

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1981

NINETEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 2, 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 Reverend Don E. Whipple, Delano Evangelical Free Church, Delano, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Berkelman, Erickson, Hanson, Hauge, Long, McEachern, Schreiber and Wigley were excused.

Shea was excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Stowell moved that further reading of the Journal be

dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 44, 30, 331, 470, 13, 98, 167, 201, 223, 260, 276, 312, 337, 357 and 79 and S. F. Nos. 121, 143, 144 and 145 have been placed in the members' files.

S. F. No. 144 and H. F. No. 223, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Vellenga moved that S. F. No. 144 be substituted for H. F. No. 223 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

February 27, 1981

The Honorable Harry A. Sieben, Jr.
Speaker of the House
State of Minnesota

Dear Speaker Sieben:

I have the honor to inform you that I received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 23, relating to the city of Madison Lake; authorizing the issuance of general obligation bonds for a municipal center.

H. F. No. 230, 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.

Sincerely,

ALBERT H. QUIE
Governor

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

February 27, 1981

The Honorable Harry A. Sieben, Jr.
Speaker of the House of Representatives

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1981 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1981</i>	<i>Date Filed 1981</i>
23		2	February 27	February 27
	23	3	February 27	February 27
	230	4	February 27	February 27

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Jude from the Committee on Judiciary to which was referred:

H. F. No. 173, A bill for an act relating to human rights; providing that certain statutes be equally applicable to all persons regardless of sex, including statutes related to the health department, suits for seduction, garnishment actions, and probate proceedings; providing for a penalty; amending Minnesota Statutes 1980, Sections 144.06; 242.47; 246.53; 510.06; 525.05; 525.082; 540.07; 540.08; 540.09; 550.37, Subdivision 10; and 576.08.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 46.09, Subdivision 1, is amended to read:

Subdivision 1. No person who is a bank examiner or other officer or employee of the division of banking shall be interested, either directly or indirectly, as a stockholder, director, officer, trustee, assignee, employee, or otherwise, in any bank, savings bank, trust company, financial institution, or corporation holding the stock of any such corporation within this state, or which carries on a banking business within this state, either directly or indirectly, or through an affiliated group or chain bank operating within this state. If the (WIFE) *spouse*, or any other member of the household of a bank examiner, or other officer or employee, shall be so interested, it shall be conclusively presumed that the bank examiner, or other officer or employee, is indirectly interested in the corporation within the meaning of this section; but the meaning of the words "directly or indirectly" is not otherwise qualified. The provisions of this section shall not apply to the commissioner of banks.

Sec. 2. Minnesota Statutes 1980, Section 144.06, is amended to read:

144.06 [STATE COMMISSIONER OF HEALTH TO PROVIDE INSTRUCTION.]

The state commissioner of health, hereinafter referred to as the commissioner, is hereby authorized to provide instruction and advice to expectant mothers *and fathers* during pregnancy (AND CONFINEMENT) and to mothers, *fathers*, and their infants after childbirth; and to employ such persons as may be necessary to carry out the requirements of sections 144.06 and 144.07. Such instruction, advice, and care shall be given only to applicants residing within the state. No (WOMAN) *person* receiving aid under sections 144.06, 144.07, and 144.09 shall for this reason be affected thereby in any civil or political rights, nor shall (HER) *the person's* identity be disclosed except upon written order of the commissioner.

Sec. 3. Minnesota Statutes 1980, Section 181.07, is amended to read:

181.07 [ASSIGNMENT OF UNEARNED WAGES AS SECURITY.]

No assignment of or order for wages to be earned in the future to secure a loan of less than \$200 shall be valid against an employer of the person making the assignment or order until the assignment or order is accepted in writing by the employer and the assignment or order and the acceptance of the same have been filed and recorded with the clerk of the city or town where the party making the assignment or order resides, if a resident of this state, or in which (HE) *the person* is employed if not such resident. No such assignment of or order for wages to be earned in the future shall be valid when made by a married (MAN) *per-*

son unless the written consent of his (WIFE) or her spouse to the making of such assignment or order is attached thereto.

Sec. 4. Minnesota Statutes 1980, Section 242.47, is amended to read:

242.47 [INTERFERENCE WITH INMATES.]

Every person who shall abduct, conceal, entice, carry away, or improperly interfere with, any *juvenile* inmate of (THE) a Minnesota correctional facility (RED WING) shall be guilty of a misdemeanor.

Sec. 5. Minnesota Statutes 1980, Section 246.53, is amended to read:

246.53 [CLAIM AGAINST ESTATE OF DECEASED PATIENT.]

Upon the death of a patient, or a former patient, the total cost of care given (HIM) *such patient*, less the amount actually paid toward the cost of such care by the patient and (HIS) *the patient's* relatives, shall be filed by the commissioner as a claim against the estate of such patient with the court having jurisdiction to probate the estate and all proceeds collected by the state in such case shall be divided between the state and county in proportion to the cost of care each has borne. If the commissioner of public welfare shall determine that the property or estate of any such patient is not to more than care for and maintain the (WIFE) spouse and minor or dependent children of such deceased patient, he shall have the power to compromise the claim of the state in such manner as he, in his judgment and upon investigation, may deem just and proper. Any statute of limitations which limits the commissioner in recovering the cost of care obligation incurred by a patient or former patient shall not apply to any claim against an estate made hereunder to recover cost of care.

Sec. 6. Minnesota Statutes 1980, Section 256.85, is amended to read:

256.85 [LIBERAL CONSTRUCTION.]

Sections 256.72 to 256.87 shall be liberally construed with a view to accomplishing their purpose, which is (HEREBY) declared to be to enable the state and its several counties to cooperate with responsible (MOTHERS OR RELATIVES) *primary caretakers of children* in rearing future citizens, when such cooperation is necessary on account of relatively permanent conditions, in order to keep the family together in the same household, reasonably safeguard the health of the (MOTHER)

children's primary caretaker and secure to the children during their tender years (HER) personal care and training.

