued to any person or member of his household, or employee, engaged in the business of conducting a summer resort.

Sec. 8. Minnesota Statutes 1978, Section 98.47, Subdivision 15, is amended to read:

Subd. 15. A permanent license to take fish shall be issued (AT THE PREVAILING FEE FOR AN INDIVIDUAL RESIDENT LICENSE) *without charge* to any citizen of Minnesota, 16 years of age or older, who is mentally retarded and whose parent or guardian furnishes satisfactory evidence of the disability to the county auditor or a subagent of the county auditor, acting under the provisions of section 98.50.

Sec. 9. Minnesota Statutes 1978, Section 98.47, Subdivision 16, is amended to read:

Subd. 16. A permanent license to take fish shall be issued (AT THE PREVAILING FEE FOR AN INDIVIDUAL RESIDENT LICENSE) *without charge* to any Minnesota veteran as defined in section 197.447, who has a 100 percent service connected disability as defined by the United States veterans administration, and furnishes satisfactory evidence of his disability to the county auditor or a subagent of the county auditor, acting under the provisions of section 98.50.

Sec. 10. Minnesota Statutes, 1979 Supplement, Section 100.27, Subdivision 4, is amended to read:

Subd. 4. Muskrats may be taken for a period not exceeding (60) 90 days in the aggregate for the area, otter for a period not exceeding 15 days, only by trapping, and mink for a period not exceeding 90 days, in the areas of the state, during the times between October 25th and April 30th of the following year and subject to any other restrictions which the commissioner shall prescribe. Beaver may be taken, by trapping only, in the areas of the state, during the times between October 25th and April 30th of the following year and subject to any other restrictions which the commissioner shall prescribe.

Sec. 11. Minnesota Statutes 1978, Section 100.29, Subdivision 1, is amended to read:

100.29 [RESTRICTIONS AND PROHIBITIONS.] Subdivision 1. It shall be unlawful to take protected wild animals, except raccoon *and fox*, with the use of a gun or bow and arrows between (SUNSET AND ONE-HALF HOUR BEFORE SUNRISE) *the evening and morning times established by the commissioner by order*. It shall be unlawful to take pheasants between (SUNSET) *the evening time established by the commissioner by order* and 9 a.m.

Sec. 12. Minnesota Statutes 1978, Section 100.29, Subdivision 31, is amended to read:

Subd. 31. *Any person placing bait for bear shall display a tag as prescribed by the commissioner at each site where bait is placed and register the location of the bait in a manner prescribed by the commissioner. It shall be unlawful to take bear by using solid waste containing bottles, cans, plastic, paper, metal or any other materials that are not readily biodegradable, as a bait or a lure for the purpose of attracting the bear.*

Sec. 13. Minnesota Statutes 1978, Section 100.30, is amended to read:

100.30 [POSSESSION, SALE, TRANSPORTATION.] The skins of all fur bearing animals, the hides of *bear*, deer or moose, *the claws of bear*, and the flesh of beaver, muskrat, raccoon, rabbits and hares, legally taken and bearing such seals or tags as may be required by chapters 97 to 102, may be bought, sold, and transported at any time, provided the flesh of animals enumerated herein, except muskrats, shall not be transported outside of the state of Minnesota.

Sec. 14. Minnesota Statutes, 1979 Supplement, Section 101.42, Subdivision 18, is amended to read:

Subd. 18. Except as otherwise specifically permitted, it shall be unlawful *for any person* to have in *his* possession in an automobile or any vehicle or on (THEIR) *his* person, or at or near any waters, a spear, trap, net, (DIP NET,) seine, or any other device capable of taking fish, *except dip nets* which may be possessed between the hours of sunrise and sunset during the period of February 16 to April 30, inclusive, *and* except when acting under permit or contract to trap or seine from the division of fisheries, during the period of February 16 to April 30, inclusive and except that spears, dip nets, bows and arrows, and devices permitted in section 101.51 used for the taking of rough fish may be possessed between the hours of sunrise and sunset after April 30. This subdivision does not apply to nets used in the taking of trout and smelt in season or to seines or traps used for the taking of minnows for bait.

Sec. 15. [EFFECTIVE DATE.] *Sections 6, 7, 8, 9, and 14 are effective for the license seasons beginning March 1, 1981."*

Further amend the title by deleting lines 2 to 5 and inserting:

"relating to game and fish; excluding bears from the definition of fur bearing animals; requiring licenses of persons providing guide services for bear hunters; specifying fees; requiring tagging of bears taken in the state; eliminating the prohibition of a beaver trapping license to be issued to a fur buyer; providing for free fishing licenses for certain mentally retarded and disabled residents; extending the muskrat trapping season; changing the times of day during which certain wild animals may be taken; regulating bear baiting; allowing sale of bear hides

and claws; allowing possession of dip nets under certain circumstances; amending Minnesota Statutes 1978, Sections 97.40, Subdivision 7; 97.48, Subdivision 23; 98.46, Subdivisions 4, 16 and 22; 98.47, Subdivisions 7, 15 and 16; 100.29, Subdivisions 1 and 31; 100.30; Minnesota Statutes, 1979 Supplement, Sections 100.27, Subdivision 4; and 101.42, Subdivision 18."

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

The report was adopted.

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

H. F. No. 2206, A bill for an act relating to employment agencies; exempting certain medical doctor placement services from licensing provisions; amending Minnesota Statutes 1978, Section 184.21, Subdivision 2.

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

The report was adopted.

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

H. F. No. 2265, A bill for an act relating to Independent School Districts Nos. 279 (Osseo) and 286 (Brooklyn Center); providing for transfers of territory between the districts.

Reported the same back with the following amendments:

Page 2, line 3, delete "No. 297" and insert "No. 279"

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

The report was adopted.

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

H. F. No. 2268, A bill for an act relating to financial institutions; authorizing examinations of certain bank holding companies; providing for the institution of cease and desist proceedings and the issuance of temporary orders; amending Minnesota Statutes 1978, Section 46.24; and Minnesota Statutes, 1979 Supplement, Section 46.04.

Reported the same back with the following amendments:

Page 2, line 27, strike "shall limit" and insert "*limits*"

Page 3, line 24, strike "such"

Page 3, line 26, strike "such" and insert "*any*"

Page 3, delete lines 30 to 33

Page 4, delete lines 1 to 3

Page 4, line 4, delete "*charters.*" and insert:

*"Subd. 2. With respect to specific transactions between a bank holding company and a state bank affiliate, the commissioner of banks shall have the authority to examine the records of such holding company that directly pertain to such transactions to the same extent such holding company were a state bank or trust company."*

Page 5, line 11, strike "shall be" and insert "*are*"

Page 5, lines 29 and 32, strike "shall become" and insert "*is*"

Page 5, line 33, strike "shall remain" and insert "*remains*"

Page 6, line 23, delete "*shall become*" and insert "*becomes*"

Page 6, line 28, delete "*shall remain*" and insert "*remains*"

Page 7, line 14, delete "*shall have*" and insert "*has*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2272, A bill for an act relating to education; modifying and providing certain procedures for the termination, discharge and demotion of certain teachers; amending Minnesota Statutes 1978, Section 125.12, Subdivisions 3, 4, 8, 9, 10, 11, and by adding a subdivision; and 125.17, Subdivisions 2, 5, and 10; repealing Minnesota Statutes 1978, Section 125.17, Subdivisions 6, 7, 8 and 9.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 125.12, Subdivision 2, is amended to read:

Subd. 2. [HIRING, DISMISSING.] School boards shall hire or dismiss teachers at duly called meetings. Where a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher shall be made or authorized except upon the unanimous vote of the full board. No teacher related by blood or marriage, within the fourth degree, computed by the civil law, to a board member shall be employed except by a unanimous vote of the full board. *The initial employment of the teacher in the district shall be by written contract, signed by the teacher and by the chairman and clerk. All subsequent employment of the teacher in the district shall be by written contract, signed by the teacher and by the chairman and clerk, except where there is a master agreement covering the employment of the teacher.* Contracts for teaching or supervision of teaching can be made only with qualified teachers. (SUCH CONTRACT SHALL SPECIFY THE WAGES PER YEAR AND THE GENERAL ASSIGNMENT OF THE TEACHER. A TEACHER SHALL HAVE 10 DAYS AFTER RECEIPT TO CONSIDER, DEMAND CORRECTIONS, EXECUTE AND RETURN SUCH CONTRACT, BUT THIS PERIOD SHALL NOT BE CONSTRUED TO BE AN EXTENSION OF THE FINAL RESIGNATION DATE IN SUBDIVISION 4.) No teacher shall be required to reside within the employing school district as a condition to teaching employment or continued teaching employment.

Sec. 2. Minnesota Statutes 1978, Section 125.12, Subdivision 3, is amended to read:

Subd. 3. [PROBATIONARY PERIOD.] The first and second consecutive years of a teacher's first teaching experience in Minnesota in a single school district shall be deemed to be a probationary period of employment, and after completion thereof, the probationary period in each school district in which (HE) *the teacher* is thereafter employed shall be one year. A teacher who has complied with the then applicable probationary requirements in a school district prior to July 1, 1967, shall not be required to serve a new probationary period in the (SAID) district subsequent thereto. During the probationary period any annual contract with any teacher may or may not be renewed as the school board (SHALL SEE) *sees fit*; provided, however, that the school board shall give any (SUCH) teacher whose contract it declines to renew for the following school year written notice to that effect before June 1. If the teacher requests reasons for any nonrenewal of a teaching contract *within 20 days of receipt by the teacher of the notice of nonrenewal*, the school board shall give the teacher its reason in writing (, INCLUDING) *within ten days after receiving the request. The rea-*

sons for nonrenewal shall include a statement that appropriate supervision was furnished (DESCRIBING), and it shall describe the nature and the extent of (SUCH) the supervision furnished the teacher during (HIS) the teacher's employment by the board (, WITHIN TEN DAYS AFTER RECEIVING SUCH REQUEST). The school board may (, AFTER A HEARING HELD UPON DUE NOTICE,) discharge or suspend a probationary teacher during the (PROBATIONARY PERIOD) school year for cause, effective immediately, (UNDER SECTION 123.14, SUBDIVISION 4, OR SECTION 123.35, SUBDIVISION 5) only in accordance with subdivision 8 and section 5.

Sec. 3. Minnesota Statutes 1978, Section 125.12, Subdivision 4, is amended to read:

Subd. 4. [TERMINATION OF CONTRACT AFTER PROBATIONARY PERIOD.] A teacher who has completed (HIS) the probationary period in any school district, and who has not been discharged or advised of a refusal to renew (HIS) the teacher's contract pursuant to subdivision 3, shall have a continuing contract with (SUCH) the district. Thereafter, the teacher's contract shall remain in full force and effect, except as modified by mutual consent of the board and the teacher, until terminated by a majority roll call vote of the full membership of the board prior to April (1) 15 upon one of the grounds specified in subdivision 6 or placed on unrequested leave of absence prior to June 1 upon one of the grounds specified in (SUBDIVISIONS) subdivision 6a or 6b, or until the teacher is discharged pursuant to subdivision 8, or by the written resignation of the teacher submitted prior to April (1) 15; provided, however, that if an agreement as to the terms and conditions of employment for the succeeding school year has not been adopted pursuant to the provisions of sections 179.61 to (179.77) 179.76 prior to March 1, the teacher's right of resignation shall be extended to the 30th calendar day following the adoption of (SAID) the contract in compliance with section 179.70, Subdivision 2. (SUCH) A written resignation by the teacher shall be effective as of June 30 if submitted prior to that date, and the (TEACHERS') teacher's right of resignation for the school year then beginning shall cease on July 15. Before a teacher's contract is terminated by the board or the teacher is placed on unrequested leave of absence, the board shall notify the teacher in writing and state its ground for the proposed termination or placement on unrequested leave in reasonable detail together with a statement that the teacher may make a written request for a hearing (BEFORE THE BOARD) within (14) ten days after receipt of (SUCH) the notification. Within (14) ten days after receipt of this notification the teacher may make a written request for a hearing (BEFORE THE BOARD), and it shall be granted before final action is taken. If no hearing is requested within (SUCH) that period, it shall be deemed acquiescence by the teacher to the board's action. (SUCH) A hearing requested pursuant to this subdivision shall take place in accordance with the provisions of section 5 if the board proposes to terminate the

*teacher's contract on any of the grounds specified in subdivision 6 or to discharge or suspend the teacher on any of the grounds specified in subdivision 8. The hearing shall take place in accordance with subdivision 9 if the board proposes to place the teacher on unrequested leave of absence on a ground specified in subdivision 6a or 6b. Termination or placement on unrequested leave of absence shall take effect at the close of the school year in which the contract is terminated (IN THE MANNER AFORESAID) or the teacher is placed on unrequested leave. (SUCH) A contract may be terminated at any time by mutual consent of the board and the teacher (AND THIS SECTION SHALL NOT AFFECT THE POWERS OF A BOARD TO SUSPEND, DISCHARGE, OR DEMOTE A TEACHER UNDER AND PURSUANT TO OTHER PROVISIONS OF LAW).*

Sec. 4. Minnesota Statutes 1978, Section 125.12, Subdivision 8, is amended to read:

Subd. 8. [IMMEDIATE DISCHARGE.] A school board may discharge *or suspend without pay for a limited period of time a probationary or continuing-contract teacher, effective immediately, upon any of the following grounds:*

(a) Immoral conduct, insubordination, or conviction of a felony;

(b) Conduct unbecoming a teacher which requires the immediate removal of the teacher from his classroom or other duties;

(c) Failure without justifiable cause to teach without first securing the written release of the school board;

(d) Gross inefficiency which the teacher has failed to correct after reasonable written notice;

(e) Willful neglect of duty; or

(f) Continuing physical or mental disability subsequent to a twelve months leave of absence and inability to qualify for reinstatement in accordance with subdivision 7.

Prior to discharging *or suspending* a teacher the board shall notify the teacher in writing and state its ground for the proposed discharge *or suspension* in reasonable detail. Within ten days after receipt of this notification the teacher may make a written request for a hearing (BEFORE THE BOARD), and it shall be granted before final action is taken. *In an action for discharge* the board may (, HOWEVER,) suspend a teacher with *or without* pay (PENDING THE CONCLUSION OF SUCH HEARING AND DETERMINATION OF THE ISSUES RAISED THEREIN) after charges have been filed (WHICH CONSTITUTE GROUND FOR DISCHARGE). *A suspension without pay may continue pending the conclusion of the hearing*



for discharge and the final decision of the board pursuant to section 5, clause (5). If the final decision is favorable to the teacher, there shall be no abatement of pay and interest shall be paid to the teacher on the amount of pay withheld at a rate of interest equal to two percent in excess of the discount rate on 90 day commercial paper in effect of the federal reserve bank in the federal reserve district encompassing Minnesota, calculated from the date of suspension to the date of payment.

Sec. 5. Minnesota Statutes 1978, Section 125.12, is amended by adding a subdivision to read:

**Subd. 8a. [HEARING PROCEDURES; TERMINATIONS AND DISCHARGES FOR CAUSES OTHER THAN THOSE IN SUBDIVISIONS 6A AND 6B.]** (1) This subdivision shall govern hearings which are requested pursuant to subdivision 4 because a board proposes to terminate a continuing contract teacher's contract on any of the grounds specified in subdivision 6 or to discharge a continuing contract or probationary teacher on any of the grounds specified in subdivision 8.

(2) A request for a hearing pursuant to this subdivision shall be in writing, and it shall be served personally on a member of the school board within ten days after the teacher received the notification of termination of the teacher's contract or the notification of discharge.

(3) Upon receipt of a request for a hearing, the school board shall assign a neutral hearing examiner who shall schedule and commence conduct of the hearing within 14 days after receipt of service of the teacher's request by the school board. The hearing officer shall not be a school board member or an employee of the school district, or any person with a personal or professional interest which would conflict with his objectivity at the hearing. A person who serves as a hearing officer is not an employee of the district solely because he is paid by the district to serve as a hearing officer. The hearing officer shall inform the teacher and the school board of the date, time and place of the hearing. The hearing shall be private or public at the discretion of the teacher. Unless the parties agree otherwise, the hearing shall be conducted in the county in which the principal office of the school board is located.

(4) The hearing officer shall preside over the hearing and shall have authority to administer oaths to witnesses. The board and the teacher may each be represented by counsel at its or the teacher's own expense. Counsel may examine and cross-examine witnesses and present arguments. The board shall first present evidence. Each party may present rebuttal evidence. All witnesses shall be sworn upon oath by the hearing officer. Upon the written request of either the board or the teacher, the clerk of the board shall issue subpoenas for witnesses or the production of records pertinent to the grounds for the proposed action. The

board shall employ a court reporter to record the proceedings at the hearing, and either party may obtain a transcript thereof at its own expense.

