

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1980

EIGHTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 27, 1980

The House of Representatives convened at 10:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Aasness	Eken	Kalis	Norman	Sieben, H.
Adams	Elioff	Kelly	Novak	Sieben, M.
Ainley	Ellingson	Kempe	Nysether	Simoneau
Albrecht	Erickson	Knickerbocker	Olsen	Stadum
Anderson, B.	Esau	Kostohryz	Onnen	Stoa
Anderson, D.	Evans	Kroening	Osthoff	Stowell
Anderson, G.	Ewald	Kvam	Otis	Sviggum
Anderson, I.	Faricy	Laidig	Patton	Swanson
Anderson, R.	Fjoslien	Lehto	Pehler	Thiede
Battaglia	Forsythe	Levi	Peterson, B.	Tomlinson
Begich	Fritz	Long	Peterson, D.	Valan
Berglin	Fudro	Ludeman	Piepho	Valento
Berkelman	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	Mehrkens	Reif	Welker
Casserly	Hokanson	Metzen	Rice	Wenzel
Clark	Jacobs	Minne	Rodriguez	Wieser
Clawson	Jaros	Moe	Rose	Wigley
Corbid	Jennings	Munger	Rothenberg	Wynia
Crandall	Johnson, C.	Murphy	Sarna	Zubay
Dean	Johnson, D.	Nelsen, B.	Schreiber	Spkr. Norton
Dempsey	Jude	Nelsen, M.	Searle	
Den Ouden	Kahn	Nelson	Searles	
Drew	Kaley	Niehaus	Sherwood	

A quorum was present.

Biersdorf and Friedrich were excused until 11:20 a.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. 2023, 2035, 1138, 2149, 1813, 2046, 2100, 729, 1842, 1981, 902, 1847, 1942, 160, 1201, 1603 and 2023 and S. F. Nos. 210, 1141, 702, 480 and 2134 have been placed in the members' files.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Berglin introduced:

H. F. No. 2482, A resolution memorializing the Congress and President of the United States to continue and increase the funding of the food stamp program.

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

Clark, Nelson, Schreiber, Ainley and Voss introduced:

H. F. No. 2483, A bill for an act relating to taxation; providing for taxation of certain hydroelectric property; amending Minnesota Statutes 1978, Sections 272.01, Subdivision 3; and 273.19, by adding a subdivision.

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

Drew and Heap introduced:

H. F. No. 2484, A bill for an act relating to elections; making certain changes in the form of certain ballots and ballot labels; clarifying certain ballot preparation procedures; amending Minnesota Statutes 1978, Sections 203A.11, Subdivision 1; 203A.12, Subdivision 2; 206.07, Subdivision 1; 206.09; and Chapter 206, by adding a section.

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

Jennings, Haukoos and Welker introduced:

H. F. No. 2485, A bill for an act relating to public employees; providing for the negotiation and arbitration of collective bargaining agreements between the exclusive representatives and employers of teachers; establishing the conditions under which teachers have a right to strike; extending the applicability of certain sections of PELRA; amending Minnesota Statutes 1978, Sections 179.61; 179.62; 179.63, Subdivisions 1 and 4; 179.64, Subdivision 1; 179.65, Subdivision 1; 179.66, Subdivisions 5, 6 and 9; 179.67, Subdivision 1; 179.68; 179.71, Subdivisions 2, 4 and 5; and 179.74, Subdivision 2; and Chapter 179, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 179.64, Subdivision 7; 179.65, Subdivision 6; and 179.74, Subdivision 4.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 2476, A bill for an act relating to the organization and operation of state government; clarifying, providing for deficiencies in, and supplementing appropriations for the expenses of state government with certain conditions; appropriating money; amending Minnesota Statutes 1978, Sections 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 15.0597, Subdivisions 3, 4, 5, 6 and 7; 15.50, Subdivision 1; 16.854, Subdivision 1; 16A.131, by adding a subdivision; 16A.67, Subdivision 1; 16A.721; 43.005, by adding a subdivision; 43.05, Subdivision 2; 43.062, Subdivisions 1, 2 and 3; 43.065; 43.067, Subdivision 2; 43.068; 43.323, Subdivisions 1 and 2; 43.35; 62D, by adding a subdivision; 82.34; 90.195; 94.10, Subdivision 1; 94.16; 121.90; 121.902, Subdivision 1; 121.906, Subdivision 2; 121.908; 121.912, Subdivision 2; 121.914, Subdivision 1; 136.81, Subdivision 1; 145.913, Subdivision 3; 214.06, Subdivision 1; 216.16; 216A.01; 216A.03, Subdivision 3, and by adding a subdivision; 216A.04, Subdivisions 1 and 3, and by adding a subdivision; 216A.05, Subdivisions 4 and 5; 216A.07; 216B.17, Subdivision 1; 216B.19; 216B.54; 216B.62, Subdivisions 2 and 3; 216B.64; 237.02; 237.12; 237.295, Subdivisions 1 and 2; 246.014; 352.01, Subdivision 2B; 352.04, Subdivision 5; 352.73, Subdivision 3; 352B.25; 352C.04, Subdivision 3; 352C.09, Subdivision 2; 353.83; 354.55, Subdivision 5; 355.46, Subdivision 3; 355.50; 403.11, Subdivi-

sion 3; 473.408, Subdivision 3; 490.123, Subdivision 1; and Chapters 16, by adding sections; 16A, by adding sections; 97, by adding a section; 121, by adding sections; 216A, by adding a section; 246, by adding a section; 253A, by adding a section; 256, by adding a section; 259, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 3.3005, Subdivision 4; 15A.083, Subdivision 4; 16A.126; 174.28, Subdivision 2; 43.09, Subdivision 2a; 43.24; 82.81, Subdivision 1; 121.917, Subdivision 4; 354A.12, Subdivision 2; 422A.101, Subdivision 3; and Laws 1979, Chapter 300, Section 4, Subdivisions 1 and 5; 301, Section 3 by adding a subdivision; repealing Minnesota Statutes 1978, Sections 3A.11, Subdivision 3; 43.03; 43.06; 121.92, Subdivision 1; 216B.62, Subdivision 1; 352.73, Subdivision 4; 354.43, Subdivision 2; 490.025, Subdivision 8; Minnesota Statutes, 1979 Supplement, Sections 16.93; 16.965; 121.92, Subdivision 2; and Laws 1979, Chapter 217, Section 11.

PATRICK E. FLAHAVEN, Secretary of the Senate

Voss moved that the House refuse to concur in the Senate amendments to H. F. No. 2476, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

S. F. No. 1978.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF THE SENATE BILLS

S. F. No. 1978: A bill for an act relating to veterans; authorizing a memorial to Minnesota's war dead in Arlington National Cemetery; appropriating money.

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

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Progress by the Conference Committee was reported to the House on the following bills: S. F. Nos. 129, 410 and 768.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Voss requested immediate consideration of S. F. No. 1962; H. F. Nos. 1813 and 1981; S. F. No. 2134; H. F. Nos. 160, 1138, and 2035; S. F. No. 210; H. F. No. 2149; S. F. No. 702; H. F. No. 2100; S. F. No. 480 and H. F. Nos. 902, 1603, 1942 and 1847.

S. F. No. 1962 was reported to the House.

Pehler moved to amend S. F. No. 1962 as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 1a. [DEFINITIONS.] For the purposes of sections 116D.01 to 116D.07, the following terms have the meanings given to them in this subdivision.

(a) "Natural resources" has the meaning given it in section 116B.02, subdivision 4.

(b) "Pollution, impairment or destruction" has the meaning given it in section 116B.02, subdivision 5.

(c) "Environmental assessment worksheet" means a brief document which is designed to set out the basic facts necessary to determine whether an environmental impact statement is required for a proposed action.

(d) "Governmental action" means activities, including projects wholly or partially conducted, permitted, assisted, financed, regulated or approved by units of government including the federal government.

(e) "Governmental unit" means any state agency and any general or special purpose unit of government in the state including, but not limited to, watershed districts organized under chapter 112, counties, towns, cities, port authorities and housing authorities, but not including courts, school districts and regional development commissions other than the metropolitan council.

Sec. 2. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 2a. Where there is potential for significant environmental effects resulting from any major governmental action, the action shall be preceded by a detailed environmental impact

statement prepared by the responsible governmental unit. The environmental impact statement shall be an analytical rather than an encyclopedic document which describes the proposed action in detail, analyzes its significant environmental impacts, discusses appropriate alternatives to the proposed action and their impacts, and explores methods by which adverse environmental impacts of an action could be mitigated. The environmental impact statement shall also analyze those economic, employment and sociological effects that cannot be avoided should the action be implemented. To ensure its use in the decision making process, the environmental impact statement shall be prepared as early as practical in the formulation of an action.

(a) The board shall by rule establish categories of actions for which environmental impact statements and for which environmental assessment worksheets shall be prepared as well as categories of actions for which no environmental review is required under this section.

(b) The responsible governmental unit shall promptly publish notice of the completion of an environmental assessment worksheet in a manner to be determined by the board and shall provide copies of the environmental assessment worksheet to the board and its member agencies. Comments on the need for an environmental impact statement may be submitted to the responsible governmental unit during a 30 day period following publication of the notice that an environmental assessment worksheet has been completed. The responsible governmental unit's decision on the need for an environmental impact statement shall be based on the environmental assessment worksheet and the comments received during the comment period, and shall be made within 15 days after the close of the comment period. The board's chairman may extend the 15 day period by not more than 15 additional days upon the request of the responsible governmental unit.

(c) An environmental assessment worksheet shall also be prepared for a proposed action whenever material evidence accompanying a petition by not less than 25 individuals, submitted before the proposed project has received final approval by the appropriate governmental units, demonstrates that, because of the nature or location of a proposed action, there may be potential for significant environmental effects. Petitions requesting the preparation of an environmental assessment worksheet shall be submitted to the board. The chairman of the board shall determine the appropriate responsible governmental unit and forward the petition to it. A decision on the need for an environmental assessment worksheet shall be made by the responsible governmental unit within 15 days after the petition is received by the responsible governmental unit. The board's chairman may extend the 15 day period by not more than 15 additional days upon request of the responsible governmental unit.

(d) The board may, prior to final approval of a proposed project, require preparation of an environmental assessment worksheet by a responsible governmental unit selected by the board for any action where environmental review under this section has not been specifically provided for by rule or otherwise initiated.

(e) An early and open process shall be utilized to limit the scope of the environmental impact statement to a discussion of those impacts, which, because of the nature or location of the project, have the potential for significant environmental effects. The same process shall be utilized to determine the form, content and level of detail of the statement as well as the alternatives which are appropriate for consideration in the statement. In addition, the permits which will be required for the proposed action shall be identified during the scoping process. Further, the process shall identify those permits for which information will be developed concurrently with the environmental impact statement. The board shall provide in its rules for the expeditious completion of the scoping process. The determinations reached in the process shall be incorporated into the order requiring the preparation of an environmental impact statement.

(f) Whenever practical, information needed by a governmental unit for making final decisions on permits or other actions required for a proposed project shall be developed in conjunction with the preparation of an environmental impact statement.

(g) An environmental impact statement shall be prepared and its adequacy determined within 280 days after notice of its preparation unless the time is extended by consent of the parties or by the governor for good cause. The responsible governmental unit shall determine the adequacy of an environmental impact statement, unless within 60 days after notice is published that an environmental impact statement will be prepared, the board chooses to determine the adequacy of an environmental impact statement. If an environmental impact statement is found to be inadequate, the responsible governmental unit shall have 60 days to prepare an adequate environmental impact statement.

Sec. 3. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 3a. Within 90 days after final approval of an environmental impact statement, final decisions shall be made by the appropriate governmental units on those permits which were identified as required and for which information was developed concurrently with the preparation of the environmental impact statement. Provided, however, that the 90 day period may be extended where a longer period is required by federal law or state statute or is consented to by the permit applicant. The permit decision shall include the reasons for the decision, in-

cluding any conditions under which the permit is issued, together with a final order granting or denying the permit.

Sec. 4. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 4a. The board shall by rule identify alternative forms of environmental review which will address the same issues and utilize similar procedures as an environmental impact statement in a more timely or more efficient manner to be utilized in lieu of an environmental impact statement.

Sec. 5. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 5a. The board shall, by January 1, 1981, promulgate rules in conformity with this chapter and the provisions of chapter 15, establishing:

(a) The governmental unit which shall be responsible for environmental review of a proposed action;

(b) The form and content of environmental assessment worksheets;

(c) A scoping process in conformance with subdivision 2a, clause (e);

(d) A procedure for identifying during the scoping process the permits necessary for a proposed action and a process for coordinating review of appropriate permits with the preparation of the environmental impact statement;

(e) A standard format for environmental impact statements;

(f) Standards for determining the alternatives to be discussed in an environmental impact statement;

(g) Alternative forms of environmental review which are acceptable pursuant to subdivision 4a;

(h) A model ordinance which may be adopted and implemented by local governmental units in lieu of the environmental impact statement process required by this section, providing for an alternative form of environmental review where an action does not require a state agency permit and is consistent with an applicable comprehensive plan. The model ordinance shall provide for adequate consideration of appropriate alternatives, and shall ensure that decisions are made in accordance with the policies and purposes of this act;

(i) *Procedures to reduce paperwork and delay through intergovernmental cooperation and the elimination of unnecessary duplication of environmental reviews;*

(j) *Procedures for expediting the selection of consultants by the governmental unit responsible for the preparation of an environmental impact statement; and*

(k) *Any additional rules which are reasonably necessary to carry out the requirements of this section.*

Sec. 6. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 6a. Prior to the preparation of a final environmental impact statement, the governmental unit responsible for the statement shall consult with and request the comments of every governmental office which has jurisdiction by law or special expertise with respect to any environmental effect involved. Copies of the drafts of such statements and the comments and views of the appropriate offices shall be made available to the public. The final detailed environmental impact statement and the comments received thereon shall precede final decisions on the proposed action and shall accompany the proposal through an administrative review process.

Sec. 7. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 10. Decisions on the need for an environmental assessment worksheet, the need for an environmental impact statement and the adequacy of an environmental impact statement may be reviewed by a declaratory judgment action in the district court of the county wherein the proposed action, or any part thereof, would be undertaken. Judicial review under this section shall be initiated within 30 days after the governmental unit makes the decision, and a bond may be required under section 562.02 unless at the time of hearing on the application for the bond the plaintiff has shown that the claim has sufficient possibility of success on the merits to sustain the burden required for the issuance of a temporary restraining order. Nothing in this section shall be construed to alter the requirements for a temporary restraining order or a preliminary injunction pursuant to the Minnesota Rules of Civil Procedure for District Courts. The board may initiate judicial review of decisions referred to herein and may intervene as of right in any proceeding brought under this subdivision.

Sec. 8. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 11. If the board or governmental unit which is required to act within a time period specified in this section fails

to so act, any person may seek an order of the district court requiring the board or governmental unit to immediately take the action mandated by subdivisions 2a and 3a.

Sec. 9. *Rules adopted under the authority of section 116D.04 which are in effect on the effective date of this act shall remain in effect until the rules required by this section become effective.*

Sec. 10. [REPEALER.] *Minnesota Statutes 1978, Section 116D.04, Subdivision 1, 2, 3, 4 and 5 are repealed.*

Sec. 11. [EFFECTIVE DATE.] *Sections 1 to 10 are effective the day following final enactment."*

The motion prevailed and the amendment was adopted.

Weaver and Rothenberg offered an amendment to S. F. No. 1962.

POINT OF ORDER

Pehler raised a point of order pursuant to rule 3.9 that the amendment was not in order. The Speaker deferred his decision temporarily.

There being no objection S. F. No. 1962, as amended, together with the pending point of order was continued temporarily.