Sec. 7. Minnesota Statutes 1980, Section 290.28, Subdivision 3, is amended to read:

Subd. 3. [INCOME OF AN ESTATE OR TRUST IN CASE OF DIVORCE.] (1) There shall be included in the gross income of a (WIFE) *person* who is divorced or legally separated under a decree of divorce or of legal separation (or who is separated from *his or her* (HUSBAND) *spouse* under a written separation agreement) the amount of the income of any trust which such (WIFE) *person* is entitled to receive and which, except for this subdivision, would be includible in the gross income of *his or her* (HUSBAND) *spouse*, and such amount shall not, despite any other provision of this chapter, be includible in the gross income of such (HUSBAND) *spouse*. This paragraph shall not apply to that part of any such income of the trust which the terms of the decree, written separation agreement, or trust instrument fix, in terms of an amount of money or a portion of such income, as a sum which is payable for the support of minor children of such (HUSBAND) *spouse*. In case such income is less than the amount specified in the decree, agreement, or instrument, for the purpose of applying the preceding sentence, such income, to the extent of such sum payable for such support, shall be considered a payment for such support.

(2) For purposes of computing the taxable income of the estate or trust and the taxable income of a (WIFE) *person* to whom paragraph (1) applies, such (WIFE) *person* shall be considered as the beneficiary specified in sections 290.22 to 290.28. A periodic payment of maintenance, to any portion of which sections 290.22 to 290.28 applies, shall be included in the gross income of the beneficiary in the taxable year in which under sections 290.22 to 290.28 such portion is required to be included.

Sec. 8. Minnesota Statutes 1980, Section 490.102, Subdivision 6, is amended to read:

Subd. 6. The (WIDOW) *spouse* of every judge of the district or supreme court who dies, in active service, shall be paid one-half of the retirement compensation to which such judge would have been entitled on the date of (HIS) death, if (HE) *the judge* would have been otherwise eligible for retirement under the provisions of section 490.101 or under section 490.025, and had retired on that date, irrespective of whether (HE) *the judge* shall have attained the age of retirement at the date of (HIS) death or not and irrespective of whether (HE) *the judge* had served 15 years as such judge or as a judge of a court of record, and irrespective of whether (HE) *the judge* had previously been eligible to retire, but had not retired under the provisions of section 490.101, prior to (HIS) death, provided (SHE) *the spouse* had

been married to such judge for three years prior to (HIS) *the judge's* death. The (WIDOW) *spouse* of every judge of the district court or supreme court who dies after retiring shall be paid one-half of the retirement compensation which such judge was receiving at the date of (HIS) death.

Any judge who has heretofore retired and exercised the option previously set forth in section 490.102, shall, after July 1, 1961, be paid the full retirement compensation herein provided for, and (HIS WIDOW) *the judge's spouse* shall upon (HIS) *the judge's* death be entitled to compensation as herein set forth.

The term ("WIDOW") "*spouse*" as used in this subdivision means the surviving (WIFE) *spouse* of a district or supreme court judge, but only if *he or she* was married to (HIM) *the judge* for a period of not less than three years immediately prior to the date of (HIS) *the judge's* retirement or (OF HIS) death, whichever occurs first.

If such (WIDOW) *spouse*, either of a retired judge or a judge who dies in active service, who is otherwise qualified under this section, has not attained the age of 40 years at the time of such judge's death, such (WIDOW) *spouse* will not become eligible for retirement compensation payments hereunder until *his or her* 40th birthday but shall receive such payments thereafter.

A (WIDOW) *spouse* who is entitled to a retirement compensation under the provisions of this subdivision and subdivision 7 shall be paid such retirement compensation for the period of *his or her* life, unless *he or she* remarries, in which event such retirement compensation is to cease and terminate. Every judge of the district court and every judge of the supreme court shall contribute four percent of *his or her* state salary, which amount shall be deducted from *his or her* salary at least once each month and paid to the state treasurer to be deposited in a special survivor retirement account. This contribution shall be for the purpose of providing the survivor benefits established by this subdivision and subdivision 7 and such amount as may be necessary to carry out this purpose is hereby appropriated from such special retirement account. It is declared to be the policy of the legislature that the survivor benefits provided for herein shall be wholly paid from contributions by the judges to said special retirement account. To implement this policy the rate of contribution by the judges shall be reviewed periodically and contributions adjusted to make this account sufficient to cover all benefits.

Sec. 9. Minnesota Statutes 1980, Section 490.102, Subdivision 7, is amended to read:

Subd. 7. In addition to the provisions of Minnesota Statutes 1961, Section 490.102, Subdivisions 1 to 6, inclusive, and notwith-

standing the limitations thereof, the (WIDOW) *spouse* of every judge of the district or supreme court who died in active service prior to May 19, 1961, who had been married to such judge for five years prior to (HIS) *the judge's* death and who has now attained the age of 49 years, shall be paid during *his or her* life one-half of the retirement compensation to which such judge would have been entitled, if (HE) *the judge* had been retired as of date of death. For the purposes of this subdivision, the said judge shall be deemed to have been entitled to full retirement and to have retired as of the day of (HIS) death. If retirement of a district judge from active service was by executive order prior to enactment of Laws 1949, Chapter 640, *his or her* unmarried (WIDOW) *spouse* who would otherwise qualify under this section will receive one-half of the compensation such judge would have received if (HIS) *the judge's* retirement occurred in 1949 after enactment of that law and (HE) *the judge* was eligible for compensation thereunder.

Sec. 10. Minnesota Statutes 1980, Section 510.06, is amended to read:

510.06 [EXEMPTION NOT LOST BY DEATH OR DESERTION.]

If the owner (SHALL DIE) *dies* leaving a spouse or minor children constituting *his or her* family surviving, the homestead exemption shall not be affected by such death. If (A HUSBAND) *the owner* shall abscond, or otherwise desert *his or her* family, (HIS WIFE) *the spouse* and the minor children comprising (SUCH) *the family* may retain the homestead, with all the rights of owners therein. They shall not have power to sell or mortgage the same, except in cases expressly provided for by law.