(5) Within ten days of the conclusion of all proceedings, the hearing officer shall make a report stating findings of fact, conclusions of law and a recommended decision upon the proposed action. The hearing officer's report shall be served upon the board and the teacher. Any discharge or suspension of the teacher or termination of the teacher's contract recommended in the hearing officer's report or contained in the final decision of the board shall be based upon substantial and competent evidence. The board shall make a final decision within 30 days of receipt of the officer's report; provided that the board shall not make a final decision until the officer's report has been made available to the parties for at least seven days within which time each party adversely affected by the report shall file exceptions to the school board in order to preserve the right to present arguments to the school board based on these exceptions. The final decision of the school board shall be served on the teacher, accompanied by an order of termination or discharge or suspension if applicable. If the decision of the school board or subsequent judicial review is favorable to the teacher, the decision shall be entered in the board minutes and all references to the proceedings shall be excluded from the teacher's record file.

(6) Each party shall pay an equal share of the total fees and expenses for the hearing officer, except that if the decision of the school board or subsequent judicial review is favorable to the teacher, the fees and expenses shall be paid by the school board.

Sec. 6. Minnesota Statutes 1978, Section 125.12, Subdivision 9, is amended to read:

Subd. 9. [HEARING PROCEDURES; TERMINATIONS FOR CAUSES SPECIFIED IN SUBDIVISIONS 6A AND 6B.] This subdivision shall govern hearings which are requested pursuant to subdivision 4 because a board proposes to place a teacher on unrequested leave of absence on any of the grounds specified in subdivision 6a or 6b. Any hearing held pursuant to this (SECTION) subdivision shall be held upon appropriate and timely notice to the teacher, and shall be (PRIVATE OR) public (AT THE DISCRETION OF THE TEACHER). All hearings pursuant to this subdivision requested by individual teachers pursuant to subdivision 4 may be consolidated by the school board. The school board shall issue a written decision and order as provided in subdivision 10 for each teacher involved. At the hearing, the board and the teacher may each be represented by counsel at its or (HIS) the teacher's own expense (, AND SUCH). Counsel may examine and cross-examine witnesses and present arguments. The board shall first present evidence to sustain the grounds for (TERMINATION OR DISCHARGE) placement on unrequested leave and then receive evidence presented

by the teacher. Each party may then present rebuttal evidence. (DISMISSAL) *Placement of the teacher on unrequested leave of absence* shall be based upon substantial and competent evidence in the record. All witnesses shall be sworn upon oath administered by the presiding officer of the board. The clerk of the board shall issue subpoenas for witnesses or the production of records pertinent to the grounds upon the request of either the board or the teacher. The board shall employ a court reporter to record the proceedings at the hearing, and either party may obtain a transcript thereof at its own expense.

Sec. 7. Minnesota Statutes 1978, Section 125.12, Subdivision 10, is amended to read:

Subd. 10. [DECISION.] After the hearing *pursuant to subdivision 9*, the board shall issue a written decision and order. If the board orders (TERMINATION OF A CONTINUING CONTRACT OR DISCHARGE OF A TEACHER) *placement of a teacher on unrequested leave of absence*, its decision shall include findings of fact based upon competent evidence in the record and shall be served on the teacher, accompanied by an order (OF TERMINATION OR DISCHARGE) *placing the teacher on unrequested leave of absence and terminating the employment or contract of the teacher*, prior to (APRIL 1 IN THE CASE OF A CONTRACT TERMINATION FOR GROUNDS SPECIFIED IN SUBDIVISION 6, PRIOR TO) June 1 (FOR GROUNDS SPECIFIED IN SUBDIVISION 6A OR 6B, OR WITHIN TEN DAYS AFTER CONCLUSION OF THE HEARING IN THE CASE OF A DISCHARGE). If the decision of the board or of a reviewing court is favorable to the teacher, the proceedings shall be dismissed and the decision entered in the board minutes, and all references to (SUCH) *the* proceedings shall be excluded from the teacher's record file.

Sec. 8. Minnesota Statutes 1978, Section 125.12, Subdivision 11, is amended to read:

Subd. 11. [JUDICIAL REVIEW.] The pendency of judicial proceedings shall not be ground for postponement of the effective date of the school board's (ORDER) *decision pursuant to section 5 or subdivision 10*, but if judicial review eventuates in reinstatement of the teacher, the board shall pay the teacher all compensation withheld as a result of the termination or dismissal (ORDER) *decision plus interest equal to two percent in excess of the discount rate on 90-day commercial paper in effect at the federal reserve bank in the federal reserve district encompassing Minnesota calculated from the date of suspension to the date of payment.*"

Amend the title as follows:

Page 1, line 6, after "Subdivisions" insert "2,"

Page 1, line 7, delete everything after "subdivision" and insert a period

Page 1, delete lines 8 and 9

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

The report was adopted.

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

H. F. No. 2286, A bill for an act relating to financial institutions; providing that certain agreements taken by a bank and subject to a certain percentage limitation will not constitute a liability against it; providing for a different percentage limitation in certain cases; amending Minnesota Statutes 1978, Section 48.24, Subdivision 3.

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

The report was adopted.

Anderson, I., from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 2304, A bill for an act proposing an amendment to the Minnesota Constitution, adding a section to Article VII; providing for a popular initiative.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. An amendment to the Minnesota Constitution, adding a section to Article VII, is proposed to the people. If the amendment is adopted, the section will read:

*Sec. 9. Legislative power is vested in the legislature, but the people reserve to themselves the power to propose laws and to approve or reject laws, which is called the initiative. The power to propose laws includes the power to propose repeals of laws. The power of initiative extends only to laws which the legislature may enact under this constitution. An initiative may not propose a law which proposes an amendment to this constitution. To invoke the initiative, petitions signed by a number of eligible electors greater than five percent of the total vote cast in each congressional district for all candidates for governor at the last*

preceding general election at which a governor was elected, are required.

A law proposed by initiative petition shall be acted upon by the legislature before adjournment sine die.

If the law proposed is not acted upon by the legislature the state officer authorized by law shall submit the proposed law to the people for approval or rejection at the next general election.

The legislature may reject any measure proposed by initiative petition and propose a different measure upon the same subject by votes upon separate roll calls, and in that event the measures shall not be submitted to the electors for approval or rejection at the next general election.

Any law submitted to the people and approved by a majority of all the electors voting at the election shall take effect ten days after the date of the official declaration of the vote. No law initiated by the people shall be subject to the veto power of the governor, and no law adopted by the people at the polls under the initiative provisions of this section shall be amended or repealed, until another general election has intervened. If two or more measures approved by the electors at the same election conflict, that receiving the highest affirmative vote shall prevail.

The legislature shall implement the provisions of this section. The manner in which measures are prepared and qualified and petitions are circulated, presented, and certified, and the manner in which measures are submitted to the electors may be regulated by law but not to impair the effect of this article.

This section expires December 31, 1984.

Sec. 2. The amendment shall be submitted at the 1980 general election. The question proposed shall be:

"Shall the Minnesota Constitution be amended to provide for an initiative process?"

Yes .....

No ....."

Sec. 3. [3B.01] [CITATION.] Sections 3 to 29 may be cited as "The Initiative Implementation Act".

Sec. 4. [3B.02] [DEFINITIONS.] Subdivision 1. The words defined by this section shall, when used in sections 3 to 29, have the meanings given them.

Subd. 2. "General election" is as defined in section 200.02, subdivision 2.

Subd. 3. "Measure" means the proposed law in an initiative petition.

Subd. 4. "Petition drive" means the organized process by which the sponsors and their authorized agents solicit the general public to sign initiative petitions.

Subd. 5. "Eligible elector" means those persons who may register to vote under the provisions of chapter 201.

Subd. 6. "Sponsors" means the persons specified by section 5, subdivision 2, clause (a).

Sec. 5. [3B.03] [PREPARATION FOR PETITIONING ON AN INITIATIVE MEASURE.] Subdivision 1. Before circulation of any petitions to propose an initiative measure to the legislature, the sponsors shall file a declaration with the secretary of state not later than October 31 of an odd numbered year or not later than August 1 in calendar year 1980.

Subd. 2. The declaration shall:

(a) State the names, mailing addresses and any business or residential phone numbers of not less than 25 eligible electors with an indication of who is the chairman and who is the treasurer; and,

(b) State the name and mailing address of all committees, groups or organizations known to the sponsors who intend to support the petition drive on the measure or otherwise aid the sponsors; and,

(c) Give a description of the intent or purpose of the measure, or, if the proposed measure is already drafted, include a copy of the draft; and,

(d) State the name, address and phone number of a sponsor who will assist in drafting the measure and is authorized to approve its final form and wording.

Subd. 3. The secretary of state shall, by rule, provide a sample declaration form.

Subd. 4. The sponsors shall pay to the secretary of state a filing fee of \$200 which shall be deposited in the general fund.

Sec. 6. [3B.04] [ADVICE BY REVISOR OF STATUTES.] Subdivision 1. The secretary of state shall forward one copy of each declaration provided for in section 5 to the revisor of stat-

utes. The secretary of state shall also advise the sponsors to consult with the revisor.

Subd. 2. The revisor of statutes shall, within 30 calendar days of receipt of the declaration, prepare a final draft of the initiative measure in accordance with the intent and purpose expressed in the declaration. The intent and purpose may be amplified or refined by the sponsor authorized in the declaration to approve the form and wording of the measure. The revisor shall advise that sponsor as to the measure's constitutionality, and the best form of the measure to accomplish the sponsors' intent and purpose. However, if the revisor and the sponsors disagree as to the best form and content of the measure to accomplish the sponsors' intent and purpose, or disagree as to constitutionality, the directions of the sponsors shall prevail. All discussions by the revisor with the sponsors shall be treated by the revisor as confidential. If, after consulting with the revisor, the sponsors do not desire the revisor's assistance, they shall sign a written waiver of assistance. The waiver shall then be filed with the secretary of state and the revisor, together with a final draft of the initiative measure prepared by the sponsors. With the final draft prepared by the revisor, or within seven calendar days after receiving the waiver and final draft prepared by the sponsors, the revisor shall furnish the sponsors and the secretary of state with a summary of the measure to be proposed to the legislature.

Subd. 3. The form of initiative measures shall conform to the form of bills considered by the legislature. The enacting clause shall be "BE IT ENACTED BY THE PEOPLE OF THE STATE OF MINNESOTA". No initiative shall embrace more than one subject. The measure may not provide for the form of the ballot question by which it would be submitted to the electors in the event the legislature does not act on the measure.

Subd. 4. If the sponsors have not, within 21 calendar days of receiving the revisor's final draft, either filed it with the secretary of state or filed a waiver and draft prepared by the sponsors, the petition drive shall be deemed abandoned.

Sec. 7. [3B.05] [PETITIONS FOR INITIATIVE.] Subdivision 1. Each initiative petition shall consist of as many copies as the sponsors print, each of which shall be not more than one sheet of paper and contain the following on the front:

(a) In not less than 25 point bold type on a 30 point body at the top of the front page, the printed words "OFFICIAL INITIATIVE PETITION";

(b) A summary of the purpose and effect of the measure prepared by the revisor of statutes;

(c) A statement that a verbatim copy of the initiative measure is available for public examination at the office of the secretary of state; and,

(d) Space for the signature, printed name, telephone number, mailing address, congressional district of residence, indication of status as eligible elector and the date of signing of each petition signer.

Subd. 2. On the front or back of each petition shall be an affidavit for the person circulating the petition which shall include his name, mailing address, and phone number; indicate that he circulated the petition; indicate that to the best of his knowledge each of the signers is an eligible elector and resident in the congressional district indicated; and identify the sponsors on whose behalf the petition was circulated.

Subd. 3. At the time the final draft of the initiative measure is filed with the secretary of state, as provided by section 6, subdivision 4, the sponsors shall also file a copy of the petition with the secretary of state. Within seven calendar days the secretary shall examine the petition and determine whether it complies with this section. If the petition complies, the secretary shall approve it and notify the sponsors. If the secretary finds that the form of the petition is not in compliance, he shall disapprove it and order it redrafted. The secretary shall notify the sponsors that the petition is not in compliance with the law and specify what changes are necessary to bring it into compliance. Failure to refile a new petition drafted in accordance with the secretary's instructions not later than seven calendar days after the secretary's notice constitutes abandonment of the drive. Upon refiling, the secretary shall again examine the petition for its compliance with this section and approve it or again reject it. The petition may subsequently be refiled until it is found to comply with the law and rules.

Sec. 8. [3B.06] [TIME OF CIRCULATION OF INITIATIVE PETITIONS; VOLUNTARY ABANDONMENT.]  
Subdivision 1. Initiative petitions may only be circulated on those days of odd numbered years or calendar year 1980 which are more than eight calendar days after the date of the secretary of state's approval of the petition. This limitation shall not prevent the sponsors from undertaking organizational activity or completing the procedures of section 5 or 6 prior to the time petitions are circulated.

Subd. 2. The sponsors may voluntarily abandon the drive any time before the certification by the secretary of state provided for in section 14. To abandon the drive, a declaration to that effect shall be filed with the secretary of state. The filing of the declaration shall not prevent other sponsors from beginning a similar or identical petition drive. All petitions signed



*prior to the declaration are invalid upon the filing of the declaration and may not subsequently be utilized by the new sponsors.*

*Subd. 3. Petitions which are signed but never filed, or which are filed but the number of signatures are later determined to be insufficient, are invalid on January 8 of the year after they are signed. The petitions may not be used for similar or identical petition circulation efforts in subsequent years.*

**Sec. 9. [3B.07] [NUMBER OF SIGNATURES FOR INITIATIVE.]** *An initiative measure shall be proposed to the legislature if petitions for the measure are signed by eligible electors in a number not less than five percent of the number of votes cast for all candidates for governor at the last gubernatorial election. Signatures shall be from eligible electors in every congressional district of the state. For no congressional district shall the number of signatures be less than five percent of the votes cast for all candidates for governor in that congressional district at the last gubernatorial election.*

**Sec. 10. [3B.08] [FILING OF PETITIONS.]** *Subdivision 1. Not later than January 7 of the year succeeding the one in which the petitions were circulated, the sponsors may file the signed petitions with the secretary of state. When filed, the signed petitions shall be securely bound together by the sponsors.*

*Subd. 2. Only the sponsors, or those authorized in writing by the sponsors, may file petitions.*

**Sec. 11. [3B.09] [PETITIONS RECEIVED BY SECRETARY OF STATE AND SIGNATURES COUNTED.]** *Not later than January 28, the secretary of state shall determine the total number of signatures on the petitions filed and shall, not later than February 16, give written notification to the sponsors of the number of signatures. If the number of signatures filed is less than the minimum number of signatures required the secretary of state shall notify the sponsors. No further action shall then be taken on the petitions.*

**Sec. 12. [3B.10] [VERIFICATION OF PETITIONS.]** *Subdivision 1. The secretary of state shall determine whether a sufficient number of valid signatures has been obtained. The secretary may verify signatures by the random sampling method provided in Section 13. County auditors shall assist the secretary in verifying signatures, at the secretary's request. Any eligible elector may challenge the number or validity of signatures on the petition. The secretary of state shall determine the contest of number or validity of signatures by an eligible elector.*

*Subd. 2. A signature is valid when:*

*(a) It is signed by the person named;*

(b) *It is voluntarily signed;*

(c) *The signatory was an eligible elector on the date he signed the petition;*

(d) *The signatory is a resident of the congressional district indicated on the petition; and,*

(e) *The signature is identifiable.*

*Subd. 3. An eligible elector contesting the sufficiency or validity of signatures shall file the protest on or before March 31 and shall include a brief statement of the evidence of insufficiency or invalidity. If an eligible elector contests the sufficiency or validity of signatures on a petition in bad faith, he may be assessed costs of the contest up to a maximum of \$200. The secretary of state shall hear evidence and determine contests not later than April 30.*

*Subd. 4. If the secretary of state determines that the number of valid signatures is less than the number required, petitions for additional signatures may be circulated for an additional period of 10 days, in the case of a determination of an actual number deficiency, or 20 days, in the case of an estimated number deficiency, commencing from the date of determination.*

**Sec. 13. [3B.11] [RANDOM SAMPLING METHOD OF SIGNATURE VERIFICATION.]** *Subdivision 1. A sample of signatures to be verified shall be drawn in such a manner that every signature filed with the secretary of state shall be given an equal opportunity to be included in the sample. The sample shall include five percent of the signatures.*

*Subd. 2. If the verification from the statistical sample shows that the total number of valid signatures on the petitions is within 90 to 110 percent of the minimum number of signatures needed to declare the number of petition signatures to be sufficient for the congressional district, the secretary of state may verify any remaining unverified signatures.*