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

The bill was read for the 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 106 yeas and 21 nays as follows:

Those who voted in the affirmative were:

Aasness	Blatz	Elioff	Haukoos	Knickerbocker
Adams	Brinkman	Ellingson	Hoberg	Kostohryz
Ainley	Byrne	Erickson	Hokanson	Kroening
Anderson, B.	Carlson, D.	Esau	Jacobs	Laidig
Anderson, D.	Carlson, L.	Evans	Jaros	Lehto
Anderson, G.	Casserly	Ewald	Jennings	Levi
Anderson, I.	Clark	Faricy	Johnson, C.	Long
Anderson, R.	Clawson	Fjoslien	Johnson, D.	Luknic
Battaglia	Corbid	Forsythe	Jude	Mann
Begich	Dean	Fudro	Kahn	McCarron
Berglin	Den Ouden	Greenfield	Kalis	McEachern
Berkelman	Eken	Halberg	Kelly	Mehrkens

Metzen	Onnen	Rees	Simoneau	Welch
Minne	Osthoff	Reif	Stadum	Wenzel
Moe	Otis	Rice	Stoa	Wieser
Murphy	Patton	Rodriguez	Sviggum	Wynia
Nelsen, B.	Pehler	Rose	Swanson	Zubay
Nelsen, M.	Peterson, D.	Sarna	Tomlinson	Spkr. Norton
Nelson	Pleasant	Schreiber	Valan	
Novak	Prahl	Searle	Vanasek	
Nysether	Redalen	Sieben, H.	Voss	
Olsen	Reding	Sieben, M.	Waldorf	

Those who voted in the negative were:

Albrecht	Heap	McDonald	Sherwood	Wigley
Crandall	Heinitz	Niehaus	Stowell	
Dempsey	Kaley	Peterson, B.	Thiede	
Drew	Kempe	Piepho	Valento	
Fritz	Kvam	Searles	Welker	

The bill was passed and its title agreed to.

H. F. No. 1981, A bill for an act relating to public welfare; authorizing certain payments to shelter facilities for battered women; requiring direct payments to shelter facilities from general assistance; amending Minnesota Statutes 1978, Section 256D.05, Subdivision 3.

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

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden

The bill was passed and its title agreed to.

S. F. No. 2134, A bill for an act relating to natural resources; providing for analysis of hydroelectric generating capacity of publicly owned dams; clarifying provisions relating to the administration of and authorization for dam repair and reconstruction grants; authorizing the employment of a person to administer grants; appropriating money; amending Minnesota Statutes 1978, Section 105.482, Subdivisions 1 and 4; Minnesota Statutes, 1979 Supplement, Section 105.482, Subdivisions 3 and 5a; and Laws 1979, Chapter 300, Section 4, Subdivisions 1 and 5.

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 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Crandall

McDonald

The bill was passed and its title agreed to.

H. F. No. 160, A bill for an act relating to welfare; changing income disregard provisions for certain medical assistance recipients and certain supplemental aid recipients; appropriating money; amending Minnesota Statutes 1978, Section 256D.37, Subdivision 2; Minnesota Statutes, 1979 Supplement, Sections 256B.06, Subdivision 1; and 256D.37, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1138, A bill for an act relating to local government; authorizing local governmental units to establish training programs for local government officials in conjunction with certain organizations; appropriating money; amending Minnesota Statutes 1978, Section 471.59, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 106 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Kelly	Nelson	Searles
Ainley	Ellingson	Kempe	Norman	Sieben, H.
Anderson, B.	Erickson	Knickerbocker	Novak	Sieben, M.
Anderson, D.	Evans	Kostohryz	Olsen	Simoneau
Anderson, G.	Ewald	Kroening	Onnen	Stadum
Anderson, I.	Faricy	Kvam	Osthoff	Stoa
Anderson, R.	Forsythe	Laidig	Otis	Stowell
Battaglia	Friedrich	Lehto	Patton	Swanson
Begich	Fudro	Levi	Pehler	Tomlinson
Berglin	Greenfield	Long	Peterson, B.	Valan
Berkelman	Heap	Luknic	Peterson, D.	Vanasek
Blatz	Heinitz	Mann	Piepho	Voss
Brinkman	Hoberg	McCarron	Pleasant	Waldorf
Byrne	Hokanson	McEachern	Prahl	Weaver
Carlson, D.	Jacobs	Mehrkens	Redalen	Welch
Carlson, L.	Jaros	Metzen	Rice	Wenzel
Casserly	Johnson, C.	Minne	Rodriguez	Wynia
Clark	Johnson, D.	Moe	Rose	Spkr. Norton
Clawson	Jude	Munger	Rothenberg	
Corbid	Kahn	Murphy	Sarna	
Dean	Kaley	Nelsen, B.	Schreiber	
Eken	Kalis	Nelsen, M.	Searle	

Those who voted in the negative were:

Aasness	Drew	Ludeman	Reif	Wieser
Albrecht	Fjoslien	McDonald	Sherwood	Wigley
Crandall	Fritz	Niehaus	Svigum	Zubay
Dempsey	Haukoos	Reding	Thiede	
Den Ouden	Jennings	Rees	Welker	

The bill was passed and its title agreed to.

H. F. No. 2035, A bill for an act relating to historic sites and monuments; adding property to Split Rock Lighthouse historic site; reestablishing Traverse des Sioux historic site as a state monument; appropriating funds; amending Minnesota Statutes 1978, Sections 138.025, Subdivision 10; and 138.585, by adding a subdivision; repealing Minnesota Statutes 1978, Section 138.55, Subdivision 5.

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 1 nay as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Vanasek

The bill was passed and its title agreed to.

S. F. No. 210 was reported to the House.

Swanson offered an amendment to S. F. No. 210.

POINT OF ORDER

Searle raised a point of order pursuant to rule 3.9 that the amendment was not in order. Speaker pro tem Johnson, C., ruled the point of order well taken and the amendment out of order.

S. F. No. 210, A bill for an act relating to education; providing and regulating certain mobility incentives for certain teachers in the community colleges and state universities; amending Minnesota Statutes 1978, Sections 354.094, Subdivisions 1, 2 and 5; 354.66, Subdivisions 1, 7, 9 and 10, and by adding subdivisions; 354.69; Minnesota Statutes, 1979 Supplement, Sections 354.094, Subdivision 3; and 354.66, 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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 2149 was reported to the House.

Long moved to amend H. F. No. 2149 as follows:

Page 3, after line 1, delete the balance of the page

Page 4, delete lines 1 to 16

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

Kvam offered an amendment to H. F. No. 2149.

POINT OF ORDER

McCarron raised a point of order pursuant to rule 3.9 that the amendment was not in order. Speaker pro tem Johnson, C., ruled the point of order well taken and the amendment out of order.

H. F. No. 2149, A bill for an act relating to public welfare; clarifying duties of the commissioner of public welfare regarding approval of public and private mental health centers and clinics for certain purposes; providing for additional rulemaking; appropriating money; amending Minnesota Statutes, 1979 Supplement, Section 245.69.

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 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden

The bill was passed and its title agreed to.

S. F. No. 702, A bill for an act relating to health; requiring counties to establish local nursing home pre-admission screening teams; prescribing duties of the teams and the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1978, Chapter 256B, by adding a section.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were :

Albrecht	Corbid	Den Ouden	Onnen	Searle
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The bill was passed and its title agreed to.

H. F. No. 2100, A bill for an act relating to housing; providing the housing finance agency with authority to make grants and loans to certain sponsors of housing used for temporary shelter; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 111 yeas and 20 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Den Ouden	Ludeman	Redalen	Welker
Albrecht	Haukoos	McDonald	Rees	Wieser
Crandall	Kalis	Niehaus	Sviggum	Wigley
Dempsey	Kvam	Piepho	Thiede	Zubay

The bill was passed and its title agreed to.

S. F. No. 480, A bill for an act relating to public health; authorizing the funding of a statewide poison information center; giving grant and program monitoring responsibilities to the commissioner of health; appropriating money.

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 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

McDonald Welker

The bill was passed and its title agreed to.

H. F. No. 902, A bill for an act relating to pollution; establishing noise limits for motorboats; amending Minnesota Statutes 1978, Section 361.17.

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

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 16 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Norman	Sieben, H.
Adams	Eken	Kelly	Novak	Sieben, M.
Anderson, B.	Elioff	Kempe	Nysether	Simoneau
Anderson, D.	Ellingson	Knickerbocker	Olsen	Stadum
Anderson, G.	Erickson	Kostohryz	Osthoff	Stoa
Anderson, I.	Evans	Kroening	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	Fritz	Luknic	Piepho	Valan
Blatz	Fudro	Mann	Pleasant	Valento
Brinkman	Greenfield	McCarron	Prahl	Vanasek
Byrne	Halberg	McEachern	Redalen	Voss
Carlson, D.	Haukoos	Mehrkens	Reding	Waldorf
Carlson, L.	Heap	Metzen	Reif	Weaver
Casserly	Heinitz	Minne	Rice	Welch
Clark	Hoberg	Moe	Rodriguez	Wenzel
Clawson	Hokanson	Munger	Rose	Wynia
Corbid	Jacobs	Murphy	Rothenberg	Spkr. Norton
Crandall	Jaros	Nelsen, B.	Sarna	
Dean	Johnson, C.	Nelsen, M.	Schreiber	
Dempsey	Johnson, D.	Nelson	Searles	
Den Ouden	Jude	Niehaus	Sherwood	

Those who voted in the negative were:

Ainley	Jennings	Ludeman	Welker	Wigley
Albrecht	Kaley	McDonald	Wieser	Zubay
Biersdorf	Kalis	Onnen		
Esau	Kvam	Rees		

The bill was passed and its title agreed to.

H. F. No. 1603, A bill for an act relating to welfare; clarifying certain provisions of the general assistance medical care program; establishing an earned income disregard work incentive in the general assistance program; making various other changes in the general assistance program; appropriating money; amending Minnesota Statutes 1978, Sections 256D.01; 256D.02, Subdivisions 4, 9, 10, 11, 12, and by adding a subdivision; 256D.03, Subdivisions 1 and 3; 256D.04; 256D.06, Subdivisions 1 and 2; 256D.08, Subdivision 2; 256D.09, Subdivision 1; 256D.10; 256D.-11, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 256D.13, Subdivision 1; 256D.16; and 256D.18, Subdivisions 2 and 4; and Minnesota Statutes, 1979 Supplement, Sections 256D.03, Subdivision 2; 256D.07; and 256D.08, 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 97 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Adams	Ellingson	Kostohryz	Nysether	Sieben, M.
Anderson, B.	Erickson	Kroening	Olsen	Stadum
Anderson, D.	Evans	Laidig	Onnen	Stoa
Anderson, G.	Ewald	Lehto	Otis	Swanson
Anderson, I.	Faricy	Long	Patton	Tomlinson
Anderson, R.	Fjoslien	Luknic	Pehler	Valan
Berglin	Fritz	Mann	Peterson, D.	Vanasek
Berkelman	Fudro	McCarron	Piepho	Voss
Biersdorf	Greenfield	McDonald	Pleasant	Waldorf
Blatz	Heap	McEachern	Redalen	Weaver
Brinkman	Heinitz	Mehrkens	Reding	Welch
Byrne	Jacobs	Metzen	Rees	Wenzel
Carlson, L.	Jaros	Moe	Reif	Wieser
Casserly	Johnson, C.	Munger	Rice	Wigley
Clark	Jude	Murphy	Rodriguez	Wynia
Clawson	Kahn	Nelsen, B.	Rose	Zubay
Corbid	Kaley	Nelsen, M.	Rothenberg	Spkr. Norton
Dean	Kelly	Nelson	Searles	
Drew	Kempe	Norman	Sherwood	
Eken	Knickerbocker	Novak	Sieben, H.	

Those who voted in the negative were:

Aasness	Dempsey	Hoberg	Ludeman	Stowell
Albrecht	Den Ouden	Jennings	Minne	Sviggun
Battaglia	Elioff	Johnson, D.	Niehaus	Thiede
Begich	Forsythe	Kvam	Peterson, B.	Valento
Crandall	Halberg	Levi	Searle	Welker

The bill was passed and its title agreed to.

H. F. No. 1942, A bill for an act relating to public welfare; requiring reporting of abuse or neglect of vulnerable adults; requiring certain facilities to establish abuse prevention plans; establishing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 245.813, by adding a subdivision; and Chapter 626, by adding a section; repealing Minnesota Statutes 1978, Sections 245.813, Subdivisions 2, 3, 4, 5, 6, 7, 8, and 9; and 626.555.

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

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

The bill was passed and its title agreed to.

H. F. No. 1847, A bill for an act relating to public welfare; providing for a study of revisions to the nursing home rate reimbursement formula; appropriating money.

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 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Halberg Zubay

The bill was passed and its title agreed to.

Sieben, H., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

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

REPORTS OF STANDING COMMITTEES

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

H. F. No. 461, A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Sections 3 and 4; providing for elections to fill vacancies in constitutional offices.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Eken from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 632, A bill for an act relating to courts; establishing the appellate division of the district court; providing for the election of judges; prescribing duties; providing for appellate division staff; appropriating money; repealing Minnesota Statutes 1978, Sections 484.63; and 487.39.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. The following amendment to the Minnesota Constitution is proposed to the people.

Subdivision 1. If the amendment is adopted, Article VI, Section 1, of the Minnesota Constitution will read as follows:

Section 1. [JUDICIAL POWER.] The judicial power of the state is vested in a supreme court, *a court of appeals*, a district court and such other courts, judicial officers and commissioners with jurisdiction inferior to the district court as the legislature may establish.

Subd. 2. If the amendment is adopted, Article VI, Section 2, of the Minnesota Constitution will read as follows:

Sec. 2. [SUPREME COURT.] The supreme court consists of one chief judge and not less than six nor more than eight associate judges as the legislature may establish. It shall have original jurisdiction in such remedial cases as are prescribed by law, and appellate jurisdiction in all cases, but there shall be no trial by jury in the supreme court.

The legislature may establish a court of appeals and provide by law for the number of its judges, for its organization and for the manner of review of its decisions by the supreme court. The court of appeals shall have appellate jurisdiction over all courts, except the supreme court, and other appellate jurisdiction as prescribed by law.

As provided by law judges of the *court of appeals* or of the district court may be assigned temporarily to act as judges of the supreme court upon its request.

The supreme court shall appoint to serve at its pleasure a clerk, a reporter, a state law librarian and other necessary employees.

Subd. 3. If the amendment is adopted, Article VI, Section 5, of the Minnesota Constitution will read:

Sec. 5. [QUALIFICATIONS; COMPENSATION.] Judges of the supreme court, *the court of appeals* and the district court shall be learned in the law. The qualifications of all other judges and judicial officers shall be prescribed by law. The compensation of all judges shall be prescribed by the legislature and shall not be diminished during their term of office.

Subd. 4. If the amendment is adopted, Article VI, Section 6, of the Minnesota Constitution will read:

Sec. 6. [HOLDING OTHER OFFICE.] A judge of the supreme court, *the court of appeals* or the district court shall not hold any office under the United States except a commission in a reserve component of the military forces of the United States and shall not hold any other office under this state. His term of office shall terminate at the time he files as a candidate for an elective office of the United States or for a non-judicial office of this state.

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

"Shall the Minnesota Constitution be amended to permit the legislature to establish a court of appeals?"

Yes

No " "

Further, delete the title and insert:

"A bill for an act proposing an amendment to the Constitution of Minnesota, Article VI, Sections 1, 2, 5, and 6 to allow the Legislature to create a court of appeals."

With the recommendation that when so amended the bill pass.

The report was adopted.

Eken from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 2289, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; removing certain restrictions on highway bonds.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 632 and 2289 were read for the second time.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Eken, for the Committee on Rules and Legislative Administration, offered the following report:

Special Orders pending for today have been renumbered in the following sequence:

S. F. Nos. 919, 2122, 2265, 1690, 1997, 1749 and 2195; H. F. No. 2320; S. F. Nos. 1166, 1875, 1842, 1541, 1922, 1811, 1772, 1813, 1937, 2090, 1679, 2110, 1240, 1619 and 1665; H. F. No. 2237 and S. F. Nos. 1708, 2071, 2117, 523, 2067, 789 and 704.

