

## STATE OF MINNESOTA

## SEVENTY-SECOND SESSION - 1981

## EIGHTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 26, 1981

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

Prayer was offered by Father Samuel D. Jadin, Associate Pastor at Newman Center, St. Cloud, Minnesota.

The roll was called and the following members were present:

Aasness	Esau	Kalis	O'Connor	Sherwood
Ainley	Evans	Kelly	Ogren	Sieben, M.
Anderson, B.	Ewald	Knickerbocker	Olsen	Simoneau
Anderson, G.	Fjoslien	Kostohryz	Onnen	Skoglund
Anderson, I.	Forsythe	Kvam	Osthoff	Stadum
Anderson, R.	Friedrich	Laidig	Otis	Staten
Battaglia	Greenfield	Lehto	Peterson, B.	Stowell
Begich	Gruenes	Lemen	Peterson, D.	Stumpf
Berkelman	Gustafson	Levi	Piepho	Sviggum
Blatz	Halberg	Long	Pogemiller	Swanson
Brandl	Hanson	Ludeman	Redalen	Tomlinson
Brinkman	Harens	Luknic	Reding	Valan
Byrne	Hauge	Marsh	Rees	Valento
Carlson, D.	Haukoos	McCarron	Reif	Vanasek
Carlson, L.	Heap	McDonald	Rice	Vellenga
Clark, J.	Heinitz	McEachern	Rodriguez, C.	Voss
Clark, K.	Himle	Mehrkens	Rodriguez, F.	Weaver
Clawson	Hoberg	Metzen	Rose	Welch
Dahlvang	Hokanson	Minne	Rothenberg	Welker
Dean	Hokr	Munger	Samuelson	Wenzel
Dempsey	Jacobs	Murphy	Sarna	Wieser
Den Ouden	Jennings	Nelsen, B.	Schafer	Wigley
Drew	Johnson, C.	Nelson, K.	Schoenfeld	Wynia
Eken	Johnson, D.	Niehaus	Schreiber	Zubay
Elioff	Jude	Norton	Searles	Spkr. Sieben, H.
Ellingson	Kahn	Novak	Shea	
Erickson	Kaley	Nysether	Sherman	

A quorum was present.

Mann was excused.

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 S. F. Nos. 74, 153 and 200 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 13, A bill for an act relating to criminal procedure; providing officers of the United States customs service and the immigration and naturalization service with the arrest powers of peace officers; amending Minnesota Statutes 1980, Sections 629.30; and 629.34.

Reported the same back with the following amendments:

Page 2, line 15, delete "*all of*"

Page 2, line 17, after "*duty*" delete the semicolon and insert "*within the scope of assignment and one or more of the following situations exist:*"

Page 2, delete line 18

Page 2, lines 26 and 27, delete "*, and the reasonable cause is not founded on a customs search; and*" and insert a new period

Page 2, after line 27, insert:

*"(iv) The officer has received positive information by written, teletypic, telephonic, radio, or other authoritative source that a peace officer holds a warrant for the person's arrest; or"*

Page 2, delete lines 28 to 30 and insert:

*"(b) When the assistance of the officer has been requested by another Minnesota law enforcement agency."*

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 30, A bill for an act relating to Independent School District No. 219, Elmore; requiring revision of its certified statutory operating debt.

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

The report was adopted.

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

H. F. No. 79, A bill for an act relating to commerce; providing for the regulation and licensing of precious metal dealers; establishing identification procedures and recording requirements; prohibiting certain transactions; providing for criminal and civil penalties; providing remedies; amending Minnesota Statutes 1980, Section 609.53, Subdivision 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 325F.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [325F.5201] [DEFINITIONS.]

*Subdivision 1. [TERMS.] For the purposes of sections 1 to 17, the following terms have the meanings given them.*

*Subd. 2. [PRECIOUS METAL DEALER.] "Precious metal dealer" includes any natural person, copartnership, or corporation, either as principal or agent, engaging in the business of buying secondhand items containing precious metal, including, but not limited to, jewelry, watches, eating utensils, candlesticks, religious, and decorative objects.*

*Subd. 3. [PRECIOUS METALS.] "Precious metals" includes silver, gold, and platinum.*

*Subd. 4. [ITEMS CONTAINING PRECIOUS METAL.] "Items containing precious metal" means items made in whole or in part of metal, which contain more than one percent by weight of silver, gold or platinum.*

Sec. 2. [325F.5202] [LICENSE.]

*Subdivision 1. [REQUIREMENT.] Except as provided for in subdivision 2, it is unlawful for a precious metal dealer to engage in or transact any business as such without having a valid license as provided in section 3.*

*Subd. 2. [SCOPE.] The requirements of sections 1 to 17 do not apply to the following:*

(1) Transactions at occasional "garage" or "yard" sales, except that precious metal dealers must comply with the requirements of sections 4 to 11 for these transactions.

(2) Transactions regulated by Minnesota Statutes, Chapter 80A.

(3) Transactions regulated by the Federal Commodity Futures Commission Act.

(4) Transactions between precious metal dealers licensed under section 3.

(5) Transactions involving the purchase of precious metal grindings, filings, slag, sweeps, scraps, or dust from an industrial manufacturer, dental lab, dentist, or agent thereof.

(6) Transactions involving the purchase of photographic film, such as lithographic and x-ray film, or silver residue or flake recovered in lithographic and x-ray film processing.

(7) Transactions involving coins, bullion, or ingots.

(8) Transactions where the second hand item containing precious metal is exchanged for a new item containing precious metal and the value of the new item exceeds the value of the second hand item, except that a natural person, partnership or corporation who is a precious metal dealer by engaging in a transaction which is not exempted by this section must comply with sections 4 through 11.

(9) Transactions between precious metal dealers where the item in such transactions is shipped from, and the business of the seller in such transactions is located, outside the state of Minnesota.

### Sec. 3. [325F.5203] [LICENSE; APPLICATION; TERMS AND CONDITIONS.]

Subdivision 1. [APPLICATION.] Any precious metal dealer desiring to engage in or transact business as such in any county of this state shall file an application for a license for that purpose with the auditor of the county in which he desires to do business. The applicant shall state his name, date of birth, resident address, proposed principal place of business and branch offices within the county, and other locations within the county where the applicant intends to hold secondhand precious metals. If the person in charge of the business or a branch office is someone other than the applicant, his name, date of birth, and resident address shall be stated with the location or branches indicated. If the applicant is a corporation or copartnership the name, date of birth and resident address of each officer and general partner shall be stated.

Subd. 2. [FEE.] *Each applicant shall pay to the treasurer of the county a license fee in an amount determined by the board of county commissioners of the county to be necessary to cover the expenses of administering this licensing function.*

Subd. 3. [BUSINESS LOCATIONS.] *A precious metal dealer license shall authorize the precious metal dealer to transact business only at the location or locations designated in the license.*

Subd. 4. [TERM.] *A precious metal dealer license shall be valid for a period of one year from the date of its issuance.*

Subd. 5. [BRANCH OFFICES.] *Each branch office shall be operated under the same name as the principal office.*

Subd. 6. [POSTING OF LICENSE.] *Every precious metal dealer shall prominently post his license in a conspicuous location at his principal place of business and a copy of his license in a conspicuous location at each branch office.*

Subd. 7. [POSTING OF PRICES; WEIGHING.] *Every precious metal dealer shall prominently post in a conspicuous place and in letters exceeding one inch in height the minimum prices per ounce or pennyweight that are currently being paid by the dealer for precious metals and a warning notice that unless otherwise informed, the prices offered are based on the melt down value of the precious metal, rather than the value of the item in its existing form. Precious metal items shall be weighed in plain sight of the prospective seller on scales approved by the division of weights and measures of the department of public service in accordance with Minnesota Statutes, Section 239.08.*

Subd. 8. [PUBLIC RECORD OF LICENSES.] *The county auditor shall keep a record of the licenses in a book provided for that purpose. The book shall be open for public inspection.*

Sec. 4. [325F.5204] [IDENTIFICATION OF SELLERS.]

*Every precious metal dealer shall require a seller of second-hand items containing precious metals to present to him at the time of the transaction an identification card of the seller containing a picture of the seller and his address.*

Sec. 5. [325F.5205] [RECORDS REQUIRED.]

*Every precious metal dealer shall keep a book at his business location in which shall be clearly written in ink, in the English language, at the time of each transaction, or as close thereto as possible, the following information:*

(1) *An accurate description of every secondhand item containing precious metals bought, including the type of item, number of items, brand name of item, if any, engraving or other identifying features of the item, if any, and a description of any gems attached;*

(2) *The amount of money paid;*

(3) *The date of the transaction; and*

(4) *From the identification card containing a picture of the seller, the type of card presented and the serial number of the card, if any, and the name and address of the person selling or purchasing the item. The book, as well as the item in the possession of the dealer, shall at all reasonable times be open to inspection by any police officer of the city wherein the business is located or the sheriff or any deputy sheriff of the county wherein the business is located.*

**Sec. 6. [325F.5206] [REQUIRED HOLDING PERIOD.]**

*Every precious metal dealer shall keep in his possession at his business location or other location within the licensing county from the time of the transaction or as close thereto as possible, for a period of no less than 14 days, every secondhand item containing precious metal purchased by the dealer unless the item is purchased or consigned from another dealer licensed under section 3. The item shall not be altered at the time of sale and shall remain unaltered during the required holding period.*

**Sec. 7. [325F.5207] [ADDITIONAL HOLDING PERIOD.]**

*The sheriff or his designee may by written notification require a precious metal dealer licensed in his county not to sell or alter a secondhand item containing precious metal if he has probable cause that the item is stolen. The item shall not be sold, altered, or removed from the licensed premises until authorized to be released in writing by the sheriff or his designee.*

*The chief of police or his designee may also exercise this same authority for licensed businesses, within his jurisdiction.*

**Sec. 8. [325F.5208] [TRADING.]**

*It is unlawful to trade or barter in a manner intended to avoid identification and recording of transactions under sections 4 and 5 and payment under this section.*

**Sec. 9. [325F.5209] [CERTAIN PURCHASES PROHIBITED.]**

*It is unlawful for a precious metal dealer to purchase a secondhand item containing precious metals from a person under 18 years of age unless the person is accompanied by his parent or guardian who is identified and whose identity is recorded in accordance with sections 4 and 5.*

**Sec. 10. [325F.5210] [PAYMENT BY CHECK.]**

*Payment by a precious metal dealer for the purchase of a secondhand item containing precious metal shall be made only by a check, draft, or other negotiable or non-negotiable instrument or order of withdrawal which is drawn against funds held by a financial institution.*

**Sec. 11. [325F.5211] [MUNICIPALITIES MAY REGULATE.]**

*The provisions of sections 1 to 17 shall not be construed as prohibiting, or in any way limiting, or interfering with the right of any city or other municipal corporation or governmental subdivision of the state to regulate or license precious metal dealers within the municipality.*

**Sec. 12. [325F.5212] [CRIMINAL PENALTY.]**

*Any person who violates any provision of sections 1 to 17 is guilty of a felony and may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$25,000, or both.*

**Sec. 13. [325F.5213] [CIVIL PENALTY.]**

*The attorney general or any county attorney may institute a civil action in the name of the state in the district court to revoke, deny or suspend for a period of time the license on the ground that the licensee has violated a provision of sections 1 to 17. For this purpose, the attorney general or county attorney shall be invested with the additional powers contained in Minnesota Statutes, Section 8.31. It is no defense to the action that the state has adequate remedies at law.*

**Sec. 14.** Minnesota Statutes 1980, Section 609.53, is amended by adding a subdivision to read:

**Subd. 1a.** *Any precious metal dealer as defined in section 1, subdivision 2, or any person employed by a precious metal dealer as defined in section 1, subdivision 2, who receives, possesses, transfers, buys or conceals any stolen property or property obtained by robbery, knowing the same to be stolen or obtained by robbery, may be sentenced as follows:*

(1) *If the value of the property received, bought or concealed is \$150 or more, to imprisonment for not more than ten years or to payment of a fine of not more than \$50,000, or both;*

(2) *If the value of the property received, bought or concealed is less than \$150, to imprisonment for not more than three years or to payment of a fine of not more than \$25,000, or both.*

Sec. 15. Minnesota Statutes 1980, Section 609.53, is amended by adding a subdivision to read:

*Subd. 2a. Any precious metal dealer as defined in section 1, subdivision 2, or any person employed by a precious metal dealer as defined in section 1, subdivision 2, who receives, possesses, transfers, buys or conceals any stolen property or property obtained by robbery, having reason to believe the same to be stolen or obtained by robbery, may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$25,000, or both.*

Sec. 16. Minnesota Statutes 1980, Section 609.53, is amended by adding a subdivision to read:

*Subd. 3a. Any precious metal dealer as defined in section 1, subdivision 2, or any person employed by a precious metal dealer as defined in section 1, subdivision 2, convicted of a second or subsequent violation under section 15 within a period of one year may be sentenced as provided in section 14, clause (1).*

Sec. 17. Minnesota Statutes 1980, Section 609.53, Subdivision 4, is amended to read:

*Subd. 4. Any person who has been injured by a violation of subdivision 1 or sections 15 and 16 may bring an action for three times the amount of actual damages, (IF ANY,) sustained by the plaintiff or \$1,500, whichever is greater, the costs of suit and reasonable attorney's fees.*

Sec. 18. [EFFECTIVE DATE.]

*Sections 1 to 17 are effective 60 days after final enactment."*

With the recommendation that when so amended the bill pass.

The report was adopted.

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



H. F. No. 91, A bill for an act relating to public safety; specifying the crime of fleeing from a peace officer by use of a motorized vehicle; providing that whoever flees a peace officer in a motorized vehicle shall be liable for any loss caused by such flight; prohibiting insurers from excluding such liability from their policies; providing for legislation impact evaluation by the bureau of criminal apprehension; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapters 65B and 609.