*Subd. 3. If the verification from the statistical sample shows that the total number of valid signatures on all the petitions is 110 percent or more of the minimum number of signatures needed to declare the number of petition signatures to be sufficient for the congressional district, the secretary of state may determine the number of valid signatures to be sufficient. The number of valid signatures shall be determined by taking the total number of signatures filed and multiplying it by the percentage of signatures in the statistical sample which were found to be valid. In calculating the number of valid signatures, any fractions shall be rounded up to one.*

*Subd. 4. If the verification from the statistical sample shows that the number of valid signatures is less than 90 percent of the minimum number of signatures needed to declare the number of petition signatures to be sufficient for the congressional district the secretary of state may determine that the number of petition signatures is insufficient.*

**Sec. 14. [3B.12] [CERTIFICATION BY SECRETARY OF STATE; LEGISLATIVE ACTION.]** *If the number of valid signatures meets or exceeds the minimum, the secretary of state shall certify the sufficiency of the initiative petitions to the sponsors and to the legislature. The secretary shall also forward to the legislature the final draft of the initiative measure prepared as provided by Section 6, subdivision 2. The measure shall be introduced in each house of the legislature and shall be acted upon in the same manner as legislative bill introductions. At any time before adjournment sine die the legislature may enact the proposed initiative measure into law and provide for its effective date. If the legislature rejects the initiative measure shall do so by roll call vote. It then, by separate roll call vote, may enact instead a different law on the same subject, which shall become effective on the date provided by the enactment. In either of these cases, no measure shall appear on the general election ballot. If the legislature rejects the initiative measure without enacting a different law on the same subject before adjournment sine die, it shall return to the secretary of state the final draft of the initiative measure prepared pursuant to section 6, subdivision 2.*

**Sec. 15. [3B.13] [PREPARATION OF BALLOT MEASURE.]** *If the legislature returns an initiative measure to the secretary of state, the question of adoption of the initiative measure shall be placed on the ballot for the general election. The secretary of state's certificate shall state the wording of the question to be placed on the ballot. The revisor of statutes shall recommend to the secretary of state a wording for the question. The ballot question shall be a true and impartial statement of the intent and purpose of the initiative measure. It shall be in similar form as a ballot issue which may be on the ballot as a result of a legislative proposal for a constitutional amendment.*

**Sec. 16. [3B.14] [NUMBERING OF BALLOT MEASURES.]** *The secretary of state shall number in consecutive order each initiative and referendum ballot measure with the wording "BALLOT QUESTION ...". Ballot questions shall be numbered sequentially starting from the number 1 for the first ballot question certified to be on the ballot after the effective date provided in section 34. Ballot questions which are certified to appear on the ballot in general elections in subsequent years shall be numbered sequentially beginning with the first number after the number of the last ballot question at the last general election. The order shall be assigned by the secretary of state in the order that it is finally determined that each question will be placed on the statewide ballot at the next general election.*

Sec. 17. [3B.15] [BALLOTS, VOTING AND CANVASSING OF INITIATIVE QUESTIONS.] *On all initiative measures, the ballots shall be prepared, voting conducted, results canvassed, contests conducted and results certified as provided by chapters 200 to 210A.*

Sec. 18. [3B.16] [TIME OF ELECTION ON INITIATIVE QUESTIONS.] *Voting upon initiative questions shall be held only at a general election.*

Sec. 19. [3B.17] [SIMULTANEOUS PETITIONS FOR INITIATIVE MEASURES.] *Nothing shall prevent multiple simultaneous petition drives involving identical initiative petitions, whether by the same or different sponsors. However, the first determination by the secretary of state of the sufficiency of the signatures for one measure shall automatically constitute abandonment of the other petition drives as of the date of the secretary's determination.*

Sec. 20. [3B.18] [COSTS OF COUNTY AUDITORS TO VERIFY SIGNATURES.] *Subdivision 1. The state shall reimburse county auditors for all reasonable costs of assisting the secretary of state in the verification of signatures on initiative petitions.*

*Subd. 2. Each year prior to May 1, each auditor shall submit to the secretary of state a verified statement of expenditures incurred in the calendar year prior to the previous April 1. The statement shall specify how all costs were incurred.*

*Subd. 3. The secretary of state shall, within 30 days after receipt of each auditor's statement, pay to each county auditor the costs which the secretary determines are reasonable.*

*Subd. 4. The secretary of state shall, by rule, provide for the standards of what costs will be reimbursed by the state.*

Sec. 21. [3B.19] [RESOLUTION OF CONFLICTS BETWEEN INITIATIVE MEASURES.] *Subdivision 1. Nothing shall prevent petitioning for measures which are apparently in substantial conflict.*

*Subd. 2. If two or more measures which substantially conflict are adopted by a vote of the people, the one receiving the highest percentage affirmative vote shall be effective. In the event that it is finally determined that the measures received an equal number of votes, neither measure shall become effective, but they shall again be placed on the ballot at the next general election.*

*Subd. 3. A petition may be filed with the district court in Ramsey County by any eligible elector alleging that two or more adopted measures substantially conflict. A copy of the petition*

shall be served upon the sponsors and upon the attorney general. The district court shall issue its findings and conclusions on the matter within 60 days of the filing of the petition. The district court shall find that two or more measures substantially conflict when any material provision in one measure is irreconcilable with a material provision in another measure. Upon a finding that any provisions of measures substantially conflict, the district court shall find that the entire measures conflict and state which measure prevails under the provisions of subdivision 2.

Sec. 22. [3B.20] [LIMITATION ON SUCCESSIVE INITIATIVE OR REFERENDUM MEASURES.] Subdivision 1. An initiative petition for a measure which is substantially the same as a measure previously rejected by the people, is not valid until after another general election has intervened. Upon a finding by the secretary of state that a declaration is for a petition for a matter substantially the same as the previously rejected measure, the secretary shall, after the filing and analysis by the secretary of the final draft, strike the declaration from his files.

Subd. 2. A petition is substantially the same as a measure previously rejected by the people when all material provisions of the measure are identical in substance with material provisions in the other. Differences solely in the manner in which those provisions are expressed are not material.

Sec. 23. [3B.21] [PUBLICATION OF ADOPTED INITIATIVE MATTERS.] Initiative measures which are adopted by the people shall be published by the revisor of statutes in the laws of Minnesota for the legislative session for the year subsequent to the year of the election at which the law is adopted. Initiative measures shall be placed in a separate section of the Laws of Minnesota and given chapter numbers by the revisor of statutes distinctive from the chapter numbers given legislative enactments by the secretary of state. If an initiative measure is adopted by the people, the revisor of statutes may incorporate it into the next edition of the Minnesota Statutes or the supplement to the Minnesota Statutes in the same manner as for legislative enactments. Initiative measures enacted by the legislature shall be published with other legislative enactments.

Sec. 24. [3B.22] [LITERATURE MUST INCLUDE NAMES.] Any person or committee who shall publish, issue, post, circulate, or cause to be published, issued, posted, circulated, other than in a newspaper as provided in section 25, any literature, campaign material, or any publication, including cards, pamphlets, flyers, signs, banners, leaflets, announcements, or other material tending to influence the desire to sign or refusal to sign an initiative petition or the voting at an election on a ballot issue, which fails to prominently display the name and mailing address of the author, the name of the person or committee in whose behalf the same is published, issued, posted, or circulated, and the name and mailing address of any other

son or committee causing the same to be published, issued, posted, circulated, or broadcasted shall be guilty of a misdemeanor.

Sec. 25. [3B.23] [PAID ADVERTISEMENTS IN NEWS.]

Subdivision 1. No publisher of a newspaper, periodical, or magazine shall print, and no radio or television station shall broadcast any matter paid or to be paid for which tends or is intended to influence directly or indirectly the desire to sign or refusal to sign an initiative petition or any voting at an election on a ballot issue unless it is prominently indicated that it is a paid advertisement. There shall also be a statement of the amount paid or to be paid, or a statement that the same is to be paid at regular advertising rates, the name of the person or committee in whose behalf the matter is printed or broadcast; and the names of any other person or of the officer and the committee authorizing the publication.

Subd. 2. To the extent that any person sells either advertising space or broadcast time used on behalf of any measure, the charges made shall not exceed the charges made for any other comparable purpose or use according to the seller's rate schedule.

Sec. 26. [3B.24] [PROHIBITIONS.] Subdivision 1. No person shall:

- (a) Be paid compensation for signing an initiative petition;
- (b) Willfully refuse to file a statement of expenses regarding an initiative matter when required by law;
- (c) Publish any literature, campaign material or any publication including cards, pamphlets, flyers, signs, banners, leaflets, or other material or any radio or television broadcast regarding an initiative measure which does not bear the identification required by law;
- (d) Publish in any newspaper, periodical or magazine any matter relating to an initiative matter which does not contain the identification required by law;
- (e) Induce a person to sign a petition by fraud, force or the threat of force;
- (f) Pay compensation for signing an initiative petition;
- (g) With knowledge that it is false, publish any information regarding an initiative which tends to substantially affect adoption or rejection of the measure;
- (h) Pay compensation or expenses to employ or contract for the circulation of an initiative petition;

(i) *Be paid compensation or expenses as an employee or contractor for the circulation of an initiative petition; or,*

(j) *Sign a petition with a name other than his or her own name.*

*Subd. 2. Any person violating any provision of subdivision 1, clauses (a), (b), (c) or (d) is guilty of a misdemeanor. Any person violating any provision of subdivision 1, clauses (e), (f) or (g) is guilty of a gross misdemeanor.*

**Sec. 27. [3B.25] [ACTION BY AND NOTIFICATIONS TO SPONSORS.]** *Subdivision 1. Only sponsors, or those authorized by them in writing, may file any required filing or statement regarding initiative petitions, measures or campaigns including election contests or petition signature count or validity contests.*

*Subd. 2. The signature of the chairman, any other sponsor, or a person authorized in writing by a chairman, is sufficient to authorize the filing of any statement required by law.*

*Subd. 3. If notice is required to be given to the sponsors, it shall be given to those persons provided in subdivision 2 who may authorize any filing.*

**Sec. 28. [3B.26] [DATES OF ACTIONS.]** *Subdivision 1. In sections 3 to 29, whenever an action is required to be taken on a specified date or by the end of an elapsed number of days, and that day is a Saturday, Sunday or a legal holiday, the action shall be accomplished on the next day which is not a Saturday, Sunday or a legal holiday.*

*Subd. 2. In sections 3 to 29, whenever a document is required to be filed or received, only physical deposit of the document with the indicated person constitutes filing or receipt. It is not sufficient for the document to be postmarked by the required date.*

**Sec. 29. [3B.27] [JUDICIAL REVIEW OF INITIATIVE MATTERS.]** *Subdivision 1. The district court shall have jurisdiction of any suit involving:*

(a) *the sufficiency of the number or validity of signatures on petitions after the administrative determinations by the secretary of state have been exhausted;*

(b) *resolution of conflicts between initiative measures as provided by section 21; or,*

(c) *any suit alleging the unconstitutionality of an adopted initiative which rejects a law but only to the extent of determining that issue.*

*Subd. 2. Venue for all suits and criminal prosecutions involving initiative matters shall be in the district court in Ramsey County.*

*Subd. 3. Suits contesting a final administrative determination of the number or validity of signatures on petitions shall be filed not later than 15 calendar days after the final determination.*

*Suits involving conflicts between initiative measures shall be filed prior to the effective date of the initiated measures.*

*Subd. 4. A court may defer the effective date of an initiative measure enactment or a referendum measure repeal when a deferral, in the discretion of the court, is found to be in the interest of justice.*

**Sec. 30. Minnesota Statutes 1978, Section 10A.01, Subdivision 15, is amended to read:**

**Subd. 15. "Political committee" means any association as defined in subdivision 3 whose major purpose is to influence the nomination or election of a candidate.**

**"Political committee" includes a major political party as defined in subdivision 12, a minor political party as defined in subdivision 13, and any principal campaign committee formed pursuant to section 10A.19.**

**"Political committee" also includes any association which is organized to influence a petition drive, as defined by section 4, subdivision 4, or a ballot issue campaign. An association is organized to influence a petition drive or ballot issue if:**

**(1) They are the sponsors as defined by section 4, subdivision 6; or,**

**(2) They receive contributions or make expenditures in excess of \$100 to favor or oppose a petition drive or ballot issue campaign; or,**

**(3) They give implicit or explicit consent for any other person to receive contributions or make expenditures to favor or oppose a petition drive or ballot issue campaign.**

**Sec. 31. Minnesota Statutes 1978, Section 10A.20, is amended by adding a subdivision to read:**

**Subd. 2a. In addition to the reports required by subdivision 2, a political committee which favors or opposes a petition drive or ballot issue campaign shall also file reports within five days**



*after the secretary of state issues the certification provided for in section 14.*

Sec. 32. Minnesota Statutes 1978, Section 203A.31, Subdivision 2, is amended to read:

Subd. 2. [STATE PINK BALLOT.] There shall be one ballot on pink paper, hereinafter called the "pink ballot," upon which all (PROPOSITIONS AND QUESTIONS) *constitutional amendments* to be voted upon throughout the state shall be printed so that the voters may indicate by a mark (X) either a negative or affirmative vote. *All initiative ballot questions shall be on one blue ballot. The order of the questions shall be in the order of their sequential numbers assigned pursuant to section 16.* In preparing the pink (BALLOT) and blue ballots the secretary of state shall apply an appropriate title to each proposition and question, which title shall be approved by the attorney general, and shall consist of not more than one printed line above the proposition or question to which it refers. (AT THE HEAD OF THE BALLOT OR IN SOME OTHER PROMINENT PLACE ON THE BALLOT THERE SHALL BE PRINTED CONSPICUOUSLY) *After each question on a constitutional amendment shall be printed a notice stating in substance that a voter's failure to vote on a constitutional amendment has the effect of a negative vote. The pink ballots shall be deposited in a separate pink ballot box. The blue ballots shall be deposited in a separate blue ballot box.* They shall be counted, canvassed and returned as in the case of white ballots, and the tally books and return blanks shall provide suitable columns and spaces therefor. The total of the "yes" votes, the total of the "no" votes, and the total number of votes cast shall be reported in the returns.

Sec. 33. Minnesota Statutes 1978, Section 645.02, is amended to read:

645.02 [EFFECTIVE DATE AND TIME OF LAWS.] *Subdivision 1.* Each act, except one making appropriations, enacted finally at any session of the legislature takes effect on August 1 next following its final enactment, unless a different date is specified in the act.

*Subd. 2.* A special law required to be approved by the local government unit affected before it goes into effect becomes effective as to the approving unit the day following the day on which the certificate of approval prescribed by section 645.021, subdivision 1, is filed with the secretary of state, unless a later date is specified in the act. When approval of such a special law is required by two or more local government units before it may become effective, the day after the day when the last of the required certificates is filed is the effective date, unless a later date is specified in the act.

*Subd. 3. An appropriation act or an act having appropriation items enacted finally at any session of the legislature takes effect at the beginning of the first day of July next following its final enactment, unless a different date is specified in the act.*

*Subd. 4. Any measure initiated by the electors shall be effective ten days after the date of the official declaration of the vote on the measure at the general election.*

*Sec. 34. Sections 3 to 33 shall be effective the day following final enactment but shall expire on the earlier of the following dates: (1) December 31, 1980 if the constitutional amendment provided in sections 1 and 2 is not ratified as provided by the constitution; or (2) December 31, 1984."*

Delete the title and insert:

"A bill for an act relating to initiative and referendum; proposing an amendment to the Minnesota Constitution, Article VII by adding a section; authorizing initiative on laws; providing a statute implementing the amendment; providing for the manner of petitioning and voting on initiative measures; providing for disclosure of campaign costs on ballot issues; providing for judicial review; providing certain restrictions on the consideration of measures; providing penalties; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 15; 10A.20, by adding a subdivision; 203A.31, Subdivision 2; and 645.02."

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

The report was adopted.

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

H. F. No. 2319, A bill for an act relating to crimes; appropriating money for the investigation of narcotics offenses; amending Minnesota Statutes, 1979 Supplement, Section 299C.065, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 3, delete "\$1,000,000" and insert "\$500,000"

Page 2, line 9, delete "\$2,000,000" and insert "\$1,000,000"

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

The report was adopted.