Further that, S. F. No. 1652, now on Special Orders, be returned to General Orders.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Voss requested immediate consideration of H. F. No. 729; S. F. No. 1141; H. F. Nos. 2046, 1842 and 1201; and S. F. No. 1962.

H. F. No. 729, A bill for an act relating to public welfare; increasing personal needs allowance for residents of certain facilities; restricting the use of allowances by third parties; providing for a civil action and damages; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256B.35.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1141, A bill for an act relating to hearing impaired persons; establishing regional service centers and advisory committees; establishing a statewide interpreter referral service; providing for a program of training and employment; prescribing duties for the commissioner of public welfare; establishing

an office on hearing impairment; providing for an advisory committee for the state council for the handicapped; prescribing duties for the department of health; providing for a study by the state planning agency; appropriating money.

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

The bill was passed and its title agreed to.

H. F. No. 2046, A bill for an act establishing the Minnesota small business conference; providing for its organization, meetings and procedures; appropriating money.

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 113 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, G.	Berkelman	Casserly	Den Ouden
Adams	Anderson, I.	Blatz	Clark	Eken
Ainley	Anderson, R.	Brinkman	Clawson	Elioff
Albrecht	Battaglia	Byrne	Corbid	Ellingson
Anderson, B.	Begich	Carlson, D.	Crandall	Erickson
Anderson, D.	Berglin	Carlson, L.	Dean	Esau

Evans	Jude	McEachern	Patton	Sieben, M.
Ewald	Kahn	Metzen	Pehler	Simoneau
Faricy	Kaley	Minne	Peterson, B.	Stadum
Fjoslien	Kalis	Moe	Peterson, D.	Sviggum
Forsythe	Kelly	Munger	Pleasant	Swanson
Fudro	Kempe	Murphy	Prahl	Tomlinson
Greenfield	Knickerbocker	Nelsen, B.	Redalen	Valan
Halberg	Kostohryz	Nelsen, M.	Reding	Voss
Heap	Kroening	Nelson	Rees	Waldorf
Heinitz	Kvam	Niehaus	Reif	Weaver
Hoberg	Laidig	Norman	Rice	Welch
Hokanson	Lehto	Novak	Rodriguez	Wenzel
Jacobs	Levi	Nysether	Rose	Wigley
Jaros	Long	Olsen	Rothenberg	Wynia
Jennings	Luknic	Onnen	Sarna	Spkr. Norton
Johnson, C.	Mann	Osthoff	Searle	
Johnson, D.	McCarron	Otis	Searles	

Those who voted in the negative were :

Drew	Ludeman	Piepho	Thiede	Wieser
Fritz	Mehrkins	Sherwood	Welker	

The bill was passed and its title agreed to.

H. F. No. 1842, A bill for an act relating to nuclear safety; providing for a nuclear power plant emergency response plan; providing for assessment of costs to nuclear power plants; requiring the departments of public safety and health to monitor, provide training, and prepare plans for nuclear power plant incidents; requiring a study; appropriating money; amending Minnesota Statutes 1978, Chapter 12, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 12.03, Subdivision 4; and 12.21, 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 122 yeas and 4 nays as follows :

Those who voted in the affirmative were :

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

Peterson, B.	Reif	Sherwood	Tomlinson	Wieser
Peterson, D.	Rice	Sieben, H.	Valan	Wigley
Piepho	Rodriguez	Sieben, M.	Valento	Wynia
Pleasant	Rose	Simoneau	Voss	Zubay
Prahl	Rothenberg	Stadum	Waldorf	Spkr. Norton
Redalen	Sarna	Sviggum	Weaver	
Reding	Searle	Swanson	Welch	
Rees	Searles	Thiede	Wenzel	

Those who voted in the negative were:

Elloff	Hoberg	Niehaus	Welker
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The bill was passed and its title agreed to.

H. F. No. 1201 was reported to the House.

Fjoslien moved to amend H. F. No. 1201, as follows:

Page 3, line 5, strike "\$7.50" insert "\$6.00"

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

H. F. No. 1201, A bill for an act relating to waters; providing for watercraft licensing and safe operation; altering certain definitions; changing license fees; authorizing a temporary certificate; stating the evidentiary effect of certain blood tests; altering certain safety requirements and motor noise limits; providing an outline for distributing water safety enforcement funds; appropriating money; amending Minnesota Statutes 1978, Sections 361.02, by adding subdivisions; 361.03, Subdivisions 3 and 12, and by adding a subdivision; 361.10; 361.12; 361.13, Subdivision 1; 361.141, Subdivision 1; 361.15, Subdivision 1; 361.16, Subdivision 1; 361.18; 361.20; 361.21, Subdivision 2, and by adding a subdivision; 361.215; 361.24; 361.27, Subdivision 1; and 361.29, Subdivision 4; repealing Minnesota Statutes 1978, Section 361.15, 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 83 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Clark	Ewald	Heap	Kelly
Anderson, G.	Corbid	Faricy	Heinitz	Knickerbocker
Berglin	Dean	Forsythe	Jaros	Kostohryz
Berkelman	Den Ouden	Friedrich	Johnson, C.	Laidig
Blatz	Drew	Fritz	Johnson, D.	Lehto
Byrne	Eken	Fudro	Kahn	Levi
Carlson, D.	Ellingson	Greenfield	Kaley	Long
Casserly	Erickson	Halberg	Kalis	Mann

McDonald	Olsen	Reding	Simoneau	Voss
Mehrkens	Onnen	Rees	Stadum	Waldorf
Moe	Otis	Reif	Stoa	Weaver
Munger	Pehler	Rose	Stowell	Welch
Murphy	Peterson, B.	Rothenberg	Sviglum	Wenzel
Nelsen, B.	Peterson, D.	Searle	Tomlinson	Wynia
Nelsen, M.	Piepho	Searles	Valan	Spkr. Norton
Nelson	Pleasant	Sieben, H.	Valento	
Norman	Redalen	Sieben, M.	Vanasek	

Those who voted in the negative were:

Aasness	Brinkman	Hokanson	McEachern	Rodriguez
Adams	Carlson, L.	Jacobs	Metzen	Sarna
Ainley	Crandall	Jennings	Minne	Schreiber
Albrecht	Dempsey	Jude	Niehaus	Sherwood
Anderson, D.	Elioff	Kempe	Novak	Swanson
Anderson, I.	Esau	Kroening	Nysether	Thiede
Anderson, R.	Evans	Kvam	Osthoff	Welker
Battaglia	Fjoslien	Ludeman	Patton	Wieser
Begich	Haukoos	Luknic	Prahl	Wigley
Biersdorf	Hoberg	McCarron	Rice	

The bill was passed and its title agreed to.

S. F. No. 1962, as amended, was reported to the House.

POINT OF ORDER

The pending point of order raised by Pehler earlier today relating to the Weaver and Rothenberg amendment to S. F. No. 1962 was reported to the House. The Speaker ruled the point of order well taken and the amendment out of order.

S. F. No. 1962, A bill for an act relating to the environment; altering the procedure for environmental review; providing for alternative forms of environmental review; amending Minnesota Statutes 1978, Section 116D.04, by adding subdivisions; repealing Minnesota Statutes 1978, Section 116D.04, Subdivisions 1, 2, 3, 4, and 5.

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 126 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Jennings Ludeman Welker

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

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

REPORTS OF STANDING COMMITTEES

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

The following appointment as reported in the Journal for March 3, 1980:

ETHICAL PRACTICES BOARD

Elizabeth Ebbott

Reported the same back with the recommendation that the appointment be confirmed.

Anderson, I., moved that the report of the Committee on General Legislation and Veterans Affairs relating to the appointment of Elizabeth Ebbott to the Ethical Practices Board be adopted. The motion prevailed and the report was adopted.

CONFIRMATION

Anderson, I., moved that the House, having advised, do now consent to and confirm the appointment of Elizabeth Ebbott, 409 Birchwood Avenue, White Bear Lake, Washington County, effective February 12, 1980, for a term expiring the first Monday in January, 1984.

A roll call was requested and properly seconded.

The question was taken on the motion to confirm and the roll was called. There were 117 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berglin	Greenfield	Tomlinson	Voss	Waldorf
Clark	Osthoff			

The motion prevailed and the appointment of Elizabeth Ebbott was confirmed by the House.

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

The following appointment as reported in the Journal for March 13, 1980:

ETHICAL PRACTICES BOARD

Henry J. Savelkoul

Reported the same back with the recommendation that the appointment be confirmed.

Anderson, I., moved that the report of the Committee on General Legislation and Veterans Affairs relating to the appointment of Henry J. Savelkoul to the Ethical Practices Board be adopted. The motion prevailed and the report was adopted.

Anderson, I., moved that the House, having advised, do now consent to and confirm the appointment of Henry J. Savelkoul, RR1, Albert Lea, Freeborn County, effective March 7, 1980, for a term expiring on the first Monday in January, 1984.

A roll call was requested and properly seconded.

The question was taken on the motion to confirm 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	Onnen	Stowell
Anderson, G.	Ewald	Kroening	Osthoff	Svigum
Anderson, I.	Faricy	Kvam	Otis	Swanson
Anderson, R.	Fjoslien	Laidig	Patton	Thiede
Battaglia	Forsythe	Lehto	Pehler	Tomlinson
Begich	Friedrich	Levi	Peterson, B.	Valan
Berglin	Fritz	Long	Peterson, D.	Valento
Berkelman	Fudro	Ludeman	Piepho	Vanasek
Biersdorf	Greenfield	Luknic	Pleasant	Voss
Blatz	Halberg	Mann	Redalen	Waldorf
Brinkman	Haukoos	McCarron	Reding	Weaver
Byrne	Heap	McDonald	Rees	Welch
Carlson, D.	Heinitz	McEachern	Reif	Welker
Carlson, L.	Hoberg	Mehrrens	Rice	Wenzel
Casserly	Hokanson	Metzen	Rodriguez	Wieser
Clark	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 motion prevailed and the appointment of Henry J. Savelkoul was confirmed by the House.

SPECIAL ORDERS

S. F. No. 919 was reported to the House.

Stoa moved that S. F. No. 919 be placed at the bottom of Special Orders. The motion prevailed.

S. F. No. 2122 was reported to the House.

Peterson, D., moved to amend S. F. No. 2122, as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 204A.17, is amended by adding a subdivision to read:

Subd. 6. [TIME OFF FROM WORK TO SERVE AS ELECTION JUDGE.] Every individual who is selected to serve as an election judge pursuant to this section is entitled, after giving his employer at least ten days written notice, to absent himself from his place of work for the purpose of serving as an election judge. No employer shall penalize an employee for such absence other than a deduction in salary for the time he absented himself from his place of employment. This subdivision applies only to employers with four or more employees.

Sec. 2. [HENNEPIN COUNTY REAPPORTIONMENT COMMISSION.] In each year ending in the number one, or when required by court order, a reapportionment commission shall be established to draw the boundaries of Hennepin County commissioner districts.

The commission shall consist of nine members who are eligible voters of the county. One member shall be appointed by each member of the county board.

The remaining two members shall be appointed by unanimous agreement of the board appointees and shall be impartial in the matter of apportionment.

Members of the commission shall be appointed not later than March 15 when the commission is established in a year ending in the number one. The district court shall fill any vacancy caused by failure to appoint a member within the time required by law.

Sec. 3. [APPORTIONMENT STANDARDS.] The commission shall draw the boundaries of commissioner districts in accordance with the requirements of sections 2 to 16.

All districts shall be as equal in population as practicable. Population shall be the controlling factor in drawing the district boundaries.

The districts shall be composed of compact and contiguous territory. To the extent consistent with other standards, the boundaries of the districts shall follow the boundaries of local governmental units. No apportionment plan shall be drawn for the purpose of favoring any political party or person.

Sec. 4. [APPORTIONMENT PLAN.] The commission by a majority vote shall adopt an apportionment plan setting forth all of the districts.

An apportionment plan shall be effective 30 days after it is adopted. The districts set forth in the plan shall govern elections beginning with the first general election after the plan is adopted.

Sec. 5. [MEMBERS; QUALIFICATIONS.] *Subdivision 1. No individual shall be appointed or serve on the commission who:*

(a) holds or has held within two years prior to appointment an elected or appointed office in federal, state or local government;

(b) is or has been within two years prior to appointment an officer of a political party;

(c) is an employee of federal, state or local government;

(d) is a member of the immediate family of a county commissioner. "Member of the immediate family" means father, mother, son, daughter, brother, sister, spouse, ex-spouse or member of the same household. No individual appointed as a member of the commission shall, while a member of the commission, be a candidate for any elective office.

Subd. 2. If the county board or its appointees fail to appoint required members before March 15, the district court shall do so upon the petition of any citizen. Other vacancies shall be filled by the appointing authority or, if necessary, the district court.

Sec. 6. [COMMENCEMENT OF DUTIES; MEETINGS.] *Subdivision 1. The commission shall meet not later than April 1. The commission shall elect a presiding officer and other officers as it shall find necessary.*

Subd. 2. The commission shall meet upon the call of either the presiding officer or a majority of the members of the commission. The proceedings of the commission are open to the public. The commission shall give public notice of its proceedings and shall keep minutes and audio recordings of those proceedings. All materials submitted to or developed by the commission, together with the minutes and audio record of its proceedings shall be preserved and made available for public inspection and copying. The commission may administer oaths to individuals appearing before it.

Subd. 3. A majority of the members of the commission is a quorum to conduct business.

Sec. 7. [REMOVAL OF COMMISSION MEMBER.] *Any member of the commission may be removed from the commission by the district court upon petition filed by any eligible voter. The member may be removed, after a hearing, upon a finding by the*

court, by a preponderance of the evidence, that a member of the commission during his membership has been convicted of a gross misdemeanor or felony, or that a member is unqualified to serve under the provisions of section 4, or that a member is physically or mentally incapable of serving, or is unwilling to serve. It is *prima facie* evidence that a member is unwilling to serve if he fails to attend three successive meetings of the commission or fails to attend a total of six meetings of the commission. Upon removal, the position shall be filled in the manner provided for filling vacancies. An individual who is removed from the commission pursuant to this section may not be reappointed to the commission.

Sec. 8. [ADMINISTRATIVE SUPPORT.] The presiding officer of the commission shall supervise the staff of the commission. The county board shall make available the personnel, facilities, technical services and other assistance requested by the commission. The commission shall consult with county staff in the development of a plan to the extent practical. The commission may employ or contract for the services of other staff personnel.

Sec. 9. [APPORTIONMENT PLAN.] Subdivision 1. An apportionment plan adopted by the commission shall include:

(a) a written description of each district drawn by the commission;

(b) a map of each district showing the name and location of each public road and each local governmental unit boundary in the district in a scale that allows precise location of the district boundaries;

(c) a statement of the deviation in population of each district from the average population of all districts of that kind;

(d) a justification of any population deviation which exceeds one-half of one percent;

(e) an explanation of the standards used by the commission to draw the districts; and

(f) Any other information which the commission deems relevant to the plan.

Subd. 2. An apportionment plan shall be adopted not later than September 1 of the year in which the commission is established. The district court, upon petition by the commission, may extend the time for adoption of the plan to a date not later than December 1 of that year if the court finds that the population information needed by the commission to adopt the plan has not been made available in a timely manner. When an apportionment

plan adopted by the commission is remanded by a court, the commission shall adopt an amended plan consistent with the finding of the court not later than 30 days after the original plan is remanded.

Subd. 3. An apportionment plan is adopted when approved by a vote of at least five members of the commission and filed with the secretary of state. An apportionment plan is effective 30 days after it is adopted.

Subd. 4. Any commission members in the minority may prepare a minority report which shall be published with the plan adopted by the commission.

Sec. 10. [COURT ORDER.] Subdivision 1. When a commission is not otherwise constituted and a federal court order requires amendment of a plan, a commission shall be established consistent with sections 2 to 16 and shall draw the district boundaries or amend the plan.

