

## STATE OF MINNESOTA

## SEVENTY-SECOND SESSION - 1981

## TWENTY-NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 2, 1981

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

Prayer was offered by Reverend Arvid Kingsriter, Bloomington Assembly of God Church, Bloomington, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Luknic was excused. Ewald was excused until 2:30 p.m.

The Chief Clerk proceeded to read the Journals of the preceding days. Johnson, C., moved that further reading of the Journals be dispensed with and that the Journals 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. 222, 911, 486, 562, 574, 623, 272, 339, 387, 487, 396, 63, 90 and 576 and S. F. Nos. 96, 502, 153 and 209 have been placed in the members' files.

## PETITIONS AND COMMUNICATIONS

The following communications were received:

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

March 30, 1981

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

The Honorable Jack Davies  
President of the Senate

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

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1981</i>	<i>Date Filed 1981</i>
366		13	March 30	March 30
620		14	March 30	March 30

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

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

April 1, 1981

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

The Honorable Jack Davies  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1981 Session of the State Legislature have been re-

ceived from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1981</i>	<i>Date Filed 1981</i>
7		15	April 1	April 1

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

### REPORTS OF STANDING COMMITTEES

Jude from the Committee on Judiciary to which was referred:

H. F. No. 21, A bill for an act relating to courts; providing for an additional probate judge for Hennepin county; amending Minnesota Statutes 1980, Section 525.04,

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

The report was adopted.

McCarron from the Committee on Reapportionment and Elections to which was referred:

H. F. No. 50, A bill for an act relating to elections; providing for preparation of consolidated primary election ballots by counties at state expense; appropriating money; amending Minnesota Statutes 1980, Section 203A.23, Subdivision 1.

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

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 147, A bill for an act relating to courts; authorizing the supreme court to adopt a uniform fee schedule for civil actions; proposing new law coded in Minnesota Statutes, Chapter 480.

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:

H. F. No. 182, A bill for an act relating to commerce; revising the small loan act; increasing the loan amount which determines the necessity of obtaining a license; increasing the application fee; increasing the amount of liquid assets which must be maintained by a licensee; allowing certain purchasers of accounts to obtain a license; providing for the regulation of closings of licensees on holidays and weekends; providing for examinations at the commissioner's discretion; allowing the use of certain mechanical or electronic data processing methods to be used as books of account; allowing alternative compliance on certain rates of charge statements; allowing certain loans to be secured by real estate; restating maximum rates and charges; providing for the making of certain open-end loans; regulating licensee provisions concerning certain insurance in connection with loans made; allowing industrial loan and thrifts to make secured or unsecured loans on the terms, rates, and conditions permitted licensees; providing remedies; defining terms; providing for miscellaneous clarifications and revisions; amending Minnesota Statutes 1980, Sections 53.04, by adding a subdivision; 56.01; 56.02; 56.04; 56.07; 56.09; 56.10; 56.11; 56.12; 56.14; 56.15, Subdivision 1; 56.16; 56.17; 56.18; 56.19; 56.26; and proposing new law coded in Minnesota Statutes, Chapter 56; repealing Minnesota Statutes 1980, Sections 53.04, Subdivisions 3, 4, 6, and 7; 53.051; 56.06; 56.13; 56.15, Subdivision 2; and 56.20.

Reported the same back with the following amendments:

Page 2, line 30, after "fees" insert "*for any security taken*"

Page 3, line 4, after "computed" insert "*actuarially*"

Page 6, strike lines 11 to 13 and insert:

"Not more than one place of business shall be maintained under the same license, but the commissioner may issue more than one license to the same licensee upon compliance with all the provisions of this chapter governing an original issuance of a license, for each such new license.

When a licensee shall wish to change his place of business to a street address (OTHER THAN THAT) *in the same municipality* designated in his license, he shall give written notice thereof 30 days in advance to the commissioner, who (SHALL INVESTIGATE THE FACTS AND, IF HE SHALL FIND THAT ALLOWING THE LICENSEE TO ENGAGE IN BUSINESS IN THE NEW LOCATION WILL PROMOTE THE CONVENIENCE AND ADVANTAGE OF THE COMMUNITY IN WHICH THE LICENSEE DESIRES TO CONDUCT HIS

BUSINESS, HE) shall (ATTACH TO THE LICENSE, IN WRITING, HIS APPROVAL OF) *within 30 days of receipt of such notice, issue an amended license approving the change* (AND THE DATE THEREOF, WHICH SHALL BE AUTHORITY FOR THE OPERATION OF THE BUSINESS UNDER THE LICENSE AT THE NEW LOCATION; IF THE COMMISSIONER SHALL NOT SO FIND, HE SHALL DENY THE LICENSEE PERMISSION SO TO CHANGE THE LOCATION OF HIS PLACE OF BUSINESS, IN THE MANNER SPECIFIED AND SUBJECT TO THE PROVISIONS CONTAINED IN THE SECOND TO THE LAST PARAGRAPH OF SECTION 56.04). No change in the place of business of a licensee to a location outside of the original municipality shall be permitted under the same license."

Page 10, line 3, delete everything after the period

Page 10, delete line 4

Page 10, line 5, delete "*time of any advance.*"

Page 10, line 8, after "is" insert "not"

Page 10, line 8, delete "*subordinate*" and insert "*first*"

Page 10, line 24, delete "*Except for open-end loans,*"

Page 11, line 7, delete everything after "(b)"

Page 11, delete lines 8 and 9

Page 11, line 10, delete everything before "*Interest*" delete "*may*" and insert "*shall*"

Page 11, line 11, after "*earned*" insert "*as provided in paragraph (a), clause (1) or*"

Page 12, line 29, delete "*. Provided*" and insert "*; provided*"

Page 14, line 9, delete "(a)"

Page 14, line 18, delete "(1)" and insert "(a)"

Page 14, line 20, delete "(2)" and insert "(b)"

Page 14, line 24, delete "(i)" and insert "(1)"

Page 14, line 26, delete "(ii)" and insert "(2)"

Page 14, delete lines 31 to 36

Page 15, delete lines 1 to 3

Page 16, line 19, to page 18, line 29, delete section 12

Page 19, line 27, delete everything after the semicolon

Page 19, delete lines 28 to 30

Page 20, lines 8 to 10, reinstate the stricken language

Page 20, line 10, after "same" insert a period

Page 20, line 12, delete "at" and insert "*or who may become obligated on it at any time upon*"

Page 20, line 12, delete "written"

Page 21, line 2, delete everything after "loan"

Page 21, line 3, delete "*and rules promulgated thereunder*" and insert "*but shall not be required as additional security for the indebtedness. If the debtor chooses to procure credit life insurance or credit accident and health insurance as security for the indebtedness, he shall have the option of furnishing this security through existing policies of insurance owned or controlled by him or of furnishing the coverage through any insurer authorized to transact business in this state. A statement in substantially the following form in bold face type of a minimum size of 12 points shall be provided to the borrower before the transaction is completed:*

**CREDIT LIFE INSURANCE AND CREDIT DISABILITY INSURANCE ARE NOT REQUIRED TO OBTAIN CREDIT. YOU MAY BUY ANY INSURANCE FROM ANY ONE YOU CHOOSE OR YOU MAY USE EXISTING INSURANCE"**

Page 22, line 7, delete everything after "to"

Page 22, line 8, delete "contract and"

Page 22, line 8, after "security" insert "*, but the amount and term of the insurance shall not exceed the amount and term of the loan*"

Page 24, delete lines 29 to 36

Page 25, delete lines 1 to 36 and insert:

*"Subd. 2. [PENALTY FOR USURIOUS INTEREST.] The taking, receiving or charging by a lender of a rate of interest*

*greater than is allowed by state law shall be deemed a forfeiture of the entire interest which the note, bill, or other evidence of debt carries with it, or which has been agreed to be paid thereon. In the case the greater rate of interest has been paid, the person paying it, or his legal representatives, may recover, in an action in the nature of an action of debt, twice the amount of the interest thus paid from the lender taking or receiving the interest, if the action is commenced within two years from the time the usurious transaction occurred."*

Page 26, line 7, delete everything after "loan" and insert a period.

Page 26, delete lines 8 and 9

Page 26, after line 36, insert:

"Sec. 21. Minnesota Statutes 1980, Section 334.02, is amended to read:

#### 334.02 [USURIOUS INTEREST; RECOVERY.]

Every person who for any such loan or forbearance shall have paid or delivered any greater sum or value than in section 334.01 allowed to be received may, by himself or his personal representatives, recover in an action against the person who shall have received the same, or his personal representatives, the full amount of interest or premium so paid, with costs, if action is brought within two years after such payment or delivery. This section does not apply when the loan or forbearance is made by a lender and the lender is liable for the penalty provided in section 48.196 and chapter 56 in connection with the loan or forbearance. For purposes of this section, the term "lender" means a bank or savings bank organized under the laws of this state, a federally chartered savings and loan association, a savings association organized under chapter 51A, a federally chartered credit union, a credit union organized under chapter 52, an industrial loan and thrift company organized under chapter 53, a licensed lender under chapter 56, or a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs.

Sec. 22. Minnesota Statutes 1980, Section 334.03, is amended to read:

#### 334.03 [USURIOUS CONTRACTS INVALID; EXCEPTIONS.]

All bonds, bills, notes, mortgages, and all other contracts and securities, and all deposits of goods, or any other thing, whereupon or whereby there shall be reserved, secured, or taken any

greater sum or value for the loan or forbearance of any money, goods, or things in action than prescribed, except such instruments which are taken or received in accordance with and in reliance upon the provisions of any statute, shall be void except as to a holder in due course. No merely clerical error in the computation of interest, made without intent to avoid the provisions of this chapter, shall constitute usury. Interest at the rate of one-twelfth of eight percent for every 30 days shall not be construed to exceed eight percent per annum; nor shall the payment of interest in advance of one year, or any less time, at a rate not exceeding eight percent per annum constitute usury; and nothing herein shall prevent the purchase of negotiable mercantile paper, usurious or otherwise, for a valuable consideration, by a purchaser without notice, at any price before the maturity of the same, when there has been no intent to evade the provisions of this chapter, or where such purchase has not been a part of the original usurious transactions; but where the original holder of a usurious note sells the same to an innocent purchaser, the maker thereof, or his representatives, may recover back from the original holder the amount of principal and interest paid by him on the note. This section does not apply when the loan or forbearance is made by a lender and the lender is liable for the penalty provided in section 48.196 and chapter 56 in connection with the loan or forbearance. For purposes of this section, the term "lender" means a bank or savings bank organized under the laws of this state, a federally chartered savings and loan association, a savings association organized under chapter 51A, a federally chartered credit union, a credit union organized under chapter 52, *an industrial loan and thrift company organized under chapter 53*, a licensed lender under chapter 56, or a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs."

Page 27, line 7, delete "21" and insert "22"

Renumber the sections

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete everything before "increasing"

Page 1, line 16, delete everything after the semicolon

Page 1, line 17, delete "loans;"

Page 1, line 26, after "56.26;" insert "334.02; 334.03;"

With the recommendation that when so amended the bill pass.

The report was adopted.



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

H. F. No. 188, A bill for an act relating to financial institutions; increasing the maximum lawful interest rate chargeable by state banks and savings banks on certain transactions; amending Minnesota Statutes 1980, Section 48.195.

Reported the same back with the following amendments:

Page 1, line 12, after "state" insert "*and any national bank doing business in this state*"

Page 1, after line 17, insert:

"Sec. 2. [EFFECTIVE DATE.]

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

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. 206, A bill for an act relating to public employees; regulating bargaining between instructional unit employees and the University of Minnesota; amending Minnesota Statutes 1980, Section 179.741, Subdivision 3.

Reported the same back with the following amendments:

Page 4, line 3, before the period insert "*or may negotiate separate contracts with the regents. If the exclusive bargaining representatives jointly negotiate a contract with the regents, the contract shall be ratified by each unit*"

Page 4, after line 3, insert:

"Sec. 2. [EFFECTIVE DATE.]

*Section 1 is effective the day following final enactment.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 280, A bill for an act relating to public welfare; authorizing the department of vocational rehabilitation to provide

funds for power assisted wheelchairs to handicapped persons under certain circumstances; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 129A.

Reported the same back with the following amendments:

Page 1, line 19, delete "*two years*" and insert "*six months*"

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. 314, A bill for an act relating to public welfare; providing for a statewide program of subsidies for families of mentally retarded children; amending Minnesota Statutes 1980, Section 252.27, Subdivision 4.

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

The report was adopted.

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

H. F. No. 332, A bill for an act relating to commerce; providing for the regulation of motor vehicle franchises; prohibiting certain practices by motor vehicle manufacturers; removing motor vehicle franchises from the general statutory provisions regarding franchises; prescribing penalties; providing remedies; amending Minnesota Statutes 1980, Section 80C.01, Subdivision 4; proposing new law coded as Minnesota Statutes, Chapter 80E; repealing Minnesota Statutes 1980, Sections 168.27, Subdivision 21; and 325D.17 to 325D.29.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [80E.01] [LEGISLATIVE PURPOSE AND INTENT.]