Casserly from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2320, A bill for an act relating to the city of Minneapolis; authorizing the creation of an economic development and redevelopment agency or department.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [MINNEAPOLIS, CITY OF; DEVELOPMENT AND REDEVELOPMENT, PURPOSE.] *The legislature of the state of Minnesota finds that the preservation of the quality of life in a major metropolitan city is dependent upon creation of an expanding tax base including commercial and industrial valuation, maintaining economically viable commercial and industrial areas within the city, encouraging private reinvestment within the city, encouraging redevelopment, maintaining and increasing employment opportunities, and providing improved housing opportunities, and that assistance which is provided by local government to accomplish these objectives should be provided as efficiently and effectively as possible, and that a coherent organized structure is necessary to maximize the impact of local government's activities while maintaining local government's involvement at the minimum level necessary, and that the economic development, housing and redevelopment activity of the city of Minneapolis is in need of increased efficiency and improved organization.*

Sec. 2. [MINNEAPOLIS REDEVELOPMENT STRUCTURE.] *Subdivision 1. Notwithstanding any contrary provision of law or charter, the city council of the city of Minneapolis may, by ordinance:*

(a) *Establish an independent development and redevelopment agency, corporate and politic, which shall be a governmental subdivision of the state of Minnesota. The agency shall be governed by a board of commissioners. The city council by ordinance shall provide for the establishment of the board of commissioners, and shall state the number of commissioners, terms of office, the appointing authority of the commissioners, and other matters relating to the composition of the board and shall designate the name for the agency. Notwithstanding any contrary provisions of the Minneapolis city charter, state statute, veterans preference act, or civil service rule, law, or regulation, all employees of the agency shall be selected and employed by the board of commissioners and shall not by virtue of employment by the agency be employees of the city of Minneapolis, and the terms and conditions of employment, including salary, shall be determined by the board of commissioners, subject only to limitations contained in this act. Throughout this act the term "agency" means the agency established pursuant to this clause.*

*The passage of the first ordinance establishing an agency, the passage of any ordinance changing the number of commissioners, the term of office of the commissioners, or the appointing authority of the commissioners, shall require affirmative votes of nine members of the City Council. The vote of the City Council adopting the ordinance shall be subject to Mayoral veto and City Council override of that veto.*

*(b) Establish a development and redevelopment department of the city. Notwithstanding any contrary provision of the Minneapolis city charter, statute, veterans preference act, or civil service rule, law or regulation, the ordinance creating the department may provide for a director and three assistant directors, who shall be in the unclassified service of the city of Minneapolis, and may provide for the director to appoint not more than ten employees to perform managerial duties as defined by the director who shall be in the unclassified service of the city. The ordinance shall establish the appointing authority of the director and assistant directors, and the manner of appointment and term of office, if any, and shall provide for the terms and conditions of employment, including salary, subject only to the limitations contained within this act for all employees of the department, and shall designate the name for the department. The director shall select and appoint all employees of the department. Throughout this act the term "department" means the department established pursuant to this clause.*

*(c) Any time up to six months after the passage of the first ordinance implementing the provisions of this section, transfer any employee of the city of Minneapolis or the Minneapolis housing and redevelopment authority or the Minneapolis industrial development commission to the employment of the agency or the department or the Minneapolis housing and redevelopment authority or the Minneapolis industrial development commission. An employee who is in the classified service of the city of Minneapolis whose position is being transferred pursuant to this clause, may elect to remain in the classified service and exercise the rights provided by the Minneapolis civil service commission to an employee as if the position held by the employee had been eliminated. Any employee who is transferred from employment with one employer pursuant to this clause to another employer shall retain rights and benefits accumulated including seniority, accumulated vacation and sick leave, and length of service for the purposes of calculating benefits, layoffs, seniority rating for promotions and merit increases, emoluments or rewards.*

*Notwithstanding any contrary provisions of law or city charter, any employee of the Minneapolis Industrial Development Commission who is not in the classified service of the city of Minneapolis, and any person employed as a director or deputy director of the Minneapolis Housing and Redevelopment Agency shall either be transferred to employment of the agency or department, or the city of Minneapolis, or shall remain an employee*

of the commission or authority, as determined by the City Council, and the City Council may transfer the person into the classified service of the city of Minneapolis and into a position for which the person is qualified as determined by the City Council.

Following implementation of this act, all existing employees of the Minneapolis housing and redevelopment authority except the director and deputy directors shall either be transferred to employment of the agency or department or shall continue to be employed by the Minneapolis housing and redevelopment or shall be transferred to employment of the city, as determined by the City Council. In the event of transfer of employment to the city of Minneapolis, the City Council may transfer the person into the classified service into a position for which the employee is qualified. In any event:

(a) the employee's salary shall not be diminished as a result of implementation of this act;

(b) the employee's job responsibilities shall not be substantially diminished as a result of implementation of this act;

(c) the employee shall not be required to change residence as a result of this legislation; and

(d) the employee shall have the right to apply and be considered for positions with the agency or department on an equal basis with the other employees of the agency or department. Length of service with Minneapolis housing and redevelopment authority shall count on the same basis as length of service is counted for existing employees of the city of Minneapolis.

The director and deputy directors shall be considered employees for the purposes of clauses (c) and (d).

If a person employed as an employee of the agency or as a director or assistant director or as a managerial employee of the department or as an employee of the Minneapolis Housing and Redevelopment Authority is, at the time of agency employment or department employment or Minneapolis Housing and Redevelopment Authority Employment, a member of the classified service of the city of Minneapolis, the employee shall be deemed to be on leave of absence during his tenure in the employment, and upon termination of service, shall be returned to his permanent civil service classification. If no vacancy is available in his permanent civil service classification position, seniority shall prevail, and the person most recently certified to the position shall be returned to the permanent civil service classification held by him prior to certification.

Subd. 2. The ordinance which creates the agency or department shall establish procedures for including citizen input when

*the agency or department establishes policies and programs. The City Council shall provide for an advisory role for citizens in the establishment of citizen participation procedures to be included in the ordinance which creates the agency or department.*

*The citizen participation procedures established by the ordinance must meet the following standards:*

*(a) All citizen participation must be done openly;*

*(b) An advisory role for citizens, including project area residents and other affected persons, if any, must be provided in all stages of the activities of the agency or department, including policy establishment and implementation, assessment of performance and policy amendment;*

*(c) Reasonable efforts must be included to ensure the continuity of involvement of citizens throughout the activities of the agency or department;*

*(d) Public hearings with adequate notice must be provided prior to the establishment of policies and as the policies are implemented;*

*(e) A method for providing proposed policies and proposals for implementing the policies to interested citizens must be provided;*

*(f) Citizens must be encouraged to submit their views and proposals for policies and the implementation of policies to the department or agency; and*

*(g) A technical assistance policy for citizen organizations and affected groups must be developed.*

*Subd. 3. Notwithstanding any contrary provision of the public employees labor relations act, the several employee groups in the department as identified by the city council who are not supervisory or confidential employees shall be designated as appropriate bargaining units. The designation conferred by this subdivision shall expire October 1, 1981.*

*Subd. 4. All employees of the agency shall be considered employees of the city of Minneapolis for the purposes of membership in the public employee retirement association. An employee of the Minneapolis housing and redevelopment authority who is transferred to employment of the department or agency or the Minneapolis industrial development commission shall elect one of the following options with respect to retirement programs within six months after the date of transfer:*

(a) *The employee may continue as a member of the retirement program established by the Minneapolis housing and redevelopment authority and in effect on the date of transfer, and the agency or department shall make the necessary employer contributions to the program instead of becoming a member of the public employees retirement association.*

(b) *The employee may become a member of the public employees retirement association.*

*An employee of the city of Minneapolis who is transferred to employment of the Minneapolis Housing and Redevelopment Authority shall remain a member of the retirement fund to which the employee belonged prior to the transfer, during the employment. An employee of the city of Minneapolis who is a member of the Minneapolis Municipal Employees Retirement Fund who is transferred to employment of the agency shall remain a member of the fund during the employment.*

*Subd. 5. The terms of a collective bargaining agreement which are not in conflict with any applicable rules or regulations of the Minneapolis Civil Service Commission, which is in effect between a governmental subdivision and its employees, whose employees, some or all of whom are transferred to the department or agency shall be binding upon the department or agency for the length of the term of the contract with respect to the employees transferred from the contracting subdivision.*

**Sec. 3. [AUTHORITY.]** *Subdivision 1. Notwithstanding any contrary law or provision of the Minneapolis city charter, the city council may exercise the powers presently, or hereafter granted to a governmental agency or subdivision by Minnesota Statutes, Chapters 458 and 462 except the power to operate and maintain public housing as provided in Minnesota Statutes Chapter 462. The City Council shall not exercise the powers contained in Minnesota Statutes, Chapter 462 prior to the initial adoption of an ordinance provided for in section 2, subdivision 1, or this subdivision. Notwithstanding any contrary law or provision of the Minneapolis city charter, the agency or the Minneapolis housing and redevelopment authority or the Minneapolis industrial development commission may after approval by the city council by ordinance exercise any of the powers presently or hereafter granted to a governmental subdivision by Minnesota Statutes, Chapters 458, 462, 472, 472A, and 474. The city council or the agency or the Minneapolis housing and redevelopment authority or the Minneapolis industrial development commission may exercise the powers granted by this subdivision and any other development or redevelopment powers authorized by other laws, independently or in conjunction with each other as though all of the powers had been granted to a single entity.*

*Subd. 2. In addition to any other powers granted to the city of Minneapolis and not in limitation thereof, the city council*

may by ordinance divide economic development, housing, and redevelopment powers granted to the city between the agency or department created pursuant to this act, and any authority or commission established pursuant to statute or the Minneapolis city charter for the purposes of economic development, or housing, or redevelopment.

Subd. 3. The city council may, upon the request of the department, levy a general ad valorem tax for any purpose for which a housing and redevelopment authority pursuant to Minnesota Statutes, Chapter 462 may levy an ad valorem tax. The agency may levy a general ad valorem tax upon all taxable property in the city of Minneapolis for any economic development, housing, or redevelopment purpose for which the city council may levy a tax, or for which a housing and redevelopment authority pursuant to Minnesota Statutes, Chapter 462 may levy a tax. The levy of this tax shall be in the same manner as for a tax levied by the city council. The tax levied by the agency pursuant to this subdivision shall not exceed three mills levied upon all taxable property in the city of Minneapolis, provided that this limitation shall not apply to any levy for the repayment of bonds or obligations of the agency.

Subd. 4. The agency may pledge the full faith and credit of the agency for the repayment of any bonds which the agency is authorized to issue pursuant to any statute or charter provision. The city council may pledge any anticipated revenues of or reserves accumulated by the department for the repayment of any bonds issued by the city for economic development, housing or redevelopment purposes.

Subd. 5. The city council may by ordinance upon request of the agency, pledge the full faith and credit of the city of Minneapolis for the repayment of bonds to be issued by the agency. The pledge of the full faith and credit of the city of Minneapolis shall not be subject to the provisions of Minnesota Statutes, Section 475.58 or to any limitations of the Minneapolis city charter. The amount of bonds issued by the agency and outstanding at any one time for which the full faith and credit of the city of Minneapolis is pledged shall not exceed six percent times the market value of all taxable real and personal property within the city of Minneapolis and shall not be included in any debt limitations imposed upon the city of Minneapolis.

Subd. 6. Notwithstanding any contrary law or provision of the Minneapolis city charter, the city council may, by resolution, transfer the control, authority, and operation of any project as defined in Minnesota Statutes, Section 273.73, Subdivision 8, or any other program or project authorized by Minnesota Statutes, Chapter 462 for the purpose of rehabilitation of housing units or for the purpose of providing public housing as provided in Minnesota Statutes, Chapter 462, located within the city of Minneapolis, from the governmental agency or subdivision which established the project to any other governmental agency or



subdivision established in whole or in part for the purpose of economic development housing or redevelopment within the city of Minneapolis, including the city council. The city council may also require acceptance of control, authority, and operation of the project by the governmental entity to which the transfer is intended. The governmental agency or subdivision to which the control, authority, and operation of the project is transferred, may exercise all of the powers and only the powers which the governmental unit which established the project could exercise with respect to the project.

Upon the transfer of a project or program, the receiving agency or body shall covenant and pledge to perform the terms, conditions, and covenants of bond indenture or other agreement executed for the security of any bonds issued by the governmental subdivision which initiated the project or program. The receiving governmental subdivision is granted by this act all powers necessary to perform the terms, conditions, and covenants of any indenture or other agreement executed for the security of bonds on which it shall become obligated by operation of this subdivision.

The powers authorized by this subdivision may be exercised only after either (a) the City Council adopts the first ordinance exercising the powers granted pursuant to section 2, subdivision 1 or (b) the City Council adopts the first ordinance granting to the Minneapolis Housing and Redevelopment Authority or the Minneapolis Industrial Development Commission powers authorized pursuant to section 3, subdivision 1.

Subd. 7. Notwithstanding any contrary law or provision of the Minneapolis city charter, the city council may, by resolution, require any governmental subdivision which is conducting a project as defined in Minnesota Statutes, Section 273.73, Subdivision 8, or any other program or project authorized by Minnesota Statutes, Chapter 462, for the purpose of rehabilitation of housing units or for the purpose of providing public housing as provided in Minnesota Statutes, Chapter 462, within the city of Minneapolis, to contract for services for administration of the project or any portion of the project with any other governmental subdivision established in whole or in part for the purpose of economic development or redevelopment or housing within the city of Minneapolis, including the city council. The city council may also require the acceptance of the contract for services by the governmental subdivision intended to provide the service for administration.

The powers authorized by this subdivision may be exercised only after either (a) the City Council adopts the first ordinance exercising the powers granted pursuant to section 2, subdivision 1 or (b) the City Council adopts the first ordinance granting to the Minneapolis Housing and Redevelopment Authority or the Minneapolis Industrial Development Commission powers authorized pursuant to section 3, subdivision 1.

Subd. 8. Except when otherwise prohibited by law or when the reserves are pledged for the repayment of bonds issued by the agency, the city council may, by resolution, require the agency to transfer any portion of the reserves generated by activities of the agency which the city council determines is not necessary for the successful operation of the agency, to the city of Minneapolis general fund. The city council may transfer funds so received to any account and may expend the funds for any purpose.

Subd. 9. Notwithstanding any contrary provisions of law, if the City Council grants any additional powers to the Minneapolis Housing and Redevelopment Authority by the ordinance exercising any of the powers authorized by section 3, subdivision 1, at that time or any subsequent time the City Council may by ordinance approved by nine members of the City Council change or modify the terms, number, and the appointing authority of the commissioners of the Minneapolis Housing and Redevelopment Authority and the City Council by ordinance approved by seven members of the City Council may also impose any of the limitations authorized in section 4 upon the Minneapolis Housing and Redevelopment Authority. The vote of the City Council adopting the ordinance shall be subject to Mayoral veto and City Council override.

When ever the authority granted by this subdivision to modify the terms, numbers or appointing authority of the commissioners is first implemented, it shall be implemented only upon approval of a majority of the commissioners. No subsequent ordinance exercising the powers to modify the terms, number or appointing authority of the commissioners shall be adopted by the City Council until twelve months after the approval of the first implementation of the powers granted by this subdivision to modify the terms, numbers or appointing authority of the commissioners by the commissioners.

Subd. 10. Notwithstanding any contrary provision of law or city charter, if the City Council by ordinance grants any additional powers to the Minneapolis Industrial Development Commission pursuant to section 3, subdivision 1, at that time or any subsequent time the City Council may by ordinance approved by nine members of the City Council change or modify the number, the terms and the appointing authority of the commissioners of the Minneapolis Industrial Development Commission and the City Council may by ordinance approved by seven members of the City Council impose any of the limitations authorized in section 4 upon the Minneapolis Industrial Development Commission. The vote of the City Council adopting the ordinance shall be subject to Mayoral veto and City Council override.

Subd. 11. The City Council may also by ordinance grant to the Minneapolis Housing and Redevelopment Authority or the Minneapolis Industrial Development Commission all of the powers granted to the agency pursuant to subdivision 3 and 4,

and may apply the powers granted pursuant to subdivisions 5 and 8 to the Minneapolis Housing and Redevelopment Authority or the Minneapolis Industrial Development Commission.