Subd. 2. The district court shall set a timetable for establishing a reapportionment commission and drawing the boundaries or amending the plan. The timetable shall be consistent with the time otherwise provided for adoption of an apportionment plan, as far as practicable.

Sec. 11. [COMPENSATION.] Members shall be compensated for their actual and necessary expenses incurred in carrying out their duties on the commission in the same manner and amount as other county employees.

Sec. 12. [DISSOLUTION.] The commission shall conclude its business and dissolve when:

(a) 60 days have passed from the adoption of an original, unamended apportionment plan without the filing of any petition for review by the supreme court and all legal actions concerning the plan which are known at that time have been decided; or

(b) the commission has adopted an amended apportionment plan after remand by a court; or

(c) the commission has failed to adopt a plan or amended plan within the time required by law. The conclusion of business shall include preparation of the official record of the commission and a financial statement disclosing all expenditures made by the commission. The official record shall contain all information developed by the commission pursuant to carrying out its duties including records of public hearings, data collected, minutes and audio recordings of hearings and meetings, and other information of a similar nature. The official record shall be submitted to the county board who shall provide for its preservation.

Sec. 13. [PUBLICATION OF REPORT.] *Subdivision 1. Promptly after the filing of an apportionment plan the secretary of state shall:*

(a) prepare and transmit a copy of the plan to the county auditor;

(b) prepare and transmit a summary of the plan to each newspaper of general circulation and each radio and television station in the county; and

(c) prepare sufficient copies of the plan and the summary for inspection, copying and purchase by the public.

Subd. 2. The summary shall contain:

(a) a map showing all the new districts;

(b) a statement of the population of each district;

(c) a statement of the percentage variation of each district from the average population of other districts of the same kind; and

(d) an indication of where a copy of the final report of the commission may be examined or purchased and its purchase price.

Sec. 14. [JUDICIAL REVIEW.] *Subdivision 1. An action to review an apportionment plan adopted by the reapportionment commission shall be commenced by petition to the district court within 30 days of the effective date of the plan. The petition shall set forth the facts and the law on the basis of which petitioner believes the plan does not comply with the provisions of the United States Constitution, the Minnesota Constitution or other provisions of law. A copy of the petition shall be served upon the commission and the county attorney. The court shall hold hearings upon the petition and render its opinion within 60 days of the date that the petition is filed.*

Subd. 2. If the court determines that an original, unamended plan of the reapportionment commission does not comply with constitutional or legal requirements, the court shall specify the reasons for its finding and immediately remand the plan to the commission for amendment. If the court retains jurisdiction of an action to review an apportionment plan when the plan is remanded to the commission, the court shall render its opinion on any amended plan within 90 days after the effective date of the amended plan.

Subd. 3. If a federal court determines that an original unamended plan of the reapportionment commission does not com-

ply with constitutional or legal requirements, and the court permits the commission to redraw the boundaries with consideration to the court's findings and conclusions, the plan shall be remanded to the commission for amendment.

Subd. 4. If the commission fails to adopt an apportionment plan or an amended plan within the time provided by law, or an amended plan adopted by the commission is found invalid upon review by the district court, the district court shall adopt its own reapportionment plan. The court shall hold at least one public hearing before adopting or amending a plan. An apportionment plan adopted or amended by the court shall be in the form prescribed for a plan adopted by the commission. The court shall adopt the plan or amended plan and file it with the secretary of state not later than 60 days from the date on which the commission was required to adopt its plan or the date on which the plan was declared invalid. The plan is effective 30 days after it is adopted.

Sec. 15. [DUTIES OF COUNTY ATTORNEY.] *The county attorney shall represent the commission and defend the apportionment plan adopted by the commission in any action to review the plan in state or federal court.*

Sec. 16. *This act supersedes for Hennepin County the provisions of Minnesota Statutes, Section 375.025.*

Sec. 17. *Section 1 of this act is effective the day following final enactment and, pursuant to Minnesota Statutes, 1979 Supplement, Section 645.023, Subdivision 1, Clauses (a) and (c), sections 2 to 16 of this act are effective the day after final enactment."*

Further amend by striking the title and inserting:

"A bill for an act relating to elections; authorizing time off from work for election judges; providing for redistricting of Hennepin County commissioner districts; amending Minnesota Statutes 1978, Section 204A.17, by adding a subdivision."

The motion prevailed and the amendment was adopted.

CALL OF THE HOUSE

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

Aasness	Anderson, D.	Begich	Byrne	Clawson
Adams	Anderson, G.	Berglin	Carlson, D.	Corbid
Ainley	Anderson, I.	Berkelman	Carlson, L.	Crandall
Albrecht	Anderson, R.	Blatz	Cassery	Dempsey
Anderson, B.	Battaglia	Brinkman	Clark	Den Ouden

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

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

Peterson, D., moved to amend S. F. No. 2122, as amended, as follows:

Page 2, line 2, after the period insert *"The commission shall have the exclusive power to draw the boundaries of the county commissioner districts."*

Page 2, line 3, delete *"nine"* and insert *"11"*

Page 2, line 6, delete *"two"* and insert *"four"* and delete *"by"*

Page 2, line 7, delete *"unanimous agreement"* and insert *"after agreement of at least five"*

Page 2, line 11, delete *"district court"* and insert *"county board by a vote of at least five of its members"*

Page 2, line 23, after the period, insert *"There shall be one district for each county commissioner."*

Page 2, line 28, after the period insert *"The commission, upon adoption of the plan, shall file the plan with the county official responsible for administration of elections."*

Page 2, line 29, delete *"30 days after"* and insert *"when"*

Page 2, line 30, delete *"it is"* and before the period insert *"and filed"*

Page 3, delete lines 17 to 21, and insert

"Subd. 2. Vacancies shall be filled by the appointing authority or, if necessary, the county board by at least five of its members."

Page 3, line 24, after "1" insert *"of the year in which it is established"*

Page 4, line 26, after "other" insert *"reasonable"*

Page 5, delete Subd. 3

Renumber the remaining subdivision

Page 6, delete lines 1 to 10 and insert:

"Sec. 10. [ELECTION AFTER REAPPORTIONMENT; STAGGERED TERMS.] There shall be a new election of all county commissioners at the next general election after adoption of a reapportionment plan, except that where the change made in the boundaries of a district is less than ten percent of the average of all districts of the county, the commissioner in office at the time of the redistricting shall serve for the full period for which elected. The commission shall determine the number of members of the county board who shall be elected to two and four year terms at the first general election after adoption of an apportionment plan in order to provide for staggered terms."

Page 6, line 16, delete the colon and insert *"it has adopted and filed an apportionment plan. The"*

Page 6, delete lines 17 to 25

Page 7, line 5, delete *"secretary of state"* and insert *"official with whom it is filed"*

Page 7, delete lines 6 and 7 and reletter the remaining clauses

Page 8, line 2, delete *"an original,"*

Page 8, line 3, delete everything before *"does"* and insert *"the plan"*

Page 8, line 5, delete *"immediately"*

Page 8, delete lines 6 to 11 and insert *"shall adopt its own apportionment plan within 60 days after issuing its opinion. The plan shall be adopted in accordance with the standards and form provided in sections 2 to 16. The court shall hold at least one public hearing before adopting the plan. Upon adoption of*

the plan the court shall file the plan with the county official responsible for administration of elections."

Page 8, delete lines 12 to 18 and insert:

"Subd. 3. The decision of the district court and any plan adopted by the court may be reviewed on appeal to the supreme court if the appeal is filed within 30 days after the district court issues its opinion or files its plan. The supreme court shall render its opinion within 60 days after the appeal is filed. If required by its opinion, the court shall adopt and file its own apportionment plan not later than 60 days after issuing its opinion."

Page 9, line 2, delete "by the commission" and insert "under sections 2 to 16"

Page 9, delete lines 4 to 10 and insert:

"Sec. 16. Minnesota Statutes, Section 375.025, Subdivisions 2 and 3 shall not apply to Hennepin County.

Sec. 17. Sections 2 to 16 are effective in Hennepin County.

Sec. 18. Sections 2 to 18 are effective upon approval by the governing body of Hennepin County, and upon compliance with Minnesota Statutes, Section 645.021."

Delete the title and insert:

"A bill for an act relating to elections; providing for redistricting of Hennepin County commissioner districts; authorizing time off from work for election judges; amending Minnesota Statutes 1978, Section 204A.17, by adding a subdivision."

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called.

Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 126 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, D.	Begich	Brinkman	Clark
Adams	Anderson, G.	Berglin	Byrne	Clawson
Ainley	Anderson, I.	Berkelman	Carlson, D.	Corbid
Albrecht	Anderson, R.	Biersdorf	Carlson, L.	Crandall
Anderson, B.	Battaglia	Blatz	Casserty	Dean

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

Those who voted in the negative were:

Drew	Patton	Pleasant	Reif	Waldorf
Olsen				

The motion prevailed and the amendment was adopted.

Knickerbocker moved to amend S. F. No. 2122, as amended, as follows:

Page 1, after line 20, insert:

"Sec. 2. This act is effective the day following final enactment."

Pages 1 to 9, delete Sections 2 to 17 in their entirety.

Further, amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, delete line 4 in its entirety

Page 1, line 5, delete "districts;"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called.

Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 64 yeas and 68 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

S. F. No. 2122, A bill for an act relating to elections; authorizing time off from work for election judges; amending Minnesota Statutes 1978, Section 204A.17, by adding a subdivision.

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 68 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Adams	Carlson, L.	Greenfield	Kostohryz	Munger
Anderson, B.	Casserly	Hokanson	Kroening	Murphy
Anderson, G.	Clark	Jacobs	Lehto	Nelsen, M.
Anderson, I.	Clawson	Jaros	Long	Nelson
Battaglia	Corbid	Johnson, C.	Mann	Novak
Begich	Eken	Jude	McCarron	Osthoff
Berglin	Elioff	Kahn	McEachern	Otis
Berkelman	Ellingson	Kalis	Metzen	Patton
Brinkman	Faricy	Kelly	Minne	Pehler
Byrne	Fudro	Kempe	Moe	Peterson, D.

Prahl	Sarna	Stoa	Voss	Wynia
Reding	Sieben, H.	Swanson	Waldorf	Spkr. Norton
Rice	Sieben, M.	Tomlinson	Welch	
Rodriguez	Simoneau	Vanasek	Wenzel	

Those who voted in the negative were:

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

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

CALL OF THE HOUSE LIFTED

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

S. F. No. 2265 was reported to the House.

Peterson, B., moved to amend S. F. No. 2265, as follows:

Strike everything after the enacting clause and insert:

"Section 1. The city of Bloomington may establish a port authority which shall have the same powers as a port authority established pursuant to Minnesota Statutes, Section 458.09. If the city establishes a port authority, the city shall exercise all the powers relating to the port authority granted to a city by Minnesota Statutes, Section 458.09 or other law.

Sec. 2. This act is effective on the day of compliance with Minnesota Statutes, Section 645.021, Subdivision 3."

Further amend by striking the title and inserting:

"A bill for an act relating to the city of Bloomington; permitting the establishment of a port authority."

The motion prevailed and the amendment was adopted.

S. F. No. 2265, A bill for an act relating to municipalities; authorizing joint municipal franchising for cable communications;

permitting the establishment of a port authority by the city of Bloomington; amending Minnesota Statutes 1978, Section 238.08, by adding a subdivision.

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 126 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Drew Fritz

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

S. F. No. 1690, A bill for an act relating to state departments; providing for the creation of a state employee assistance program in the department of administration; amending Minnesota Statutes 1978, Section 16.02, by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

Searles was excused for the remainder of today's session.

S. F. No. 1997, A bill for an act relating to the city of Austin and Cook County; authorizing the establishment and financing of the capital cost of a solid waste disposal system and program in the city of Austin; providing for steam line construction agreements for Cook County and Independent School District No. 166.

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

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

The bill was passed and its title agreed to.

S. F. No. 1749, A bill for an act relating to insurance; providing for the regulation of mass marketed life or health 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, Sections 72A.13; 72A.19; and 72A.41, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 2195, 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.

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

The bill was passed and its title agreed to.

H. F. No. 2320 was reported to the House.

Long moved that H. F. No. 2320 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 1166 was reported to the House.

Osthoff moved that S. F. No. 1166 be placed at the bottom of Special Orders. The motion prevailed.

S. F. No. 1875 was reported to the House.

Zubay moved to amend S. F. No. 1875, as follows:

Page 2, line 15, delete "30 days" insert "90 days"

Page 2, after line 31, after "enactment" insert "and expires June 30, 1983"

Jacobs requested a division of the amendment.

The first portion of the amendment reads as follows:

Page 2, line 15, delete "30 days" insert "90 days"

The motion prevailed and the first portion of the amendment was adopted.

The second portion of the amendment reads as follows:

Page 2, after line 31, after "enactment" insert "and expires June 30, 1983"

The motion prevailed and the second portion of the amendment was adopted.

S. F. No. 1875, A bill for an act relating to commerce; providing for ownership rights in dies and molds under certain conditions.

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 113 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden
Heap

Jennings
Ludeman

Olsen
Onnen

Rothenberg
Valento

Welker

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

S. F. No. 1842 was reported to the House.

Stowell moved to amend S. F. No. 1842 as follows:

Page 7, line 20, after the comma, delete the new language

Page 7, line 21, delete "*spaces*,"

Page 7, line 30, before the period insert "*or facilities in which the party storing goods rents and occupies space as a tenant and the entire risk of loss is with the tenant pursuant to written contract between the landlord and tenant*"

And further, amend the title as follows:

Page 1, line 2, after the semicolon, insert "clarifying definition of warehouseman;"

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete "obsolete language;"

The motion prevailed and the amendment was adopted.

Stowell moved to amend S. F. No. 1842, as amended, as follows:

Pages 3 to 7, delete all of sections 4 and 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "Sections" and insert "Section"

Page 1, lines 6 and 7, delete "and 218.041, Subdivisions 3 and 4,"

Page 1, line 8, delete "Section" and insert "Sections"

The motion prevailed and the amendment was adopted.

S. F. No. 1842, A bill for an act relating to agriculture; requiring denaturing and labeling of certain foods; adopting certain federal food regulations; striking certain obsolete language; changing certain procedures; amending Minnesota Statutes 1978, Sections 31.02; and 218.041, Subdivisions 3 and 4; and Minnesota Statutes, 1979 Supplement, Section 31.101, Subdivision 8; and 231.01, Subdivision 5.

The bill was read for the 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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 1541, A bill for an act relating to transportation; abolishing the functions, powers and duties of the department of transportation relating to the inspection, grading, sampling and analysis of hay and straw; clarifying laws relating to the regulation of railroads and removing obsolete and duplicative language; prescribing certain powers of the commissioner of transportation and the public service commission relating to rates and charges; requiring track scales, and regulating the weighing of railroad cars and freight; providing for railroad grade crossing safety devices and other safety devices; prescribing penalties; amending Minnesota Statutes 1978, Sections 218.011, Subdivision 2; 218.021; 218.031, Subdivision 1; 218.041; 219.01; 219.08; 219.10; 219.14; 219.17; 219.19; 219.23; 219.28; 219.383, Subdivision 4; 219.39; 219.40; 219.403; 219.47; 219.50; 219.52; 219.54; 219.64; 219.70; 219.741; 219.85; 219.92; 219.97, Subdivision 7; Chapters 25, by adding sections; 219, by adding sections; and 239, by adding a section; repealing Minnesota Statutes 1978, Sections 219.02; 219.03; 219.04; 219.05; 219.07; 219.11; 219.12; 219.25; 219.43; 219.58; 219.59; 219.60; 219.61; 219.62; 219.63; 219.65; 219.66; 219.67; 219.84; 219.86; 219.87; 219.89; 219.90; 219.91; 219.94; 219.95; 219.96; 219.97, Subdivisions 1, 2, 3, 8, 9, 11, 14, 15 and 16; 222.38; 222.39; 222.-

40; 222.41; 222.42; 222.43; 222.44; 222.45; 229.01; 229.02; 229.03; 229.04; 229.05; 229.06; 229.07; 229.08; 229.10; 229.11; 229.12; 229.13; 229.14; 229.15; 229.16; 229.17; 229.18; 229.19; 229.20; and 452.14.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1922, A bill for an act relating to financial institutions; permitting banks or trust companies to invest up to 20 percent of their capital and surplus in certain agricultural credit corporations; amending Minnesota Statutes 1978, Section 48.61, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 1811, A bill for an act relating to transportation; excluding minor pipeline relocations from certain easement or right-of-way agreement provisions; amending Minnesota Statutes, 1979 Supplement, Section 116I.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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Stadum	Tomlinson	Voss	Welker	Wynia
Stoa	Valan	Waldorf	Wenzel	Zubay
Stowell	Valento	Weaver	Wieser	Spkr. Norton
Swanson	Vanasek	Welch	Wigley	

The bill was passed and its title agreed to.