Sec. 11. Minnesota Statutes 1980, Section 525.05, is amended to read:

525.05 [JUDGE OR REFEREE; GROUNDS FOR DISQUALIFICATION.]

The following shall be grounds for disqualification of any judge or referee from acting in any matter: (1) That (HE OR HIS WIFE) *the judge or his or her spouse* or any of (HIS OR HER) *either person's* kin nearer than first cousin (SHALL BE) *is* interested as representative, heir, devisee, legatee, ward, or creditor in the estate involved therein; (2) that it involves the validity or interpretation of a will drawn or witnessed by (HIM) *the judge*; (3) that (HE) *the judge* may be a necessary witness in such matter; (4) that it involves a property right in respect to which (HE) *the judge* has been engaged or is engaged as an attorney, or (5) that (HE) *the judge* was engaged in a joint enterprise for profit with the decedent at the time of death or that (HE) *the judge* is then engaged in a joint enterprise for

profit with any person interested in such matter as representative, heir, devisee, legatee, ward, or creditor. When grounds for disqualification exist, the judge may, and upon proper petition of any person interested in the estate must, request the probate judge of another county or a probate judge who has retired as provided in section 490.12, subdivision 2, to act in his *or her* stead in such matter.

Sec. 12. Minnesota Statutes 1980, Section 525.082, is amended to read:

525.082 [JUDICIAL OFFICERS, INCREASE IN COMPENSATION.]

Notwithstanding any law to the contrary, or any provision of Laws 1971, Chapter 951, the salaries of all judges of probate as provided under section 525.081, Subdivisions 1 and 2, who do not become county court judges, but who are eligible to serve out the balance of their term as judicial officers of the county district court as provided in Laws 1971, Chapter 951, shall be increased by 10 percent of the amount provided for and received by said judge under the provisions of section 525.081, subdivisions 1 and 2, which salary shall be the salary for the balance of the term for which they are elected, and which salary shall determine any retirement and (WIDOW'S) *spouse's* survivorship to which the judge and his (WIFE) *or her spouse* may be entitled to under the laws pertaining thereto.

Sec. 13. Minnesota Statutes 1980, Section 540.07, is amended to read:

540.07 [PARENT OR GUARDIAN MAY SUE FOR SEDUCTION.]

A (FATHER, OR, IN CASE OF HIS DEATH OR DESERTION OF HIS FAMILY, THE MOTHER,) *parent* may maintain an action for the seduction of the *son or* daughter, and the guardian *may maintain an action* for the seduction of the ward, though such *son or* daughter or ward is not living with, or in the service of, the plaintiff at the time of the seduction or afterwards, and there is no loss of service.

Sec. 14. Minnesota Statutes 1980, Section 540.08, is amended to read:

540.08 [INJURY TO CHILD OR WARD; SUIT BY PARENT OR GUARDIAN.]

A (FATHER) *parent* may maintain an action for the injury of his *or her* minor child. (WHEN SUCH FATHER HAS DESERTED HIS FAMILY OR IS DEAD THE MOTHER OF SUCH MINOR CHILD MAY MAINTAIN THE ACTION.

WHEN CUSTODY OF THE INJURED CHILD HAS BEEN GRANTED TO EITHER PARENT BY A COURT HAVING JURISDICTION, THAT PARENT MAY MAINTAIN THE ACTION.) A general guardian may maintain an action for the injury of his *or her* ward. A guardian of a dependent, neglected, or delinquent child, appointed by a court having jurisdiction, may maintain an action for the injury of such child. If no such action is brought by the father or mother, an action for the injury may be brought by a guardian *ad litem*, either before or after the death of such parent. Before any such parent receives any property as a result of any such action, he *or she* shall file such bond as the court prescribes and approves as security therefor. In lieu of this bond, upon petition of the parent, the court may order that the property so received shall be invested in securities issued by the United States, which shall be deposited pursuant to the order of the court, or such property shall be invested in a savings account, savings certificate, or certificate of deposit, in a bank, savings and loan association, or trust company, subject to the order of the court. A copy of the court's order and the evidence of such deposit shall be filed with the clerk of such court. No settlement or compromise of any such action is valid unless it is approved by a judge of the court in which the action is pending.

Sec. 15. Minnesota Statutes 1980, Section 540.09, is amended to read:

540.09 [DESERTED (WIFE) SPOUSE MAY SUE AND DEFEND IN (HUSBAND'S) ABSENT SPOUSE'S NAME.]

When a husband *or wife* has deserted his *or her* family, the (WIFE) *deserted spouse* may prosecute or defend, in (HIS NAME) *the name of the absent spouse*, any action which (HE) *the absent spouse* might have prosecuted or defended, and shall have the same powers and rights therein as (HE) *the absent spouse* might have had.

Sec. 16. Minnesota Statutes 1980, Section 558.28, is amended to read:

558.28 [(WIFE MAY) RELEASE OF CONTINGENT INTEREST.]

A married (WOMAN) *person* may release to his *or her* (HUSBAND HER) *spouse* a contingent interest in (HIS) real estate by a writing executed and acknowledged in the same manner as a conveyance, and, upon the filing of such instrument with the clerk, the whole proceeds arising from such sale shall be paid to the (HUSBAND) *spouse to whom the interest was released*. Such release shall bar (HER) *the releaser's* contingent interest in such real estate.

Sec. 17. Minnesota Statutes 1980, Section 576.08, is amended to read:

576.08 [HEARING BY COURT; DISMISSAL OF PROCEEDING; APPOINTMENT AND BOND OF RECEIVER.]

The absentee, or any person who claims an interest in any of the property, may appear and show cause why the prayer of the petition should not be granted. The court may, after hearing, dismiss the petition and order the property in possession of the officer to be returned to the person entitled thereto, or it may appoint a receiver of the property which is in the possession of the officer and named in his schedule. If a receiver is appointed, the court shall find and record the date of the disappearance or absconding of the absentee; and such receiver shall give a bond to the state in such sum and with such condition as the court orders, to be approved by the court. In the appointment of the receiver the court shall give preference to the (WIFE) *spouse* of the absentee, if (SHE) *the spouse* is competent and suitable.