Reported the same back with the following amendments:

Page 1, after line 16, insert:

*"Subdivision 1. [DEFINITION.] For purposes of sections 1 to 3, the term "flee" means to increase speed, extinguish motor vehicle headlights or taillights, or to use other means with intent to attempt to elude a peace officer following a signal given by any peace officer to the driver of a motor vehicle."*

Renumber the remaining subdivisions accordingly.

Page 1, line 19, after "the" insert "exercise of reasonable care and"

Page 2, line 19, after "OFFICER;" insert "DEATH;"

Page 2, line 24, after "causes" insert "the death of a human being not constituting murder or manslaughter or"

Page 2, lines 25 and 26, delete "for not more than five years or to payment of a fine of not more than \$5,000, or both" and insert

"as follows:

(a) *If the course of fleeing results in death, to imprisonment for ten years or to payment of a fine of not more than \$10,000, or both; or*

(b) *If the course of fleeing results in great bodily harm, to imprisonment for five years or to payment of a fine of not more than \$5,000, or both; or*

(c) *If the course of fleeing results in substantial bodily harm, to imprisonment for three years or to payment of a fine of not more than \$3,000, or both"*

Pages 2 and 3, delete all of subdivision 3

Further amend the title as follows:

Page 1, delete line 8

Page 1, line 9, delete "bureau of criminal apprehension;"

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

The report was adopted.

Nelson from the Committee on Energy to which was referred:

H. F. No. 98, A bill for an act relating to energy; amending certain provisions for home energy disclosure reports; amending Minnesota Statutes 1980, Section 116H.129, Subdivisions 1, 2, 5, 6, and 7.

Reported the same back with the following amendments:

Page 1, line 18, delete "and"

Page 1, line 18, after "buildings" insert ", and type of ownership"

Page 2, line 27, strike ", and has found no instance of"

Page 2, strike line 28

Page 2, line 29, strike "of the date thereon except as specifically designated"

Page 3, line 9, strike the comma and after "characteristics" insert "and"

Page 3, line 10, strike the comma

Page 3, strike line 11

Page 3, line 12, strike "subdivision 1"

Page 4, line 5, delete "November 1, 1981" and insert "January 1, 1982"

Page 4, line 8, after the period insert "The director may provide training for evaluators. The director may also establish requirements for continuing education, periodic recertification, and revocation of certification for evaluators."

Page 4, line 16, after "unless the" insert "prospective"

Page 4, line 18, after *"provided that"* insert *"within the seven-county metropolitan area"*

Page 4, line 19, delete *"1981"* and insert *"1983"* in both places

Page 4, line 20, after the second *"conveyance"* insert *"for a residence"*

Page 4, line 20, delete *"a"* and insert *"the conveyance or contract for conveyance bears a notation that the disclosure report or waiver has been filed with the county auditor"*

Page 4, line 21, delete *"copy of the disclosure report is also recorded"*

Page 4, line 24, after *"Subdivision"* insert *"; and provided that no utility with a geographic audit plan approved by the agency shall be required to deviate from that geographic plan in order to provide a residential energy audit"*

Page 4, line 24, delete *"November 1, 1981"* and insert *"January 1, 1982"*

Page 4, line 27, strike *"If the residence has been evaluated subsequent to April"*

Page 4, line 28, strike *"6, 1978,"*

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 99, A bill for an act relating to the legislature; making permanent the council on the economic status of women; changing certain membership and reporting requirements of the council; appropriating money; amending Laws 1976, Chapter 337, Section 1, Subdivisions 2 and 4, as amended, and Subdivision 3; repealing Laws 1976, Chapter 337, Section 3, as amended.

Reported the same back with the following amendments:

Page 2, line 16, after the period, strike the remainder of the line

Page 2, line 17, strike the old language and delete the new language

Page 2, strike lines 18 and 19 and insert "*The council shall not endorse any program or philosophy which would encourage abortion.*"

Amend the title as follows:

Page 1, line 8, delete "3" and insert "4"

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

The report was adopted.

Jacobs from the Committee on Regulated Industries to which was referred:

H. F. No. 167, A bill for an act relating to cable communications; providing for resolution of certain pole attachment disputes; amending Minnesota Statutes 1980, Section 238.02, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 238.

Reported the same back with the following amendments:

Page 2, line 12, after the period insert "*Expenses of contested case hearings as provided in this subdivision shall be assessed pursuant to Minnesota Statutes, Section 216B.62 or 237.295.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 201, A bill for an act relating to fire control services; providing for reimbursement by railroads and the transportation department; setting the time limit for claims; amending Minnesota Statutes 1980, Sections 161.465; and 219.-761, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 18, strike "transportation or department of"

Page 1, line 19, strike "transportation" and insert "*public safety*"

Page 1, line 23, strike "transportation" and insert "*public safety*"

Page 2, after line 26, add a new section as follows:

"Sec. 3. [EFFECTIVE DATE.]

*This act is effective the day following its final enactment."*

Amend the title as follows:

Page 1, line 3, delete "transportation"

Page 1, line 4, after "department" insert "of public safety"

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

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 223, A bill for an act relating to creditors' remedies; property exempt from attachment, garnishment or sale on any final process issued from any court; providing for an increase in the amount of the life insurance exemption and extending the class of those eligible to benefit; amending Minnesota Statutes 1980, Section 550.37, Subdivision 10.

Reported the same back with the following amendments:

Page 1, line 14, strike "upon the life" and insert "*payable at the death*"

Page 1, line 15, strike "deceased"

Page 1, line 16, after the period insert "*The \$20,000 exemption provided by this subdivision shall be increased by \$5,000 for each dependent of the surviving spouse or child.*"

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

The report was adopted.

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

H. F. No. 260, 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 1980, Section 473.667, Subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 22, add new sections as follows:

"Sec. 2. Minnesota Statutes 1980, 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) *March 1, 1983.*

Sec. 3. [473.612] [NOISE ABATEMENT PLAN.]

*By December 31, 1981 the commission shall submit to the legislature a noise abatement plan for the Minneapolis-St. Paul International Airport, containing annual objectives until December 31, 1987, for reduction of aircraft noise within the metropolitan area. The plan shall contain definite proposals for specific annual reductions in the maximum hourly noise levels, such as defined by Minnesota pollution control agency rules, 6 MCAR 4.2001 (15) and (16), based on the typically worst noise condition on an hourly basis received in populated residential areas. By December 31, 1982, and each year thereafter until December 31, 1987, the commission shall submit to the legislature a report detailing the reduction of aircraft noise in meeting the annual objectives outlined in the above noise abatement plan."*

Page 1, line 24, delete "to the area included"

Renumber subsequent section.

Further, amend the title as follows:

Page 1, line 4, after "commission;" insert "requiring actions to abate airport noise;"

Page 1, line 5, after "1980," insert "Sections 473.608, Subdivision 20; and"

Page 1, line 5, delete "Section"

Page 1, line 5, after "Subdivision 2" insert "; proposing new law coded in Minnesota Statutes, Chapter 473"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 276, A bill for an act relating to juveniles; prescribing the elements of a prima facie case for referring a child to adult court for criminal prosecution; amending Minnesota Statutes 1980, Section 260.125, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 21, delete "admitted to or"

Page 1, line 22, after "court" insert "*, pursuant to an admission in court or after trial,*"

Page 2, line 3, delete "admitted to or"

Page 2, line 4, after "court" insert "*, pursuant to an admission in court or after trial,*"

Page 2, line 11, delete "admitted"

Page 2, line 12, delete "to or"

Page 2, line 12, after "court" insert "*, pursuant to an admission in court or after trial,*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 312, A bill for an act relating to agriculture; requiring the commissioner of agriculture to examine fluid milk and milk product marketing and packaging; proposing new law coded in Minnesota Statutes, Chapter 32.

Reported the same back with the following amendments:

Page 2, after line 6, insert a new section to read:

"Sec. 2. [REPEALER.] *Minnesota Statutes 1980, Sections 116F.21 and 116F.22 are repealed.*"

Renumber the remaining section

Amend the title as follows:

Page 1, line 4, after the semi-colon insert "repealing the prohibition on the sale of milk in non-returnable plastic containers;"

Page 1, line 5, before the period insert "; repealing Minnesota Statutes 1980, Sections 116F.21 and 116F.22."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 331, A bill for an act relating to education; providing that the deadline for applications for aid for programs for limited English proficient students be set by the commissioner of education, rather than by statute and changing the time for notice of aid to applicants; repealing an obsolete provision requiring the state board of education to promulgate rules for the time schedule for implementation of the uniform minimum school age entrance requirements and a requirement that it make a certain biennial report to the governor; amending Minnesota Statutes 1980, Section 126.263, Subdivisions 3 and 4; repealing Minnesota Statutes 1980, Sections 120.06, Subdivision 2; and 121.13.

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

The report was adopted.

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

H. F. No. 337, A bill for an act relating to workers' compensation; requiring detailed information on Minnesota business experience under workers' compensation insurance to be supplied by the Minnesota workers' compensation insurance rating association in any request for a modification of the rate schedule; proposing new law coded in Minnesota Statutes, Chapter 79.

Reported the same back with the following amendments:

Page 1, after line 10, insert:

"Section 1. Minnesota Statutes 1980, Section 79.171, is amended to read:



## 79.171 [INFORMATION.]

In addition to other information that the commissioner requests pursuant to section 79.071, *the rating association shall also provide data on Minnesota experience with respect to the information required in this section.* The rating association shall: (a) separate the incurred but not reported losses of its members; (b) separate paid and outstanding losses of its members; (c) provide information indicating cases in which its members have established a reserve in excess of \$50,000; and (d) *provide a sufficient amount of information (ON) related specifically to Minnesota for purposes of determining the income on invested reserves of its members.*

The commissioner shall consider this information in an appropriate manner in adopting a schedule of rates, and *shall apply a formula or other method of rate calculation presented at the rate hearing to the information received in evidence at the rate hearing, giving explicit consideration to the income on invested reserves of the members of the rating association. After consideration of the information in accordance with this section, the commissioner shall adopt the lowest rate obtainable consistent with the standards established in section 79.071. The commissioner shall decline to grant a hearing pursuant to section 79.071 if the association fails to provide the information; provided, however, to the extent that the information received in a pending or future petition for a modification of the existing schedule of rates is insufficient to allow the commissioner to apply a formula or other method of rate calculation to the information received in evidence at the rate hearing and to give explicit consideration to the income on invested reserves of the members of the rating association, the commissioner shall withhold a final determination with respect to the adoption of a schedule of rates pursuant to section 79.071, subdivisions 4 and 5; and, provided further, if the commissioner withholds final consideration pursuant to this section, then he shall hold additional hearings as he deems necessary and the provisions of section 79.071, subdivision 5, shall not apply."*

Page 1, line 12, delete "Subdivision 1. [DUTIES OF COMMISSIONER.]"

Page 1, line 17, after "79.171" delete everything before the period

Pages 1, 2, and 3, delete all of subdivisions 2 and 3

ReNUMBER sections accordingly

Amend the title as follows:

Page 1, line 7, after "schedule;" insert "amending Minnesota Statutes 1980, Section 79.171,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 357, A bill for an act relating to highway traffic regulation; authorizing and regulating the use of strobe lamps on school buses; amending Minnesota Statutes 1980, Section 169.64, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, before line 8, insert:

"Section 1. Minnesota Statutes 1980, Section 169.44, Subdivision 3, is amended to read:

Subd. 3. [SIGN ON BUS.] (THIS SECTION) *Subdivisions 1, 1c, 10, and 14* shall be applicable only (IN THE EVENT) *if* the school bus (SHALL BEAR UPON) *bears on* the front and rear thereof a plainly visible sign containing the words "school bus" in letters not less than eight inches in height, which shall be removed or covered when the vehicle is not in use as a school bus.

Sec. 2. Minnesota Statutes 1980, Section 169.44, Subdivision 10, is amended to read:

Subd. 10. [APPROVED FLASHING SIGNALS; SYSTEM OF OPERATION.] Flashing pre-warning amber signals and flashing red signals shall be of a type approved by the commissioner of public safety. (SUCH) *The* signals shall be a complete system meeting minimum standards as prescribed by *this section and* state board of education rules (AND REGULATIONS).

Sec. 3. Minnesota Statutes 1980, Section 169.44, is amended by adding a subdivision to read:

*Subd. 14. [FLASHING SIGNALS ON STOP ARM.] A school bus stop signal arm may be equipped with alternately flashing red warning signals which are visible both to the front and to the rear of the bus. The stop signal arm and flashing red warning signals shall conform to the Society of Automotive Engineers' Standard SAE J-1133.*

Sec. 4. Minnesota Statutes 1980, Section 169.44, is amended by adding a subdivision to read:

*Subd. 15. [TYPE THREE SCHOOL BUS.] Type three school buses are restricted to passenger cars, station wagons, and vans with a maximum manufacturer's rated seating capacity of ten persons including the driver.*

*A type three school bus shall not in any way be outwardly equipped and identified as a school bus, as defined in subdivision 1a."*

Renumber the remaining section

Amend the title as follows:

Page 1, line 4, after the semicolon insert "correcting the applicability provision of a school bus law; authorizing and regulating flashing signals or school bus stop signal arms; imposing standards for the signal arms; restricting the meaning of "type three school bus"; prohibiting a type three school bus from being equipped and identified as certain other school buses; amending Minnesota Statutes 1980, Sections 169.44, Subdivisions 3 and 10, and by adding subdivisions;"

Page 1, line 4, delete "amending Minnesota Statutes 1980, Section"

With the recommendation that when so amended the bill pass.

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 470, A bill for an act relating to the department of public safety; changing the name of the highway patrol to the state patrol; amending Minnesota Statutes 1980, Section 299D.-01, Subdivision 1.

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

The report was adopted.

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

S. F. No. 92, A bill for an act relating to crimes; prescribing penalties for the possession of controlled substances on school premises; amending Minnesota Statutes 1980, Section 152.15, by adding a subdivision.

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

The report was adopted.