*The legislature finds and declares that the distribution and sale of motor vehicles within this state vitally affects the general economy of the state and the public interest and the public welfare, and that in order to promote the public interest and the public welfare, and in the exercise of its police power, it*

*is necessary to regulate and license motor vehicle manufacturers, distributors or wholesalers, and factory or distributor representatives, and to regulate dealers of motor vehicles doing business in this state in order to prevent fraud, impositions, and other abuses upon its citizens and to protect and preserve the investments and properties of the citizens of this state.*

## Sec. 2. [80E.02] [APPLICABILITY.]

*The provisions of sections 1 to 17 shall apply to all new motor vehicle dealers and contracts existing between new motor vehicle dealers and manufacturers on the effective date of sections 1 to 17 and to all subsequent contracts between new motor vehicle dealers and manufacturers.*

## Sec. 3. [80E.03] [DEFINITIONS.]

*Subdivision 1. [TERMS.] As used in sections 1 to 17, unless the context otherwise requires, the following terms have the meanings given them.*

*Subd. 2. [MOTOR VEHICLE.] "Motor vehicle" is as defined in Minnesota Statutes, Section 168.011, Subdivision 4, but does not include farm implements or machinery or special mobile equipment as defined in section 168.011, subdivision 22.*

*Subd. 3. [DEALER.] "New motor vehicle dealer" or "dealer" means a person who in the ordinary course of business is engaged in the business of selling new motor vehicles to consumers or other end users and who holds a valid sales and service agreement, franchise, or contract, granted by a manufacturer, distributor, or wholesaler for the sale of its motor vehicles.*

*Subd. 4. [MANUFACTURER.] "Manufacturer" means any person who manufactures or assembles new motor vehicles or any person, partnership, firm, association, joint venture, corporation, or trust which is controlled by the manufacturer.*

*Subd. 5. [DISTRIBUTOR.] "Distributor" means any person who in whole or in part offers for sale, sells, or distributes any new motor vehicle to new motor vehicle dealers, or who maintains factory representatives or who controls any person who in whole or in part offers for sale, sells, or distributes any new motor vehicle to new motor vehicle dealers.*

*Subd. 6. [FACTORY BRANCH.] "Factory branch" means a branch office maintained by a manufacturer for the purpose of selling, or offering for sale, motor vehicles to a distributor or new motor vehicle dealer, or for directing or supervising in whole or in part factory or distributor representatives.*

**Subd. 7. [NEW MOTOR VEHICLE.]** *"New motor vehicle" means a motor vehicle which is in the possession of a manufacturer, distributor, or wholesaler, or has been sold only to the holders of a valid sales and service agreement, franchise, or contract, granted by the manufacturer, distributor, or wholesaler for the sale of the new motor vehicle and which is in fact new and on which the original title has not been issued from the franchised dealer.*

**Subd. 8. [FRANCHISE.]** *"Franchise" means the agreement or contract between any new motor vehicle manufacturer, written or otherwise, and any new motor vehicle dealer which purports to fix the legal rights and liabilities of the parties to the agreement or contract.*

**Subd. 9. [GOOD FAITH.]** *"Good faith" means honesty in fact and the observation of reasonable commercial standards of fair dealing in the trade as is defined and interpreted in Minnesota Statutes, Section 336.2-103, Clause (1)(b).*

**Subd. 10. [DESIGNATED FAMILY MEMBER.]** *"Designated family member" means the spouse, child, grandchild, parent, brother, or sister of the owner of a new motor vehicle dealer who, in the case of the owner's death, is entitled to inherit the ownership interest in the new motor vehicle dealer under the terms of the owner's will or who, in the case of an incapacitated owner of a new motor vehicle dealer, has been appointed by a court as the legal representative of the new motor vehicle dealer's property.*

**Subd. 11. [RELEVANT MARKET AREA.]** *"Relevant market area" means the area within a radius of ten miles around an existing new motor vehicle dealer.*

**Sec. 4. [80E.04] [WARRANTY OBLIGATIONS TO DEALERS.]**

**Subdivision 1. [REQUIREMENTS.]** *Each new motor vehicle manufacturer shall specify in writing to each of its new motor vehicle dealers licensed in this state the dealer's obligations for preparation, delivery, and warranty service on its products. The manufacturer shall also compensate the new motor vehicle dealer for warranty service and parts required of the dealer by the manufacturer, and shall provide the dealer the schedule of compensation to be paid the dealer for parts, work, and service in connection with warranty services, and the time allowance for the performance of the work and service.*

**Subd. 2. [REASONABLE COMPENSATION FOR SERVICES.]** *In no event shall the schedule of compensation fail to include reasonable compensation for diagnostic work, as well as repair service, parts, and labor. Time allowances for the diag-*

nosis and performance of warranty work and service shall be reasonable and adequate for the work to be performed. In the determination of what constitutes reasonable compensation under this section, the principal factors to be given consideration shall be the prevailing wage rates paid by dealers in the community in which the dealer is doing business, and in no event shall the hourly labor rate paid to a dealer for warranty services be less than the rate charged by the dealer for like service to non-warranty customers for nonwarranty service and repairs unless the rate is determined to be unreasonable.

Subd. 3. [VIOLATIONS.] It is a violation of this section for any new motor vehicle manufacturer to fail to: (a) perform any warranty obligations that it undertakes under the motor vehicle manufacturer's warranty; (b) include in written notices of factory recalls to new motor vehicle owners and dealers the expected date by which necessary parts and equipment will be available to dealers for the correction of the defects; or (c) to compensate any of the motor vehicle dealers licensed in this state for repairs effected by a recall.

Subd. 4. [PAYMENT OF CLAIMS.] All claims made by new motor vehicle dealers pursuant to this section for labor and parts shall be paid within 30 days of their approval. Claims shall be either approved or disapproved within 30 days after they are submitted to the manufacturer in the manner and on the forms it prescribes, and any claims not specifically disapproved in writing within 30 days after the manufacturer receives them shall be construed to be approved and payment must follow within 30 days; provided, however, that the manufacturer retains the right to audit the claims for a period of two years and to charge back any amounts paid on unsubstantiated or fraudulent claims.

Subd. 5. [PRODUCT LIABILITY; LIMITATION.] As between the dealer and the manufacturer, the obligations imposed by this section shall constitute the dealer's only responsibility for product liability based in whole or in part on strict liability in tort.

## Sec. 5. [80E.05] [INDEMNIFICATION REQUIRED.]

Notwithstanding the terms of any franchise agreement to the contrary, it shall be a violation of sections 1 to 17 for any new motor vehicle manufacturer to fail to indemnify and hold harmless its franchised dealers against any judgment for damages, including, but not limited to, those based on strict liability, negligence, misrepresentation, warranty (express or implied), or revocation of acceptance as is defined in Minnesota Statutes, Section 336.2-608, where the complaint, claim, or lawsuit relates solely to the alleged defective or negligent manufacture, assembly, or design of new motor vehicles, parts or accessories or other functions by the manufacturer, beyond the control of the dealer.

Sec. 6. [80E.06] [CANCELLATIONS; TERMINATIONS.]

*Subdivision 1. [REQUIREMENTS.] Notwithstanding the terms of any franchise agreement or waiver to the contrary, no manufacturer shall cancel or terminate any franchise relationship with a licensed new motor vehicle dealer unless the manufacturer has:*

- (a) Satisfied the notice requirement of section 8;*
- (b) Acted in good faith as defined in section 3, subdivision 9; and*
- (c) Good cause for the cancellation or termination.*

*Subd. 2. [CIRCUMSTANCES CONSTITUTING GOOD CAUSE.] Notwithstanding the terms of any franchise agreement or waiver to the contrary, good cause exists for the purposes of a termination or cancellation, when the new motor vehicle dealer fails to comply with a provision of the franchise which is both reasonable and of material significance to the franchise relationship; provided, that the dealer has been notified in writing of the failure within 180 days after the manufacturer first acquired knowledge of the failure; and*

*If failure by the new motor vehicle dealer relates to the performance of the new motor vehicle dealer in sales or service, then good cause shall be defined as the failure of the new motor vehicle dealer to comply with reasonable performance criteria established by the manufacturer; provided, that the new motor vehicle dealer was apprised by the manufacturer in writing of the failure; the notification stated that notice was provided for failure of performance pursuant to sections 1 to 17; the new motor vehicle dealer was afforded a reasonable opportunity in no event less than six months to comply with the criteria; and the dealer did not demonstrate substantial progress towards compliance with the manufacturer's performance criteria during the period.*

Sec. 7. [80E.07] [CANCELLATION, TERMINATION; LIMITATIONS.]

*Subdivision 1. [CIRCUMSTANCES NOT CONSTITUTING GOOD CAUSE.] Notwithstanding the terms of any franchise agreement or waiver to the contrary, the following examples represent circumstances which do not by themselves constitute good cause for the termination or cancellation of a franchise:*

- (a) A change of ownership of the new motor vehicle dealer's dealership. This paragraph does not authorize any change in*

ownership which would have the effect of the sale of the franchise without the manufacturer's or distributor's consent, but consent shall not in any case be unreasonably withheld. The burden of establishing the reasonableness is on the franchisor;

(b) The fact that the new motor vehicle dealer refused to purchase or accept delivery of any new motor vehicle parts, accessories, or any other commodity or services not ordered by the new motor vehicle dealer, other than parts necessary to conduct recall campaigns; or

(c) The fact that the new motor vehicle dealer owns, invests in, participates in the management of, holds a license for the sale of another make or line of new motor vehicle, or has established another make or line of new motor vehicle in the same dealership facilities as those of the manufacturer; provided, that the new motor vehicle dealer maintains a reasonable line of credit for each make or line of new motor vehicle, and that the new motor vehicle dealer remains in substantial compliance with the terms and conditions of the franchise and with any reasonable facilities' requirements of the manufacturer.

Subd. 2. [BURDEN OF PROOF.] The manufacturer has the burden of proving that it acted in good faith; that the notice requirements have been complied with; and that there was good cause for the franchise termination or cancellation.

## Sec. 8. [80E.08] [NOTICE OF TERMINATION OR CANCELLATION.]

Subdivision 1. [REQUIREMENTS.] Notwithstanding the terms of any franchise agreement or waiver to the contrary, prior to the termination or cancellation of any franchise, the manufacturer shall furnish notice of the termination, cancellation, or nonrenewal to the new motor vehicle dealer as provided in subdivision 2.

Subd. 2. [GENERALLY.] Notice shall be in writing and except as provided in subdivision 3 shall be given not less than 90 days prior to the effective date of the termination or cancellation.

Subd. 3. [SPECIFIC EXCEPTIONS.] (1) At least 15 days notice must be provided with respect to terminations or cancellations involving the following circumstances:

(a) Conviction of or plea of *nolo contendere* of a franchised motor vehicle dealer, or one of its principal owners, of a crime which constitutes a felony as defined in Minnesota Statutes, Section 609.02, Subdivision 2;

(b) *The business operations of the franchised motor vehicle dealer have been abandoned or closed for seven consecutive business days unless the closing is due to an act of God, strike or labor difficulty, or other cause over which the dealer has no control;*

(c) *A significant misrepresentation by the new motor vehicle dealer; or*

(d) *The suspension, revocation, or refusal to renew the franchised motor vehicle dealer's license pursuant to Minnesota Statutes, Section 168.27.*

(2) *Not less than 180 days notice must be provided prior to the effective date of cancellation or termination where the manufacturer or distributor is discontinuing the sale of the product line.*

Subd. 4. [CONTENTS AND DELIVERY.] *The notice shall be sent by certified mail or personally delivered to the new motor vehicle dealer. The notice shall contain the following information:*

(a) *A statement of intention to terminate or cancel the franchise;*

(b) *A statement of the reasons for the termination or cancellation; and*

(c) *The date on which the termination or cancellation takes effect.*

#### Sec. 9. [80E.09] [PAYMENTS REQUIRED UPON TERMINATION.]

Subdivision 1. [REQUIREMENTS.] *Upon the termination or cancellation of any franchise, the new motor vehicle dealer shall, in the time prescribed, be allowed fair and reasonable compensation by the manufacturer for the following items:*

(a) *New motor vehicle inventory which was originally acquired from the manufacturer;*

(b) *Equipment and furnishings if the new motor vehicle dealer purchased them from the manufacturer;*

(c) *Special tools;*

(d) *Supplies, including parts, purchased from the manufacturer. Fair and reasonable compensation as applied to parts means that the manufacturer shall reimburse the dealer for 100 percent of the net cost of all current unused automobile and*



truck parts, including transportation charges, and 85 percent of the current net prices on repair parts, including superseded parts listed in current price lists or catalogs plus five percent of the current net price of all parts returned to compensate the dealer for the handling, packing, and loading of the parts;

(e) Except as provided in clause (f), dealership facilities if the facilities were required to be purchased or constructed as a precondition to obtaining the franchise or its renewal by the manufacturer. If the facilities described in this clause were leased and the lease was required by the manufacturer as a precondition to obtaining the franchise or to its renewal, then the manufacturer is liable for one year's payment of the rent or the remainder of the term of the lease, whichever is less. The manufacturer has no obligations under this clause if the termination or cancellation was for good cause based on the conviction or a plea of nolo contendere of the dealer or one of its principal owners for a crime which constitutes a felony as defined in Minnesota Statutes, Section 609.02, Subdivision 2, or where it has been demonstrated at the hearing that the new motor vehicle dealer has repeatedly exhibited a course of conduct constituting fraud with respect to the manufacturer or the general public;

(f) In the event the termination or cancellation is due to a failure of performance of the dealer in sales or service as described in section 6, subdivision 2, the manufacturer shall have no obligation to purchase facilities owned by the dealer but shall be required to pay the dealer a sum equivalent to the reasonable rental value of the facilities for one year. In all other respects the provisions of clause (e) shall apply.

Subd. 2. [TIME IN WHICH PAYMENTS MUST BE MADE.] Fair and reasonable compensation shall be paid by the manufacturer when possible within 90 days of the effective date of termination or cancellation as long as this period will allow compliance with the notification requirements of Minnesota Statutes, Sections 336.6-101 to 336.6-111 or any other state or federal laws relating to creditor notification.

Subd. 3. [VOLUNTARY TERMINATIONS OR CANCELLATIONS.] For the purposes of reimbursement under this section, termination or cancellation includes a voluntary termination or cancellation by the dealer.

#### Sec. 10. [80E.10] [NONRENEWALS.]

Subdivision 1. [GENERAL PROVISIONS.] No manufacturer, distributor, or factory branch shall fail or refuse to renew a franchise unless the manufacturer or distributor provides the new motor vehicle dealer at least 12 months written notice of its intention not to renew and clearly indicating therein the specific grounds for nonrenewal and unless during the 12 months prior to expiration of the franchise, the manufacturer or distrib-

utor permits the dealer to sell or transfer his business to a purchaser meeting the manufacturer's or distributor's then current requirements for granting new franchises and in accordance with the provisions of section 13, clause (j).

Subd. 2. [PERMITTED IN CERTAIN CIRCUMSTANCES.]  
A manufacturer or distributor may fail or refuse to renew a franchise where:

(a) Termination would be permitted pursuant to sections 1 to 17; or

(b) The dealer and the manufacturer or distributor agree not to renew the franchise;

(c) The manufacturer discontinues distribution of the franchise product at the dealership location, and does not establish a replacement dealer at or within two miles of that location for a period of at least four years;

(d) The manufacturer discontinues production or distribution of the franchise product;

(e) The manufacturer discontinues distribution of the franchise product in a geographic area due to federal, state or local laws;

(f) The dealer and the manufacturer fail to agree to changes or additions to the terms and conditions of the franchise agreement if the changes or additions would result in renewal of the franchise agreement on substantially the same terms and conditions which the manufacturer or distributor is then customarily granting renewal franchises. The manufacturer or distributor may give the new motor vehicle dealer written notice of a date which is at least 60 days subsequent to the notice, on or before which a proposed written agreement of the terms and conditions of the renewal franchise must be accepted in writing by the dealer; or

(g) The business relationship between the parties has deteriorated to the point that a reasonably harmonious association does not exist; provided the deterioration is the result of actions of a serious and significant nature by the dealer which were not caused by or attributable to unlawful acts or unfair practices of the manufacturer or distributor as described in sections 4, 12 and 13, or any federal law, and provided the manufacturer or distributor has made a good faith effort to advise the dealer of the problems contributing to the deterioration and thereby improve the business relationship in the 12 months prior to expiration of the franchise.