Sec. 4. [LIMITATIONS.] *The city council may, by ordinance, impose the following limitations upon the actions of the agency:*

(a) *That the sale of any or all bonds or obligations issued by the agency be approved before issuance by the city council by resolution.*

(b) *That the agency must follow the budget process for city departments as provided in the Minneapolis city charter and as implemented by the city council and mayor.*

(c) *That all official actions of the agency be consistent with the adopted comprehensive plan of the city of Minneapolis, and any official controls implementing the comprehensive plan.*

(d) *That the agency submit to the city council for approval by resolution any proposed project as defined in Minnesota Statutes, Section 273.73, Subdivision 8.*

(e) *That the agency submit all planned activities for influencing the action of any other governmental agency, subdivision, or body to the city council for approval by resolution.*

(f) *That the agency submit its administrative structure and management practices to the city council for approval by resolution.*

(g) *That the levy of any tax by the agency be approved by the city council by ordinance prior to the levy of the tax.*

(h) *Any other limitation or control established by the city council by ordinance.*

*Limitations imposed pursuant to this section shall not be applied in a manner which impairs the security of any bonds issued prior to the imposition of the limitation. City council shall not amend any limitations in effect at the time any bonds or obligations are issued pursuant to this act to the detriment of the holder of the bonds or obligations. A determination by the city council that the limitations imposed pursuant to this section have been complied with by the agency shall be conclusive.*

Sec. 5. [CITY OF BLOOMINGTON.] *The city of Bloomington is hereby granted all those powers of a port authority contained in Minnesota Statutes, Chapter 458.*

Sec. 6. Minnesota Statutes, 1979 Supplement, Section 462C.-07, Subdivision 3, is amended to read:

Subd. 3. Upon approval of the housing plan as provided in section 462C.01, clause (c), any port authority referred to in chapter 458 may, until July 1, (1980) 1982, issue revenue bonds of the port authority to finance multifamily housing developments undertaken in accordance with the provisions of section 462C.05, and for such purpose the port authority may exercise any and all powers set forth in chapters 458 and 474, provided that nothing herein shall be construed as authorizing a port authority to finance any housing program other than that authorized by section 462C.05. After July 1, (1980) 1982, the port authority may issue revenue bonds solely in accordance with the provisions of Laws 1979, Chapter 306, Sections 1 to 16.

Sec. 7. [EFFECTIVE DATE.] *Sections 1 to 4 shall be effective upon the day following filing a certificate of approval of the city of Minneapolis pursuant to Minnesota Statutes, 1979 Supplement, Section 645.021, Subdivision 3. Section 5 of this act shall be effective upon the day following filing a certificate of approval of the city of Bloomington pursuant to Minnesota Statutes, 1979 Supplement, Section 648.021, Subdivision 3.*

*Section 6 of this act shall be effective the day following final enactment."*

Renumber the remaining section

Further, amend the title as follows:

Page 1, line 4, after "department" insert "; amending Minnesota Statutes, 1979 Supplement, Section 462C.07, Subdivision 3"

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. 2356, A bill for an act relating to commerce; exempting savings associations from licensing and bonding requirements of safe deposit companies; deleting the dollar limitation on examination fees; amending Minnesota Statutes 1978, Sections 55.06, Subdivision 1; and 55.095.

Reported the same back with the following amendments:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1978, Section 50.14, Subdivision 5, is amended to read:

Subd. 5. (1) Class four shall be:

(a) Notes or bonds secured by mortgages or trust deeds on unencumbered real estate, whether in fee or in a leasehold of a duration not less than ten years beyond the maturity of the loan, in any state of the United States, worth at least twice the amount loaned thereon;

(b) Notes or bonds secured by mortgages or trust deeds on unencumbered real estate in clause (1) (a) where (SUCH) *the* notes or bonds do not exceed 80 percent of the appraised value of the security for the same, provided that (SUCH) *the* notes or bonds are payable in (INSTALMENTS AGGREGATING NOT LESS THAN FIVE PERCENT OF THE ORIGINAL PRINCIPAL PER ANNUM IN ADDITION TO THE INTEREST, OR, ARE PAYABLE ON A REGULAR AMORTIZATION BASIS IN EQUAL INSTALMENTS, INCLUDING PRINCIPAL AND INTEREST, SUCH INSTALMENTS TO BE PAYABLE MONTHLY) *a manner as the trustees of the bank prescribe and in* (SUCH) amounts that the debt will be fully paid in not to exceed 30 years if the security is non-agricultural real estate, and (SUCH) *the* instalments to be payable annually or semi-annually in (SUCH) amounts that the debt will be fully paid in not to exceed 25 years if the security is agricultural real estate. A construction loan (SHALL BE) *is* deemed amortized (AS REQUIRED BY THIS CLAUSE) if the first instalment thereon (SHALL BE) *is* payable not later than 18 months after the date of the first advance in the case of residential construction or not later than 36 months after the date of the first advance in the case of nonresidential construction. *A direct reduction loan shall not come due and payable under the original term of the loan other than by renegotiation where the final installment shall not be greater than twice any preceding regularly scheduled installment; and*

(c) Notes or bonds secured by mortgages or trust deeds on unencumbered real estate in clause (1) (a) which are in an original principal amount of \$100,000 or more and which do not exceed 95 percent of the appraised value of the security for the same which may be payable in (SUCH) *a manner as the trustees of the bank (SHALL) prescribe, provided that construction loans made by a savings bank pursuant to this clause (1) (c) shall not exceed in the aggregate five percent of the assets of the savings bank.*

(2) Class four investments shall be made only on report of a committee directed to investigate the same and report its value, according to the judgment of its members, and its report shall be preserved among the bank's records.

(3) Notwithstanding anything to the contrary in clause (1) (b), a mutual savings bank organized under the laws of this state may invest in notes or bonds secured by mortgages or trust deed where (SUCH) *the* notes or bonds do not exceed 95 percent of the appraised value of the security for the same. Ex-

cept as modified herein, the other provisions of clause (1) (b) (SHALL) apply.

(4) For purposes of this subdivision, real estate (SHALL BE) is deemed unencumbered if the only existing mortgage or lien against the real estate is a first mortgage lien in favor of the savings bank making a second mortgage loan.

Sec. 2. Minnesota Statutes 1978, Section 51A.02, subdivision 4, is amended to read:

Subd. 4. "Direct reduction loan" means a loan or other obligation repayable in consecutive monthly installments (, EQUAL OR UNEQUAL,) beginning not later than 90 days after the date of the advance, sufficient to retire the debt, interest, and principal within (35 YEARS, THE INITIAL CONTRACT OF WHICH SHALL NOT PROVIDE FOR ANY SUBSEQUENT MONTHLY INSTALLMENT OF INTEREST AND PRINCIPAL OF AN AMOUNT LARGER THAN ANY PREVIOUS MONTHLY INSTALLMENT, EXCEPT THAT) *the initial contractual payment schedule, and any subsequent payment schedule established in accordance with the contract only if the loan or obligation qualifies pursuant to the provisions of section 47.20. A direct reduction loan shall not come due and payable under the original term of the loan other than by renegotiation where the final installment shall not be greater than twice any preceding regularly scheduled installment. Notwithstanding the foregoing,* provisions may be contained in (SUCH) the contract which specify that one or more consecutive monthly installments may be lapsed to the extent that monthly installments have been made ahead of schedule or, in the event of an emergency to the borrower affecting his ability to pay, to the extent of no more than six monthly installments but that nevertheless the full amount of principal and interest shall be paid within the scheduled term of the loan; provided that in the case of construction loans the first installment under (SAID) *the contract (SHALL BE) is payable not later than 18 months after the date of the first advance. Any such loan or obligation is an amortized loan.*

Sec. 3. Minnesota Statutes 1978, Section 51A.02, Subdivision 8, is amended to read:

Subd. 8. "Home property" means real estate on which there is located, or will be located pursuant to a real estate loan, either a structure designed for residential use by one family or a single condominium unit, *or unit in a residential cooperative, including (COMMON) all elements pertinent thereto, designed for residential use by one family in a multiple dwelling unit structure or complex, and (SHALL INCLUDE) includes fixtures, furnishings and equipment (INSTALLED AND INTENDED FOR USE AS PART OF THE STRUCTURE).*

Sec. 4. Minnesota Statutes 1978, Section 51A.02, Subdivision 17, is amended to read:

Subd. 17. "Primary lending area" means the (COUNTY IN WHICH THE PRINCIPAL PLACE OF BUSINESS IS LOCATED AND THESE COUNTIES IMMEDIATELY CONTIGUOUS THERETO AND ANY ADDITIONAL AREAS WITHIN 100 MILES FROM THE HOME OFFICE OF AN ASSOCIATION, PROVIDED THAT ANY ASSOCIATION NOW OR HEREAFTER INCORPORATED MAY ENLARGE ITS TERRITORY BY MAKING APPLICATION TO THE COMMISSIONER) *state of Minnesota.*

Sec. 5. Minnesota Statutes 1978, Section 51A.37, Subdivision 3, is amended to read:

Subd. 3. [REAL ESTATE LOANS.] Real estate loans in any amount not exceeding the value of the security, subject to the following conditions:

(a) No association shall make a real estate loan to one borrower if the sum of (1) the amount of (SUCH) *the* loan and (2) the total balances of all outstanding real estate loans owed to (SUCH) *the* association by (SUCH) *the* borrower exceeds an amount equal to ten percent of (SUCH) *the* association's savings liability or an amount equal to the sum of (SUCH) *the* association's reserves for losses and undivided profits, whichever amount is less, except that any such loan may be made if the sum of (1) and (2) does not exceed \$100,000.

(b) An association may (1) participate with one or more financial institutions, or entities having a tax exemption under section 501(a) of the internal revenue code, in any real estate loan of the type in which (SUCH) *the* association is authorized to invest on its own account, provided that the participating interest of (SUCH) *the* association is not subordinated or inferior to any other participating interest; and (2) participate in (SUCH) real estate loans with other than financial institutions or those entities described, provided that the participating interest of (SUCH) *the* association is superior to the participating interests of (SUCH) *the* other participants.

(c) The aggregate balances outstanding of real estate loans on real estate located outside the primary lending area of an association shall at no time exceed ten percent of the assets of the association, except that (1) loans insured or guaranteed in whole or in part by the United States, or a federal agency and (2) loans in which an association owns or has purchased no more than a 75 percent participation interest (SHALL) *are* not (BE) subject to this restriction; and

(d) Direct reduction real estate loans on home property and not in excess of 90 percent of the value of the security except as may be provided by the Federal Home Loan Bank Board for federally insured associations, and direct reduction real estate loans on primarily residential property not in excess of 80 per-

cent of the value of the security, including participating interests in (SUCH) *the* loans, shall average annually, based on monthly computations, at least 70 percent of assets, other than liquid assets, held by the association.

(e) Real estate loans on home property by mortgage or contract for deed, as provided in clauses (a) through (d) above with no limit on purchase or sale thereof; and may participate with other lenders in *the* making, purchasing, or selling (SUCH) *of the* loans, provided (1) the property securing same is within 100 miles of the (PRINCIPAL) *servicing* office of (SUCH) *the* other lender or lenders and (2) that (SUCH) *the* other lender or lenders participate to the extent of at least (25) *ten* percent in (SUCH) *the* loan and further provided not more than 25 percent of the assets of the association licensed hereunder shall be in (SUCH) *the* loan.

(f) An association may purchase, at any sheriff's judicial, or other sale, public or private, any real estate upon which it has a mortgage, judgment, or other lien, or in which it has any interest. It may acquire title to any real estate on which it holds any lien, in full or part satisfaction thereof, and may sell, convey, hold, lease, or mortgage the same. In transactions involving the purchase by a vendee of improved real estate for home purposes, or for the construction of a home, a savings and loan association organized under the laws of this state, or of the United States of America, may, when authorized by its bylaws, acquire the title thereof, and it may give to the vendee a contract to convey the same as upon a sale thereof. Provided, that no association shall hereafter invest more than 50 percent of its assets in such contracts to convey. Upon default in the conditions of the contract, the association may terminate the interest of the vendee, his representatives or assigns by serving the notice provided by section 559.21, upon (SUCH) *the* vendee, his representative or assigns."

Page 1, line 23, strike "shall be" and insert "is"

Page 2, lines 4, 15, 18 and 19, strike "such" and insert "*the*"

Page 2, lines 15 and 17, strike "said" and insert "*the*"

Page 2, line 19, strike "as he shall permit" and insert "*the commissioner permits*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon insert "providing for investments in certain loans by savings banks and savings associations; defining terms;"



Page 1, line 6, after "Sections" insert "50.14, Subdivision 5; 51A.02, Subdivisions 4, 8, and 17; 51A.37, Subdivision 3;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2404, A bill for an act relating to taxation; removing limitations on the admissibility of sales ratio studies; providing that the commissioner may abate taxes without the favorable recommendation of certain county and city officers; providing that property tax court judges shall be learned in the law; providing that certain documents be made available to the petitioner and providing for their admittance as evidence; providing that tax court judgments will not include penalties; amending Minnesota Statutes 1978, Sections 270.07, Subdivision 1; 271.01, Subdivision 1; 278.01, Subdivision 1; 278.05; and 276.08; Minnesota Statutes, 1979 Supplement, Section 124.212, Subdivision 11.

Reported the same back with the following amendments:

Pages 2 to 4, delete section 2

Page 5, line 7, delete "same"

Page 5, line 7, after "city" delete the comma and insert "or"

Page 5, line 7, after "county" delete ", school district or any"

Page 5, line 8, delete the new language

Page 5, line 28, delete "within 60 days"

Page 5, delete lines 29 to 31 and insert "at any time following receipt of the valuation notice required by section 273.121 but prior to June 1 of the year in which the taxes are payable."

Page 7, after line 14 insert:

"Subd. 4. The sales ratio studies published by the department of revenue, or any part of the studies, or any copy of the studies or records accumulated to prepare the studies which is prepared by the commissioner of revenue for the equalization aid review committee for use in determining school aids shall be admissible in evidence as a public record without the laying of a foundation."

Renumber the remaining subdivision

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "providing"

Page 1, delete lines 4 and 5

Page 1, line 6, delete "city officers;"

Page 1, line 12, delete "270.07, Subdivision 1;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2429, A bill for an act relating to usury; changing the penalty for usurious loans made by state banks and savings banks; amending Minnesota Statutes 1978, Sections 334.02; 334.03; and Chapter 48, by adding a section.

Reported the same back with the following amendments:

Page 1, line 14, after "state" insert "*or by a federally chartered savings and loan association, a savings association organized under chapter 51A, a federally chartered credit union, or a credit union organized under chapter 52*"

Page 1, line 20, delete "back"

Page 2, line 14, after "state" insert "*or by a federally chartered savings and loan association, a savings association organized under chapter 51A, a federally chartered credit union, or a credit union organized under chapter 52*"

Page 2, line 15, delete "or" and insert a comma

Page 2, line 15, before "is" insert "*, federal savings association, a state savings association, a federal or state credit union*"

Page 3, line 15, after "state" insert "*or by a federally chartered savings and loan association, a savings association organized under chapter 51A, a federally chartered credit union, or a credit union organized under chapter 52*"

Page 3, line 15, delete "or" and insert a comma

Page 3, line 16, before "is" insert "*, federal savings association, a state savings association, a federal or state credit union*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, I., from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 2441, A bill for an act relating to veterans; modifying the duties, authority and scope of operations of the department of veterans affairs; authorizing the commissioner of veterans affairs to accept uncompensated voluntary services; entitling uncompensated voluntary workers to the benefits of workers' compensation; providing for the appointment of the commissioner of veterans affairs as the guardian of an estate; revising the veterans home eligibility requirements; amending Minnesota Statutes 1978, Sections 196.05; 196.051; 197.06; 198.01; and Minnesota Statutes, 1979 Supplement, Section 176.011, Subdivision 9.

Reported the same back with the following amendments:

Page 9, line 31, after the period reinstate the stricken language

Page 9, line 32, reinstate all the stricken language

Page 9, line 33, reinstate all the stricken language

Page 10, line 1, reinstate all the stricken language

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

The report was adopted.

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

S. F. No. 978, A bill for an act relating to banks and trust companies; allowing substitution of certain banks and trust companies in fiduciary capacities maintained by certain banks and trust companies.

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 3, after line 1, insert a new section to read:

"Sec. 3. Minnesota Statutes 1978, Section 106.471, Subdivision 5, is amended to read:

Subd. 5. [ASSESSMENT; BONDS.] (a) If there are not sufficient funds to the credit of the drainage system so to be repaired, the county board shall apportion and assess the costs of the repairs pro rata upon all lands, corporations, and municipalities which have participated in the total benefits theretofore determined. Such assessments may be made payable in annual instalments to be specified in the order for assessment. If the assessments do not exceed 50 percent of the original cost of the ditch, such instalments shall not exceed ten. But, if such assessments exceed 50 percent of the original cost of the ditch, the county board may order such assessments to be paid in instalments not to exceed 15. If such order shall provide for payment in instalments, interest from the date of the order for assessments shall be fixed by the county board in the order, at a rate not to exceed (SIX) *seven* percent per annum, on the unpaid assessments, and shall be collected with each instalment.

(b) If the assessment be not payable in instalments, no lien need be filed, and the assessment, plus interest from the date of the order to August 15 of the succeeding calendar year, shall be entered on the tax lists for the year and be due and payable with and as a part of the real estate taxes for such year. When any such assessment is levied and made payable in instalments, the county auditor shall file for record in the office of the county recorder an additional tabular statement in substance as provided in section 106.341, and all the provisions of sections 106.351, 106.371, and 106.381 relating to collection and payment shall apply thereto. Upon the filing of the tabular statement, the instalment and interest shall be due and payable and shall be entered on the tax lists and collected the same as the original lien.