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

S. F. No. 102, A bill for an act relating to towns; providing for certain notice requirements; amending Minnesota Statutes 1980, Section 365.12.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 13, 30, 79, 98, 167, 201, 223, 260, 276, 312, 331, 337, 357 and 470 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 92 and 102 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Osthoff; Anderson, B.; Otis; Jennings and Dean introduced:

H. F. No. 541, A bill for an act relating to cable communications; changing certain definitions and procedures relating to cable communications system franchises and operations; amending Minnesota Statutes 1980, Sections 238.02, Subdivision 3; 238.03; 238.06, Subdivision 6; 238.08, Subdivision 4; 238.09, Subdivisions 6 and 7; 238.11, Subdivision 2; and 238.12, Subdivisions 1 and 2; repealing Minnesota Statutes 1980, Section 238.05, Subdivisions 6 and 7.

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

Rice; Murphy; Begich; Clark, K., and Sieben, H., introduced:

H. F. No. 542, A bill for an act relating to employment; providing relief to employees who lose their jobs due to business closings, plant relocations, and reductions in operations; requiring advance notification to affected employees, employee organizations, municipalities, and the state of business closings, plant relocations, and reductions of operations; prescribing duties of certain departments, governmental bodies, and officers with respect to business closings, plant relocations, and reductions of operations; creating a community services council; providing for the creation of a community jobs assistance fund; providing penalties; proposing new law coded as Minnesota Statutes, Chapter 179A.

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

Jacobs introduced:

H. F. No. 543, A bill for an act proposing an amendment to the Minnesota Constitution, Article X, adding a section; permitting state tax laws to adopt future federal tax law amendments by reference.

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

Begich, Murphy, Simoneau and Dahlvang introduced:

H. F. No. 544, A bill for an act relating to labor relations; making certain collective bargaining agreements binding and enforceable upon transferee employers; proposing new law coded in Minnesota Statutes, Chapter 179.

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

Schreiber; Hokr; Carlson, L.; Jude and Heinitz introduced:

H. F. No. 545, A bill for an act relating to retirement; providing for membership of employees of the Suburban Public Health Nursing Service, Incorporated, in the Public Employees Retirement Association; and authorizing the purchase of prior service credits therein.

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

Rees, Wenzel, Wynia, Brinkman and Kelly introduced:

H. F. No. 546, A bill for an act relating to insurance; providing for a program of continuing education; establishing a continuing insurance education advisory committee; authorizing the commissioner of insurance to promulgate rules to implement the program; proposing new law coded in Minnesota Statutes, Chapter 60A.

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

Kelly, Battaglia and Vanasek introduced:

H. F. No. 547, A bill for an act relating to crimes; establishing penalties for the crime of issuing a worthless check; amending Minnesota Statutes 1980, Section 609.535, Subdivisions 1, 2, 3, 4, and by adding subdivisions.

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

Kelly, Long and Vanasek introduced:

H. F. No. 548, A bill for an act relating to crimes; increasing the penalty for intentional and unintentional homicides committed while committing certain felonies; amending Minnesota Statutes 1980, Sections 609.185; 609.19; 609.195; and 609.20.

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

Nelson, K.; Clark, K.; Wynia; Dean and Evans introduced:

H. F. No. 549, A bill for an act relating to energy; creating the Minnesota renewable energy financing commission; establishing a program of loans and financial assistance for small businesses and municipalities; authorizing the issuance of bonds; appropriating money; proposing new law coded in Minnesota Statutes 1980, Chapter 116H.

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

Kelly; Heap; Rodriguez, C.; Long and Novak introduced:

H. F. No. 550, A bill for an act relating to education; modifying and providing certain procedures for the termination, discharge and demotion of certain teachers; amending Minnesota Statutes 1980, Sections 125.12, Subdivisions 3, 4, 8, 9, 11, and by adding a subdivision; and 125.17, Subdivisions 2, 5 and 10; repealing Minnesota Statutes 1980, Sections 125.12, Subdivision 10; and 125.17, Subdivisions 6, 7, 8 and 9.

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

Clark, K.; Greenfield; Lehto and Staten introduced:

H. F. No. 551, A bill for an act relating to crimes; repealing the offenses of sodomy, adultery and fornication; repealing Minnesota Statutes 1980, Sections 609.293; 609.34; and 609.36.

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

Clawson, Ogren, Rees, Welch and Mehrkens introduced:

H. F. No. 552, A bill for an act relating to commerce; prohibiting fraud in the use of recreational camping areas; providing a penalty; amending Minnesota Statutes 1980, Sections 327.07; and 327.14, Subdivision 8.

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

Esau, Reding, Wigley, Kalis and Dahlvang introduced:

H. F. No. 553, A bill for an act relating to drivers licenses; increasing fees for motorized bicycle operator permits and for driver licenses; establishing a fee for the Minnesota identification card; providing for uniform application fees; requiring re-examination before issuance of a new drivers license after revocation; amending Minnesota Statutes 1980, Sections 171.02, Subdivision 3; 171.06, Subdivisions 1, 2 and 4; 171.07, Subdivision 3; and 171.29.

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

Peterson, B.; Vanasek; Reding; Kostohryz and Ludeman introduced:

H. F. No. 554, A bill for an act relating to natural resources; increasing motor vehicle permit fees for state parks, monuments, recreation areas, and waysides; establishing a dedicated account; appropriating money; amending Minnesota Statutes 1980, Section 85.05, Subdivisions 1 and 2; proposing new law coded in Minnesota Statutes, Chapter 85.

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

Anderson, B.; Stumpf; Evans; Welch and Sviggum introduced:

H. F. No. 555, A bill for an act relating to agriculture; regulating alien ownership of land; providing for permanent resident alien and loss of status; amending Minnesota Statutes 1980, Section 500.221, Subdivisions 1, 3, and by adding a subdivision.

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

McCarron introduced:

H. F. No. 556, A bill for an act relating to liens; modifying the penalties for failure to properly use the proceeds of payments made for the satisfaction of labor, skill, material, and machinery costs for improvements to real property; amending Minnesota Statutes 1980, Section 514.02, Subdivision 1.

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

Greenfield; Niehaus; Clark, J.; Clawson and Clark, K., introduced:

H. F. No. 557, A bill for an act relating to public welfare; establishing and empowering a board for the blind; transferring certain powers and duties of the commissioner of public welfare to the board; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 248; repealing Minnesota Statutes 1980, Sections 248.07; and 248.08.

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



Kaley, Reding and Sarna introduced:

H. F. No. 558, A bill for an act relating to retirement; extending the option for purchase of prior service credit by certain legislative employees; amending Laws 1975, Chapter 388, Section 1, Subdivision 3, as added and amended.

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

Dempsey; Stadum; Jennings; Sieben, M., and Metzen introduced:

H. F. No. 559, A bill for an act relating to courts; providing court commissioners with the judicial powers of a judge of the county court or the county municipal court; authorizing counties to abolish the office of county commissioner; amending Minnesota Statutes 1980, Section 489.02; proposing new law coded in Minnesota Statutes, Chapter 489.

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

Voss; Ellingson; Peterson, B.; O'Connor and Dempsey introduced:

H. F. No. 560, A bill for an act relating to courts; costs and disbursements; authorizing the awarding of attorney's fees in certain actions or proceedings; proposing new law coded in Minnesota Statutes, Chapter 549.

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

Voss, Begich and Battaglia introduced:

H. F. No. 561, A bill for an act relating to public utilities; placing certain cooperative electric associations under the jurisdiction of the public utilities commission for rate making purposes; amending Minnesota Statutes 1980, Section 216B.16, by adding a subdivision.

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

Hauge; Nelsen, B.; Vellenga; Gruenes and Anderson, G., introduced:

H. F. No. 562, A bill for an act relating to agriculture; regulating fertilizers and soil and plant amendments; providing a penalty; amending Minnesota Statutes 1980, Sections 17.711; 17.713; 17.714; 17.716, by adding subdivisions; 17.717, Subdivisions 4, 5 and by adding a subdivision; 17.718, Subdivision 1; 17.719; 17.72; 17.721; 17.722; 17.723; 17.725; 17.726; 17.727; 17.728, Subdivision 1; 17.729; repealing Minnesota Statutes 1980, Section 17.717, Subdivision 2.

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

Brinkman; Jennings; Valan; Johnson, D., and Anderson, B., introduced:

H. F. No. 563, A bill for an act relating to interest; regulating rates of interest on loans for business and agricultural transactions and loans made by agricultural credit corporations; removing certain deficiencies and ambiguities; amending Minnesota Statutes 1980, Sections 334.011, Subdivision 1; and 334.061.

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

Brinkman and Mann introduced:

H. F. No. 564, A bill for an act relating to insurance; allowing a township mutual fire insurance company to insure property in cities of the second class; amending Minnesota Statutes 1980, Section 67A.14, Subdivision 5.

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

Clawson; Hauge; Clark, K., and Niehaus introduced:

H. F. No. 565, A bill for an act relating to eminent domain; providing for certain procedures relating to condemnation actions and other acquisition of property; establishing rates of interest for certain payments related to acquisition of property; amending Minnesota Statutes 1980, Sections 117.041; 117.042; 117.055; 117.075; 117.085; 117.125; 117.155; 117.175, Subdivision 1; 117.195; 117.231; 117.232; 117.51; 117.52; and proposing new law coded in Minnesota Statutes, Chapter 117.

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

Clawson, Voss, Vellenga, Piepho and Fjoslien introduced:

H. F. No. 566, A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Sections 1, 3 and 4; Article VIII, Section 2; and Article XI, Sections 7 and 8; abolishing the constitutional office of state treasurer.

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

Olsen; Kaley; Johnson, C.; Sarna and Reding introduced:

H. F. No. 567, A bill for an act relating to retirement; teachers retirement association and teacher retirement fund associations in cities of the first class; allowing certain types of survivor coverage be provided to a designated beneficiary instead of a surviving spouse requiring public pension funds to provide information concerning optional annuity forms with retirement application form; requiring the signature of the spouse of a member on the retirement application form in certain instances; amending Minnesota Statutes 1980, Sections 354.46, Subdivisions 1 and 2; 354.47, Subdivision 1; and 354A.35, Subdivisions 1 and 2; and proposing new law coded in Minnesota Statutes, Chapter 356.

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

Hanson, Olsen, Kelly, Clawson and Kostohryz introduced:

H. F. No. 568, A bill for an act relating to education; increasing the aid amount and percent of pupils who qualify for gifted and talented educational programs; amending Minnesota Statutes 1980, Section 124.247, Subdivision 3.

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

Peterson, D.; Heap; Clawson; Pogemiller and Heinitz introduced:

H. F. No. 569, A bill for an act relating to housing; providing new standards and procedures for disclosing conflicts of interest for commissioners and employees of housing and redevelopment authorities; establishing penalties; proposing new law coded in Minnesota Statutes, Chapter 462; repealing Minnesota Statutes 1980, Section 462.431.

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

Battaglia, Murphy, Elioﬀ, Begich and Munger introduced :

H. F. No. 570, A bill for an act relating to pollution; authorizing water pollution control fund grants for certain wastewater treatment projects; authorizing issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1980, Section 116.18, Subdivisions 1 and 4.

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

Battaglia, Begich, Elioﬀ and Carlson, D., introduced :

H. F. No. 571, A bill for an act relating to game and fish; revising certain provisions concerning the transportation of pistols and revolvers; amending Minnesota Statutes 1980, Section 100.29, Subdivision 5.

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

Battaglia, Begich and Elioﬀ introduced :

H. F. No. 572, A bill for an act relating to wild animals; prescribing requirements for carrying firearms under certain conditions; amending Minnesota Statutes 1980, Section 100.29, Subdivisions 3 and 9.

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

Kelly introduced :

H. F. No. 573, A bill for an act relating to education; authorizing transportation for certain handicapped pupils from home to hospitals or treatment centers when instructional programs are provided; amending Minnesota Statutes 1980, Sections 123.39, by adding a subdivision; and 124.223.

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

Battaglia, Begich and Elioﬀ introduced :

H. F. No. 574, A bill for an act relating to intoxicating liquor; authorizing the issuance of one off-sale license in the town of Tofte.

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

Dempsey introduced:

H. F. No. 575, A bill for an act relating to the city of New Ulm; authorizing issuance of a license for the sale of intoxicating liquor at Vogel arena.

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

Clawson, Wenzel, Sherman, Stumpf and Wigley introduced:

H. F. No. 576, A bill for an act relating to the state register; specifying the contents and requiring various matters of public interest to be published in the state register; amending Minnesota Statutes 1980, Sections 3.21; 15.0412, Subdivision 6; 15.051, Subdivision 1; and by adding a subdivision; 16.07, Subdivision 2; 16A.67, Subdivision 4; 41.56, Subdivision 4; 60A.08, Subdivision 7; 85.021, Subdivision 2; 85A.03, Subdivision 4a; 90.101, Subdivision 2; 92.14; 93.16; 94.10, Subdivision 2; 97.48, Subdivision 11; 155.17; 161.23, Subdivision 2; 161.44, Subdivision 6; 167.50, Subdivision 2; 241.09, Subdivision 2; 299C.07; 340.63, Subdivision 2; 345.47, Subdivision 2; 360.302, Subdivision 2; and 370.07.

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

Voss, Valento, Hanson and Laidig introduced:

H. F. No. 577, A bill for an act relating to economic development; regulating municipal industrial development projects; amending Minnesota Statutes 1980, Sections 474.01, Subdivisions 7a, 7b, 8, and by adding a subdivision; and 474.06.

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

Metzen; Anderson, I.; Sarna; Battaglia and Blatz introduced:

H. F. No. 578, A bill for an act relating to crimes; prescribing a mandatory five year term of imprisonment for aggravated robbery without discretionary early release; amending Minnesota Statutes 1980, Section 609.245.

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

Berkelman, Brinkman, Ewald, Voss and Heinitz introduced:

H. F. No. 579, A bill for an act relating to financial institutions; allowing new mortgage instruments; modifying rate restrictions on certain loans; providing a maximum late charge on certain loans; amending Minnesota Statutes 1980, Section 47.20, Subdivisions 1, 2, 4, 4a, 6 and 12.

