

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1981

THIRTIETH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 6, 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 John E. Melchert, retired Lutheran minister, Cologne, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Luknic, Mann and Wigley were excused. Valan was excused until 3:05 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Stowell moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 147, 449, 466, 734, 775, 817, 876, 893, 918, 1083, 188, 569, 588, 590, 607, 632, 665, 743, 1075, 182, 678, 714, 1040, 206, 386, 729, 332, 595, 347, 579 and 912 and S. F. Nos. 2, 218, 279, 354 and 11 have been placed in the members' files.

S. F. No. 354 and H. F. No. 538, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Brandl moved that the rules be so far suspended that S. F. No. 354 be substituted for H. F. No. 538 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 11 and H. F. No. 607, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Harens moved that the rules be so far suspended that S. F. No. 11 be substituted for H. F. No. 607 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 3, 1981

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

Dear Speaker Sieben:

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

H. F. No. 77, relating to mobile home parks; eliminating certain mobile home park reports made to the secretary of state;

H. F. No. 38, relating to local government; permitting the city of Northfield to make payments to the town of Waterford as a condition of an annexation.

H. F. No. 183, relating to state employees; including the staff of the council on Black Minnesotans within the unclassified civil service;

H. F. No. 496, relating to intoxicating liquor; proof required to purchase, possess or consume;

Sincerely,

ALBERT H. QUIE
Governor

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Transportation to which was referred:

H. F. No. 72, A bill for an act relating to highway traffic regulations; requiring the use of child passenger restraint systems for certain children under the age of four years; prescribing penalties; amending Minnesota Statutes 1980, Section 169.685, 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 169.685, Subdivision 4, is amended to read:

Subd. 4. Proof of the use or failure to use seat belts or a child passenger restraint system as described in section 2, or proof of the installation or failure of installation of seat belts or a child passenger restraint system as described in section 2 shall not be admissible in evidence in any litigation involving personal injuries or property damage resulting from the use or operation of any motor vehicle.

Sec. 2. Minnesota Statutes 1980, Section 169.685, is amended by adding a subdivision to read:

Subd. 5. *Every parent or legal guardian of a child under the age of four years residing in this state, when transporting the child on the streets and highways of this state in a motor vehicle owned by the parent or guardian, shall equip and install for use in the motor vehicle, in the right front or rear seats, a child passenger restraint system meeting federal motor vehicle safety*

standards according to the manufacturer's instructions. A parent or guardian who violates this subdivision may be given a hazard warning by the state highway patrol or local law enforcement officer as to the possible danger to children due to the failure to equip and install for use in the motor vehicle a child passenger restraint system as described in this section. The warning shall also advise and urge that parent or guardian to utilize the child passenger restraint systems that are available in the vehicle. No other penalty shall be assessed against a parent or guardian for a violation of this section.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective January 1, 1982."

Amend the title as follows

Page 1, line 6, before "by" insert "Subdivision 4, and"

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. 159, A bill for an act relating to Carlton county; abolishing the office of court commissioner.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 489.01, is amended to read:

489.01. [ELECTION; TERM; OFFICE ABOLISHED.]

Subdivision 1. The office of court commissioner is abolished. No vacancy in the office of court commissioner shall be filled.

Subd. 2. Persons holding the office of court commissioner in all counties except Ramsey county may continue to serve until the incumbent's term of office expires. The person holding the office of court commissioner on January 1, 1981, in Ramsey county may continue to serve at the pleasure of the appointing authority under the terms and conditions to this appointment.

Subd. 3. In each county in the state there shall be elected at the general election in 1981 a court commissioner. The term of office of the court commissioner shall be four years (AND UNTIL HIS SUCCESSOR IS ELECTED AND QUALIFIED,)

and begin on the first Monday in January next succeeding his election. This office shall be filled by election every four years thereafter. One person may hold at the same time the offices of court commissioner and probate judge.

Subd. 4. When the office of court commissioner in Ramsey county is vacated or terminated the state court administrator shall evaluate the ability of the judicial workforce to meet the demands of the caseload. If the legislature is unable to create a judgeship or judgeships justified by the evaluation, the chief justice may authorize the chief judge of the district to appoint one temporary court commissioner for a period not to exceed 12 months."