(c) Whenever a contract for ditch repair has been entered into under this chapter, or such repair has been ordered to be constructed by hired labor and equipment, and when the county board has ordered the assessments to be paid in instalments, the county board may issue and sell bonds, as provided by section 106.411.

(d) In the case of the repair of a state drainage system established wherein no assessment of benefits to lands was made when such system was established, the board or court shall observe the requirements of this chapter, and appoint viewers to determine the benefits resulting from such repair and otherwise observe all requirements of this chapter in the procedure for the collection of such assessments as shall thereafter be made."

Renumber the sections accordingly

Page 5, line 14, delete the first "any" and insert "*a substantial*"

Page 5, line 15, delete "any" and insert "*a substantial*"

Page 5, line 19, delete "any" and insert "*a substantial*"

Amend the title as follows:

Page 1, line 6, after "2" insert ", 5"

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. 1358, A bill for an act relating to insurance; clarifying provisions regarding acquisition of control of domestic insurers; changing the time period after which a hearing must be held under the insurance holding company systems act; changing the time period under which discovery must be completed for these hearings; eliminating an exemption from the insurance holding company systems act; amending Minnesota Statutes 1978, Section 60D.02, Subdivisions 4 and 6.

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

The report was adopted.

Rice from the Committee on Labor-Management Relations to which was referred:

S. F. No. 1403, A bill for an act relating to workers' compensation; providing that certain farmers shall not be considered employees; amending Minnesota Statutes 1978, Section 176.011, Subdivision 11a, and by adding a subdivision.

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

The report was adopted.

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

S. F. No. 1662, A bill for an act relating to intoxicating liquor; authorizing holders of off-sale licenses to dispense samples of wine; amending Minnesota Statutes 1978, Section 340.11, Subdivision 15.

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

The report was adopted.

Rice from the Committee on Labor-Management Relations to which was referred:

S. F. No. 1716, A bill for an act relating to workers' compensation; providing an annual date for adjusting supplementary benefit levels; amending Minnesota Statutes 1978, Section 176.132, by adding a subdivision.

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

The report was adopted.

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

S. F. No. 1741, A bill for an act relating to motor vehicles; exempting certain retail installment contracts from the Motor Vehicle Installment Sales Act; amending Minnesota Statutes 1978, Section 168.66, Subdivision 4.

Reported the same back with the following amendments:

Page 2, line 8, after "*profit.*" insert "*The authorization to charge any interest rate other than that authorized by section 168.72 for motor vehicles purchased primarily for use in business of for any purpose other than personal, family or household use shall expire on June 30, 1982.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 1796, A bill for an act relating to economic development; regulating development loans to Indians; amending Minnesota Statutes 1978, Section 362.40, Subdivisions 2 and 8; Minnesota Statutes, 1979 Supplement, Section 362.40, Subdivision 9; repealing Minnesota Statutes 1978, Section 362.40, Subdivision 3.

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

The report was adopted.

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

S. F. No. 1802, A bill for an act relating to foreign corporations; removing certain deficiencies and ambiguities; defining certain activities that do not constitute transacting business in the state; and removing limitations on engaging in the business of making real estate loans; amending Minnesota Statutes 1978, Sections 303.02, Subdivision 3; 303.03; 303.04; and 303.25.

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

The report was adopted.

Rice from the Committee on Labor-Management Relations to which was referred:

S. F. No. 1892, A bill for an act relating to workers' compensation; allowing flexibility in election of insurance coverage for certain businesses, partnerships and corporations; amending Minnesota Statutes, 1979 Supplement, Section 176.012.

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

The report was adopted.

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

S. F. No. 2077, A bill for an act relating to interest; regulating rates of interest on loans for business and agricultural transactions; removing certain deficiencies and ambiguities; amending Minnesota Statutes, 1979 Supplement, Section 334.011, Subdivision 1.

Reported the same back with the following amendments:

Page 2, after line 16, insert:

"Sec. 2. Minnesota Statutes 1978, Section 334.061, is amended to read:

334.061 [AGRICULTURAL CREDIT CORPORATIONS; INTEREST RATE LIMITATIONS.] A state chartered agricultural credit corporation operating under 12 USC 1401, 1402, 1403, and 1404 may make a charge on its loans at a rate of not *more than four and one-half percent* in excess of (\$10 ON \$100 FOR ONE YEAR) *the discount rate on 90 day commercial paper in effect at the federal reserve bank in the federal reserve district encompassing Minnesota.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "transactions" insert "and loans made by agricultural credit corporations"

Page 1, line 5, before the comma insert "1978, Section 334.061; and Minnesota Statutes"

With the recommendation that when so amended the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. No. 1130 was read for the second time.

Brinkman moved that S. F. No. 1132 be recalled from the Committee on Financial Institutions and Insurance and together with H. F. No. 1130, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

H. F. Nos. 1262 and 1660 were read for the second time.

Nelsen, B., moved that S. F. No. 1963 be recalled from the Committee on Taxes and together with H. F. No. 1660, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

H. F. Nos. 1810, 1818, 1838, 1878, 1945, 1970 and 2003 were read for the second time.

Eken moved that S. F. No. 1675 be recalled from the Committee on Taxes and together with H. F. No. 2003, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.



H. F. No. 2096 was read for the second time.

Murphy moved that S. F. No. 1815 be recalled from the Committee on Commerce, Economic Development and Housing and together with H. F. No. 2096, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

H. F. Nos. 2206, 2268, 2286, 2320, 2356, 2404, 2429 and 2441 were read for the second time.

Anderson, I., moved that S. F. No. 1633 be recalled from the Committee on General Legislation and Veterans Affairs and together with H. F. No. 2441, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1674, 978, 1144, 1358, 1403, 1662, 1716, 1741, 1796, 1802, 1892 and 2077 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Johnson, C.; Novak; Searles; Eken and Kvam introduced:

H. F. No. 2455, A bill for an act relating to taxation; providing for the assessment of electric transmission and distribution lines; defining "parcel" for purposes of the transmission line property tax credit; amending Minnesota Statutes 1978, Sections 273.36; 273.38; Minnesota Statutes, 1979 Supplement, Section 273.42, Subdivision 2; and Laws 1979, Chapter 303, Article II, Section 39; repealing Minnesota Statutes 1978, Section 273.37; and Minnesota Statutes, 1979 Supplement, Section 273.42, Subdivision 1.

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

Kostohryz introduced:

H. F. No. 2456, A bill for an act relating to education; authorizing an aid and a levy for the purpose of reducing class sizes in certain grades; amending Minnesota Statutes 1978, Section 275.125, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Section 124.212, Subdivision 7d.

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

Schreiber, Dempsey, Crandall, Kvam and Valento introduced:

H. F. No. 2457, A bill for an act relating to taxation; increasing the homestead base value; changing percentages for certain property tax classifications; providing an additional property tax refund for certain homeowners; appropriating money; amending Minnesota Statutes 1978, Section 290A.04, by adding a subdivision; Minnesota Statutes, 1979 Supplement, Sections 273.122 and 273.13, Subdivisions 4, 6, 7, and 19.

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

Wenzel; Anderson, I.; Jude; Anderson, R., and Evans introduced:

H. F. No. 2458, A resolution memorializing the President and Congress of the United States to block a plan of the Department of Energy to adopt rules prohibiting the weekend use of motorboats during the present energy crisis.

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

Byrne introduced:

H. F. No. 2459, A bill for an act relating to the city of Saint Paul; permitting employment of certain persons pursuant to a training program.

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

#### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. No. 1957.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 1957, A bill for an act relating to transportation; exempting certain substituted aircraft from payment of the aircraft registration tax; limiting refunds under certain cir-

cumstances; clarifying the penalty assessed for late payment of registration tax; amending Minnesota Statutes 1978, Sections 360.55, by adding a subdivision; and 360.61.

The bill was read for the first time.

Mehrkens moved that S. F. No. 1957 and H. F. No. 1970, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

### CONSENT CALENDAR

S. F. No. 1187, A bill for an act relating to insurance; providing for continuation of waiver of premium benefits for the disabled, regardless of continuation of the master policy; amending Minnesota Statutes 1978, Section 61A.091.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1188, A bill for an act relating to insurance; providing that an employer group disability income policy provide coverage for pre-termination claims.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 2040 was reported to the House.

Eken moved to amend S. F. No. 2040 as follows:

Page 1, after line 14, insert a section to read:

"Sec. 2. The city of Fertile, in Polk County, may sell and issue its general obligation bonds in the principal amount of \$350,000 for a community center, as authorized by the electors of the city at the election held on March 6, 1980, notwithstanding the limitation upon net debt of a municipality contained in Minnesota Statutes 1978, Section 475.53, Subdivision 1, or any other law to the contrary."

Renumber remaining section accordingly.

Further, amend the title as follows:

Page 1, line 2, delete "the city of Campbell" and insert "local government"

The motion prevailed and the amendment was adopted.

S. F. No. 2040, A bill for an act relating to local government; authorizing issuance of general obligation bonds to finance construction of a community hall.

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 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Corbid            Den Ouden

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

S. F. No. 1311, A bill for an act relating to metropolitan government; removing the city of Northfield from definition of metropolitan areas; adding the city of Northfield to region ten; amending Minnesota Statutes 1978, Sections 473.121, Subdivision 2; 473.123, Subdivision 3; 473.403; 473F.02, Subdivisions 2 and 8.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

|        |          |              |         |        |
|--------|----------|--------------|---------|--------|
| Dean   | Kroening | Peterson, B. | Swanson | Weaver |
| Faricy | Kvam     | Sieben, H.   |         |        |

The bill was passed and its title agreed to.

H. F. No. 2197 was reported to the House.

Carlson, D., moved that H. F. No. 2197 be continued on the Consent Calendar for one day. The motion prevailed.

### CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Voss requested immediate consideration of H. F. Nos. 2019 and 1963.

H. F. No. 2019, A bill for an act relating to education; the maximum effort school aid law; changing the definition of "maximum effort debt service levy"; authorizing the sale of bonds for the maximum effort school loan fund; appropriating money; amending Minnesota Statutes 1978, Sections 124.38, Subdivision 7; 124.43, Subdivisions 1 and 2.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1963, A bill for an act relating to claims against the state; appropriating money for the payment thereof.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

### SPECIAL ORDERS

H. F. No. 1700 was reported to the House.

Brinkman moved that H. F. No. 1700 be returned to its author. The motion prevailed.

H. F. No. 1812 was reported to the House.

Anderson, B., moved that H. F. No. 1812 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 1884, A bill for an act relating to education; modifying rule making procedures and the tuition exemption authority of the state university board; allowing a change in the placement service registration fee at state universities; modifying a visitation and reporting duty of the state university board; eliminating a reporting duty of state university presidents; eliminating a provision governing state university rules which conflict with the provisions of certain collective bargaining contracts; amending Minnesota Statutes 1978, Sections 136.11, Subdivisions 1 and 8; and 136.14; repealing Minnesota Statutes 1978, Sections 136.148 and 136.15.

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

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |             |             |           |            |
|--------------|-------------|-------------|-----------|------------|
| Aasness      | Begich      | Carlson, L. | Den Ouden | Ewald      |
| Adams        | Berglin     | Casserly    | Drew      | Faricy     |
| Albrecht     | Berkelman   | Clark       | Eken      | Fjoslien   |
| Anderson, B. | Biersdorf   | Clawson     | Ellioff   | Friedrich  |
| Anderson, D. | Blatz       | Corbid      | Ellingson | Fritz      |
| Anderson, G. | Brinkman    | Crandall    | Erickson  | Fudro      |
| Anderson, R. | Byrne       | Dean        | Esau      | Greenfield |
| Battaglia    | Carlson, D. | Dempsey     | Evans     | Halberg    |



|               |            |              |            |              |
|---------------|------------|--------------|------------|--------------|
| Haukoos       | Kroening   | Nelsen, M.   | Reding     | Swanson      |
| Heap          | Kvam       | Nelson       | Rees       | Thiede       |
| Heinitz       | Lehto      | Niehaus      | Reif       | Tomlinson    |
| Hoberg        | Levi       | Norman       | Rice       | Valan        |
| Hokanson      | Long       | Novak        | Rodriguez  | Valento      |
| Jacobs        | Ludeman    | Nysether     | Rose       | Vanasek      |
| Jaros         | Luknic     | Olsen        | Rothenberg | Voss         |
| Jennings      | Mann       | Onnen        | Sarna      | Waldorf      |
| Johnson, C.   | McCarron   | Osthooff     | Schreiber  | Weaver       |
| Johnson, D.   | McEachern  | Otis         | Sherwood   | Welch        |
| Jude          | Mehrkens   | Pehler       | Sieben, H. | Welker       |
| Kahn          | Metzen     | Peterson, B. | Sieben, M. | Wenzel       |
| Kaley         | Minne      | Peterson, D. | Simoneau   | Wieser       |
| Kalis         | Moe        | Piepho       | Stadum     | Wigley       |
| Kelly         | Munger     | Pleasant     | Stoa       | Wynia        |
| Kempe         | Murphy     | Prahl        | Stowell    | Zubay        |
| Knickerbocker | Nelsen, B. | Redalen      | Svigum     | Spkr. Norton |

The bill was passed and its title agreed to.

H. F. No. 1896, A bill for an act relating to juveniles; establishing criteria for reference of certain juveniles for prosecution; requiring written findings and conclusions after reference hearings; providing monitoring by the crime control planning board; amending Minnesota Statutes 1978, Section 260.125, by adding subdivisions.

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

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kahn

Moe

The bill was passed and its title agreed to.

H. F. No. 1899, A bill for an act relating to the office of secretary of state; adjusting certain fees collected by that office; making them more uniform; amending Minnesota Statutes 1978, Sections 47.16; 53.01; 221.67; 303.13, Subdivision 1; 308.060, Subdivision 4; 317.04, Subdivision 3; 317.67; 540.152; and 543.08.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1916 was reported to the House.

Eken moved to amend H. F. No. 1916 as follows:

Page 2, delete lines 31 and 32

Amend the title as follows:

Page 1, line 7, delete “; repealing Minnesota Statutes 1978,”

Page 1, line 8, delete “Section 168.012, Subdivision 7”

The motion prevailed and the amendment was adopted.

H. F. No. 1916, A bill for an act relating to motor vehicles; providing for the registration and taxation of certain vehicles for a period of less than 12 months under certain circumstances; amending Minnesota Statutes 1978, Sections 168.013, Subdivision 6; and 168.017, Subdivision 3.

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

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

H. F. No. 753 was reported to the House.

Rice moved to amend H. F. No. 753, as follows:

Page 1, after line 17, insert:

“Sec. 2. Minnesota Statutes 1978, Section 47.54, Subdivision 2, is amended to read:

Subd. 2. If no objection is received by the commissioner within 30 days after the publication and mailing of the notices, the commissioner shall issue his order approving the application without a hearing if he finds that (a) the applicant bank meets current industry standards of capital adequacy, management quality, and asset condition, (b) the establishment of the proposed detached facility will improve the quality or increase the availability of banking services in the community to be served, (AND) (c) the establishment of the proposed detached facility will not have an undue adverse effect upon the solvency of existing financial institutions in the community to be served, and (d) *the applicant bank holds less than ten percent of the total bank deposits, both time and demand, held in all banks located in this state, as determined by the commissioner on the basis of the most recent reports available at the time of the application of the state and national banks in the state to their supervisory authorities. If the applicant bank is a subsidiary of a bank holding company, its percentage of deposits held shall include the combined percentage held by all banking subsidiaries of that bank holding company located in the state. For purposes of this section, "bank holding company" and "subsidiary" shall have the meaning provided in the Bank Holding Company Act, Title 12, U.S.C. Section 1841. Otherwise, the commissioner shall deny the application.*

Page 1, line 18, delete "*This act is*" and insert "*Sections 1 and 2 are*"

Renumber the remaining section

Amend the title as follows:

Page 1, line 2, delete "banks and banking" and insert "financial institutions"

Page 1, line 4, before the semicolon insert "; providing for approval by the commissioner if certain criteria are met by the applicant"

Page 1, line 5, delete "Section" and insert "Sections" and before the period, insert "and 47.54, Subdivision 2"

A roll call was requested and properly seconded.

#### CALL OF THE HOUSE

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

Aasness  
Adams

Ainley  
Albrecht

Anderson, D.  
Anderson, G.

Anderson, R.  
Battaglia

Begich  
Berglin

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

Rice 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.

#### POINT OF ORDER

Voss raised a point of order pursuant to rule 3.9 that the Rice amendment was not in order. The Speaker ruled the point of order not well taken and the amendment in order.