Sec. 18. Minnesota Statutes 1980, Section 609.375, is amended to read:

609.375 [NON-SUPPORT OF (WIFE) SPOUSE OR CHILD.]

Subdivision 1. Whoever is legally obligated to provide care and support to his (WIFE) *or her spouse* who is in necessitous circumstances, or (HIS) child, whether or not its custody has been granted to another, and knowingly omits and fails without lawful excuse to do so is guilty of non-support of said (WIFE) *spouse* or child, as the case may be, and upon conviction thereof may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than \$300.

Subd. 2. If the knowing omission and failure without lawful excuse to provide care and support to a *spouse*, a minor child, or a pregnant wife continues for a period in excess of 90 days such person is guilty of a felony and may be sentenced to imprisonment for not more than five years.

Subd. 3. Upon conviction, the court may provide by order for the care and support of such child or (WIFE) *spouse* for a period not to exceed five years, require bond or other security to the state to secure performance thereof, and suspend sentence or execution thereof, conditioned upon compliance with such order.

Subd. 4. If, upon order to show cause duly made, the court finds that an order made pursuant to subdivision 3 has been violated, the suspension may be revoked and sentence imposed or executed, and the obligors of such bond or security shall

become liable pursuant to the terms thereof, and, with leave of the court, the (WIFE) *spouse*, or child, or any public agency which furnished care or support to such (WIFE) *spouse* or child while such order for care and support was in force, may recover thereon.

Sec. 19. Minnesota Statutes 1980, Section 629.55, is amended to read:

629.55 [REFUSAL TO RECOGNIZE.]

Every witness required to recognize, with or without sureties, who shall refuse so to do, shall be committed by the magistrate until he *or she* shall comply with such order, or be otherwise discharged according to law. Every person held as a witness shall receive such compensation during confinement as the court before whom the case is pending shall direct, not exceeding regular witness fees. When a (MARRIED WOMAN OR A) minor shall be a material witness, any other person may recognize for the appearance of such witness, or the magistrate may take recognizance of such witness in a sum of not more than \$50, which shall be valid and binding in law notwithstanding such disability.

Sec. 20. Minnesota Statutes 1980, Section 631.09, is amended to read:

631.09 [JURY; HOW AND WHERE KEPT WHILE DELIBERATING; SEPARATE ACCOMMODATIONS FOR (WOMEN) JURORS.]

After hearing the charge the jury may either decide in court, or retire for deliberation, if it shall not agree without retiring, one or more officers shall be sworn to take charge of it, and it shall be kept together in some private and convenient place, without food or drink except water, unless otherwise ordered by the court, and no person shall be permitted to speak to or communicate with it or any one of its number unless by order of court, nor listen to the deliberations; and it shall be returned into court when agreed, or when so ordered by the court. In case of mixed juries counties shall provide adequate, separate quarters for *men and for women* jurors with proper accommodations and, in the event the county shall so fail to provide such proper accommodations, the court shall order such (WOMEN) jurors kept in a suitable hotel for the night.

This section shall apply only in cases where the jury has failed to agree.

Sec. 21. Minnesota Statutes 1980, Section 519.05, is amended to read:

519.05 [LIABILITY OF HUSBAND AND WIFE.]

(NO MARRIED WOMAN SHALL BE) *A spouse is not liable for (ANY) debts of (HER HUSBAND, NOR SHALL ANY MARRIED MAN BE LIABLE FOR ANY TORTS, DEBTS, OR CONTRACTS OF HIS WIFE, COMMITTED OR ENTERED INTO EITHER BEFORE OR DURING COVERTURE) the other spouse, except for necessities furnished to the (WIFE) other after marriage, where (HE) the spouse would be liable at common law. Where husband and wife are living together, they shall be jointly and severally liable for all necessary household articles and supplies furnished to and used by the family."*

Delete the title and insert:

"A bill for an act relating to human rights; providing that certain statutes be equally applicable to all persons regardless of sex, including statutes related to the health department, suits for seduction, garnishment actions, judicial pensions, and probate proceedings; providing for a penalty; amending Minnesota Statutes 1980, Sections 46.09, Subdivision 1; 144.06; 181.07; 242.47; 246.53; 256.85; 290.28, Subdivision 3; 490.102, Subdivisions 6 and 7; 510.06; 519.05; 525.05; 525.082; 540.07; 540.08; 540.09; 558.28; 576.08; 609.375; 629.55; and 631.09."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 415, A bill for an act relating to financial institutions; authorizing federal funds transactions for credit unions; removing the limitation on insurance commission income and prohibiting participation of officials in such income; permitting the sale of real estate loans; amending Minnesota Statutes 1980, Section 52.04, Subdivision 1.

Reported the same back with the following amendments:

Page 3, line 33, after "or" insert "be"

Page 4, line 33, delete "Identifies" and insert "Identify"

Page 4, line 34, delete "Provides" and insert "Provide"

Page 5, line 1, delete "Defines" and insert "Define"

Page 5, line 4, delete "Provides" and insert "Provide"

Page 5, line 7, delete "*Provides*" and insert "*Provide*"

Page 5, line 9, delete "*Provides*" and insert "*Provide*"

Page 5, line 10, delete "*States*" and insert "*State*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kostohryz from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 483, A bill for an act relating to Ramsey county, providing for the administration of the soldiers' rest; amending Laws 1974, Chapter 435, Section 1.0212.

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

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

S. F. No. 13, A bill for an act relating to crimes; eliminating the power of a sentencing court to stay the revocation of the driver's license of a person convicted of driving, operating or being in physical control of a motor vehicle while under the influence of alcohol or controlled substances or a combination thereof; amending Minnesota Statutes 1980, Sections 169.121, Subdivision 5; and 609.135, Subdivision 1.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 173, 415 and 483 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 144 and 13 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Simoneau introduced:

H. F. No. 614, A bill for an act relating to economic development; establishing a uniform business licensing policy; defining its scope; and detailing its application and effect; proposing new law coded in Minnesota Statutes, Chapter 362.