*Subd. 3. [RESTRICTIONS.] Nonrenewal shall not be permitted where the refusal to renew is for the purpose of converting the new motor vehicle dealer's business premises to operation by employees or agents of the manufacturer or distributor. Operation of the premises by employees or agents of the manufacturer or distributor shall be prima facie evidence of intent to convert unless the operation is temporary for a reasonable period or pending sale to any qualified independent person at a fair and reasonable price, or in which an independent person has made a significant investment subject to loss in the dealership and can reasonably expect to acquire full ownership of the dealership on reasonable terms and conditions.*

*Subd. 4. [PAYMENTS.] In the event of nonrenewal or failure to renew, the manufacturer or distributor shall be obligated to make the same payments to the dealer and in the same manner, subject to the same limitations and restrictions, as are set forth in section 9.*

*Subd. 5. [CERTAIN FRANCHISES ONLY.] This section applies only when the franchise agreement has a term of at least five years. However, nothing in this section shall prohibit a manufacturer from offering or agreeing before expiration of the current franchise term to extend the term of the franchise for a limited period in order to satisfy the time of notice or nonrenewal requirement contained herein.*

#### **Sec. 11. [80E.11] [SURVIVORSHIP.]**

*Subdivision 1. [AUTHORIZATION.] Any designated family member of a deceased or incapacitated owner of a new motor vehicle dealer may succeed to the ownership of the new motor vehicle dealer under the existing franchise or distribution agreement if: (a) the designated family member gives the manufacturer, distributor, factory branch, or importer of new motor vehicles written notice of the intention to succeed to ownership of the dealership within 120 days of the owner's death or incapacity; (b) agrees to be bound by all of the terms and conditions of the existing franchise; and (c) unless there exists good cause for refusal to honor the succession on the part of the manufacturer, factory branch, distributor, or importer.*

*Subd. 2. [PERSONAL AND FINANCIAL DATA.] At the time of serving notice under subdivision 1, the designated family member shall provide, upon the request of the manufacturer, distributor, factory branch, or importer, personal and financial data that is reasonably necessary to determine whether the succession should be honored.*

*Subd. 3. [NOTICE OF DISCONTINUANCE OR REFUSAL TO HONOR SUCCESSION.] If a manufacturer, distributor, factory branch, or importer believes that good cause exists for refusing to honor the succession to the ownership and operation*

*of a new motor vehicle dealer by a family member of a deceased or incapacitated owner of a new motor vehicle dealer under the existing franchise agreement, the manufacturer, distributor, factory branch, or importer may, within 60 days after receipt of the personal and financial data requested under subdivision 2, serve notice upon the designated family member of its refusal to honor the succession and of its intent to discontinue the existing franchise agreement with the new motor vehicle dealer no sooner than 90 days from the date the notice is served.*

**Subd. 4. [CONTENTS OF NOTICE.]** *The notice must state the specific grounds for the refusal to honor the succession and discontinue the existing franchise agreement with the new motor vehicle dealer.*

**Subd. 5. [EFFECT OF NOTICE NOT TIMELY SERVED.]** *If notice of refusal and discontinuance is not timely served upon the family member, the franchise agreement shall continue in effect subject to termination only as otherwise permitted by sections 1 to 17.*

**Subd. 6. [BURDEN OF PROOF.]** *In determining whether good cause for the refusal to honor the succession exists, the manufacturer, distributor, factory branch, or importer has the burden of proving that the successor is a person who is not of good moral character or does not meet the franchisor's existing and reasonable standards and, considering the volume of sales and service of the new motor vehicle dealer, uniformly applied minimum business experience standards in the market area.*

**Subd. 7. [SUCCESSION AGREEMENTS.]** *Notwithstanding the foregoing, in the event the new motor vehicle dealer and franchisor have duly executed an agreement concerning succession rights prior to the dealer's death, the agreement shall be observed, even if it designates an individual other than the surviving spouse or heirs of the franchised motor vehicle dealer.*

**Sec. 12. [80E.12] [UNLAWFUL ACTS BY MANUFACTURERS, DISTRIBUTORS, OR FACTORY BRANCHES.]**

*It shall be unlawful for any manufacturer, distributor, or factory branch to require a new motor vehicle dealer to do any of the following:*

(a) *Order or accept delivery of any new motor vehicle, part or accessory thereof, equipment, or any other commodity not required by law which has not been voluntarily ordered by the new motor vehicle dealer;*

(b) *Order or accept delivery of any new motor vehicle, part or accessory thereof, equipment, or any other commodity not required by law in order for the dealer to obtain delivery of any*

other motor vehicle ordered by the dealer or to qualify for or participate in any rebate, refund, or similar program offered by the manufacturer;

(c) Order or accept delivery of any new motor vehicle with special features, accessories, or equipment not included in the list price of the motor vehicles as publicly advertised by the manufacturer or distributor;

(d) Participate monetarily in an advertising campaign or contest, or to purchase any promotional materials, showroom, or other display decorations or materials at the expense of the new motor vehicle dealer;

(e) Enter into any agreement with the manufacturer or to do any other act prejudicial to the new motor vehicle dealer by threatening to cancel a franchise or any contractual agreement existing between the dealer and the manufacturer. Notice in good faith to any dealer of the dealer's violation of any terms of the franchise agreement shall not constitute a violation of sections 1 to 17;

(f) Change the capital structure of the new motor vehicle dealer or the means by or through which the dealer finances the operation of the dealership; provided, that the new motor vehicle dealer at all times meets any reasonable capital standards agreed to by the dealer; and also provided, that no change in the capital structure shall cause a change in the principal management or have the effect of a sale of the franchise without the consent of the manufacturer or distributor as provided in section 13, clause (j);

(g) Prevent or attempt to prevent, by contract or otherwise, any motor vehicle dealer from changing the executive management control of the new motor vehicle dealer unless the franchisor proves that the change of executive management will result in executive management control by a person who is not of good moral character or who does not meet the franchisor's existing reasonable capital standards and, with consideration given to the volume of sales and services of the new motor vehicle dealer, uniformly applied minimum business experience standards in the market area; provided, that where the manufacturer, distributor, or factory branch rejects a proposed change in executive management control, the manufacturer, distributor, or factory branch shall give written notice of its reasons to the dealer;

(h) Refrain from participation in the management of, investment in, or the acquisition of, any other line of new motor vehicle or related products; provided, however, that this clause does not apply unless the new motor vehicle dealer maintains a reasonable line of credit for each make or line of new motor vehicle, and that the new motor vehicle dealer remains in sub-

*stantial compliance with the terms and conditions of the franchise and with any reasonable facilities requirements of the manufacturer;*

*(i) During the course of the agreement, change the location of the new motor vehicle dealership or make any substantial alterations to the dealership premises during the course of the agreement, when to do so would be unreasonable; or*

*(j) Prospectively assent to a release, assignment, novation, waiver, or estoppel which would relieve any person from liability imposed by sections 1 to 17 or to require any controversy between a new motor vehicle dealer and a manufacturer, distributor, or factory branch to be referred to any person or tribunal other than the duly constituted courts of this state or the United States, if the referral would be binding upon the new motor vehicle dealer.*

**Sec. 13. [80E.13] [UNFAIR PRACTICES BY MANUFACTURERS, DISTRIBUTORS, FACTORY BRANCHES.]**

*It is unlawful and an unfair practice for a manufacturer, distributor, or factory branch to engage in any of the following practices:*

*(a) To delay, refuse, or fail to deliver new motor vehicles or new motor vehicle parts or accessories in reasonable time and in reasonable quantity relative to the new motor vehicle dealer's facilities and sales potential in the dealer's relevant market area, after having accepted an order from a new motor vehicle dealer having a franchise for the retail sale of any new motor vehicle sold or distributed by the manufacturer or distributor, if the new motor vehicle or new motor vehicle parts or accessories are publicly advertised as being available for delivery or actually being delivered. This clause is not violated, however, if the failure is caused by acts or causes beyond the control of the manufacturer;*

*(b) To refuse to disclose to any new motor vehicle dealer handling the same line make, the manner and mode of distribution of that line make within the relevant market area;*

*(c) To obtain money, goods, service, or any other benefit from any other person with whom the dealer does business, on account of, or in relation to, the transaction between the dealer and the other person, other than for compensation for services rendered, unless the benefit is promptly accounted for, and transmitted to, the new motor vehicle dealer;*

*(d) To increase prices of new motor vehicles which the new motor vehicle dealer had ordered for private retail consumers prior to the dealer's receiving the written official price increase*

notification. A sales contract signed by a private retail consumer shall constitute evidence of each order if the vehicle is in fact delivered to that customer. In the event of manufacturer price reductions, the amount of any reduction received by a dealer shall be passed on to the private retail consumer by the dealer if the retail price was negotiated on the basis of the previous higher price to the dealer;

(e) To offer any refunds or other types of inducements to any new motor vehicle dealer for the purchase of new motor vehicles of a certain line make to be sold to the state or any political subdivision thereof without making the same offer to all other new motor vehicle dealers in the same line make within the relevant market area;

(f) To release to any outside party, except under subpoena or in an administrative or judicial proceeding involving the manufacturer or dealer, any business, financial, or personal information which may be provided by the dealer to the manufacturer, without the express written consent of the dealer or unless pertinent to judicial or governmental administrative proceedings or to arbitration proceedings of any kind;

(g) To deny any new motor vehicle dealer the right of free association with any other new motor vehicle dealer for any lawful purpose;

(h) To unfairly discriminate among its new motor vehicle dealers with respect to warranty reimbursement or authority granted its new vehicle dealers to make warranty adjustments with retail customers;

(i) To compete with a new motor vehicle dealer in the same line make operating under an agreement or franchise from the same manufacturer in the relevant market area. A manufacturer shall not, however, be deemed to be competing when operating a dealership either temporarily for a reasonable period, or in a bona fide retail operation which is for sale to any qualified independent person at a fair and reasonable price, or in a bona fide relationship in which an independent person has made a significant investment subject to loss in the dealership and can reasonably expect to acquire full ownership of the dealership on reasonable terms and conditions; or

(j) To prevent a new motor vehicle dealer from receiving fair and reasonable compensation for the value of the new motor vehicle dealership. There shall be no transfer, assignment of the franchise, or major change in the executive management of the dealership, except as is otherwise provided in sections 1 to 17, without consent of the manufacturer, which shall not be unreasonably withheld. Denial of the request must be in writing and delivered to the new motor vehicle dealer within 60 days after the manufacturer receives the information necessary to

*evaluate the proposed transfer. If a denial is not sent within this period, the manufacturer shall be deemed to have given its consent to the proposed transfer or change.*

**Sec. 14. [80E.14] [LIMITATIONS ON ESTABLISHING OR RELOCATING DEALERSHIPS.]**

**Subdivision 1. [NOTIFICATION; PROTEST; HEARING.]** *In the event that a manufacturer seeks to enter into a franchise establishing an additional new motor vehicle dealership or relocating an existing new motor vehicle dealership within or into a relevant market area where the line make is then represented, the manufacturer shall, in writing, first notify each new motor vehicle dealer in this line make in the relevant market area of the intention to establish an additional dealership or to relocate an existing dealership within or into that market area. The relevant market area is a radius of ten miles around an existing dealership. Within 15 days of receiving the notice or within 15 days after the end of any appeal procedure provided by the manufacturer, the new motor vehicle dealership may commence a civil action in a court of competent jurisdiction pursuant to section 17 challenging the establishing or relocating of the new motor vehicle dealership. An action brought under this section shall be placed on the calendar ahead of other civil actions to be heard and determined as expeditiously as possible. Thereafter the manufacturer shall not establish or relocate the proposed new motor vehicle dealership unless the court has determined that there is good cause for permitting the establishment or relocation of the motor vehicle dealership.*

*For the purposes of this section, the reopening in a relevant market area of a new motor vehicle dealership within two miles of a location at which a former dealership of the same line make had been in operation within the previous two years shall not be deemed the establishment of a new motor vehicle dealership.*

*The relocation of an existing dealer within its area of responsibility as defined in the franchise agreement shall not be subject to this section, if the proposed relocation site is not within five miles of an existing dealer of the same line make.*

**Subd. 2. [GOOD CAUSE.]** *In determining whether good cause has been established for not entering into or relocating an additional franchise for the same line make, the court shall take into consideration the existing circumstances, including, but not limited to:*

- (a) The permanency of the investment;*
- (b) The effect on the retail new motor vehicle business and the consuming public in the relevant market area;*



(c) *Whether it is injurious to the public welfare for an additional new motor dealership to be established;*

(d) *Whether the new motor vehicle dealers of the same line make in that relevant market area are providing adequate competition and convenient consumer care for the motor vehicles of the line make in the market area including the adequacy of motor vehicle sales and service facilities, equipment, supply of motor vehicle parts, and qualified service personnel;*

(e) *Whether the new motor vehicle dealers of the same line make in the relevant market area are providing adequate market penetration and representation; provided, that good cause shall not be shown solely by a desire for further market penetration;*

(f) *Whether the establishment of an additional new motor vehicle dealership would increase competition, and therefore be in the public interest; and*

(g) *The growth or decline in population and new car registrations in the relevant market area.*

**Sec. 15. [80E.15] [MANUFACTURERS, DISTRIBUTORS, FACTORY BRANCHES ACTING AS LESSORS.]**

*A manufacturer, distributor or factory branch acting in the capacity of lessor of buildings or facilities to a new motor vehicle dealer may not take any actions or include in a lease agreement relating to those buildings or facilities any provisions which would be in contravention of or prohibited by sections 1 to 17.*

**Sec. 16. [80E.16] [ENFORCEMENT.]**

*Subdivision 1. [CIVIL PENALTY.] Any person who violates sections 4, 11, or 12 shall be subject to a fine of not more than \$2,000 for each violation. Any person who fails to comply with a final judgment or order rendered by a court of competent jurisdiction, issued for a violation of sections 1 to 17, shall be subject to a fine of not more than \$25,000. The fines authorized by this subdivision shall be imposed in a civil action brought by the attorney general on behalf of the state of Minnesota, and shall be deposited into the state treasury.*

*Subd. 2. [REMEDIES CUMULATIVE.] Nothing in this section shall be construed to limit the power of the state to punish any person for any conduct which constitutes a crime under any other statute.*

**Sec. 17. [80E.17] [CIVIL REMEDIES.]**

*Notwithstanding the terms of any franchise agreement or waiver to the contrary, any person who is injured in his business or property by a violation of sections 1 to 17, or any person injured because he refuses to accede to a proposal for an arrangement which, if consummated, would be in violation of sections 1 to 17, may bring a civil action to enjoin further violations and to recover the actual damages sustained, together with costs and disbursements, including reasonable attorney's fees.*

Sec. 18. Minnesota Statutes 1980, Section 80C.01, Subdivision 4, is amended to read:

Subd. 4. "Franchise" means a contract or agreement, either express or implied, whether oral or written, for a definite or indefinite period, between two or more persons:

(a) by which a franchisee is granted the right to engage in the business of offering or distributing goods or services using the franchisor's trade name, trademark, service mark, logotype, advertising, or other commercial symbol or related characteristics;

(b) in which the franchisor and franchisee have a community of interest in the marketing of goods or services at wholesale, retail, by lease, agreement, or otherwise; and

(c) for which the franchisee pays, directly or indirectly, a franchise fee.

"Franchise" shall include a contract, lease, or other agreement whereby the franchisee is granted the right to market ((1) AUTOMOBILES, MOTORCYCLES, TRUCKS, TRUCK TRACTORS, OR SELF PROPELLED MOTOR HOMES OR CAMPERS IF THE FOREGOING ARE DESIGNED PRIMARILY FOR THE TRANSPORTATION OF PERSONS OR PROPERTY ON THE PUBLIC HIGHWAYS OR (2)) motor vehicle fuel.