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

Dempsey introduced:

H. F. No. 580, A bill for an act relating to eminent domain; providing for attorney's fees on appeal; amending Minnesota Statutes 1980, Section 117.175, Subdivision 2.

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

Begich; Carlson, D.; Rodriguez, C.; Voss and Jude introduced:

H. F. No. 581, A bill for an act relating to crimes; regulating the furnishing and possession of tear gas compounds; providing penalties; amending Minnesota Statutes 1980, Section 624.73.

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

Begich, Battaglia, Minne, Elioff and Anderson, I., introduced:

H. F. No. 582, A bill for an act relating to natural resources; regulating the use of state funded trails; providing a penalty; amending Minnesota Statutes 1980, Section 84.90, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 85.

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

Begich, Battaglia, Minne, Elioff and Anderson, I., introduced:

H. F. No. 583, A bill for an act relating to public use of private land; clarifying and altering landowners' liability in the recreational use of their land; amending Minnesota Statutes 1980, Sections 87.021, Subdivisions 2 and 3; 87.0221; 87.023; 87.025; and 87.03; repealing Minnesota Statutes 1980, Section 87.022.

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

Halberg, Rees and Rodriguez, C., introduced :

H. F. No. 584, A bill for an act relating to Independent School District No. 191; allowing proceeds from the sale of school buildings or real property to be placed in the capital expenditure fund.

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

Carlson, D.; Wenzel; Redalen; Kalis and Clawson introduced :

H. F. No. 585, A bill for an act relating to natural resources; authorizing the soil and water conservation board to purchase certain insurance; appropriating money; amending Minnesota Statutes 1980, Section 40.03, Subdivision 4.

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

Anderson, B.; Levi; Clawson and Welch introduced :

H. F. No. 586, A bill for an act relating to crimes; specifying the crime of incest; prescribing penalties; amending Minnesota Statutes 1980, Sections 518B.01, Subdivision 2; 609.35; and 626.556, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 609.

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

Peterson, D.; Minne; Carlson, L.; Hoberg and Laidig introduced :

H. F. No. 587, A bill for an act relating to elections; changing certain procedures and requirements relating to elections; amending Minnesota Statutes 1980, Sections 201.061, Subdivisions 1 and 3; 202A.22, Subdivision 1; 203A.13; 203A.31, Subdivision 3; 203A.32, Subdivision 3; 203A.33, Subdivision 4; 204A.14; 204A.29; 204A.34, Subdivision 2; 204A.44, Subdivision 1; 204A.45, Subdivision 1; 204A.47, Subdivision 1; 204A.49, Subdivision 1; 206.03; 206.20, Subdivision 2; 207.08, Subdivision 2; 208.03; 208.05; and 210A.39; repealing Minnesota Statutes 1980, Section 201.18.

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

Anderson, B.; Berkelman; Brinkman; Ewald and Dean introduced:

H. F. No. 588, A bill for an act relating to financial institutions; providing for maximum interest rates on overdraft checking loans; amending Minnesota Statutes 1980, Section 48.185, Subdivision 3.

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

Den Ouden, Esau and Johnson, D., introduced:

H. F. No. 589, A bill for an act relating to crimes; authorizing law enforcement agencies in municipalities with less than 25,000 inhabitants to seize property unlawfully used in connection with controlled substance violations; amending Minnesota Statutes 1980, Section 152.01, Subdivision 17.

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

Anderson, B., introduced:

H. F. No. 590, A bill for an act relating to the city of Pipestone; fixing the method of determining its population for certain purposes.

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

Osthoff, Hanson, Harens, Norton and Wynia introduced:

H. F. No. 591, A bill for an act relating to the city of St. Paul; repealing the people mover act; repealing Minnesota Statutes 1980, Chapter 458B.

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

Lehto; Skoglund; Clark, J.; Vanasek and Luknic introduced:

H. F. No. 592, A bill for an act relating to probate; changing the order of descent of a cemetery lot in intestate proceedings; amending Minnesota Statutes 1980, Section 525.14.

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



Hoberg and Valan introduced:

H. F. No. 593, A bill for an act relating to education; authorizing Independent School District No. 152 to place proceeds from the sale of buildings and real property in the capital expenditure fund.

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

Battaglia, Begich and Elioff introduced:

H. F. No. 594, A bill for an act relating to education; permitting certain school districts to levy taxes for certain costs of non-resident tuition; amending Minnesota Statutes 1980, Sections 123.39, by adding a subdivision; and 275.125, Subdivision 4.

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

Murphy, Staten, Lehto, Halberg and Rodriguez, C., introduced:

H. F. No. 595, A bill for an act relating to the state building code, authorizing stricter fire prevention standards in certain municipalities; proposing new law coded in Minnesota Statutes, Chapter 16.

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

Minne, Rice, Murphy, Elioff and Begich introduced:

H. F. No. 596, A bill for an act relating to labor; requiring prevailing wage payment on certain projects; amending Minnesota Statutes 1980, Section 471.345, Subdivision 7.

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

Gustafson, Berkelman, Munger and Lehto introduced:

H. F. No. 597, A bill for an act relating to education; providing an appropriation to pay for capital expenses required by certain desegregation orders.

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

Simoneau introduced:

H. F. No. 598, A bill for an act relating to education; providing for the inclusion of certain community college and state university faculty members in the definition of an employee under the public employee labor relations act of 1971; amending Minnesota Statutes 1980, Section 179.63, Subdivision 7.

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

Reding; Peterson, B.; Kostohryz; Rose and Sherwood introduced:

H. F. No. 599, A bill for an act relating to game and fish; increasing game and fish licenses and other fees; amending Minnesota Statutes 1980, Sections 98.46, Subdivisions 2, 2a, 3, 4, 5, 5a, 6, 7, 8, 9, 9a, 10, 11, 12, 14, 15, 16, 17, 18, and 19; 99.28, Subdivision 5; 100.35, Subdivisions 1 and 5; and 101.44.

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

Kostohryz, Harens, Minne, Evans and Sarna introduced:

H. F. No. 600, A bill for an act relating to veterans; requiring the Veterans of Foreign Wars to provide assistance to disabled veterans in filing claims with the United States government; appropriating money.

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

Ogren, O'Connor and Luknic introduced:

H. F. No. 601, A bill for an act relating to cemeteries; requiring public cemeteries having permanent care and improvement funds to file a notice and an annual report with the county auditor; amending Minnesota Statutes 1980, Section 306.761.

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

Voss; Jude; Begich; Rodriguez, C., and Clark, K., introduced:

H. F. No. 602, A bill for an act relating to public safety; permitting use of disabling chemicals for purposes of self-defense; amending Minnesota Statutes 1980, Section 624.73, Subdivisions 1 and 2.

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

Clawson; Clark, K.; Hauge; Ludeman and Fjoslien introduced:

H. F. No. 603, A bill for an act relating to eminent domain; limiting the authority to acquire certain property by condemnation; repealing certain obsolete provisions of law authorizing acquisition by condemnation; changing certain obsolete language; amending Minnesota Statutes 1980, Sections 84.033; 84.154, Subdivision 3; 84A.10; 84A.39; 84A.55, Subdivision 13; 85.015, Subdivisions 12 and 13; 88.09, Subdivision 2; 89.032, Subdivision 1; 105.39, Subdivision 4; 123.64; 136.65, Subdivision 1; 137.01, Subdivision 2; 137.02, Subdivisions 1 and 3; 190.11; 193.143; 193.144, Subdivisions 2 and 3; 459.06, Subdivision 1; 463.03; and 641.263, Subdivision 2; repealing Minnesota Statutes 1980, Sections 38.05; 85A.02, Subdivision 6; 117.31; 123.40, Subdivision 6; 123.63; 161.29; 193.144, Subdivision 4; and 308.39.

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

Peterson, D.; Hoberg; Laidig; Minne and Osthoff introduced:

H. F. No. 604, A bill for an act relating to elections; changing eligibility requirements and compensation for election judges; authorizing time off from work for election judges; amending Minnesota Statutes 1980, Sections 204A.18; and 204A.23.

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

Friedrich; Rees; Johnson, C., and Kalis introduced:

H. F. No. 605, A bill for an act relating to transportation; permitting establishment of toll bridges on county highways and county state aid highways; authorizing the issuance of bonds to finance their cost; proposing new law coded in Minnesota Statutes, Chapter 165.

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

Esau, Mann, Jacobs, Dempsey and Rodriguez, C., introduced:

H. F. No. 606, A bill for an act relating to highway traffic regulations; specifying minimum property damage accident report requirements; making the report available to state agencies; amending Minnesota Statutes 1980, Section 169.09, Subdivisions 7 and 13.

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

Harens, O'Connor, Stadum, Himle and Murphy introduced:

H. F. No. 607, A bill for an act relating to liens; increasing the amount of an employee's lien for wages; amending Minnesota Statutes 1980, Section 514.59.

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

Fjoslien; Clawson; Anderson, R., and Anderson, B., introduced:

H. F. No. 608, A bill for an act relating to private passenger vehicle insurance; prohibiting certain premium increases attributable to relatives living in the same household; proposing new law coded in Minnesota Statutes, Chapter 65B.

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

Welch; Greenfield; Gruenes; Rodriguez, F., and Onnen introduced:

H. F. No. 609, A bill for an act relating to health; authorizing the commissioner of health to issue orders concerning well water quality; changing the claim limitations on cost of removing nuisances; amending Minnesota Statutes 1980, Sections 145.22; and 156A.05, by adding a subdivision.

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

Welch, Clawson, McDonald, Onnen and McEachern introduced:

H. F. No. 610, A bill for an act relating to public welfare; modifying certain provisions regarding continued eligibility for medical assistance; amending Minnesota Statutes 1980, Section 256B.062.

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

Skoglund; Clark, J.; Reding; Jacobs and Sherwood introduced:

H. F. No. 611, A bill for an act relating to crimes; prohibiting tattooing intoxicated persons; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.

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

Skoglund, Jacobs, Friedrich, Reding and Otis introduced:

H. F. No. 612, A bill for an act relating to cable communications; changing the definition of cable communications system; reducing the number of days available to the metropolitan council for review of cable service territory proposals; conforming the certificate of confirmation term to the franchise term; authorizing rules preventing obstruction of service to multiple unit dwellings; providing to municipalities the option concerning cable service rates information included in a franchise; amending Minnesota Statutes 1980, Sections 238.02, Subdivision 3; 238.05, Subdivision 7, and by adding a subdivision; 238.09, Subdivisions 6 and 7, and by adding a subdivision; 238.12, by adding a subdivision; repealing Minnesota Statutes 1980, Section 238.12, Subdivisions 1 and 2.

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

Skoglund, Tomlinson, Hanson, Evans and Anderson, I., introduced:

H. F. No. 613, A bill for an act relating to taxation; recodifying the income tax law; repealing Minnesota Statutes 1980, Chapter 290.

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

#### HOUSE ADVISORIES

The following House Advisory was introduced:

Rodriguez, C.; Halberg and Mann introduced:

H. A. No. 7, A proposal to study the relationship between traffic accidents, traffic law and highway planning and maintenance.

The advisory was referred to the Committee on Transportation.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 230, A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; appropriating money.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 121, 143, 144 and 145.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 121, A bill for an act relating to statutory cities and urban towns; permitting publication of summaries of ordinances prior to enactment; amending Minnesota Statutes 1980, Sections 368.01, Subdivision 21; and 412.191, Subdivision 4.

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

S. F. No. 143, A bill for an act relating to marriage; changing the liability of spouses for certain debts; amending Minnesota Statutes 1980, Section 519.05.

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

S. F. No. 144, A bill for an act relating to creditors' remedies; property exempt from attachment, garnishment or sale on any final process issued from any court; providing for an increase in the amount of the life insurance exemption and extending the class of those eligible to benefit; amending Minnesota Statutes 1980, Section 550.37, Subdivision 10.

The bill was read for the first time.

Vellenga moved that S. F. No. 144 and H. F. No. 223, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 145, A bill for an act relating to crimes; authorizing notices of dishonored checks to be made by certified or regular mail and an affidavit of service by mailing; amending Minnesota Statutes 1980, Section 609.535, Subdivision 3.

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

REPORTS FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Eken for the Committee on Rules and Legislative Administration offered the following report and moved its adoption:

*Be It Resolved*, by the House of Representatives that the House Administrator of the House of Representatives is hereby authorized and directed to prepare and issue warrants in payment of living expenses and mileage to each member of the House from the Legislative Expense Fund for each calendar day of the Sessions of the 72nd Legislature.

*Resolved Further*, that living expenses in the sum of up to \$36 per diem shall be paid to the Speaker of the House and to each member of the House who has moved from his or her usual place of lodging during a substantial part of the Sessions of the 72nd Legislature.

*Provided Further*, that the per diem living expenses of a member of the House who has not so changed his or her place of lodging for a substantial part of said Sessions of the 72nd Legislature shall be the sum of up to \$23 per day.

*Provided Further*, that those members of the House who are eligible to be paid the per diem of \$36 shall in addition be reimbursed for travel to and from their homes at the same amount as may be authorized by the Commissioner of Personnel for state employees, not to exceed one round trip per week of the Sessions.

*Provided Also*, that each member of the House shall certify in writing to the House Administrator of the House of Representatives, prior to the issuance of the first of such warrants for each of the Sessions of the 72nd Legislature for such living expenses whether or not he or she has moved from the usual place of lodging.