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

Laidig introduced:

H. F. No. 615, A bill for an act relating to corrections; providing for the transfer of convicted offenders under certain circumstances; proposing new law coded in Minnesota Statutes, Chapter 243.

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

Sarna; Anderson, I.; Rodriguez, C.; Forsythe and Murphy introduced:

H. F. No. 616, A bill for an act relating to commerce; requiring that consumer contracts be written in clear and coherent language; providing remedies; proposing new law coded in Minnesota Statutes, Chapter 325G.

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

Anderson, R.; Anderson, I.; Kostohryz; Evans and Anderson, G., introduced:

H. F. No. 617, A resolution memorializing the President, Congress, and the United States Postal Service of Minnesota's opposition to the nine digit zip code.

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

Norton; Sieben, H.; Jude; Dempsey and Greenfield introduced:

H. F. No. 618, A bill for an act relating to corporations; providing for the issuance of stock in a professional corporation to a professional corporation performing the same kind of service; providing for the transfer of stock to a professional corporation; amending Minnesota Statutes 1980, Section 319A.11.

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

Sviggum, Halberg and Rees introduced:

H. F. No. 619, A bill for an act relating to intoxicating liquor; correcting the wording of the ballot question for a municipal liquor store referendum; amending Minnesota Statutes 1980, Section 340.353, Subdivision 2.

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

Otis, Begich, Lehto, Nysether and Sherwood introduced:

H. F. No. 620, A bill for an act relating to the environment; providing for county referenda on nuclear waste sites; proposing new law coded in Minnesota Statutes, Chapter 115A.

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

Peterson, B.; Dempsey; Vellenga; Brinkman and Jude introduced:

H. F. No. 621, A bill for an act relating to landlords and tenants; permitting certain actions in unlawful detainer to be done by nonattorneys; amending Minnesota Statutes 1980, Section 481.02, Subdivision 3.

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

McCarron; Carlson, D.; Brinkman; Drew and Sieben, H., introduced:

H. F. No. 622, A bill for an act relating to insurance; requiring health maintenance organizations to provide chiropractic care equivalent to that provided by health insurance; amending Minnesota Statutes 1980, Sections 62A.15; and 62D.02, Subdivision 7.

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

Stowell, Vanasek, Friedrich, Schreiber and Byrne introduced:

H. F. No. 623, A bill for an act relating to commerce; providing for an alternative method of meeting the organizational membership requirement for the conducting of bingo occasions by organizations; amending Minnesota Statutes 1980, Section 349.14.

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

Laidig, Clawson, Greenfield and Byrne introduced:

H. F. No. 624, A bill for an act relating to corrections; clarifying the transfer of correctional inmates to medical facilities; providing for tuberculosis testing for correctional employees; clarifying unclaimed property of correctional inmates, and diversified labor accounts; changing terminology of correctional facilities; harmonizing furlough provisions; prescribing the time for counties to submit estimates for reimbursement for probation services; amending Minnesota Statutes 1980, Sections 241.07; 241.09; 241.14; 241.22; 242.20; 242.22; 242.43; 242.44; 242.45; 242.48; 243.05; 243.20; 243.211; 243.465; 243.57; 243.58; 243.64; 244.07, Subdivision 1; 260.311, Subdivision 5; repealing Minnesota Statutes 1980, Sections 241.01, Subdivision 8; 241.15; 242.23; 242.24; 242.375; 242.52; 242.53; 243.06; 243.22; 243.25; 243.26; and 243.78.

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

Brinkman, Dean, Jude and Ainley introduced:

H. F. No. 625, A bill for an act relating to crimes; changing certain penalties and enforcement procedures in the fair campaign practices act; amending Minnesota Statutes 1980, Sections 210A.37 and 210A.42.

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

Jude, Dempsey, Nysether and Sieben, M., introduced:

H. F. No. 626, A bill for an act relating to judicial procedures; changing certain provisions relating to guardianship and conservatorship; amending Minnesota Statutes 1980, Sections 525.539, Subdivision 3; 525.54; 525.541; 525.542; 525.543; 525.55; 525.551; 525.5515; 525.56, Subdivisions 3 and 4; 525.58; 525.591, Subdivisions 2 and 3; 525.618, Subdivision 1; 525.6185; 525.619; 525.6192; 525.6196; 525.6198; 525.62; 525.67; 525.69; and 525.703.

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

Hanson, Gruenes, Staten, Schafer and Tomlinson introduced:

H. F. No. 627, A bill for an act relating to education; establishing an experimental mobile unit grant program; appropriating money.

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

Anderson, I., introduced:

H. F. No. 628, A bill for an act relating to state lands; requiring conveyance of good title to state and tax forfeited lands; proposing new law coded in Minnesota Statutes, Chapters 92 and 282.

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

Nysether, Schoenfeld, Friedrich and Hauge introduced:

H. F. No. 629, A bill for an act relating to motor vehicles; permitting political subdivisions to use removable identification devices on certain tax exempt vehicles; amending Minnesota Statutes 1980, Section 168.012, Subdivision 1.

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

Wynia, Ellingson, Brandl, Dempsey and Osthoff introduced:

H. F. No. 630, A bill for an act relating to open meetings; requiring availability of certain materials; prescribing penalties; amending Minnesota Statutes 1980, Section 471.705, Subdivision 2; and by adding a subdivision.

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

Begich; Anderson, I.; Elioff; Lemen and Rose introduced:

H. F. No. 631, A bill for an act relating to taxation; real property; providing open space treatment for archery and firearms ranges; amending Minnesota Statutes 1980, Section 273.112, Subdivision 3.