"Franchise" does not include any business which is operated under a lease on the premises of the lessor as long as such business is incidental to the business conducted by the lessor on such premises, including, without limitation, leased departments and concessions.

"Franchise" does not include a contract, lease or other agreement between a new motor vehicle manufacturer, distributor, or factory branch and a franchisee whereby the franchisee is granted the right to market automobiles, motorcycles, trucks, truck tractors, or self-propelled motor homes or campers if the foregoing are designed primarily for the transportation of persons or property on public highways.

**Sec. 19. [80C.145] [MOTOR FUEL FRANCHISES;  
RIGHT OF SURVIVORSHIP.]**

*Subdivision 1. [REQUIRED PROVISION.] After July 1, 1981, no motor fuel franchisor shall initially execute or renew a franchise agreement in the state unless it contains a provision that the franchise extends to and is binding upon the franchisor and its successors or assigns and upon the franchisee and its heirs, successors, or personal representatives.*

*Subd. 2. [ENFORCEMENT.] The attorney general or any aggrieved party may institute a civil action in the district court for an injunction prohibiting any violation of this section. It is no defense to the action that the state or aggrieved party has adequate remedies at law.*

**Sec. 20. [REPEALER.]**

*Minnesota Statutes 1980, Sections 168.27, Subdivision 21; 325D.17; 325D.18; 325D.19; 325D.20; 325D.21; 325D.22; 325D.23; 325D.24; 325D.25; 325D.26; 325D.27; 325D.28; and 325D.29 are repealed.*

**Sec. 21. [EFFECTIVE DATE.]**

*Sections 1 to 20 are effective the day following final enactment."*

Amend the title as follows:

Page 1, line 2, delete "commerce" and insert "franchises"

Page 1, line 6, after the first semicolon insert "requiring motor fuel franchises to extend to and bind the successors of both parties;"

Page 1, line 9, delete "Chapter 80E" insert "Chapters 80C and 80E"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 354, A bill for an act relating to marriage; changing the fee for marriage licenses; providing funds for certain battered women and displaced worker programs; appropriating money; amending Minnesota Statutes 1980, Section 517.08, Subdivision 1b, and 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.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 449, A bill for an act relating to courts; increasing the salary of court reporters; amending Minnesota Statutes 1980, Section 486.05, Subdivision 1.

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. 458, A bill for an act relating to children; specifying rights of stepparents to visit certain children; proposing new law coded in Minnesota Statutes, Chapter 257.

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

The report was adopted.

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

H. F. No. 466, A bill for an act relating to labor and employment; status of certain tenured private college employees under compulsory retirement laws; amending Minnesota Statutes 1980, Section 181.811.

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. 569, A bill for an act relating to housing; providing new standards and procedures for disclosing conflicts of interest for commissioners and employees of housing and redevelopment authorities; establishing penalties; proposing new law coded in Minnesota Statutes, Chapter 462; repealing Minnesota Statutes 1980, Section 462.431.

Reported the same back with the following amendments:

Page 1, line 25, after "effect" insert "*on the commissioner or employee*"

Page 1, line 26, delete "*on the commissioner or*"

Page 1, line 27, delete "*employee*" and "*classification*"

Page 2, line 1, after "*who*" insert "*knowingly fails to submit a statement required by this subdivision or*"

Page 2, line 2, delete everything after "*statement*"

Page 2, line 3, delete "*to this subdivision*"

Page 2, line 11, after "*question*" insert "*and shall not be counted toward a quorum in any meeting of the authority considering such action or decision*"

Page 2, line 13, delete "*is authorized to take*" and insert "*knowingly takes*"

Page 2, line 15, delete "*shall not voluntarily have*" and insert "*in which he has*" and delete "*in that*"

Page 2, delete lines 16 and 17

Page 2, line 18, delete "*violates this subdivision*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 26, after the period insert "*Balances in existing accounts shall continue to be charged interest at the rate charged prior to the effective date of this act until fully paid.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 162.09, Subdivision 4, is amended to read:

Subd. 4. [FEDERAL CENSUS TO BE CONCLUSIVE.] In determining whether any city has a population of 5,000 or more, the last federal census shall be conclusive *provided that any city having been classified as having a population of 5,000 or more for the purposes of this chapter shall not be reclassified unless the city's population decreases by ten percent from the census figure which last qualified the city for inclusion; and further provided, that if an entire area not heretofore incorporated as a city is incorporated as such during the interval between federal censuses, its population shall be determined by its incorporation census. The incorporation census shall be determinative of the population of the city only until the next federal census.*"

Delete the title and insert:

"A bill for an act relating to highways; providing criteria for determining the population of a city for the purposes of the municipal state-aid street system; amending Minnesota Statutes 1980, Section 162.09, Subdivision 4."

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. 607, A bill for an act relating to liens; increasing the amount of an employee's lien for wages; amending Minnesota Statutes 1980, Section 514.59.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 514.59, is amended to read:

## 514.59 [WAGES, LIEN AS AGAINST SEIZURE.]

Every (MECHANIC, SALESMAN, CLERK, OPERATIVE, OR OTHER) employee (OF A MANUFACTURER, MERCHANT, OR DEALER IN MERCHANDISE SHALL HAVE) *has* a lien upon all the property of (HIS) *an* employer, as against any attachment or execution levied thereon, for the security of (HIS) *the employee's* wages earned within the six months last preceding, to an amount not exceeding (\$200) *\$1,000 or five weeks net wages, whichever is greater, subject to a maximum of \$3,000.* (SUCH) *The* lien shall not be affected by any agreement with the employer to waive the (SAME) *lien*, and shall be preferred to mortgages, judgments, and other liens which (SHALL HAVE ATTACHED) *attach* after the beginning of the labor or services (IN) *by* which the wages were earned."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

Reported the same back with the recommendation that 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:

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

Reported the same back with the following amendments:

Page 1, line 14, strike everything after "of" and insert "*the bank's common*"

Page 1, strike line 15

Page 1, line 16, strike "own at least \$500 per value of"

Page 1, line 17, after "*interest*" insert a comma

Page 1, line 17, after "*commissioner*" insert a comma

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 665, A bill for an act relating to counties; permitting escalation clauses or negotiated price changes in county contracts; clarifying advertising requirements; amending Minnesota Statutes 1980, Section 375.21, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 16, strike "some" and insert "*a qualified legal*"

Page 2, line 2, delete "A" and insert "*An advertised*"

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

The report was adopted.

McCarron from the Committee on Reapportionment and Elections to which was referred:

H. F. No. 678, A bill for an act relating to elections; changing certain election procedures, requirements and time limits; amending Minnesota Statutes 1980, Sections 201.071, Subdivision 1; 202A.26, Subdivision 1; 203A.22, Subdivision 4; 203A.31, Subdivisions 1 and 3; 203A.32; 204A.04, Subdivision 1; 204A.13, Subdivision 1; 204A.17, Subdivision 1; 204A.18, Subdivision 2; 204A.53, Subdivision 2; 204A.54, Subdivision 1; 205.03, Subdivisions 1 and 3; 207.03, Subdivision 1; 207.04, Subdivision 1; 207.20, Subdivision 1; 207.22; and 209.02, Subdivision 4; repealing Minnesota Statutes 1980, Sections 201.091, Subdivision 5; 202A.54; and 206.18.

Reported the same back with the following amendments:

Page 5, line 27, strike "An individual"

Page 5, line 28, strike the existing language and delete the new language

Page 5, line 31, delete the new language and insert "*If the files of the appointing authority do not contain sufficient voters within a precinct who are qualified and willing to serve as election*"



*judges, election judges may be appointed who reside in another precinct in the same municipality. If there are not sufficient voters within the municipality who are qualified and willing to serve as election judges, election judges may be appointed who reside in the county where the precinct is located"*

Pages 5 and 6, delete Section 10

Pages 10 and 11, delete Sections 18 and 19

Page 11, line 7, after "5;" and insert "and"

Page 11, line 8, delete "; and 206.18;"

Renumber the sections

Amend the title as follows:

Page 1, line 8, delete "204A.18, Subdivision 2;"

Page 1, line 11, before "207.20" insert "and"

Page 1, line 11, delete "207.22; and"

Page 1, line 12, delete "209.02, Subdivision 4;"

Page 1, line 13, after the first semicolon insert "and" and delete "; and"

Page 1, line 14, delete "206.18"

With the recommendation that when so amended the bill pass.

The report was adopted.

McCarron from the Committee on Reapportionment and Elections to which was referred:

H. F. No. 714, A bill for an act relating to elections; allowing cities and counties to elect to use data processing systems in lieu of duplicate registration cards; requiring the secretary of state to prescribe alternate forms for duplicate registration files; changing voter verification requirements for cities and counties which elect to use data processing systems; amending Minnesota Statutes 1980, Sections 201.071, Subdivision 4, and by adding subdivisions; 201.221, Subdivision 4; and 204A.29, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 18, delete "*Minnesota Statutes, Section*" and insert "*section*" and delete "*Subdivision*" and insert "*subdivision*"

Page 2, line 21, delete "*Minnesota Statutes, Chapter*" and insert "*chapter*"

Page 2, line 27, delete "*Minnesota Statutes, Section*" and insert "*section*"

Page 2, line 28, delete "*Subdivisions*" and insert "*subdivisions*"

Page 2, line 34, delete "*register*" and insert "*re-register*"

Page 2, line 35, delete "*required*" and insert "*requested*"

Page 2, line 36, delete "*when requested by*" and insert "*to*" and after "*municipality*" insert "*at any time except at the polling place. A county or municipality which makes the election authorized in section 2 shall make the prescribed duplicate registration file available as authorized by section 201.091 provided that no list which is made available for examination or purchase shall include the day and month of birth of any registered voter*"

Page 3, line 24, after the period insert "*In accordance with section 203A.17, the county auditor and the clerk of any municipality shall retain the prescribed duplicate registration file used on the date of election for one year following the election.*"

Page 3, line 27, delete "*Minnesota Statutes,*" and "*Subdivisions*" and insert "*subdivisions*"

Page 3, line 30, delete "*Minnesota Statutes, Section*" and insert "*section*"

Page 3, line 31, delete "*Subdivision*" and insert "*subdivision*"

Page 3, line 33, delete "*Minnesota Statutes, Section*" and insert "*section*"

Page 3, line 34, delete "*Subdivision*" and insert "*subdivision*"

Page 4, after line 5, insert a new section to read:

"Sec. 7. [TEMPORARY RULES.]

*The secretary of state shall have authority to promulgate temporary rules pursuant to chapter 15 to carry out the purposes of section 5."*

Renumber the section.

With the recommendation that when so amended the bill pass.

The report was adopted.

Nelson, K., from the Committee on Energy to which was referred:

H. F. No. 729, A bill for an act relating to energy; requiring the provision of energy audits for multi-family rental housing; expanding certain utility investment programs; amending Minnesota Statutes 1980, Sections 216B.165, Subdivision 2, and by adding a subdivision; and 216B.241, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 116H.129, Subdivision 4, is amended to read:

Subd. 4. [INSPECTIONS.] The energy agency shall conduct inspections on a random basis for compliance with the provisions of subdivision 3. *The director may authorize a municipality, with its consent, to conduct such inspections within the municipality's jurisdiction. Any municipality which conducts random inspections shall have authority under all subdivisions of section 116H.15 to enforce the provisions of subdivision 3.*

Sec. 2. Minnesota Statutes 1980, Section 116H.17, is amended to read:

#### 116H.17 [ENERGY AUDITS.]

*Subdivision 1. [STATE PLAN.] The director of the energy agency, in cooperation with the director of consumer services, shall develop the state plan for the program of energy audits of residential and commercial buildings required by 42 United States Code, Section 8211 et seq. The consumer services division and the attorney general are authorized to release information on consumer complaints about the operation of the program to the energy agency.*

*Subd. 2. [RENTAL AUDITS.] By July 1, 1981, the state plan shall be amended to require that all utilities performing a residential energy audit pursuant to 42 United States Code 8211 et seq. shall make the audits available at the request of the renter or the owner, or the owner's agent, of property eligible for the audits made pursuant to 42 United States Code 8211 et seq. The results of the audit, and a list of conservation financing options, shall be provided to the property owner or manager and the renters of the property. Each utility shall submit to the director by September 1, 1981 a plan to promote energy audit*

*services to the owners and tenants of rental property through advertising, public service announcements, mailings, or other means.*

Sec. 3. Minnesota Statutes 1980, Section 216B.165, Subdivision 1, is amended to read:

Subdivision 1. A customer who asks a public utility to perform an energy audit of his residence pursuant to 42 United States Code 8211 et seq. shall pay no more than \$10 of the administrative and general expenses associated with the audit. *In the case of rental housing, the tenant or property owner shall pay no more than \$10 per building of the administrative and general expenses associated with the audit.* The remainder of the administrative and general expenses of operating a program of energy audits pursuant to 42 United States Code 8211 et seq., including those associated with program audits, list distribution, customer billing services, arranging services and post-installation inspections shall be treated as current operating expenses of providing utility service and shall be charged to all ratepayers of the public utility in the same manner as other current operating expenses of providing utility service.

Sec. 4. Minnesota Statutes 1980, Section 216B.241, is amended by adding a subdivision to read:

*Subd. 5. [RENTAL PROGRAMS.] Not later than July 1, 1982, the commission shall expand the scope of the pilot program required pursuant to subdivision 2 to include investments by each utility in energy conservation improvements in all types of rental housing.*

Sec. 5. [RULEMAKING.]

*The director may promulgate temporary or permanent rules for the purposes of section 2.*

Sec. 6. [EFFECTIVE DATE.]

*Sections 1 to 5 are effective the day following final enactment."*

Delete the title and insert:

"A bill for an act relating to energy; requiring the provision of energy audits for rental housing; expanding certain utility investment programs; amending Minnesota Statutes 1980, Sections 116H.129, Subdivision 4; 116H.17; 216B.165, Subdivision 1; and 216B.241, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 734, A bill for an act relating to Hennepin county; providing for the administration of the county library system; repealing Laws 1957, Chapter 788, as amended; and Extra Session Laws 1967, Chapter 24, as amended.

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

The report was adopted.

Nelson, K., from the Committee on Energy to which was referred:

H. F. No. 743, A bill for an act relating to energy; requiring the provision of fuel payment locations; proposing new law coded in Minnesota Statutes, Chapter 116H.

Reported the same back with the following amendments:

Page 1, line 9, after "*shall*" insert "*, where practical,*"

Page 1, line 10, after "*location*" insert "*in each community*"

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

The report was adopted.

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

H. F. No. 775, A bill for an act relating to public utilities; removing municipal utilities from public utilities commission jurisdiction and granting an option in regard thereto; amending Minnesota Statutes 1980, Section 216B.11; proposing new law coded in Minnesota Statutes, Chapter 216B; repealing Minnesota Statutes 1980, Sections 216B.10, Subdivision 6; 216B.12, Subdivision 2; and 216B.13, Subdivision 2.