The question was taken on the adoption of the resolution and the roll was called. There were 79 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Ainley	Evans	Kaley	Novak	Searles
Anderson, B.	Ewald	Kelly	O'Connor	Sieben, M.
Anderson, G.	Fjoslien	Knickerbocker	Ogren	Simoneau
Anderson, I.	Forsythe	Kostohryz	Osthoff	Stadum
Anderson, R.	Friedrich	Laidig	Otis	Staten
Brandl	Greenfield	Lehto	Peterson, B.	Stowell
Byrne	Gustafson	Levi	Peterson, D.	Stumpf
Carlson, D.	Halberg	Long	Pogemiller	Swanson
Carlson, L.	Hanson	Luknic	Redalen	Vanasek
Clark, J.	Harens	McDonald	Reding	Vellenga
Clark, K.	Hauge	Mehrrens	Rees	Wenzel
Clawson	Heap	Metzen	Rice	Wieser
Dahlvang	Heinitz	Munger	Rodriguez, F.	Wynia
Dean	Hokanson	Nelsen, B.	Rose	Zubay
Eken	Johnson, C.	Nelson, K.	Sarna	Spkr. Sieben, H.
Ellingson	Kahn	Norton	Schreiber	

Those who voted in the negative were:

Aasness	Esau	Ludeman	Reif	Tomlinson
Battaglia	Gruenes	Marsh	Rodriguez, C.	Valan
Begich	Haukoos	McCarron	Rothenberg	Valento
Blatz	Hoberg	Minne	Samuelson	Voss
Brinkman	Hokr	Murphy	Schoenfeld	Weaver
Dempsey	Jennings	Niehaus	Shea	Welch
Den Ouden	Johnson, D.	Nysether	Sherman	Welker
Drew	Jude	Olsen	Sherwood	Wigley
Elioff	Kalis	Onnen	Skoglund	
Erickson	Lemen	Piepho	Sviggum	

The motion prevailed and the resolution was adopted.

Eken for the Committee on Rules and Legislative Administration offered the following report on the proposed permanent rules of the House for the Seventy-Second Session:

## PERMANENT RULES OF THE HOUSE

### ARTICLE I — DAILY BUSINESS

**1.1 CONVENING OF THE HOUSE.** Unless otherwise ordered, regular sessions of the House shall convene at two o'clock p.m. The Speaker shall take the chair at the hour at which the House convenes and the House shall then be called to order. After prayer by the Chaplain or a brief meditation, a roll of members shall be called and the names of members present and members excused shall be entered in the Journal of the House.

**1.2 READING OF THE JOURNAL.** A quorum being present, the Journal of the preceding day shall be read by the Chief Clerk unless otherwise ordered. The House may correct any errors in the Journal of the preceding day.

**1.3 ORDER OF BUSINESS.** After the reading of the Journal, the order of business of the day shall be:



- (1) Presentation of petitions or other communications.
- (2) Reports of standing committees.
- (3) Second reading of House bills.
- (4) Second reading of Senate bills.
- (5) Reports of select committees.
- (6) Introduction and first reading of House bills.
- (7) Consideration of messages from the Senate.
- (8) First reading of Senate bills.
- (9) Consent Calendar.
- (10) Calendar for the day.
- (11) General Orders.
- (12) Motions and resolutions.

Conference committees and the Committee on Rules and Legislative Administration may report at any time.

**1.4 SECOND READING OF BILLS.** Every bill shall require a second reading.

Except as otherwise ordered, every bill requiring the approval of the Governor shall, after a second reading, be considered in a Committee of the Whole before it shall be finally acted upon by the House.

**1.5 COMMITTEE OF THE WHOLE.** The Committee of the Whole is a committee of the entire membership of the House. The Speaker may appoint another member as chairman to preside over the Committee of the Whole.

When the House arrives at the General Orders of the Day, it shall resolve itself into a Committee of the Whole to consider bills on General Orders.

A bill considered in the Committee of the Whole shall be reported and then debated by sections, with the title considered last. All amendments shall be typewritten and five copies shall be submitted to the Chairman who shall report them to the House.

**1.6 RULES TO APPLY TO COMMITTEE OF THE WHOLE.** The Rules of the House shall be observed in the Committee of the Whole so far as may be applicable except that the previous question shall not be forced or speaking limited.

Upon demand of 15 members, the ayes and nays shall be called, the question voted on, and the ayes and nays recorded in the Journal of the House.

In the Committee of the Whole no amendment increasing the amount of any appropriation shall be passed without the ayes and nays recorded in the Journal of the House.

A motion that the committee arise shall always be in order and shall be decided without debate.

Upon the request of any member, a bill shall be excepted from the report of the Committee of the Whole. Only a motion to strike an amendment to the bill adopted in the Committee of the Whole or to amend the recommendation of the Committee of the Whole concerning the disposition of the bill shall be in order.

**1.7 GENERAL ORDERS OF THE DAY.** The Chief Clerk at the direction of the speaker shall prepare the General Orders of the Day, which is a list of all bills which have not been made Special Orders or placed on the Consent Calendar, numbered according to their order at second reading. Unless otherwise ordered by a majority of the Committee, items on General Orders shall be taken up in numerical order.

The Chief Clerk shall see that a copy of each bill printed under the Rules or Orders of the House is placed in each member's file, which is to be kept at his desk in the chamber, at least 24 hours before the bill shall be considered in the Committee of the Whole. Under the first order of business each day, the Chief Clerk shall report to the House which bills he has placed in the files.

If a bill is progressed three times it shall be placed at the end of General Orders unless otherwise ordered by majority vote.

Except during the last five days in any year on which a bill may be passed, a bill amended in the Committee of the Whole shall not be given its third reading until it is engrossed and reproduced as amended.

**1.8 THIRD READING OF BILLS.** No amendment shall be received on the third reading without the unanimous consent of the House, except to fill blanks or to amend titles.

At any time prior to its passage any bill or resolution may be committed or recommitted by a majority vote of the whole

House. If the committee, other than the Committee of the Whole, to which it was committed or recommitted reports an amendment on it, it shall again be given its second reading, considered in Committee of the Whole, given its third reading and placed upon its final passage.

1.9 SPECIAL ORDERS. A bill may be made the Order of the Day for a special time and be placed upon a separate list known as "Special Orders".

The Committee on Rules and Legislative Administration may by committee report designate as a Special Order any bill which has had its second reading.

Any member may move to make a bill a Special Order by giving notice at least two legislative days in advance of and specifying the day on which he will so move. The notice shall include the number and title of the bill and the day and time certain for the Special Order. Only the member giving such notice, or another member designated by him in writing to the Speaker, may make the motion for the Special Order. A two-thirds vote of the whole House on such motion is required to make a bill a Special Order.

The time set for the motion may not be extended, and failure to make the motion on the specified day forfeits the right to make the motion.

A motion to make a bill a Special Order, when made according to the procedures herein prescribed, shall be a privileged motion, shall take precedence over all other motions except a motion to adjourn or to set the time to adjourn and questions of personal privilege, and may be made at any time on the day designated in the notice. A three-fourths vote of the whole House is required to suspend the motion.

Any Special Order, or any part of it, may be continued or postponed by two-thirds vote of the whole House at the time of such Special Order.

When the time arrives for the consideration of any Special Order, the House shall consider each bill upon the Special Order in the order in which it is listed. After consideration it shall immediately be read the third time and placed upon final passage.

1.10 TAX AND APPROPRIATION BILLS GIVEN PRECEDENCE. At any time after (FEBRUARY 18, 1980) *April 13, 1981*, any bill relating to taxes or raising revenue shall be acted upon whenever requested by the Chairman of the Committee on Taxes, and any appropriation bill shall be acted upon whenever requested by the Chairman of the Committee on Appropriations.

1.11 CONSENT CALENDAR. Any bill of a non-controversial nature for which the committee report recommends placement upon the Consent Calendar shall be given its second reading after the report is adopted and placed upon the Consent Calendar. The bill shall be printed and placed in the members' files at least one day before it can be considered. The bill shall be placed upon the Consent Calendar in the order in which it is given its second reading.

The Consent Calendar shall immediately precede the order of business known as "Calendar for the Day". Every bill on the Consent Calendar shall be debated, given its third reading and voted upon, provided, however, that at any time prior to third reading, ten members may object to any bill as being controversial. Any bill so objected to shall be stricken from the Consent Calendar and be immediately returned to General Orders, taking its place in the usual order.

1.12 SUSPENSION OF RULES TO ADVANCE A BILL. Every bill shall be reported on three different days, except that in case of urgency, a two-thirds majority of the whole House may suspend this Rule. A motion for suspension of the Rules to advance a bill for consideration out of its regular order is in order under the order of business "Motions and Resolutions" or at any time the bill is before the House. The motion must be presented to the Speaker in writing and must state the present position of the bill.

1.13 MINORITY REPORTS. Any minority report shall be made separately from the majority report and shall be considered before the majority report. If the minority report is adopted the majority report shall not be considered. If the minority report is not adopted the majority report shall then be considered.

1.14 COMMITTEE REPORT LAID OVER. The report of any committee may be laid over one day and printed in the Journal, if so ordered by the House.

1.15 RECALLING BILL FROM COMMITTEE. Except after the deadline for committee reports on bills originating in the House, any bill or resolution may be recalled from any committee at any time by majority vote of the whole House, be given a second reading and be advanced to General Orders. A motion to recall a bill or resolution shall be in order only under the order of business "Motions and Resolutions".

1.16 TIME LIMIT FOR CONSIDERATION OF BILLS. If 20 legislative days after a bill has been referred to committee (other than a bill in Appropriations) no report has been made upon it by the committee, its chief author may request that it be returned to the House and the request shall be entered in the Journal for the day. The committee shall have ten calendar days

thereafter in which to vote upon the bill requested. If the committee fails to vote upon it within the ten days, the chief author may, at any time within five calendar days thereafter, present a written demand to the Speaker for its immediate return to the House. The demand shall be entered in the Journal for that day and shall constitute the demand of the House. The bill shall then be considered to be in the possession of the House, given its second reading and placed at the foot of General Orders.

Such bill is subject to re-reference by a majority vote of the whole House. If the motion to re-refer is made on the day of the demand or within one legislative day thereafter, the motion shall take precedence over all other motions except privileged motions and shall be in order at any time.

After (MARCH 27, 1980) *May 15, 1981*, the House shall not act on bills other than those recommended by conference committee reports or the Committee on Rules and Legislative Administration, and those bills contained in messages from the Senate or from the Governor.

**1.17 DISPOSITION OF SENATE BILLS.** Any Senate File received by the House, accompanied by a message announcing its passage by the Senate, shall be referred to the appropriate standing committee in accordance with Rule 5.4. However, if a Senate File is received which is stated by a member to be identical to a House File already reported by a standing committee of the House and placed on General Orders, Calendar, Consent Calendar, or Special Orders, the Senate File shall be referred to the Chief Clerk for comparison. If the Chief Clerk reports that the Senate File is identical with the House File, the Senate File may by majority vote be substituted for the House File and take its place. The fact that the bills are identical shall be entered in the Journal and the House File is then considered withdrawn.

Any Senate File which has been amended on the floor of the House, except at time of final passage, and any Senate File which has been reported to the House with amendments by a House standing committee, shall be unofficially engrossed and reprinted by the Chief Clerk. Amendments to unofficial engrossments of a Senate File may be offered by members on the floor of the House but shall not be offered in standing committees.

**1.18 RECORDED FLOOR PROCEEDINGS.** All proceedings on the floor of the House shall be recorded on magnetic tape or similar recording device under the direction of the Chief Clerk. Two copies of each tape shall be delivered to the Director of the Legislative Reference Library and there maintained on file for use by any member of the public in accordance with the rules of the Legislative Reference Library. At the end of each biennium, the Director of the Legislative Reference Library shall deliver one copy of each tape to the Director of the Minnesota Historical Society.

Any person may obtain a copy of any such tape during the biennium in which it is recorded upon payment of a fee determined by the Chief Clerk to be adequate to cover the cost of preparing the copy.

Discussion preserved under this rule is not intended to be admissible in any court or administrative proceeding on an issue of legislative intent.

## ARTICLE II — VOTING

**2.1 AUTHORIZING ELECTRIC VOTING SYSTEM.** Except for a vote upon elections or the overriding of a Governor's veto, any vote may be taken by means of the electric voting system which shall be under the control of the Speaker of the House.

**2.2 CALL OF THE HOUSE.** Ten members may demand a call of the House at any time except after voting has commenced. When such call is demanded, the doors shall be closed, the roll shall be called, the absent members shall be sent for, and no member may be permitted to leave until the roll call is suspended or completed. During the roll call, no motion shall be in order except a motion pertaining to matters incidental to the call. Proceedings under the roll call may be suspended by a majority vote of the whole House. After the roll call is suspended or completed the Sergeant at Arms shall not permit any member to leave the Chamber unless excused by the Speaker. A call of the House may be lifted by a majority vote of the whole House.

**2.3 DEMANDING YEAS AND NAYS.** Yeas and nays shall be ordered without demand upon final passage of bills and upon adoption of resolutions or motions directing the payment of money. In all other cases the yeas and nays shall be ordered only upon demand of 15 members.

**2.4 EXPLAINING OR CHANGING VOTE.** No member shall be allowed to explain his vote or discuss the question while the yeas and nays are being taken, nor be allowed to change his vote after the yeas and nays have been announced from the chair by the Speaker.

**2.5 EVERY UNEXCUSED MEMBER TO VOTE.** Any member who is immediately interested in the question being voted on shall not vote.

Every other member present before a vote is declared from the chair shall vote for or against the matter before the House, unless the House excuses him from voting.

When a member declines to vote on a call of his name, he shall be required to state his reasons for so declining. After the vote has been taken but before the chair has announced the

vote, he shall submit to the House the question, "Shall the member, for the reasons stated, be excused from voting?" which shall be decided without debate. Any other proceedings in reference thereto shall take place after announcement of the vote.

#### ARTICLE III — MOTIONS AND AMENDMENTS

3.1 MOTIONS. No motion shall be debated until after it is stated by the Speaker.

After a motion has been stated by the Speaker it is in possession of the House, but the mover may withdraw it at any time before amendment or decision. Unless a motion, resolution or amendment is withdrawn on the day it is made, it shall be entered in the Journal, together with the name of the member offering it.

The Speaker may require any motion to be written.