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

Anderson, B.; Schreiber; Reding; Ludeman and Stumpf introduced:

H. F. No. 632, A bill for an act relating to financial institutions; removing certain restrictions on directors' qualifying shares; amending Minnesota Statutes 1980, Section 48.06.

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

Laidig, by request, introduced:

H. F. No. 633, A bill for an act relating to municipal industrial development; including the restaurant business in the industrial development law; amending Minnesota Statutes 1980, Section 474.02, Subdivision 1.

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

Marsh, Sarna, Heap, Ogren and Blatz introduced:

H. F. No. 634, A bill for an act relating to securities; providing for improved regulation of the sale of securities and the licensing of broker-dealers, agents, and investment advisers; making miscellaneous clarifications and revisions; amending Minnesota Statutes 1980, Sections 80A.04, Subdivision 4; 80A.05, Subdivision 1; 80A.07, Subdivision 1; 80A.12, Subdivision 3; 80A.14; 80A.15, Subdivisions 1 and 2; 80A.16; 80A.21, Subdivision 1; 80A.28, Subdivisions 1, 2, 3, 4 and 7, and by adding a subdivision; 80A.30, Subdivision 2.

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

Anderson, B.; Levi; Jude; Stowell and Anderson, G., introduced:

H. F. No. 635, A bill for an act relating to education; changing the secondary vocational education categorical aid program to a general aid program; appropriating the amount previously provided to the school districts pursuant to Minnesota Statutes 1980, Section 124.573 to the districts' general operating funds in the school years 1981-1982 and 1982-1983; proposing new law coded in Minnesota Statutes, Chapter 124; and repealing Minnesota Statutes 1980, Sections 124.573 and 124.574.

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

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

H. F. No. 636, A bill for an act relating to unemployment compensation; providing for work weeks to begin on Monday; requiring vacation pay not to be deducted from benefits; amending Minnesota Statutes 1980, Sections 268.04, Subdivision 27; 268.07, Subdivision 2.

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

Simoneau introduced:

H. F. No. 637, A bill for an act relating to local government; providing that charter commission documents be available to the public; amending Minnesota Statutes 1980, Sections 410.05, Subdivision 4; and 410.07.

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

Laidig, by request, introduced:

H. F. No. 638, A bill for an act relating to taxation; providing for the valuation and assessment of certain platted lands containing park or recreational land; amending Minnesota Statutes 1980, Sections 273.11, Subdivision 1; and 273.12.

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

Kalis, Schoenfeld and Nelsen, B., introduced:

H. F. No. 639, A bill for an act relating to public waters; changing the coverage of the inventory of public waters and wetlands; amending Minnesota Statutes 1980, Section 105.37, Subdivision 14.

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

Sarna; Anderson, I.; Osthoff; Battaglia and Anderson, R., introduced:

H. F. No. 640, A bill for an act relating to commerce; establishing a statewide consumer outreach service in the section of consumer services; appropriating money; amending Minnesota Statutes 1980, Section 45.16, by adding a subdivision.

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

Murphy, Evans, Samuelson and Battaglia introduced:

H. F. No. 641, A bill for an act relating to state lands; granting authority for the extension of certain timber permits.

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

Weaver; Wieser; Johnson, D., and Hauge introduced:

H. F. No. 642, A bill for an act relating to natural resources; changing the definition of public waters; amending Minnesota Statutes 1980, Section 105.37, Subdivision 14.

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

Sviggum and Mehrkens introduced:

H. F. No. 643, A bill for an act relating to Goodhue county; permitting an additional tax for county fairs.

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

Minne and Elioff introduced:

H. F. No. 644, A bill for an act relating to education; authorizing Independent School District No. 701 to transfer a certain amount of money from the debt service fund to the capital expenditure fund to partially pay for replacement of a steam line; providing for no reduction of the maintenance levy pursuant to this transfer.

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

Hoberg, Ainley, Ludeman, Piepho and Elioff introduced:

H. F. No. 645, A bill for an act relating to education; providing an early retirement incentive program for certain higher education personnel; proposing new law coded in Minnesota Statutes, Chapter 136.

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

Metzen; Jude; Peterson, B.; Dempsey and O'Connor introduced:

H. F. No. 646, A bill for an act relating to courts; authorizing chief judges of judicial districts to serve more than two consecutive terms; amending Minnesota Statutes 1980, Section 484.69, Subdivision 1.

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

Lehto, Wynia, Zubay and Onnen introduced:

H. F. No. 647, A bill for an act relating to commerce; transferring the powers, duties, staff, and unexpended funds of the board of cosmetology examiners to the office of consumer services; establishing an advisory commission; authorizing licensing by occupation and operations; providing for enforcement; providing a complaint handling procedure; prescribing penalties; providing remedies; proposing new law coded as Minnesota Statutes, Chapter 155A; repealing Minnesota Statutes 1980, Sections 155.01 to 155.21.

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

Berkelman, Reif, Hokanson, Samuelson and Swanson introduced:

H. F. No. 648, A bill for an act relating to public welfare; establishing a formula for payments to vendors of dental services in the medical assistance program; prioritizing dental services to be offered if appropriations to the program are inadequate; proposing new law coded in Minnesota Statutes, Chapter 256B.

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

Anderson, I.; Begich and Battaglia introduced:

H. F. No. 649, A bill for an act relating to game and fish; allowing operation of snowmobiles and all-terrain vehicles in deer hunting areas during daylight hours; amending Minnesota Statutes 1980, Section 100.29, Subdivision 28.

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

Drew, Luknic and Reif introduced:

H. F. No. 650, A bill for an act relating to controlled substances; prescribing penalties for minors in possession of controlled substances on school premises; amending Minnesota Statutes 1980, Section 152.15, by adding a subdivision.

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

Drew, Heap and Niehaus introduced:

H. F. No. 651, A bill for an act relating to education; encouraging school boards to establish school councils to perform certain duties; amending Minnesota Statutes 1980, Section 123.741.