S. F. No. 1772 was reported to the House.

McEachern offered an amendment to S. F. No. 1772.

POINT OF ORDER

Nelsen, B., raised a point of order pursuant to rule 3.9 that the amendment was not in order. Speaker pro tem Johnson, C., ruled the point of order well taken and the amendment out of order.

S. F. No. 1772, A bill for an act relating to highway traffic regulations; authorizing an annual permit for certain oversize vehicles transporting implements of husbandry; prescribing limitations on the use of the vehicles; amending Minnesota Statutes 1978, Section 169.80, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1813 was reported to the House.

Den Ouden moved to amend S. F. No. 1813 as follows:

Page 2, line 18, before the semicolon insert "*, unless prohibited by local zoning ordinance*"

The motion prevailed and the amendment was adopted.

S. F. No. 1813, A bill for an act relating to mobile homes; permitting the sale of mobile homes from a residence; amending Minnesota Statutes 1978, Section 327.55, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

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

S. F. No. 1937 was reported to the House.

Byrne moved to amend S. F. No. 1937 as follows:

Page 2, after line 2, insert:

"Sec. 2. Minnesota Statutes 1978, Section 171.04, is amended to read:

171.04 [PERSONS NOT ELIGIBLE FOR DRIVER'S LICENSES.] The department shall not issue a driver's license hereunder:

(1) To any person who is under the age of 16 years; to any person under 18 years unless such person shall have successfully completed a course in driver education, including both classroom and behind-the-wheel instruction, approved by the department of public safety or, in the case of a course offered by a private, commercial driver education school or institute employing driver education instructors, by the department of public safety, except when such person has completed a course of driver education in another state or has a previously issued valid license from another state or country; nor to any person under 18 years unless the application of license is approved by either parent when both reside in the same household as the minor applicant, otherwise the parent having custody or with whom the minor is living in the event there is no court order for custody, or guardian having the custody of such minor, or in the event a person under the age of 18 has no living father, mother or guardian, the license shall not be issued to such person unless his application therefor is approved by his employer. Behind-the-wheel driver education courses offered in any public school shall be open for enrollment to persons between the ages of 15 and 18 years residing in the school district or attending school therein. Any public school offering behind-the-wheel driver education courses may charge an enrollment fee for the behind-the-wheel driver education course which shall not exceed the actual cost thereof to the public school and the school district. The approval required herein shall contain a verification of the age of the applicant;

(2) To any person whose license has been suspended during the period of suspension except that a suspended license may be reinstated during the period of suspension upon the licensee furnishing proof of financial responsibility in the same manner as provided in the Minnesota no-fault automobile insurance act;

(3) To any person whose license has been revoked except upon furnishing proof of financial responsibility in the same manner as provided in the Minnesota no-fault automobile insurance act and if otherwise qualified;

(4) To any person who is an habitual drunkard as determined by competent authority or is addicted to the use of narcotic drugs;

(5) To any person who has been adjudged legally incompetent by reason of mental illness, mental deficiency, or inebriation, and has not been restored to capacity, unless the department is

satisfied that such person is competent to operate a motor vehicle with safety to persons or property;

(6) To any person who is required by this chapter to take an examination, unless such person shall have successfully passed such examination;

(7) To any person who is required under the provisions of the Minnesota no-fault automobile insurance act of this state to deposit proof of financial responsibility and who has not deposited such proof;

(8) To any person when the commissioner has good cause to believe that the operation of a motor vehicle on the highways by such person would be inimical to public safety or welfare.

(9) To any person when, in the opinion of the commissioner, such person is afflicted with or suffering from such physical or mental disability or disease as will affect such person in a manner to prevent him from exercising reasonable and ordinary control over a motor vehicle while operating the same upon the highways; nor to a person who is unable to read and understand official signs regulating, warning and directing traffic. *Whenever a physician is aware of any physical or mental injury, condition or disability which may affect a person's ability to operate a motor vehicle safely, the physician shall immediately report the problem to the Commissioner of Public Safety.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "requiring a physician to report certain disabilities which may affect a person's driving ability to the commissioner of public safety;"

Page 1, line 6, delete "Section" and insert "Sections"

Page 1, line 7, after "2" insert "; and 171.04"

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

Haukoos moved to amend S. F. No. 1937, as follows:

Page 2, before line 3, insert:

"Sec. 2. Minnesota Statutes 1978, Section 171.07, is amended by adding a subdivision to read:

Subd. 3a. A Minnesota identification card issued to an applicant 65 years of age or over shall be of a distinguishing color and plainly marked "senior". The fee for the card issued to an applicant 65 years of age or over shall be one half the required fee for a class C driver's license. A Minnesota identification card or a Minnesota driver's license issued to a person 65 years of age or over shall be valid identification for the purpose of qualifying for reduced rates, free licenses or services provided by any board, commission, agency or institution that is wholly or partially funded by state appropriations.

Sec. 3. Minnesota Statutes 1978, Section 171.07, Subdivision 1, is amended to read:

171.07 [DEPARTMENT TO ISSUE LICENSE AND NON-QUALIFICATION CERTIFICATES; ANATOMICAL GIFT INDICATION.] Subdivision 1. The department shall, upon the payment of the required fee, issue to every applicant qualifying therefor a license designating the type or class of vehicles he is authorized to drive as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a description of the licensee in such manner as the commissioner deems necessary, and a space upon which the licensee shall write his usual signature with pen and ink. No license shall be valid until it has been so signed by the licensee. Except in the case of an instruction permit, every license shall bear thereon a colored photograph of the licensee. Every license issued to an applicant under the age of 18 shall be of a distinguishing color and plainly marked "provisional." The department shall use such process or processes in the issuance of licenses that prohibits as near as possible, the ability to alter or reproduce the licenses or prohibit the ability to superimpose a photo on such licenses without ready detection. Each license certificate issued shall be on an all plastic or laminated plastic card with the identifying information embossed thereon. *A license issued to an applicant of age 65 or over shall be plainly marked "senior" if requested by the applicant.*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon insert "providing for distinctive Minnesota identification cards and driver's licenses for senior citizens and providing for their use for certain identification purposes;"

Page 1, line 7, before the period insert "; 171.07, Subdivision 1, and by adding a subdivision"

The motion prevailed and the amendment was adopted.

S. F. No. 1937, A bill for an act relating to drivers licenses; authorizing instruction permit holders to operate a motor vehicle while receiving behind the wheel training when accompanied by licensed adults; amending Minnesota Statutes 1978, Section 171.05, Subdivision 2.

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

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

Those who voted in the affirmative were:

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

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

S. F. No. 2090 was reported to the House.

Patton moved to amend S. F. No. 2090, as follows:

Page 2, line 14, after "owner" insert "or lessee"

The motion prevailed and the amendment was adopted.

Redalen, Stadum, Mann, Kalis and Fjoslien moved to amend S. F. No. 2090, as follows:

Page 1, line 23, after the period insert: "*The provisions of section 1 do not apply to the transportation of unprocessed or raw farm products from the place of production to market provided the transportation constitutes the first haul of the products.*"

The motion prevailed and the amendment was adopted.

S. F. No. 2090, A bill for an act relating to transportation; allowing the use of certain documents as relevant evidence of exceeding vehicle weight limits; requiring record keeping for shipments unloaded; imposing civil penalties; amending Minnesota Statutes 1978, Chapter 169, by adding sections.

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 109 yeas and 15 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	Erickson	Jennings	Nysether	Valan
Anderson, G.	Esau	Kalis	Stadum	Welker
Eken	Fjoslien	Niehaus	Sviggum	Wigley

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

S. F. No. 1679, A bill for an act relating to transportation; permitting certain exemptions from motor carrier reporting requirements; requiring driver qualifications and safety requirements for certain carriers; creating a single annual renewal date for holders of multiple permits; permitting issuance of "floater" identification cards to motor carriers; clarifying enforcement powers; amending Minnesota Statutes 1978, Sections 221.031, Subdivision 1; 221.131; 221.221; and Minnesota Statutes, 1979 Supplement, Section 221.011, Subdivision 22.

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

The bill was passed and its title agreed to.

S. F. No. 2110 was reported to the House.

McCarron, Valento, Voss and Novak moved to amend S. F. No. 2110 as follows:

Page 2, after line 1, insert:

"Sec. 2. Notwithstanding any other law, the metropolitan airports commission shall not use revenue from any source, as described by Minnesota Statutes, Section 473.608, for construction of air facilities to expand or upgrade the use of an existing metropolitan airport from minor use to intermediate use status as defined by the metropolitan development guide, aviation chapter, adopted pursuant to Minnesota Statutes, Section 473.145."

Renumber the section in sequence

Further, amend the title as follows:

Page 1, line 4, after "commission" insert "; restricting the use of certain metropolitan airports commission revenue"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 49 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Aasness	Ellingson	Kaley	Osthoff	Swiggum
Anderson, R.	Esau	Kostohryz	Pehler	Swanson
Berkelman	Fjoslien	Luknic	Peterson, D.	Valento
Blatz	Fritz	Mann	Prahl	Voss
Brinkman	Greenfield	McCarron	Reif	Waldorf
Byrne	Halberg	McDonald	Rose	Welch
Carlson, L.	Heinitz	Metzen	Sarna	Wieser
Corbid	Hoberg	Munger	Searle	Zubay
Crandall	Hokanson	Norman	Simoneau	Spkr. Norton
Drew	Kahn	Novak	Stadum	

Those who voted in the negative were:

Adams	Den Ouden	Jude	Nelson	Schreiber
Ainley	Eken	Kalis	Niehaus	Sherwood
Albrecht	Elioff	Kelly	Nysether	Sieben, H.
Anderson, B.	Erickson	Kempe	Olsen	Sieben, M.
Anderson, D.	Evans	Knickerbocker	Onnen	Stoa
Anderson, G.	Ewald	Kroening	Otis	Stowell
Anderson, I.	Faricy	Kvam	Patton	Thiede
Battaglia	Friedrich	Levi	Peterson, B.	Tomlinson
Begich	Fudro	Ludeman	Piepho	Valan
Berglin	Haukoos	McEachern	Pleasant	Vanasek
Biersdorf	Heap	Mehrkins	Redalen	Weaver
Carlson, D.	Jacobs	Minne	Reding	Welker
Casserly	Jaros	Moe	Rees	Wenzel
Clawson	Jennings	Murphy	Rice	Wigley
Dean	Johnson, C.	Nelsen, B.	Rodriguez	Wynia
Dempsey	Johnson, D.	Nelsen, M.	Rothenberg	

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

Norman moved to amend S. F. No. 2110, as follows:

Page 2, after line 1, insert:

"Sec. 2. Minnesota Statutes 1978, Section 473.608, Subdivision 20, is amended to read:

Subd. 20. Subject to the final enactment of the Airport and Airways Development Act Amendments of 1975 the corporation shall install aircraft noise suppressing equipment at the ground run-up operation sites of the Minneapolis-St. Paul International Airport. All such aircraft noise suppressing equipment shall conform to specifications approved by the pollution control agency. The pollution control agency shall determine the deadline for

design selection and installation of the aircraft noise suppressing equipment; provided the deadline for design selection shall be no later than December 31, 1980."

Renumber the section in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon insert "setting deadlines for design selection and installation of aircraft noise suppressing equipment;"

Page 1, line 5, delete "Section" and insert "Sections 473.608, Subdivision 20; and"

The motion prevailed and the amendment was adopted.

S. F. No. 2110, A bill for an act relating to metropolitan government; providing for the maximum amount of the borrowing authorization of the metropolitan airports commission; amending Minnesota Statutes 1978, Section 473.667, Subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

McCarron Simoneau

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

S. F. No. 1240, A bill for an act relating to natural resources; setting forth the rights of property owners whose property is purchased for conservation purposes; revising responsibilities of the commissioner of natural resources and the commissioner of administration in property acquisition; authorizing the commissioner of natural resources, with the approval of the state executive council to convey the interests of the state in lands for the purpose of correcting boundary description errors; amending Minnesota Statutes 1978, Sections 84.0272; 85.012, Subdivision 1; 85.015, Subdivision 1; 85.021, Subdivisions 1 and 2; and 104.37, 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	Den Ouden	Johnson, D.	Nelsen, M.	Sieben, H.
Adams	Drew	Jude	Nelson	Sieben, M.
Ainley	Eken	Kahn	Niehaus	Simoneau
Albrecht	Eloff	Kaley	Norman	Stadum
Anderson, B.	Ellingson	Kalis	Novak	Stoa
Anderson, D.	Erickson	Kelly	Nysether	Sviggum
Anderson, G.	Esau	Kempe	Onnen	Swanson
Anderson, I.	Evans	Knickerbocker	Osthoff	Thiede
Anderson, R.	Ewald	Kostohryz	Otis	Tomlinson
Battaglia	Faricy	Kroening	Patton	Valan
Begich	Fjoslien	Lehto	Pehler	Valento
Berglin	Forsythe	Levi	Peterson, B.	Vanasek
Berkelman	Friedrich	Long	Peterson, D.	Voss
Biersdorf	Fritz	Ludeman	Piepho	Waldorf
Blatz	Fudro	Luknic	Pleasant	Weaver
Brinkman	Greenfield	Mann	Prahl	Welch
Byrne	Halberg	McCarron	Redalen	Wenzel
Carlson, D.	Haukoos	McDonald	Reding	Wieser
Carlson, L.	Heap	McEachern	Rees	Wigley
Casserly	Heinitz	Mehrkins	Rice	Wynia
Clark	Hoberg	Metzen	Rodriguez	Zubay
Clawson	Hokanson	Minne	Rose	Spkr. Norton
Corbid	Jacobs	Moe	Rothenberg	
Crandall	Jaros	Munger	Sarna	
Dean	Jennings	Murphy	Searle	
Dempsey	Johnson, C.	Nelsen, B.	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 1619 was reported to the House.

Osthoff moved to amend S. F. No. 1619, the unofficial engrossment, as follows:

Page 5, after line 12, insert a section to read:

"Sec. 4. Minnesota Statutes 1978, Section 471.345, is amended by adding a subdivision to read:

Subd. 8. [PROCUREMENT FROM SOCIALLY OR ECONOMICALLY DISADVANTAGED PERSONS.] For purposes of this subdivision, the following terms shall have the meanings herein ascribed to them:

(a) *"socially and economically disadvantaged person" means a person who has been deprived of the opportunity to develop and maintain a competitive position in the economy because of social or economic disadvantage. This disadvantage may arise from cultural, social or economic circumstances or background, physical location if the person resides or is employed in an area declared as a labor surplus area by the United States department of commerce, physical handicap, or other similar cause.*

(b) *"business entity" means an entity organized for profit, including an individual, partnership, corporation, joint venture, association, or cooperative.*

Nothing in this section shall be construed to prohibit any municipality from adopting a resolution, rule, regulation or ordinance which on an annual basis designates and sets aside for awarding to business entities controlled by socially or economically disadvantaged persons a percentage of the value of its anticipated total procurement of goods and services, including construction, and which uses either a negotiated price or bid contract procedure in the awarding of a procurement contract under a set-aside program as allowed in this subdivision, provided that any award based on a negotiated price shall not exceed by more than five percent the municipality's estimated price for the goods and services if they were purchased on the open market and not under the set-aside program."