3.2 PRECEDENCE OF MOTIONS. When a question is under consideration, no motion shall be received except the following, the first four of which shall be decided without debate:

- (1) To fix the time of adjournment.
- (2) To adjourn.
- (3) To lay on the table.
- (4) For the previous question.
- (5) To refer.
- (6) To postpone to a day certain.
- (7) To amend.
- (8) To postpone indefinitely.
- (9) To pass.

The motions shall have precedence in the order listed. However, if the motion for the previous question has been seconded and the main question ordered, the motion to lay on the table shall not be in order.

3.3 MOTION TO ADJOURN. A motion to adjourn shall always be in order except during roll call.

When a motion to adjourn is made it shall be in order for the Speaker, before putting the question, to permit any member

to state reasons which would seem to render adjournment improper at that time. Such a statement shall not be debatable and shall be limited to not over two minutes.

**3.4 MOTION FOR RECONSIDERATION.** When a question has been decided either in the affirmative or negative, it shall be in order for any member who voted with the prevailing side to move its reconsideration, provided that such motion is made either on the same day the vote was taken or within the following two days of actual session of the House. A motion for reconsideration can be made at any time in the Order of Business and shall take precedence over all other questions except the motion to adjourn and the notice of intention to move reconsideration. Such motion or notice shall not be in order if the document, bill, resolution, message, report or other official action on which the vote was taken shall have left the possession of the House.

When a member gives notice of intention to move reconsideration of the final action of the House on any bill, resolution, message, report or other official action, the Chief Clerk shall retain the same until after the matter is disposed of or the time has expired during which the motion for reconsideration can be made.

On the last day allowed for the motion to reconsider, it shall be in order for any member who voted on the prevailing side to make the motion, unless the matter has been already disposed of.

A motion for reconsideration having been voted upon and lost shall not be renewed.

(THE) *In 1981* notice of intention to move reconsideration shall not be in order after (MARCH 8, 1980) *Monday, April 27.*

**3.5 ORDER OF PUTTING QUESTION.** Except in the case of privileged questions, all questions, whether in committee or in the House, shall be put in the order in which they are moved. When filling blanks, a motion for the largest sum or the longest time shall be put first.

**3.6 DIVISION OF A QUESTION.** Any member may request the division of a question which contains several points. A motion to strike out and insert shall not be divisible. If a motion to strike out is lost it shall not preclude another motion to amend or to strike out and insert.

**3.7 THE PREVIOUS QUESTION.** The motion calling for the previous question must be seconded by 15 members. If the motion for the previous question is ordered by a majority of members present, it shall have the effect of cutting off all debate and bringing the House to direct vote upon the question or questions.



The previous question may be moved and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments; or it may include all authorized motions or amendments, including a vote on final passage of a bill.

On a motion for the previous question, but prior to its being ordered, a call of the House shall be in order. After a majority has ordered the previous question, no call shall be in order prior to the decision on the main question.

When the previous question is decided in the negative, the main question remains under debate until disposed of by taking a vote either on the question or in some other manner.

All incidental questions of order arising after a motion is made for the previous question and prior to the vote on the main question shall be decided without debate.

**3.8 UNANIMOUS CONSENT TO MAKE A MOTION.** Whenever unanimous consent to make a motion is requested by a member, the member as a part of such request shall state briefly the purpose of such motion and the subject matter involved.

**3.9 MOTIONS AND PROPOSITIONS TO BE GERMANE.** No motion or proposition on a subject different from that under consideration shall be admitted under guise of its being an amendment.

**3.10 AMENDMENT NOT TO ANNEX ANOTHER BILL.** Except in a standing committee no bill or resolution shall at any time be amended by annexing or incorporating any other bill or resolution pending before the House.

**3.11 RESOLUTIONS AND MOTIONS INVOLVING EXPENDITURE OF MONEY.** Any resolution or motion involving the expenditure of money out of the legislative expense fund shall be referred to the Committee on Rules and Legislative Administration before being acted upon by the House. A majority vote of the whole House, determined by a roll call, is required to pass any such resolution or motion.

**3.12 AMENDMENTS TO APPROPRIATION BILLS.** No amendment increasing the amount or amounts carried by any appropriation bill shall be declared passed until voted for by a majority of the whole House determined by a roll call vote.

**3.13 MOTION TO RESCIND.** The motion to rescind shall not be in order at any time in any proceeding in the House or in any committee of the House.

**3.14 SUSPENSION OR AMENDMENT OF THE RULES.** The concurrence of two-thirds of the whole House is required to suspend,

alter, or amend any Rule of the House, except that any amendment to the Rules reported by the Committee on Rules and Legislative Administration may be adopted by a majority of the whole House.

Except as provided in Rule 1.12, a motion to suspend, alter, or amend any Rule of the House must be made under the order of business "Motions and Resolutions". If the motion is made at any other time, unanimous consent is required before the Speaker can entertain the motion.

A motion to suspend the Rules, together with the subject matter to which it pertains, is debatable, but the previous question may be applied to the motion.

#### ARTICLE IV — DEBATE AND DECORUM

**4.1 ABSENCE OF MEMBERS AND OFFICERS.** Unless illness or other sufficient cause prevents attendance, no member or officer of the House shall absent himself from any session of the House without first having obtained from the Speaker permission to be absent.

**4.2 DUTIES OF MEMBERS.** Members shall keep their seats until the Speaker announces adjournment.

Every member, before speaking, shall rise from his seat and respectfully address the Speaker and shall not speak further until recognized by the Speaker. When two or more members rise at the same time, the Speaker shall designate the member to speak first.

**4.3 QUESTIONS OF ORDER.** If any member of the House transgresses the Rules, either in speaking or in any other way, the Speaker shall, or any member may, call him to order. A member so called to order shall immediately sit down unless another member moves to permit him to explain. In either case, the House, if appealed to, shall decide without debate. Only if the decision is in favor of the member called to order shall he be at liberty to proceed. A member called to order shall be liable to censure or such other punishment as the House may deem proper.

**4.4 ORDER IN DEBATE.** No member shall speak more than twice on the same subject without leave of the House, nor more than once until every other member wishing to speak on the pending question has had an opportunity to do so.

**4.5 NOTICE OF INTENTION TO DEBATE A RESOLUTION.** Any member may give notice of his intention to debate a resolution. Such notice may be given at any time before the vote is taken

on the resolution. If such notice is given, the resolution shall be laid over one day without debate or any other action.

**4.6 OFFENSIVE WORDS IN DEBATE.** If any member is called to order for offensive words in debate, the member calling him to order shall report the words to which exception is taken and the Clerk shall record them. No member shall be held to answer or be subject to censure of the House for any language used in debate if exception is not taken before any other member has spoken or any other business has taken place.

**4.7 ORDER DURING SESSION.** No member shall walk out of or across the Chamber when the Speaker is putting the question. No member shall engage in private conversation while another member is speaking or pass between the speaking member and the chair.

**4.8 NO ONE TO REMAIN BY THE CLERK'S DESK.** No member or other person shall remain by the clerk's desk while the yeas and nays are being called.

**4.9 WHO MAY BE ADMITTED TO THE FLOOR.** No person shall be admitted within the House Chamber, except members themselves, properly authorized employees, the Chief Executive and ex-governors of the State of Minnesota, members of the Senate, heads of departments of the state government, judges of the Supreme and District Courts, members of Congress, properly accredited representatives of radio and television stations, newspapers and press associations, as herein provided for, and none other. When a former member of Congress or the Minnesota Legislature or any other person is issued a permit by the Speaker good for the day he shall be provided with a seat near the Speaker's rostrum, and at no time shall a conversation be carried on so as to disturb the business of the House. Before issuing the permit, the Speaker shall satisfy himself that the person does not seek the floor of the House for the purpose of influencing decisions of the House.

The alcoves shall be kept for the use of members only, and the Sergeant at Arms shall keep them cleared.

It shall not be in order for the Speaker to entertain a request for the suspension of this Rule, or to present from the Chair the request of any member for unanimous consent unless an extraordinary condition exists, in which event he may consent to entertain a motion for its suspension.

During the period extending from one hour prior to the time the House is scheduled to convene until one hour after the House adjourns for the day, the retiring room shall be reserved for the exclusive use of the members and employees of the House or Senators specifically authorized to be present by a House member. No committee meetings shall be held therein except for

emergency meetings authorized by the Speaker of the House. The Sergeant at Arms is charged with the duty of strict enforcement of this provision.

**4.10 PRESENTATION OF PETITIONS.** Any petition, memorial or other paper presented to the House shall include the name of the member introducing it and a brief description of its contents and shall be presented by the Speaker, who shall state briefly its contents.

**4.11 NO SMOKING IN HOUSE CHAMBER.** No member of the House of Representatives or officer of the House, or other person, shall be permitted to smoke in the House Chamber except in designated smoking areas, confined only to the front desk and the legislative retiring room. There shall be no smoking in the visitors' section of the galleries.

#### ARTICLE V — BILLS

**5.1 BILL FORM.** No bill shall be introduced until it has been examined and approved by the Revisor of Statutes as to form and compliance with the Joint Rules of the House and Senate and the Rules of the House. Approval as to form shall be endorsed on the bill by the Revisor of Statutes.

**5.2 INTRODUCTION OF BILLS AND RESOLUTIONS.** A bill, advisory bill or resolution offered for introduction shall be placed in the hands of the Speaker at least 24 hours prior to the convening of the daily session. Every bill, advisory bill and resolution shall be introduced in quadruplicate and each copy shall contain the signature of the member or name of the committee introducing it. No bill, advisory bill, memorial or resolution shall have more than five authors. Any memorial (a statement of facts being forwarded to a governmental official, agency or body) shall be introduced in the same form as a bill and take the same course as a bill. No resolution shall authorize the expenditure of monies from any source other than the legislative expense fund.

**5.3 ADVISORY BILLS.** An advisory bill may be introduced by any member in the same manner as a bill except that the requirements of Rule 5.1 shall not apply.

Each advisory bill shall be typewritten on a form provided by the Chief Clerk. It shall have a title not exceeding 12 words in length and shall contain a specific proposal for the initiation, termination or alteration of a law or program of the state or any of its subdivisions. It need not be drafted in a form appropriate for enactment into law.

An advisory bill may be considered only in committee and shall not be given a second reading or be otherwise considered by the

House, except that the committee may report its recommendation for re-referral to another committee.

**5.4 FIRST READING AND REFERENCE OF BILLS.** Each bill, advisory bill and resolution shall be reported and given its first reading upon its introduction. No bill, advisory bill or resolution shall be objected to upon its introduction.

Except as provided in Rule 1.17 and Rule 5.5 each bill, advisory bill or resolution shall, after first reading, be referred by the Speaker to the appropriate standing committee.

Except as otherwise provided in these Rules, after a bill, advisory bill or resolution has been referred by the Speaker, a majority vote of the whole House shall be required for a re-referral or recommittal of the bill, advisory bill or resolution by the House.

**5.5 COMMITTEE BILLS.** A committee bill shall be read for the first time and may be referred by the Speaker to any standing committee. If it is not so referred, it shall be laid over one day. It shall then be read for the second time and placed upon General Orders, or, if recommended by the Committee, upon the Consent Calendar.

**5.6 PRINTING OF BILLS.** Every bill shall be printed after it has been given its second reading. A bill may be printed at any other time a majority of the House so orders.

**5.7 BILLS CARRYING AN APPROPRIATION.** Any bill, whether originating in the House or Senate, carrying an appropriation, or which may involve any present or future financial obligation on the part of the State, after being reported to the House, shall be referred, or re-referred, as the case may be, to the Committee on Appropriations for action by that committee. Any committee, other than the Committee on Appropriations, to which such bill has been referred shall note in its report that the bill carries an appropriation.

**5.8 BILLS AFFECTING STATE GOVERNMENT POWERS AND STRUCTURE.** Any bill, whether originating in the House or the Senate, which creates any new department, agency, commission, board or bureau, or which substantially changes or alters the organization of any department or agency thereof of state government, or substantially changes, alters, vests or divests official rights, powers, or duties of any official department or agency of the state government of any institution under its control, after being reported to the House, shall be referred, or re-referred as the case may be, to the Committee on Governmental Operations for action by that committee. Any committee other than the Committee on Governmental Operations to which such bill is referred shall, in its report, recommend re-referral to the Committee on Governmental Operations.

5.9 **BILLS AFFECTING TAXES.** Any bill whether originating in the House or Senate, which substantially affects state tax policy or the administration of state tax policy, after being reported to the House, shall be referred, or re-referred, as the case may be, to the Committee on Taxes for action by that committee. Any standing committee other than the Committee on Taxes to which such a bill is referred shall, in its report, recommend re-referral to the Committee on Taxes.

#### ARTICLE VI — COMMITTEES — POWERS AND DUTIES

6.1 **COMMITTEES.** Standing committees of the House shall be appointed by the Speaker as follows:

Agriculture

Appropriations

Divisions: Education

Health, Welfare, Corrections

Semi-State

State Departments

(CLAIMS)

Commerce and Economic Development

Criminal Justice

Education

Divisions: School Aids

(HIGHER EDUCATION)

Energy (AND UTILITIES)

Environment and Natural Resources

Financial Institutions and Insurance

General Legislation and Veterans Affairs

Governmental Operations

Health and Welfare

Judiciary

Labor-Management Relations

Local and Urban Affairs

*Reapportionment and Elections*

*Regulated Industries*

Rules and Legislative Administration

Taxes

Divisions: (I AND II) *Revenue*

*Tax Laws*

Transportation

**6.2 COMMITTEE MEMBERSHIP.** No less than 30 days prior to the opening of a regular session of the Legislature, the Speaker-designate shall provide the minority group with a list of the standing committees proposed for the session. He shall also designate the number of minority members to be appointed to each committee and may require general membership guidelines to be followed in the selection of committee members.

If the minority leader submits to the Speaker-designate, at least 15 days prior to the opening of the session, a list of proposed committee assignments for the minority group, which complies with the numbers and guidelines provided, the Speaker shall make such proposed assignments with the purpose of attaining proportionate representation on the committees for the minority group.