Amend the title as follows:

Delete lines 2 and 3 and insert:

"relating to court commissioners; abolishing the office of court commissioner; amending Minnesota Statutes 1980, Section 489.01."

With the recommendation that when so amended 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. 193, A bill for an act relating to highway traffic regulations; providing for the type and placement of reflectors on certain farm equipment; amending Minnesota Statutes 1980, Section 169.55, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 4 after "*equipment*" delete the balance of the line

Page 2, line 5, delete the new language and insert "*and the reflectors shall be reflex reflectors that shall be visible at night from all distances within 600 feet to 100 feet when directly in front of lawful lower beams of headlamps*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 243, A bill for an act relating to taxation; providing that the proceeds of the motor vehicle excise tax be allocated between the general fund and the highway user tax distribution fund for a period of four years, and thereafter all the proceeds to be deposited in the highway user tax distribution fund; amending Minnesota Statutes 1980, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 168.011, Subdivision 7, is amended to read:

Subd. 7. [PASSENGER AUTOMOBILE.] "Passenger automobile" means any motor vehicle designed and used for the carrying of not more than eight persons (BUT EXCLUDING), and includes station wagons and motor vehicles commonly designated as pickup trucks other than farm trucks. Passenger automobile does not include motorcycles (,) and motor scooters (, AND STATION WAGONS).

Sec. 2. Minnesota Statutes 1980, Section 168.011, Subdivision 10, is amended to read:

Subd. 10. [TRUCK.] "Truck" means any motor vehicle designed and used for carrying things other than passengers, except pickup trucks included within the definition of passenger automobile in subdivision 7.

Sec. 3. Minnesota Statutes 1980, Section 168.013, Subdivision 1a, is amended to read:

Subd. 1a. [PASSENGER AUTOMOBILES; AMBULANCES; HEARSEs.] On passenger automobiles as defined in section 168.011, subdivision 7, ambulances, and hearses, except as otherwise provided, the tax shall be \$10 plus an additional tax equal to (1.25) 1.30 percent of the base value. Subject to the classification provisions herein, "base value" means the manufacturer's suggested retail price of the vehicle including destination charge as reflected on the price listing affixed to the vehicle in conformity with 15 U.S.C. 1231 to 1233 (Public Law 85-506) or otherwise suggested by the manufacturer or determined by the registrar if no suggested retail price exists, and shall not include the cost of each accessory or item of optional equipment separately added to the vehicle and the suggested retail price.

If the registrar is unable to determine the base value because the vehicle is specially constructed, or for any other reason, he may establish such value upon the cost price to the purchaser

or owner as evidenced by a certificate of cost but not including Minnesota sales or use tax or any local sales or other local tax.

The registrar shall classify every vehicle in its proper base value class as follows:

FROM	TO
\$ 0	\$199.99
200	399.99

and thereafter a series of classes successively set in brackets having a spread of \$200 consisting of such number of classes as will permit classification of all vehicles.

The base value for purposes of this section shall be the middle point between the extremes of its class.

The registrar shall establish the base value, when new, of every passenger automobile, ambulance and hearse registered prior to the effective date of Extra Session Laws 1971, Chapter 31, using list price information published by the manufacturer or any nationally recognized firm or association compiling such data for the automotive industry. If the registrar is unable to ascertain the base value of any registered vehicle in the foregoing manner, he may use any other available source or method. The tax on all previously registered vehicles shall be computed upon the base value thus determined taking into account the depreciation provisions of Extra Session Laws 1971, Chapter 31.

The annual additional tax computed upon the base value as provided herein, during the first year of vehicle life shall be computed upon 100 percent of the base value; for the second year, 90 percent of such value; for the third year, (75) 80 percent of such value; for the fourth year, (60) 70 percent of such value; for the fifth year, (45) 60 percent of such value; for the sixth year, (35) 50 percent of such value; for the seventh year, (30) 40 percent of such value; for the eighth year, (20) 30 percent of such value; for the ninth year, (15) 20 percent of such value; for the tenth year, 10 percent of such value; for the eleventh and each succeeding year, the sum of (\$2) \$15; *provided that for registrations renewed on or after January 1, 1983, and each year thereafter, the annual additional tax for the eleventh and each succeeding year of vehicle life shall be \$25.*

In no event shall the annual additional tax be less than \$15 for any registration renewed after January 1, 1982, nor less than \$25 for any registration renewed after January 1, 1983, and subsequent years.