Aasness, Valento, Wigley and Zubay were excused from voting pursuant to rule 2.5

The question recurred on the Rice amendment and the roll was called. There were 49 yeas and 80 nays as follows:

Those who voted in the affirmative were:

|              |          |             |              |          |
|--------------|----------|-------------|--------------|----------|
| Albrecht     | Crandall | Jennings    | Murphy       | Searle   |
| Anderson, D. | Dempsey  | Johnson, C. | Niehaus      | Simoneau |
| Anderson, I. | Drew     | Kaley       | Novak        | Stoa     |
| Anderson, R. | Eken     | Kalis       | Osthoff      | Sviggum  |
| Battaglia    | Elioff   | Kempe       | Peterson, D. | Thiede   |
| Begich       | Esau     | Kostohryz   | Rees         | Weaver   |
| Berglin      | Fjoslien | Kroening    | Rice         | Welch    |
| Brinkman     | Fritz    | Mann        | Rodriguez    | Wenzel   |
| Byrne        | Fudro    | Metzen      | Rothenberg   | Wieser   |
| Clawson      | Heinitz  | Munger      | Sarna        |          |

Those who voted in the negative were:

|              |             |             |           |          |
|--------------|-------------|-------------|-----------|----------|
| Adams        | Berkelman   | Carlson, L. | Dean      | Evans    |
| Ainley       | Biersdorf   | Casserly    | Den Ouden | Ewald    |
| Anderson, B. | Blatz       | Clark       | Ellingson | Faricy   |
| Anderson, G. | Carlson, D. | Corbid      | Erickson  | Forsythe |

|             |               |            |              |              |
|-------------|---------------|------------|--------------|--------------|
| Friedrich   | Kelly         | Minne      | Peterson, B. | Sieben, M.   |
| Greenfield  | Knickerbocker | Moe        | Piepho       | Stadum       |
| Halberg     | Kvam          | Nelsen, B. | Pleasant     | Stowell      |
| Haukoos     | Laidig        | Nelsen, M. | Prahl        | Swanson      |
| Heap        | Lehto         | Nelson     | Redalen      | Tomlinson    |
| Hoberg      | Levi          | Norman     | Reding       | Valan        |
| Hokanson    | Long          | Nysether   | Reif         | Vanasek      |
| Jacobs      | Ludeman       | Olsen      | Rose         | Voss         |
| Jaros       | Luknic        | Onnen      | Schreiber    | Waldorf      |
| Johnson, D. | McCarron      | Otis       | Searles      | Welker       |
| Jude        | McDonald      | Patton     | Sherwood     | Wynia        |
| Kahn        | Mehrkens      | Pehler     | Sieben, H.   | Spkr. Norton |

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

Valento, Wigley and Zubay were excused from voting pursuant to rule 2.5.

H. F. No. 753, A bill for an act relating to banks and banking; removing certain restrictions on services that may be offered at detached facilities; amending Minnesota Statutes 1978, Section 47.53.

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 74 yeas and 57 nays as follows:

Those who voted in the affirmative were:

|              |             |               |              |              |
|--------------|-------------|---------------|--------------|--------------|
| Adams        | Ewald       | Kaley         | Murphy       | Searles      |
| Anderson, B. | Faricy      | Kelly         | Nelsen, M.   | Sieben, M.   |
| Berkelman    | Forsythe    | Kempe         | Nelson       | Simoneau     |
| Biersdorf    | Friedrich   | Knickerbocker | Norman       | Stadum       |
| Blatz        | Fudro       | Kvam          | Olsen        | Stoa         |
| Carlson, D.  | Greenfield  | Laidig        | Otis         | Swanson      |
| Carlson, L.  | Halberg     | Levi          | Patton       | Thiede       |
| Casserly     | Haukoos     | Long          | Pehler       | Tomlinson    |
| Clark        | Heap        | Ludeman       | Peterson, B. | Valan        |
| Corbid       | Hoberg      | Luknic        | Piepho       | Voss         |
| Crandall     | Hokanson    | McCarron      | Reding       | Welch        |
| Dean         | Jacobs      | McEachern     | Reif         | Welker       |
| Dempsey      | Jaros       | Mehrkens      | Rose         | Wynia        |
| Ellingson    | Johnson, D. | Metzen        | Rothenberg   | Spkr. Norton |
| Evans        | Kahn        | Moe           | Schreiber    |              |

Those who voted in the negative were:

|              |           |             |              |            |
|--------------|-----------|-------------|--------------|------------|
| Aasness      | Brinkman  | Fritz       | McDonald     | Pleasant   |
| Ainley       | Byrne     | Heinitz     | Minne        | Prahl      |
| Albrecht     | Clawson   | Jennings    | Munger       | Redalen    |
| Anderson, D. | Den Ouden | Johnson, C. | Nelsen, B.   | Rees       |
| Anderson, G. | Drew      | Jude        | Niehaus      | Rice       |
| Anderson, I. | Eken      | Kalis       | Novak        | Rodriguez  |
| Anderson, R. | Elioff    | Kostohryz   | Nysether     | Sarna      |
| Battaglia    | Erickson  | Kroening    | Onnen        | Searle     |
| Begich       | Esau      | Lehto       | Osthooff     | Sherwood   |
| Berglin      | Fjoslien  | Mann        | Peterson, D. | Sieben, H. |

Stowell  
Sviggum

Vanasek  
Waldorf

Weaver

Wenzel

Wieser

The bill was passed and its title agreed to.

CALL OF THE HOUSE LIFTED

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

H. F. No. 1534 was reported to the House.

Weaver moved to amend H. F. No. 1534 as follows:

Page 4, line 9, before "*description*" insert "*legal*"

Page 5, line 26, before "*description*" insert "*legal*"

The motion prevailed and the amendment was adopted.

Clawson moved to amend H. F. No. 1534 as follows:

Page 6, after line 31, add a new section to read as follows:

"Sec. 5. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

*Subd. 9. [UNPLATTED PARCELS.] Subdivision regulations adopted by municipalities may apply to parcels which are taken from existing parcels of record by metes and bounds descriptions, and the governing body or building authority may deny the issuance of building permits to any parcels so divided, pending compliance with subdivision regulations."*

Renumber subsequent sections

Further, amend the title as follows:

Page 1, line 8, after "2," insert "462.358, by adding a subdivision;"

The motion prevailed and the amendment was adopted.

Biersdorf moved to amend H. F. No. 1534, as follows:

Page 2, after line 14, add a section to read as follows:

"Sec. 2. Minnesota Statutes 1978, Section 375.14, is amended to read:

**375.14 [OFFICES AND SUPPLIES FURNISHED FOR COUNTY OFFICERS.]** The county board shall provide offices

at the county-seat for the auditor, treasurer, county recorder, sheriff, judge of probate, clerk of district court, *and shall provide an office for the county engineer at a site determined by the county board,* (AND COUNTY HIGHWAY ENGINEER,) with suitable furniture therefor, also safes and vaults for the security and preservation of the books and papers belonging thereto, and provide for the heating, lighting, and maintenance of such offices. The board shall furnish all county officers with all books, stationery, letter-heads, envelopes, postage, telephone service, office equipment, and supplies necessary to the discharge of their respective duties and make like provision for the judges of the district court so far as may be necessary to the discharge of their duties within the county or concerning matters arising therein; provided, that the board shall not be required to furnish any county officer with professional or technical books or instruments except in so far as the board may deem the same to be directly necessary to the discharge of his official duties as part of the permanent equipment of his office."

Renumber the subsequent sections

Amend the title as follows:

Page 1, line 7, after "Subdivision 1;" insert "375.14;"

The motion prevailed and the amendment was adopted.

H. F. No. 1534, A bill for an act relating to real estate; increasing certain fees charged by the county recorder and registrar of titles; providing that the county recorder be notified of deferred assessments; amending Minnesota Statutes 1978, Sections 273.111, Subdivision 11; 357.18, Subdivision 1; 375.14; 429.061, Subdivision 2; 462.358, by adding a subdivision; and 508.82.

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 120 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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



|            |              |            |           |              |
|------------|--------------|------------|-----------|--------------|
| Munger     | Osthoff      | Reif       | Simoneau  | Vanasek      |
| Murphy     | Otis         | Rice       | Stadum    | Waldorf      |
| Nelsen, B. | Patton       | Rodriguez  | Stoa      | Weaver       |
| Nelson     | Pehler       | Rothenberg | Stowell   | Welker       |
| Niehaus    | Peterson, B. | Sarna      | Swiggum   | Wenzel       |
| Norman     | Peterson, D. | Schreiber  | Swanson   | Wieser       |
| Novak      | Piepho       | Searle     | Thiede    | Wigley       |
| Nysether   | Prahl        | Sherwood   | Tomlinson | Wynia        |
| Olsen      | Reding       | Sieben, H. | Valan     | Zubay        |
| Onnen      | Rees         | Sieben, M. | Valento   | Spkr. Norton |

Those who voted in the negative were:

Ainley      Anderson, D.    Den Ouden      Nelsen, M.

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

H. F. No. 2191, A bill for an act relating to unemployment compensation; including certain services as within definition of employment; providing for the noncharging of certain benefits; regulating accounts of successor employers; regulating reimbursements; providing for deductions from benefits; clarifying a certain disqualification from benefits; regulating employer protests; regulating certain interest charges and penalties; providing for adjustments; amending Minnesota Statutes 1978, Sections 268.06, Subdivisions 25, 26 and 28; 268.10, Subdivision 1; 268.16, Subdivisions 1, 2 and 6; and Minnesota Statutes, 1979 Supplement, Sections 268.04, Subdivision 12; 268.06, Subdivisions 5, 22 and 33; 268.08, Subdivision 3; and 268.09, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

|            |            |           |        |              |
|------------|------------|-----------|--------|--------------|
| Rothenberg | Sieben, M. | Thiede    | Weaver | Zubay        |
| Sarna      | Simoneau   | Tomlinson | Welker | Spkr. Norton |
| Schreiber  | Stadum     | Valan     | Wenzel |              |
| Searles    | Stoa       | Valento   | Wieser |              |
| Sherwood   | Stowell    | Vanasek   | Wigley |              |
| Sieben, H. | Swanson    | Waldorf   | Wynia  |              |

The bill was passed and its title agreed to.

H. F. No. 2314, A bill for an act relating to the legislative auditor; clarifying access to data; amending Minnesota Statutes 1978, Section 3.97, by adding subdivisions.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2369 was reported to the House.

Greenfield moved to amend H. F. No. 2369 as follows:

Page 123, after line 7, insert the following:

"Sec. 181. Minnesota Statutes, 1979 Supplement, Section 626.556, Subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms have the meanings given them unless the specific content indicates otherwise:

(a) "Sexual abuse" means the subjection by the child's parents, guardian, or person responsible for the child's care, to any act which constitutes a violation of sections 609.342, 609.343, 609.344, or 609.345. Sexual abuse also includes any act which involves a minor which constitutes a violation of sections 609.321 to 609.324 or 617.246.

(b) "Neglect" means failure by a parent, guardian or other person responsible for a child's care to supply a child with necessary food, clothing, shelter or medical care when reasonably able to do so or failure to protect a child from conditions or actions which imminently and seriously endanger the child's physical (AND) or mental health when reasonably able to do so. Nothing in this section shall be construed to mean that a child is neglected solely because the child's parent, guardian or other person responsible for his care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child.

(c) "Physical abuse" means:

(i) Any physical injury inflicted by a parent, guardian or other person responsible for the child's care on a child other than by accidental means; or

(ii) Any physical injury that cannot reasonably be explained by the history of injuries provided by a parent, guardian or other person responsible for the child's care.

(d) "Report" means any report received by the local welfare agency, police department or county sheriff pursuant to this section."

Page 124, line 8, delete "187" and insert "188"

Page 128, line 4, delete "192" and insert "193"

Page 134, line 8, delete "194" and insert "195"

Page 134, line 31, delete "196" and insert "197"

Renumber the sections in sequence.

Further, amend the Memorandum of Explanation as follows:

Page 149, after line 11, insert: "Sec. 181. *Explanation.* The proposed amendment defines neglect in relation to a parent's, guardian's or other person's responsibility for a child's care to

mean those actions which endanger either the child's physical or mental health."

Page 152, line 4, after "section" delete the blank and insert "197"

Renumber subsequent sections in sequence.

Further, amend the title as follows:

Page 2, line 31, before "Laws" insert "626.556, Subdivision 2;"

The motion prevailed and the amendment was adopted.

Tomlinson moved to amend H. F. No. 2369 as follows:

Page 89, line 7, strike "unit"

The motion prevailed and the amendment was adopted.

H. F. No. 2369, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating certain redundant, conflicting and superseded provisions; reenacting a law; amending Minnesota Statutes 1978, Sections 15.052, Subdivision 9; 16.851, Subdivision 1; 16A.26; 25.31; 25.32; 25.33, Subdivisions 1 and 5; 25.34, Subdivision 3; 25.36; 25.40; 25.41, Subdivisions 1 and 5; 25.42; 25.43; 25.44; 28A.15, Subdivision 4; 89.35; 89.36, Subdivision 1; 89.39; 93.45, Subdivision 2; 111.21, Subdivision 1; 112.46; 116.02, Subdivision 2; 116.16, Subdivision 2; 116C.65; 116H.06; 120.17, Subdivision 9; 122.531, Subdivision 2; 123.42; 124.212, Subdivision 8a, 124.46, Subdivision 3; 125.12, Subdivision 4; 126.41, Subdivision 2; 128A.04; 136.148; 136.501; 136.503, Subdivision 1; 136.506; 144.225, Subdivision 1; 144A.01, Subdivision 5; 144A.10, Subdivision 1; 144A.24; 145.22; 147.073, Subdivision 1; 161.171, Subdivision 5; 161.173; 162.02, Subdivision 11; 168B.02, Subdivisions 1 and 2; 168B.05; 168B.07, Subdivision 2; 168B.08, Subdivision 3; 169.751; 169.99, Subdivision 3; 179.61; 179.62; 179.63, Subdivisions 1 and 4; 179.65, Subdivision 1; 179.66, Subdivisions 5, 6 and 9; 179.67, Subdivision 1; 179.68; 179.71, Subdivisions 2, 4 and 5; 179.74, Subdivision 2; 181.12; 197.17, 202A.61; 238.01; 238.02, Subdivisions 1 and 4; 238.03; 238.04, Subdivision 9; 238.06, Subdivision 2; 238.08, Subdivision 4; 238.10; 238.16, Subdivision 2; 241.08, Subdivision 2; 241.44, Subdivision 1a; 242.37; 243.07; 243.12; 245.813, Subdivision 9; 256.09; 256.736, Subdivision 3; 256.76, Subdivision 2; 256.78; 256D.10; 256D.13; 260.251, Subdivision 3; 268.013, Subdivision 6; 296.01, Subdivision 1; 296.11; 296.15, Subdivision 2; 296.17, Subdivisions 1 and 5; 296.19; 296.20; 296.24; 301.511, Subdivision 2; 325.01, Subdivision 1; 325.907, Subdivision 1; 326.33, Subdivision 1; 333.055, Subdivision 2; 340.07, Subdivision 11; 340.11, Subdivision 9; 340.12; 340.14, Subdivi-

sion 5; 352.116; 352.1191; 352E.01, Subdivision 1; 352E.04; 352E.045; 354.44, Subdivision 5; 359.07, Subdivision 2; 360.018, Subdivisions 7 and 9; 363.02, Subdivision 3; 365.22; 367.33, Subdivision 3; 387.45; 390.23; 394.24, Subdivision 3; 394.25, Subdivision 5a; 401.02, Subdivision 1; 412.251; 419.07; 419.075, Subdivision 2; 422A.06, Subdivision 2; 422A.11, Subdivision 1; 429.061, Subdivision 1; 435.191; 440.40; 459.14, Subdivision 7; 462.352, Subdivision 10; 462.36, Subdivision 1; 465.56, Subdivision 2; 471.591, Subdivision 1; 473.163, Subdivision 3; 473.223; 473F.02, Subdivision 21; 474.02, Subdivision 1b; 485.018, Subdivision 4; 485.021; 505.178, Subdivision 2; 525.72; 546.10; 626.556, Subdivision 11; 628.41, Subdivision 6; Chapter 390, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 10A.01, Subdivision 11; 62A.02, Subdivision 3; 69.771, Subdivision 1; 179.74, Subdivision 4; 256.06, Subdivision 1; 273.73, Subdivision 6; 273.76, Subdivision 2; 273.77; 273.86, Subdivision 4; 275.125, Subdivision 9; 290.06, Subdivisions 3g and 14; 326.211, Subdivision 9; 354A.094, Subdivisions 2, 3, 8, and by adding a subdivision; 354A.38, Subdivision 3; 402.01, Subdivision 1; 424A.06, Subdivision 2; 462A.22, Subdivision 1a; 519.11, Subdivision 1; 549.09, Subdivision 1; 626.556, Subdivision 2; Laws 1979, Chapters 134, Section 2; 333, Sections 26, and 31, Subdivision 3; 335, Section 3, Subdivision 20; and reenacting Laws 1979, Chapter 303, Article I, Section 14; repealing Minnesota Statutes 1978, Sections 239.27; 325.01, Subdivisions 8, 9, 10, 11 and 12; 354A.22, as amended by Laws 1979, Chapter 334, Article VII, Sections 23 to 26; 390.33, Subdivision 7; Laws 1976, Chapters 155, Section 1; 222, Sections 30 and 31; 348, Section 15; Laws 1977, Chapter 323, Section 1; Laws 1979, Chapters 31, Section 2; 217, Section 11; and 316, Section 11.