Renumber the remaining sections accordingly.

Further amend the title:

Page 1, line 2, delete "the transit" and insert "public administration"

Page 1, line 7, after "debt;" insert "authorizing certain municipal contracts with socially and economically disadvantaged persons;"

Page 1, line 8, after "Subdivision 1;" insert "471.345, by adding a subdivision;"

The motion prevailed and the amendment was adopted.

Fritz offered an amendment to S. F. No. 1619.

POINTS OF ORDER

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

Nelson offered an amendment to S. F. No. 1619.

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

S. F. No. 1619, A bill for an act relating to the metropolitan transit area; providing for contracts with socially or economically disadvantaged persons including handicapped persons; amending Minnesota Statutes 1978, Chapter 473, by adding a section.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden Kvam Welker

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

Heap was excused from 5:50 p.m. to 7:45 p.m.

S. F. No. 1665 was reported to the House.

Friedrich moved to amend S. F. No. 1665, as follows:

Page 4, line 8, delete "*plus an additional one percent per*"

Page 4, line 9, delete "*annum*"

The motion prevailed and the amendment was adopted.

S. F. No. 1665, A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means of securing full performance; amending Minnesota Statutes 1978, Sections 161.322; 162.04; 162.10; and 429.041, Subdivision 6.

The bill was read for the third time, 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 105 yeas and 24 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht	Berglin	Forsythe	Niehaus	Tomlinson
Anderson, D.	Casserly	Greenfield	Pleasant	Voss
Anderson, G.	Erickson	Kahn	Rice	Wigley
Battaglia	Esau	Long	Schreiber	Wynia
Beginch	Faricy	Minne	Swanson	

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

H. F. No. 2237 was reported to the House.

Murphy moved to amend H. F. No. 2237 as follows:

Page 2, line 12, delete the semicolon and insert a period

Page 2, after line 12 insert:

"Employees included as "public employees" pursuant to clauses (1) and (2) shall not be included under master contracts expiring June 30, 1981, for purposes of salary or fringe benefits;"

The motion prevailed and the amendment was adopted.

CALL OF THE HOUSE

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

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

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

Novak; Anderson, R.; Simoneau; Jacobs; Pehler; Kelly; Reding; Sieben, H.; Anderson, I.; Murphy; Elioff and Kroening moved to amend H. F. No. 2237, as follows:

Page 2, after line 14, insert

"Sec. 2. Minnesota Statutes 1978, Chapter 179, is amended by adding a section to to read:

[179.78] [TEACHERS; NEGOTIATIONS; ARBITRATION.] *Subdivision 1. The provisions of this section shall govern the negotiation and arbitration of a collective bargaining agreement between the employer and the exclusive representative of the teachers. The provisions of sections 179.61 to 179.76 shall continue to govern the rights and obligations of teachers, their exclusive representative and their employer except to the extent that the provisions are inconsistent with the provisions of this section.*

Subd. 2. The employer and the exclusive representative of the teachers shall execute a written contract or memorandum of contract as provided in section 179.70 not later than July 1 of each odd-numbered year. Either party may petition the director of mediation services for assistance in reaching an agreement, as provided in section 179.69, subdivision 1. If the employer and the exclusive representative fail to execute a contract by July 1 of the odd-numbered year, they shall be conclusively presumed to be at an impasse.

Subd. 3. If a new or different exclusive representative is certified by the director at any time other than the period between 120 days before the termination date of a contract and the termination date of the contract, or if on July 1 of any odd-numbered year a representation proceeding involving the employer and the employer's teachers is before the director, the provisions of subdivision 2 shall not apply. In those cases, the employer and the exclusive representative of the teacher shall execute a written contract or memorandum of contract as provided in section 179.70 no later than 45 days after a certification by the director of a new or different exclusive representative or the resolution by the director of a representation proceeding. Either party may petition the director of mediation services for assistance in reaching an agreement, as provided in section 179.69, subdivision 1. If the employer and the exclusive representative fail to execute a contract by 45 days after the certification of a new or different exclusive representative or the resolution by the director of a representation proceeding, they shall be conclusively presumed to be at an impasse.

Subd. 4. Upon an impasse, either party may petition the director for binding arbitration. When a petition for binding arbitration is filed by either party and an impasse exists, the director shall notify the other party of the filing of a petition for binding arbitration. The other party shall have 15 days after notification of the filing of the petition to reject the request or to agree to submit matters not agreed upon to binding arbitra-

tion. If the other party does not respond within 15 days, the failure to respond shall be regarded as a refusal to submit to binding arbitration within the meaning of subdivision 5.

Subd. 5. Teachers shall have the right to strike and a defense to a charge of violating section 179.64 only under the following circumstances:

(a) The employer has violated section 179.68, subdivision 2, clause (9);

(b) Either party has refused a request by the other party for binding arbitration pursuant to this section; or

(c) Forty-five days after an impasse in contract negotiations, there is no agreement to submit the issues in dispute to binding arbitration pursuant to this section.

Sec. 3. Minnesota Statutes 1978, Section 179.61, is amended to read:

179.61 [PUBLIC POLICY.] It is the public policy of this state and the purpose of sections 179.61 to 179.77 and section 2 to promote orderly and constructive relationships between all public employers and their employees, subject however, to the paramount right of the citizens of this state to keep inviolate the guarantees for their health, education, safety and welfare.

The relationships between the public, the public employees, and their employer governing bodies imply degrees of responsibility to the people served, need of cooperation and employment protection which are different from employment in the private sector. So also the essentiality and public desire for some public services tend to create imbalances in relative bargaining power or the resolution with which either party to a disagreement presses its position, so that unique approaches to negotiations and resolutions of disputes between public employees and employers are necessary.

Unresolved disputes between the public employer and its employees are injurious to the public as well as to the parties; adequate means must therefore be established for minimizing them and providing for their resolution. Within the foregoing limitations and considerations the legislature has determined that overall policy may best be accomplished by:

(1) granting to public employees certain rights to organize and choose freely their representatives;

(2) requiring public employers to meet and negotiate with public employees in an appropriate bargaining unit and providing for written agreements evidencing the result of such bargaining; and

(3) establishing special rights, responsibilities, procedures and limitations regarding public employment relationships which will provide for the protection of the rights of the public employee, the public employer and the public at large.

Sec. 4. Minnesota Statutes 1978, Section 179.62, is amended to read:

179.62 [CITATION.] Sections 179.61 to 179.77 *and section 2* shall be known and may be cited as the public employment labor relations act (OF 1971).

Sec. 5. Minnesota Statutes 1978, Section 179.63, Subdivision 1, is amended to read:

179.63 [DEFINITIONS.] Subdivision 1. For the purposes of sections 179.61 to 179.77 *and section 2* the terms defined in this section have the meanings given them.

Sec. 6. Minnesota Statutes 1978, Section 179.63, Subdivision 4, is amended to read:

Subd. 4. "Public employer" or "employer" means (a) the state of Minnesota in respect to employees of the state not otherwise provided for in this subdivision or section 179.74 for executive branch employees; (b) the board of regents of the University of Minnesota, in respect to employees thereof; and (c) the governing body of a political subdivision or agency or instrumentality thereof which has final budgetary approval authority, in respect to employees of that subdivision, agency or instrumentality. When two or more units of government subject to the provisions of sections 179.61 to 179.77 *and section 2* undertake a project or form a new agency of government under chapter 402, or section 471.59, or other law authorizing common or joint action, the employer for purposes of sections 179.61 to 179.77 *and section 2* shall be the governing person or board of the created agency and the governing official or body of the cooperating governmental units shall be bound by an agreement entered into by the created agency pursuant to the procedures of sections 179.61 to 179.77 *and section 2*. The term does not include a "charitable hospital" as defined in section 179.35, subdivision 2. Nothing in this subdivision shall be construed to diminish the authority granted pursuant to law to an appointing authority in respect to the selection, direction, discipline or discharge of an individual employee insofar as such action is consistent with general procedures and standards relating to selection, direction, discipline or discharge which are the subject of an agreement entered into pursuant to sections 179.61 to 179.77 *and section 2*.

Sec. 7. Minnesota Statutes 1978, Section 179.64, Subdivision 1, is amended to read:

179.64 [STRIKES; PROHIBITION; PENALTIES.] Subdivision 1. No person holding a position by appointment or

employment in the government of the state of Minnesota, or in the government of any one or more of the political subdivisions thereof, or in the service of the public schools, or of the state university, or in the service of any authority, commission or board or any other branch of the public service, whether included or excepted from this act may engage in a strike, nor shall any such person or organization of such persons or its officials or agents cause, condone, instigate, encourage, or cooperate, in a strike except as may be provided in subdivision 7 or in section 2, subdivision 5.

Sec. 8. Minnesota Statutes, 1979 Supplement, Section 179.64, Subdivision 7, is amended to read:

Subd. 7. A violation of section 179.68, subdivision 2, clause (9), a refusal by the employer to request binding arbitration when requested by the exclusive representative pursuant to section 179.69, subdivision 3 or 5, or, as applied to state employees, a disapproval by the legislative commission on employee relations pursuant to section 3.855 or a failure by the legislature to approve a negotiated agreement or arbitration award pursuant to section 179.74, is a defense to a violation of this section, except as to essential employees. *A teacher shall have a defense to a violation of this section only as provided by section 2, subdivision 5.* As to all public employees, no other unfair labor practice or violation of sections 179.61 to 179.76 and section 2 by a public employer shall be a violation of this section but may be considered by the court in mitigation of or retraction of any penalties as to employees and employee organizations.

Sec. 9. Minnesota Statutes 1978, Section 179.65, Subdivision 1, is amended to read:

179.65 [RIGHTS AND OBLIGATIONS OF EMPLOYEES.]
Subdivision 1. Nothing contained in sections 179.61 to 179.77 and section 2 shall be construed to limit, impair or affect the right of any public employee or his representative to the expression or communication of a view, grievance, complaint or opinion on any matter related to the conditions or compensation of public employment or their betterment, so long as the same is not designed to and does not interfere with the full faithful and proper performance of the duties of employment or circumvent the rights of the exclusive representative if there be one; nor shall it be construed to require any public employee to perform labor or services against his will. If no exclusive representative has been certified, any public employee individually, or group of employees through their representative, shall have the right of expression or communication of a view, grievance, complaint or opinion on any matter related to the conditions or compensation of public employment or their betterment, by meeting with their public employer or his representative so long as the same is not designed to and does not interfere with the full, faithful and proper performance of the duties of employment.

Sec. 10. Minnesota Statutes, 1979 Supplement, Section 179.65, Subdivision 6, is amended to read:

Subd. 6. Supervisory and confidential employees, principals and assistant principals may form their own organizations. An employer shall extend exclusive recognition to a representative of or an organization of supervisory or confidential employees, or principals and assistant principals, for the purpose of negotiating terms or conditions of employment, in accordance with all other provisions of sections 179.61 to 179.76 and *section 2*, as though they were essential employees. Units of supervisory or confidential employees shall not participate in any joint negotiations which involve the participation of units of employees other than supervisory or confidential employees. Affiliation of a supervisory or confidential employee with another employee organization which has as its members non-supervisory employees or non-confidential employees is permitted.

Sec. 11. Minnesota Statutes 1978, Section 179.66, Subdivision 5, is amended to read:

Subd. 5. Any provision of any contract required by section 179.70, which of itself or in its implementation would be in violation of or in conflict with any statute of the state of Minnesota or rule or regulation promulgated thereunder or provision of a municipal home rule charter or ordinance or resolution adopted pursuant thereto, or rule of any state board or agency governing licensure or registration of an employee, provided such rule, regulation, home rule charter, ordinance, or resolution is not in conflict with sections 179.61 to 179.66 and *section 2* shall be returned to the arbitrator for an amendment to make the provision consistent with the statute, rule, regulation, charter, ordinance or resolution.

Sec. 12. Minnesota Statutes 1978, Section 179.66, Subdivision 6, is amended to read:

Subd. 6. Nothing in sections 179.61 to 179.77 and *section 2* shall be construed to impair, modify or otherwise alter, or indicate a policy contrary to the authority of the legislature of the state of Minnesota to establish by law schedules of rates of pay for its employees or the retirement or other fringe benefits related to the compensation of such employees.

Sec. 13. Minnesota Statutes 1978, Section 179.66, Subdivision 9, is amended to read:

Subd. 9. An employer may hire and pay for arbitrators desired or required by the provisions of sections 179.61 to 179.77 and *section 2*.

Sec. 14. Minnesota Statutes 1978, Section 179.67, Subdivision 1, is amended to read:

179.67 [EXCLUSIVE REPRESENTATION; ELECTIONS; DECERTIFICATION.] Subdivision 1. Any employee organization holding formal recognition by order of the director or by employer voluntary recognition on the effective date of Extra Session Laws 1971, Chapter 33 under any law that is repealed by Extra Session Laws 1971, Chapter 33 is hereby certified as the exclusive representative until such time as it is decertified or another representative is certified in its place pursuant to Extra Session Laws 1971, Chapter 33. Any teacher organization as defined by section 125.20, subdivision 3, *as compiled in Minnesota Statutes 1969, (WHO) which* on the effective date of Extra Session Laws 1971, Chapter 33 has a majority of its members on a teacher's council in a school district as provided in section 125.22, *as compiled in Minnesota Statutes 1969,* is hereby certified as the exclusive representative of all teachers of that school district until such time as the organization is decertified or another organization is certified in its place pursuant to sections 179.61 to 179.77 and section 2.

Sec. 15. Minnesota Statutes 1978, Section 179.68, is amended to read:

179.68 [UNFAIR PRACTICES.] Subdivision 1. The practices specified in this section are unfair practices. Any employee, employer, employee or employer organization, exclusive representative, or any other person or organization aggrieved by an unfair labor practice as defined in sections 179.61 to 179.77 and section 2 may bring an action in district court of the county wherein the practice is alleged to have occurred for injunctive relief and for damages caused by such unfair labor practice.

Subd. 2. Public employers, their agents or representatives are prohibited from:

(1) interfering, restraining or coercing employees in the exercise of the rights guaranteed in sections 179.61 to 179.77 and section 2;

(2) dominating or interfering with the formation, existence or administration of any employee organization or contributing other support to it;

(3) discriminating in regard to hire or tenure to encourage or discourage membership in an employee organization;

(4) discharging or otherwise discriminating against an employee because he has signed or filed an affidavit, petition or complaint or given any information or testimony under sections 179.61 to 179.77 and section 2;

(5) refusing to meet and negotiate in good faith with the exclusive representative of its employees in an appropriate unit;

(6) refusing to comply with grievance procedures contained in an agreement as required by section 179.70;

(7) distributing or circulating any blacklist of individuals exercising any legal right or of members of a labor organization for the purpose of preventing individuals so blacklisted from obtaining or retaining employment;

(8) violating any of the rules and regulations established by the director regulating the conduct of representation elections (OR);

(9) refusing to comply with the provisions of a valid decision of a binding arbitration panel or arbitrator acting pursuant to sections 179.61 to 179.77 and section 2;

(10) violating or refusing to comply with any lawful order or decision issued by the director or the board; and

(11) refusing to provide upon the request of the exclusive representative all information pertaining to the public employer's budget both present and proposed, revenues and other financing information. In the executive branch of state government, the provisions of this clause shall not be considered contrary to the budgetary requirements set forth in sections (16.14, 16.15) 16A.10 and (16.155) 16A.11.