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

Nelsen, B.; Kalis; Jennings; Anderson, B., and Schafer introduced:

H. F. No. 652, A bill for an act relating to education; requiring the state board of vocational education to take estimated tuition revenue into account in the allocation of supply or support services aids; amending Minnesota Statutes 1980, Sections 124.5622, Subdivision 4, and 124.5623, Subdivision 4.

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

Murphy, Byrne, Stumpf and Sherman introduced:

H. F. No. 653, A bill for an act relating to the operation of state government; providing for the expiration or periodic re-evaluation of various regulatory programs; requiring program and fiscal review of regulatory programs; providing for performance audits by the legislative auditor; establishing a pilot program; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 15.

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

Fjoslien and Reding introduced:

H. F. No. 654, A bill for an act relating to game and fish; dates for seasons on raccoon; amending Minnesota Statutes 1980, Section 100.27, Subdivision 3.

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

Anderson, I., introduced:

H. F. No. 655, A bill for an act relating to local government; setting conditions for group insurance contract bids; amending Minnesota Statutes 1980, Section 471.616, Subdivision 1.

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

Sieben, M., introduced:

H. F. No. 656, A bill for an act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 171.

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

Sieben, M., introduced:

H. F. No. 657, A bill for an act relating to local government; requiring elections to approve annexations of territory of certain towns; proposing new law coded in Minnesota Statutes, Chapter 414.

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

Brinkman, Voss, Metzen, Valan and Stadum introduced:

H. F. No. 658, A bill for an act relating to financial institutions; permitting banks to make adjustable-rate mortgage loans; proposing new law coded in Minnesota Statutes, Chapter 48.

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

Norton; Drew; Bryne; Rodriguez, F., and Hanson introduced:

H. F. No. 659, A bill for an act relating to retirement; St. Paul teachers retirement fund association; removing an expiration date on authority to provide post retirement increases in certain instances; authorizing reduced early retirement in certain instances; amending Laws 1979, Chapter 109, Section 1.

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

Carlson, D., introduced:

H. F. No. 660, A bill for an act relating to outdoor recreation; exempting certain trails from the requirement of a master plan; amending Minnesota Statutes 1980, Section 86A.09, Subdivision 1.

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

HOUSE ADVISORIES

The following House Advisories were introduced:

Lemen, Evans, Marsh, Gruenes and Sherwood introduced:

H. A. No. 8, A proposal to tax interest income at a special rate.

The advisory was referred to the Committee on Taxes.

Friedrich, Jacobs, Nysether, Novak and Ainley introduced:

H. A. No. 9, A proposal to study the regulatory procedures utilized in setting utility rates.

The advisory was referred to the Committee on Regulated Industries.

Sarna, Metzen and Anderson, I., introduced:

H. A. No. 10, A proposal to recodify liquor laws contained primarily in Minnesota Statutes, Chapter 340.

The advisory was referred to the Committee on Commerce and Economic Development.

Levi and Rees introduced:

H. A. No. 11, A proposal to study access to adoption records.

The advisory was referred to the Committee on Health and Welfare.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

S. F. Nos. 14, 149, 159 and 175.

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. 18 and 171.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 339.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 14, A bill for an act relating to statutes; defining terms; amending Minnesota Statutes 1980, Section 645.44.

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

S. F. No. 18, A bill for an act relating to probate; eliminating requirement of notice to representatives of foreign countries in certain formal testacy proceedings; amending Minnesota Statutes 1980, Section 524.3-403.

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

S. F. No. 149, A bill for an act relating to delivery or filing of documents; providing for timely delivery or filing of certain documents with respect to weekends and holidays; amending Minnesota Statutes 1980, Section 645.15; proposing new law coded in Minnesota Statutes, Chapter 645.

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

S. F. No. 159, A bill for an act relating to transportation; providing for the allocation of federal aid secondary funds; and the full utilization of those funds; amending Minnesota Statutes 1980, Section 161.086.

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

S. F. No. 171, A bill for an act relating to probate; changing certain provisions relating to descent of a cemetery lot; amending Minnesota Statutes 1980, Section 525.14.

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

S. F. No. 175, A bill for an act relating to accountancy; removing an expiration provision related to the board of accountancy; repealing Laws 1979, Chapter 326, Section 15.

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

S. F. No. 339, A bill for an act relating to historic sites; designating an additional historic site; amending Minnesota Statutes 1980, Section 138.58, by adding a subdivision.

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

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Eken moved that the report of the Committee on Rules and Legislative Administration and the proposed permanent Rules of the House which were printed in the Journal of the House for the Eighteenth day and laid over until today be continued until Thursday, March 5, 1981. The motion prevailed.

CONSENT CALENDAR

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.

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 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 201, A bill for an act relating to fire control services; providing for reimbursement by railroads and the department of public safety; setting the time limit for claims; amending Minnesota Statutes 1980, Sections 161.465; and 219.761, Subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 125 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, B.	Ewald	Knickerbocker	Ogren	Sieben, M.
Anderson, G.	Fjoslien	Kostohryz	Olsen	Simoneau
Anderson, I.	Forsythe	Kvam	Onnen	Skoglund
Anderson, R.	Friedrich	Laidig	Osthoff	Stadum
Battaglia	Greenfield	Lehto	Otis	Staten
Begich	Gruenes	Lemen	Peterson, B.	Stowell
Blatz	Gustafson	Levi	Peterson, D.	Stumpf
Brandl	Halberg	Ludeman	Piepho	Sviggum
Brinkman	Harens	Luknic	Pogemiller	Swanson
Byrne	Haukoos	Mann	Redalen	Tomlinson
Carlson, D.	Heap	Marsh	Reding	Valan
Carlson, L.	Heinitz	McCarron	Rees	Valento
Clark, J.	Himle	McDonald	Reif	Vanasek
Clark, K.	Hoberg	Mehrkins	Rice	Vellenga
Clawson	Hokanson	Metzen	Rodriguez, C.	Voss
Dahlvang	Hokr	Minne	Rodriguez, F.	Weaver
Dean	Jacobs	Munger	Rose	Welch
Dempsey	Jennings	Murphy	Rothenberg	Welker
Den Ouden	Johnson, C.	Nelsen, B.	Samuelson	Wenzel
Drew	Johnson, D.	Nelson, K.	Sarna	Wieser
Eken	Jude	Niehaus	Schafer	Wynia
Elioff	Kahn	Norton	Schoenfeld	Zubay
Ellingson	Kaley	Novak	Searles	Spkr. Sieben, H.