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 0 nays as follows:

Those who voted in the affirmative were:

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

|            |            |           |         |              |
|------------|------------|-----------|---------|--------------|
| Reding     | Schreiber  | Stoa      | Valento | Wieser       |
| Rees       | Searle     | Stowell   | Vanasek | Wigley       |
| Reif       | Sherwood   | Sviggum   | Voss    | Wynia        |
| Rice       | Sieben, H. | Swanson   | Waldorf | Zubay        |
| Rodriguez  | Sieben, M. | Thiede    | Weaver  | Spkr. Norton |
| Rose       | Simoneau   | Tomlinson | Welker  |              |
| Rothenberg | Stadum     | Valan     | Wenzel  |              |

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

H. F. No. 1190 was reported to the House.

Osthoff moved to amend H. F. No. 1190, as follows:

Page 7, line 17, reinstate the stricken language

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 56 yeas and 70 nays as follows:

Those who voted in the affirmative were:

|              |            |             |              |              |
|--------------|------------|-------------|--------------|--------------|
| Adams        | Clark      | Johnson, C. | Munger       | Sieben, H.   |
| Anderson, B. | Clawson    | Jude        | Murphy       | Simoneau     |
| Anderson, G. | Corbid     | Kahn        | Nelsen, M.   | Swanson      |
| Anderson, I. | Eken       | Kalis       | Nelson       | Vanasek      |
| Battaglia    | Elioff     | Kostohryz   | Novak        | Voss         |
| Begich       | Ellingson  | Kroening    | Osthoff      | Wenzel       |
| Berglin      | Faricy     | Lehto       | Peterson, D. | Wynia        |
| Berkelman    | Fudro      | Long        | Prahl        | Spkr. Norton |
| Brinkman     | Greenfield | Mann        | Reding       |              |
| Byrne        | Hokanson   | McEachern   | Rice         |              |
| Carlson, L.  | Jacobs     | Metzen      | Sarna        |              |
| Casserly     | Jaros      | Moe         | Schreiber    |              |

Those who voted in the negative were:

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

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

H. F. No. 1190, A bill for an act relating to transportation; requiring the consent of municipalities for certain trunk high-

way improvements; authorizing the commissioner of transportation to convey or otherwise dispose of certain lands no longer needed for trunk highway purposes; authorizing the commissioner to lease airspace above and subsurface areas below trunk highway right-of-way; adding new routes to the trunk highway system, and adding new routes in substitution of existing routes; discontinuing and removing Route No. 327 from the trunk highway system; permitting certain equipment to use crossovers between the main line roadways of controlled access highways when operating within a marked construction zone; modifying the availability of federal reimbursements deposited in the state treasury and appropriated to the federal-state safety account; prohibiting depositing snow or ice on a highway; excluding minor relocations of pipelines caused by highway construction from the definition of construction; modifying the procedures for approval of plats which include lands abutting trunk highways; amending Minnesota Statutes 1978, Sections 160.27, Subdivision 5; 161.172; 161.23, Subdivision 2; 161.43; 161.433, Subdivision 1; 161.44, Subdivision 1; 161.51; 169.305, Subdivision 1; 169.42, Subdivision 1; 505.03, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 1161.01, 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1661 was reported to the House.

Sherwood moved that H. F. No. 1661 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 1706, A bill for an act relating to transportation; providing for a travel information franchise program, and prescribing the powers and duties of the commissioner of transportation in relation thereto; amending Minnesota Statutes 1978, Sections 160.08, Subdivision 7; 161.23, Subdivision 3; 161.433, Subdivision 2; and 161.434.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.

The bill was passed and its title agreed to.

H. F. No. 1727, A bill for an act relating to family; providing that natural parents may obtain a copy of an adopted child's original birth certificate; allowing parents ten days to revoke consent to adoption; providing a pre-adoption residency of three months; amending Minnesota Statutes 1978, Sections 144.218,



Subdivision 1; 144.225, Subdivision 2; 259.24, Subdivision 5, and by adding a subdivision; 259.25, Subdivision 1, and by adding a subdivision; 259.27, Subdivision 4; and Chapter 259, by adding a section; repealing Minnesota Statutes, 1979 Supplement, Sections 259.24, Subdivision 6; 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 0 nays as follows:

Those who voted in the affirmative were:

|              |             |               |              |              |
|--------------|-------------|---------------|--------------|--------------|
| 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      | Osthoff      | Stowell      |
| Anderson, G. | Ewald       | Kvam          | Otis         | Swiggum      |
| Anderson, I. | Faricy      | Laidig        | Patton       | Swanson      |
| Anderson, R. | Fjoslien    | Lehto         | Pehler       | Thiede       |
| Battaglia    | Forsythe    | Levi          | Peterson, B. | Tomlinson    |
| Begich       | Friedrich   | Long          | Peterson, D. | Valan        |
| Berglin      | Fudro       | Ludeman       | Piepho       | Valento      |
| Berkelman    | Greenfield  | Luknic        | Pleasant     | Vanasek      |
| Biersdorf    | Halberg     | Mann          | Prahl        | Voss         |
| Blatz        | Haukoos     | McCarron      | Redalen      | Waldorf      |
| Brinkman     | Heap        | McDonald      | Reding       | Weaver       |
| Byrne        | Heinitz     | McEachern     | Rees         | Welker       |
| Carlson, L.  | Hoberg      | Mehrken       | Reif         | Wenzel       |
| Casserly     | Hokanson    | Metzen        | Rice         | Wieser       |
| Clark        | Jacobs      | Minne         | Rodriguez    | Wigley       |
| Clawson      | Jaros       | Moe           | Rose         | Wynia        |
| Corbid       | 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     |              |

The bill was passed and its title agreed to.

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

### GENERAL ORDERS

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

### MOTIONS AND RESOLUTIONS

Tomlinson moved that S. F. No. 1719 be recalled from the Committee on Taxes and together with H. F. No. 2063, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Laidig moved that S. F. No. 1709 be recalled from the Committee on Criminal Justice and together with H. F. No. 1929, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

McEachern moved that S. F. No. 1707 be recalled from the Committee on Local and Urban Affairs and together with H. F. No. 1908, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

Simoneau moved that S. F. No. 1775 be recalled from the Committee on Labor-Management Relations and together with H. F. No. 1780, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Redalen moved that S. F. No. 1736 be recalled from the Committee on Transportation and together with H. F. No. 1906, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Crandall moved that his name be stricken as an author on H. F. No. 2212. The motion prevailed.

Anderson, G., moved that H. F. No. 2151, now on General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Rees moved that the name of Rees be added as chief author, that the name of Pavlak be stricken and the name of Clark be added as an author on H. F. No. 1562. The motion prevailed.

Nelsen, B., moved that the name of McEachern be added as an author on H. F. No. 1660. The motion prevailed.

Carlson, D., moved that the names of Nysether and Peterson, B., be added as authors on H. F. No. 2197. The motion prevailed.

Reding moved that H. F. No. 2371 be recalled from the Committee on Energy and Utilities and be re-referred to the Committee on Agriculture. The motion prevailed.

Greenfield moved that the name of Kahn be stricken and the name of Byrne be added as an author on H. F. No. 2088. The motion prevailed.

Sieben, H., moved that the names of Schreiber, Pehler, Casserly and Halberg be stricken and the names of Anderson, I.; Tomlinson; Pehler and Berglin be added as authors on H. F. No. 1121. The motion prevailed.

Munger moved that the name of Prah! be stricken and the name of Murphy be added as an author on H. F. No. 1513. The motion prevailed.

Laidig moved that the name of Pavlak be stricken and the name of Laidig be added as chief author on H. F. No. 1564 and that the bill be returned to its author. The motion prevailed.

Rees moved that the following House Files be returned to their author: H. F. Nos. 1149, 1171, 1260, 1310, 1317, 1363 and 2061. The motion prevailed.

Weaver moved that H. F. No. 653 be returned to its author. The motion prevailed.

Friedrich moved that H. F. No. 1972 be returned to its author. The motion prevailed.

Albrecht moved that H. F. No. 1704 be returned to its author. The motion prevailed.

Heinitz moved that H. F. No. 1645 be returned to its author. The motion prevailed.

Pehler, Patton and Brinkman introduced:

House Resolution No. 35, A house resolution congratulating St. Cloud Technical High School on being the runner-up champion in the Class AA state high school boys' basketball tournament.

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

Den Ouden introduced:

House Resolution No. 36, A house resolution congratulating the Bird Island-Lake Lillian High School Panther's on winning the State Class A basketball championship.

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

Minne introduced:

House Resolution No. 37, A house resolution commending John Slattery for his efforts in promoting educational excellence in the State of Minnesota.

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

Eken moved that the report from the Committee on Rules and Legislative Administration relating to the proposed permanent rules of the House for the 71st legislature as printed in the Journal of the House for Monday, March 10, 1980 be now adopted.

Faricy and Carlson, D., moved to amend the permanent rules of the House for the 70th legislature, as amended for the 71st legislature, as follows:

Page 26, following line 24, insert:

*"A conference committee report shall include only subject matter contained in the House or Senate versions of the bill for which that conference committee was appointed, or subject matter contained in a bill passed by the House or Senate."*

A roll call was requested and properly seconded.

Welker moved to amend the Faricy and Carlson, D., amendment to the permanent rules, as follows:

Line 7, strike the comma and insert a period

Strike lines 8 and 9

A roll call was requested and properly seconded.

Kaley and Knickerbocker were excused for the remainder of today's session.

The question was taken on the Welker amendment to the Faricy and Carlson, D., amendment and the roll was called. There were 32 yeas and 96 nays as follows:

Those who voted in the affirmative were:

|           |          |          |            |         |
|-----------|----------|----------|------------|---------|
| Aasness   | Fudro    | Jennings | Reif       | Valento |
| Adams     | Halberg  | Kempe    | Rothenberg | Weaver  |
| Blatz     | Haukoos  | McDonald | Sarna      | Welker  |
| Corbid    | Heap     | Mehrkens | Searles    | Wieser  |
| Crandall  | Heinitz  | Nysether | Stadum     |         |
| Den Ouden | Hoberg   | Onnen    | Sviggum    |         |
| Fritz     | Hokanson | Osthoff  | Thiede     |         |

Those who voted in the negative were:

|              |             |           |             |           |
|--------------|-------------|-----------|-------------|-----------|
| Ainley       | Biersdorf   | Eken      | Greenfield  | Kvam      |
| Albrecht     | Brinkman    | Elioff    | Jacobs      | Laidig    |
| Anderson, B. | Byrne       | Ellingson | Jaros       | Lehto     |
| Anderson, D. | Carlson, D. | Erickson  | Johnson, C. | Levi      |
| Anderson, G. | Carlson, L. | Esau      | Johnson, D. | Long      |
| Anderson, I. | Casserly    | Evans     | Jude        | Ludeman   |
| Anderson, R. | Clark       | Ewald     | Kahn        | Luknic    |
| Battaglia    | Clawson     | Faricy    | Kalis       | Mann      |
| Begich       | Dean        | Fjoslien  | Kelly       | McCarron  |
| Berglin      | Dempsey     | Forsythe  | Kostohryz   | McEachern |
| Berkelman    | Drew        | Friedrich | Kroening    | Metzen    |

|            |              |            |           |              |
|------------|--------------|------------|-----------|--------------|
| Minne      | Novak        | Reding     | Simoneau  | Wenzel       |
| Moe        | Olsen        | Rees       | Stoa      | Wigley       |
| Munger     | Otis         | Rice       | Stowell   | Wynia        |
| Murphy     | Patton       | Rodriguez  | Swanson   | Zubay        |
| Nelsen, B. | Pehler       | Rose       | Tomlinson | Spkr. Norton |
| Nelsen, M. | Peterson, B. | Schreiber  | Vanasek   |              |
| Nelson     | Peterson, D. | Searle     | Voss      |              |
| Niehaus    | Piepho       | Sieben, H. | Waldorf   |              |
| Norman     | Prahl        | Sieben, M. | Welch     |              |

The motion did not prevail and the Welker amendment to the Faricy and Carlson, D., amendment was adopted.

Searles moved to amend the Faricy and Carlson, D. amendment to the permanent rules, as follows:

Line 8, after "or" insert "like"

The motion prevailed and the Searles amendment to the Faricy and Carlson, D., amendment was adopted.

The question recurred on the Faricy and Carlson, D., amendment, as amended, and the roll was called. There were 128 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

|              |      |     |      |
|--------------|------|-----|------|
| Anderson, D. | Kahn | Moe | Voss |
|--------------|------|-----|------|

The motion prevailed and the proposed amendment, as amended, was adopted.

Kempe moved to amend the permanent rules of the House for the 70th legislature, as amended for the 71st legislature, as follows:

Page 22, after line 19, insert a new paragraph to read as follows: "A majority of a committee's members may bring a matter before the full committee for consideration."

A roll call was requested and properly seconded.

Sieben, H., moved that the Kempe amendment to the proposed permanent rules of the House be referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Sieben, H., motion and the roll was called. There were 97 yeas and 34 nays as follows:

Those who voted in the affirmative were:

|              |             |            |              |              |
|--------------|-------------|------------|--------------|--------------|
| Ainley       | Dempsey     | Kahn       | Norman       | Stoa         |
| Anderson, B. | Drew        | Kalis      | Novak        | Stowell      |
| Anderson, D. | Eken        | Kostohryz  | Nysether     | Swanson      |
| Anderson, G. | Elioff      | Lehto      | Olsen        | Thiede       |
| Anderson, R. | Ellingson   | Levi       | Otis         | Tomlinson    |
| Battaglia    | Evans       | Long       | Patton       | Valan        |
| Begich       | Ewald       | Ludeman    | Pehler       | Valento      |
| Berglin      | Faricy      | Luknic     | Peterson, D. | Vanasek      |
| Berkelman    | Forsythe    | Mann       | Piepho       | Voss         |
| Biersdorf    | Friedrich   | McCarron   | Pleasant     | Waldorf      |
| Blatz        | Fritz       | McEachern  | Prahl        | Weaver       |
| Brinkman     | Greenfield  | Mehrkens   | Reding       | Welch        |
| Byrne        | Haukoos     | Metzen     | Rees         | Wenzel       |
| Carlson, L.  | Heinitz     | Minne      | Reif         | Wigley       |
| Casserly     | Hokanson    | Moe        | Rice         | Wynia        |
| Clark        | Jaros       | Munger     | Rodriguez    | Zubay        |
| Clawson      | Jennings    | Murphy     | Sieben, H.   | Spkr. Norton |
| Corbid       | Johnson, C. | Nelsen, B. | Sieben, M.   |              |
| Crandall     | Johnson, D. | Nelsen, M. | Simoneau     |              |
| Dean         | Jude        | Nelson     | Stadum       |              |

Those who voted in the negative were:

|              |          |          |              |          |
|--------------|----------|----------|--------------|----------|
| Aasness      | Fjoslien | Kempe    | Osthoff      | Searle   |
| Adams        | Fudro    | Kroening | Peterson, B. | Searles  |
| Albrecht     | Halberg  | Kyam     | Redalen      | Sherwood |
| Anderson, I. | Heap     | Laidig   | Rose         | Sviggum  |
| Den Ouden    | Hoberg   | McDonald | Rothenberg   | Welker   |
| Erickson     | Jacobs   | Niehaus  | Sarna        | Wieser   |
| Esau         | Kelly    | Onnen    | Schreiber    |          |

The motion prevailed and the proposed amendment was referred to the Committee on Rules and Legislative Administration.

The question recurred on the Eken motion to adopt the proposed permanent rules of the House as printed in the Journal of the House for Monday, March 10, 1980, as amended and the roll was called.

There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Voss

The motion prevailed and the permanent rules of the House for the 71st legislature, as amended, were adopted.

#### MOTIONS AND RESOLUTIONS, Continued

Clawson moved that H. F. No. 512 be returned to its author. The motion prevailed.

Clawson moved that H. F. No. 2072 be returned to its author. The motion prevailed.

Clawson moved that H. F. No. 754 be returned to its author. The motion prevailed.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 1:00 p.m., Wednesday, March 19, 1980. 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., Wednesday, March 19, 1980.

EDWARD A. BURDICK, Chief Clerk, House of Representatives