Subd. 3. Employee organizations, their agents or representatives, and public employees are prohibited from:

(1) restraining or coercing employees in the exercise of their rights as provided in sections 179.61 to 179.77 and section 2;

(2) restraining or coercing a public employer in the election of his representatives to be employed for the purposes of meeting and negotiating or the adjustment of grievances;

(3) refusing to meet and negotiate in good faith with a public employer, if they have been designated in accordance with the provisions of sections 179.61 to 179.77 and section 2 as the exclusive representative of employees in an appropriate unit;

(4) violating any of the rules and regulations established by the director regulating the conduct of representation elections;

(5) refusing to comply with the provisions of a valid decision of an arbitration panel or arbitrator acting pursuant to sections 179.61 to 179.77 and section 2;

(6) calling, instituting, maintaining or conducting a strike or boycott against any public employer on account of any jurisdictional controversy;

(7) coercing or restraining any person with the effect to:

(a) force or require any public employer to cease dealing or doing business with any other person or;

(b) force or require a public employer to recognize for representation purposes an employee organization not certified by the director;

(c) refuse to handle goods or perform services;

(d) preventing an employee from providing services to the employer;

(8) committing any act designed to damage or actually damaging physical property or endangering the safety of persons while engaging in a strike;

(9) forcing or requiring any employer to assign particular work to employees in a particular employee organization or in a particular trade, craft, or class rather than to employees in another employee organization or in another trade, craft or class;

(10) causing or attempting to cause a public employer to pay or deliver or agree to pay or deliver any money or other thing of value, in the nature of an exaction, for services which are not performed or not to be performed;

(11) engaging in an unlawful strike;

(12) picketing which has an unlawful purpose such as secondary boycott;

(13) picketing which unreasonably interferes with the ingress and egress to facilities of the public employer;

(14) seizing or occupying or destroying property of the employer;

(15) violating or refusing to comply with any lawful order or decision issued by the director of the board as authorized by sections 179.61 to 179.77 and section 2.

Sec. 16. Minnesota Statutes 1978, Section 179.71, Subdivision 2, is amended to read:

Subd. 2. The director shall accept and investigate all petitions for:

(a) certification or decertification as the exclusive representative of an appropriate unit;

(b) mediation services;

(c) any election or other voting procedures provided for in sections 179.61 to 179.77 *and section 2*;

(d) certification to the board of arbitration;

(e) to hear and decide all issues in a fair share fee challenge.

Sec. 17. Minnesota Statutes 1978, Section 179.71, Subdivision 4, is amended to read:

Subd. 4. Public employers and exclusive representatives of employees may voluntarily participate in joint negotiations in similar or identical appropriate units. It is the policy of sections 179.61 to 179.77 *and section 2* to encourage such areawide negotiations and the director shall encourage it whenever possible.

Sec. 18. Minnesota Statutes 1978, Section 179.71, Subdivision 5, is amended to read:

Subd. 5. In addition to all other duties imposed by this section, the director shall:

(a) retain mediation jurisdiction over the parties for purposes of this subdivision until such time as the parties reach agreement; provided, however, he may continue to assist parties after the parties have submitted their final positions as provided or required under section 179.72, subdivision 6; or section 179.69, subdivision 6;

(b) issue notices, subpoenas and orders as may be required by law to carry out his duties under sections 179.61 to 179.77 *and section 2*. Issuance of orders shall include those orders of the Minnesota public employment relations board;

(c) certify to the Minnesota public employment relations board those items of dispute between parties to be subject to the action of the Minnesota public employment relations board under section 179.69, subdivision 3;

(d) assist the parties in formulating petitions, notices, and other papers required to be filed with the director or the board;

(e) certify the final results of any election or other voting procedure conducted pursuant to sections 179.61 to 179.77 *and section 2*;

(f) furnish clerical and administrative services to the Minnesota public employment relations board as may be required;

(g) adopt reasonable and proper rules and regulations relative to and regulating the forms of petitions, notices, orders and the conduct of hearings and elections subject to final approval of the Minnesota public employment relations board. Such rules and regulations shall be printed and made available to the public and a copy delivered with each notice of hearing; provided, that every such rule or regulation shall be filed with the secretary of state, and any change therein or additions thereto shall not take effect until 20 days after such filing;

(h) receive, catalogue and file in a logical manner all orders and decisions of the Minnesota public employment relations board and all arbitration panels authorized by sections 179.61 to 179.77 *and section 2* as well as all grievance arbitration decisions and the director's own orders and decisions. All orders and decisions catalogued and filed shall be made readily available to the public;

(i) promulgate a grievance procedure to effectuate the purposes of section 179.70, subdivision 1. Such grievance procedure shall not provide for the services of the bureau of mediation services. The exercise of authority granted by this clause shall be subject to the provisions of chapter 15; said grievance procedure to be available to any public employee employed in a unit not covered by a negotiated grievance procedure as contained in section 179.70, subdivision 1;

(j) conduct elections.

Sec. 19. Minnesota Statutes 1978, Section 179.74, Subdivision 2, is amended to read:

Subd. 2. The employer of state employees shall be, for purposes of sections 179.61 to 179.77 *and section 2*, the commissioner of personnel or his representative.

Sec. 20. Minnesota Statutes, 1979 Supplement, Section 179.74, Subdivision 4, is amended to read:

Subd. 4. The commissioner of personnel shall meet and negotiate with the exclusive representative of appropriate units in the manner prescribed by sections 179.61 to 179.77 *and section 2*; provided, however, that the director of mediation services shall define appropriate units of state employees as all the employees under the same appointing authority except where pro-

fessional, geographical or other considerations affecting employment relations clearly require appropriate units of some other composition. The positions and classes of positions in the classified and unclassified services defined as managerial by the commissioner of personnel in accordance with the provisions of section 43.326 and so designated in the official state compensation schedules, all unclassified positions in the state university system and the community college system defined as managerial by their respective boards, all positions in the bureau of mediation services, all hearing examiners in the office of hearing examiners, employees who work in the personnel offices of an appointing authority in the executive branch and who have access to information subject to use by the appointing authority in meeting and negotiating or who actively participate in the meeting and negotiating on behalf of the state, shall be excluded from any appropriate unit. Regardless of unit determination, the governor may upon the unanimous written request of exclusive representatives of units and appointing authorities direct that negotiations be conducted for one or more appointing authorities in a common proceeding.

Sec. 21. [EFFECTIVE DATE.] *Sections 2 to 20 are effective January 1, 1981."*

Delete the title and insert

"A bill for an act relating to public employees; clarifying the definition of public employees; providing for the negotiation and arbitration of collective bargaining agreements between the exclusive representatives and employers of teachers; establishing the conditions under which teachers have a right to strike; extending the applicability of certain sections of PELRA; amending Minnesota Statutes 1978, Sections 179.61; 179.62; 179.63, Subdivisions 1, 4 and 7; 179.64, Subdivision 1; 179.65, Subdivision 1; 179.66, Subdivisions 5, 6 and 9; 179.67, Subdivision 1; 179.68; 179.71, Subdivisions 2, 4 and 5; and 179.74, Subdivision 2; and Chapter 179, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 179.64, Subdivision 7; 179.65, Subdivision 6; and 179.74, Subdivision 4."

A roll call was requested and properly seconded.

POINT OF ORDER

Jennings raised a point of order pursuant to rule 3.10 that the amendment was not in order. The Speaker ruled the point of order not well taken and the amendment in order.

Jennings appealed the decision of chair.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 77 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Adams	Corbid	Johnson, D.	Murphy	Sieben, M.
Anderson, B.	Eken	Kahn	Nelsen, M.	Simoneau
Anderson, G.	Elioff	Kalis	Nelson	Stoa
Anderson, I.	Ellingson	Kelly	Novak	Stowell
Anderson, R.	Evans	Kempe	Osthoff	Swanson
Battaglia	Ewald	Kostohryz	Otis	Tomlinson
Begich	Faricy	Kroening	Patton	Vanasek
Berglin	Fjoslien	Lehto	Pehler	Voss
Berkelman	Friedrich	Long	Peterson, D.	Waldorf
Brinkman	Fudro	Luknic	Prahl	Welch
Byrne	Greenfield	Mann	Reding	Wenzel
Carlson, D.	Hoberg	McCarron	Reif	Wynia
Carlson, L.	Hokanson	Metzen	Rice	Spkr. Norton
Casserly	Jacobs	Minne	Rodriguez	
Clark	Jaros	Moe	Sarna	
Clawson	Johnson, C.	Munger	Sieben, H.	

Those who voted in the negative were:

Aasness	Drew	Kvam	Onnen	Sherwood
Ainley	Erickson	Laidig	Peterson, B.	Stadum
Albrecht	Forsythe	Levi	Piepho	Thiede
Anderson, D.	Fritz	Ludeman	Pleasant	Valan
Biersdorf	Halberg	McDonald	Redalen	Valento
Blatz	Haukoos	Nelsen, B.	Rees	Weaver
Crandall	Heinitz	Niehaus	Rose	Welker
Dean	Jennings	Norman	Rothenberg	Wieser
Dempsey	Kaley	Nysether	Schreiber	Wigley
Den Ouden	Knickerbocker	Olsen	Searle	Zubay

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

POINT OF ORDER

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

The Speaker submitted the following question to the House:

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

A roll call was requested and properly seconded.

The roll was called. Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 29 yeas and 101 nays as follows:

Those who voted in the affirmative were:

Aasness	Erickson	Heinitz	Niehaus	Searle
Ainley	Esau	Jennings	Olsen	Valan
Albrecht	Forsythe	Knickerbocker	Onnen	Valento
Anderson, D.	Fritz	Kvam	Pleasant	Welker
Dempsey	Halberg	Laidig	Redalen	Wigley
Den Ouden	Haukoos	Ludeman	Rothenberg	

Those who voted in the negative were:

Adams	Eken	Kostohryz	Nysether	Stadum
Anderson, B.	Elioff	Kroening	Osthoff	Stoa
Anderson, G.	Ellingson	Lehto	Otis	Stowell
Anderson, I.	Evans	Levi	Patton	Sviggum
Anderson, R.	Ewald	Long	Pehler	Swanson
Battaglia	Faricy	Luknic	Peterson, B.	Thiede
Begich	Fjoslien	Mann	Peterson, D.	Tomlinson
Berglin	Friedrich	McCarron	Piepho	Vanasek
Berkelman	Fudro	McDonald	Prahl	Voss
Blatz	Greenfield	McEachern	Reding	Waldorf
Brinkman	Hoberg	Mehrkens	Rees	Weaver
Byrne	Hokanson	Metzen	Reif	Welch
Carlson, D.	Jacobs	Minne	Rice	Wenzel
Carlson, L.	Jaros	Moe	Rodriguez	Wieser
Casserly	Johnson, C.	Munger	Rose	Wynia
Clark	Johnson, D.	Murphy	Sarna	Zubay
Clawson	Jude	Nelsen, B.	Schreiber	Spkr. Norton
Corbid	Kahn	Nelsen, M.	Sherwood	
Crandall	Kalis	Nelson	Sieben, H.	
Dean	Kelly	Norman	Sieben, M.	
Drew	Kempe	Novak	Simoneau	

So it was the judgment of the House that the point of order was not well taken and the amendment was in order.

Searle moved that H. F. No. 2237, as amended, be re-referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Searle motion and the roll was called.

Searle moved that those not voting be excused from voting. The motion prevailed.

There were 48 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Aasness	Ainley	Albrecht	Anderson, D.	Blatz
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Crandall	Friedrich	Ludeman	Pleasant	Thiede
Dean	Fritz	Luknic	Redalen	Valan
Dempsey	Halberg	McDonald	Rees	Valento
Den Ouden	Haukoos	Mehrkens	Rose	Weaver
Drew	Heinitz	Nelsen, B.	Rothenberg	Welker
Erickson	Jennings	Niehaus	Schreiber	Wigley
Esau	Knickerbocker	Olsen	Searle	Zubay
Fjoslien	Kvam	Onnen	Sherwood	
Forsythe	Laidig	Piepho	Stadum	

Those who voted in the negative were:

Adams	Corbid	Kalis	Nelsen, M.	Simoneau
Anderson, B.	Eken	Kelly	Nelson	Stoa
Anderson, G.	Elioff	Kempe	Novak	Stowell
Anderson, I.	Ellingson	Kostohryz	Nysether	Sviggum
Anderson, R.	Evans	Kroening	Osthoff	Swanson
Battaglia	Ewald	Lehto	Otis	Tomlinson
Begich	Faricy	Levi	Pehler	Vanasek
Berglin	Fudro	Long	Peterson, B.	Voss
Berkelman	Greenfield	Mann	Peterson, D.	Waldorf
Brinkman	Hokanson	McCarron	Prahl	Welch
Byrne	Jacobs	McEachern	Reding	Wenzel
Carlson, D.	Jaros	Metzen	Rice	Wieser
Carlson, L.	Johnson, C.	Minne	Rodriguez	Wynia
Casserly	Johnson, D.	Moe	Sarna	Spkr. Norton
Clark	Jude	Munger	Sieben, H.	
Clawson	Kahn	Murphy	Sieben, M.	

The motion did not prevail.

Sviggum and McDonald moved to amend the Novak amendment to H. F. No. 2237 as follows:

Page 2, line 2, delete *"by July 1 of each odd-numbered year"* and insert *"60 days after the expiration date of the contract"*

Page 2, line 21, delete *"45"* and insert *"90"*

Page 3, line 8, after the semicolon, insert *"or"*

Page 3, line 10, delete *"; or"* and insert a period

Page 3, strike lines 11 through 13

A roll call was requested and properly seconded.

The question was taken on the Sviggum amendment to the Novak amendment and the roll was called.

Sieben, H., moved that those not voting be excused from voting. The motion did not prevail.

There were 64 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Johnson, D.	Nelson	Sherwood
Albrecht	Erickson	Kaley	Niehaus	Stadum
Anderson, B.	Esau	Kalis	Nysether	Sviggum
Anderson, D.	Evans	Knickerbocker	Olsen	Thiede
Anderson, G.	Fjoslien	Kvam	Onnen	Valan
Biersdorf	Forsythe	Laidig	Piepho	Valento
Blatz	Friedrich	Levi	Pleasant	Weaver
Brinkman	Fritz	Ludeman	Redalen	Welch
Crandall	Halberg	Luknic	Rees	Welker
Dean	Haukoos	Mann	Rose	Wieser
Dempsey	Heinitz	McDonald	Rothenberg	Wigley
Den Ouden	Jennings	Mehrkens	Schreiber	Zubay
Drew	Johnson, C.	Nelsen, B.	Searle	

Those who voted in the negative were:

Adams	Corbid	Kempe	Novak	Sieben, M.
Ainley	Elioff	Kostohryz	Osthoff	Simoneau
Anderson, I.	Ellingson	Kroening	Otis	Stoa
Anderson, R.	Ewald	Lehto	Patton	Stowell
Battaglia	Faricy	Long	Pehler	Swanson
Begich	Fudro	McCarron	Peterson, B.	Tomlinson
Berglin	Greenfield	McEachern	Peterson, D.	Vanasek
Berkelman	Hoberg	Metzen	Prahl	Voss
Byrne	Hokanson	Minne	Reding	Waldorf
Carlson, D.	Jacobs	Moe	Reif	Wenzel
Carlson, L.	Jaros	Munger	Rice	Wynia
Casserly	Jude	Murphy	Rodriguez	Spkr. Norton
Clark	Kahn	Nelsen, M.	Sarna	
Clawson	Kelly	Norman	Sieben, H.	

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

Crandall and Norman were excused for the remainder of today's session.

Fritz moved to amend the Novak amendment to H. F. No. 2237, as follows:

Page 2, line 30, delete "*The other*" and insert "*Arbitration proceedings shall begin within 15 days of the receipt of the petition from either party and shall be binding on both parties.*"

The arbitrators for their decision shall select from one of the last best offers of the parties and are specifically prohibited from selecting item by item from the last best offers of the parties."

Page 2, delete lines 31 to 33

Page 3, delete lines 1 to 3

Page 3, line 8, after the semicolon insert "*or*"

Page 3, delete lines 9 and 10

Page 3, line 11, delete "c" and insert "b"

A roll call was requested and properly seconded.