The bill was passed and its title agreed to.

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.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 87, A bill for an act relating to commerce; clarifying the definition of a "sale of goods" as it applies to consumer credit sales to include certain terminable bailments or leases; clarifying the interests of the respective parties; providing for a certain contract provision; amending Minnesota Statutes 1980, Sections 325G.15, Subdivision 5; and 325G.16, by adding subdivisions.

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

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

Those who voted in the affirmative were:

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

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

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. Nos. 13, 79, 167, 276 and 357 which it recommended to pass.

S. F. No. 92 which it recommended to pass.

H. F. Nos. 98, 260, 312, 337 and 470 upon which it recommended progress.

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

ROLL CALLS IN COMMITTEE OF THE WHOLE

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

The question was taken on the motion to recommend passage of H. F. No. 79 and the roll was called. There were 103 yeas and 15 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Blatz	Clark, J.	Drew	Forsythe
Anderson, G.	Brandl	Clark, K.	Eken	Greenfield
Anderson, I.	Brinkman	Clawson	Elioff	Gruenes
Anderson, R.	Byrne	Dahlvang	Ellingson	Gustafson
Battaglia	Carlson, D.	Dempsey	Esau	Halberg
Begich	Carlson, L.	Den Ouden	Ewald	Harens

Haukoos	Mann	Olsen	Rose	Swanson
Hokanson	Marsh	Onnen	Rothenberg	Tomlinson
Hokr	McCarron	Osthoff	Samuelson	Valento
Jacobs	Mehrkens	Otis	Sarna	Vanasek
Johnson, C.	Metzen	Peterson, B.	Schafer	Vellenga
Johnson, D.	Minne	Peterson, D.	Schoenfeld	Voss
Jude	Munger	Piepho	Sherman	Weaver
Kahn	Murphy	Pogemiller	Sherwood	Welch
Kelly	Nelson, K.	Redalen	Sieben, M.	Wenzel
Kvam	Niehaus	Reding	Simoneau	Wieser
Laidig	Norton	Rees	Skoglund	Wynia
Lehto	Novak	Reif	Stadum	Zubay
Lemen	Nysether	Rice	Staten	Spkr. Sieben, H.
Levi	O'Connor	Rodriguez, C.	Stowell	
Luknic	Ogren	Rodriguez, F.	Sviggum	

Those who voted in the negative were:

Aasness	Fjoslien	Hoberg	Ludeman	Searles
Ainley	Friedrich	Jennings	McDonald	Stumpf
Evans	Heap	Kalis	Nelsen, B.	Welker

The motion prevailed.

The question was taken on the Peterson, B., motion that H. F. No. 167 be re-referred to the Committee on Governmental Operations and the roll was called. There were 51 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Aasness	Ewald	Johnson, D.	Osthoff	Sherwood
Ainley	Fjoslien	Knickerbocker	Peterson, B.	Stadum
Anderson, B.	Forsythe	Lemen	Piepho	Stowell
Anderson, G.	Gruenes	Levi	Redalen	Sviggum
Anderson, R.	Halberg	Ludeman	Rees	Valan
Blatz	Haukoos	Luknic	Reif	Valento
Carlson, D.	Heinitz	McDonald	Rose	Welker
Den Ouden	Himle	Nelsen, B.	Rothenberg	
Drew	Hoberg	Niehaus	Schafer	
Esau	Hokr	Olsen	Searles	
Evans	Jennings	Onnen	Sherman	

Those who voted in the negative were:

Anderson, I.	Ellingson	Laidig	Otis	Tomlinson
Battaglia	Friedrich	Lehto	Peterson, D.	Vanasek
Begich	Greenfield	Mann	Reding	Vellenga
Brandl	Gustafson	Marsh	Rice	Voss
Brinkman	Harens	McCarron	Rodriguez, C.	Weaver
Byrne	Heap	Metzen	Rodriguez, F.	Welch
Carlson, L.	Hokanson	Minne	Samuelson	Wenzel
Clark, J.	Jacobs	Munger	Sarna	Wieser
Clark, K.	Johnson, C.	Murphy	Schoenfeld	Wynia
Clawson	Jude	Nelson, K.	Sieben, M.	Zubay
Dahlvang	Kahn	Norton	Simoneau	Spkr. Sieben, H.
Dean	Kaley	Novak	Skoglund	
Dempsey	Kalis	Nysether	Staten	
Eken	Kelly	O'Connor	Stumpf	
Elioff	Kostohryz	Ogren	Swanson	

The motion did not prevail.

MOTIONS AND RESOLUTIONS

Simoneau moved that the names of Reif; Carlson, L.; Swanson and Heinitz be added as authors on H. F. No. 460. The motion prevailed.

Anderson, I., moved that the name of Samuelson be added as an author on H. F. No. 636. The motion prevailed.

Otis moved that the name of Otis be stricken and the name of Novak be added as chief author on H. F. No. 139. The motion prevailed.

Sherman moved that the name of Rothenberg be added as an author on House Concurrent Resolution No. 1. The motion prevailed.

Drew moved that the name of Rothenberg be added as an author on H. F. No. 650. The motion prevailed.

Fjoslien moved that the name of Nelsen, B., be added as an author on H. F. No. 654. The motion prevailed.

Anderson, B., moved that the name of Anderson, R., be added as an author on H. F. No. 586. The motion prevailed.

Samuelson moved that H. F. No. 510 be recalled from the Committee on Local and Urban Affairs and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Weaver moved that the name of Valento be added as an author on H. F. No. 642. The motion prevailed.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 5, 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., Thursday, March 5, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