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. 810, A bill for an act relating to health; creating an office for prevention of problems related to use of drugs and alcohol; appropriating money; amending Minnesota Statutes 1980, Sections 254A.03, by adding a subdivision; and 254A.10.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 254A.03, is amended by adding a subdivision to read:

*Subd. 3. The state authority on alcohol and drug abuse is directed to coordinate and support efforts within state departments and agencies and to coordinate and support efforts within other governmental and non-governmental agencies, groups, and organizations to prevent problems related to the use of drugs and alcohol. This function shall be headed by a director who shall be in the unclassified service. The responsibilities of the director shall be to:*

*(a) Coordinate all activities, planning and programs of all the various state departments and agencies, and the University of Minnesota as they relate to the prevention of chemical use problems;*

*(b) Provide technical assistance, coordination, and support to governmental and non-governmental agencies, groups, and organizations;*

*(c) Inform and educate the general public on the prevention of chemical use problems;*

*(d) Develop and distribute prevention information, training, materials, and resources to state departments and agencies and to other governmental and non-governmental agencies, groups, and organizations; and,*

*(e) Report at least annually to the governor and the legislature on matters pertaining to this section.*

## Sec. 2. [APPROPRIATION; STAFF.]

*For the biennium ending June 30, 1983, there is appropriated from the general fund to the department of public welfare the sum of \$570,000 for the purposes of section 1. Of this sum, \$100,000 shall be granted to the commissioner of corrections during the biennium for purposes consistent with this act.*

*The approved complement of the department of public welfare is increased by three professional positions and one clerical position for the purposes of section 1. The approved complement of*

*the department of corrections is increased by one professional position and one-half clerical position for the purposes of section 1."*

Delete the title and insert:

"A bill for an act relating to health; providing for coordination and support of efforts to prevent problems related to the use of drugs and alcohol; appropriating money; amending Minnesota Statutes 1980, Section 254A.03; by adding a subdivision."

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

The report was adopted.

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

H. F. No. 817, A bill for an act relating to education; permitting the operation of single sex wrestling teams; amending Minnesota Statutes 1980, Section 126.21, Subdivision 3.

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

The report was adopted.

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

H. F. No. 876, A bill for an act relating to employment; authorizing the commissioner of economic security to make certain summer youth employment advances; amending Minnesota Statutes 1980, Section 268.34.

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

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 893, A bill for an act relating to transportation; authorizing the purchase of the closed combination railroad and highway bridge connecting St. Paul Park in Washington County and Inver Grove Heights in Dakota County, and authorizing its operation as a toll bridge by a private business entity; providing for the regulation of the operation and maintenance of the bridge

and the establishment of maximum toll charges by the counties of Washington and Dakota.

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

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 912, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating redundant, conflicting and superseded provisions; reenacting certain laws; amending Minnesota Statutes 1980, Sections 10.30; 12.03, Subdivision 9; 12.25, Subdivision 1; 15.0412, Subdivision 4d; 15.1611, Subdivisions 1 and 2; 15.1621, Subdivision 2; 15.163, Subdivision 6; 15.166, Subdivisions 1, 2 and 4; 15.1671; 15.50, Subdivision 1; 15.61, Subdivision 2; 16.172; 16.822, Subdivisions 3 and 6; 17.72; 17B.23; 27.01, Subdivision 1; 31.58; 32A.04, Subdivision 1; 35.067; 40.05, Subdivision 4; 40.071; 43.12, Subdivision 19; 43.126, Subdivisions 1 and 2; 43.24, Subdivision 2; 43.323, Subdivision 3; 47.203; 48.88, Subdivision 2; 50.14, Subdivision 5, as reenacted; 55.15; 60A.23, Subdivision 8; 62A.152, Subdivision 2; 62D.22, Subdivision 6; 62D.28, Subdivisions 2 and 3; 65B.05; 65B.06, Subdivision 2; 65B.71, Subdivision 2; 69.031, Subdivision 5; 69.29; 72A.20, Subdivision 15; 72C.11; 79.34, Subdivision 1; 84.55; 84A.52; 84B.05; 90.195; 92.36; 93.45, Subdivision 2; 111.09, Subdivision 2; 111.11; 111.31; 111.36; 111.78; 112.43, Subdivision 2; 115.34, Subdivision 1; 116.02, Subdivision 3; 116.06, Subdivision 1; 116.10; 122.532, Subdivision 3; 144.125; 144.653, Subdivision 1; 144.801, Subdivision 8; 144.92; 144A.01, Subdivision 2; 144A.10, Subdivision 3; 145.838, Subdivision 3; 148.88; 151.26, Subdivision 1; 161.38, Subdivision 6; 162.08, Subdivision 3; 173.12; 173.13, Subdivision 2; 173.20; 173.21; 174.256, Subdivision 5; 176.011, Subdivision 11a; 179.68, Subdivision 2; 179.69, Subdivision 3a; 179.691; 179.692; 182.661, Subdivision 1; 183.52; 183.56; 183.57, Subdivision 2; 183.59; 197.13; 197.48; 197.603, Subdivision 2; 218.031, Subdivision 1; 218.041, Subdivisions 2, 7 and 8; 219.39; 219.40; 219.741; 237.30; 239.05, Subdivision 1; 239.09; 241.021, Subdivision 2; 241.045, Subdivision 6; 241.27, Subdivision 2; 241.62, Subdivision 5; 243.87; 245.05; 245.06; 245.07; 245.781; 245.782, Subdivisions 1, 11 and 12; 245.783, Subdivisions 1, 2 and 3; 245.791; 245.801, Subdivision 5; 245.802, Subdivision 2; 245.803, Subdivisions 1, 2 and 3; 245.812, Subdivisions 2, 5 and 6; 250.05, Subdivisions 2 and 4; 256.25; 256.263, Subdivision 1; 256.483, Subdivision 1; 256B.15; 256E.03, Subdivision 2; 256E.06, Subdivision 2; 257.64, Subdivision 1; 260.241, Subdivision 4; 273.13, Subdivision 6; 275.50; 290A.22; 294.25; 295.34, Subdivision 1; 297.03, Subdivision 3;



298.223; 298.244, Subdivision 2; 299F.19, Subdivision 6; 299H.-22, Subdivision 2; 308.07, Subdivision 10; 325F.34; 326.02, Subdivisions 1, 2, 3, 4a and 5; 326.03, Subdivision 5; 326.08, Subdivision 1; 326.11, Subdivision 1; 326.12, Subdivision 3; 326.13; 340.54, Subdivisions 1 and 2; 349.11; 352.22, Subdivision 3; 352B.075, Subdivision 1; 353.661, Subdivision 2; 353.71, Subdivision 1; 354.44, Subdivision 1a; 354A.21; 360.037, Subdivision 2; 368.86; 412.251; 414.0325, Subdivisions 1 and 5; 418.20; 423.075, Subdivision 2; 427.09; 447.34, Subdivision 1; 447.35; 447.45, Subdivision 1; 465.72; 471.371, Subdivision 3; 471.616, Subdivision 1; 471.617; 471.74, Subdivision 2; 473.438, Subdivision 3; 473F.02, Subdivision 17; 474.03; 480.059, Subdivision 7; 485.14; 508.37, by adding a subdivision; 518.155; 518.66; 595.021; 595.022; 611.07, Subdivision 3; 611.12, Subdivision 7; 626.556, Subdivision 11; 626A.12, Subdivision 5; 628.56; 629.-404, Subdivision 1; Laws 1980, Chapter 614, Section 163; reenacting Minnesota Statutes 1980, Section 50.14, Subdivision 5; reenacting and validating Laws 1980, Chapters 528 and 556; repealing Minnesota Statutes 1980, Chapters 2A and 3B; Sections 115.15; 115.16; 218.041, Subdivision 3; 273.061, Subdivision 11; 282.11; 325F.33; 325F.49; 325F.50; 473F.08, Subdivision 11; 475.53, Subdivision 2; 508.37, Subdivision 1; Laws 1979, Chapters 40, Sections 6 and 9; 303, Article 2, Section 7, and Article 10, Section 7; and 334, Article 3, Section 15; Laws 1980, Chapters 437, Section 4; 460, Sections 5, 18, 19 and 27; 487, Section 14; 509, Section 127; 528, Section 4; 534, Sections 27, 31, 39, 47, 53 and 54; 579, Section 3; and 600, Section 8.

Reported the same back with the following amendments:

Page 60, delete lines 29 to 36

Page 61 delete lines 1 to 16

Page 61, line 19, delete "53" and insert "50"

Page 61, line 23, delete "55" and insert "52"

Renumber the sections

Page 82, delete lines 2 to 9, and renumber the remaining sections in the memorandum of explanation

Amend the title as follows:

Page 1, lines 32 and 33, delete "176.011, Subdivision 11a;"

Page 2, line 32, delete "Chapters 528 and 556" and insert "Chapter 528"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 918, A bill for an act relating to cooperatives; procedure for elections by members or shareholders of cooperative electric associations on public utilities commission regulation; amending Minnesota Statutes 1980, Section 216B.02, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 216B.

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

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 1017, A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, Section 5; providing for the improvement and rehabilitation of certain railroad facilities.

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

The report was adopted.

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

H. F. No. 1040, A bill for an act relating to intoxicating liquor; hours for Sunday sale; amending Minnesota Statutes 1980, Section 340.14, Subdivision 5.

Reported the same back with the following amendments:

Page 1, lines 15 and 16, delete the new language and reinstate the stricken language

Page 1, line 17, after the period insert *"If the governing body of the municipality issuing the license adopts an ordinance authorizing an earlier sale, the licensees may serve intoxicating liquors between the hours of 10 o'clock a.m. and 12 o'clock midnight on Sundays in conjunction with the serving of food."*

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1075, A bill for an act relating to social and charitable organizations; increasing the threshold dollar amount required for the use of a certified financial statement; determining what is properly included in cost of goods or services; amending Minnesota Statutes 1980, Sections 309.53, Subdivision 3; and 309.555, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 31, delete "*nor any*" and insert "."

Page 2, delete lines 32 to 34

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

The report was adopted.

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

H. F. No. 1083, A bill for an act relating to charitable trusts; transferring responsibility of keeping certain records; amending Minnesota Statutes 1980, Sections 501.75; 501.76; 501.77; and 501.78, Subdivision 4.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 147, 182, 188, 206, 332, 449, 466, 569, 588, 590, 607, 632, 665, 678, 714, 729, 734, 743, 775, 817, 876, 893, 912, 918, 1040, 1075 and 1083 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Begich, Battaglia, Elioﬀ, Minne and Lemen introduced:

H. F. No. 1189, A bill for an act relating to taxation; providing for the distribution and division of the proceeds of the taconite production tax; appropriating money; providing for certain tax credits; amending Minnesota Statutes 1980, Sections 298.225; 298.24, Subdivision 3; 298.28, Subdivisions 1 and 2; repealing Minnesota Statutes 1980, Section 273.135, Subdivision 4.

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

Begich, Elioﬀ, Battaglia and Minne introduced:

H. F. No. 1190, A bill for an act relating to counties; providing that the compensation of members of the St. Louis county board of commissioners be set pursuant to general law; amending Minnesota Statutes 1980, Section 375.055, Subdivision 1; repealing Laws 1965, Chapter 843.

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

Blatz, Brandl, Berkelman, Reif and Clawson introduced:

H. F. No. 1191, A bill for an act relating to public welfare; changing resource limits and expanding the definition of resources for the program of aid to families with dependent children and providing that emergency assistance payments under this program will not be made to families who have created their own crisis; allowing for time limitation of general assistance grants; requiring that all nonexempt general assistance recipients actively seek employment and participate in employment services and providing for presumptive ineligibility for repeated violation of specified work requirements; amending Minnesota Statutes 1980, Sections 256.73, Subdivision 2; 256.74, Subdivision 1; 256.871, Subdivision 2; 256D.05, by adding a subdivision; and 256D.11, Subdivisions 1, 8 and 9.

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

Blatz introduced:

H. F. No. 1192, A bill for an act relating to waters; exempting certain watercraft from requirements related to personal flotation devices; amending Minnesota Statutes 1980, Section 361.141, Subdivision 1.

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

Rose introduced:

H. F. No. 1193, A bill for an act relating to insurance; providing for continuation of group health coverage if pre-existing conditions are excluded under new group health coverage; amending Minnesota Statutes 1980, Section 62A.17, Subdivision 2.

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

Nysether, Lemen, Elioff and Anderson, I., introduced:

H. F. No. 1194, A bill for an act relating to education; authorizing school districts with more than 1,000 square miles to receive an increased amount of money from the sparsity portion of the replacement levy; amending Minnesota Statutes 1980, Section 124.212, Subdivision 7d.

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

Jacobs; Carlson, D.; Redalen; Otis and Anderson, I., introduced:

H. F. No. 1195, A bill for an act relating to taxation; providing an income tax credit for electric heating equipment designed or equipped to function in accordance with a utility controlled monitoring device; amending Minnesota Statutes 1980, Section 290.06, by adding a subdivision.

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

Kahn introduced:

H. F. No. 1196, A bill for an act relating to courts; tax court; increasing the number of authorized administrative employees; amending Minnesota Statutes 1980, Section 271.02.

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

Den Ouden and Welker introduced:

H. F. No. 1197, A bill for an act relating to counties; fixing the time for review by the commissioner of revenue of appointments of county assessors; amending Minnesota Statutes 1980, Section 273.061, Subdivision 1.

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

Fjoslien; Peterson, D., and Dahlvang introduced:

H. F. No. 1198, A bill for an act relating to public safety; regulating boilers, other apparatus and their operators; providing penalties; amending Minnesota Statutes 1980, Sections 183.375, Subdivision 2; 183.38; 183.39, Subdivision 1; 183.41, Subdivision 2; 183.411, Subdivision 2; 183.42; 183.44; 183.45; 183.46; 183.465; 183.48; 183.50; 183.51; 183.52; 183.53; 183.54; 183.545; 183.56; 183.57; 183.59; 183.60; 183.61; 183.62; and proposing new law coded in Minnesota Statutes, Chapter 183; repealing Minnesota Statutes 1980, Section 183.39, Subdivision 2.

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

Brinkman introduced:

H. F. No. 1199, A bill for an act relating to insurance; providing for the examination of certain insurers; requiring certain reports and providing certain alternatives to examinations; authorizing the commissioner to promulgate rules; broadening the commissioner's power to revoke or suspend certificates of authority; expanding certain insurers' investment authority; allowing the commissioner to regulate an insurer's ratio of qualified assets to required liabilities; broadening the coverage of the financial statement requirement; providing for annual audits; providing standards for the investment of assets of insurance companies; allowing the use of certain depositories and systems; providing certain limitations on the acquisition of specified investments and holdings; providing for miscellaneous changes and clarifications; amending Minnesota Statutes 1980, Sections 60A.031, Subdivisions 1, 3, 4, 5, and by adding subdivisions; 60A.05; 60A.11, by adding subdivisions; 60A.13, Subdivisions 1 and 6, and by adding subdivisions; 61A.28, Subdivisions 2, 3, and 6; 61A.282; 61A.29, Subdivision 2; 61A.30; 61A.31, Subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, Chapters 60A and 61A; repealing Minnesota Statutes 1980, Sections 60A.031, Subdivision 2; and 60A.11, Subdivisions 2 to 8.