No committee of the House shall have exclusive membership from any one profession, occupation or vocation.

**6.3 COMMITTEE MEETING SCHEDULE.** The Speaker shall prepare a schedule of committee meetings, fixing as far as practicable the day of the week and the hour for the regular meeting time of each committee. The schedule of committee meetings shall officially be made available to the news media. The chairman of any committee holding a special meeting or making a change in the regular schedule of meetings shall give written notice which may be announced from the desk and shall be posted on the bulletin board at least one day in advance of the change.

The chairman of each committee or subcommittee shall as far as practicable give three days notice of any meeting. The notice shall include the date, time, place and agenda for the meeting.

**6.4 COMMITTEE PROCEDURES.** Meetings of all committees of the House shall be open to the public.

A majority of members of any committee shall constitute a quorum.

The Rules of the House shall be observed in all committees wherever they are applicable.

Any member of any committee may demand a roll call on any bill, resolution, report, motion or amendment before the committee. Only upon such demand being made shall the roll be called and the vote of each member on the bill, resolution, report, motion or amendment be recorded in the committee minutes, together with the name of the member demanding the roll call.

A committee may reconsider any action so long as the matter remains in the possession of the committee. A committee member need not have voted with the prevailing side in order to move reconsideration.

At any time during the period in which a standing committee has possession of a bill the members of the committee may, by majority vote, order the preparation of a Revisor's Analysis of the bill. The Revisor's Analysis shall consist of a concise description of the terms of the bill and shall be provided by the Revisor of Statutes. If the Revisor's Analysis is ordered at the time the bill is given committee approval, the analysis shall accompany the committee report to the House and shall thereafter be attached to the printed bill by the Chief Clerk.

At any time during the period in which a standing committee has possession of a bill, the members of the committee may, by majority vote, order the preparation of a Fiscal Note. If a Fiscal Note is ordered at the time the bill is given committee approval, the Fiscal Note shall accompany the committee report to the House and shall thereafter be attached to the printed bill by the Chief Clerk. No Fiscal Note shall be ordered for any bill given committee approval within ten days of the end of a regular session in any year.

Neither a Revisor's Analysis nor a Fiscal Note shall be considered a part of a bill or any indication of legislative intent.

**6.5 SUBCOMMITTEES.** The chairman of a committee shall appoint the chairman and members of each subcommittee. The chairman or the committee may refer bills to subcommittee. Any subcommittee may make such investigation or exercise such authority as is delegated to it by the chairman or the committee.



**6.6 COMMITTEE RECORDS.** The chairman or acting chairman of each standing committee shall cause a record to be kept, in the form prescribed by the Committee on Rules and Legislative Administration, which shall include the record of each bill referred to the committee and the minutes of the committee. The minutes shall include:

a. The time and place of each hearing or meeting of the committee;

b. Committee members present;

c. The name and address of each person appearing before the committee, together with the name and address of the person, association, firm or corporation in whose behalf the appearance is made;

d. The language of each motion, the name of the committee member making the motion, and the result of any vote taken upon the motion, including the ayes and nays whenever a roll call is demanded;

e. The date on which any subcommittee is created, the names of its members and the bills referred to it;

f. The record of each subcommittee meeting, including the time and place of the meeting; members present; the name of each person appearing before the subcommittee, together with the name of the person, association, firm or corporation in whose behalf the appearance is made; and the language of each motion, together with the name of the member making the motion, and the result of any vote taken upon the motion, including the ayes and nays whenever a roll call is demanded;

g. Other important matters related to the work of the committee.

The minutes shall be approved at the next regular meeting of the committee.

Copies of the minutes, after approval by the committee, shall be filed with the Chief Clerk and shall be open to public inspection in the Chief Clerk's office. At the end of the biennium they shall be delivered, together with the other committee records, to the Director of the Legislative Reference Library, where they shall remain open for public inspection during regular office hours. A copy of any page of any committee minutes may be obtained upon payment of a fee determined by the Chief Clerk to be adequate to cover the cost of preparing the copy.

The magnetic tape recording of any committee meetings shall be retained by the chairman until the minutes of that meeting

have been approved by the committee. The recording or a copy of the recording shall then be filed with the Director of the Legislative Reference Library, where it shall be maintained for a period of two years from the date of filing for use by any person in accordance with the rules of the Legislative Reference Library. After expiration of the two-year period the recording may be erased and the tape may be reused.

Any person may obtain a copy of such tape during the period in which it is maintained in the Legislative Reference Library upon payment of a fee determined by the Chief Clerk to be sufficient to cover the cost of the copy. Testimony and discussion preserved under this rule is not intended to be admissible in any court or administrative proceeding on an issue of legislative intent.

**6.7 COMMITTEE REPORTS.** The chairman of a standing committee reporting to the House the action taken by his committee upon any bill or resolution referred to it shall do so upon the form provided for such reports. Each bill or resolution shall be reported separately and the report shall be adopted or rejected without amendment.

The report shall contain the action taken by the committee and the date of such action and shall be authenticated by the signature of the chairman.

Before a committee reports favorably upon a bill or resolution, the chairman shall see that the form of the bill or resolution conforms to the Joint Rules of the House and Senate and these Rules.

Except during the last seven legislative days in any year, the committee report and any minority report shall be placed in the hands of the Chief Clerk at least four hours prior to the convening of the daily session.

The Committee on Rules and Legislative Administration may report at any time.

If a majority of the members of a standing committee finds a bill referred to the committee to be of a non-controversial nature, the report to the House may recommend that the bill be placed upon a separate calendar to be known as the Consent Calendar.

**6.8 COMMITTEE BILLS.** Any standing or special committee of the House may introduce a bill as a committee bill on any subject within its purview.

**6.9 SUBSTITUTION OF BILLS.** No standing or special committee nor any of its members shall report a substitute for any

bill referred to the committee if the substitute relates to a different subject, is intended to accomplish a different purpose, or would require a title essentially different from that of the original bill. Whenever the House is advised that a substitute bill reported to the House is in violation of this rule, the report shall not be adopted.

6.10 SPECIAL COMMITTEES. Any special committee to which a matter has been referred shall in all cases report to the House a statement of facts and its opinions and conclusions thereon.

6.11 CONFERENCE COMMITTEES. A conference committee may report at any time. No committee except a conference committee or the Committee on Rules and Legislative Administration shall sit during any daily session of the House without leave.

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

In (1980) 1981 except after (MARCH 27) *May 14*, a written copy of a report of a conference committee shall be placed on the desk of each member of the House twelve hours before action on the report by the House. If the report has been reprinted in the Journal of the House for a preceding day and is available to the members, the Journal copy shall serve as the written report.

6.12 COMMITTEE BUDGETS AND EXPENSES. The Committee on Rules and Legislative Administration shall establish a budget for each standing committee of the House for expenses incurred by the committee, its members, or its staff in conducting its legislative business. Per diem expense allowances paid to members during sessions or at times set by the Speaker shall not be charged against the budget. No committee shall incur expenses in excess of its authorized budget.

Employees shall be reimbursed for actual expenses in the same manner as state employees.

During sessions, for travel away from the Capitol, members shall be reimbursed for actual expenses in the same manner as state employees in addition to per diem expense allowances.

All charges against the committee budget must be approved by the chairman before payment is made.

## ARTICLE VII — OFFICERS OF THE HOUSE

7.1 DUTIES AND PRIVILEGES OF THE SPEAKER. The Speaker shall preside over the House and shall have all the powers and be charged with all the duties of the presiding officer.

He shall preserve order and decorum and he or the chairman of the Committee of the Whole may order the lobby or galleries cleared in the case of disorderly conduct or other disturbance.

Except as provided by rule or law, he shall have general control of the chamber of the House and of the corridors, passages and rooms assigned to the use of the House.

He shall sign all acts, addresses, joint resolutions, writs, warrants and subpoenas of the House or issued by order of the House. He shall sign all abstracts for the payment of money out of the legislative expense fund of the House; but no money shall be paid out of said fund unless the abstract is also signed by the Chief Clerk of the House.

He shall appoint the Chief Sergeant at Arms or shall designate him from among the Sergeants at Arms elected by the House or appointed by the Committee on Rules and Legislative Administration.

**7.2 SPEAKER PRO TEM.** The Speaker may call a member to preside as Speaker pro tempore, but such temporary appointment shall not extend beyond adjournment for the day. In the absence of the Speaker, the Committee on Rules and Legislative Administration shall select a member to preside until the return of the Speaker.

**7.3 DUTIES OF CHIEF CLERK.** The Chief Clerk shall have general supervision of all clerical duties pertaining to the business of the House. He shall perform under the direction of the Speaker all the duties pertaining to his office and shall keep records showing the situation and progress of all bills, memorials and resolutions.

Neither the Chief Clerk nor any of his assistants or employees shall permit any records or papers belonging to the House to be removed from their custody other than in the regular course of business. The Chief Clerk shall report any missing records or papers to the Speaker.

During a temporary absence of the Chief Clerk, the First Assistant Chief Clerk shall be delegated all the usual responsibilities of the Chief Clerk and is authorized to sign the daily journal, enrollments, abstracts and other legislative documents. A temporary absence shall be defined by agreement of the Speaker and the Chairman of the Committee on Rules and Legislative Administration.

**7.4 ENGROSSMENT AND ENROLLMENT.** The Chief Clerk of the House shall have supervision over the engrossment and enrollment of bills. He shall cause to be kept a record by file number

of the bills introduced in the House which have passed both houses and been enrolled.

**7.5 BUDGET AND PURCHASING.** The (CHIEF CLERK) *House Administrator* shall prepare a biennial budget for the House which must be approved by the Committee on Rules and Legislative Administration before it is submitted to the Committee on Appropriations.

The (CHIEF CLERK) *House Administrator* shall be the agent of the House of Representatives for the purchase of supplies. He shall seek the lowest possible prices and shall file timely reports of expenditures made with the Committee on Rules and Legislative Administration.

**7.6 CLERICAL CORRECTIONS TO BILLS.** Minor clerical errors in any bill, memorial, or resolution, such as errors in spelling or grammar, or the incorrect use of one word for another or the incorrect numbering of references, whether occurring in the original document or any amendment to it, shall be corrected as a matter of course by the Chief Clerk, upon the approval of the chairman of any committee to which it was referred.

If the enacting clause of a bill has been omitted, the Chief Clerk shall insert the clause before passage of the bill.

Webster's New International Dictionary shall be the standard authority in matters pertaining to this rule.

**7.7 BULLETIN BOARD.** The Chief Clerk shall prepare a bulletin board upon which shall be posted a list of committee and subcommittee meetings and any other announcements or notices the House may require.

**7.8 INDEX.** The Index Clerk, under the supervision of the Chief Clerk, shall prepare an index in which bills may be indexed by topic, number, author, subject, section of the code amended, committees, and any other subject that will make it a complete and comprehensive index. The Index shall be open for public inspection at all times during the session and shall be printed in the permanent Journal of the House.

**7.9 DUTIES OF THE SERGEANT AT ARMS.** It shall be the duty of the Sergeant at Arms to carry out all orders of the House or the Speaker and to perform all other services pertaining to the office of Sergeant at Arms, including maintaining order in the Chamber and supervising entering and exiting from the Chamber and the prompt delivery of messages.

#### ARTICLE VIII — EMPLOYEES OF THE HOUSE

**8.1 APPOINTMENT OF EMPLOYEES.** The Committee on Rules and Legislative Administration shall designate the position of

and appoint each employee of the House and set the compensation of each officer and employee. A record of all such appointments, including positions and compensation, shall be kept in the office of the Chief Clerk and shall be open for inspection by the public.

The Committee on Rules and Legislative Administration, by resolution, shall establish the procedure for filling vacancies when the legislature is not in session.

Any employee of the House may be assigned to other duties, suspended or discharged at any time by the Committee on Rules and Legislative Administration.

No employee of the House shall receive any pay, compensation, gratuity or reward over and above the salary named for the position except upon approval of a three-fourths vote of the whole House.

**8.2 DUTIES OF EMPLOYEES.** No employee shall make or permit to be made any copy or copies of any journal, bill, paper, file, record, or document in his possession or custody or to which he has access except on request of a member of the House. No person other than a member of the House shall furnish or deliver any journal, bill, paper, file, record, document, or copy thereof to any person other than a member of the House except by or through the Chief Clerk with the approval or under the direction of the Committee on Rules and Legislative Administration, in accordance with these rules, and upon such terms as such committee shall prescribe.

Any violation of this rule shall be cause for removal or discharge of the offender.

#### ARTICLE IX — GENERAL PROVISIONS

**9.1 RULE AS TO CONSTRUCTION.** As used in these rules the terms "majority vote" and "vote of the House" shall mean a majority of members present at the particular time. The term "vote of the whole House" shall mean a majority vote of all the members elected to the House for that particular session of the Legislature.

Singular words used in these rules shall include the plural, unless the context indicates a contrary intention.

The words "he", "his" and "him" shall be construed to include "she", "hers" and "her" whenever the latter are appropriate.

**9.2 MEDIA NEWS REPORTERS.** Accredited representatives of the press, press associations, and radio and television stations

shall be accorded equal press privileges by the House. Any person wishing to report proceedings of the House may apply to the Committee on Rules and Legislative Administration for a press pass and assignment to suitable available space.

Television stations shall be permitted to televise sessions of the House.

**9.3 DEADLINES.** In (1980) 1981, committee reports on bills favorably acted upon by a committee in the house of origin after (MONDAY, MARCH 10) *Friday, April 10* and committee reports on bills originating in the other house favorably acted upon by a committee after (MONDAY, MARCH 17) *Friday, April 24* shall be referred in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Referral is not required when a committee after (MARCH) *April 10* and by (MARCH 17) *April 24* acts on a bill that is a companion to a bill that has then been acted upon by April 10 in the Senate. This rule does not apply in the House Committees on Appropriations and on Taxes.