POINT OF ORDER

Kvam raised a point of order pursuant to rule 2.5. Speaker pro tem Faricy ruled the point of order not well taken.

The question recurred on the Fritz amendment to the Novak amendment and the roll was called.

Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 56 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Johnson, D.	Nysether	Sviggum
Ainley	Eken	Jude	Onnen	Thiede
Albrecht	Erickson	Kaley	Piepho	Valan
Anderson, B.	Esau	Kalis	Pleasant	Valento
Anderson, D.	Evans	Laidig	Redalen	Welker
Anderson, G.	Forsythe	Ludeman	Rees	Wieser
Biersdorf	Friedrich	Luknic	Reif	Wigley
Clawson	Fritz	Mann	Rose	Zubay
Corbid	Haukoos	McDonald	Schreiber	
Dean	Heinitz	Mehrkens	Sherwood	
Dempsey	Jennings	Nelsen, B.	Stadum	
Den Ouden	Johnson, C.	Niehaus	Stowell	

Those who voted in the negative were:

Adams	Ellingson	Kostohryz	Novak	Sieben, H.
Anderson, I.	Ewald	Kroening	Olsen	Sieben, M.
Anderson, R.	Faricy	Kvam	Osthoff	Simoneau
Battaglia	Fjoslien	Lehto	Otis	Stoa
Begich	Fudro	Levi	Patton	Swanson
Berglin	Greenfield	Long	Pehler	Tomlinson
Berkelman	Hoberg	McCarron	Peterson, B.	Vanasek
Brinkman	Hokanson	Metzen	Peterson, D.	Voss
Byrne	Jacobs	Minne	Prahl	Waldorf
Carlson, D.	Jaros	Moe	Reding	Weaver
Carlson, L.	Kahn	Munger	Rice	Welch
Casserly	Kelly	Murphy	Rodriguez	Wenzel
Clark	Kempe	Nelsen, M.	Rothenberg	Wynia
Elioff	Knickerbocker	Nelson	Sarna	Spkr. Norton

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

Reif was excused for the remainder of today's session.

Ludeman moved to amend the Novak amendment to H. F. No. 2237, as follows:

Page 6, after line 9, insert a new section to read as follows:

"Sec. 8. Minnesota Statutes 1978, Section 179.64, Subdivision 4, is amended to read:

Subd. 4. A public employee who knowingly violates the provisions of this section and whose employment has been terminated pursuant to this section, may, subsequent to such violation, be appointed or reappointed, employed or reemployed, but the employee shall be on probation for two years with respect to such civil service status, tenure of employment, or contract of employment, as he may have theretofore been entitled.

No employee shall be entitled to any daily pay, wages or per diem for the days on which he engaged in a strike.

A public employer shall not through negotiations or in any other manner either provide for additional periods of paid employment to make up time lost on account of a strike by its public employees or otherwise indemnify those employees for compensation lost during the duration of the strike. Any contract provision entered into or action taken by a public employer in violation of this subdivision shall be illegal and null and void."

Renumber the remaining sections accordingly.

Further amend the title.

A roll call was requested and properly seconded.

The question was taken on the Ludeman amendment to the Novak amendment and the roll was called.

Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 37 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Aasness	Fjoslien	Kvam	Piepho	Sviggum
Albrecht	Forsythe	Laidig	Redalen	Thiede
Anderson, D.	Fritz	Ludeman	Rose	Valan
Brinkman	Heinitz	Niehaus	Searle	Welker
Dempsey	Jennings	Nysether	Sherwood	Wigley
Den Ouden	Johnson, D.	Olsen	Stadum	
Erickson	Kalis	Onnen	Stoa	
Esau	Kempe	Patton	Stowell	

Those who voted in the negative were:

Adams	Corbid	Jaros	Minne	Rodriguez
Ainley	Dean	Johnson, C.	Moe	Rothenberg
Anderson, B.	Drew	Jude	Munger	Sarna
Anderson, G.	Eken	Kahn	Murphy	Schreiber
Anderson, I.	Elioff	Kaley	Nelsen, B.	Sieben, H.
Anderson, R.	Ellingson	Kelly	Nelsen, M.	Sieben, M.
Battaglia	Evans	Knickerbocker	Nelson	Simoneau
Begich	Ewald	Kostohryz	Novak	Swanson
Berglin	Faricy	Kroening	Osthoff	Tomlinson
Berkelman	Friedrich	Lehto	Otis	Vanasek
Biersdorf	Fudro	Long	Pehler	Voss
Blatz	Greenfield	Luknic	Peterson, B.	Waldorf
Byrne	Halberg	Mann	Peterson, D.	Weaver
Carlson, D.	Haukoos	McCarron	Pleasant	Welch
Carlson, L.	Heap	McDonald	Prahl	Wenzel
Casserly	Hoberg	McEachern	Reding	Wieser
Clark	Hokanson	Mehrkens	Rees	Zubay
Clawson	Jacobs	Metzen	Rice	Spkr. Norton

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

Stadum, Nysether, Valan and Aasness offered an amendment to H. F. No. 2237, as amended.

POINT OF ORDER

Simoneau raised a point of order pursuant to rule 3.9 that the amendment was not in order. Speaker pro tem Faricy ruled the point of order well taken and the amendment out of order.

The question recurred on the Novak amendment and the roll was called. There were 89 yeas and 40 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Kaley	Nelsen, M.	Sieben, H.
Ainley	Ellingson	Kelly	Nelson	Sieben, M.
Anderson, B.	Ewald	Kempe	Novak	Simoneau
Anderson, I.	Faricy	Knickerbocker	Onnen	Stoa
Anderson, R.	Fjoslien	Kostohryz	Osthoff	Sviggunn
Battaglia	Friedrich	Kroening	Otis	Swanson
Begich	Fudro	Laidig	Pehler	Thiede
Berglin	Greenfield	Lehto	Peterson, B.	Tomlinson
Berkelman	Halberg	Levi	Peterson, D.	Vanasek
Biersdorf	Heap	Long	Piepho	Voss
Blatz	Heinitz	Mann	Reding	Waldorf
Byrne	Hoberg	McCarron	Rees	Welch
Carlson, D.	Hokanson	McEachern	Rice	Wenzel
Carlson, L.	Jacobs	Metzen	Rodriguez	Wieser
Casserly	Jaros	Minne	Rose	Wynia
Clark	Johnson, D.	Moe	Rothenberg	Zubay
Clawson	Jude	Munger	Sarna	Spkr. Norton
Corbid	Kahn	Murphy	Schreiber	

Those who voted in the negative were:

Aasness	Drew	Jennings	Nelsen, B.	Sherwood
Albrecht	Eken	Johnson, C.	Niehaus	Stadum
Anderson, D.	Erickson	Kalis	Nysether	Stowell
Anderson, G.	Esau	Kvam	Olsen	Valan
Brinkman	Evans	Ludeman	Pleasant	Valento
Dean	Forsythe	Luknic	Prahl	Weaver
Dempsey	Fritz	McDonald	Redalen	Welker
Den Ouden	Haukoos	Mehrkens	Searle	Wigley

The motion prevailed and the Novak amendment was adopted.

McDonald, Rees and Heinitz moved to amend H. F. No. 2237, as amended, as follows:

Page 2, after line 14 insert:

"Sec. 2. Minnesota Statutes 1978, Section 179.63, Subdivision 18 is amended to read:

Subd. 18. The term "terms and conditions of employment" means the hours of employment, the compensation therefor including fringe benefits except retirement contributions or benefits, and the employer's personnel policies affecting the working conditions of the employees. *In the case of professional employees of school districts, "working conditions" of employees means only those policies regarding leaves of absence, seniority provisions, union security, job safety and grievance procedures.* (IN THE CASE OF PROFESSIONAL EMPLOYEES THE TERM DOES NOT MEAN EDUCATIONAL POLICIES OF A SCHOOL DISTRICT.) The terms in both cases are subject to the provisions of section 179.66 regarding the rights of public employers and the scope of negotiations.

Sec. 3. Minnesota Statutes 1978, Section 179.68, Subdivision 3 is amended to read:

Subd. 3. Employee organizations, their agents or representatives, and public employees are prohibited from:

(1) restraining or coercing employees in the exercise of their rights as provided in sections 179.61 to 179.77;

(2) restraining or coercing a public employer in the election of his representatives to be employed for the purposes of meeting and negotiating or the adjustment of grievances;

(3) refusing to meet and negotiate in good faith with a public employer, if they have been designated in accordance with the provisions of sections 179.61 to 179.77 as the exclusive representative of employees in an appropriate unit;

(4) violating any of the rules and regulations established by the director regulating the conduct of representation elections;

(5) refusing to comply with the provisions of a valid decision of an arbitration panel or arbitrator acting pursuant to sections 179.61 to 179.77;

(6) calling, instituting, maintaining or conducting a strike or boycott against any public employer on account of any jurisdictional controversy;

(7) coercing or restraining any person with the effect to:

(a) force or require any public employer to cease dealing or doing business with any other person or;

(b) force or require a public employer to recognize for representation purposes an employee organization not certified by the director;

(c) refuse to handle goods or perform services;

(d) preventing an employee from providing services to the employer;

(8) committing any act designed to damage or actually damaging physical property or endangering the safety of persons while engaging in a strike;

(9) forcing or requiring any employer to assign particular work to employees in a particular employee organization or in a particular trade, craft, or class rather than to employees in another employee organization or in another trade, craft or class;

(10) causing or attempting to cause a public employer to pay or deliver or agree to pay or deliver any money or other thing of value, in the nature of an exaction, for services which are not performed or not to be performed;

(11) engaging in an unlawful strike;

(12) picketing which has an unlawful purpose such as secondary boycott;

(13) picketing which unreasonably interferes with the ingress and egress to facilities of the public employer;

(14) seizing or occupying or destroying property of the employer;

(15) violating or refusing to comply with any lawful order or decision issued by the director of the board as authorized by sections 179.61 to 179.77.

(16) *proposing items for negotiations that are not deemed to be "terms and conditions of employment" in section 179.63, subdivision 18."*

Renumber the sections accordingly

Correct internal cross references

Further, amend the title as follows:

Page 1, line 15, delete "and" and insert a comma

Page 1, line 15, after "8" insert ", and 18"

Page 1, line 17, after the semi-colon insert "179.63, Subdivision 3,"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called.

Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 37 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	McDonald	Pleasant	Valan
Albrecht	Fritz	Mehrkens	Redalen	Valento
Anderson, B.	Heinitz	Niehaus	Rees	Welch
Dempsey	Kempe	Nysether	Rose	Welker
Den Ouden	Kvam	Olsen	Sherwood	Wigley
Drew	Laidig	Onnen	Stadum	
Erickson	Levi	Peterson, B.	Sviggum	
Fjoslien	Ludeman	Piepho	Thiede	

Those who voted in the negative were:

Adams	Corbid	Jacobs	Mann	Prahl
Ainley	Dean	Jaros	McCarron	Reding
Anderson, D.	Eken	Jennings	McEachern	Rice
Anderson, G.	Elioff	Johnson, C.	Metzen	Rodriguez
Anderson, I.	Ellingson	Johnson, D.	Munne	Rothenberg
Battaglia	Evans	Jude	Munger	Sarna
Begich	Ewald	Kahn	Murphy	Schreiber
Berglin	Faricy	Kaley	Nelsen, B.	Sieben, H.
Berkelman	Friedrich	Kalis	Nelsen, M.	Sieben, M.
Blatz	Fudro	Kelly	Nelson	Simoneau
Byrne	Greenfield	Knickerbocker	Novak	Stoa
Carlson, D.	Halberg	Kostohryz	Osthoff	Stowell
Carlson, L.	Haukoos	Kroening	Otis	Swanson
Casserly	Heap	Lehto	Patton	Tomlinson
Clark	Hoberg	Long	Pehler	Vanasek
Clawson	Hokanson	Luknic	Peterson, D.	Voss

Waldorf
WeaverWenzel
Wieser

Wynia

Zubay

Spkr. Norton

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

Rice offered an amendment to H. F. No. 2237.

POINT OF ORDER

Knickerbocker raised a point of order pursuant to rule 3.9 that the amendment was not in order. Speaker pro tem Faricy ruled the point of order well taken and the amendment out of order.

H. F. No. 2237, A bill for an act relating to public employees; clarifying the definition of public employees; providing for the negotiation and arbitration of collective bargaining agreements between the exclusive representatives and employers of teachers; establishing the conditions under which teachers have a right to strike; extending the applicability of certain sections of PELRA; amending Minnesota Statutes 1978, Sections 179.61; 179.62; 179.63, Subdivisions 1, 4 and 7; 179.64, Subdivision 1; 179.65, Subdivision 1; 179.66, Subdivisions 5, 6 and 9; 179.67, Subdivision 1; 179.68; 179.71, Subdivisions 2, 4 and 5; and 179.74, Subdivision 2; and Chapter 179, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 179.64, Subdivision 7; 179.65, Subdivision 6; and 179.74, Subdivision 4.

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 87 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Kelly	Novak	Sieben, M.
Ainley	Ellingson	Kempe	Onnen	Simoneau
Anderson, B.	Ewald	Knickerbocker	Osthoff	Stoa
Anderson, I.	Faricy	Kostohryz	Otis	Sviggum
Anderson, R.	Fjoslien	Kroening	Pehler	Swanson
Battaglia	Friedrich	Laidig	Peterson, B.	Tomlinson
Begich	Fudro	Lehto	Peterson, D.	Vanasek
Berglin	Greenfield	Levi	Piepho	Voss
Berkelman	Halberg	Long	Prahl	Waldorf
Biersdorf	Heap	McCarron	Reding	Welch
Blatz	Hoberg	McEachern	Rees	Wenzel
Byrne	Hokanson	Metzen	Rice	Wieser
Carlson, D.	Jacobs	Minne	Rodriguez	Wynia
Carlson, L.	Jaros	Moe	Rose	Zubay
Casserly	Johnson, D.	Munger	Rothenberg	Spkr. Norton
Clark	Jude	Murphy	Sarna	
Clawson	Kahn	Nelsen, M.	Schreiber	
Corbid	Kaley	Nelson	Sieben, H.	

Those who voted in the negative were:

Aasness	Eken	Johnson, C.	Niehaus	Stowell
Albrecht	Erickson	Kalis	Nysether	Thiede
Anderson, D.	Esau	Kvam	Olsen	Valan
Anderson, G.	Evans	Ludeman	Patton	Valento
Brinkman	Forsythe	Luknic	Pleasant	Weaver
Dean	Fritz	Mann	Redalen	Welker
Dempsey	Haukoos	McDonald	Searle	Wigley
Den Ouden	Heinitz	Mehrkens	Sherwood	
Drew	Jennings	Nelsen, B.	Stadum	

The bill was passed, as amended, 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 RESOULTIONS

Begich moved that his name be stricken as an author on H. F. No. 2479. The motion prevailed.

Schreiber moved that the name of McEachern be stricken and the name of Jude be added as an author on H. F. No. 1612. The motion prevailed.

Weaver moved that H. F. No. 1169 be recalled from the Senate for further consideration by the House. The motion prevailed.

Aasness moved that H. F. No. 1833 be returned to its author. The motion prevailed.

Kempe moved that H. F. No. 2259 be returned to its author. The motion prevailed.

Begich moved that H. F. No. 2479 be returned to its author. The motion prevailed.

Forsythe introduced:

House Resolution No. 48, A house resolution extending congratulations to Angie Barnes of the Edina-West High School for her first place finish in the All Around Competition at the Girl's State Gymnastics Meet.

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

Forsythe introduced:

House Resolution No. 49, A house resolution congratulating Edina-West High School on winning the State High School Boys' Slalom Skiing Championship.

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2476:

McCarron; Kahn; Anderson, G.; Forsythe; and Simoneau.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 10:30 a.m., Friday, March 28, 1980. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:30 a.m., Friday, March 28, 1980.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