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

Anderson, R., introduced:

H. F. No. 1200, A bill for an act relating to courts; extending application of the provision of law providing for payment of travel expenses for certain district court judges; amending Laws 1980, Chapter 614, Section 162.

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

Johnson, D.; Ainley; Sherman; Laidig and Knickerbocker introduced:

H. F. No. 1201, A bill for an act relating to retirement; transferring jurisdiction over investment of funds of the public employees retirement association from the state board of investment to the public employees retirement association board of trustees; amending Minnesota Statutes 1980, Sections 11A.14, Subdivision 5; 11A.23, Subdivision 4; 353.05; and 353.06; proposing new law coded in Minnesota Statutes, Chapter 353; repealing Minnesota Statutes 1980, Section 353.271.

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

Gustafson introduced:

H. F. No. 1202, A bill for an act relating to motor vehicles; providing that number plates issued to a vehicle shall be retained by the owner; providing for the transfer of number plates from one vehicle to another vehicle; amending Minnesota Statutes 1980, Sections 168.014; 168.041, Subdivision 7; 168.10, Subdivision 3; 168.11, Subdivision 1; 168.12, Subdivisions 1, 2, and 2a; 168.13; 168.15; 168.16; 168.30; 168.31, Subdivision 3; 168.36, Subdivision 2; 168A.13, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 168.

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

Rose introduced:

H. F. No. 1203, A bill for an act relating to public employees; excluding the executive secretaries of certain state boards from bargaining units; amending Minnesota Statutes 1980, Section 179.74, Subdivision 4.

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

Johnson, C.; Dempsey; Luknic; Eken and Mann introduced:

H. F. No. 1204, A bill for an act relating to agriculture; removing certain buyers and sellers of hay and straw from commission merchant licensing requirements; amending Minnesota Statutes 1980, Sections 223.01; 223.02; 223.03; and 223.05; repealing Minnesota Statutes 1980, Sections 223.06 and 223.12.

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

Peterson, B., introduced :

H. F. No. 1205, A bill for an act relating to crimes; defining terms for purposes of arson laws; establishing mandatory minimum prison sentences for arson in the first degree and arson in the second degree; increasing penalties for certain negligent fires; prohibiting removal or concealment of property to defraud an insurer; prohibiting submission of false insurance claims; amending Minnesota Statutes 1980, Sections 609.556, by adding subdivisions; 609.561; 609.562; 609.576; 609.611; and 609.645.

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

Carlson, D., introduced :

H. F. No. 1206, A bill for an act relating to public welfare; allowing the commissioner of public welfare to grant a variance related to operators of licensed facilities whose licenses have been previously revoked; amending Minnesota Statutes 1980, Section 245.801, Subdivision 6.

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

Nysether introduced :

H. F. No. 1207, A bill for an act relating to education; providing matching funds for capital expenditures made by Lake of the Woods Independent School District No. 390; appropriating money.

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

Clark, J.; Nelson, K.; Lehto; Voss and Himle introduced :

H. F. No. 1208, A bill for an act relating to energy; providing for the lease of potential hydropower sites by the state or political subdivisions; amending Minnesota Statutes 1980, Sections 272.02, Subdivision 1, and by adding a subdivision; 273.19, by adding a subdivision; and proposing new law coded in Minnesota Statutes, Chapter 116H.

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



McEachern introduced:

H. F. No. 1209, A bill for an act relating to crimes; establishing minimum terms of imprisonment for use of a dangerous weapon or possession of a firearm; amending Minnesota Statutes 1980, Sections 609.11, Subdivision 1, and by adding subdivisions; and 609.135, Subdivision 1; repealing Minnesota Statutes 1980, Section 609.11, Subdivision 3.

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

Jacobs, Skoglund, Eken and Sieben, H., introduced:

H. F. No. 1210, A bill for an act relating to taxation; providing that an electing small business corporation for federal income tax purposes shall be an electing small business corporation for Minnesota income tax purposes; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; 290.974; proposing new law coded in Minnesota Statutes, Chapter 290; repealing Minnesota Statutes 1980, Sections 290.971; 290.972; 290.973; and 290.975.

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

Greenfield; Clark, J.; Heap and Byrne introduced:

H. F. No. 1211, A bill for an act relating to public welfare; providing medical assistance payments for attendant care on an equivalent basis with other providers; appropriating money; amending Minnesota Statutes 1980, Section 256B.02, Subdivision 8.

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

Greenfield; Gustafson; Clark, K., and Rodriguez, F., introduced:

H. F. No. 1212, A bill for an act relating to public welfare; creating an advisory council on the food stamp program to advise the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1980, Section 256.01, by adding a subdivision.

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

Rose introduced:

H. F. No. 1213, A bill for an act providing for establishment of the boundaries of congressional and legislative districts by a commission; providing by law for the duties, powers and operation of the commission; providing for judicial review of an apportionment plan; imposing duties on certain state officials; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 2A; repealing Minnesota Statutes 1980, Sections 2.041 to 2.712 and 2.731 to 2.811.

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

Rothenberg and Clawson introduced:

H. F. No. 1214, A bill for an act relating to the legislature; reducing the number of members of the senate and house of representatives; amending Minnesota Statutes 1980, Section 2.021.

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

Kaley, Friedrich, Zubay and Stowell introduced:

H. F. No. 1215, A bill for an act relating to municipal industrial development; permitting financing of certain health related housing facilities; amending Minnesota Statutes 1980, Section 474.02, Subdivision 1d.

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

Dean, Jude, Ellingson, Rothenberg and Clark, J., introduced:

H. F. No. 1216, A bill for an act relating to courts; retaining the office of referee and judicial officer; amending Minnesota Statutes 1980, Sections 484.70, Subdivision 1; and 487.08, Subdivision 1; repealing Minnesota Statutes 1980, Section 487.08, Subdivisions 2, 3 and 4.

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

Kaley, Friedrich and Mann introduced:

H. F. No. 1217, A bill for an act relating to taxation; gas tax credit; adopting certain federal limitations; amending Minnesota Statutes 1980, Sections 290.06, Subdivision 13; 296.18, Subdivision 1; and 296.421, Subdivision 5.

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

Kahn, Weaver, Dean, Welch and Hokanson introduced:

H. F. No. 1218, A bill for an act relating to education; extending due dates for plans and reports relating to the statewide education management information system; authorizing the state board to perform certain duties according to specified criteria in the absence of rules; amending Minnesota Statutes 1980, Sections 121.931, Subdivisions 3, 4 and 7; and 121.938, Subdivision 2.

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

Voss, Norton, Ellingson, Dean and Laidig introduced:

H. F. No. 1219, A bill for an act relating to correction and improvement of state laws; establishing a Minnesota law revision council; prescribing its duties and functions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 3.

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

Clark, K., introduced:

H. F. No. 1220, A bill for an act relating to unemployment compensation; clarifying that quitting work due to sexual harassment does not result in benefit disqualification; amending Minnesota Statutes 1980, Section 268.09, Subdivision 1.

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

Minne, McCarron, Halberg, Jude and Laidig introduced:

H. F. No. 1221, A bill for an act relating to elections; providing for special elections to fill vacancies in statutory city offices; amending Minnesota Statutes 1980, Sections 205.10; 205.17, by adding a subdivision; and 412.02, Subdivision 2, and by adding a subdivision.

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

Reding introduced:

H. F. No. 1222, A bill for an act relating to game and fish; setting forth a model city trapping ordinance; restricting further prohibitions; providing for imposition of a penalty; proposing new law coded in Minnesota Statutes, Chapter 100.

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

Reding introduced:

H. F. No. 1223, A bill for an act relating to retirement; providing for an exemption from membership therein for city managers; proposing new law coded in Minnesota Statutes, Chapter 353.

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

Valan and Hoberg introduced:

H. F. No. 1224, A bill for an act relating to crimes; providing for distribution of proceeds from sale of forfeited property; amending Minnesota Statutes 1980, Section 152.19, Subdivision 5.

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

Heap; Johnson, C.; Nelson, K.; Carlson, L., and Jennings introduced:

H. F. No. 1225, A bill for an act relating to education; allowing area vocational-technical institutes to grant degrees under certain conditions; proposing new law coded in Minnesota Statutes, Chapter 121.

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

Dean, Heap, Halberg, Sarna and Metzen introduced:

H. F. No. 1226, A bill for an act relating to foreign corporations; removing certain deficiencies and ambiguities; defining certain activities that do not constitute transacting business in the state; and removing limitations on engaging in the business of making real estate loans; amending Minnesota Statutes 1980, Sections 303.02, Subdivision 3; 303.03; 303.04; and 303.25.

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

Peterson, D.; Clark, K.; Vellenga and Lehto introduced:

H. F. No. 1227, A bill for an act relating to the state building code; authorizing municipalities to adopt certain provisions which are stricter than the state building code; proposing new law coded in Minnesota Statutes, Chapter 16.

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

Nysether and Johnson, C., introduced:

H. F. No. 1228, A bill for an act relating to Lake of the Woods Independent School District No. 390; establishing subdistricts for the purpose of funding K-6 programs; granting bonding and levy authority; requiring a referendum.

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

Haukoos; Harens; Nelson, B.; Reding and Stadum introduced:

H. F. No. 1229, A bill for an act relating to workers' compensation; excluding certain small employers from coverage; amending Minnesota Statutes 1980, Section 176.041, Subdivision 1.

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

Kaley, Zubay and Friedrich introduced:

H. F. No. 1230, A bill for an act relating to the city of Rochester; permitting the imposition of certain taxes within the city; permitting the issuance of certain bonds by the city.

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

Laidig introduced:

H. F. No. 1231, A bill for an act relating to state lands; directing conveyance of certain lands in Washington County.

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

Zubay, Kaley, Stowell and Wieser introduced:

H. F. No. 1232, A bill for an act relating to taxation; exempting certain airport property of municipalities from the property user tax on exempt property; amending Minnesota Statutes 1980, Section 272.01, Subdivision 2.

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

Simoneau introduced:

H. F. No. 1233, A bill for an act relating to state government; providing for the appropriation of funds equal to the value of transferred assets when certain assets are transferred among state agencies; directing the state auditor to determine certain adjustments to foundation aid payments; transferring to the commissioner of finance certain duties of the state auditor related to Minnesota aeronautics bonds; providing for the state auditor to approve bonds for officers and employees of regional development commissions; providing for audits of housing and redevelopment authorities under certain conditions; transferring duties of the state auditor to the commissioner of finance related to state taxes on the sale of certain obligations; appropriating money; amending Minnesota Statutes 1980, Sections 16.73; 124.212, Subdivision 20; 360.302; 462.389, Subdivisions 2 and 4; and 475.73, Subdivision 2.

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

Tomlinson; Rodriguez, F.; Norton; Kaley and Osthoff introduced:

H. F. No. 1234, A bill for an act relating to employees and officials of the state; hospital and medical benefits for retired or disabled state officials and employees; amending Minnesota Statutes 1980, Section 471.61, Subdivision 2a.

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

Ludeman introduced:

H. F. No. 1235, A bill for an act relating to real estate; directing the release of a certain state owned easement.

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

Carlson, D., introduced:

H. F. No. 1236, A bill for an act relating to state land; authorizing the conveyance of certain state lands in Pine county to the Amherst H. Wilder Foundation.

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

Voss introduced:

H. F. No. 1237, A bill for an act relating to the city of Blaine; permitting all council members to serve on the housing and redevelopment authority.

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

Greenfield; Otis; Nelson, K.; Kelly and Wynia introduced:

H. F. No. 1238, A bill for an act relating to energy; restructuring residential electric rates; proposing new law coded in Minnesota Statutes, Chapter 216B.

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

Hanson; Rodriguez, C., and Nelson, K., introduced:

H. F. No. 1239, A bill for an act relating to education; creating a higher education scholarship program for students active in high school student government; proposing new law coded in Minnesota Statutes, Chapter 136A.

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

Novak, Rose and Valento introduced:

H. F. No. 1240, A bill for an act relating to education; authorizing Independent School District No. 621 to transfer the proceeds of certain sales of school buildings and real property from the debt retirement fund to the capital expenditure fund; authorizing the district to place the proceeds of certain other sales of school buildings and real property into the capital expenditure fund.

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

Johnson, C.; Rodriguez, F.; Simoneau and Novak introduced:

H. F. No. 1241, A bill for an act relating to retirement; allowing accrual of service credit in excess of 40 years in a public retirement plan; repealing Minnesota Statutes 1980, Section 356.60.

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

Murphy, Simoneau, Otis and Weaver introduced:

H. F. No. 1242, A bill for an act relating to public employment; altering the definition of supervisors in public sector collective bargaining; amending Minnesota Statutes 1980, Section 179.63, Subdivision 9a; repealing Minnesota Statutes 1980, Section 179.63, Subdivision 9.

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

Hanson, Voss, Pogemiller and Berkelman introduced:

H. F. No. 1243, A bill for an act relating to local government aid; increasing the amount and providing for the distribution of aids to local government; appropriating money; amending Minnesota Statutes 1980, Sections 16A.15, Subdivision 1, as amended; 477A.01, Subdivisions 2 and 4; and 477A.03; repealing Minnesota Statutes 1980, Section 477A.01, Subdivision 1.

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

Anderson, G., introduced:

H. F. No. 1244, A bill for an act relating to agriculture; providing for state-wide agricultural land preservation; amending Minnesota Statutes 1980, Sections 473H.01; 473H.02; 473H.04; 473H.06; and 473H.08, Subdivision 4.

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

Simoneau introduced:

H. F. No. 1245, A bill for an act relating to taxation; abolishing the income tax credit for premium taxes paid by insurance companies; amending Minnesota Statutes 1980, Section 290.06, Subdivision 3f.

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



Murphy, Sviggum, Metzen and Jacobs introduced:

H. F. No. 1246, A bill for an act relating to public welfare; authorizing the commissioner of public welfare to use money in the revolving fund for vocational rehabilitation of the blind for certain purposes; removing the preference given to blind operators of vending machines who have resided in the state for a year; amending Minnesota Statutes 1980, Section 248.07, Subdivision 8.

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

Osthoff; Dean; Peterson, D., and Drew introduced:

H. F. No. 1247, A bill for an act relating to elections; fixing the majority necessary to approve an amendment to a home rule charter; amending Minnesota Statutes 1980, Section 410.12, Subdivision 4.

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

Simoneau and McCarron introduced:

H. F. No. 1248, A bill for an act relating to drainage; eliminating requirement for auditor's lien statement; changing payment procedures for assessments for certain ditches and drainage systems; amending Minnesota Statutes 1980, Sections 106.371; 106.381; 106.391; 106.401; 106.411, Subdivision 9; 106.471, Subdivisions 5 and 6; 106.491; and 112.64, Subdivision 2; repealing Minnesota Statutes 1980, Sections 106.341, 106.351 and 106.361.