**9.4 DISPOSITION OF BILLS.** Adjournment of the regular session in any odd-numbered year to a day certain in the following year shall be equivalent to daily adjournment except that any bill on the Consent Calendar, Calendar, Special Orders or General Orders shall be returned to the standing committee last acting on the bill.

**9.5 RECESS BILL INTRODUCTIONS.** During the period between the last day of the session in any odd-numbered year and the first day of the session in the following year, any bill filed with the Speaker for introduction shall be given a file number and may be unofficially referred to an appropriate standing committee of the House of Representatives.

**9.6 AUTHORIZED MANUAL OF PARLIAMENTARY PROCEDURE.** The rules of parliamentary procedure contained in Mason's Manual of Legislative Procedure shall govern the House in all applicable cases in which they are not inconsistent with these Rules or the Joint Rules of the Senate and House of Representatives.

Eken moved that the report of the Committee on Rules and Legislative Administration on the proposed permanent rules of the House be printed in the Journal for today and be laid over until Monday, March 2, 1981. The motion prevailed.

## CALENDAR

H. F. No. 14, A bill for an act relating to agriculture; requiring notice of real estate improvement liens to be given to certain farmers; amending Minnesota Statutes 1980, Section 514.011, Subdivision 4.

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

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

Those who voted in the affirmative were:

Aasness	Ellingson	Kalis	Nysether	Shea
Ainley	Erickson	Kelly	O'Connor	Sherman
Anderson, B.	Evans	Knickerbocker	Ogren	Sherwood
Anderson, G.	Ewald	Kostohryz	Olsen	Sieben, M.
Anderson, I.	Forsythe	Kvam	Onnen	Simoneau
Anderson, R.	Friedrich	Laidig	Osthoff	Skoglund
Battaglia	Greenfield	Lehto	Otis	Stadum
Begich	Gruenes	Lemen	Peterson, B.	Staten
Berkelman	Gustafson	Levi	Peterson, D.	Stowell
Blatz	Halberg	Long	Piepho	Stumpf
Brandl	Hanson	Ludeman	Pogemiller	Sviggum
Brinkman	Harens	Luknic	Redalen	Swanson
Byrne	Haukoos	Marsh	Reding	Tomlinson
Carlson, D.	Heap	McCarron	Rees	Valan
Carlson, L.	Heinitz	McDonald	Reif	Valento
Clark, J.	Himle	McEachern	Rice	Vanasek
Clark, K.	Hoberg	Mehrkens	Rodriguez, C.	Vellenga
Clawson	Hokanson	Metzen	Rodriguez, F.	Weaver
Dahlvang	Hokr	Minne	Rose	Welch
Dean	Jacobs	Murphy	Rothenberg	Welker
Dempsey	Jennings	Nelsen, B.	Samuelson	Wenzel
Den Ouden	Johnson, C.	Nelson, K.	Sarna	Wieser
Drew	Johnson, D.	Niehaus	Schoenfeld	Wynia
Eken	Jude	Norton	Schreiber	Zubay
Elioff	Kaley	Novak	Searles	Spkr. Sieben, H.

Those who voted in the negative were:

Hauge

The bill was passed and its title agreed to.

H. F. No. 29, A bill for an act relating to hospitals; requiring adoption of federal medicare standards for hospital licensing; regulating hospital inspections; providing for licensing of hospitals accredited by the joint commission on hospital accreditation; amending Minnesota Statutes 1980, Sections 144.50, Subdivision 1; and 144.55.

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	Anderson, B.	Anderson, I.	Battaglia	Berkelman
Ainley	Anderson, G.	Anderson, R.	Begich	Blatz



Brandl	Gustafson	Laidig	Otis	Skoglund
Brinkman	Halberg	Lehto	Peterson, B.	Stadum
Byrne	Hanson	Lemen	Peterson, D.	Staten
Carlson, D.	Harens	Levi	Piepho	Stowell
Carlson, L.	Hauge	Long	Pogemiller	Stumpf
Clark, J.	Haukoos	Ludeman	Redalen	Sviggunm
Clawson	Heap	Luknic	Reding	Swanson
Dahlvang	Heinitz	Marsh	Rees	Tomlinson
Dean	Himle	McCarron	Reif	Valan
Dempsey	Hoberg	McDonald	Rice	Valento
Den Ouden	Hokanson	Mehrkens	Rodriguez, C.	Vanasek
Drew	Hokr	Minne	Rodriguez, F.	Vellenga
Eken	Jacobs	Murphy	Rose	Voss
Elioff	Jennings	Nelsen, B.	Rothenberg	Weaver
Ellingson	Johnson, C.	Nelson, K.	Samuelson	Weich
Erickson	Johnson, D.	Niehaus	Sarna	Welker
Esau	Jude	Norton	Schoenfeld	Wenzel
Evans	Kahn	Novak	Schreiber	Wieser
Ewald	Kaley	Nysether	Searles	Wigley
Fjoslien	Kalis	O'Connor	Shea	Wynia
Forsythe	Kelly	Ogren	Sherman	Zubay
Friedrich	Knickerbocker	Olsen	Sherwood	Spkr. Sieben, H.
Greenfield	Kostohryz	Onnen	Sieben, M.	
Gruenes	Kvam	Osthoff	Simoneau	

The bill was passed and its title agreed to.

H. F. No. 71, A bill for an act relating to elections; revising, reorganizing and recodifying major portions of the Minnesota election law; modernizing and improving language, organization and style; clarifying certain ambiguities; removing certain obsolete terms and provisions; restating guidelines for determining voter eligibility; providing for voter registration, absentee voting, the conduct of elections and the counting and canvassing of election returns; defining terms; providing penalties; making necessary technical amendments, corrections and other revisions; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 12; 40.05, Subdivision 3; 123.32, Subdivision 7; 200.01; 200.02; 201.01; 201.021; 201.061; 201.071; 201.081; 201.091; 201.11; 201.12; 201.121; 201.13; 201.14; 201.15; 201.161; 201.171; 201.18; 201.211; 201.221; 201.27; 201.275; 202A.11; 202A.16, Subdivision 1; 205.01; 205.03; 205.11, Subdivision 4a; 205.13, Subdivision 1; 205.14, Subdivision 4; 205.15; 205.17, Subdivision 2; 205.20, Subdivisions 2 and 5; 206.026, Subdivision 5; 206.07, Subdivision 1; 206.185, Subdivisions 1 and 5; 206.20, Subdivision 2; 206.21, Subdivisions 1 and 2; 208.04, Subdivisions 1 and 2; 210A.07; 210A.26, Subdivision 4; 210A.28; 210A.34, Subdivision 4; 290.06, Subdivision 11; 290.21, Subdivision 3; 365.51; 365.52; 375.20; 382.28; and 487.03, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapters 200, 201, 205, and 210A; proposing new law coded as Minnesota Statutes, Chapters 203B, 204B, 204C, and 204D; repealing Minnesota Statutes 1980, Sections 201.231; 201.26; 201.33; 202A.21 to 202A.721; and 210.22; and Chapters 203A, 204A, and 207.

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	Esau	Kalis	Nysether	Sherman
Ainley	Evans	Kelly	O'Connor	Sherwood
Anderson, G.	Ewald	Knickerbocker	Ogren	Sieben, M.
Anderson, I.	Fjoslien	Kostohryz	Olsen	Simoneau
Anderson, R.	Forsythe	Kvam	Onnen	Skoglund
Battaglia	Friedrich	Laidig	Osthoff	Stadum
Begich	Greenfield	Lehto	Otis	Staten
Berkelman	Gruenes	Lemen	Peterson, B.	Stowell
Blatz	Gustafson	Levi	Peterson, D.	Stumpf
Brandl	Halberg	Long	Piepho	Sviggum
Brinkman	Hanson	Ludeman	Pogemiller	Swanson
Byrne	Hauge	Luknic	Redalen	Tomlinson
Carlson, D.	Haukoos	Marsh	Reding	Valan
Carlson, L.	Heap	McCarron	Rees	Valento
Clark, J.	Heinitz	McDonald	Reif	Vanasek
Clark, K.	Himle	McEachern	Rice	Vellenga
Clawson	Hoberg	Mehrkens	Rodriguez, C.	Voss
Dahlvang	Hokanson	Metzen	Rodriguez, F.	Weaver
Dean	Hokr	Minne	Rose	Welker
Dempsey	Jacobs	Munger	Rothenberg	Wenzel
Den Ouden	Jennings	Murphy	Samuelson	Wieser
Drew	Johnson, C.	Nelsen, B.	Sarna	Wigley
Eken	Johnson, D.	Nelson, K.	Schoenfeld	Wynia
Elioff	Jude	Niehaus	Schreiber	Zubay
Ellingson	Kahn	Norton	Searles	Spkr. Sieben, H.
Erickson	Kaley	Novak	Shea	

The bill was passed and its title agreed to.

H. F. No. 149, A bill for an act relating to crimes; prescribing penalties for obstructing a peace officer from performing official duties; amending Minnesota Statutes 1980, Section 609.50.

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

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

Those who voted in the affirmative were:

Aasness	Clark, J.	Forsythe	Jacobs	Levi
Ainley	Clark, K.	Friedrich	Jennings	Long
Anderson, B.	Clawson	Gruenes	Johnson, C.	Ludeman
Anderson, G.	Dahlvang	Gustafson	Johnson, D.	Luknic
Anderson, I.	Dean	Halberg	Jude	Marsh
Anderson, R.	Dempsey	Hanson	Kahn	McCarron
Battaglia	Den Ouden	Harens	Kaley	McDonald
Begich	Drew	Hauge	Kalis	McEachern
Berkelman	Elioff	Haukoos	Kelly	Mehrkens
Blatz	Ellingson	Heap	Knickerbocker	Metzen
Brandl	Erickson	Heinitz	Kostohryz	Minne
Brinkman	Esau	Himle	Kvam	Munger
Byrne	Evans	Hoberg	Laidig	Murphy
Carlson, D.	Ewald	Hokanson	Lehto	Nelsen, B.
Carlson, L.	Fjoslien	Hokr	Lemen	Nelson, K.

Niehaus	Peterson, D.	Samuelson	Stadum	Weaver
Norton	Piepho	Sarna	Stowell	Welch
Novak	Pogemiller	Schoenfeld	Stumpf	Welker
Nysether	Redalen	Schreiber	Sviggum	Wenzel
O'Connor	Reding	Searles	Swanson	Wieser
Ogren	Rees	Shea	Tomlinson	Wigley
Olsen	Reif	Sherman	Valan	Wynia
Onnen	Rodriguez, C.	Sherwood	Valento	Zubay
Osthoff	Rodriguez, F.	Sieben, M.	Vanasek	Spkr. Sieben, H.
Otis	Rose	Simoneau	Vellenga	
Peterson, B.	Rothenberg	Skoglund	Voss	

Those who voted in the negative were:

Greenfield      Rice      Staten

The bill was passed and its title agreed to.

H. F. No. 168, A bill for an act relating to motor vehicle carriers; providing procedures for granting permits to courier service carriers in certain cases; amending Minnesota Statutes 1980, Section 221.121, Subdivision 4.

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

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

Those who voted in the affirmative were:

Aasness	Esau	Kaley	Nysether	Sherman
Ainley	Evans	Kalis	O'Connor	Sherwood
Anderson, B.	Ewald	Kelly	Ogren	Sieben, M.
Anderson, G.	Fjoslien	Knickerbocker	Olsen	Simoneau
Anderson, I.	Forsythe	Kostohryz	Onnen	Skoglund
Anderson, R.	Friedrich	Kvam	Osthoff	Stadum
Battaglia	Greenfield	Laidig	Otis	Staten
Begich	Gruenes	Lehto	Peterson, B.	Stowell
Berkelman	Gustafson	Lemen	Peterson, D.	Stumpf
Blatz	Halberg	Levi	Piepho	Sviggum
Brandl	Hanson	Ludeman	Pogemiller	Swanson
Brinkman	Harens	Luknic	Redalen	Tomlinson
Carlson, D.	Hauge	Marsh	Reding	Valan
Carlson, L.	Haukoos	McCarron	Rees	Valento
Clark, J.	Heap	McDonald	Reif	Vanasek
Clark, K.	Heinitz	McEachern	Rice	Vellenga
Clawson	Himle	Mehrkens	Rodriguez, C.	Voss
Dahlvang	Hoberg	Metzen	Rodriguez, F.	Weaver
Dean	Hokanson	Minne	Rose	Welch
Dempsey	Hokr	Munger	Rothenberg	Welker
Den Ouden	Jacobs	Murphy	Samuelson	Wenzel
Drew	Jennings	Nelsen, B.	Sarna	Wieser
Eken	Johnson, C.	Nelson, K.	Schoenfeld	Wigley
Ellioff	Johnson, D.	Niehaus	Schreiber	Wynia
Ellingson	Jude	Norton	Searles	Zubay
Erickson	Kahn	Novak	Shea	Spkr. Sieben, H.

The bill was passed and its title agreed to.

## GENERAL ORDERS

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

## REPORT OF COMMITTEE OF THE WHOLE

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

H. F. No. 87 which it recommended to pass.

On the motion of Eken the report of the Committee of the Whole was adopted.

## MOTIONS AND RESOLUTIONS

O'Connor moved that the names of Stadum; Carlson, L.; Begich and Simoneau be added as authors on H. F. No. 502. The motion prevailed.

Rodriguez, F., moved that the name of Sarna be stricken and the name of Dean be added as an author on H. F. No. 192. The motion prevailed.

Olsen moved that the name of Levi be added as an author on H. F. No. 528. The motion prevailed.

Harens moved that the names of Stadum; Carlson, L.; Begich and Simoneau be added as authors on H. F. No. 503. The motion prevailed.

Greenfield moved that the name of Munger be added as an author on H. F. No. 98. The motion prevailed.

Battaglia moved that the name of Den Ouden be added as an author on H. F. No. 571. The motion prevailed.

Kalis moved that the name of Lehto be added as an author on H. F. No. 255. The motion prevailed.

## ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 2, 1981. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, March 2, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives