

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1980

SEVENTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 13, 1980

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Biersdorf, Rice and Searle were excused.

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. 942, 1349, 1400, 1730, 1795, 1798, 1823, 1825, 1846, 1856, 1895, 2081, 2119, 2121, 2122, 2222, 2287, 2284, 1931, 960, 1765, 1844, 2137, 2302, 542, 1143, 1373, 1727, 1735, 1794, 1872, 1892, 1949, 1995, 2187, 2205, 1591, 1706, 1890, 1962, 2043, 2088, 2111, 2212, 1661, 1774, 1777, 2067, 1095, 1142, 1190, 1577, 1930, 2040, 2051, 1743, 1835, 1769, 1824, 1906, 1925, 2134, 2135, 2141, 2142, 2198, 2262, 2289, 2295, 2153, 2208, 2259, 1362, 2075, 1090, 1286, 1408, 1957, 2285, 908, 2101, 184, 1035, 1459, 1513, 1929, 1941, 1956, 1996, 2132, 2203, 2331 and 887 and S. F. Nos. 1775, 2123, 1674, 1736, 1745 and 1755 have been placed in the members' files.

S. F. No. 1745 and H. F. No. 1735, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, with certain exceptions.

SUSPENSION OF RULES

Stoa moved that the rules be so far suspended that S. F. No. 1745 be substituted for H. F. No. 1735 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

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

March 10, 1980

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

The Honorable Edward J. Gearty
President of the Senate

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

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1980</i>	<i>Date Filed 1980</i>
1848		350	March 10	March 10

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 7, 1980

The Honorable Fred Norton
Speaker of the House
3rd Floor State Office Bldg.

Dear Sir:

The following appointment to the State Ethical Practices Board is hereby respectfully submitted to the House for confirmation as required by law:

Henry J. Savelkoul, RR 1, Albert Lea, Freeborn County, has been appointed by me, effective March 7, 1980, for a term expiring on the first Monday in January, 1984.

Sincerely yours,

ALBERT H. QUIGG
Governor

The communication relating to the Ethical Practices Board was referred to the Committee on General Legislation and Veterans Affairs.

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1027, A bill for an act relating to agriculture; prohibiting certain garbage feeding of animals; providing a penalty; amending Minnesota Statutes 1978, Chapter 35, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 35, is amended by adding a section to read:

[35.761] [GARBAGE FEEDING PROHIBITED.] *Subdivision 1. No person shall feed or permit the feeding of foreign produced garbage to any livestock or poultry. For the purposes of this section, "foreign produced garbage" means garbage*

deposited in the state by any common carrier, ship or aircraft originating from a point outside of the state or all other garbage containing meat or meat by-products except that produced from waste food generated solely within the state.

Subd. 2. The board may make reasonable inspections necessary for the enforcement of subdivision 1.

Subd. 3. The board may seek an injunction to enjoin violation of subdivision 1.

Subd. 4. Any person violating subdivision 1, is guilty of a misdemeanor. Each day upon which a violation occurs constitutes a separate violation."

Further, amend the title as follows:

Page 1, line 2, delete "certain" and insert "foreign produced"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1355, A bill for an act relating to metropolitan government; removing the city of Northfield from definition of metropolitan areas; adding the city of Northfield to region ten; amending Minnesota Statutes 1978, Sections 473.121, Subdivision 2; 473.123, Subdivision 3; 473.403; 473F.02, Subdivisions 2 and 8.

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

The report was adopted.

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

H. F. No. 1443, A bill for an act relating to transportation; providing for transfer of certain duties, powers and functions of the public service commission and the commissioner of transportation to the transportation regulation board; regulating railroads and other common carriers of persons or property for hire; providing penalties; appropriating funds; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 1; 174.02, Subdivision 4; 174.03, Subdivision 2; 174.10, Subdivisions 1, 3, 4; 218.011, Subdivision 7; 218.021; 218.025; 218.031, Subdivisions 1, 6, 8, 10; 218.041; 218.071; 219.03; 219.14; 219.23; 219.24; 219.25; 219.27; 219.28; 219.383; 219.39; 219.40; 219.41; 219.42;

219.43; 219.46, Subdivision 7; 219.47; 219.51; 219.52; 219.54; 219.55; 219.562, Subdivision 3; 219.65; 219.681; 219.70; 219.71; 219.741; 219.85; 219.86; 219.87; 221.011, Subdivisions 2b, 15, 22; 221.021; 221.031, Subdivision 1; 221.041; 221.051; 221.061; 221.071; 221.081; 221.101; 221.121; 221.131; 221.141, Subdivision 2; 221.151; 221.161; 221.171; 221.181; 221.221; 221.261; 221.271; 221.281; 221.291, Subdivision 1; 221.293; 221.295; 221.296, Subdivisions 2, 3, 4, 8; 221.55; 221.68; repealing Minnesota Statutes 1978, Section 219.742.

Reported the same back with the following amendments:

Page 4, delete lines 30 to 33.

Page 5, delete lines 1 to 21, and insert a new section to read:

"Sec. 4. [HEARINGS.] All hearings required to be conducted by the transportation regulation board shall be conducted pursuant to sections 15.041 to 15.052."

Pages 7 to 9, delete Sec. 12 and insert:

"Sec. 12. Minnesota Statutes, 1979 Supplement, Section 15A.081, Subdivision 1, is amended to read:

15A.081 [SALARIES AND SALARY RANGES FOR CERTAIN EMPLOYEES.] Subdivision 1. The following salaries or salary ranges are provided for the below listed employees in the executive branch of government:

	Salary or Range	
	Effective July 1, 1979	Effective July 1, 1980
Administration, department of commissioner	\$44,000	\$47,000
Agriculture, department of commissioner	38,000	40,000
Commerce, department of commissioner of banks	34,000	36,500
commissioner of insurance	34,000	36,500
commissioner of securities	34,000	36,500
director of consumer services	28,000	30,000
Community college system chancellor	44,000	46,000

Corrections, department of commissioner	42,000	45,000
ombudsman	33,000	35,000
Crime control planning board, executive director	33,000	35,000
Economic development, department of commissioner	34,000	36,000
Economic security, department of commissioner	43,000	45,000
Education, department of commissioner	43,000	45,000
Energy agency director	38,000	40,000
Finance, department of commissioner	48,000	50,000
Health, department of commissioner	47,000	49,000
Hearing examiners office chief hearing examiner	38,000	40,000
Higher education coordinating board executive director	40,000	42,000
Housing finance agency executive director	39,000	41,000
Human rights, department of commissioner	31,000	33,000
Indian affairs board executive director	27,000	29,000
Investment, board of executive secretary	42,000	44,000
Iron range resources and rehabilitation board commissioner	30,000	31,000
Labor and industry, department of commissioner	38,000	40,000

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judge of the workers' compensation court of appeals	38,000	40,000
Mediation services, bureau of director	36,000	38,000
Natural resources, department of commissioner	44,000	47,000
Personnel, department of commissioner	44,000	47,000
Planning agency director	43,000	45,000
Pollution control agency director	38,000	40,000
Public safety, department of commissioner	38,000	41,000
Public service, department of commissioner, public service commission ..	34,000	36,000
director	34,000	36,000
Public welfare, department of commissioner	44,000	48,000
Revenue, department of commissioner	44,000	47,000
State university system chancellor	44,000	46,000
Transportation, department of commissioner	44,000	48,000
Transportation, regulation board, board member		32,000
Veterans affairs, department of commissioner	31,000	33,000"

Page 37, line 27, after "protection" insert "by any political subdivision of the state"

Pages 45 to 47 delete Sec. 57. and insert:

"Sec. 57. Minnesota Statutes, 1979 Supplement, Section 221.011, Subdivision 22, is amended to read:

Subd. 22. "Exempt carrier" means any carrier exempt from this chapter, or exempted from any other law or rule by the commissioner or (COMMISSION) board. The following are so exempt:

(a) Any person engaged in farming or in transporting agricultural, horticultural, dairy, livestock, or other farm products within an area having a 25 mile radius from his home post office. Such carrier may transport other commodities within such area if the destination of each haul is a farm within the above described area. The owner of any truck operating under this provision shall imprint his name and address in prominent visible letters on the outside of the cab of his truck.

(b) Any occasional accommodation service beyond the 25 mile radius from his home post office by any person engaged in farming as his primary means of livelihood and actually residing on a farm and whose truck or trucks are licensed under provisions of section 168.013, subdivision 1c. Occasional accommodation service shall mean not in excess of six trips in any calendar year.

(c) Any person engaged in agricultural pursuits, who owns and uses a truck for transporting the products of his farm, or any person while engaged exclusively in the transportation of fresh vegetables from farms to canneries or viner stations, or from viner stations to canneries, or from canneries to canneries during the harvesting, canning or packing season, or potatoes, sugar beets, wild rice and rutabagas from the field of production to the first place of delivery or unloading, including but not limited to a processing plant, warehouse or railroad siding. This term shall also apply to a manufacturer, producer, dealer or distributor who, in the pursuit of his own business, owns and uses trucks for the purpose of transporting his own products, and shall apply to any person while engaged exclusively in the transportation of pulpwood, cord wood, mining timber, poles, posts, decorative evergreens, wood chips, sawdust, shavings and bark from the place where the products are produced to the point where they are to be used or shipped.

(d) Any person while exclusively engaged in the transportation of dirt and sod within an area having a 50 mile radius from his home post office.

(e) Any person while exclusively engaged in the transportation of sand, gravel, bituminous asphalt mix or crushed rock to or from the point of loading or a place of gathering within an area having a 50 mile radius from his home post office or a 50 mile radius from the site of construction or maintenance of public roads and streets.

(f) Any person engaged in the transportation of household goods for the federal government or any agency thereof or the transportation of household goods for the state government or any agency thereof, where competitive bids are required by law shall be exempt from the provisions of section 221.161.

(g) Any person engaged in transporting property or freight, excepting household goods and petroleum products in bulk, when the movement is entirely within the corporate limits of a city or between contiguous cities.

(h) Emergency vehicles such as ambulances, tow trucks, and hearses when carrying proper and legal warning devices.

(i) Any person engaged in delivery or spreading of agricultural lime.

(j) Any person engaged in transporting rubbish as defined in section 443.27.

(k) Any person engaged in the transportation of grain samples under such terms and conditions as the commissioner or (COMMISSION) board may prescribe.

(l) A motor vehicle, in this chapter referred to as a "commuter van," having a capacity of seven to 16 persons which is used principally to provide prearranged transportation of persons for a fee to or from their place of employment or to or from a transit stop authorized by a local transit authority which vehicle is to be operated by a person who does not drive the vehicle for his principal occupation but is driving it only to or from his principal place of employment, to or from a transit stop authorized by a local transit authority, or for personal use at other times by an authorized driver; provided, that commuter vans shall not be exempt from any provision of this chapter which by its terms explicitly applies to these vehicles."

Page 75, lines 5 and 6, reinstate the stricken language.

Page 75, line 5, after "rule" insert "*of the board,*"

Further amend the title as follows:

Page 1, line 10, delete "15A.081,"

Page 1, line 11, delete "Subdivision 1;"

Page 1, line 20, delete ", 22"

Page 1, after line 26, insert "and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 1; and 221.011, Subdivision 22;"

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

The report was adopted.

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

H. F. No. 1603, A bill for an act relating to welfare; defining general assistance medical care; authorizing higher medical care payments for certain handicapped persons; establishing medical care assistance eligibility for persons with seasonal income; making various other changes in the general assistance program; amending Minnesota Statutes 1978, Sections 256D.01; 256D.02, Subdivisions 4, 10, 11, 12 and by adding a subdivision; 256D.03; 256D.04; 256D.05, Subdivision 1; 256D.06, Subdivision 1; 256D.07; 256D.08; 256D.09, Subdivision 1; 256D.11, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 256D.13, Subdivision 1; 256D.16; 256D.18, Subdivisions 2 and 4; repealing Minnesota Statutes 1978, Sections 256D.19; 256D.20; and 256D.21.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 256D.01, is amended to read:

256D.01 [DECLARATION OF POLICY; CITATION.] Subdivision 1. The objectives of (LAWS 1973, CHAPTER 650, ARTICLE 21, SECTIONS 1 to 30) *sections 256D.01 to 256D.18* are to provide a sound administrative structure for public assistance programs; to maximize the use of federal funds for public assistance purposes; (TO PROVIDE PROPERTY TAX RELIEF;) and to provide an integrated public assistance program for all persons in the state without adequate income or resources to maintain a subsistence reasonably compatible with decency and health. *A principal objective in providing general assistance and services shall be to aid those persons who can be helped to become self-supporting or to attain self-care. The strengthening and preservation of the family unit shall also be a principal consideration in the administration of all general assistance policies.*

It is hereby declared to be the policy of this state that persons unable to provide for themselves and not otherwise provided for by law (,) and who meet the eligibility requirements of (LAWS 1973, CHAPTER 650, ARTICLE 21 AND DO NOT REFUSE SUITABLE EMPLOYMENT) *sections 256D.01 to 256D.18*, shall be entitled to receive such grants of general assistance and such services as may be necessary to maintain a subsistence reasonably compatible with decency and health. The furnishing of such assistance and services is a matter of public concern and a necessity in promoting the public health and welfare.

(A PRINCIPAL OBJECTIVE IN PROVIDING GENERAL ASSISTANCE AND SERVICES SHALL BE TO AID THOSE PERSONS WHO CAN BE HELPED TO BECOME SELF-SUPPORTING OR TO ATTAIN SELF-CARE. TO ACHIEVE THIS AIM, THE COMMISSIONER SHALL ESTABLISH MINIMUM STANDARDS OF ASSISTANCE FOR GENERAL ASSISTANCE. THE MINIMUM STANDARD FOR CASH PAYMENTS TO RECIPIENTS SHALL BE: AS TO SHELTER AND UTILITIES, 100 PERCENT OF THE ACTUAL NEED OR STATE STANDARDS THEREFOR, SUBJECT TO THE MAXIMUM ESTABLISHED FOR SHELTER IN THE AID TO THE BLIND, AID TO THE DISABLED, AND OLD AGE ASSISTANCE PROGRAMS IN DECEMBER, 1973; AND AS TO OTHER BUDGETARY ITEMS, 50 PERCENT, OF THOSE ESTABLISHED FOR SAID ITEMS IN THE AID TO THE BLIND, AID TO THE DISABLED, AND OLD AGE ASSISTANCE PROGRAMS IN DECEMBER, 1973. IN ORDER TO MAXIMIZE THE USE OF FEDERAL FUNDS, THE COMMISSIONER SHALL PROMULGATE REGULATIONS, TO THE EXTENT PERMITTED BY FEDERAL LAW FOR ELIGIBILITY FOR THE EMERGENCY ASSISTANCE PROGRAM, UNDER THE TERMS OF LAWS 1973, CHAPTER 650, ARTICLE 21 FOR GENERAL ASSISTANCE. THE COMMISSIONER SHALL PROVIDE BY REGULATION FOR THE ELIGIBILITY FOR GENERAL ASSISTANCE OF PERSONS WITH SEASONAL INCOME, AND MAY ATTRIBUTE SEASONAL INCOME TO OTHER PERIODS NOT IN EXCESS OF ONE YEAR FROM RECEIPT BY AN APPLICANT OR RECIPIENT. THE STRENGTHENING AND PRESERVATION OF THE FAMILY UNIT SHALL BE A PRINCIPAL CONSIDERATION IN THE ADMINISTRATION OF LAWS 1973, CHAPTER 650, ARTICLE 21 AND ALL GENERAL ASSISTANCE POLICIES SHALL BE FORMULATED AND ADMINISTERED SO AS TO FURTHER THIS OBJECTIVE.)

Subd. 2. (LAWS 1973, CHAPTER 650, ARTICLE 21,) Sections (1 TO 30) 256D.01 to 256D.18 may be cited as the general assistance (ARTICLE) act.

Sec. 2. Minnesota Statutes 1978, Section 256D.02, Subdivision 4, is amended to read:

Subd. 4. "General assistance" means cash payments to persons unable to provide themselves with a reasonable subsistence compatible with decency and health and who are not otherwise provided for under the laws of this state or the United States. (IT SHALL INCLUDE CASH PAYMENTS FOR GOODS, SHELTER, FUEL, FOOD, CLOTHING, LIGHT, NECESSARY HOUSEHOLD SUPPLIES, AND PERSONAL NEED ITEMS.) General assistance shall not include payments for foster care, child welfare services, (MEDICAL, DENTAL, HOSPITALIZATION, NURSING CARE, DRUGS, OR MEDICAL SUPPLIES. IT IS THE INTENT OF LAWS 1973, CHAPTER 650, ARTI-

CLE 21 THAT THESE ITEMS BE PROVIDED BY LOCAL AGENCIES IN ACCORDANCE WITH PROGRAMS IN EFFECT AT THE TIME OF THE PASSAGE OF LAWS 1973, CHAPTER 650, ARTICLE 21) *or other social services*. Vendor payments may be made only as provided for in sections 256D.09 and 256D.11.

Sec. 3. Minnesota Statutes 1978, Section 256D.02, is amended by adding a subdivision to read:

Subd. 4a. "General assistance medical care" means payment of all or part of the cost of medical care and services approved by the commissioner pursuant to section 256D.03, subdivision 3, for individuals whose income and resources are insufficient to meet the cost of care.

Sec. 4. Minnesota Statutes 1978, Section 256D.02, Subdivision 9, is amended to read:

Subd. 9. "Earned income" means remuneration for services performed as an employee (,) and net earnings from self-employment reduced by the amount attributable to employment expenses.

Sec. 5. Minnesota Statutes 1978, Section 256D.02, Subdivision 10, is amended to read:

Subd. 10. "Unearned income" means all other income including any payments received as an annuity, retirement or disability benefit, including veteran's or workers' compensation; old age, survivors and disability insurance; railroad retirement benefits; unemployment benefits; and benefits under any federally aided categorical assistance program, supplementary security income, or (FAMILY) other assistance program; rents, dividends, interest and royalties; and support and maintenance payments except that such payments may not be considered as available to meet the needs of any person other than the person for whose benefit they are received, unless that person is under a legal duty to support another family member.

Sec. 6. Minnesota Statutes 1978, Section 256D.02, Subdivision 11, is amended to read:

Subd. 11. "State aid" means state aid to local agencies for general assistance and general assistance medical care expenditures as provided for in (LAWS 1973, CHAPTER 650, ARTICLE 21) section 256D.03, subdivisions 2 and 3.

Sec. 7. Minnesota Statutes 1978, Section 256D.02, Subdivision 12, is amended to read:

Subd. 12. "Local agency" means the *agency designated by the county board of commissioners, human services boards, county welfare boards* in the several counties of the state (EXCEPT THAT IT MAY ALSO INCLUDE ANY) *or multicounty welfare boards or departments where those have been established in accordance with law.*

Sec. 8. Minnesota Statutes 1978, Section 256D.03, Subdivision 1, is amended to read:

256D.03 [RESPONSIBILITY TO PROVIDE GENERAL ASSISTANCE.] Subdivision 1. Every local agency shall provide general assistance to persons residing within its jurisdiction who meet the need requirements of (LAWS 1973, CHAPTER 650, ARTICLE 21) *sections 256D.01 to 256D.18.* General assistance shall be administered *by the local agencies* according to law and rules (AND REGULATIONS) promulgated by the commissioner pursuant to (THE PROVISIONS OF LAWS 1973, CHAPTER 650, ARTICLE 21) *sections 15.041 to 15.052.*

Sec. 9. Minnesota Statutes, 1979 Supplement, Section 256D.03, Subdivision 2, is amended to read:

Subd. 2. After December 31, 1979, and before January 1, 1981, state aid shall be paid to local agencies for 60 percent and, after December 31, 1980, for 70 percent of all general assistance grants up to the standards of section (256D.01) *256D.05*, subdivision 1, *and* according to procedures established by the commissioner. Any local agency may, from its own resources, make payments of general assistance at a standard higher than that established by the commissioner (*, WITHOUT REFERENCE TO THE STANDARDS OF SECTION 256D.01, SUBDIVISION 1.*)

Sec. 10. Minnesota Statutes 1978, Section 256D.03, Subdivision 3, is amended to read:

Subd. 3. State aid shall be paid to local agencies or counties for 90 percent of the cost of general (RELIEF) *assistance* medical care paid by the local agency or county pursuant to section (256D.02, SUBDIVISION 4) *3* on behalf of persons eligible according to standards established by the commissioner of *public* welfare in accordance with the rates established by rule of the commissioner. Persons eligible for benefits under sections 256D.01 to 256D.19 shall *be eligible for general assistance medical care and* have free choice in the selection of a vendor of the medical care. Any local agency or county may, from its own resources, make payments for medical care for persons not otherwise eligible for the care pursuant to standards established by the commissioner.

The commissioner of public welfare shall promulgate rules to established administrative and fiscal procedures for payment

of the state share of the medical costs incurred by the counties under section (256D.02, SUBDIVISION 4) 3. The rules may include:

(a) procedures by which state liability for the costs of medical care incurred pursuant to section (256D.02, SUBDIVISION 4) 3 may be deducted from county liability to the state under any other public assistance program authorized by law;

(b) procedures for processing claims of counties for reimbursement by the state for expenditures for medical care made by the counties pursuant to section (256D.02, SUBDIVISION 4) 3;

(c) procedures by which the local agencies may contract with the commissioner of public welfare for state administration of general (RELIEF) *assistance medical care* payments; and

(d) standards of eligibility (AND), utilization of services and payment levels which shall conform to those of medical assistance pursuant to chapter 256B.

Sec. 11. Minnesota Statutes 1978, Section 256D.04, is amended to read:

256D.04 [DUTIES OF THE COMMISSIONER.] In addition to any other duties imposed by law, the commissioner shall:

(1) Supervise the administration of general assistance and *general assistance medical care* by local agencies as provided in (LAWS 1973, CHAPTER 650, ARTICLE 21) *sections 256D.01 to 256D.18*;

(2) Promulgate uniform rules (AND REGULATIONS) consistent with law for carrying out and enforcing the provisions of (LAWS 1973, CHAPTER 650, ARTICLE 21) *sections 256D.01 to 256D.18* to the end that general assistance may be administered as uniformly as possible throughout the state; rules (AND REGULATIONS) shall be furnished immediately to all local agencies and other interested persons; in promulgating rules (AND REGULATIONS), the provisions of (CHAPTER 15) *sections 15.041 to 15.052*, shall apply;

(3) Allocate moneys appropriated for general assistance and *general assistance medical care* to local agencies as provided in (LAWS 1973, CHAPTER 650, ARTICLE 21) *section 256D.03, subdivisions 2 and 3*;

(4) Accept and supervise the disbursement of any funds that may be provided by the federal government or from other sources for use in this state for general assistance and *general assistance medical care*;

(5) Cooperate with other agencies including any agency of the United States or of another state in all matters concerning the powers and duties of the commissioner under (LAWS 1973, CHAPTER 650, ARTICLE 21) *sections 256D.01 to 256D.18*;

(6) Cooperate to the fullest extent with other public agencies empowered by law to provide vocational training, rehabilitation, or similar services;

(7) Gather and study current information and report at least annually to the governor and legislature on the nature and need for general assistance *and general assistance medical care*, the amounts expended under the supervision of each local agency, and the activities of each local agency and publish such reports for the information of the public;

(8) Report at least annually to the governor and legislature the cost of living in the various counties and metropolitan areas as related to the standards of assistance and the amounts expended for assistance, and make this information available to the public; and

(9) Issue emergency rules necessary to implement the work equity program and promulgate all rules pursuant to chapter 15 necessary to carry out the program so that its demonstrational project may be administered uniformly throughout participating counties. Rules shall be furnished immediately to all local agencies and other interested persons.

Sec. 12. Minnesota Statutes 1978, Section 256D.05, Subdivision 1, is amended to read:

256D.05 [ELIGIBILITY FOR GENERAL ASSISTANCE.]
Subdivision 1. [STANDARDS.] *The commissioner shall establish minimum standards of assistance for general assistance, and those minimum standards of assistance shall not be lower for an individual sharing a place of residence with another person unless that person is a responsible relative who is also eligible for general assistance. The minimum standards of assistance shall determine the total amount of the general assistance grant without separate standards for shelter, utilities or basic needs and shall not be less than the combined total of the minimum standards of assistance for shelter and basic needs in effect on July 1, 1980. The minimum standards may require higher payments for persons who are not able to accept suitable employment due to advanced age, a physical or mental impairment expected to continue for one or more months, or other determinable cause defined in rules promulgated by the commissioner. The minimum standards of assistance shall authorize the payment of rates negotiated by local agencies for recipients living in a room and board arrangement. In order to maximize the use of federal funds, the commissioner shall promulgate rules, to the extent permitted by federal law for eligibility for the emergency assis-*

tance program, under the terms of sections 256D.01 to 256D.18 for general assistance. The commissioner shall provide by rule for the eligibility for general assistance of persons with seasonal income, and may attribute seasonal income to other periods not in excess of one year from receipt by an applicant or recipient. Each person or family whose income and resources are less than the standard of assistance established by the commissioner shall be eligible for and entitled to general assistance; provided that no individual shall be eligible for general assistance if he is eligible for any of the following federally aided assistance programs: emergency assistance, aid to families with dependent children, or any successor to the above.

Sec. 13. Minnesota Statutes 1978, Section 256D.06, Subdivision 1, is amended to read:

256D.06 [AMOUNT OF ASSISTANCE.] Subdivision 1. General assistance shall be granted in such an amount that when added to the nonexempt income actually available to the individual or family, the total amount equals the applicable standard of assistance established by the commissioner for general assistance. *In determining eligibility for and the amount of assistance the local agency shall disregard the first \$50 of earned income per month.*

Sec. 14. Minnesota Statutes 1978, Section 256D.06, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding the provisions of subdivision 1, a grant of general assistance (MAY) *shall be made to an eligible individual or family (FOR ONE OR MORE ITEMS ENCOMPASSED WITHIN THE DEFINITION OF GENERAL ASSISTANCE) for an emergency need, as defined in rules promulgated by the commissioner, where the applicant or recipient requests temporary assistance not exceeding 30 days (AND) if an emergency situation appears to exist (IF) and the individual is ineligible for the federally aided program of emergency assistance. If an applicant or recipient relates facts to the local agency which may be sufficient to constitute an emergency situation, the local agency shall advise the applicant or recipient of the procedure for applying for assistance pursuant to this subdivision.*

Sec. 15. Minnesota Statutes 1978, Section 256D.06, is amended by adding a subdivision to read:

Subd. 3. *When a general assistance grant is used to pay a negotiated rate for a recipient living in a room and board or congregate care arrangement, the allowance for clothing and personal needs shall not be less than that authorized for a medical assistance recipient pursuant to section 256B.35.*

Sec. 16. Minnesota Statutes, 1979 Supplement, Section 256D.07, is amended to read:

256D.07 [TIME OF PAYMENT OF ASSISTANCE.] *Subdivision 1.* An applicant for general assistance or *general assistance* medical care authorized by section 256D.03, subdivision 3 shall be deemed presumptively eligible if his application on its face demonstrates that he is within the eligibility criteria established by (LAWS 1973, CHAPTER 650, ARTICLE 21) *sections 256D.05 and 256D.06* and any applicable rules (AND REGULATIONS) of the commissioner. The application shall be in writing in the manner and upon the form prescribed by the commissioner and verified by the oath of the applicant or in lieu thereof shall contain the following declaration which shall be signed by the applicant: "I declare that this application has been examined by me and to the best of my knowledge and belief is a true and correct statement of every material point." General assistance shall be immediately granted to such presumptively eligible applicant without the necessity of first securing action by the board of the local agency.

If upon verification and due investigation it appears that the applicant provided false information and the false information materially affected his eligibility for general assistance or *general assistance* medical care provided pursuant to section 256D.03, subdivision 3 or the amount of his general assistance grant, the local agency may refer the matter to the county attorney. The county attorney may commence a criminal prosecution or a civil action for the recovery of any general assistance wrongfully received, or both.

Subd. 2. General assistance payments shall not be reduced on the basis of the availability of nonexempt earned income during the first month in which nonexempt earned income is available to a recipient.

Sec. 17. Minnesota Statutes, 1979 Supplement, Section 256D.08, subdivision 1, is amended to read:

256D.08 [EXCLUSION FROM RESOURCES.] *Subdivision 1.* In determining eligibility of a family or individual there shall be excluded the following resources:

(1) *Real or personal property (WHICH DOES NOT EXCEED THAT PERMITTED) or liquid assets which do not exceed those permitted* under the federally aided assistance program known as aid to families with dependent children; (PROVIDED, HOWEVER, THAT THE COMMISSIONER MAY PROVIDE BY RULE AND REGULATION MORE RESTRICTIVE ELIGIBILITY STANDARDS AND LEVELS OF PAYMENT FOR GENERAL ASSISTANCE IF IT IS DETERMINED THAT FUNDS AVAILABLE ARE NOT ADEQUATE TO MEET PROJECTED NEED;) and

(2) Other property (, INCLUDING REAL OR PERSONAL PROPERTY USED AS A HOME,) which has been determined,

in accordance with and subject to limitations contained in rules (AND REGULATIONS) promulgated by the commissioner, to be essential to the family or individual as a means of self-support or self-care or which is producing income that is being used for the support of the individual or family. The commissioner shall further provide by rule (AND REGULATION) for those situations in which property *not excluded under this subdivision* may be retained by the family or individual where there is a reasonable probability that in the foreseeable future the property will be used for the self-support of the individual or family; and

(3) Payments, made pursuant to litigation and subsequent appropriation by the United States Congress, of funds to compensate members of Indian tribes for the taking of tribal land by the federal government.

Sec. 18. Minnesota Statutes 1978, Section 256D.08, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding any other provision of (LAWS 1973, CHAPTER 650, ARTICLE 21) *sections 256D.01 to 256D.-18*, the commissioner shall provide by rule (AND REGULATION) for the exclusion of property from the determination of eligibility for general assistance when it appears likely that the need for general assistance will not exceed 30 days (AND) *or an undue hardship would be imposed on an individual or family by the forced disposal of (SUCH) the property.*

Sec. 19. Minnesota Statutes 1978, Section 256D.09, Subdivision 1, is amended to read:

256D.09 [FORM OF PAYMENT; VENDOR PAYMENTS.] Subdivision 1. All grants of general assistance shall be paid in cash and (WITH SUCH FREQUENCY AS THE COMMISSIONER SHALL DETERMINE. THE COMMISSIONER MAY PROVIDE BY RULE AND REGULATION FOR THE MAKING OF GENERAL ASSISTANCE PAYMENTS IN DIFFERENT TIME PERIODS FOR VARIOUS REASONABLE CLASSIFICATIONS OF RECIPIENTS), *subsequent to the initial grant, shall be paid once per month on the first day of the month.*

Sec. 20. Minnesota Statutes 1978, Section 256D.10, is amended to read:

256D.10 [HEARINGS PRIOR TO REDUCTION; TERMINATION; SUSPENSION OF GENERAL ASSISTANCE GRANTS.] No grant of general assistance except one made pursuant to sections 256D.06, subdivision 2 or 256D.08, subdivision 2, shall be reduced, terminated or suspended unless the recipient receives notice and is afforded an opportunity to be heard prior to any action by the local agency.

Nothing herein shall deprive a recipient of his right to full administrative and judicial review of an order or determination of a local agency as provided for in section (256D.12) 256.045 subsequent to any action taken by a local agency after a prior hearing.

Sec. 21. Minnesota Statutes 1978, Section 256D.11, Subdivision 2, is amended to read:

Subd. 2. The local agency shall provide (A GENERAL ASSISTANCE) *opportunities for work (PROGRAM), training and vocational counseling services* for persons who qualify for assistance but who are unable to gain *suitable* employment through the state employment service (OF THE COMMISSIONER) *or through their own initiative*. Local agencies shall adopt a list of work priorities to be met through the employment of eligible recipients when such recipients are *determined, in accordance with rules promulgated by the commissioner, to be unable to gain suitable* employment through the state employment service or through their own initiative. *Upon a determination that a recipient is unable to gain suitable employment through the state employment service or through his own initiative,* the local agency may assign the recipient such work *or training program* as he is able to perform but which is not that ordinarily performed and which would supplement but not replace projects which are ordinarily performed by regular employees of the county.

Sec. 22. Minnesota Statutes 1978, Section 256D.11, Subdivision 3, is amended to read:

Subd. 3. General assistance (WORK PROGRAM) recipients *assigned to a local agency work or training program* shall be paid at the same wage rates as county employees doing similar work, and the number of hours of work assigned to a recipient shall be determined by the needs of himself and his family including expenses incidental to his employment.

Sec. 23. Minnesota Statutes 1978, Section 256D.11, Subdivision 4, is amended to read:

Subd. 4. The commissioner or a local agency may contract with the federal government, or with any department, agency, subdivision or instrumentality of the state, or with any nonprofit organization approved by the commissioner of public welfare for (THE SERVICES OF GENERAL ASSISTANCE) work (PROGRAM RECIPIENTS), *training and vocational counseling services for participants* on such terms and conditions as may be agreed upon, with or without consideration paid to the local agency. In a county where the work equity program is in operation, the commissioner shall have the sole authority to contract with the federal government and with any other state department, and no consideration shall be paid to the local agency, except for consideration attributable to additional administration

expenses. The contract agreed upon by the commissioner shall provide for the necessary methods of funding work equity program jobs, which methods may include a transfer of state and local agency general assistance grant moneys directly to the governor's manpower office. The contract may provide that an intended recipient may receive a pay check equal to or greater than his designated amount of assistance instead of receiving his grant.

Sec. 24. Minnesota Statutes 1978, Section 256D.11, subdivision 5, is amended to read:

Subd. 5. General assistance *local agency work and training* program (RECIPIENTS) *participants* are employees of the local agencies within the meaning of workers' compensation laws, but not retirement or civil service laws.

Sec. 25. Minnesota Statutes 1978, Section 256D.11, Subdivision 6, is amended to read:

Subd. 6. No person shall be required to register with the commissioner of economic security if he is:

- (1) A person with illness, incapacity, or advanced age;
- (2) A child attending a school or college full time;
- (3) A person whose presence in the home on a substantially continuous basis is required because of the illness or incapacity of another member of the household;
- (4) A person who has been referred to or applied for a work training, work experience, vocational rehabilitation or other (SUCH SIMILAR) *employment related educational* program; provided that the period of time such person is exempted from the registration requirements of subdivision 1, while awaiting acceptance into such program, does not exceed (30) 60 days; (OR)
- (5) An adult member of a household with children in which another adult is employed full time or has registered with the state employment service or been accepted in a work training program; or
- (6) A person exempted by the local agency.

Sec. 26. Minnesota Statutes 1978, Section 256D.11, Subdivision 7, is amended to read:

Subd. 7. Any person who objects to being required to register with the commissioner of economic security shall be entitled to

a prior hearing in accord with the provisions of section 256D.10 on the issue of whether such person comes within the exemptions contained in subdivision 6 (, CLAUSE (1), (2), (3), OR (4)).

Sec. 27. Minnesota Statutes 1978, Section 256D.11, Subdivision 8, is amended to read:

Subd. 8. (1) Any *nonexempt* person who refuses to accept suitable employment, *vocational counseling or training* when offered him shall lose his eligibility for general assistance *for the period in which his refusal continues* and, if a member of a family receiving general assistance, that portion of the grant attributable to said person shall not be paid.

The commissioner may further provide by rule (AND REGULATION) that vendor payments may be made with respect to any family in which a person who is obligated to accept suitable employment *and training* has refused to do so.

(2) The provisions of section 256D.10 providing for notice and opportunity to be heard prior to a decision to reduce, suspend or terminate benefits shall be applicable to determinations made under clause (1).

Sec. 28. Minnesota Statutes 1978, Section 256D.11, Subdivision 9, is amended to read:

Subd. 9. The commissioner *and the local agencies* shall establish procedures to insure that any recipient of general assistance desiring to improve his ability to support himself and his family shall be promptly referred to the department of economic security or any other agency, public or private, operating a work training, work experience, vocational rehabilitation or other similar program. *The commissioner of economic security shall assure that at least the same level of services and agency efforts are available to general assistance recipients as are available to unemployment compensation recipients who register for work pursuant to section 268.08, subdivision 1, clause (1).*

Sec. 29. Minnesota Statutes 1978, Section 256D.13, Subdivision 1, is amended to read:

256D.13 [MANDAMUS TO COMPEL PAYMENT OF GENERAL ASSISTANCE.] Subdivision 1. Notwithstanding the provisions of section (256D.12) *256.045* providing for administrative and judicial review of local agency determinations, a person denied general assistance by the local agency may apply to the district court of the county in which his application was filed and the district court shall order the payment of general assistance if the person establishes:

(1) The substantial likelihood that he is eligible for and entitled to general assistance, and

(2) The person or family will suffer irreparable injury if general assistance is not granted without delay.

Sec. 30. Minnesota Statutes 1978, Section 256D.16, is amended to read:

256D.16 [GENERAL ASSISTANCE TO BE ALLOWED AS CLAIM IN PROBATE COURT.] On the death of any person who received any general assistance under (LAWS 1973, CHAPTER 650, ARTICLE 21) *sections 256D.01 to 256D.18*, or on the death of the survivor of a married couple, either or both of whom received general assistance, the total amount paid as general assistance to either or both, without interest, shall be allowed as a claim against the estate of such person or persons by the court having jurisdiction to probate the estate.

Sec. 31. Minnesota Statutes 1978, Section 256D.18, Subdivision 2, is amended to read:

Subd. 2. "County of financial responsibility" means (a) the county in which an individual resides; or (b) (IF) *when an individual is a patient in a hospital or nursing home, as defined in sections 144.50, or 144A.01 or is placed in a county as a result of a correctional program or a treatment plan for health, rehabilitation, foster care, child care or training, at the time of making application, (AND IMMEDIATELY PRIOR THERETO RESIDED IN ANOTHER COUNTY, THEN THAT OTHER COUNTY; OR (C) THE ABOVE PROVISIONS NOTWITHSTANDING, IF AN INDIVIDUAL IS A RECIPIENT OF MEDICAL ASSISTANCE, THE COUNTY FROM WHICH HE IS RECEIVING MEDICAL ASSISTANCE) then the county in which the individual resided immediately prior thereto.*

Sec. 32. Minnesota Statutes 1978, Section 256D.18, Subdivision 4, is amended to read:

Subd. 4. If upon investigation the local agency decides that the application was not filed in the county of financial responsibility as defined by this section, but that the applicant is otherwise eligible for assistance, it shall, while providing assistance to the applicant, transmit a copy of the application, together with the record of any investigation made by it and a copy of its decision, to the state agency, and to the agency of the county which it has decided is the county of financial responsibility. The state agency shall thereupon promptly decide any question of financial responsibility and make an order referring the application to the local agency of the proper county for further action, including reimbursement by such county of

any assistance which another county has provided to the applicant in accordance with this subdivision. The state agency may make such investigation as it deems proper before making its decision. It shall prescribe rules (AND REGULATIONS) for carrying into effect this subdivision. The order of the state agency shall be binding upon the local agency involved and the applicant or recipient, shall be complied with by that agency unless reversed on appeal as provided in (LAWS 1973, CHAPTER 650, ARTICLE 21) *section 256.045*, and shall be so complied with pending any such appeal."

Further, delete the title and insert:

"A bill for an act relating to welfare; clarifying certain provisions of the general assistance medical care program; authorizing higher general assistance payments for persons determined to be unemployable; making various other changes in the general assistance program; amending Minnesota Statutes 1978, Sections 256D.01; 256D.02, Subdivisions 4, 9, 10, 11, 12, and by adding a subdivision; 256D.03, Subdivisions 1 and 3; 256D.04; 256D.05, Subdivision 1; 256D.06, Subdivisions 1 and 2, and by adding a subdivision; 256D.08, Subdivision 2; 256D.09, Subdivision 1; 256D.10; 256D.11, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 256D.13, Subdivision 1; 256D.16; and 256D.18, Subdivisions 2 and 4; and Minnesota Statutes, 1979 Supplement, Sections 256D.03, Subdivision 2; 256D.07, and by adding a subdivision; and 256D.08, Subdivision 1."

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

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1612, A bill for an act relating to agriculture; providing for agricultural preserves; providing property tax relief; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CITATION; POLICY; PURPOSE.] Subdivision 1. Sections 2 to 19 may be cited as the "metropolitan agricultural preserves act".

Subd. 2. It is the policy of the state to encourage the use and improvement of its agricultural lands for the production of food and other agricultural products. It is the purpose of sections 2 to 19 to provide an orderly means by which lands in the metro-

politan area designated for long term agricultural use through the local and regional planning processes will be taxed in an equitable manner reflecting the long term singular use of the property, will be protected from unreasonably restrictive local and state regulation of normal farm practices, will be protected from indiscriminate and disruptive taking of farmlands through eminent domain actions, will be protected from the imposition of unnecessary special assessments, and will be given such additional protection and benefits as are needed to maintain viable productive farm operations in the metropolitan area.

Sec. 2. [DEFINITIONS.] Subdivision 1. For purposes of sections 2 to 19 the terms defined in this section shall have the meanings given them.

Subd. 2. "Agricultural preserve" or "preserve" means a land area covenanted according to section 5 to remain in agricultural use.

Subd. 3. "Agricultural use" means the production for sale of livestock, dairy animals, dairy products, poultry and poultry products, fur bearing animals, horticultural and nursery stock which is under Minnesota Statutes, Sections 18.44 to 18.61, fruit of all kinds, vegetables, forage, grains, bees and apiary products, and wetlands, pasture and woodlands.

Subd. 4. "Authority" means the unit of government exercising planning and zoning authority for the land specified in an application as provided under section 5 and pursuant to Minnesota Statutes, Sections 394.21 to 394.37, 462.351 to 462.364, or 366.10 to 366.19. Where both a county and a township have adopted zoning regulations, the authority shall be the unit of government designated to prepare a comprehensive plan pursuant to Minnesota Statutes, Section 473.861, Subdivision 2.

Subd. 5. "Certified long term agricultural land" means land certified pursuant to section 4 as eligible for designation as agricultural preserves.

Subd. 6. "Covenant agreement" means a restrictive covenant initiated by the owner and evidenced by an agreement provided for in section 5 whereby the owner places the limitations on specified land and receives the protections and benefits contained in sections 2 to 19.

Subd. 7. "Long term agricultural land" means land in the metropolitan area designated for agricultural use in local or county comprehensive plans adopted and reviewed pursuant to Minnesota Statutes, Sections 473.175, and 473.851 to 473.871, and which has been zoned specifically for agricultural use permitting a maximum residential density of not more than one unit per quarter/quarter.

Subd. 8. "Metropolitan area" has the meaning given it in Minnesota Statutes, Section 473.121, Subdivision 2.

Subd. 9. "Owner" means a resident of the United States owning land specified in an application pursuant to section 5, and includes an individual, legal guardian or family farm corporation as defined in Minnesota Statutes, Section 500.24, having a joint or common interest in the land. Where land is subject to a land contract, owner means the vendor in agreement with the vendee.

Subd. 10. "Quarter/quarter" means one quarter of one quarter of any section in the rectangular land survey system.

Sec. 3. [ELIGIBILITY.] Subdivision 1. Long term agricultural land comprising 40 or more acres shall be eligible for designation as an agricultural preserve.

Subd. 2. Noncontiguous parcels may be included to achieve the minimum acreage requirement in subdivision 1, provided that each parcel is at least ten acres in size and provided that all separate parcels are farmed together as a unit.

Subd. 3. The minimum acreage requirement in subdivision 1 may be reduced to 35 acres provided the land is a single quarter/quarter parcel and the amount less than 40 acres is due to a public road right-of-way or a perturbation in the rectangular survey system resulting in a quarter/quarter of less than 40 acres.

Subd. 4. Contiguous long term agricultural land comprising not less than 20 acres and surrounded by eligible land on not less than two sides shall be eligible for designation as an agricultural preserve provided the authority by resolution determines that: (i) the land area predominantly comprises Class I, II, III, or is irrigated Class IV land according to the Land Capability Classification Systems of the Soil Conservation Service and the county soil survey; (ii) the land area is considered by the authority to be an essential part of the agricultural region; and (iii) the parcel was a parcel of record prior to January 1, 1980, or the land was an agricultural preserve prior to becoming a separate parcel of at least 20 acres.

Subd. 5. Contiguous long term agricultural land meeting the total acreage requirements of this section but located in two or more minor civil divisions so that the minimum acreage requirement is not met in one or more of the minor civil divisions shall be eligible by joint resolution of the affected authorities.

Sec. 4. [CERTIFICATION.] Subdivision 1. On or before January 1, 1981 each authority in the metropolitan area having land classified agricultural pursuant to Minnesota Statutes, Section 273.13 shall certify by resolution and appropriate maps

which lands, if any, are eligible for designation as agricultural preserves. Maps shall be in sufficient detail to identify eligible lands by property boundaries. Notification of the certification shall be published in a newspaper having a general circulation within the area of jurisdiction of the authority. No additional lands shall qualify for designation as agricultural preserves until the authority certifies qualification.

Subd. 2. Land shall cease to be eligible for designation as an agricultural preserve when the comprehensive plan and zoning for the land have been officially amended so that the land is no longer planned for long term agricultural use and is no longer zoned for long term agricultural use, evidenced by a maximum residential density permitting more than one unit per 40 acres. When such changes have been made, the authority shall certify by resolution and appropriate maps which lands are no longer eligible. Notification of the decertification shall be published in a newspaper having a general circulation within the area of jurisdiction of the authority.

Subd. 3. The authority shall provide the metropolitan council with suitable maps showing any lands certified eligible pursuant to subdivision 1 or decertified pursuant to subdivision 2. The metropolitan council shall maintain maps of the metropolitan area showing all certified long term agricultural lands.

Sec. 5. [APPLICATION; COVENANT AGREEMENT.]

Subdivision 1. An owner or owners of certified long term agricultural land may apply for the creation of an agricultural preserve at any time. Land for which application is received prior to March 1 of any year shall be assessed pursuant to section 10 for taxes payable in the following year. Land for which application is received on or after March 1 of any year shall be assessed pursuant to section 10 in the following year. Application shall be made to the authority for the specified land area. Application shall be made on forms provided by the commissioner of agriculture and shall require at least the following information and such other information as the commissioner deems necessary for the lawful fulfillment of the provisions of sections 2 to 19.

(a) Legal description of the area proposed to be designated or parcel identification numbers as designated by the county auditor;

(b) Name and address of owner;

(c) An affidavit by the authority evidencing that the land is certified long term agricultural land at the date of application;

(d) A witnessed signature of the owner covenanting that the land shall be kept in agricultural use, and shall be used in accor-

dance with the provisions of sections 2 to 19 which exist on the date of application;

(e) A statement that the restrictive covenant shall be binding on the owner or his successor, assignee, and shall be an easement running with the land;

(f) Date of application and date that designation is effectuated.

Subd. 2. The authority may require an application fee, not to exceed \$50, to defray administrative costs.

Sec. 6. [NOTIFICATION.] Subdivision 1. Within five days of the date of application, the authority shall forward copies of the completed and signed application to the county recorder, the county auditor, the county assessor, the metropolitan council, and the county soil and water conservation district.

Subd. 2. The county recorder shall file and record the restrictive covenant.

Subd. 3. The county auditor, for taxes payable in the following year and thereafter for the duration of the preserve shall determine mill rates, assessments and taxes involving the preserve according to the provisions of section 10.

Subd. 4. The county assessor for taxes payable in the following calendar year and thereafter for the duration of the preserve shall value and assess the agricultural preserve according to section 10.

Subd. 5. The metropolitan council shall maintain agricultural preserve maps of suitable form, illustrating (a) certified long term agricultural lands; and (b) lands covenanted as agricultural preserves. The council shall make yearly reports of such data to the state planning agency and such other agencies as the council deems appropriate.

Subd. 6. County auditors shall maintain records of the taxes assessed and paid on agricultural preserves in a manner prescribed by the commissioner of revenue for the orderly monitoring of the program.

Subd. 7. The county soil and water conservation district may prepare an advisory statement of existing and potential conservation problems for the agricultural preserve land. The statement shall be forwarded to the owner of record and a copy of the statement shall be forwarded to the authority.

Sec. 7. [COMMENCEMENT OF PRESERVE.] A land area shall be deemed an agricultural preserve and subject to all

the benefits and restrictions of sections 2 to 19 commencing 30 days from the date of application.

Sec. 8. [DURATION.] Subdivision 1. Agricultural preserves shall continue until either the landowner or the authority initiates expiration as provided in this section.

Subd. 2. A landowner may initiate expiration by notifying the authority on a form provided by the commissioner of agriculture. The notice shall describe the property for which expiration is desired and shall state the date of expiration which shall be at least eight years from the date of notice. The notice and expiration may be rescinded by the owner at any time during the first two years following notice.

Subd. 3. The authority may initiate expiration by notifying the landowner by registered letter on a form provided by the commissioner of agriculture, provided that before notification (i) the comprehensive plan and the zoning for the land have been officially amended so that the land is no longer planned for long term agriculture and is no longer zoned for long term agriculture, evidenced by a maximum residential density permitting more than one unit per quarter/quarter, and (ii) the authority has certified such changes pursuant to section 4, subdivision 2. The notice shall describe the property for which expiration is desired and shall state the date of expiration which shall be at least eight years from the date of notice.

Subd. 4. Upon receipt of the notice provided in subdivision 2, or upon notice served by the authority as provided in subdivision 3, the authority shall notify the county recorder, county auditor, county assessor, the metropolitan council, and the county soil and water conservation district and shall state the date of expiration. Designation as an agricultural preserve and all benefits and limitations accruing through sections 2 to 19 for the preserve shall cease on the date of expiration.

Sec. 9. [EARLY TERMINATION.] Termination of an agricultural preserve earlier than a date derived through application of section 8 may be permitted only in the event of a public emergency upon petition from the owner or authority to the governor. The determination of a public emergency shall be by the governor through executive order pursuant to Minnesota Statutes, Sections 4.035 and 12.01 to 12.46. The executive order shall identify the preserve, the reasons requiring the action and the date of termination.

Sec. 10. [AD VALOREM PROPERTY TAXES.] Subdivision 1. Real property within an agricultural preserve shall be valued and assessed pursuant to Minnesota Statutes, Chapter 273, except as provided in this section.

Subd. 2. All land classified agricultural and in agricultural use, exclusive of buildings, shall be valued solely with reference

to its agricultural capability value, notwithstanding Minnesota Statutes, Sections 272.03, Subdivision 8, and 273.11. Agricultural capability value shall be determined in a manner prescribed by the commissioner of revenue for this purpose. Factors that shall be considered when applicable are rent capitalization, crop equivalency rating, climate, soils, distance from market, normal farm practices, crops, commodity prices, transportation costs, and interest rates. Added value from nonagricultural factors shall not be considered.

Subd. 3. (a) After the assessor has determined the market value of all land valued according to subdivision 2, he shall compute the assessed value of those properties by applying the appropriate classification percentages. When the county auditor computes the rate of tax pursuant to Minnesota Statutes, Section 275.09, he shall include the assessed value of land as provided in this clause.

(b) The county auditor shall compute the original ad valorem property taxes on lands valued according to subdivision 2 and nonresidential buildings by multiplying the assessed value times the total rate of tax for all purposes as provided in clause (a).

(c) The county auditor shall then compute the maximum ad valorem property tax on lands valued according to subdivision 2 and nonresidential buildings by multiplying the assessed value times 105 percent of the previous year's statewide average township mill rate for all purposes.

(d) The tax due and payable by the owner of preserve land valued according to subdivision 2 and nonresidential buildings is the amount determined in clause (b) or (c), whichever is less. If the gross tax in clause (c) is less than the gross tax in clause (b), the state shall reimburse the taxing jurisdictions for the amount of difference.

The county auditor shall certify to the commissioner of revenue on or before June 1, 1982, and each year thereafter, the total amount of tax lost to the taxing jurisdictions located within his county as a result of this subdivision. Payments shall be made by the state annually on July 15, 1982 and each year thereafter to each of the affected taxing jurisdictions. There is annually appropriated from the general fund in the state treasury to the commissioner of revenue an amount sufficient to make the reimbursement provided in this subdivision.

Sec. 11. [LIMITATION ON CERTAIN PUBLIC PROJECTS.] Notwithstanding Minnesota Statutes, Chapter 429, construction projects for public sanitary sewer systems and public water systems benefiting land or buildings in agricultural preserves shall be prohibited. New connections between land or buildings in agricultural preserves and sanitary sewers or wa-

ter systems shall be prohibited. Public sanitary sewer or water systems built in the vicinity of agricultural preserves are deemed of no benefit to the land and buildings in agricultural preserves.

Sec. 12. [PROTECTION FOR NORMAL FARM PRACTICES.] Local governments and counties shall be prohibited from enacting ordinances or regulations within an agricultural preserve which would unreasonably restrict or regulate normal farm structures or farm practices in contravention of the purpose of sections 2 to 19 unless the restriction or regulation bears a direct relationship to the public health and safety. This section shall apply to the operation of farm vehicles and machinery in the planting, maintenance and harvesting of crops and in the care and feeding of farm animals, the type of farming, and the design of farm structures, exclusive of residences.

Sec. 13. [STATE AGENCIES TO BE SUPPORTIVE.] Subdivision 1. It shall be the policy of all state agencies to encourage the maintenance of viable farming in agricultural preserves.

Subd. 2. The joint legislative committee on agricultural and forest land shall undertake a study of state agency regulations which negatively affect long term agricultural lands. The committee shall identify any state regulations which have the effect of favoring nonagricultural development and adversely affecting the long term nature of farming in an agricultural preserve. For any regulations so identified, the committee shall propose modifications for application to agricultural preserves that would be supportive of agriculture as the primary and long term use of land within an agricultural preserve while maintaining the statutory objective to protect the health, safety, and welfare of the public. The committee shall make a report on this study to the legislature by January 1, 1982.

Subd. 3. The joint committee shall study at least the following state agency rules and regulations:

APC6, preventing particulate matter from becoming airborne;

APC8, open burning;

APC9, control of odors in ambient air;

APC29, standards of performance for grain handling facilities;

SW54, location requirements for livestock feedlots, poultry lots, and other animal lots;

SW55, nonconforming feedlots;

WPC40, regulation for the administration of municipal facilities assistance program and the Minnesota state water pollution control fund and federal grant funds allotted to Minnesota;

6MCAR 3, routing high voltage transmission lines and siting large electric power generating plants.

Sec. 14. [ANNEXATION PROCEEDINGS.] Agricultural preserve land within a township shall not be annexed to a municipality pursuant to Minnesota Statutes, Chapter 414, without a specific finding by the Minnesota municipal board that either (a) the expiration period as provided for in section 8 has begun; (b) the surviving unit of government due to size, tax base, population or other relevant factors would not be able to provide normal governmental functions and services; or (c) the agricultural preserve would be completely surrounded by lands within a municipality.

This section shall not apply to annexation agreements approved by the Minnesota municipal board prior to creation of the preserve.

Sec. 15. [EMINENT DOMAIN ACTIONS.] Subdivision 1. Any agency of the state, any public benefit corporation, any local, county or regional unit of government, or any other entity possessing powers of eminent domain under Minnesota Statutes, Chapter 117, shall follow the procedures contained in this section before (1) moving to acquire any land or easement having a gross area over ten acres in size within agricultural preserves and on certified long term agricultural land; or (2) moving to advance a grant, loan, interest subsidy or other funds for the construction of dwellings, commercial or industrial facilities, or water or sewer facilities that could be used to serve nonfarm structures within agricultural preserves and on certified long term agricultural land.

Subd. 2. Notice of intent shall be filed with the environmental quality board 60 days prior to such action containing information and in the manner and form required by the environmental quality board. The notice of intent shall contain a report justifying the proposed action, including an evaluation of alternatives which would not require acquisition within agricultural preserves and on certified long term agricultural land.

Subd. 3. The environmental quality board, in consultation with affected units of government, shall review the proposed action to determine the effect on the preservation and enhancement of agriculture and agricultural resources within the preserves and on certified long term agricultural land, and the relationship to local and regional comprehensive plans.

Subd. 4. The environmental quality board shall issue an order within the 60 day period for the party to desist from such action for an additional 60 day period.

Subd. 5. During the additional 60 day period, the environmental quality board shall hold a public hearing pursuant to the contested case provisions of Chapter 15 concerning the proposed action at a place within the preserve or otherwise easily accessible to the preserves and on certified long term agricultural land upon notice in a newspaper having a general circulation within the area of the preserves and on certified long term agricultural land, and individual notice, in writing, to the municipalities whose territory encompasses the preserves and on certified long term agricultural land, and the agency, corporation or government proposing to take the action, to any public agency having the power of review of or approval of the action, and in a manner conducive to the wide dissemination of the findings to the public.

Subd. 6. The review process required in this section may be conducted jointly with any other environmental impact review conducted by the environmental quality board.

Subd. 7. The environmental quality board may request the attorney general to bring an action to enjoin any agency, corporation or government from violating the provisions of this section.

Subd. 8. This section shall not apply to an emergency project which is immediately necessary for the protection of life and property.

Subd. 9. The environmental quality board shall suspend any eminent domain action indefinitely when, it determines it is contrary to the purposes of sections 2 to 19 and for which it determines there are reasonable and cost effective alternatives which have less negative impact on the agricultural preserves and on certified long term agricultural land.

Sec. 16. [CONSERVATION.] Subdivision 1. Land within an agricultural preserve shall be farmed and otherwise managed according to sound soil and water conservation management practices. Management practices which are not sound shall be any use of the land resulting in wind or water erosion in excess of the soil loss tolerance for each soil type as found in the United States soil conservation service, Minnesota technical guide.

Subd. 2. The authority shall be responsible for enforcing this section. Upon receipt of a written complaint stating the conditions or land management practices which are believed to be in violation of this section, the authority shall consult with

the county soil and water conservation district. The district shall determine the average soil loss in tons per acre per year for each field cited in the complaint according to the universal soil loss equation and the wind erosion equation, and shall return to the authority a report showing the average soil loss in tons per acre per year for each field and a list of alternative practices that the landowner can use to reduce the soil loss to the limit allowed in subdivision 1. After consultation, and if in the judgment of the authority there is ample evidence that the land is not being managed properly as required by this section, the authority shall adopt a resolution to this effect and shall seek corrective measures from the owner. At the request of the landowner, the district shall assist in the planning, design and application of the practices selected to reduce the soil loss to an acceptable level and shall give such landowners a high priority for providing technical and cost share assistance.

Subd. 3. Any owner who fails to implement corrective measures to the satisfaction of the authority within one year of notice from the authority shall be subject to a fine of not more than \$1,000. The authority may recover the penalty by a civil action in a court of competent jurisdiction.

Subd. 4. Costs incurred by the authority in the enforcement of this section may be charged to the property owner. Charges not timely paid may be placed on the tax rolls and collected as a special assessment against the property.

Sec. 17. [LAND USE.] Subdivision 1. Land within an agricultural preserve shall be maintained for agricultural production. The average maximum density of residential structures within an agricultural preserve shall not exceed one unit per 40 acres. The location of any new structure shall conform to locally applicable zoning regulations. Commercial and industrial uses shall not be permitted except that small on-farm commercial or industrial operations normally associated with and important to farming in the area may be permitted by the authority. The authority shall be responsible for enforcing this section.

Subd. 2. When a separate parcel is created for a residential structure permitted under subdivision 1, the parcel shall cease to be an agricultural preserve unless the eligibility requirements of section 3 are met. However, the residential unit shall continue to be included in the maximum residential density for the original preserve.

Sec. 18. [TRANSFER FROM AGRICULTURAL PROPERTY TAX LAW TREATMENT.] When land which has been receiving the special agricultural valuation and tax deferment provided in Minnesota Statutes, Section 273.111, becomes an agricultural preserve pursuant to sections 2 to 19, the recapture of deferred tax and special assessments, as provided in Minne-

sota Statutes, Section 273.111, Subdivisions 9 and 11, shall not be made. Special assessments deferred under Minnesota Statutes, Section 273.111, at the date of commencement of the preserve shall continue to be deferred for the duration of the preserve. All special assessments so deferred shall be payable within 90 days of the date of expiration unless other terms are mutually agreed upon by the authority and the owner. In the event of early termination under section 9, all special assessments plus interest shall be payable within 90 days of the date of termination unless otherwise deferred or abated by executive order of the governor.

Sec. 19. [EFFECTIVE DATE.] This act shall become effective on June 1, 1980."

Further, amend the title as follows:

Page 1, line 2, delete "agriculture" and insert "metropolitan government"

Page 1, line 3, before "agricultural" insert "metropolitan area"

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

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1649, A bill for an act relating to agriculture; providing for testing to measure milk protein; providing for payments for milk protein and nonfat solids; amending Minnesota Statutes 1978, Section 32.25, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 14, delete "and" and insert "or"

Page 2, line 14, after "protein" insert "respectively"

Page 2, line 18, after "When" insert "*the payment is calculated on the basis of milk fat and protein, and*"

Page 2, line 21, after "When" insert "*the payment is calculated on the basis of milk fat and nonfat solids, and*"

Page 2, line 26, after the period insert: "*A dairy plant may buy milk on the basis of only one of the three formulas authorized by this section. When a dairy plant elects to buy milk on the basis of one of these formulas, no producers selling to such dairy plant*"

may be excluded nor may the producer choose to be excluded from this method of purchase."

Page 3, delete lines 19 and 20

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1655, A bill for an act relating to pollution; recognizing the extent and severity of the problem of acid precipitation; appropriating funds and designating state agencies and departments to conduct activities designed to identify, control and abate acid precipitation.

Reported the same back with the following amendments:

Page 1, line 16, after the comma insert "agriculture,"

Page 1, line 19, delete "and" and insert a comma

Page 1, line 19, after "technological" insert "and educational"

Page 2, line 1, delete the first "and"

Page 2, line 3, after "systems" insert ", and educate the public by promoting energy conservation and raising public awareness of the acid precipitation problem"

Page 2, line 5, after "agency" insert ", board,"

Page 2, line 7, after "projects," insert "and public education programs,"

Page 2, line 11, after "precipitation" insert ", as well as educating the general public about the acid precipitation problem"

Page 2, line 17, delete the period and insert a semicolon

Page 2, after line 17 insert:

"4. To the Minnesota department of education for teacher training — \$;

5. To the Minnesota environmental education board for community education — \$"

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

The report was adopted.

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

H. F. No. 1722, A bill for an act relating to taxation; income; property tax refund; deleting obsolete and unnecessary provisions and references; amending Minnesota Statutes 1978, Sections 290.03; 290.07, Subdivision 4; 290.071, Subdivision 1; 290.073; 290.077, Subdivision 4; 290.08, Subdivisions 3, 8 and 13; 290.09, Subdivisions 5, 13 and 25; 290.095, Subdivisions 3 and 8; 290.131, Subdivision 1; 290.18, Subdivision 1; 290.28, Subdivision 3; 290.311, Subdivisions 1 and 2; 290.32; 290.361, Subdivision 2; 290.38; 290.40; 290.49, Subdivision 1; 290.62; 290.65, Subdivisions 2, 7, 9, 13 and 16; 290.92, Subdivisions 2a, 5, 13 and 15; 290.93, Subdivisions 5 and 9; 290.931, Subdivision 1; 290.932, Subdivision 1; 290.936; 290.97; 290.972, Subdivisions 2 and 3; 290A.07, Subdivision 1; Minnesota Statutes, 1979 Supplement, Sections 290.01, Subdivision 20; and 290A.03, Subdivisions 3 and 13; repealing Minnesota Statutes 1978, Sections 290.06, Subdivisions 2b, 3a and 3b; 290.08, Subdivisions 4 and 5; 290.086; 290.087; 290.09, Subdivisions 11 and 20; 290.095, Subdivision 6; 290.31, Subdivision 28; 290.34, Subdivision 4; 290.361, Subdivision 4; 290.363; 290.45, Subdivision 2a; 290.49, Subdivision 9; 290.53, Subdivision 6; 290.65, Subdivisions 8, 14 and 15; 290.66; 290.68; 290.69; 290.93, Subdivision 12; 290.932, Subdivision 5; 290.95; 290.96; and 290.972, Subdivision 7.

Reported the same back with the following amendments:

Page 2, strike lines 13 to 21

Page 2, line 22, strike "31, 1970,"

Page 2, strike lines 29 to 33

Page 3, strike lines 1 to 5

Page 3, line 6, strike "(iv)" and insert "(i)"

Page 3, line 9, strike "(v)" and insert "(ii)"

Page 17, line 26, strike "(a) Proceeds of"

Page 17, strike lines 27 to 33

Strike pages 18, 19 and 20

Page 21, strike lines 1 to 28

Page 21, lines 27 and 28, delete the new language

Page 21, line 31, delete "101(e)" and insert "*The exclusion of certain death benefits shall be determined in accordance with the provision of section 101*"

Page 34, line 23, after the stricken language insert "*of alimony*"

Page 34, line 24, after "applies" insert a comma

Page 44, line 8, delete "ON OR AFTER DECEMBER 31, 1949" and insert "WHILE IN MILITARY SERVICE"

Page 44, line 9, strike "on or after December"

Page 44, line 10, strike "31, 1949,"

Page 63, line 8, after "sections" insert "*and the amendments made in section 1 of this act*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1723, A bill for an act relating to snowmobiles; authorizing use in trapping related activities in certain counties; amending Minnesota Statutes, 1979 Supplement, Section 100.29, Subdivision 30.

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. 1724, A bill for an act relating to labor; exempting seamen from the fair labor standards act; amending Minnesota Statutes, 1979 Supplement, Section 177.23, Subdivision 7.

Reported the same back with the following amendments:

Page 3, line 8, after "seamen" insert "*; the term 'seamen' means a master of a vessel or any person subject to the authority, direction and control of the master including but not limited*

to pilots, sailors, engineers, radio operators, firemen, watchmen, pursers, surgeons, cooks and stewards, who is exempt from federal overtime standards under 29 U.S.C. Section 213 (b) (6)"

With the recommendation that when so amended 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. 1731, A bill for an act relating to labor; regulating certain steam engines and boilers and steam engine and boiler operators; amending Minnesota Statutes 1978, Chapter 183, by adding a section.

Reported the same back with the following amendments:

Page 1, line 16, after "boilers" insert "*when used only for demonstration purposes*"

Page 1, line 17, after "years" insert "*according to law*" and delete "*The inspection of stationary boilers and standards*"

Page 1, delete line 18

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

The report was adopted.

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

H. F. No. 1755, A bill for an act relating to commerce; requiring invoices on certain repairs; amending Minnesota Statutes 1978, Sections 325.972; and 325.976.

Reported the same back with the following amendments:

Page 1, line 10, delete everything after "*repair*"

Page 1, delete lines 11 and 12.

Page 1, line 13, delete new language and insert:

"means warranty work or work performed for a total price of more than \$50, including the price of parts and materials, to restore a malfunctioning, defective or worn motor vehicle, appliance or dwelling place used primarily for personal, family,

or household purposes and not primarily for business or agricultural purposes. "Repairs" do not include service calls or estimates."

Page 2, delete lines 12 and 13 and insert:

"(h) A statement of the symptoms, as described by the customer, for which the repairs were sought."

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Appropriations to which was referred:

H. F. No. 1781, A bill for an act relating to education; providing for aids to education, tax levies and the distribution of tax revenues; granting certain powers and duties to school districts, the commissioner of education, the department of education and others; aid for education of pupils of limited English proficiency; requiring the establishment of local policies to minimize chemical use problems; appropriating money; amending Minnesota Statutes 1978, Sections 120.095, Subdivision 6; 120.10, Subdivision 2; 121.88, by adding a subdivision; 122.22, Subdivisions 2 and 4; 122.23, Subdivisions 9 and 10; 122.25, Subdivision 1; 122.531, by adding subdivisions; 123.11, Subdivision 7; 123.36, by adding a subdivision; 123.39, Subdivision 3; 123.932, Subdivision 9, and by adding a subdivision; 124.20; 124.214, Subdivision 2; 124.572, Subdivision 7; 126.07; 126.36, Subdivision 3; 126.52, Subdivision 5, and by adding a subdivision; 126.54, Subdivisions 5 and 6; 127.09; 127.11; 127.21; 134.03; 134.08; 275.125, Subdivisions 5 and 5a; 354.05, Subdivision 2; Chapter 124, by adding a section; Chapter 125, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 120.075, Subdivision 4, and by adding a subdivision; 121.912, Subdivision 1; 122.541, Subdivision 5; 123.35, Subdivision 15; 124.01; 124.11, Subdivisions 2a and 2b, and by adding a subdivision; 124.19, Subdivision 4; 124.212, Subdivision 7d; 124.223; 124.225; 124.245, Subdivisions 1 and 2; 124.247, Subdivisions 3 and 4; 126.54, Subdivision 1; 124.561, Subdivision 3a; 124.562, Subdivisions 2, 3 and 4; 124.5621, Subdivision 11; 124.5624, Subdivision 6; 124.5625; 124.565, Subdivision 6; 124.566; 124.572, Subdivision 2; 275.125, Subdivisions 2a, 2b, 7a, 7b, 11a and 20; 353.01, Subdivision 2b; 354A.011, Subdivision 27; 465.72; Laws 1979, Chapter 69, Sections 2 and 5; Chapter 334, Article VI, Section 35, Subdivision 9; Article VIII, Section 29; repealing Minnesota Statutes 1978, Sections 122.531, Subdivision 3; 125.61, as amended; 126.31 to 126.35; 126.36, Subdivisions 5 and 6; 126.37; 126.38; 126.39, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8 and 9; 126.40, Subdivisions 1 and 2; 126.41, Subdivisions 2, 3, 4, 5, 6 and 7; 126.42; 126.52, Subdivisions 1, 2, 3, 4, 6 and 7; 127.22; Minnesota Statutes, 1979 Supplement, Sections 124.222, Subdivision 3; 126.39, Subdivision 10; 126.41,

Subdivision 1; 126.52, Subdivision 10; Laws 1979, Chapter 334, Article V, Section 29.

Reported the same back with the following amendment:

Page 37, delete lines 11 to 22

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

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

The report was adopted.

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

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

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 10, before "authorized" insert "an"

Page 1, line 15, delete the first "and"

Page 1, line 20, before "authorized" insert "an"

Page 2, line 3, before "authorized" insert "an"

Page 2, line 11, before "authorized" insert "an"

Page 2, line 12, strike "in person or"

Page 2, line 13, after "business" insert "*unless the commissioner deems it appropriate for service to be made in person*"

Page 2, line 22, delete "underpaid" and insert "unpaid"

Page 2, line 25, delete "liable" and insert "*forfeit and payable to the employees by the commissioner*"

Page 2, line 25, delete "underpaid" and insert "unpaid"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1887, A bill for an act relating to commerce; regulating water conditioning installers and contractors; providing a state bonding and insurance procedure; amending Minnesota Statutes 1978, Chapter 326, by adding a section.

Reported the same back with the following amendments:

Page 2, after "[INSURANCE.]" insert "(a)"

Page 2, line 16, delete "The" and insert "*Except as provided in clause (b),*"

Page 2, line 23, after "commissioner." insert:

"(b) An applicant who is self-insured in the amounts specified in clause (a) shall be deemed to meet the insurance requirements mandated by this subdivision. Each self-insured licensed water conditioning contractor or installer shall maintain on file with the state commissioner of health a certificate evidencing the self-insurance. The self-insurance shall not be cancelled without the licensee first giving 15 days written notice to the commissioner."

With the recommendation that when so amended the bill pass.

The report was adopted.

Nelson from the Committee on Energy and Utilities to which was referred:

H. F. No. 1927, A bill for an act relating to energy; modifying certain planning and zoning statutes to remove barriers to biomass energy production; amending Minnesota Statutes, 1979 Supplement, Sections 394.25, Subdivision 3; and 394.27, Subdivision 7; 462.357, Subdivisions 1 and 6.

Reported the same back with the following amendments:

Page 2, line 11, after "provision" insert "adopted pursuant to this subdivision"

Page 4, line 4, after "regulation" insert "adopted pursuant to this subdivision"

Page 5, after line 31, insert "Sec. 5. (CONSERVATION OF BIOMASS FUEL, FIREWOOD.) *In any instance where trees or portions of trees usable as firewood are removed from property under the control of a public utility, pipeline company, railroad, state agency or department, or a political subdivision, that portion of the tree material that is six inches or larger in diameter shall not be destroyed by open burning or deposited in a landfill without first having been offered for use to the public. This section shall not apply to tree material removed in a program of sanitation or disease control as defined in Minnesota Statutes, 1979 Supplement, Section 18.023.*"

Page 5, line 32, delete "5" and insert "6"

Further amend the title as follows:

Page 1, line 4, after "production;" insert "prohibiting the destruction of certain biomass usable as fuel;"

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

The report was adopted.

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

H. F. No. 1987, A bill for an act relating to local government; regulating financial reports of certain municipal hospitals and

nursing homes; amending Minnesota Statutes, 1979 Supplement, Sections 471.697, Subdivision 1; and 471.698, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 21, after "1979" delete the balance of the line and insert: *"whose fiscal year is other than a calendar year at the effective date of this act, is not subject to this subdivision but shall submit to the State Auditor a detailed statement of its financial affairs audited by a Certified Public Accountant, a Public Accountant or the State Auditor no later than 120 days after the close of its fiscal year. It may also submit a summary financial report for the calendar year."*

Page 2, delete lines 22 to 25

Page 3, line 33, delete *"is not subject to this subdivision but"*

Page 4, delete lines 1 to 4

Page 8, line 33, after "1979" insert *"whose fiscal year is other than a calendar year at the effective date of this act, is not subject to this subdivision but shall submit to the State Auditor a detailed statement of its financial affairs audited by a Certified Public Accountant, a Public Accountant or the State Auditor no later than 120 days after the close of its fiscal year. It may also submit a summary financial report for the calendar year."*

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

The report was adopted.

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

H. F. No. 1989, A bill for an act relating to public health; providing for the establishment of programs for oral and dental health for nursing home residents; appropriating money.

Reported the same back with the following amendments:

Page 2, line 7, delete "update and revise" and insert "review"

Page 2, line 8, delete "monitor their implementation," and insert "to insure their consistency with current oral health standards;"

Page 2, delete line 9

Page 2, line 10, delete "of,"

Page 2, line 10, delete "coordinate a" and insert "coordination of a"

Page 2, line 11, after "between" delete the comma

Page 2, line 11, after "profession" insert a comma and "the nursing home industry"

Page 2, line 21, delete "local" and insert "resident"

Page 2, line 22, delete "health" and insert "care"

Page 2, line 22, after "to" insert "access and"

Page 2, line 23, delete ";" and insert "care and maintenance; and"

Page 2, line 25, delete " ; and" and insert a period

Page 2, delete lines 26 to 30

Page 2, line 33, after "2" delete ", except for its enforcement" and insert a period

Page 3, delete lines 1 and 2 and insert "The development and administration of the program shall be under a licensed dentist."

Page 3, line 5, after "3" insert a period and delete the balance of the line

Page 3, delete lines 6 to 10

Page 3, line 13, delete "No"

Page 3, delete lines 14 to 16

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

The report was adopted.

Voss from the Committee on Appropriations to which was referred:

H. F. No. 2019, A bill for an act relating to education; the maximum effort school aid law; changing the definition of "maximum effort debt service levy"; authorizing the sale of bonds for the maximum effort school loan fund; appropriating

money; amending Minnesota Statutes 1978, Sections 124.38, Subdivision 7; 124.43, Subdivisions 1 and 2.

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

The report was adopted.

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

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

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriation.

The report was adopted.

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

H. F. No. 2045, A bill for an act relating to economic development; creating a small business finance agency with authority to sell tax exempt revenue bonds to provide loans for small business projects; appropriating money.

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

The report was adopted.

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

H. F. No. 2063, A bill for an act relating to taxation; changing settlement dates for property taxes; amending Minnesota Statutes 1978, Sections 276.09; 276.10; and 276.11.

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

The report was adopted.

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

H. F. No. 2077, A bill for an act relating to public welfare; clarifying zoning requirements for licensed residential facilities; amending Minnesota Statutes 1978, Section 245.812, Subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 245.812, Subdivision 2, is amended to read:

Subd. 2. In determining whether a license shall be issued, the commissioner shall specifically consider the population, size, land use plan, availability of community services and the number and size of existing public and private community residential facilities in the town, municipality or county in which an applicant seeks to operate a residence. (EXCEPT AS SPECIFIED IN SECTION 252.28,) Under no circumstances may the commissioner newly license any group residential facility pursuant to Laws 1976, Chapter 243 if such residential facility will be within 1,320 feet of any existing (COMMUNITY) group residential facility unless the appropriate town, municipality or county zoning authority grants the facility a conditional use or special use permit. *With the exception of foster family homes the requirements of this subdivision apply to all licensed residential facilities, and for cities of the first class apply even if a facility is considered a permitted single family residential use of property according to subdivision 3.*

Sec. 2. Minnesota Statutes 1978, Section 252.28, Subdivision 3, is amended to read:

Subd. 3. (1) No new license shall be granted pursuant to this section when the issuance of the license would substantially contribute to an excessive concentration of community residential facilities within any town, municipality or county of the state.

(2) In determining whether a license shall be issued pursuant to this subdivision, the commissioner of public welfare shall specifically consider the population, size, land use plan, availability of community services and the number and size of existing public and private community residential facilities in the town, municipality or county in which a licensee seeks to operate a residence. Under no circumstances may the commissioner newly license any facility pursuant to this section (IF THE FACILITY WILL BE WITHIN 300 FEET OF ANY EXISTING COMMUNITY RESIDENTIAL FACILITY, UNLESS THE APPROPRIATE TOWN, MUNICIPALITY OR COUNTY ZONING AUTHORITY GRANTS THE FACILITY A CONDITIONAL USE OR SPECIAL USE PERMIT) *except as provided in Minnesota Statutes, Section 245.812.* The com-

missioner of public welfare shall establish uniform rules and regulations to implement the provisions of this subdivision.

(3) Licenses for community facilities and services shall be issued pursuant to section 245.821."

Further, delete the title and insert the following:

"A bill for an act relating to public welfare; clarifying zoning requirements for licensed residential facilities; increasing the required distances between certain facilities; amending Minnesota Statutes 1978, Sections 245.812, Subdivision 2; and 252.28, Subdivision 3."

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

The report was adopted.

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

H. F. No. 2086, A bill for an act relating to state departments; providing for the creation of a state employee assistance program in the department of administration; amending Minnesota Statutes 1978, Section 16.02, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 13, delete "*spouses*" and insert "*dependents*"

Page 1, after line 19, insert a new section to read:

"Sec. 2. Minnesota Statutes 1978, Section 299B.06, Subdivision 1, is amended to read:

299B.06 [POWERS AND DUTIES OF THE BOARD.] Subdivision 1. [DUTIES.] In addition to carrying out any duties specified elsewhere in sections 299B.01 to 299B.16 or in other law, the board shall:

(a) provide all claimants with an opportunity for hearing pursuant to chapter 15;

(b) establish and maintain a principal office and other necessary offices and appoint employees and agents as necessary and fix their duties;

(c) promulgate within 90 days following the effective date of Laws 1974, Chapter 463 rules to implement sections 299B.01 to 299B.16, including rules governing the method of practice and procedure before the board, prescribing the manner in which

applications for reparations shall be made, and providing for discovery proceedings;

(d) publicize widely the availability of reparations and the method of making claims; (AND)

(e) prepare and transmit annually to the governor and the legislature a report of its activities including the name of each claimant, a brief description of the facts in each case, the amount of reparation awarded, and a statistical summary of claims and awards made and denied (.); and

(f) *appoint an executive secretary who shall serve at the pleasure of the board in the unclassified service.*"

Renumber remaining section

Page 1, line 20, delete "*This act*" and insert "*Section 1*"

Delete the title in its entirety and insert:

"A bill for an act relating to state departments; providing for the creation of a state employee assistance program in the department of administration; authorizing the appointment of an unclassified executive secretary for the crime victims reparations board in the department of public safety; amending Minnesota Statutes 1978, Sections 16.02, by adding a subdivision; and 299B.06, Subdivision 1."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

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

H. F. No. 2151, A bill for an act relating to state government; separating the department of public service from the public service commission; changing the name of the commission to the public utilities commission; removing obsolete language; clarifying powers and duties; transferring certain funds previously appropriated; amending Minnesota Statutes 1978, Sections 216.16; 216A.01; 216A.04; 216A.05, Subdivisions 2, 4 and 5; 216A.07; 216B.08; 216B.12, Subdivision 1; 216B.15; 216B.62, Subdivisions 2 and 3; repealing Minnesota Statutes 1978, Section 216B.62, Subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [NAME CHANGE; TRANSFER OF FUNCTIONS.] *The name of the public service commission is changed to the public utilities commission. Subject to the provisions of this act and other applicable laws, the public utilities commission and the department of public service shall continue to exercise all the powers and duties vested in, or imposed upon them, as existing and constituted immediately prior to the effective date of this act.*

Sec. 2. Minnesota Statutes 1978, Section 216.16, is amended to read:

216.16 [HEARINGS BEFORE PUBLIC UTILITIES COMMISSION.] If the matter be not adjusted to the satisfaction of the (DEPARTMENT) *commission*, it shall set a time and place of hearing, and give at least ten days notice thereof to each party. The parties may appear either in person or by attorney. The (DEPARTMENT) *commission* shall hear evidence and otherwise investigate the matter, make findings of fact upon all matters involved, and such order or recommendation in the premises as may be just. A copy of such findings and order or recommendation shall forthwith be served upon each party. No proceedings shall be dismissed on account of want of pecuniary interest in the complaint. (THE DEPARTMENT IS AUTHORIZED TO DESIGNATE BY RESOLUTION ANY OF ITS EMPLOYEES TO RECEIVE AND REPORT EVIDENCE. EMPLOYEES SO DESIGNATED SHALL HAVE POWER TO ADMINISTER OATHS TO WITNESSES, EXAMINE WITNESSES, AND RECEIVE EVIDENCE. IN ANY PROCEEDINGS IN WHICH THE EVIDENCE IS RECEIVED BY ONE COMMISSIONER OR BY AN EMPLOYEE SO DESIGNATED, SUCH COMMISSIONER OR EMPLOYEE SHALL MAKE A FULL AND COMPLETE REPORT THEREOF TO THE DEPARTMENT AND THE DEPARTMENT SHALL PROCEED TO A DETERMINATION OF THE FACTS AND ISSUE ITS

ORDER OR RECOMMENDATION AS HEREINABOVE PROVIDED.)

Sec. 3. Minnesota Statutes 1978, Section 216A.01, is amended to read:

216A.01 [ESTABLISHMENT OF DEPARTMENT AND COMMISSION.] There (IS) *are* hereby created and established the department of public service (TO CONSIST OF TWO BRANCHES), *and* the public (SERVICE) *utilities* commission (AND THE ADMINISTRATIVE DIVISION). The department of public service shall have and possess all of the rights and powers and perform all of the duties vested in it by this chapter (, AND, IMMEDIATELY PRIOR TO ENACTMENT OF SAID CHAPTER,). *The public utilities commission shall have and possess all of the rights and powers and perform all of the duties vested in it by this chapter, and those formerly vested by law in the railroad and warehouse commission.*

Sec. 4. Minnesota Statutes 1978, Section 216A.03, Subdivision 3, is amended to read:

Subd. 3. [CHAIRMAN.] The commission shall elect one of their number chairman *at the meeting of the commission in the second week in January of each year for a term of one year.*

If a vacancy shall occur in the position of chairman, the commission shall elect a new chairman to complete the unexpired term.

Sec. 5. Minnesota Statutes 1978, Section 216A.03, is amended by adding a subdivision to read:

Subd. 3a. [POWERS AND DUTIES OF THE CHAIRMAN.] *The chairman shall be the principal executive officer of the commission. He shall preside at meetings of the commission. The chairman shall organize the work of the commission and may make assignments to commission members, appoint committees and give direction to the commission staff through the executive secretary subject to the approval of the commission.*

Sec. 6. Minnesota Statutes 1978, Section 216A.04, Subdivision 1, is amended to read:

216A.04 [EXECUTIVE SECRETARY; EMPLOYEES.] Subdivision 1. [SELECTION OF EXECUTIVE SECRETARY.] The commission shall appoint (A) *an executive secretary, not a member, who shall be in the unclassified service of the state and shall serve at the pleasure of the commission (, EXCEPT THAT THE SECRETARY NOW SERVING THE RAILROAD AND WAREHOUSE COMMISSION SHALL CONTINUE AS SECRETARY IN THE CLASSIFIED SERVICE).*

(HE) *The executive secretary shall take, subscribe and file an oath similar to that required of the commissioners (HE SHALL BE CHARGED WITH KEEPING FULL AND CORRECT RECORDS OF ALL TRANSACTIONS AND PROCEEDINGS OF THE COMMISSION, HAVE THE POWER TO ADMINISTER OATHS, AND PERFORM SUCH OTHER DUTIES AS MAY BE PRESCRIBED BY THE COMMISSION. HE SHALL BE THE OFFICIAL CUSTODIAN OF THE RECORDS AND SEAL OF THE COMMISSION), and shall be subject to the same disqualifications as commissioners.*

Sec. 7. Minnesota Statutes 1978, Section 216A.04, is amended by adding a subdivision to read:

Subd. 1a. [POWERS AND DUTIES OF THE EXECUTIVE SECRETARY.] The executive secretary shall:

(1) Cause to be kept full and correct records of all transactions and proceedings of the commission;

(2) Appoint, subject to the approval of the commission all other classified employees of the commission, and supervise and direct their activities;

(3) Have custody of the seal of the commission;

(4) Serve as the administrative officer of the commission with responsibility for personnel, budget and other administrative details related to the work of the commission or as required by state law;

(5) Prepare orders, reports, and other materials as assigned by the commission and recommend to the commission such measures as may be appropriate to achieve the objectives of the commission;

(6) Advise the commission of its financial position and recommend a budget for its approval; and

(7) Perform such other duties as the commission directs.

Sec. 8. Minnesota Statutes 1978, Section 216A.04, Subdivision 3, is amended to read:

Subd. 3. [OFFICERS AND EMPLOYEES.] The commission may employ one unclassified employee in addition to the executive secretary to serve at the pleasure of the commission. The commission may employ such other (ASSISTANTS) persons as may be necessary to carry out its functions, (INCLUDING HEARING OFFICERS AND REPORTERS,) within the funds provided therefor from time to time. (THE COMMISSIONERS INDIVIDUALLY MAY ACT AS HEARING OFFICERS.)

Hearing reporters may provide transcripts of proceedings before the commission to persons requesting transcripts who pay a reasonable charge therefor to the reporter. The amount of the charge shall be fixed by the commission and retained by the reporter, any other law to the contrary notwithstanding.

Sec. 9. Minnesota Statutes 1978, Section 216A.05, Subdivision 4, is amended to read:

Subd. 4. [PERFORMANCE OF FUNCTIONS OF PUBLIC UTILITIES COMMISSION.] The commission shall exercise each and every legislative function imposed by law on (THE DEPARTMENT OF PUBLIC SERVICE) *it*.

Sec. 10. Minnesota Statutes 1978, Section 216A.05, Subdivision 5, is amended to read:

Subd. 5. [HEARINGS UPON PETITIONS.] With respect to those matters within its jurisdiction the commission shall receive, hear and determine (WITHIN SIX MONTHS) all petitions filed with it in accordance with the (PROCEDURES ESTABLISHED BY LAW) *rules of practice and procedure promulgated by the commission*, and may investigate, hold hearings and make determinations upon its own motion to the same extent, and in every instance, in which it may do so upon petition. Upon receiving petitions filed pursuant to sections 221.061, 221.081, 221.121, subdivision 1, 221.151, 221.296, and 221.55, the commission shall give notice of the filing of the petition to representatives of associations or other interested groups or persons who have registered their names with the (DIRECTOR OF THE DEPARTMENT) *executive secretary* for that purpose and to whomever he deems to be interested in the petition. The commission may grant or deny the request of the petition 30 days after notice of the filing has been fully given. If the commission receives a written objection and a notice of intent to appear at a hearing to object to the petition from any person within 20 days of the notice having been fully given, the request of the petition shall be granted or denied only after a contested case hearing has been conducted on the petition, unless the objection is withdrawn prior to the hearing. The commission may elect to hold a contested case hearing if no objections to the petition are received. If a timely objection is not received, or if received and withdrawn, and the request of the petition is denied without hearing, the petitioner may request within 30 days of receiving the notice of denial, and shall be granted, a contested case hearing on the petition.

Sec. 11. Minnesota Statutes 1978, Section 216A.07, is amended to read:

216A.07 [DIRECTOR; POWERS AND DUTIES.] *Subdivision 1.* The director shall be the executive and administrative head of the public service department. He shall have and possess

all the rights and powers and perform all the duties relating to the administrative function of the department as set forth in this chapter. The director may:

(1) Prepare all forms or blanks for the purpose of obtaining information which he may deem necessary or useful in the proper exercise of his authority and duties in connection with regulated businesses;

(2) Prescribe the time and manner within which forms or blanks shall be filed with the department;

(3) Inspect at all reasonable times, and copy the books, records, memoranda and correspondence or other documents and records of any person relating to any regulated business; and

(4) Cause the deposition to be taken of any person concerning the business and affairs of any business regulated by the department. Information sought through said deposition shall be for a lawfully authorized purpose and shall be relevant and material to the investigation or hearing before the commission. Information obtained from said deposition shall be used by the department only for a lawfully authorized purpose and pursuant to powers and responsibilities conferred upon the department. Said deposition is to be taken in the manner prescribed by law for taking depositions in civil actions in the district court.

Subd. 2. [ENFORCEMENT.] The director shall be responsible for the enforcement of chapters 216A, 216B and 237 and the orders of the commission issued pursuant to such chapters.

Subd. 3. [INTERVENTION IN PROCEEDINGS.] The director shall have the right to intervene as a party in all proceedings before the commission. The attorney general shall act as counsel in all such proceedings.

Subd. 4. [INVESTIGATIONS.] The director may, on his own initiative, investigate any matter subject to the jurisdiction of the department or commission;

Subd. 5. [RULEMAKING.] The director shall make substantive and procedural rules to implement the provisions of chapter 216A, 216B and 237. Rules adopted under this authority shall be promulgated pursuant to the Administrative Procedure Act and shall have the force and effect the law.

Sec. 12. Minnesota Statutes 1978, Chapter 216A, is amended by adding a section to read:

[216A.095] [COOPERATION BETWEEN DEPARTMENT AND COMMISSION.] *Nothing in this chapter shall prevent*

the department or the commission from entering into agreements with the other or other agencies to coordinate and share services, to conduct joint projects or investigations on matters within the authority and jurisdiction of the parties thereto, or to temporarily assign staff to projects requested by the other or other agencies. Such cooperative agreements may provide for the sharing of costs between the parties thereto or the reimbursement of the department or commission operating budget for expenditures made on behalf of the department or commission or agency. No such cooperative effort shall, however, interfere with the independence and integrity of either the commission or department or any other agency which may be a party.

Sec. 13. Minnesota Statutes 1978, Section 216B.17, Subdivision 1, is amended to read:

216B.17 [COMPLAINTS.] Subdivision 1. On its own motion or upon a complaint made against any public utility, by the governing body of any political subdivision, by another public utility, *by the department*, or by any 50 consumers of the particular utility that any of the rates, tolls, tariffs, charges, or schedules or any joint rate or any regulation, measurement, practice, act or omission affecting or relating to the production, transmission, delivery or furnishing of natural gas or electricity or any service in connection therewith is in any respect unreasonable, insufficient or unjustly discriminatory, or that any service is inadequate or cannot be obtained, the commission shall proceed, with notice, to make such investigation as it may deem necessary. The commission may dismiss any complaint without a hearing if in its opinion a hearing is not in the public interest.

Sec. 14. Minnesota Statutes 1978, Section 216B.19, is amended to read:

216B.19 [JOINT HEARINGS AND INVESTIGATIONS.] In the discharge of its duties under Laws 1974, Chapter 429, the commission *or the department* may cooperate with similar commissions of other states and any federal agency and may hold joint hearings and make joint investigations with other commissions.

Sec. 15. Minnesota Statutes 1978, Section 216B.54, is amended to read:

216B.54 [ACTIONS BY COMMISSION OR DEPARTMENT; ATTORNEY GENERAL TO INSTITUTE.] Whenever the commission *or department* shall be of the opinion that any person or public utility is failing or omitting or is about to fail or omit to do anything required of it by Laws 1974, Chapter 429 or by any order of the commission, or is doing anything or about to do anything, or permitting anything or about to permit anything to be done, contrary to or in violation of Laws 1974, Chapter 429 or of any order of the commission, it shall refer the

matter to the attorney general who shall take appropriate legal action.

Sec. 16. Minnesota Statutes 1978, Section 216B.62, is amended to read:

216B.62. [COST OF EXAMINATION; ASSESSMENT OF EXPENSES; LIMITATIONS; OBJECTIONS.] Subdivision 1. Immediately after the passage and adoption of Laws 1974, Chapter 429, the commission shall assess to all public utilities subject to the provisions of Laws 1974, Chapter 429 in proportion to their respective gross operating revenues, as hereinafter defined, during the preceding calendar year, the sum of \$300,000. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed, by certified mail, to the several public utilities, which shall constitute notice of said assessment and demand of payment thereof.

Subd. 2. Whenever the commission or department, in a proceeding upon its own motion, on complaint, or upon an application to it, shall deem it necessary, in order to carry out the duties imposed by Laws 1974, Chapter 429, to investigate the books, accounts, practices, and activities of, or make appraisals of the property of any public utility, or to render any engineering or accounting services to any public utility, the public utility shall pay the expenses reasonably attributable to the investigation, appraisal, or service. The commission and department shall ascertain the expenses, and the department shall render a bill therefor to the public utility, either at the conclusion of the investigation, appraisal, or services, or from time to time during its progress, which bill shall constitute notice of the assessment and a demand for payment. The amount of the bills so rendered by the department shall be paid by the public utility into the state treasury within 30 days from the date of rendition. The total amount, in any one calendar year, for which any public utility shall become liable, by reason of costs incurred by the commission within that calendar year, shall not exceed two-fifths of one percent of the gross operating revenue from retail sales of gas, or electric service by the public utility within the state in the last preceding calendar year. Where, pursuant to this subdivision, costs are incurred within any calendar year which are in excess of two-fifths of one percent of the gross operating revenues, the excess costs shall not be chargeable as part of the remainder under subdivision 3, but shall be paid out of the general appropriation to the department and commission. In the case of public utilities offering more than one public utility service only the gross operating revenues from the public utility service in connection with which the investigation is being conducted shall be considered when determining this limitation.

Subd. 3. The department and commission shall annually, within 90 days after the close of each fiscal year, ascertain the

total of (ITS) *their* expenditures to the performance of (ITS) *their* duties relating to public utilities under Laws 1974, Chapter 429, and shall deduct therefrom all amounts chargeable to public utilities under subdivision 2. The remainder shall be assessed by the commission *and department* to the several public utilities in proportion to their respective gross operating revenues from retail sales of gas or electric service within the state during the last calendar year. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed to the several public utilities, which shall constitute notice of the assessment and demand of payment thereof. The total amount which may be assessed to the public utilities, under authority of this subdivision, shall not exceed one-eighth of one percent of the total gross operating revenues of the public utilities during such calendar year from retail sales of gas or electric service within the state.

Subd. 4. Within 30 days after the date of the mailing of any bill as provided by subdivisions 2 and 3, the public utility against which the bill has been rendered may file with the commission objections setting out the grounds upon which it is claimed the bill is excessive, erroneous, unlawful or invalid. The commission shall within 60 days hold a hearing and issue an order in accordance with its findings. The order shall be appealable in the same manner as other final orders of the commission.

Subd. 5. The commission *and department* shall be authorized to charge cooperative electric associations their proportionate share of the expenses incurred in the adjudication of service area disputes and all of the costs incurred in the adjudication of complaints over service standards and practices. Cooperative electric associations electing to become subject to rate regulation by the commission pursuant to section 216B.02, subdivision 4, shall be subject to this section.

Sec. 17. Minnesota Statutes 1978, Section 216B.64, is amended to read:

216B.64 [ATTORNEY GENERAL TO REPRESENT COMMISSION AND DEPARTMENT.] The attorney general of the state shall, upon request of the commission *or department*, represent and appear for the commission *or department* in all actions and proceedings involving any question under Laws 1974, Chapter 429, and shall aid in any investigation or hearing had under the provisions of Laws 1974, Chapter 429. The attorney general shall perform all duties and services in connection with Laws 1974, Chapter 429 and the enforcement thereof as the commission *or department* may require. He shall also bring all actions to collect penalties herein provided.

Sec. 18. Minnesota Statutes 1978, Section 237.02, is amended to read:

237.02 [UNDER DEPARTMENT OF PUBLIC SERVICE AND PUBLIC UTILITIES COMMISSION.] The department of public service *and the public utilities commission*, now existing under the laws of this state, (IS) *are* hereby vested with the same jurisdiction and supervisory power over telephone companies doing business in this state as it now has over railroad and express companies (;). (AND, WHEREVER THE TERM "DEPARTMENT" IS USED IN THIS CHAPTER, IT SHALL MEAN THE DEPARTMENT OF PUBLIC SERVICE) *The definitions set forth in section 216A.02 shall apply also to this chapter.*

Sec. 19. Minnesota Statutes 1978, Section 237.12, is amended to read:

237.12 [CONNECTIONS BETWEEN TELEPHONE COMPANIES DISCONTINUED ONLY ON ORDER.] When public convenience requires the same, every telephone company shall, for a reasonable compensation, permit a physical connection or connections to be made, and telephone service to be furnished between any telephone exchange system operated by it, and the telephone toll line or lines operated by another company, or between its telephone toll line or lines and the telephone exchange system of another telephone company, or between its toll line and the toll line of another company, whenever such physical connection or connections are practicable and will not result in irreparable injury to the telephone system so compelled to be connected. The term "physical connection," as used in this section, means such number of trunk lines or complete wire circuits and connections as may be required to furnish reasonable and adequate service between such telephone lines and exchanges and shall not be deemed to provide for any connection whereby one line or circuit is to be bridged upon another line or circuit. In case of failure of the telephone companies concerned to allow or agree upon such physical connection or connections, or the terms and conditions upon which the same shall be made, application may be made to the department for an order requiring such connection and fixing the compensation, terms and conditions thereof, and if after investigation and hearing the department shall find that such physical connections will not result in irreparable injury to such telephone properties, it shall by order direct that such connections be made, and prescribe reasonable conditions and compensation therefor and for the joint use thereof, and by whom the expense of making and maintaining such connection or connections shall be paid. When application is made to the department requesting physical connection it shall be presumed that such connection is necessary, and that the public convenience will be promoted thereby, and the burden of overcoming such presumption shall be upon the party resisting such application. The telephone companies so connecting shall give service over the connecting line or lines without preference to or discrimination against any service or telephone company whatever.

Wherever a physical connection or connections exist between any telephone exchange system operated by a telephone company and the toll line or lines operated by another telephone company or between its toll line or lines and the telephone exchange system of another telephone company, or between its toll line and the toll line of another telephone company, neither of the companies shall cause such connection to be severed or the service between the companies to be discontinued without first obtaining an order from the department upon an application for permission to discontinue such physical connection. Upon the filing of an application for discontinuance of such a connection, the department shall investigate and ascertain whether public convenience requires the continuance of such physical connection, and if the department so finds, *the commission* shall fix the compensation, terms and conditions of the continuance of the physical connection and service between the telephone companies.

Sec. 20. Minnesota Statutes 1978, Section 237.295, Subdivision 1, is amended to read:

237.295 [COST OF EXAMINATION; ASSESSMENT OF EXPENSES; LIMITATION; OBJECTIONS.] Subdivision 1. Whenever the department or *commission*, in a proceeding upon its own motion, on complaint, or upon an application to it, shall deem it necessary in order to carry out the duties imposed on it to investigate the books, accounts, practices, and activities of, or make appraisals of the property of any telephone company, or to render any engineering or accounting services to any telephone company, the telephone company shall pay the expenses reasonably attributable to the investigation, appraisal, or service. The department and *commission* shall ascertain the expenses, and *the department* shall render a bill therefor to the telephone company, either at the conclusion of the investigation, appraisal, or services, or from time to time during its progress, which bill shall constitute notice of the assessment and a demand for payment. The amount of the bills so assessed by the department shall be paid by the telephone company into the state treasury within 30 days from the date of assessment. The total amount, in any one calendar year, for which any telephone company shall become liable, by reason of costs incurred by the department and *commission* within that calendar year, shall not exceed two-fifths of one percent of the gross jurisdictional operating revenue of the telephone company in the last preceding calendar year. Where, pursuant to this subdivision, costs are incurred within any calendar year which are in excess of two-fifths of one percent of the gross jurisdictional operating revenues, the excess costs shall not be chargeable as part of the remainder under subdivision 2, but shall be paid out of the general appropriation of the department.

Sec. 21 Minnesota Statutes 1978, Section 237.295, Subdivision 2, is amended to read:

Subd. 2. The department and *commission* shall annually, within 90 days after the close of each fiscal year, ascertain the

total of its expenditures to the performance of its duties relating to telephone companies, and shall deduct therefrom all amounts chargeable to telephone companies under subdivision 1. The remainder shall be assessed by the department to the several telephone companies in proportion to their respective gross jurisdictional operating revenues during the last calendar year. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed to the several telephone companies, which shall constitute notice of the assessment and demand of payment thereof. The total amount which may be assessed to the telephone companies, under authority of this subdivision, shall not exceed one-eighth of one percent of the total gross jurisdictional operating revenues during such calendar year.

Sec. 22. [TRANSFER OF COMPLEMENT, FUNDS, EQUIPMENT.] *All unexpended funds appropriated to the department of public service for the commission support division by the Laws 1979, Chapter 333, Section 37, are hereby transferred to the public utilities commission. The department of finance shall determine what funds are to be transferred.*

Twenty-four positions in the public service department used to staff the commission support division are transferred to the public utilities commission and the complement of the department of public service is hereby reduced by a like amount.

The commissioner of finance and commissioner of personnel shall transfer the budget, position, and employees referenced above any accrued benefits pertaining thereto to the public utilities commission.

All equipment, furnishings, supplies presently used by the commission support division and any contractual arrangements for telephone service, office space or other matters related to the operation of the division are hereby transferred to the public utilities commission.

Sec. 23. [INSTRUCTION TO REVISOR.] *Insofar as possible, the revisor of statutes shall substitute the term "public utilities commission" for the term "public service commission" in the next and subsequent editions of Minnesota Statutes consistently with the provisions of this act. The revisor may make related changes in grammar and punctuation, but shall not change the meaning of any provision except consistently with this act.*

Insofar as possible, the revisor of statutes shall substitute the term "commission" for the term "department" wherever it appears in sections 216.10, 216.13, 216.14, 216.16, 216.161, 216.17, 216.18, 216.24, 216.25, 216.26, 216.27, 216.271, 237.10, 237.16, 237.18, 237.20, 237.21, 237.22, 237.23, 237.24, 237.25, 237.26, 237.27 and 237.28 of the next and subsequent editions of Minnesota Statutes consistently with the provisions of this act. The revisor may make related changes in grammar and punctuation,

but shall not change the meaning of any provision except consistently with this act.

Sec. 24. [EFFECTIVE DATE.] *This act and the transfer of powers, duties, funds and personnel shall be effective July 1, 1980."*

Delete the title in its entirety and insert:

"A bill for an act relating to public utilities; separating the department of public service and the public service commission into two agencies, and changing the name of the public service commission to the public utilities commission; amending Minnesota Statutes 1978, Sections 216.16; 216A.01; 216A.03, Subdivision 3, and by adding a subdivision; 216A.04, Subdivisions 1, 3, and by adding a subdivision; 216A.05, Subdivisions 4, and 5; 216A.07; 216B.17, Subdivision 1; 216B.19; 216B.54; 216B.62; 216B.64; 237.02; 237.12; 237.295, Subdivisions 1 and 2; and Chapter 216A, by adding a section."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2152, A bill for an act relating to Carver county; applying the provisions of the municipal housing and redevelopment act to Carver county; providing for local approval of projects.

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. 2154, A bill for an act relating to public employees; creating a state department of employee relations; establishing appropriate units for state and university employees; providing for a right to strike; providing for interim contract approval by the legislative commission on employee relations; clarifying civil service laws; providing for health benefits; providing for a study of promotional systems; appropriating money; amending Minnesota Statutes 1978, Sections 43.001; 43.01, Subdivision 8; 43.111; 43.245; 43.321; 43.45; 43.46; 179.63, Subdivision 7; 179.6, Subdivisions 2, 3, 4, and 5, and by adding a subdivision; 179.67, Subdivision 4; 179.69, Subdivisions 1 and 3; 179.71, Subdivisions 3 and 5; 179.72, Subdivision 6; 179.74, Subdivisions

1, 2, and 3, and by adding a subdivision; and Chapters 43 and 179, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 3.855; 43.067, Subdivision 1; 43.19, Subdivision 1; 43.50, Subdivision 1; 43.51; 62D.22, Subdivision 7; 179.63, Subdivision 11; 179.65, Subdivision 6; and 179.74, Subdivisions 4 and 5; and Laws 1979, Chapter 332, Article I, Section 114; repealing Minnesota Statutes 1978, Sections 43.003; 43.50, Subdivision 3; 179.64, Subdivision 1; and 179.69, Subdivisions 4, 5, and 6; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 5; and 179.64, Subdivision 7.

Reported the same back with the following amendments:

Page 3, line 30, strike "affected portions of"

Page 4, line 13, delete "8" and insert "11"

Page 6, line 28, delete "section" and insert "sections"

Page 6, line 28, after "3.855" insert ", 43.05, subdivision 3"

Page 7, line 1, after the comma, insert "subdivision 2,"

Page 7, after line 7, insert:

"Sec. 5. Minnesota Statutes, 1979 Supplement, Section 43.05, Subdivision 2, is amended to read:

Subd. 2. [SPECIFIED DUTIES.] The commissioner shall:

(1) Attend all meetings of the board;

(2) Promulgate personnel rules for the purpose of carrying out the provisions of this chapter; these rules shall provide, among other things, for current records of efficiency, and standards of performance, for all employees subject to the provisions of this chapter; the manner of completing appointments and promotions; rejection of eligible candidates; examinations; retention of examination records under the provisions of section 138.163; creation of eligible lists, with successful candidates ranked according to their ratings in the examinations; (LEAVES OF ABSENCE WITH AND WITHOUT PAY;) transfers (,) and reinstatements (, LAYOFFS, VACATIONS, AND HOURS OF WORK); public notice of examinations; (PROCEDURE FOR CHANGES IN RATES OF PAY;) compulsory retirement at fixed ages; and other conditions of employment. If a rule is made concerning sick leave for illness in the immediate family of an employee, the term "immediate family" shall be limited to the spouse, minor or dependent children, or parent where the parent has no other person to provide the necessary nursing care, living in the household of the employee;

(3) Operate an information system from which data can be retrieved concerning employees in agencies under his jurisdiction showing their employment histories including the date of appointment, demotion, reinstatement, increases or decreases in pay, the compensation and title of the position, changes in title, transfers, and separations from the service; and the commissioner shall have access to all public and private personnel data kept by an appointing authority, the examination of which will aid in the discharge of his duties;

(4) Prepare, in accordance with the provisions of this chapter and the rules adopted hereunder, examinations, eligible lists, and ratings of candidates for appointment;

(5) Make certifications for appointment within the classified service, in accordance with the provisions of this chapter;

(6) Make investigations concerning all matters touching the enforcement and effect of the provisions of this chapter and the personnel rules prescribed hereunder;

(7) Discharge such duties as are imposed upon him by this chapter;

(8) Establish, publish and continually review logical career paths in the classified civil service;

(9) Consider all requests for other than state appropriated funds from any state department or agency for personnel purposes all of which shall be submitted to him for comment before any such request is made of a federal, local, or private agency; and

(10) Prepare rules regulating the temporary designation of positions in the unclassified civil service;

(11) Review, establish or change titles for the positions in the unclassified civil service in the executive branch of state government except those established by law or by the constitution, to make titles descriptive of positions and consistent throughout the state service; and

(12) In conformance with the rule making provisions of chapter 15, promulgate a code of ethics establishing standards of conduct to be observed by state employees in the performance of their official duties.

Sec. 6. Minnesota Statutes 1978, Section 43.05, is amended by adding a subdivision to read:

Subd. 3. The commissioner, through the division of labor relations, shall:

(a) *Represent the state at hearings conducted by the director of the bureau of mediation services relating to state employees;*

(b) *Represent the state in all collective bargaining between the state and exclusive representatives, and represent the state in mediation and arbitration of collective bargaining disputes;*

(c) *Report to the legislative commission on employee relations pursuant to section 3.855;*

(d) *Be responsible for state management interpretation of all contracts between the state and exclusive representatives and provide state management personnel with training in the interpretation and application of these contracts;*

(e) *Oversee the administration of all written grievances arising under contracts between the state and an exclusive representative. The commissioner shall establish procedures which appointing authorities shall follow to enable the commissioner to monitor the grievance procedure at all steps;*

(f) *Have final authority to decide if a grievance shall be submitted to arbitration or if it shall be settled without arbitration;*

(g) *Represent the state at all grievance arbitrations;*

(h) *Collect and analyze all information necessary to carry out the responsibilities of this subdivision."*

Page 7, after line 22, insert:

"Sec. 8. Minnesota Statutes, 1979 Supplement, Section 43.067, Subdivision 4, is amended to read:

Subd. 4. [LIMIT ON POLITICAL SUBDIVISION SALARIES.] Notwithstanding any other law to the contrary, no salary of a person employed by a city, county, town, school district, metropolitan or regional agency, or other political subdivision of the state, *except for political subdivisions as defined in sections 453.53 and 453A.03*, may exceed 105 percent of the salary of the commissioner of finance."

Page 9, line 2, delete "8" and insert "11"

Page 9, line 7, after "43.18," insert "subdivisions 1 to 3, 43.19, subdivisions 2 and 3,"

Page 9, line 7, delete "43.21"

Page 9, line 20, delete "otherwise"

Page 9, line 20, after "by" insert "*section 43.064 or other*"

Page 12, line 9, delete "8" and insert "11"

Page 13, line 19, delete "60.15" and insert "60A.15"

Page 14, line 2, delete "*twelve*" and insert "*thirteen*"

Page 14, line 6, after the period insert "*One member shall be selected from names submitted by the regents of the university of Minnesota.*"

Page 14, line 15, delete ", the"

Page 14, line 16, delete "*determination of benefits*"

Page 14, line 27, delete "8" and insert "11"

Page 15, delete lines 2 to 29

Page 15, line 30 delete "4" and insert "2"

Page 16, line 2, delete "8" and insert "11"

Page 16, line 2, delete "*Payments shall be made in the*"

Page 16, delete line 3

Page 16, line 9, strike "health" and insert "*medical*"

Page 17, delete lines 27 to 33

Page 18, delete lines 1 to 8

Page 18, lines 13 to 16, reinstate the stricken language

Page 18, line 16, after the period insert "*The commissioner of employee relations may refuse to allow a health maintenance organization to continue as a carrier if it was selected by less than 500 employees in the preceding benefit year.*"

Page 19, line 2, after "students" insert "*employed by the school which they attend under a work study program or in connection with the receipt of any financial aid*"

Page 19, after line 3, insert:

"Sec. 20. Minnesota Statutes 1978, Section 179.63, Subdivision 8, is amended to read:

Subd. 8. "Confidential employee" means any employee who works in the personnel offices of a public employer or who has access to information subject to use by the public employer in meeting and negotiating or who actively participates in the meeting and negotiating on behalf of the public employer. *Provided that when the reference is to executive branch employees of the state of Minnesota or employees of the regents of the university of Minnesota, "confidential employee" means any employee who has access to information subject to use by the public employer in collective bargaining or who actively participates in collective bargaining on behalf of the public employer.*"

Page 19, line 7, delete "full-time"

Page 19, line 13, delete "(1)"

Page 19, line 16, delete "and"

Page 19, line 16, after "guards" insert ", and supervisory"

Page 19, line 17, after "units" insert ", irrespective of severance" and delete the balance of the line

Page 19, delete lines 18 and 19 and insert "The term "firefighters" means all full time fire department personnel who are members of either the public employees police and fire fund or a local firefighters' relief association subject to the provisions of Minnesota Statutes, Section 69.77."

Page 19, line 22, delete "Nonessential" and insert "Nonstate"

Page 19, line 23, delete "state" and insert "confidential, essential, and supervisory"

Page 19, line 23, after the second "employees," insert "principals and assistant principals,"

Page 19, line 32, delete "15" and insert "30"

Page 20, line 5, delete "by nonessential public employees"

Page 20, line 6, after "prior" insert "written"

Page 20, line 10, after "prior" insert "written"

Page 21, line 12, after "wages" insert ", reimbursement of expenses,"

Page 22, line 9, after "administrative" insert "or grievance"

Page 22, line 24, after the period, insert "An employer may obtain review of a decision to reinstate an employee in the same

manner as provided for appeals by employees in this subdivision."

Page 23, line 14, delete "not" and delete ", except in the"

Page 23, delete lines 15 to 22, but retain the period on line 22

Page 24, line 10, delete "employees" and insert "employees"

Page 24, line 32, after "employment" insert "or receiving a valid arbitration award"

Page 25, line 13, delete "discuss" and insert "negotiate"

Page 27, line 17, delete "requested" and insert "requested"

Page 28, strike lines 4 through 6

Page 28, line 7, strike "(g)" and insert "(f)"

Page 28, line 17, strike "(h)" and insert "(g)"

Page 28, line 24, strike "(i)" and insert "(h)"

Page 28, line 26, strike "procedures" and insert "procedure"

Page 28, line 33, strike "(j)" and insert "(i)"

Page 29, line 1, delete "(k)" and insert "(j)" and delete "and"

Page 29, line 2, delete "university of Minnesota classifications"

Page 29, lines 3, 4, 6, 8 and 9 delete "37" and insert "38"

Page 29, line 7, delete "and confidential"

Page 29, line 10, delete "significantly" and insert "significantly"

Page 30, delete lines 17 to 22

Page 30, line 27, delete "a" and reinstate "his"

Page 30, delete lines 28 to 33

Page 31, delete lines 1 to 23

Page 32, line 6, strike "appropriate" and insert "the"

Page 32, line 6, after "units" insert "*specified in section 38, subdivision 1,*"

Page 32, line 14, delete "37" and insert "38"

Page 32, line 15, after "for" insert "*executive branch*"

Page 32, line 15, delete "*and for university of*"

Page 32, line 16, delete "*Minnesota employees*"

Page 32, line 23, before "all" insert "*the positions of*"

Page 32, line 24, after "of" insert "*the*"

Page 32, line 28, before "all" insert "*and the positions of*"

Page 32, line 28, after "all" insert "*confidential*"

Page 32, strike lines 29 to 32

Page 32, line 33, strike "meeting and negotiating on behalf of the state," and delete "*and all*"

Page 33, delete line 1

Page 33, line 2, delete "*of employee relations*"

Page 33, line 14, before the period, insert "*with exclusive representatives of the units specified in section 38, subdivision 1*"

Page 34, line 10, after "*legislature*" insert "*for ratification*"

Page 34, line 12, delete "*for ratification*"

Page 34, line 15, after "but" insert "*such wages and benefit increases*"

Page 34, line 28, delete "AND UNIVERSITY"

Page 34, line 32, after "of" insert "*executive branch*"

Page 35, line 2, delete "unit" and insert "*units 12 and*"

Page 35, line 3, after "of" insert "*executive branch*"

Page 36, line 6, after "college" insert "*and state residential*"

Page 36, line 14, after "*engineering*" insert "*supervisory*"

Page 37, line 1, after "*attorneys*" insert "*, physicians,*"

Page 37, line 1, delete "*and*"

Page 37, line 1, after "*supervisors*" insert "*, and criminal apprehension investigative-supervisors*"

Page 37, line 6, delete "*either*" and insert "*one of these groups*"

Page 37, line 7, delete "*group*"

Page 37, line 7, delete "*exercise*" and insert "*exercises*"

Page 37, line 16, delete "*of the bureau of mediation*"

Page 37, line 17, delete "*services*"

Page 37, line 21, delete "*(1)*"

Page 37, line 23, delete "*confidential unit*" and insert "*professional units*"

Page 37, line 23, delete "*and (2) the*"

Page 37, delete lines 24 and 25

Page 37, line 26, delete "*majority*"

Page 37, line 28, after "*of*" insert "*separate*"

Page 37, line 30, delete "*and shall also*"

Page 37, delete lines 31 to 33

Page 38, delete line 1

Page 38, line 2, delete "*number of votes*"

Page 38, line 2, delete "*shall be conducted within 15*"

Page 38, delete line 3

Page 38, line 6, delete "*elect*" and insert "*elects*"

Pages 38, 39, and 40, delete all of Subdivision 3

Page 40, line 11, delete "*AND UNIVERSITY OF MINNESOTA*"

Page 40, line 15, after "*certification*" insert "*and decertification*"

Page 40, line 16, delete "*and of university of*"

Page 40, line 17, delete "*Minnesota employees*"

Page 40, line 17, delete "*37*" and insert "*38*"

Page 40, line 18, after "*certification*" insert "*and decertification*"

Page 40, lines 23 and 28, delete "*37*" and insert "*38*"

Page 40, line 25, delete "*(1)*"

Page 40, line 28, delete "*or (2) that the petitioner has*"

Page 40, delete lines 29 to 33

Page 41, delete lines 1 and 2

Page 41, line 3, delete everything before the period

Page 41, lines 5, 16, 21, 25, 29, delete "*37*" and insert "*38*"

Page 41, line 12, delete "*15*" and insert "*45*"

Page 42, line 3, delete "*15*" and insert "*45*"

Page 42, line 9, delete "*37*" and insert "*38*"

Page 42, line 20, before "*The*" insert "*Prior to January 1, 1981*"

Page 42, line 30, delete "*and university*"

Page 42, line 31, delete "*of Minnesota employees*"

Page 43, line 4, delete "*and university of Minnesota employees*"

Page 43, line 7, after "*unit*" insert "*and shall have the responsibility of administering grievances arising under previous contracts covering employees included within the unit which remain unresolved on June 30, 1981*"

Page 43, lines 19 and 21, delete "*through 40*" and insert "*to 42*"

Page 43, line 23, delete "*37*" and insert "*38*"

Page 43, delete lines 28 to 33

Page 44, delete lines 1 to 3

Page 44, line 4, delete "Subd. 2." and insert "[179.743]"

Page 44, line 6, delete "or confidential"

Page 44, line 10, delete "of the bureau of mediation services"

Page 44, line 12, delete "or confidential"

Page 44, line 13, delete "and nonconfidential"

Page 44, line 16, delete "37, the" and insert "32. The"

Page 44, line 25, delete "37" and insert "38"

Page 45, line 8, strike "43.064;"

Page 45, line 9, after "43.12" insert ", subdivisions 2 to 27"

Page 45, after line 14, insert:

"Sec. 42. Laws 1979, Chapter 332, Article I, Section 116, is amended to read:

Sec. 116. [EFFECTIVE DATE.] The effective dates for Article I are as follows: sections 2, 4, 8, 40, 45, 46, 47, 58, 61, 65, 82-91, and 113 are effective upon final enactment. Section 64, is effective June 30, 1980. Sections 3, 5, 6 and 7 are effective July 1, 1981. The remaining provisions of Article I are effective July 1, 1979. The provisions of section 47 shall apply to all disciplinary actions taken on or after the effective date of section 47. *The provisions of section 63 shall expire on July 1, 1981, but shall apply to all arbitration proceedings which are to determine contractual provisions for the 1982-1983 biennium.* The provisions of sections (63) 64, 93 to 111 and 113 shall expire on July 1, 1981. The provisions of section 137.02, subdivision 4, shall not apply to sections 93 to 111."

Page 45, line 17, before "179.69" delete "and" and after "6;" insert "and 482.18;"

Page 45, line 24, delete "12" and insert "15"

Page 45, line 33, delete "37 to 39" and insert "19 to 42"

Page 46, line 9, delete "13" and insert "16"

Renumber the sections in sequence

Correct the internal cross references

Further, amend the title as follows:

Page 1, line 4, delete "and university"

Page 1, line 10, after "systems;" insert "repealing duty of the revisor of statutes regarding certain collective bargaining agreements;"

Page 1, line 12, after the first semi-colon, insert "43.05, by adding a subdivision;"

Page 1, line 13, delete "Subdivision 7" and insert "Subdivisions 7 and 8"

Page 1, line 13, delete "179.6" and insert "179.64"

Page 1, line 17, delete "1,"

Page 1, line 17, after "2" delete the comma, and after "3" delete the comma

Page 1, line 18, delete "and by adding a subdivision"

Page 1, line 20, after the semi-colon, insert "43.05, Subdivision 2;"

Page 1, line 21, delete "Subdivision" and insert "Subdivisions"

Page 1, line 21, after the first "1" insert "and 4"

Page 1, line 22, delete "43.51;"

Page 1, line 25, delete "Section 114" and insert "Sections 114 and 116"

Page 1, line 27, delete "and"

Page 1, line 28, after "6;" insert "and 482.18;"

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

The report was adopted.

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

H. F. No. 2156, A bill for an act relating to metropolitan government; providing for the maximum amount of the borrowing authorization of the metropolitan airports commission; amending Minnesota Statutes 1978, Section 473.667, Subdivision 2.

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

The report was adopted.

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

H. F. No. 2197, A bill for an act relating to historic sites; designating an additional historic site; amending Minnesota Statutes 1978, Section 138.56, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 2237, A bill for an act relating to public employees; clarifying the definition of public employees; amending Minnesota Statutes 1978, Section 179.63, Subdivision 7.

Reported the same back with the following amendments:

Page 2, delete lines 2 to 9 and insert:

"The exclusions of clauses (e) and (f) of this subdivision shall not apply to:

(1) an employee hired to replace an absent teacher who at the time of his absence is a "public employee" not within the other exclusions of this subdivision where the replacement employee is employed more than 30 working days as a replacement for that teacher; and

(2) an employee hired for a teaching position created by increased enrollment, curriculum expansion, courses which are a part of the curriculum whether offered annually or not, or other appropriate reasons."

With the recommendation that when so amended the bill pass

The report was adopted.

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

H. F. No. 2253, A bill for an act relating to natural resources; providing for analysis of hydroelectric generating capacity of publicly owned dams; clarifying provisions relating to the administration of an authorization for dam repair and reconstruction grants; authorizing the employment of a person to administer grants; amending Minnesota Statutes 1978, Section 105.482, Subdivisions 1 and 4; Minnesota Statutes, 1979 Supplement, Section 105.482, Subdivisions 3 and 5a; and Laws 1979, Chapter 300, Section 4, Subdivisions 1 and 5.

Reported the same back with the following amendments:

Page 2, line 14, after the period insert "*Except as provided below,*"

Page 2, line 16, after the period insert "*A grant to study the feasibility, practicality and environmental effects of utilizing a dam for hydroelectric power generation may be for an amount not to exceed 90 percent of the costs of the study.*"

Page 5, line 11, after "in" insert "*the unclassified service for*"

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

The report was adopted.

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

H. F. No. 2321, A bill for an act relating to the environment; providing for studies of potential soil and ground water contamination in cases where there is actual or potential danger to drinking water supplies resulting from the disposal of hazardous wastes; authorizing the attorney general to recover the costs of the studies under certain circumstances; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

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

H. F. No. 2353, A bill for an act relating to water resources; continuing the water planning board; changing its membership and duties; appropriating money; amending Minnesota Statutes 1978, Section 105.401; and Laws 1979, Chapter 333, Section 31, Subdivision 5.

Reported the same back with the following amendments:

Page 2, line 16, after "commission" insert "*and evaluate and update its contents*"

Page 2, delete line 17

Page 2, line 18, delete everything before "*comprehensive*" and insert "(2) *Coordinate and develop*"

Page 2, line 19, delete "*in furtherance of the*"

Page 2, line 20, delete "*framework plan*"

Page 2, line 26, strike "participation of" and insert "*opportunity for*"

Page 2, line 26, strike the second "of"

Page 2, line 27, after "government" insert "*to participate*"

Page 2, line 29, after "activities" insert "*of the board*"

Page 2, line 32, after "89-80" insert "*, as amended*"

Page 2, line 33, after "funding" insert "*and such other federal water and related land resources planning programs affecting more than a single agency as the board finds appropriate*"

Page 3, line 7, strike "many"

Page 3, line 8, after "state" insert "*, local,*"

Page 3, line 9, strike "public"

Page 3, line 14, delete everything after "(9)"

Page 3, line 16, after the semicolon insert "*and*"

Page 3, line 17, after "*and*" insert "*, where directed,*"

Page 3, line 19, delete everything after "management" and insert a period

Page 3, delete lines 20 to 31

Page 4, line 12, after "446" insert *"until 90 days after the legislature designates a permanent successor to the water planning board, but not longer than"*

Page 4, line 12, reinstate "through June 30," and after the stricken "1980" insert "1982"

Page 4, line 14, after "plan" insert *"for evaluation and further development of water planning"*

Page 4, line 19, delete "legislation" and insert *"a report to the governor, the successor to the water planning board and the legislature from which appropriate legislation may be developed"*

Page 4, after line 30 insert:

"The water planning board is extended until 90 days after the legislature designates a permanent successor to the water planning board or until June 30, 1982, whichever comes sooner. In accordance with the preceding provision, Minnesota Statutes 1978, Section 105.401, expires on or before June 30, 1982."

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

The report was adopted.

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

S. F. No. 704, A bill for an act relating to savings banks; authorizing service corporations and also authorizing certain detached facilities; amending Minnesota Statutes 1978, Chapter 50, by adding sections.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 50, is amended by adding a section to read:

[50.245] [DETACHED FACILITIES; MUTUAL SAVINGS BANKS; AUTHORIZATION.] *Subdivision 1. A mutual*

savings bank may establish five detached facilities pursuant to sections 47.51 to 47.57 in the territories of Hennepin and Anoka counties.

Subd. 2. The authorization contained in subdivision 1 is in addition to the authority granted mutual savings banks in section 47.52.

Subd. 3. This section shall not apply to any bank with a stock form of ownership."

Amend the title, as follows:

Page 1, lines 2 and 3, delete "authorizing service corporations and also"

Page 1, line 5, delete "sections" and insert "a section"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 759, A bill for an act relating to Indian affairs; expanding the term of office for at large intertribal board members from two years to four years; providing for future at large elections; defining the term of office for at large members; amending Minnesota Statutes 1978, Section 3.922, Subdivision 2.

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

The report was adopted.

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

S. F. No. 1115, A bill for an act relating to real estate; changing interest provisions payable in redemption of mortgages; amending Minnesota Statutes 1978, Section 580.23, Subdivision 1.

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

The report was adopted.

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

S. F. No. 1240, A bill for an act relating to natural resources; setting forth the rights of property owners whose property is purchased for conservation purposes; revising responsibilities of the commissioner of natural resources and the commissioner of administration in property acquisition; authorizing the commissioner of natural resources, with the approval of the state executive council to convey the interests of the state in lands for the purpose of correcting boundary description errors; amending Minnesota Statutes 1978, Sections 84.0272; 85.012, Subdivision 1; 85.015, Subdivision 1; 85.021, Subdivisions 1 and 2; and 104.37, Subdivision 1.

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

The report was adopted.

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

S. F. No. 1609, A bill for an act relating to education; extending the coverage of a grandfather provision allowing certain pupils to attend school in a school district other than the district in which the pupil resides; amending Minnesota Statutes, 1979 Supplement, Section 120.075.

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1979 Supplement, Section 174.25, Subdivision 1, is amended to read:

174.25 [PARATRANSIT GRANT PROGRAM.] Subdivision 1. [PURPOSE.] A paratransit program is established

to provide grants for paratransit projects designed to accomplish the following objectives:

(a) to provide transportation services in those areas inefficiently or inadequately served by regular route transit;

(b) to provide transportation services which improve the accessibility and productivity of regular route transit;

(c) to provide transportation services for persons who because of age or incapacity are unable to drive a private automobile or use existing modes of public transit.

Subd. 1a. [FINANCIAL ASSISTANCE.] Grants may be made for demonstration projects or for projects of a type that the commissioner has determined to be successful on the basis of demonstration projects already implemented and evaluated. Except as otherwise provided in this subdivision, grants for a paratransit project shall not exceed two-thirds of the operating deficit and 50 percent of any non-federal share of the capital costs. Grants for a demonstration project, other than grants to the metropolitan transit commission, shall not exceed 90 percent of the capital costs and operating deficit of the project. Notwithstanding any other provision of this subdivision, the commissioner may fund up to 100 percent of a project that he determines to be unique and beneficial but lacks the necessary local financial support. Grants to the metropolitan transit commission for any paratransit project may be up to 100 percent of the operating deficit but may not include any portion of the capital costs. The commissioner may use funds appropriated to the paratransit grant program for program administration.

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 473.-436, Subdivision 5, is amended to read:

Subd. 5. [BUS PURCHASES AND OTHER IMPROVEMENTS.] In addition to obligations outstanding on (JULY 1, 1977) January 1, 1980, the commission may issue certificates of indebtedness, bonds or other obligations in an amount not exceeding \$9,000,000 for the purposes of purchasing buses and related equipment, and constructing maintenance and other buildings, bus shelters and road related improvements.

Sec. 3. Minnesota Statutes 1978, Chapter 473, is amended by adding a section to read:

[473.406] [CERTAIN PROCUREMENT CONTRACTS.] Subdivision 1. [DEFINITIONS.] For purposes of this section the following terms have the meanings given to them, except where the context clearly indicates a different meaning is intended:

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

(b) "Award" means the granting of a contract in accordance with all applicable laws, regulations and rules governing competitive bidding except as hereinafter specially modified.

(c) "Contract" means an agreement entered into between a business entity and the metropolitan transit area, by its governing body, the metropolitan transit commission, including construction contracts.

(d) "Subcontractor" means a business entity which enters into a legally binding agreement with another business entity which is a party to a contract as defined in clause (c).

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

Subd. 2. [SET-ASIDES.] The metropolitan transit commission may, on a fiscal year basis, designate and set aside for awarding to business entities controlled by socially or economically disadvantaged persons or handicapped persons, or for awarding to business entities which guarantee the use of subcontractors controlled by socially or economically disadvantaged persons or handicapped persons, approximately five percent of the value of its anticipated total procurement of goods and services, including construction. The failure of the commission to set aside particular procurements shall not be deemed to prohibit or discourage business entities controlled by socially or economically disadvantaged persons or handicapped persons from seeking the procurement award through the normal solicitation and bidding processes.

Subd. 3. [NEGOTIATED PRICE OR BID CONTRACT.] The commission may elect to use either a negotiated price or bid contract procedure in the awarding of a procurement contract under the set-aside program established in this section. The amount of an award based on a negotiated price shall not exceed by more than five percent the commission's estimated price for the goods or services if they were purchased on the open market and not under the set-aside program.

Subd. 4. [DETERMINATION OF ABILITY TO PERFORM.] Before announcing a set-aside award, the commission

shall evaluate whether the business entity controlled by socially or economically disadvantaged persons or handicapped persons scheduled to receive the award is able to perform the set-aside contract. This determination may include consideration of production and financial capacity and technical competence.

Subd. 5. [RECOURSE TO OTHER BUSINESSES.] *If this section does not operate to extend a contract award to a business entity controlled by socially or economically disadvantaged persons or handicapped persons, the award shall be placed pursuant to the normal solicitation and award procedures set forth in section 471.345.*

Subd. 6. [RULES.] *The commission shall promulgate by rule standards and procedures for certifying that business entities eligible to participate in the set aside program authorized in this section are controlled by socially or economically disadvantaged persons or handicapped persons. The commission shall promulgate other rules as may be necessary or advisable to carry out the provisions of this section.*

Subd. 7. [OTHER LAWS SUPERSEDED.] *In the event of conflict with other laws, regulations or rules, the provisions of this section and rules promulgated pursuant to it shall govern.*

Sec. 4. *Sections 2 and 3 are effective in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington counties.*

Sec. 5. [EFFECTIVE DATE.] *This act is effective the day after final enactment."*

Delete the title in its entirety and insert:

"A bill for an act relating to the transit; providing for para-transit grants; providing for contracts between the metropolitan transit commission and socially or economically disadvantaged persons including handicapped persons; regulating transit commission debt; amending Minnesota Statutes, 1979 Supplement, Sections 174.25, Subdivision 1; 473.436, Subdivision 5; Minnesota Statutes 1978, Chapter 473, by adding a section."

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:

S. F. No. 1653, A bill for an act relating to education; providing individualized instructional materials to nonpublic school pupils; increasing the amount which may be spent for certain

materials provided to nonpublic school pupils; amending Minnesota Statutes 1978, Sections 123.932, by adding a subdivision; 123.933; and Chapter 123, by adding a section.

Reported the same back with the following amendments:

Page 3, line 16, after "tests" insert a comma

Page 3, line 19, after "available" insert "*and as adjusted for inflation pursuant to clause (b)*"

Page 3, line 22, after "aid" insert "*formula allowance*"

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

The report was adopted.

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

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

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. 1729, 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, or of driving after cancellation, suspension, or revocation of his driver's license; amending Minnesota Statutes 1978, Sections 169.121, Subdivision 5; and 609.135, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 21, delete "*or 169.129*"

Page 2, line 24, after "*convictions*" insert "*for offenses committed on or*"

Further, amend the title as follows:

Page 1, line 7, delete “, or”

Page 1, delete line 8

Page 1, line 9, delete “revocation of his driver’s license”

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

The report was adopted.

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

S. F. No. 1764, A bill for an act relating to taxation; property tax; providing for uncontested hearings for property valuation; information to be included on valuation notices; clarifying the computation of agricultural aid credit; clarifying acreage available for homestead credit; prohibiting increases in valuation of property after appeals of market value; changing date for county board of equalization meeting and transfer of books to treasurer; changing penalty and interest rates; clarifying the role of administrative auditor in fiscal disparities; amending Minnesota Statutes 1978, Sections 270.11, Subdivision 6; 273.121; 273.13, Subdivision 6a; 273.135, Subdivision 1; 274.01, Subdivision 1; 274.13, Subdivision 1; 274.14; 276.01; 279.01; 279.37, Subdivision 2; 282.01, Subdivisions 1 and 4; 282.222, Subdivision 4; 282.261; and 473F.08, by adding a subdivision; Minnesota Statutes, 1979 Supplement, Sections 273.13, Subdivision 6; and 282.15; repealing Minnesota Statutes 1978, Sections 275.31; 275.32; 275.33; 275.34; 275.35; and 473F.08, Subdivisions 7 and 8.

Reported the same back with the following amendments:

Page 2, after line 18, insert:

“Sec. 2. Minnesota Statutes 1978, Section 273.111, Subdivision 3, is amended to read:

Subd. 3. Real estate consisting of ten acres or more shall be entitled to valuation and tax deferment under this section only if it is actively and exclusively devoted to agricultural use as defined in subdivision 6 and either (1) is the homestead or thereafter becomes the homestead of a surviving spouse, child, or sibling of the said owner or is real estate which is farmed with the real estate which contains the homestead property, or (2) has been in possession of the applicant, his spouse, parent, or sibling, or any combination thereof, for a period of at least seven years prior to application for benefits under the provisions of Laws 1969, Chapter 1039, or (3) is the homestead of a shareholder in a family farm corporation as defined in section 500.24, notwithstanding the fact that legal title to the real estate may be held

in the name of the family farm corporation. ("FAMILY FARM CORPORATION" FOR THE PURPOSE OF THIS SUBDIVISION MEANS A CORPORATION FOUNDED FOR THE PURPOSE OF FARMING AND OWNING AGRICULTURAL LAND, IN WHICH ALL OF THE STOCKHOLDERS ARE MEMBERS OF A FAMILY RELATED TO EACH OTHER WITHIN THE THIRD DEGREE OF KINDRED ACCORDING TO THE RULES OF CIVIL LAW.)"

Pages 6 to 8, delete section 6

Page 10, delete lines 20 to 25

Page 14, after line 12, insert:

"Sec. 11. Minnesota Statutes, 1979 Supplement, Section 279.03, is amended to read:

279.03 [INTEREST ON DELINQUENT REAL ESTATE TAXES.] The rate of interest on delinquent real estate taxes levied in 1979 and prior years is fixed at six percent per annum. *The rate of interest on delinquent real estate taxes levied in 1980 and subsequent years is fixed at eight percent per annum.* All provisions of law providing for the calculation of interest at any different rate on delinquent taxes in any notice or proceeding in connection with the payment, collection, sale, or assignment of delinquent taxes, or redemption from such sale or assignment are hereby amended to correspond herewith. In calculating such interest for any fractional part of a year, it shall be calculated on the basis of one-half of one percent for any month or major fraction thereof.

Such interest shall be calculated from the second Monday of May following the year in which the taxes became due, on the full amount of the taxes, penalties and costs accrued.

The provisions of this section shall not apply to any taxes which have heretofore been bid in by an actual purchaser at a May tax sale or which have heretofore been assigned."

Renumber the sections accordingly

Page 24, line 32, after "1," delete "8, 9, 10, 17," and insert "7, 8, 9, 10, 18"

Page 24, line 33, delete "19" and insert "20"

Page 25, line 1, delete "2" and insert "3"

Page 25, line 1, delete "16" and insert "17"

Further, amend the title as follows:

Page 1, line 3, after the semicolon insert "clarifying the definition of family farm corporation;"

Page 1, line 7, delete everything after the semicolon

Page 1, line 8, delete "property after appeals of market value;"

Page 1, line 14, after "Subdivision 6;" insert "273.111, Subdivision 3;"

Page 1, line 15, delete "274.01, Subdivision 1;"

Page 1, line 20, after "Subdivision 6;" insert "279.03"

With the recommendation that when so amended the bill pass.

The report was adopted.

Eken moved that if a House File reported to the House floor, other than from the Tax, Appropriations or Rules committees, does not have a Senate companion that has a Senate committee passage date to the Senate floor of March 10 or sooner, other than from the Senate committees on Tax, Finance or Rules, it must then be re-referred to the Committee on Rules and Legislative Administration for further action. The motion prevailed.

POINT OF ORDER

Voss raised a point of order pursuant to rule 5.7, that H. F. No. 2045 should be re-referred to the Committee on Appropriations. The Speaker ruled the point of order well taken and H. F. No. 2045 was re-referred to the Committee on Appropriations.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1027, 1355, 1649, 1722, 1723, 1724, 1731, 1755, 1781, 1806, 1822, 1826, 1887, 1987, 2019, 2063, 2077, 2086, 2151, 2152, 2156, 2197 and 2237 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1745, 704, 759, 1115, 1240, 1609, 1619, 1665, 1729 and 1764 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Osthoff introduced:

H. F. No. 2437, A bill for an act relating to the city of St. Paul; providing additional remedies in cases of improper construction.

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

Piepho, Jennings, Dempsey, Wigley and Johnson, C., introduced:

H. F. No. 2438, A bill for an act relating to education; appropriating money for a program for continuing education for registered nurses.

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

Weaver, Simoneau, McCarron and Jacobs introduced:

H. F. No. 2439, A bill for an act relating to state lands; providing for the conveyance to the county of Anoka of a leasehold interest.

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

Byrne introduced:

H. F. No. 2440, A bill for an act relating to metropolitan government; providing for election of the members of the metropolitan council; amending Minnesota Statutes 1978, Sections 10A.20, Subdivisions 3 and 5; 10A.22, Subdivision 5; and 473.123, Subdivisions 3 and 5, and by adding subdivisions; and Minnesota Statutes, 1979 Supplement, Section 10A.01, Subdivision 5; repealing Minnesota Statutes 1978, Section 473.123, Subdivision 2.

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

Anderson, I., introduced:

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

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

Kostohryz introduced:

H. F. No. 2442, A bill for an act relating to state government; permitting payroll deductions for the Minnesota Benefit Association; amending Minnesota Statutes 1978, Section 10.39, Subdivision 1.

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

Casslerly, Kahn, Greenfield, Jaros and Long introduced:

H. F. No. 2443, A bill for an act relating to crimes; repealing the laws relating to fornication and consensual sodomy; repealing Minnesota Statutes 1978, Sections 609.293 and 609.34.

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

Kroening, Moe, Ludeman and Johnson, D., introduced:

H. F. No. 2444, A bill for an act relating to the operation of state government; establishing a system of periodic review of the operation of occupational licensing agencies; creating guidelines; establishing legislative review procedures; setting termination dates.

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

Berglin introduced:

H. F. No. 2445, A bill for an act relating to taxation; providing that local taxes on admissions and amusements shall not apply to admissions to premises of and events sponsored by arts organizations.

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

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 1488, A bill for an act relating to St. Louis County; providing authority to negotiate public employees wages; amending Laws 1941, Chapter 423, Section 5, as amended.

H. F. No. 2110, A bill for an act relating to motor vehicles; providing the identification of certain tax exempt vehicles by use of removable plates or placards; amending Minnesota Statutes 1978, Section 168.012, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 273, A bill for an act relating to commerce; providing a floating usury rate for contracts for deed on residential property; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 2 and 4, and by adding a subdivision.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 273

A bill for an act relating to commerce; providing a floating usury rate for contracts for deed on residential property; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 2 and 4, and by adding a subdivision.

March 10, 1980

The Honorable Edward J. Gearty
President of the Senate

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

We, the undersigned conferees for S. F. No. 273, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 273 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1979 Supplement, Section 47.20, Subdivision 2, is amended to read:

Subd. 2. For the purposes of this section the terms defined in this subdivision have the meanings given them:

(1) "Actual closing costs" mean reasonable charges for or sums paid for the following, whether or not retained by the mortgagee or lender:

(a) Any insurance premiums including but not limited to premiums for title insurance, fire and extended coverage insurance, flood insurance, and private mortgage insurance, but excluding any charges or sums retained by the mortgagee or lender as self-insured retention.

(b) Abstracting, title examination and search, and examination of public records.

(c) The preparation and recording of any or all documents required by law or custom for closing a conventional loan.

(d) Appraisal and survey of real property securing a conventional loan.

(e) A single service charge, which (SHALL INCLUDE) includes any consideration, not otherwise specified herein as an "actual closing cost" paid by the borrower and received and re-

tained by the lender for or related to the acquisition, making, refinancing or modification of a conventional loan, and (SHALL) also (INCLUDE) *includes* any consideration received by the lender for making a borrower's interest rate commitment or for making a borrower's loan commitment, whether or not an actual loan follows (SUCH) *the* commitment. The term service charge (SHALL) *does* not include forward commitment fees. The service charge shall not exceed one percent of the original bona fide principal amount of the conventional loan, except that in the case of a construction loan, the service charge shall not exceed two percent of the original bona fide principal amount of the loan. That portion of the service charge imposed because the loan is a construction loan shall be itemized and a copy of the itemization furnished the borrower. A lender shall not collect from a borrower the additional one percent service charge permitted for a construction loan if it does not perform the service for which the charge is imposed or if third parties perform and charge the borrower for the service for which the lender has imposed the charge.

(f) Charges and fees necessary for or related to the transfer of real property securing a conventional loan or the closing of a conventional loan paid by the borrower and received by any party other than the lender.

(2) *"Contract for deed" means an executory contract for the conveyance of real estate, the original principal amount of which is less than \$100,000. A commitment for a contract for deed shall include an executed purchase agreement or earnest money contract wherein the seller agrees to finance any part or all of the purchase price by a contract for deed.*

((2)) (3) "Conventional loan" means a loan or advance of credit, other than a loan or advance of credit made by a credit union or made pursuant to section 334.011, to a noncorporate borrower in an original principal amount of less than \$100,000, secured by a mortgage upon real property containing one or more residential units or upon which at the time the loan is made it is intended that one or more residential units are to be constructed, and which is not insured or guaranteed by the secretary of housing and urban development, by the administrator of veterans affairs, or by the administrator of the farmers home administration. The term mortgage (SHALL) *does* not include contracts for deed or installment land contracts.

((3)) (4) "Forward commitment fee" means a fee or other consideration paid to a lender for the purpose of securing a binding forward commitment by or through the lender to make conventional loans to two or more credit worthy purchasers, including future purchasers, of residential units, or a fee or other consideration paid to a lender for the purpose of securing a binding forward commitment by or through the lender to make conventional loans to two or more credit worthy purchasers, including future purchasers, of apartments as defined in section 515.02

to be created out of existing structures pursuant to the Minnesota condominium act, provided that the forward commitment rate of interest does not exceed the maximum lawful rate of interest effective as of the date the forward commitment is issued by the lender.

((4)) (5) "Borrower's interest rate commitment" means a binding commitment made by a lender to a borrower wherein the lender agrees that, if a conventional loan is made following issuance of and pursuant to the commitment, the conventional loan shall be made at a rate of interest not in excess of the rate of interest agreed to in the commitment, provided that the rate of interest agreed to in the commitment is not in excess of the maximum lawful rate of interest effective as of the date the commitment is issued by the lender to the borrower.

((5)) (6) "Borrower's loan commitment" means a binding commitment made by a lender to a borrower wherein the lender agrees to make a conventional loan pursuant to the provisions, including the interest rate, of the commitment, provided that the commitment rate of interest does not exceed the maximum lawful rate of interest effective as of the date the commitment is issued and the commitment when issued and agreed to shall constitute a legally binding obligation on the part of the mortgagee or lender to make a conventional loan within a specified time period in the future at a rate of interest not exceeding the maximum lawful rate of interest effective as of the date the commitment is issued by the lender to the borrower; provided that a lender who issues a borrower's loan commitment pursuant to the provisions of a forward commitment is authorized to issue (SUCH) *the* borrower's loan commitment at a rate of interest not to exceed the maximum lawful rate of interest effective as of the date the forward commitment is issued by the lender.

((6)) (7) "Finance charge" means the total cost of a conventional loan including extensions or grant of credit regardless of the characterization of the same and includes interest, finders fees, and other charges levied by a lender directly or indirectly against the person obtaining the conventional loan or against a seller of real property securing a conventional loan, or any other party to the transaction except any actual closing costs and any forward commitment fee. The finance charges plus the actual closing costs and any forward commitment fee, charged by a lender shall include all charges made by a lender other than the principal of the conventional loan.

((7)) (8) "Lender" means any person making a conventional loan, or any person arranging financing for a conventional loan. The term (SHALL) also (INCLUDE) *includes* the holder or assignee at any time of a conventional loan.

((8)) (9) "Loan yield" means the annual rate of return obtained by a lender over the term of a conventional loan and shall

be computed as the annual percentage rate as computed in accordance with sections 226.5 (b), (c) and (d) of Regulation Z, 12 C.F.R. section 226, but using the definition of finance charge provided for in this subdivision.

((9)) (10) "Monthly index of long term United States government bond yields" means the monthly unweighted average of the daily unweighted average of the closing bid yield quotations in the over the counter market for all outstanding United States treasury bond issues, based on available statistics, which are either maturing or callable in ten years or more. This index is expressed in terms of percentage interest per annum.

((10)) (11) "Monthly index of the federal national mortgage association auction yields" means the gross weighted average yield of accepted offers in the second free market system conventional home mortgage auction held by the federal national mortgage association in a month.

((11)) (12) "Person" means an individual, corporation, business trust, partnership or association or any other legal entity.

((12)) (13) "Residential unit" means any structure used principally for residential purposes or any portion thereof, and (SHALL INCLUDE) includes a unit in a townhouse or planned unit development, a condominium apartment, a non-owner occupied residence, and any other type of residence regardless of whether such unit is used as a principal residence, secondary residence, vacation residence or residence of some other denomination.

(14) "*Vendor*" means any person or persons who agree to sell real estate and finance any part or all of the purchase price by a contract for deed. The term also includes the holder or assignee at any time of the vendor's interest in a contract for deed.

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 47.20, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding the provisions of section 334.01, lenders are authorized to make conventional loans and purchases of obligations representing conventional loans pursuant to (SUCH) rules (AS) the commissioner of banks finds to be necessary and proper, if any, at an interest rate not in excess of the maximum lawful interest rate prescribed in subdivision 4 or 4a. *Contract for deed vendors are authorized to charge interest on contracts for deed at an interest rate not in excess of the maximum lawful interest rate prescribed in subdivision 4 or 4a.*

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 47.20, Subdivision 4, is amended to read:

Subd. 4. No conventional loan *or contract for deed* shall be made at a rate of interest or loan yield in excess of a maximum lawful interest rate which (SHALL BE) *is* based upon the monthly index of long term United States government bond yields as compiled by the United States treasury department and published by the department in the monthly treasury bulletin. The maximum lawful interest rate shall be computed as follows:

(1) The maximum lawful rate of interest for a conventional loan *or contract for deed* made or contracted for during any calendar month (SHALL BE) *is* equal to the monthly index of long term United States government bond yields for the second preceding calendar month plus an additional two percent per annum rounded off to the nearest quarter of one percent per annum or rounded off to the highest quarter of one percent per annum if equidistant.

(2) On or before the 20th day of each month the commissioner of banking shall determine, based on available statistics, the monthly index of long term United States government bond yields for the preceding calendar month and shall determine the maximum lawful rate of interest for conventional loans *or contracts for deed* for the next succeeding month, as defined in clause (1) and shall cause the maximum lawful rate of interest to be published in a legal newspaper in Ramsey County on or before the 20th day of each month and in the state register on or before the last day of each month; the maximum lawful rate of interest to be effective on the first day of the next succeeding month.

(3) A contract rate within the maximum lawful interest rate applicable to a conventional loan *or contract for deed* at the time the loan is made shall be the maximum lawful interest rate for the term of the conventional loan *or contract for deed*.

(4) *Contracts for deed executed pursuant to a commitment for a contract for deed, or conventional loans made pursuant to a borrower's interest rate commitment, or made pursuant to a borrower's loan commitment, or made pursuant to a commitment for conventional loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, which commitment provides for consummation within some future time following the issuance of the commitment may be consummated pursuant to the provisions, including the interest rate, of the commitment notwithstanding the fact that the maximum lawful rate of interest at the time the contract for deed or conventional loan is actually executed or made is less than the commitment rate of interest, provided the commitment rate of interest does not exceed the maximum lawful interest rate in effect on the date the commitment was issued. The refinancing of (a) an existing conventional loan, (b) a loan insured or guaranteed by the secretary of housing and urban development, the administrator*

of veterans affairs, or the administrator of the farmers home administration, or (c) a contract for deed by making a conventional loan (SHALL BE) is deemed to be a new conventional loan for purposes of determining the maximum lawful rate of interest under this subdivision. A borrower's interest rate commitment or a borrower's loan commitment (SHALL BE) is deemed to be issued on the date the commitment is hand delivered by the lender to, or mailed to the borrower. A forward commitment (SHALL BE) is deemed to be issued on the date the forward commitment is hand delivered by the lender to, or mailed to the person paying the forward commitment fee to the lender, or to any one of them if there should be more than one. *A commitment for a contract for deed is deemed to be issued on the date the commitment is initially executed by the contract for deed vendor or his authorized agent.*

(5) *A contract for deed executed pursuant to a commitment for a contract for deed, or a loan made pursuant to a borrower's interest rate commitment, or made pursuant to a borrower's loan commitment, or made pursuant to a forward commitment for conventional loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, issued on or before July 31, 1983 at a rate of interest not in excess of the rate of interest authorized by this subdivision at the time the commitment was made (SHALL CONTINUE) continues to be enforceable in accordance with its terms until the indebtedness is fully satisfied.*

(6) This subdivision expires July 31, 1983.

Sec. 4. Minnesota Statutes, 1979 Supplement, Section 47.20, Subdivision 4a, is amended to read:

Subd. 4a. No conventional loan or contract for deed shall be made at a rate of interest or loan yield in excess of a maximum lawful interest rate which shall be based upon the monthly index of the federal national mortgage association auction yields as compiled by the federal national mortgage association. The maximum lawful interest rate shall be computed as follows:

(1) The maximum lawful rate of interest for a conventional loan or contract for deed made or contracted for during any calendar month (SHALL BE) is equal to the monthly index of the federal national mortgage association auction yields for the first preceding calendar month rounded off to the next highest quarter of one percent per annum.

(2) On or before the last day of each month the commissioner of banking shall determine, based on available statistics, the monthly index of the federal national mortgage association auction yields for that calendar month and shall determine the

maximum lawful rate of interest for conventional loans or *contracts for deed* for the next succeeding month, as defined in clause (1) and shall cause the maximum lawful rate of interest to be published in a legal newspaper in Ramsey County on or before the first day of each month or as soon thereafter as practicable and in the state register on or before the last day of each month; the maximum lawful rate of interest to be effective on the first day of that month. If a federal national mortgage association free market system conventional home mortgage auction is not held in any month, the maximum lawful rate of interest determined by the commissioner of banks pursuant to the last auction (SHALL BE) is the maximum lawful rate of interest through the last day of the month in which the next auction is held.

(3) A contract rate within the maximum lawful interest rate applicable to a conventional loan or *contract for deed* at the time the loan is made (SHALL BE) is the maximum lawful interest rate for the term of the conventional loan or *contract for deed*.

(4) *Contracts for deed executed pursuant to a commitment for a contract for deed*, or conventional loans made pursuant to a borrower's interest rate commitment or made pursuant to a borrower's loan commitment, or made pursuant to a commitment for conventional loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, which commitment provides for consummation within some future time following the issuance of the commitment may be consummated pursuant to the provisions, including the interest rate, of the commitment notwithstanding the fact that the maximum lawful rate of interest at the time the *contract for deed* or conventional loan is actually *executed* or made is less than the commitment rate of interest, provided the commitment rate of interest does not exceed the maximum lawful interest rate in effect on the date the commitment was issued. The refinancing of (a) an existing conventional loan, (b) a loan insured or guaranteed by the secretary of housing and urban development, the administrator of veterans affairs, or the administrator of the farmers home administration, or (c) a *contract for deed* by making a conventional loan (SHALL BE) is deemed to be a new conventional loan for purposes of determining the maximum lawful rate of interest under this subdivision. A borrower's interest rate commitment or a borrower's loan commitment (SHALL BE) is deemed to be issued on the date the commitment is hand delivered by the lender to, or mailed to the borrower. A forward commitment (SHALL BE) is deemed to be issued on the date the forward commitment is hand delivered by the lender to, or mailed to the person paying the forward commitment fee to the lender, or to any one of them if there should be more than one. A *commitment for a contract for deed* is deemed to be issued on the date the

commitment is initially executed by the contract for deed vendor or his authorized agent.

(5) A contract for deed executed pursuant to a commitment for a contract for deed, or a loan made pursuant to a borrower's interest rate commitment, or made pursuant to a borrower's loan commitment, or made pursuant to a forward commitment for conventional loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, issued on or before November 30, 1982, at a rate of interest not in excess of the rate of interest authorized by this subdivision at the time the commitment was made (SHALL CONTINUE) *continues* to be enforceable in accordance with its terms until the indebtedness is fully satisfied.

(6) This subdivision supersedes subdivision 4 from May 31, 1979 until November 30, 1982.

(7) This subdivision expires November 30, 1982.

Sec. 5. Minnesota Statutes 1978, Section 47.20, is amended by adding a subdivision to read:

Subd. 13a. Any contract for deed having an interest rate in excess of the maximum lawful interest rate provided for in subdivision 4 or 4a as applicable is usurious. No contract for deed is unenforceable solely because the interest rate thereon is usurious. Persons who have paid usurious interest may recover an amount not to exceed five times the usurious portion of the interest paid under the contract for deed plus attorneys' fees from the person to whom the interest has been paid. The penalty provisions of chapter 334, do not apply to usurious contracts for deed.

Sec. 6. Minnesota Statutes 1978, Section 559.21, is amended to read:

559.21 [TERMINATION OF CONTRACT OF SALE; NOTICE, SERVICE AND RETURN, COSTS, REINSTATEMENT.] *Subdivision 1. When default is made in the conditions of any contract for the conveyance of real estate or any interest therein executed prior to May 1, 1980, whereby the vendor has a right to terminate the same, he may do so by serving upon the purchaser, his personal representatives or assigns, either within or without the state, a notice specifying the conditions in which default has been made, and stating that (SUCH) the contract will terminate (1) 30 days after the service of (SUCH) the notice if the purchaser has paid less than 30 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, (2) 45 days after service of (SUCH) the notice if the purchaser has paid 30 percent, or more, but less than 50 percent of the purchase price, exclusive of interest there-*

on, and any mortgages or prior contracts for deed which are assumed by the purchaser, (3) 60 days after service of (SUCH) the notice if the (VENDEE) purchaser has paid 50 percent, or more, of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, unless prior thereto the purchaser (SHALL COMPLY) complies with (SUCH) the conditions and (PAY) pays the costs of service, the mortgage registration tax, if actually paid by the vendor, together with an amount to apply on attorneys' fees actually expended or incurred, of \$75 when the amount in default is less than \$750, and of \$200 when the amount in default is \$750 or more; provided, however, that no amount (SHALL BE) is required to be paid for attorneys' fees as provided hereunder, unless some part of the conditions of default (SHALL HAVE) has existed at least 45 days prior to the date of service of (SAID) the notice.

Subd. 2. When default is made in the conditions of any contract for the conveyance of real estate or any interest therein executed on or after May 1, 1980, whereby the vendor has a right to terminate the same; he may do so by serving upon the purchaser, his personal representatives or assigns, either within or without the state, a notice specifying the conditions in which default has been made, and stating that the contract will terminate (1) 30 days after the service of the notice if the purchaser has paid less than 10 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, (2) 60 days after service of the notice if the purchaser has paid 10 percent, or more, but less than 25 percent of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, (3) 90 days after service of the notice if the purchaser has paid 25 percent, or more, of the purchase price, exclusive of interest thereon, and any mortgages or prior contracts for deed which are assumed by the purchaser, unless prior thereto the purchaser complies with the conditions and makes all payments due and owing to the vendor under the contract through the date payment is made and pays the costs of service, the mortgage registration tax, if actually paid by the vendor, together with an amount to apply on attorneys' fees actually expended or incurred, of \$125 when the amount in default is less than \$750, and of \$250 when the amount in default is \$750 or more; provided, however, that no amount is required to be paid for attorneys' fees as provided hereunder, unless some part of the conditions of default has existed at least 45 days prior to the date of service of the notice.

Subd. 3. [DEFINITION OF NOTICE.] For purposes of this section, the term "notice" means a writing stating the information required in this section, stating the name, address and telephone number of the vendor or of an attorney autho-

rized by the vendor to accept payments pursuant to the notice, and the fact that the person named is authorized to receive the payments, and including the following information in 12 point or larger bold type or in large legible handwritten letters:

(a) For contracts executed prior to May 1, 1980:

This notice is to inform you that by this notice the seller has begun proceedings under Minnesota Statutes, Section 559.21, to terminate your contract for deed for the reasons specified in this notice. The contract will terminate days after (service of this notice upon you) (the first date of publication of this notice) unless before then the person authorized in this notice to receive payments receives from you the amount this notice says you owe plus the costs of service of this notice together with the mortgage registration tax of \$ and \$ to apply to attorneys' fees actually expended or incurred; or unless before then you secure from a county or district court an order that the termination of the contract be suspended until your claims or defenses are finally disposed of by trial, hearing or settlement. Your action must specifically state those facts and grounds that demonstrate your claims or defenses. If you do not do one or the other of the above things within the time period specified in this notice, your contract will terminate at the end of the period and you will lose all the money you have paid on the contract; you will lose your right to possession of the property; you may lose your right to assert any claims or defenses that you might have; and you will be evicted. If you have any questions about this notice, contact an attorney immediately.

(b) For contracts executed on or after May 1, 1980:

This notice is to inform you that by this notice the seller has begun proceedings under Minnesota Statutes, Section 559.21, to terminate your contract for deed for the reasons specified in this notice. The contract will terminate days after (service of this notice upon you) (the first date of publication of this notice) unless before then the person authorized in this notice to receive payments receives from you the amount this notice says you owe plus any additional payments due under the contract to the seller since the notice was served plus the costs of service of this notice together with the mortgage registration tax of \$ and \$ to apply to attorneys' fees actually expended or incurred; or unless before then you secure from a county or district court an order that the termination of the contract be suspended until your claims or defenses are finally disposed of by trial, hearing or settlement. Your action must specifically state those facts and grounds that demonstrate your claims or defenses. If you do not do one or the other of the above things within the time period specified in this notice, your contract will terminate at the end of the period and you will lose all the money you have paid on the contract; you will lose your right to possession of the property; you may lose your right to assert any claims or defenses that you might have; and you will be

evicted. If you have any questions about this notice, contact an attorney immediately.

Subd. 4. (SUCH) The notice required by this section must be given notwithstanding any provisions in the contract to the contrary, and shall be served within the state in the same manner as a summons in the district court, without the state, in the same manner, and without securing any sheriff's return of not found, making any preliminary affidavit, mailing a copy of (SAID) the notice or doing any other preliminary act or thing whatsoever. Service of the notice without the state may be proved by the affidavit of the person making the same, made before an authorized officer having a seal, and within the state by such an affidavit or by the return of the sheriff of any county therein.

Three weeks published notice, and if the premises described in the contract are actually occupied, then in addition thereto, the personal service of a copy of the notice within ten days after the first date of publication of the notice, and in like manner as the service of a summons in a civil action in the district court upon the person in possession of the premises, (SHALL HAVE) has the same effect as the personal service of the notice upon the purchaser, his personal representatives or assigns, either within or without the state as herein provided for. In case of (SUCH) service by publication, as herein provided, the notice shall specify the conditions in which default has been made and state that (SUCH) the contract will terminate 90 days after the first date of publication of the notice, unless prior thereto the purchaser (COMPLY) complies with (SUCH) the conditions and, if required pursuant to subdivision 2, makes all payments due and owing to the vendor under the contract through the date payment is made and (PAY) pays the costs of service, the mortgage registration tax, if actually paid by the vendor, and attorneys' fees as provided herein, and the purchaser, his personal representatives or assigns, shall be allowed 90 days from and after the first date of publication of the notice to comply with the conditions of (SUCH) the contract.

If, within the time mentioned, the person served complies with (SUCH) the conditions and, if required pursuant to subdivision 2, makes all payments due and owing to the vendor under the contract through the date payment is made and pays the costs of service, the mortgage registration tax, if actually paid by the vendor, and attorneys' fees as provided herein, the contract shall be thereby reinstated; but otherwise shall terminate. In the event that (SUCH) the notice was not signed by an attorney for the vendor and the vendor is not present in the state, or cannot be found therein, then compliance with the conditions specified in the notice may be made by paying to the clerk of the district court in the county wherein the real estate or any part thereof is situated any money due and filing proof of compliance with other defaults specified, and the clerk of the district court shall be deemed the agent of the vendor for such purposes. A copy of the notice with proof of service thereof, and the affidavit of the

vendor, his agent or attorney, showing that the purchaser has not complied with the terms of the notice, may be recorded with the county recorder, and (SHALL BE) is prima facie evidence of the facts therein stated; but this section (SHALL) in no case (BE HELD TO APPLY) applies to contracts for the sale or conveyance of lands situated in another state or in a foreign country.

Sec. 7. Minnesota Statutes 1978, Chapter 559, is amended by adding a section to read:

[559.211] [RESTRAINING OR ENJOINING FURTHER PROCEEDINGS PURSUANT TO NOTICE OF TERMINATION OF CONTRACT OF SALE.] *Subdivision 1. [ORDER RESTRAINING OR ENJOINING FURTHER PROCEEDINGS; SECURITY.] In an action arising under or in relation to a contract for the conveyance of real estate or any interest therein, the county or district court, notwithstanding the service or publication pursuant to the provisions of section 559.21 of a notice of termination of the contract, has the authority at any time prior to the effective date of termination of the contract and subject to the requirements of Rule 65 of the Rules of Civil Procedure for the District Courts or comparable county court rule to enter an order temporarily restraining or enjoining further proceedings to effectuate the termination of the contract, including recording of the notice of termination with proof of service, recording of an affidavit showing noncompliance with the terms of the notice, taking any action to recover possession of the real estate, or otherwise interfering with the purchaser's lawful use of the real estate. In the action, the purchaser may plead affirmatively any matter that would constitute a defense to an action to terminate the contract. Upon a motion for a temporary restraining order the court has the discretion, notwithstanding any rule of court to the contrary, to grant the order without requiring the giving of any security or undertaking, and in exercising that discretion, the court shall consider, as one factor, the moving party's ability to afford monetary security. Upon a motion for a temporary injunction, the court shall condition the granting of the order either upon the tender to the court or vendor of installments as they become due under the contract or upon the giving of other security in a sum as the court deems proper. Upon written application, the court may disburse from payments tendered to the court an amount the court determines necessary to insure the timely payment of property taxes, property insurance, installments of special assessments, mortgage installments, prior contract for deed installments or other similar expenses directly affecting the real estate, or for any other purpose the court deems just. If a temporary restraining order or injunction is granted pursuant to this subdivision, the contract shall not terminate until the expiration of 15 days after the entry of the order or decision dissolving or modifying the temporary restraining order or injunction.*

Subd. 2. [REMEDIES ADDITIONAL.] The remedies provided in this section are in addition to and do not limit other

rights of remedies available to purchasers or vendors of real estate.

Subd. 3. [APPLICABILITY.] This section is applicable to contracts for the conveyance of real estate or any interest therein executed before, on and after the effective date of this section.

Sec. 8. This act is effective May 1, 1980."

Delete the title and insert:

"A bill for an act relating to commerce; providing a floating usury rate and penalty for contracts for deed; changing the termination periods for contracts for deed; clarifying the procedure regarding enjoining contract for deed terminations subsequent to service of the termination notice; amending Minnesota Statutes 1978, Sections 47.20, by adding a subdivision; 559.21; Chapter 559, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 47.20, Subdivisions 2, 3, 4, and 4a."

We request adoption of this report and repassage of the bill.

Senate Conferees: COLLIN C. PETERSON, RON SIELOFF and GERRY SIKORSKI.

House Conferees: JIM EVANS, RAY W. FARICY and LEE GREENFIELD.

Evans moved that the report of the Conference Committee on S. F. No. 273 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 273, A bill for an act relating to commerce; providing a floating usury rate for contracts for deed on residential property; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 2 and 4, and by adding a subdivision.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 103 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Aasness	Carlson, D.	Drew	Forsythe	Jennings
Adams	Carlson, L.	Eken	Friedrich	Johnson, C.
Ainley	Casserly	Ellingson	Greenfield	Johnson, D.
Albrecht	Clark	Erickson	Halberg	Jude
Anderson, B.	Clawson	Esau	Haukoos	Kaley
Anderson, D.	Crandall	Evans	Heinitz	Kalis
Anderson, R.	Dean	Ewald	Hoberg	Kelly
Blatz	Dempsey	Faricy	Hokanson	Kempe
Brinkman	Den Ouden	Fjoslien	Jacobs	Knickerbocker

Kvam	Nelsen, B.	Peterson, B.	Sherwood	Valento
Laidig	Nelsen, M.	Piepho	Sieben, H.	Vanasek
Lehto	Nelson	Pleasant	Sieben, M.	Voss
Levi	Niehaus	Redalen	Simoneau	Weaver
Long	Norman	Reding	Stadum	Welker
Ludeman	Novak	Rees	Stoa	Wieser
Luknic	Nysether	Reif	Stowell	Wigley
Mann	Olsen	Rodriguez	Sviggum	Wynia
McDonald	Onnen	Rose	Swanson	Zubay
Mehrkens	Osthoff	Rothenberg	Thiede	Spkr. Norton
Metzen	Otis	Schreiber	Tomlinson	
Murphy	Patton	Searles	Valan	

Those who voted in the negative were:

Anderson, G.	Berglin	Fudro	McEachern	Welch
Anderson, I.	Corbid	Kahn	Minne	Wenzel
Battaglia	Elioff	Kostohryz	Peterson, D.	
Begich	Fritz	Kroening	Waldorf	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 1584, A bill for an act relating to transportation; providing for specific information signing for resorts and recreational camping areas along certain highways.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Messrs. Willet, Johnson and Rued have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Ainley moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1584. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 1741 and 1807.

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. 1541.

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. 1613, 1751 and 2095.

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. 1679, 1731, 1900, 2104 and 2110.

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. 1630, 1716, 1796, 1892 and 1996.

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. 1187, 1810, 1889, 1937 and 1979.

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. 2040, 2102 and 2131.

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. 1659, 1675 and 1719.

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. 1188, 1358, 1662, 1825 and 1922.

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. 978, 1811, 1813, 1921 and 2077.

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. 1843, 1863, 1875 and 1887.

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. 597, 789, 1311, 1707 and 1740.

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. 2067 and 2090.

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. 1493 and 2045.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

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

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

S. F. No. 1807, A bill for an act relating to taxation; income; property tax refund; deleting obsolete and unnecessary provisions and references; amending Minnesota Statutes 1978, Sections 290.03; 290.07, Subdivision 4; 290.071, Subdivision 1; 290.073; 290.077, Subdivision 4; 290.08, Subdivisions 3, 8 and 13; 290.09, Subdivisions 5, 13 and 25; 290.095, Subdivisions 3 and 8; 290.131, Subdivision 1; 290.18, Subdivision 1; 290.28, Subdivision 3; 290.311, Subdivisions 1 and 2; 290.32; 290.361, Subdivision 2; 290.38; 290.40; 290.49, Subdivision 1; 290.62; 290.65, Subdivisions 2, 7, 9, 13 and 16; 290.92, Subdivisions 2a, 5, 13 and 15; 290.93, Subdivisions 5 and 9; 290.931, Subdivision 1; 290.932, Subdivision 1; 290.936; 290.97; 290.972, Subdivisions 2 and 3; 290A.07, Subdivision 1; Minnesota Statutes, 1979 Supplement, Sections 290.01, Subdivision 20; and 290A.03, Subdivisions 3 and 13; repealing Minnesota Statutes 1978, Sections 290.06, Subdivisions 2b, 3a and 3b; 290.08, Subdivisions 4 and 5; 290.086; 290.087; 290.09, Subdivisions 11 and 20; 290.095, Subdivision 6; 290.31, Subdivision 28; 290.34, Subdivision 4; 290.361, Subdivision 4; 290.363; 290.45, Subdivision 2a; 290.49, Subdivision 9; 290.53, Subdivision 6; 290.65, Subdivisions 8, 14 and 15; 290.66; 290.68; 290.69; 290.93, Subdivision 12; 290.932, Subdivision 5; 290.95; 290.96; and 290.972, Subdivision 7.

The bill was read for the first time.

Onnen moved that S. F. No. 1807 and H. F. No. 1722, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1541, A bill for an act relating to transportation; abolishing the functions, powers and duties of the department of transportation relating to the inspection, grading, sampling and analysis of hay and straw; clarifying laws relating to the regulation of railroads and removing obsolete and duplicative language; prescribing certain powers of the commissioner of transportation and the public service commission relating to rates and charges; requiring track scales, and regulating the weighing of railroad cars and freight; providing for railroad grade crossing safety devices and other safety devices; prescribing penalties; amending Minnesota Statutes 1978, Sections 218.011, Subdivision 2; 218.021; 218.031, Subdivision 1; 218.041; 219.01; 219.08; 219.10; 219.14; 219.17; 219.19; 219.23; 219.28; 219.383, Subdivision 4; 219.39; 219.40; 219.403; 219.47; 219.50; 219.52; 219.54; 219.64; 219.70; 219.741; 219.85; 219.92; 219.97, Subdivision 7; Chapters 25, by adding sections; 219, by adding sections; and 239, by adding a section; repealing Minnesota Statutes 1978, Sections 219.02; 219.03; 219.04; 219.05; 219.07; 219.11; 219.12; 219.25; 219.43; 219.58; 219.59; 219.60; 219.61; 219.62; 219.63; 219.65; 219.66; 219.67; 219.84; 219.86; 219.87; 219.89; 219.90; 219.91; 219.94; 219.95; 219.96; 219.97, Subdivisions 1, 2, 3, 8, 9, 11, 14, 15 and 16; 222.38; 222.39; 222.40; 222.41; 222.42; 222.43; 222.44; 222.45; 229.01; 229.02; 229.03; 229.04; 229.05; 229.06; 229.07; 229.08; 229.10; 229.11; 229.12; 229.13; 229.14; 229.15; 229.16; 229.17; 229.18; 229.19; 229.20; and 452.14.

The bill was read for the first time.

Sviggum moved that S. F. No. 1541 and H. F. No. 1591, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1613, A bill for an act relating to Independent School District No. 119, Walker; authorizing it to transfer money from its general fund to its capital expenditure fund for the purpose of constructing a facility for special education.

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

S. F. No. 1751, A bill for an act relating to highway traffic regulations; providing that the operation of certain motorcycles does not require a two-wheeled vehicle endorsement on the operator's driver's license; amending Minnesota Statutes 1978, Section 169.974, Subdivision 2; and by adding a subdivision.

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

S. F. No. 2095, A bill for an act relating to Hennepin County; providing for a county personnel system; providing various conditions of public employment; amending Laws 1965, Chapter 855, Sections 1, 2, 3, 4, as amended, 5, 6, as amended, 7, as amended, 8, 9, 10, 11, 12, 13, 14, 15, as amended, and 16; and Laws 1979, Chapter 198, Article I, Section 2; repealing Laws 1945, Chapter 607, as amended; Laws 1965, Chapter 855, Section 17; Laws 1967, Chapter 646, Sections 4, 5, 6, and 7, and Chapter 779; and Laws 1979, Chapter 198, Article III, Section 5.

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

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

The bill was read for the first time.

Novak moved that S. F. No. 1679 and H. F. No. 2331, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1731, A bill for an act relating to trade secrets; enacting the uniform trade secrets act.

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

S. F. No. 1900, A bill for an act relating to financial institutions; authorizing certain additional facilities for banks; amending Minnesota Statutes 1978, Section 47.52.

The bill was read for the first time.

Blatz moved that S. F. No. 1900 and H. F. No. 1675, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2104, A bill for an act relating to state lands; changing the interest rate on unpaid sale balances; amending Minnesota Statutes 1978, Section 92.06, Subdivision 1.

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

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

The bill was read for the first time.

Sieben, H., moved that S. F. No. 2110 and H. F. No. 2156, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1630, A bill for an act relating to the City of Minneapolis; authorizing the establishment of a detached banking facility.

The bill was read for the first time.

Crandall moved that S. F. No. 1630 and H. F. No. 1680, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

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

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

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

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

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

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

S. F. No. 1996, A bill for an act relating to the city of Minneapolis; providing for a position in the unclassified service; amending Laws 1969, Chapter 937, Section 1, Subdivision 1, as amended, and by adding a subdivision.

The bill was read for the first time.

Clark moved that S. F. 1996 and H. F. No. 2034, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

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

The bill was read for the first time.

Johnson, D., moved that S. F. No. 1187 and H. F. No. 1142, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1810, A bill for an act relating to motor vehicles; registration and taxation; exempting certain tax exempt vehicles from special markings; amending Minnesota Statutes 1978, Section 168.012, Subdivision 1.

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

S. F. No. 1889, A bill for an act relating to intoxicating liquor; authorizing the use of wine catalogs by off-sale dealers; amending Minnesota Statutes 1978, Section 340.15, Subdivision 1.

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

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

The bill was read for the first time.

Peterson, D., moved that S. F. No. 1937 and H. F. No. 1957, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1979, A bill for an act relating to state forests; altering the boundaries of Badoura State Forest; amending Minnesota Statutes 1978, Section 89.021, Subdivision 2.

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

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

The bill was read for the first time.

Valan moved that S. F. No. 2040 and H. F. No. 2081, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2102, A bill for an act relating to the city of Melrose; authorizing the issuance of general obligation bonds for a fire hall and community center.

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

S. F. No. 2131, A bill for an act relating to local government; permitting local governmental bodies to set mileage allowances for officers and employees; amending Minnesota Statutes 1978, Section 471.665, Subdivision 3; and Minnesota Statutes, 1979 Supplement, Section 471.665, Subdivision 1.

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

S. F. No. 1659, A bill for an act relating to intoxicating liquor; permitting municipalities to authorize the sale of intoxicating liquor at arenas and sports complexes in certain cases; amending Minnesota Statutes 1978, Section 340.11, by adding a subdivision.

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

S. F. No. 1675, A bill for an act relating to taxation; clarifying the provisions of the wetland credit for property tax purposes; providing a property tax exemption and credit for native prairie; providing for payment to the county for revenue lost by the exemption and credit; appropriating money; amending Minnesota Statutes 1978, Chapter 273, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 272.02, Subdivision 1; 273.115, Subdivisions 1, 2, 5, 6, and by adding a subdivision.

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

S. F. No. 1719, A bill for an act relating to taxation; changing settlement dates for property taxes; amending Minnesota Statutes 1978, Sections 276.09; 276.10; and 276.11.

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

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

The bill was read for the first time.

Johnson, D., moved that S. F. No. 1188 and H. F. No. 1143, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1358, A bill for an act relating to insurance; clarifying provisions regarding acquisition of control of domestic insurers; changing the time period after which a hearing must be held under the insurance holding company systems act; changing the time period under which discovery must be completed for these hearings; eliminating an exemption from the insurance holding company systems act; amending Minnesota Statutes 1978, Section 60D.02, Subdivisions 4 and 6.

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

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

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

S. F. No. 1825, A bill for an act relating to state government; permitting payroll deductions for the Minnesota Benefit Association; amending Minnesota Statutes 1978, Section 10.39, Subdivision 1.

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

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

The bill was read for the first time.

Brinkman moved that S. F. No. 1922 and H. F. No. 1856, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 978, A bill for an act relating to banks and trust companies; allowing substitution of certain banks and trust com-

panies in fiduciary capacities maintained by certain banks and trust companies.

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

S. F. No. 1811, A bill for an act relating to transportation; excluding minor pipeline relocations from certain easement or right-of-way agreement provisions; amending Minnesota Statutes, 1979 Supplement, Section 1161.01, Subdivision 2.

The bill was read for the first time.

Kalis moved that S. F. No. 1811 and H. F. No. 2111, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

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

The bill was read for the first time.

Den Ouden moved that S. F. No. 1813 and H. F. No. 1941, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1921, A bill for an act relating to the city of Moorhead; increasing the amount which the city may expend for public transportation services; amending Laws 1969, Chapter 192, Section 1.

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

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

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

S. F. No. 1843, A bill for an act relating to transportation; establishing a state rail bank for abandoned rail lines; amending Minnesota Statutes 1978, Chapter 222, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 174.03, Subdivision 4; 222.50, Subdivision 7; and 222.65.

The bill was read for the first time.

Lehto moved that S. F. No. 1843 and H. F. No. 1898, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1863, A bill for an act relating to courts; raising the jurisdictional limit for conciliation court; providing for additional clerk and administrator duties in conciliation court; providing for a procedure to assist in collection of conciliation court judgments; changing certain deadlines; providing penalties; amending Minnesota Statutes 1978, Sections 487.30, Subdivision 1, and by adding a subdivision; 488A.12, Subdivision 3; 488A.13, Subdivision 2; 488A.14, Subdivisions 4 and 5; 488A.16, Subdivisions 2, 5, 6 and 8; 488A.17, Subdivisions 2 and 3; 488A.29, Subdivision 3; 488A.30, Subdivision 2; 488A.31, Subdivisions 4 and 5; 488A.33, Subdivisions 2, 5, 7 and 8; and 488A.34, Subdivisions 2 and 12.

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

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

The bill was read for the first time.

Jacobs moved that S. F. No. 1875 and H. F. No. 2069, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1887, A bill for an act relating to taxation; redefining "family farm corporation" for purposes of the agricultural property tax law; amending Minnesota Statutes 1978, Section 273.111, Subdivision 3.

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

S. F. No. 597, A bill for an act relating to motor vehicles; requiring an identification number on vehicles used in enforcing highway traffic safety regulations; amending Minnesota Statutes 1978, Section 169.98, Subdivision 1.

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

S. F. No. 789, A bill for an act relating to commerce; registering and regulating continuing care facilities; providing a lien; providing for disclosure; providing a penalty; amending Minnesota Statutes 1978, Section 82.18.

The bill was read for the first time.

Pleasant moved that S. F. No. 789 and H. F. No. 887, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

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

The bill was read for the first time.

Vanasek moved that S. F. No. 1311 and H. F. No. 1355, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1707, A bill for an act relating to towns; requiring a majority of voters to permit town zoning; clarifying the ballot question; requiring hearing and notice before certain actions; requiring notice of changes; amending Minnesota Statutes 1978, Sections 366.11; 366.12; 366.13; and 366.15.

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

S. F. No. 1740, A bill for an act relating to local public employees; increasing the amount of severance pay which may be given to certain employees; improving some of the language in a severance pay law; amending Minnesota Statutes, 1979 Supplement, Section 465.72.

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

S. F. No. 2067, A bill for an act relating to motor vehicles; increasing the maximum interest rate on certain loans under the Motor Vehicle Retail Installment Sales Act; amending Minnesota Statutes 1978, Section 168.72.

The bill was read for the first time.

Osthoff moved that S. F. No. 2067 and H. F. No. 2121, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

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

The bill was read for the first time.

Patton moved that S. F. No. 2090 and H. F. No. 2208, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1493, A bill for an act relating to elections; providing an exception to the party balance requirement for appointment of town officers as election judges when insufficient names are supplied by political parties for appointment as election judges; fixing compensation for county canvassing boards and county and township election judges; amending Minnesota Statutes 1978, Section 204A.17, Subdivision 5; and Minnesota Statutes, 1979 Supplement, Section 204A.23.

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

S. F. No. 2045, A bill for an act relating to state lands; providing for the conveyance of certain lands to the city of Owatonna.

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

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Progress by Conference Committees was reported to the House on the following bills: S. F. Nos. 410, 768, 129 and 1670.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Eken, from the Committee on Rules and Legislative Administration, pursuant to rule 1.9, designated the following bills as a Special Order to be acted upon immediately following Special Orders pending for Thursday, March 13, 1980:

H. F. Nos. 593, 1451, 1700, 1814, 1699, 1742, 1796, 1812, 1816, 1884, 1896, 1899, 1916 and 753.

Schreiber was excused from 3:00 p.m. to 5:45 p.m.

Johnson, C., was called to the chair by the Speaker.

CONSENT CALENDAR

H. F. No. 2374 was reported to the House.

Dean moved to amend H. F. No. 2374, as follows:

Page 3, after line 6, add a new section to read:

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

The motion prevailed and the amendment was adopted.

H. F. No. 2374, A bill for an act relating to the state ceremonial building; creating the state ceremonial building board; amending Minnesota Statutes 1978, Section 16.872.

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

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 942, A bill for an act relating to pollution control; authorizing state use of up to two percent of federal construction grant funds to administer the federal water pollution control act; amending Minnesota Statutes 1978, Section 116.16, Subdivision 10.

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 117 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1349, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Kandiyohi county for the purpose of correcting conveyancing errors.

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 117 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Sherwood	Stoa	Valan	Weaver	Wynia
Sieben, H.	Stowell	Valento	Welch	Zubay
Sieben, M.	Svigum	Vanasek	Welker	
Simoneau	Swanson	Voss	Wenzel	
Stadum	Tomlinson	Waldorf	Wieser	

The bill was passed and its title agreed to.

H. F. No. 1577, A bill for an act relating to real property; empowering the commissioner of banks to clear certain title defects involving a defunct state agency.

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 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1765, A bill for an act relating to financial institutions; excluding certain loans made by credit unions in calculating outstanding loans and risk assets for reserve fund purposes; amending Minnesota Statutes 1978, Section 52.17.

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

Reding	Sherwood	Stowell	Vanasek	Wenzel
Rees	Sieben, H.	Sviggum	Voss	Wieser
Rodriguez	Sieben, M.	Swanson	Waldorf	Wigley
Rose	Simoneau	Tomlinson	Weaver	Wynia
Rothenberg	Stadum	Valan	Welch	Zubay
Searles	Stoa	Valento	Welker	

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1846, A bill for an act relating to highway traffic regulations; authorizing certain identification rights on motor vehicles operated by certificated volunteer ambulance drivers;

amending Minnesota Statutes 1978, Section 169.58, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1892, A bill for an act relating to courts; providing that courts may acquire electronic data processing services through supreme court contracts; amending Minnesota Statutes 1978, Chapter 480, by adding a section.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 1895, A bill for an act relating to human rights; further defining certain unfair discriminatory practices related to reprisals; defining the scope of a class for class action suits; increasing a penalty by increasing allowable punitive damages; amending Minnesota Statutes 1978, Sections 363.03, Subdivision 7; 363.071, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 363.06, 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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Svigum	Valan	Waldorf	Wenzel	Zubay
Swanson	Valento	Weaver	Wieser	
Thiede	Vanasek	Welch	Wigley	
Tomlinson	Voss	Welker	Wynia	

The bill was passed and its title agreed to.

H. F. No. 1931, A bill for an act relating to Ramsey County; simplifying the numbering of the county code; amending Laws 1974, Chapter 435, Articles I to IV, as amended.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1995, A bill for an act relating to health care; excluding coverage of certain services in the Comprehensive Health Insurance Plan; extending the pre-existing condition period; qualifying certain services covered by the Catastrophic Health Expense Protection program; repealing certain provisions; amending Minnesota Statutes 1978, Section 62E.12; 62E.14, Subdivision 3; 62E.53, by adding a subdivision; and Laws 1979, Chapter 272, Section 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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2051, A bill for an act relating to elections; requiring certain employers to attempt to let employees make up time taken off for certain public meetings; amending Minnesota Statutes 1978, Section 210A.09, Subdivision 2.

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

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

Those who voted in the affirmative were:

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

Kalis	McDonald	Olsen	Rose	Valento
Kelly	McEachern	Onnen	Rothenberg	Vanasek
Kempe	Mehrkens	Osthoff	Searles	Voss
Knickerbocker	Metzen	Otis	Sherwood	Waldorf
Kostohryz	Minne	Patton	Sieben, H.	Weaver
Kroening	Moe	Pehler	Sieben, M.	Welch
Kvam	Munger	Peterson, B.	Simoneau	Welker
Laidig	Murphy	Peterson, D.	Stadum	Wenzel
Lehto	Nelsen, B.	Piepho	Stoa	Wieser
Levi	Nelsen, M.	Prahl	Stowell	Wigley
Long	Nelson	Redalen	Sviggum	Wynia
Ludeman	Niehaus	Reding	Swanson	Zubay
Luknic	Norman	Rees	Thiede	Spkr. Norton
Mann	Novak	Reif	Tomlinson	
McCarron	Nysether	Rodriguez	Valan	

The bill was passed and its title agreed to.

H. F. No. 2119, A bill for an act relating to the military; extending indefinitely the duration of the authority of the adjutant general to acquire lands for military training from funds available in the military land fund; repealing certain obsolete provisions relating to the military land fund; amending Minnesota Statutes 1978, Sections 190.25; 190.26, Subdivision 1; 190.29; 190.30, Subdivisions 1, 5 and 6; and repealing Minnesota Statutes 1978, Sections 190.26, Subdivisions 2 and 3; and 190.27.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2122, A bill for an act relating to insurance; increasing the maximum limits on the insuring or reinsuring of a single risk of certain companies; defining a term; amending Minnesota Statutes 1978, Section 60A.09, Subdivision 1, and by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Nelsen, B.

The bill was passed and its title agreed to.

H. F. No. 2187, A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in the city of Brooklyn Center.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Stoa

The bill was passed and its title agreed to.

H. F. No. 2222, A bill for an act relating to insurance; authorizing business trusts to exchange reciprocal or interinsurance contracts; amending Minnesota Statutes 1978, Section 71A.01, 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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 2287, A bill for an act relating to the city of Edina; authorizing a temporary short term on-sale liquor license for a certain civic or charitable festival.

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

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Erickson	Kempe	McDonald	Sherwood
Anderson, D.	Esau			

The bill was passed and its title agreed to.

H. F. No. 2302, A bill for an act relating to financial institutions; requiring all checks and drafts drawn on certain accounts to clearly display the month and year the account was opened.

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

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berglin Den Ouden Prah

The bill was passed and its title agreed to.

S. F. No. 364, A bill for an act relating to peace officers; requiring uniform colors and identification for law enforcement motor vehicles and uniforms of peace officers and security guards; amending Minnesota Statutes 1978, Section 169.98.

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 93 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Johnson, D.	Murphy	Rose
Anderson, B.	Ellingson	Jude	Nelsen, B.	Rothenberg
Anderson, D.	Erickson	Kahn	Nelsen, M.	Searles
Anderson, G.	Evans	Kaley	Nelson	Sherwood
Anderson, I.	Ewald	Kelly	Niehaus	Sieben, H.
Anderson, R.	Faricy	Knickerbocker	Norman	Sieben, M.
Battaglia	Forsythe	Kostohryz	Novak	Simoneau
Begich	Fritz	Kroening	Nysether	Stoa
Berglin	Fudro	Laidig	Olsen	Stowell
Berkelman	Greenfield	Lehto	Onnen	Swanson
Blatz	Halberg	Levi	Otis	Tomlinson
Brinkman	Haukoos	Long	Patton	Vanasek
Carlson, L.	Heap	Mann	Peterson, B.	Voss
Casserly	Heinitz	McCarron	Peterson, D.	Waldorf
Clawson	Hoberg	McDonald	Prahl	Welch
Crandall	Hokanson	McEachern	Reding	Wenzel
Dean	Jacobs	Minne	Rees	Wynia
Drew	Jaros	Moe	Reif	
Eken	Johnson, C.	Munger	Rodriguez	

Those who voted in the negative were:

Aasness	Jennings	Luknic	Sviggunm	Welker
Albrecht	Kalis	Mehrkins	Thiede	Wieser
Byrne	Kempe	Pehler	Valan	Wigley
Dempsey	Kvam	Redalen	Valento	
Fjoslien	Ludeman	Stadum	Weaver	

The bill was passed and its title agreed to.

Speaker Norton resumed the chair.

S. F. No. 920, A bill for an act relating to health; changing provisions related to compensation of members of local boards of health; amending Minnesota Statutes 1978, Section 145.52, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 1296, A bill for an act relating to public welfare; authorizing grants for community residential facilities; amending Minnesota Statutes 1978, Section 252.30.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1090, A bill for an act relating to education; authorizing the state boards for community colleges and for voca-

tional education to contract for certain insurance coverage for students; amending Minnesota Statutes 1978, Sections 136.62, by adding a subdivision; and 121.21, by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

Ainley and Pehler were excused while in conference committee.

H. F. No. 1769, A bill for an act relating to public welfare; providing access to criminal conviction data of certain applicants for licenses; amending Minnesota Statutes 1978, Section 245.783, Subdivision 3.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

Johnson, C., was excused for the remainder of today's session.

H. F. No. 2075, A bill for an act relating to health; requiring certain immunizations for children; requiring certain schools to maintain immunization records and make certain reports; amending Minnesota Statutes 1978, Section 123.70.

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

The bill was passed and its title agreed to.

H. F. No. 2135, A bill for an act relating to public welfare; providing that certain relatives of children receiving aid to families with dependent children are not responsible for contributions; amending Minnesota Statutes 1978, Section 256.87, 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 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2141, A bill for an act relating to crimes; requiring inclusion of information on presentence investigation reports deemed necessary by the sentencing guidelines commission; amending Minnesota Statutes, 1979 Supplement, Section 609.115, 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	Begich	Clark	Elioff	Friedrich
Adams	Berglin	Clawson	Ellingson	Fritz
Albrecht	Berkelman	Corbid	Erickson	Fudro
Anderson, B.	Blatz	Crandall	Esau	Greenfield
Anderson, D.	Brinkman	Dean	Evans	Halberg
Anderson, G.	Byrne	Dempsey	Ewald	Haukoos
Anderson, I.	Carlson, D.	Den Ouden	Faricy	Heap
Anderson, R.	Carlson, L.	Drew	Fjoslien	Heinitz
Battaglia	Casserly	Eken	Forsythe	Hoberg

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

The bill was passed and its title agreed to.

H. F. No. 2142, A bill for an act relating to crimes; requiring sentencing courts to submit information as the sentencing guidelines commission requires which is reasonably related to monitoring application of sentence guidelines; amending Minnesota Statutes 1978, Section 244.09, Subdivision 6.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2153, A bill for an act relating to health; authorizing the commissioner of health to issue orders concerning well water quality; amending Minnesota Statutes 1978, Section 156A.05, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Nelsen, M. Sviggum

The bill was passed and its title agreed to.

H. F. No. 2198, A bill for an act relating to juveniles; requiring notice to noncustodial parents of filing of petitions for dependency, delinquency, neglect, or neglected and in foster care; amending Minnesota Statutes 1978, Sections 260.135, Subdivision 2; and 260.251, 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 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2295, A resolution memorializing the President and Congress to take all actions necessary to effect changes in regulations of the Department of Health, Education, and Welfare so that physician visits to medically stable residents of certain health care facilities are required only quarterly or semi-annually.

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

Norman	Peterson, D.	Rose	Stowell	Weaver
Novak	Piepho	Rothenberg	Sviggum	Welch
Nysether	Pleasant	Searles	Swanson	Wenzel
Olsen	Prahl	Sherwood	Thiede	Wieser
Onnen	Redalen	Sieben, H.	Tomlinson	Wigley
Osthooff	Reding	Sieben, M.	Valento	Wynia
Otis	Rees	Simoneau	Vanasek	Zubay
Patton	Reif	Stadum	Voss	Spkr. Norton
Peterson, B.	Rodriguez	Stoa	Waldorf	

The bill was passed and its title agreed to.

S. F. No. 1755, A bill for an act relating to towns; permitting compensation and providing for mileage of deputy clerks; amending Minnesota Statutes 1978, Section 367.05, Subdivision 2.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

SPECIAL ORDERS

H. F. No. 1779 was reported to the House.

Jude moved to amend H. F. No. 1779 as follows:

Page 2, line 6, delete subdivision 4 from the bill

Renumber the remaining subdivision

Page 3, line 32, after "*guardianship*" insert "*or conservatorship*"

Page 4, line 22, delete "*a determination*" and insert "*evidence*"

Page 4, line 23, delete "*word*" and insert "*ward*"

Page 8, line 8, after "*siblings*," insert "*next of kin*"

Page 18, line 6, after "*court*" insert "*within 30 days of the anniversary date of the guardian's or conservator's appointment*"

Page 18, line 7, after "*account*" delete "*and*" and insert "*. The guardian or conservator shall*"

Page 18, line 9, after "*annually*" delete the rest of the line

Page 18, lines 10, 11, 12 and 13, delete the new language and insert "*review the court file to insure that the account has been filed and that the account contains the information required by this section. If an account has not been filed or if the account does not contain the information required by this section, the court shall order the guardian or conservator to file an appropriate account. The examination and acceptance shall not constitute an adjudication or determination of the merits of the account filed nor shall it constitute the court's approval of the account*"

Page 28, line 4, delete "*26*" and insert "*27*"

Page 28, line 20, delete "*26*" and insert "*27*"

Page 29, line 5, delete "*25*" and insert "*26*"

Page 29, line 6, delete "*26*" and insert "*27*"

Page 30, line 9, delete "*27*" and insert "*28*"

Page 31, line 6, delete everything after "*ward*" and insert a period

Page 31, delete line 7

Page 31, line 18, delete "*36*" and insert "*37*"

Page 34, line 32, delete "*30*" and insert "*31*"

Amend title as follows:

Page 1, line 4, delete "changing" and insert "clarifying"

The motion prevailed and the amendment was adopted.

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

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 593, A bill for an act relating to wild animals; clarifying conditions under which raccoons may be taken at night; amending Minnesota Statutes 1978, Section 100.29, Subdivision 10.

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 117 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D. Berglin Kahn McCarron

The bill was passed and its title agreed to.

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

H. F. No. 1451 was reported to the House.

Stowell moved to amend H. F. No. 1451 as follows:

Page 13, line 25, after the period insert a new section as follows:

"[85.012] [Subd. 59.] Sec. 3. Subdivision 1. [WHITE-WATER STATE PARK; EXCLUSION OF LANDS.] All pri-

vately owned lands within the boundaries of Whitewater State Park in Winona County are excluded from Whitewater State Park, with the exception of the following described lands:

(1) The Southwest quarter of the Southwest quarter of the Southwest quarter (SW1/4 SW1/4 SW1/4) of Section 16;

(2) The South half of the North half of the Northeast quarter (S1/2 N1/2 NE1/4) of Section 19;

(3) The South half of the Northwest quarter of the Northwest quarter (S1/2 NW1/4 NW1/4) of Section 20;

(4) The West half of the Northwest quarter of the Northwest quarter (W1/2 NW1/4 NW1/4) of Section 21; and

(5) The West half of the Southwest quarter of the Southeast quarter (W1/2 SW1/4 SE1/4) of Section 29; All in Township 107 North of Range 10 West of the 5th P.M. in the county of Winona.

Subd. 2. [SCENIC EASEMENTS.] As a condition for the exclusion of any land from the statutory boundaries of the Whitewater State Park as defined in subdivision 1, the owner of such land must first consent to a scenic easement as defined by Minnesota Statutes, Section 104.37, Subdivision 1, in a form prescribed by the commissioner. The commissioner's office shall prepare no later than 90 days following the written request of the landowner such an easement agreement without charge to the landowner. No easement shall interfere with a landowner's right to maintain and modify existing structures or construct appurtenant structures; nor shall it prevent the landowner from continuing current agricultural use of the land, including the harvesting of timber for lumber or firewood as directed in a timber management plan prepared by a professional forester; nor shall it pertain to any tract or tracts which are more than 30 feet back from the top of the bluffs and which cannot be seen from any point on the current route of trunk highway numbered 74, where the highway currently passes through the park. The commissioner shall have the authority to grant variances from easement agreements.

Subd. 3. [PURCHASE AUTHORIZED.] If any owner or owners of land excluded by subdivision 1 shall subsequently offer the land or any portion thereof for sale, the commissioner of natural resources may make an offer to purchase the land. If accepted by the owner the commissioner may purchase the land and when acquired the park boundary shall be extended to include the land thus purchased.

Subd. 4. [TRAIL EASEMENTS.] The commissioner of natural resources may acquire by negotiation for a purchase price to be agreed upon with the affected landowner, trail easements

over the land excluded from Whitewater State Park by subdivision 1."

Renumber subsequent sections accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 1451, A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks and authorizing land acquisition in relation thereto.

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

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht	Haukoos	Jennings	Niehaus	Pleasant
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The bill was passed, as amended, and its title agreed to.

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

Brinkman moved that H. F. No. 1700 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 1814 was reported to the House.

Erickson moved to amend H. F. No. 1814, as follows:

Page 2, line 16, strike "five" and insert "six"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 58 yeas and 63 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

The bill was read for the 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 102 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Kalis	Norman	Stadum
Anderson, B.	Ellingson	Kelly	Novak	Stoa
Anderson, D.	Erickson	Kempe	Nysether	Stowell
Anderson, G.	Evans	Kostohryz	Olsen	Sviggum
Anderson, I.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Lehto	Osthoff	Tomlinson
Begich	Fjoslien	Levi	Otis	Valan
Berglin	Forsythe	Long	Patton	Vanasek
Berkelman	Fudro	Luknic	Peterson, D.	Voss
Blatz	Greenfield	Mann	Prahl	Waldorf
Brinkman	Haukoos	McCarron	Redalen	Weaver
Byrne	Heap	McEachern	Reding	Welch
Carlson, D.	Heinitz	Mehrkens	Reif	Wenzel
Carlson, L.	Hoberg	Metzen	Rodriguez	Wieser
Casserly	Hokanson	Minne	Rose	Wigley
Clark	Jacobs	Munger	Rothenberg	Wynia
Clawson	Jaros	Murphy	Searles	Zubay
Corbid	Johnson, D.	Nelsen, B.	Sherwood	Spkr. Norton
Crandall	Jude	Nelsen, M.	Sieben, H.	
Dean	Kahn	Nelson	Sieben, M.	
Eken	Kaley	Niehaus	Simoneau	

Those who voted in the negative were:

Aasness	Drew	Ludeman	Pleasant	Welker
Albrecht	Fritz	McDonald	Rees	
Dempsey	Jennings	Peterson, B.	Thiede	
Den Ouden	Kvam	Piepho	Valento	

The bill was passed and its title agreed to.

H. F. No. 1699 was reported to the House.

Wynia moved to amend H. F. No. 1699 as follows:

Page 1, line 13, delete "but which"

Page 1, delete line 14 and insert "and are not suspect of having been rendered unsafe or unsuitable for food use and are adequately labeled."

The motion prevailed and the amendment was adopted.

H. F. No. 1699, A bill for an act relating to food; exempting certain donors of food from civil and criminal liability in certain circumstances.

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

The question was taken on the passage of the bill and the roll was called. There were 117 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

H. F. No. 1742 was reported to the House.

Wigley moved to amend H. F. No. 1742, as follows:

Page 1, line 17, after "two" insert "empty"

The motion prevailed and the amendment was adopted.

H. F. No. 1742, A bill for an act relating to highway traffic regulations; authorizing pickup trucks used for certain purposes to draw two trailers under certain circumstances and within limited areas; amending Minnesota Statutes 1978, Section 169.81, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 93 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, R.	Brinkman	Dean	Ellingson
Albrecht	Battaglia	Byrne	Dempsey	Erickson
Anderson, B.	Begich	Carlson, D.	Den Ouden	Esau
Anderson, D.	Berkelman	Corbid	Eken	Evans
Anderson, G.	Blatz	Crandall	Elioff	Ewald

Fjoslien	Kalis	Nelsen, M.	Reif	Vanasek
Friedrich	Kelly	Niehaus	Rodriguez	Voss
Fritz	Kvam	Norman	Rose	Waldorf
Halberg	Levi	Novak	Rothenberg	Weaver
Haukoos	Ludeman	Nysether	Searles	Welch
Heap	Luknic	Olsen	Sherwood	Welker
Heinitz	Mann	Onnen	Stadum	Wenzel
Hoberg	McDonald	Patton	Stoa	Wieser
Hokanson	McEachern	Peterson, B.	Stowell	Wigley
Jacobs	Mehrkens	Peterson, D.	Sviggum	Wynia
Jennings	Metzen	Piepho	Thiede	Zubay
Johnson, D.	Minne	Prahl	Tomlinson	Spkr. Norton
Jude	Murphy	Redalen	Valan	
Kaley	Nelsen, B.	Rees	Valento	

Those who voted in the negative were:

Adams	Clawson	Greenfield	Lehto	Osthoff
Anderson, I.	Drew	Kahn	Long	Otis
Berglin	Faricy	Kempe	McCarron	Sieben, M.
Carlson, L.	Forsythe	Kostohryz	Moe	Simoneau
Clark	Fudro	Kroening	Nelson	Swanson

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

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

The bill was read for the 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 119 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Weaver
WelchWelker
WenzelWieser
WigleyWynia
Zubay

Spkr. Norton

Those who voted in the negative were:

Osthoff

Prah

Swanson

The bill was passed and its title agreed to.

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

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

H. F. No. 1816 was reported to the House.

Clawson moved to amend H.F. No. 1816 as follows:

Page 4, line 28, after "Bible" insert "*or the sacred book of another religion*"

Page 4, line 28, reinstate ", and any"

Page 4, line 28, after "any" insert "*clergy*"

Page 4, line 29, reinstate "desirous of giving moral and"

Page 4, reinstate line 30

Page 4, line 30, before "prisoners" insert "*requesting*"

Page 4, line 31, reinstate "them at proper times."

Page 4, line 33, strike the period

Page 4, after line 33, insert:

"Sec. 8. Minnesota Statutes 1978, Section 641.165, Subdivision 2, is amended to read:

Subd. 2. [ACTS PROHIBITED.] (a) Whoever introduces or in any manner causes the introduction of contraband, as defined in subdivision 1, into any jail, lockup, or correctional facility, as defined in section 241.021, subdivision 1, without the consent of the person in charge, *or is found in possession of contraband while within the facility or upon the grounds thereof*, is guilty of a gross misdemeanor.

(b) Whoever introduces or in any manner causes the introduction of a dangerous weapon, as defined in section 609.02, subdivision 6, into any jail, lockup, or correctional facility, as defined in section 241.021, subdivision 1, without the consent of the person in charge, *or is found in possession of a dangerous*

weapon while within the facility or upon the grounds thereof, is guilty of a felony and, upon conviction, may be sentenced to imprisonment for not more than five years."

Renumber the sections as appropriate

Amend the title as follows:

Page 1, line 4, after the semicolon insert "clarifying provisions penalizing the possession of contraband in local correctional facilities;"

Page 1, line 12, after "641.16;" insert "641.165, Subdivision 2;"

The motion prevailed and the amendment was adopted.

Welker moved to amend H. F. No. 1816, as follows:

Page 2, line 17, after "REPORTS.]" insert "*Subdivision 1.*"

Page 2, after line 28, insert:

"Subd. 2. The commissioner of corrections shall neither initiate nor continue to participate in condemnation proceedings against any county jail until such time as the standards for construction and operations have been reviewed and approved by the legislature."

A roll call was requested and properly seconded.

POINT OF ORDER

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

Osthoff, Faricy and Carlson, D. were excused for the remainder of today's session.

The question recurred on the Welker amendment and the roll was called. There were 51 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Haukoos	Ludeman	Peterson, B.
Albrecht	Elioff	Hoberg	McDonald	Piepho
Anderson, D.	Esau	Jennings	Mehrkens	Pleasant
Begich	Evans	Johnson, D.	Nelsen, B.	Redalen
Blatz	Fjoslien	Kaley	Niehaus	Reif
Crandall	Friedrich	Kalis	Nysether	Rose
Dempsey	Fritz	Kempe	Olsen	Rothenberg
Den Ouden	Halberg	Kvam	Onnen	Searles

Sherwood
Stadum
Sviggum

Thiede
Valan
Valento

Welker
Wenzel
Wieser

Wigley

Zubay

Those who voted in the negative were:

Anderson, B.
Anderson, I.
Battaglia
Berglin
Berkelman
Brinkman
Byrne
Carlson, L.
Casserly
Clark
Clawson
Corbid

Ellingson
Fudro
Greenfield
Hokanson
Jacobs
Jaros
Jude
Kahn
Kelly
Kostohryz
Kroening
Lehto

Long
Luknic
Mann
McCarron
McEachern
Metzen
Minne
Moe
Munger
Murphy
Nelsen, M.
Norman

Novak
Otis
Patton
Peterson, D.
Reding
Rees
Rodriguez
Sieben, H.
Sieben, M.
Simoneau
Stoa
Swanson

Tomlinson
Vanasek
Voss
Waldorf
Weaver
Welch
Wynia
Spkr. Norton

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

H. F. No. 1816, A bill for an act relating to local correctional facilities; updating provisions concerning county jails, city lock-ups and workhouses; clarifying provisions penalizing the possession of contraband in local correctional facilities; repealing provisions concerning correctional or work farms; providing for establishing and organizing court administrative structure; budgeting and operation of court services, probation, juvenile detention and correctional facilities by counties; amending Minnesota Statutes 1978, Sections 401.02, Subdivision 3; 641.01; 641.04; 641.06; 641.14; 641.15; 641.16; 641.165, Subdivision 2; 641.18; 641.21; 641.22; 642.02, Subdivision 2; 642.03; 642.07; 642.12; 643.01; 643.02; and 643.29; repealing Laws 1925, Chapter 12; Laws 1927, Chapter 142; Minnesota Statutes 1945, Sections 643.21; 643.22; 643.23; 643.24; 643.25; 643.26; 643.27; 643.28; and Minnesota Statutes 1978, Sections 641.17; 641.27; 641.28; 641.29; 641.30; 641.31; 641.32; 641.33; 641.34; 641.35; 641.36; 641.37; 641.38; 642.14; 643.03; 643.04; 643.05; 643.06; 643.07; 643.08; 643.09; 643.10; 643.11; 643.12; 643.13; 643.14; 643.15; 643.16; 643.17; 643.19; and 643.20.

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

The question was taken on the passage of the bill and the roll was called. There were 108 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Aasness
Anderson, B.
Anderson, D.
Anderson, G.
Anderson, I.
Battaglia

Begich
Berglin
Berkelman
Blatz
Brinkman
Byrne

Carlson, L.
Casserly
Clark
Clawson
Corbid
Crandall

Dempsey
Den Ouden
Drew
Eken
Elioff
Ellingson

Erickson
Evans
Fjoslien
Forsythe
Friedrich
Fritz

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

Those who voted in the negative were:

Albrecht	Niehaus	Onnen	Redalen	Wieser
Kalis				

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

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1584:

Ainley, Kroening, and Battaglia.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 17, 1980. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, March 17, 1980.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