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

Carlson, D., introduced:

H. F. No. 1249, A bill for an act relating to local government; providing for the board membership and powers of the Moose Lake and Windemere area sanitary sewer district; amending Laws 1974, Chapter 400, Section 3, Subdivision 12, as amended; and Section 4, Subdivision 2, as amended; repealing Laws 1974, Chapter 400, Section 8, Subdivision 5, as amended.

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

Clark, J.; Levi; Rees; Clark, K., and Kelly introduced:

H. F. No. 1250, A bill for an act relating to children; amending the definitions of shelter care facility and secure detention facility; extending the time limit for detaining children who may be dependent or neglected children; defining the privilege doctrine to exempt child abuse or neglect proceedings; creating an exception for chemical dependency personnel in a proceeding or investigation for child abuse or neglect; changing the disposition provision for children found to be neglected or dependent; changing the definition of sexual abuse in the reporting maltreatment of minors law; including attorneys and clergy to persons mandated to report child abuse and neglect; requiring persons who report child abuse or neglect to share all relevant information to the authorities authorized to receive and investigate the report; requiring the local welfare agency and police department to destroy records seven years after the date of final entry in the case record; amending Minnesota Statutes 1980, Sections 254A.09; 260.015, Subdivisions 16 and 17; 260.171, Subdivisions 2, 4, 5 and 6; 260.172, Subdivision 1; 260.191, Subdivision 1; 626.556, Subdivisions 2, 3, 7, 8 and 11; repealing Minnesota Statutes 1980, Section 260.015, Subdivision 15.

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

Carlson, D., introduced:

H. F. No. 1251, 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, controlled substances or a combination thereof; amending Minnesota Statutes 1980, Sections 169.121, Subdivision 5; and 609.135, Subdivision 1.

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

Carlson, D., introduced:

H. F. No. 1252, A bill for an act relating to occupations and professions; providing for licensing of public accountants; amending Minnesota Statutes 1980, Section 326.191.

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

Eken, Hauge, Knickerbocker, Schreiber and Stumpf introduced:

H. F. No. 1253, A bill for an act relating to the department of economic security; authorizing financial assistance to community action agencies; defining terms; providing a formula for the distribution of funds; proposing new law coded as Minnesota Statutes, Chapter 268A.

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

#### HOUSE ADVISORIES

The following House Advisory was introduced:

Carlson, L.; Swanson; Welch; Heinitz and Reif introduced:

H. A. No. 19, A proposal to examine and evaluate the health planning function in the state of Minnesota.

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

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 44, A bill for an act relating to health; repealing a certain administrative rule of the department of health unconditionally prohibiting double beds in nursing homes and boarding care homes; exempting out of state physicians from licensing regulations under certain conditions; amending Minnesota Statutes 1980, Section 147.09.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Simoneau moved that the House concur in the Senate amendments to H. F. No. 44 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 44, A bill for an act relating to health; repealing a certain administrative rule of the department of health unconditionally prohibiting double beds in nursing homes and boarding care homes; exempting out of state physicians from licensing regulations under certain conditions; amending Minnesota Statutes 1980, Sections 144.56, by adding a subdivision; 144A.04, by adding a subdivision; and 147.09.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

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

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

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

H. F. No. 45, A bill for an act relating to health; repealing a certain administrative rule of the department of health uncondi-

tionally prohibiting the use of locks on patient room doors in nursing homes.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Simoneau moved that the House concur in the Senate amendments to H. F. No. 45 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 45, A bill for an act relating to health; repealing a certain administrative rule of the department of health unconditionally prohibiting the use of locks on patient room doors in nursing homes; amending Minnesota Statutes 1980, Section 144A.04, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

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

S. F. No. 11.

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. 2, 218, 279 and 354.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 2, A bill for an act relating to the Mississippi River headwaters area; establishing a joint board of counties to prepare, adopt and implement a comprehensive land use plan for the Mississippi River headwaters area; imposing a temporary moratorium on the use of certain lands subject to city land use controls; proposing new law coded as Minnesota Statutes, Chapter 114B.

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

S. F. No. 11, A bill for an act relating to liens; increasing the amount of an employee's lien for wages; amending Minnesota Statutes 1980, Section 514.59.

The bill was read for the first time.

Harens moved that S. F. No. 11 and H. F. No. 607, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 218, A bill for an act relating to landlords and tenants; changing the time limit for landlords to furnish tenants with certain information; amending Minnesota Statutes 1980, Section 290A.19.

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

S. F. No. 279, A bill for an act relating to taxation; providing that certain emergency shelters are exempt from the property

tax; amending Minnesota Statutes 1980, Section 272.02, Subdivision 1.

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

S. F. No. 354, A bill for an act relating to taxation; modifying estate tax provisions; clarifying certain deductions; updating references to internal revenue code; clarifying the method of computing credits; clarifying exemptions and exclusions; providing for a statute of limitations; eliminating obsolete references; providing disclosure of data to certain persons; clarifying recording procedures; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; 291.005, Subdivision 1; 291.03, Subdivision 1; 291.05; 291.065; 291.07, Subdivision 1; 291.08; 291.09, Subdivision 3a; 291.31, Subdivision 1; 291.48; and 600.21.

The bill was read for the first time.

Brandl moved that S. F. No. 354 and H. F. No. 538, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

### CONSENT CALENDAR

H. F. No. 386 was reported to the House.

Byrne moved to amend H. F. No. 386, as follows:

Page 2, line 13, after "year" insert "; but at no time shall the aggregate principal amount of bonds authorized exceed \$8,500,000 in 1982, \$9,000,000 in 1983 and \$9,500,000 in 1984"

Page 3, after line 1, insert:

"Sec. 2. Laws 1978, Chapter 788, Section 5, is amended to read:

Sec. 5. Within the boundaries of any tax increment district established in the city of St. Paul proceeds from the sale of capital improvement bonds may be expended solely for transportation purposes.

*Capital improvement bonds authorized shall not be used to finance either temporarily or permanently any part of the cost of acquisition, relocation, demolition, administration, and development of any property for purpose of directly developing the city's property tax base. And bond moneys authorized shall not be used to subsidize or underwrite the development or redevelopment of private property, nor shall they be used to provide loans or grants for the development or rehabilitation of homes, businesses, private foundations, or public charities."*

Renumber the remaining section.

Amend the title as follows:

Page 1, line 5, after "amended" insert "; and Laws 1978, Chapter 788, Section 5"

The motion prevailed and the amendment was adopted.

Upon objection of ten members H. F. No. 386, as amended, was stricken from the Consent Calendar and returned to General Orders.

H. F. No. 222, A bill for an act relating to families; designating an American family day; proposing new law coded in Minnesota Statutes, Chapter 517.

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

The bill was passed and its title agreed to.

H. F. No. 339, A bill for an act relating to towns; providing for the opening of cartways under certain circumstances; providing a method for determining whether to open or maintain



certain town roads; amending Minnesota Statutes 1980, Sections 164.08, Subdivision 2; and 365.10.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 487, A bill for an act relating to the capitol area architectural and planning board; providing for disposition of tax-forfeited property within the capitol area; amending Minnesota Statutes 1980, Section 15.50, 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, R.	Brandl	Clark, J.	Dempsey
Ainley	Battaglia	Brinkman	Clark, K.	Den Ouden
Anderson, B.	Begich	Byrne	Clawson	Drew
Anderson, G.	Berkelman	Carlson, D.	Dahlvang	Eken
Anderson, I.	Blatz	Carlson, L.	Dean	Elioff

Ellingson	Jacobs	McDonald	Piepho	Staten
Erickson	Jennings	McEachern	Pogemiller	Stowell
Esau	Johnson, C.	Mehrkens	Redalen	Stumpf
Evans	Johnson, D.	Metzen	Reding	Sviggum
Fjoslien	Jude	Minne	Rees	Swanson
Forsythe	Kahn	Munger	Reif	Tomlinson
Friedrich	Kaley	Murphy	Rice	Valan
Greenfield	Kalis	Nelsen, B.	Rodriguez, C.	Valento
Gruenes	Kelly	Nelson, K.	Rodriguez, F.	Vanasek
Gustafson	Knickerbocker	Niehaus	Rose	Vellenga
Halberg	Kostohryz	Norton	Rothenberg	Voss
Hanson	Kvam	Novak	Samuelson	Weaver
Harens	Laidig	Nysether	Sarna	Welch
Hauge	Lehto	O'Connor	Schafer	Welker
Haukoos	Lemen	Ogren	Schoenfeld	Wenzel
Heap	Levi	Olsen	Searles	Wieser
Heinitz	Long	Onnen	Sherman	Wigley
Himle	Ludeman	Osthoff	Sherwood	Wynia
Hoberg	Mann	Otis	Sieben, M.	Zubay
Hokanson	Marsh	Peterson, B.	Simoneau	Spkr. Sieben, H.
Hokr	McCarron	Peterson, D.	Skoglund	

The bill was passed and its title agreed to.

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

The bill was read for the 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 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Kvam	Nelsen, B.	Onnen	Sherwood
Erickson	Lemen			

The bill was passed and its title agreed to.

S. F. No. 153, A bill for an act relating to local government; granting towns certain powers over town cemeteries; regulating town cemeteries; amending Minnesota Statutes 1980, Sections 365.26; and 365.27.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 345, A bill for an act relating to crimes; increasing the penalty for certain forms of cruelty to animals; amending Minnesota Statutes 1980, Section 346.29.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Anderson, G.

The bill was passed and its title agreed to.

### CALENDAR

S. F. No. 209, A bill for an act relating to gambling devices; clarifying definitions of gambling devices; authorizing an additional gambling device; authorizing certain payments for operation of gambling devices; changing prize limitations; changing the penalty provision for violation; amending Minnesota Statutes 1980, Sections 349.26, Subdivisions 2, 4, 5, 12, 13, 14 and 15, and by adding a subdivision; 349.30, Subdivision 2; and 349.31, 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 91 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Ainley	Evans	Kalis	Ogren	Sieben, M.
Anderson, B.	Friedrich	Kelly	Olsen	Simoneau
Anderson, R.	Greenfield	Knickerbocker	Otis	Skoglund
Battaglia	Gruenes	Kostohryz	Peterson, D.	Stadum
Begich	Gustafson	Lehto	Piepho	Staten
Blatz	Halberg	Levi	Pogemiller	Stowell
Brandl	Hauge	Long	Reding	Stumpf
Brinkman	Heap	Ludeman	Rees	Tomlinson
Byrne	Heinitz	Mann	Reif	Valan
Carlson, L.	Himle	McEachern	Rice	Valento
Clark, J.	Hoberg	Mehrkena	Rodriguez, C.	Vanasek
Clark, K.	Hokanson	Metzen	Rodriguez, F.	Vellenga
Clawson	Hokr	Minne	Rose	Voss
Dahlvang	Jacobs	Murphy	Samuelson	Welker
Dean	Jennings	Nelson, K.	Sarna	Spkr. Sieben, H.
Dempsey	Johnson, C.	Norton	Schoenfeld	
Eken	Johnson, D.	Novak	Schreiber	
Elioff	Jude	Nysether	Searles	
Ellingson	Kaley	O'Connor	Sherman	

Those who voted in the negative were:

Aasness	Forsythe	Marsh	Peterson, B.	Weaver
Anderson, I.	Hanson	McCarron	Redalen	Wenzel
Carlson, D.	Harens	McDonald	Rothenberg	Wieser
Den Ouden	Haukoos	Munger	Schafer	Wigley
Drew	Kahn	Nelsen, B.	Shea	Wynia
Erickson	Kvam	Niehaus	Sherwood	
Esau	Laidig	Onnen	Sviggum	
Fjoslien	Lemen	Osthoff	Swanson	

The bill was passed and its title agreed to.

H. F. No. 372 was reported to the House.

Nelsen, B., moved that H. F. No. 372 be continued on the Calendar for one day. The motion prevailed.

### GENERAL ORDERS

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

### REPORT OF COMMITTEE OF THE WHOLE

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

H. F. Nos. 131, 409, 575, 604, 353, 519, 615, 617, 624, 634 and 739 which it recommended to pass.

H. F. Nos. 473 and 502 which it recommended progress.

S. F. No. 52 which it recommended to pass.

S. F. No. 346 which it recommended progress retaining its place on General Orders.

H. F. No. 12 which it recommended be re-referred to the Committee on Appropriations.

H. F. No. 595 which it recommended to pass with the following amendment offered by Murphy:

Page 1, after line 15, insert:

"Sec. 2. [EFFECTIVE DATE.]

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

H. F. No. 347 which it recommended to pass with the following amendment offered by Olsen:

Delete everything after the enacting clause and insert:

"Section 1. [ST. PAUL, CITY OF; MINNEAPOLIS, CITY OF; JOINT FAMILY HOUSING PROGRAM.]

*Subdivision 1. The cities of St. Paul and Minneapolis may issue, jointly or separately, housing revenue bonds pursuant to Minnesota Statutes, Chapter 462C, to finance the joint housing program specifically exempted from the provisions of sections 1102 and 1103 of the Mortgage Subsidy Bond Tax Act of 1980. The bond issues, in an aggregate amount not to exceed \$235,000,000, shall not be included in the computation made pursuant to Minnesota Statutes, Section 462C.07, Subdivision 2, of the aggregate principal amount of revenue bonds or other obligations issued by the cities of St. Paul and Minneapolis.*

*Subd. 2. No more than 20 percent of the aggregate amount of all loans for single and multifamily housing provided in each city, pursuant to the program described in section 1, shall be made without regard to the income limits established in Minnesota Statutes, Section 462C.03, Subdivision 2.*

Sec. 2. [EFFECTIVE DATE.]

*This act shall become effective as to each city the day after compliance by the governing body of each city with the provisions of Minnesota Statutes, Section 645.021, Subdivision 3."*

Amend the title as follows:

Page 1, delete lines 2 to 5 and insert "relating to the cities of St. Paul and Minneapolis; exempting a certain joint housing bonding program from the provisions of Minnesota Statutes, Section 462C.07, Subdivision 2."

H. F. No. 579 which it recommended to pass with the following amendment offered by Berkelman:

Page 12, line 16, after "all" insert "conventional"

Page 12, after line 36 insert

"Sec. 7. Minnesota Statutes 1980, Section 47.20, is amended by adding a subdivision to read:

*Subd. 6b. Charges or fees for late payments on conventional loans shall be governed by chapter 51A for all lenders."*

Renumber the sections

Page 13, delete lines 1 to 4

Page 14, line 8, delete "7" and insert "8"

Amend the title as follows:

Page 1, line 7, delete "a"

Page 1, line 7, delete "subdivision" and insert "subdivisions"

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

#### ROLL CALLS IN COMMITTEE OF THE WHOLE

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

Laidig moved to amend S. F. No. 52, as follows:

Page 1, after line 8 insert "Subdivision 2, is amended to read:

Subd. 2. [EXCEPTIONS.] The provisions of subdivision 1 shall not be construed to prohibit:

(a) Denial of admittance into a particular apartment, room, mobile home or personal residential unit by a person or persons residing in that particular apartment, room, mobile home or unit.

(b) Requiring reasonable and proper identification as a necessary prerequisite to admission to a multiple unit dwelling(;;).

(c) In the case of nursing homes, denial of permission to visit certain persons where valid reasons of health exist therefor(;;).

(d) Limiting visits by candidates or workers accompanied by the candidate to reasonable number of persons, reasonable hours or requiring prior appointments(;;).

(e) Denial of admittance to or expulsion from a multiple unit dwelling for good cause.

(f) *Denial of admittance to or expulsion from a multiple unit dwelling at the request of a majority of the adult residents of the dwelling.*

Sec. 2. Minnesota Statutes 1980, Section 210A.43,"



Further amend the title as follows:

Page 1, line 4, after the semicolon insert "creating an exception;"

Page 1, line 5, delete "Subdivision" and insert "Subdivisions 2 and"

The question was taken on the amendment and the roll was called. There were 45 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Himle	Mehrkens	Schafer
Ainley	Evans	Hoberg	Nelsen, B.	Schreiber
Anderson, R.	Ewald	Johnson, D.	Niehaus	Searles
Blatz	Fjoslien	Kaley	Olsen	Sherwood
Carlson, D.	Forsythe	Knickerbocker	Peterson, B.	Swiggum
Dean	Friedrich	Kvam	Piepho	Valento
Dempsey	Halberg	Laidig	Redalen	Wieser
Den Ouden	Heap	Ludeman	Rose	Wigley
Erickson	Heinitz	McDonald	Rothenberg	Zubay

Those who voted in the negative were:

Anderson, B.	Gustafson	Mann	Peterson, D.	Staten
Anderson, G.	Hanson	Marsh	Pogemiller	Stumpf
Anderson, I.	Harens	McCarron	Reding	Swanson
Battaglia	Haukoos	McEachern	Rees	Tomlinson
Begich	Hokanson	Metzen	Reif	Valan
Berkelman	Hokr	Minne	Rice	Vanasek
Brandl	Jacobs	Munger	Rodriguez, C.	Vellenga
Brinkman	Jennings	Murphy	Rodriguez, F.	Voss
Carlson, L.	Johnson, C.	Nelson, K.	Samuelson	Weaver
Clawson	Jude	Norton	Sarna	Welch
Dahlvang	Kahn	Novak	Schoenfeld	Wenzel
Drew	Kalis	Nysether	Shea	Wynia
Eken	Kelly	O'Connor	Sherman	Spkr. Sieben, H.
Elioff	Kostohryz	Ogren	Sieben, M.	
Ellingson	Lehto	Onnen	Simoneau	
Greenfield	Lemen	Osthoff	Skoglund	
Gruenes	Long	Otis	Stadum	

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

The question was taken on the motion to recommend passage of S. F. No. 52 and the roll was called. There were 73 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Brinkman	Dempsey	Gustafson	Jude
Anderson, G.	Byrne	Drew	Hanson	Kahn
Anderson, I.	Carlson, L.	Eken	Harens	Kalis
Battaglia	Clark, J.	Elioff	Hokanson	Kelly
Begich	Clawson	Ellingson	Jacobs	Kostohryz
Brandl	Dahlvang	Greenfield	Johnson, C.	Lehto

Long	Nelson, K.	Rees	Sherman	Vellenga
Mann	Norton	Reif	Sieben, M.	Voss
Marsh	Novak	Rice	Simoneau	Weaver
McCarron	O'Connor	Rodriguez, C.	Skoglund	Welch
McEachern	Ogren	Rodriguez, F.	Staten	Wenzel
Metzen	Osthoff	Samuelson	Stumpf	Wynia
Minne	Otis	Sarna	Swanson	Spkr. Sieben, H.
Munger	Peterson, D.	Schoenfeld	Tomlinson	
Murphy	Reding	Shea	Vanasek	

Those who voted in the negative were:

Aasness	Ewald	Hokr	Niehaus	Searles
Ainley	Fjoslien	Johnson, D.	Nysether	Sherwood
Anderson, R.	Forsythe	Knickerbocker	Olsen	Stadum
Berkelman	Friedrich	Kvam	Onnen	Stowell
Blatz	Gruenes	Laidig	Peterson, B.	Sviggum
Carlson, D.	Halberg	Lemen	Piepho	Valan
Dean	Haukoos	Levi	Redalen	Valento
Den Ouden	Heap	Ludeman	Rose	Welker
Erickson	Heinitz	McDonald	Rothenberg	Wieser
Esau	Himle	Mehrkins	Schafer	Wigley
Evans	Hoberg	Nelsen, B.	Schreiber	Zubay

The motion prevailed.

Kahn moved to amend H. F. No. 347, as amended, as follows:

Page 1, line 20 of the Olsen amendment, delete "*and Minneapolis*"

The question was taken on the amendment and the roll was called. There were 20 yeas and 96 nays as follows:

Those who voted in the affirmative were:

Ainley	Greenfield	Lemen	Rees	Welker
Anderson, R.	Gruenes	McDonald	Rice	Wieser
Evans	Hokr	Onnen	Rothenberg	Wigley
Fjoslien	Kahn	Piepho	Sherman	Zubay

Those who voted in the negative were:

Aasness	Dempsey	Himle	McEachern	Reding
Anderson, B.	Den Ouden	Hoberg	Mehrkins	Reif
Anderson, I.	Drew	Hokanson	Metzen	Rodriguez, C.
Battaglia	Eken	Jacobs	Minne	Rodriguez, F.
Begich	Elioff	Jennings	Murphy	Rose
Berkelman	Ellingson	Johnson, D.	Nelsen, B.	Samuelson
Blatz	Erickson	Jude	Nelson, K.	Sarna
Brandl	Esau	Kelly	Niehaus	Schafer
Brinkman	Ewald	Knickerbocker	Novak	Schoenfeld
Byrne	Forsythe	Kostohryz	O'Connor	Schreiber
Carlson, D.	Gustafson	Kvam	Ogren	Searles
Carlson, L.	Halberg	Laidig	Olsen	Shea
Clark, J.	Hanson	Levi	Osthoff	Sherwood
Clark, K.	Harens	Long	Otis	Simoneau
Clawson	Hauge	Mann	Peterson, D.	Skoglund
Dahlvang	Haukoos	Marsh	Pogemiller	Stadum
Dean	Heap	McCarron	Redalen	

Staten  
Stowell  
Stumpf

Swanson  
Tomlinson  
Valan

Valento  
Vellenga  
Voss

Weaver  
Wenzel

Spkr. Sieben, H.

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

The question was taken on the motion to recommend passage of H. F. No. 347, as amended, and the roll was called. There were 104 yeas and 20 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Elioff	Kaley	Ogren	Sherwood
Anderson, G.	Ellingson	Kelly	Olsen	Sieben, M.
Anderson, I.	Ewald	Knickerbocker	Osthoff	Simoneau
Anderson, R.	Fjoslien	Kostohryz	Otis	Skoglund
Battaglia	Forsythe	Laidig	Peterson, D.	Staten
Begich	Greenfield	Lemen	Piepho	Stowell
Berkelman	Gustafson	Levi	Pogemiller	Stumpf
Blatz	Halberg	Long	Reding	Swanson
Brandl	Hanson	Mann	Rees	Tomlinson
Brinkman	Harens	Marsh	Reif	Valan
Byrne	Hauge	McCarron	Rice	Valento
Carlson, D.	Haukoos	McEachern	Rodriguez, C.	Vanasek
Carlson, L.	Heap	Mehrkens	Rodriguez, F.	Vellenga
Clark, J.	Himle	Metzen	Rose	Voss
Clark, K.	Hoberg	Minne	Samuelson	Weaver
Clawson	Hokanson	Murphy	Sarna	Welch
Dahlvang	Hokr	Nelson, K.	Schafer	Wenzel
Dean	Jacobs	Niehaus	Schoenfeld	Wigley
Dempsey	Johnson, C.	Norton	Schreiber	Wynia
Drew	Johnson, D.	Novak	Shea	Spkr. Sieben, H.
Eken	Jude	O'Connor	Sherman	

Those who voted in the negative were:

Ainley	Evans	Kvam	Nysether	Stadum
Den Ouden	Gruenes	Ludeman	Onnen	Svigum
Erickson	Jennings	McDonald	Redalen	Welker
Esau	Kahn	Nelsen, B.	Rothenberg	Wieser

The motion prevailed.

Friedrich moved to amend H. F. No. 353, the first engrossment, as follows:

Page 3, line 12, after "effective" insert "in each of the several counties"

Page 3, line 13, after "enactment" insert "and following local approval pursuant to section 645.021,"

Page 3, line 13, delete "that" and insert "those"

Page 3, line 14, delete "day" and insert "dates"

The question was taken on the amendment and the roll was called. There were 60 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Aasness	Ewald	Kaley	Piepho	Stadum
Ainley	Friedrich	Kvam	Redalen	Staten
Anderson, B.	Gruenes	Levi	Rees	Stowell
Anderson, R.	Halberg	Ludeman	Reif	Stumpf
Berkelman	Haukoos	Marsh	Rodriguez, C.	Sviggum
Blatz	Heap	McDonald	Rose	Valan
Carlson, D.	Heinitz	Mehrkens	Rothenberg	Valento
Den Ouden	Himle	Nelsen, B.	Schafer	Weaver
Drew	Hoberg	Niehaus	Schreiber	Welker
Eken	Hokr	Nysether	Searles	Wieser
Esau	Jennings	Olsen	Sherman	Wigley
Evans	Johnson, D.	Onnen	Sherwood	Zubay

Those who voted in the negative were:

Anderson, I.	Ellingson	Kelly	Norton	Schoenfeld
Battaglia	Erickson	Kostohryz	Novak	Shea
Begich	Greenfield	Lehto	O'Connor	Sieben, M.
Brandl	Gustafson	Long	Ogren	Simoneau
Brinkman	Hanson	Mann	Osthoff	Skoglund
Byrne	Harens	McCarron	Otis	Swanson
Carlson, L.	Hokanson	McEachern	Peterson, D.	Vellenga
Clark, J.	Jacobs	Metzen	Pogemiller	Voss
Clark, K.	Johnson, C.	Minne	Reding	Welch
Dahlvang	Jude	Munger	Rodriguez, F.	Wenzel
Dempsey	Kahn	Murphy	Samuelson	Wynia
Elioff	Kalis	Nelson, K.	Sarna	Spkr. Sieben, H.

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

## MOTIONS AND RESOLUTIONS

Rothenberg moved that the name of Valento be added as an author on H. F. No. 1214. The motion prevailed.

Carlson, D., moved that the name of Valento be added as an author on H. F. No. 1251. The motion prevailed.

Jacobs moved that the name of Olsen be added as an author on H. F. No. 1210. The motion prevailed.

Ainley moved that his name be stricken as an author on H. F. No. 510. The motion prevailed.

Sarna moved that the name of Sarna be stricken and the name of Gustafson be added as chief author on H. F. No. 616. The motion prevailed.

Heinitz moved that his name be stricken as an author on H. F. No. 687. The motion prevailed.

Kaley moved that his name be stricken as an author on H. F. No. 687. The motion prevailed.

Swanson moved that S. F. No. 502 be recalled from the Committee on Health and Welfare and be re-referred to the Committee on Appropriations. The motion prevailed.

Greenfield moved that H. F. No. 1238 be recalled from the Committee on Energy and be re-referred to the Committee on Regulated Industries. The motion prevailed.

Jennings moved that H. F. No. 1076 be returned to its author. The motion prevailed.

Weaver introduced:

House Resolution No. 11, A house resolution commending and congratulating the Anoka High School Tornadoes for their outstanding performances as champions of the State of Minnesota Boys' Class AA Basketball Tournament.

#### SUSPENSION OF RULES

Weaver moved that the Rules be so far suspended that House Resolution No. 11 be now considered and be placed upon its adoption. The motion prevailed.

#### HOUSE RESOLUTION NO. 11

A house resolution commending and congratulating the Anoka High School Tornadoes for their outstanding performances as champions of the State of Minnesota Boys' Class AA Basketball Tournament.

*Whereas*, the State of Minnesota has gained national prominence for its annual state basketball tournaments which have been conducted for 65 years by the Minnesota State High School League; and,

*Whereas*, the 1981 Boys' Class AA Tournament, held at the St. Paul Civic Center, March 26-28, was a superb exhibition of outstanding statewide high school basketball skill; and,

*Whereas*, the Anoka High School Tornadoes, by virtue of their conquests of the fine basketball teams from Bloomington Jefferson, St. Paul Central, and Austin, earned the coveted crown as champion of the Class AA Minnesota Boys' Basketball Tournament; and,

*Whereas*, the Anoka Tornadoes, their coaches, managers, cheerleaders, band, danceline and student body exemplified the finest of skills and the highest levels of conduct and sportsmanship throughout the season; *now, therefore*,

*Be It Resolved* by the House of Representatives of the State of Minnesota that congratulations are extended to the Anoka High School Boys' Basketball Tornadoes, champions of the Class AA Minnesota State Basketball Tournament. In particular, congratulations are extended to the team members: Benjie Eskierka, Todd Anderson, John Ward, Jeff Halet, Kurt Flygare, Mike Ebert, Tryg Johnson, Mitch Carlson, Boyd DuFault, Scott Grabowska, Todd Hysjulien, Steve Knox, Greg Seiffert, Joe Silbernagel, and Steve Christenson. Congratulations are also extended to: Dave Tank, Head Coach; Bob Olson and Bill Wiberg, Assistant Coaches; Rick Holker, Student Manager; Tom Pearson, Athletic Director; Mike Hiatt, Band Director; and Renae Lenhardt, Cheerleader Advisor.

*Be It Further Resolved* that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and present it to the principal of Anoka High School.

Weaver moved that House Resolution No. 11 be now adopted. The motion prevailed and the resolution was adopted.

Norton introduced:

House Resolution No. 12, A house resolution acknowledging April as cancer control month in Minnesota.

#### SUSPENSION OF RULES

Norton moved that the Rules be so far suspended that House Resolution No. 12 be now considered and be placed upon its adoption. The motion prevailed.

#### HOUSE RESOLUTION NO. 12

A house resolution acknowledging April as cancer control month in Minnesota.

*Whereas*, cancer is a disease that continues to take precious lives of Minnesotans, touching our families, our private institutions, and the institutions of government; and,

*Whereas*, thousands and thousands of Minnesotans can be saved through greater awareness of this disease and the effectiveness of cancer treatment; and,

*Whereas*, scientific research is going forward which promises even greater effectiveness in treating cancer and saving lives; and,

*Whereas*, the American Cancer Society is a major influence in the fight against cancer, and, as a symbol of renewed life, is sponsoring Daffodil Days in Minnesota as a start to its annual crusade; *Now, Therefore*,

*Be It Resolved* by the House of Representatives of the State of Minnesota that it recognizes the great public service of the American Cancer Society and Acknowledges April 3, 4, and 5 as Daffodil Days and the month of April as cancer control month in Minnesota.

*Be It Further Resolved* that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and transmit it to the American Cancer Society.

Norton moved that House Resolution No. 12 be now adopted. The motion prevailed and the resolution was adopted.

#### ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 6, 1981. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 6, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