Sec. 4. Minnesota Statutes 1980, Section 168.013, Subdivision 1b, is amended to read:

Subd. 1b. [MOTORCYCLES.] On motorcycles the tax (IS \$5, WHICH) *shall be three-tenths of one percent of the base value when new, but in no event less than \$10. Base value has the meaning given it in subdivision 1a. This tax includes the surtax provided for in subdivision 14.*

Sec. 5. Minnesota Statutes 1980, Section 168.013, Subdivision 1c, is amended to read:

Subd. 1c. [FARM TRUCKS.] On farm trucks *having a gross weight of not more than 51,000 pounds, the tax shall be based on total gross weight and shall be (30) 45 percent of the Minnesota base rate prescribed by subdivision 1e (UNDER SCHEDULE I) during each of the first six years of vehicle life, but in no event less than (\$19) \$35, and during the seventh and succeeding years of vehicle life (AS TAKEN FROM SCHEDULE II, BUT IN NO EVENT LESS THAN \$11) the tax shall be 27 percent of the Minnesota base rate prescribed by subdivision 1e, but in no event less than \$21. On farm trucks having a gross weight of more than 51,000 pounds, the tax shall be 60 percent of the Minnesota base rate during the first nine years of vehicle life and 36 percent of the Minnesota base rate during the tenth and succeeding years. In addition to (SUCH) the gross weight tax imposed on a truck-tractor or truck used as a truck-tractor, each semitrailer shall be taxed a fee of (\$10) \$30 for a one year period or (\$50) \$150 for a five year period whichever the applicant elects.*

Sec. 6. Minnesota Statutes 1980, Section 168.013, Subdivision 1d, is amended to read:

Subd. 1d. [TRAILERS.] On trailers the annual tax shall be based on total gross weight and shall be 30 percent of the Minnesota base rate prescribed in subdivision 1e, (SCHEDULE I,) but in no event less than (\$2) \$5, provided, that the tax on trailers with a total gross weight of 3,000 pounds or less shall be payable biennially.

Sec. 7. Minnesota Statutes 1980, Section 168.013, Subdivision 1e, is amended to read:

Subd. 1e. [TRUCKS; TRACTORS; COMBINATIONS; EXCEPTIONS.] (1) On all trucks and tractors except those in this chapter defined as farm trucks, and urban trucks, and on all truck-tractor and semi-trailer combinations except those defined as farm combinations and urban combinations, the tax based on total gross weight (DURING THE FIRST SIX YEARS OF VEHICLE LIFE) shall be graduated according to (SCHEDULE I OF) the Minnesota base rate *schedule* prescribed in this

subdivision, but in no event less than (\$28, AND DURING THE SEVENTH AND SUCCEEDING YEARS OF VEHICLE LIFE THE TAX SHALL BE GRADUATED ACCORDING TO SCHEDULE II OF THIS SUBDIVISION, BUT IN NO EVENT LESS THAN \$17) \$120.

MINNESOTA BASE RATE SCHEDULE

Scheduled taxes include five percent surtax
provided for in subdivision 14

	TOTAL GROSS WEIGHT IN POUNDS	(SCHEDULE I)		(SCHEDULE II)
		Tax		(TAX)
A	0 - 1,500	\$ (5.00)	15	(\$)
B	1,501 - 3,000	(9.00)	20	(. . . .)
C	3,001 - 4,500	(14.00)	25	(8.00)
D	4,501 - 6,000	(19.00)	35	(11.00)
E	6,001 - 9,000	(28.00)	45	(17.00)
F	9,001 - 12,000	(39.00)	70	(23.00)
G	12,001 - 15,000	(62.00)	105	(37.00)
H	15,001 - 18,000	(86.00)	145	(52.00)
I	18,001 - 21,000	(114.00)	190	(68.00)
J	21,001 - 27,000	(158.00)	270	(95.00)
K	27,001 - 33,000	(230.00)	360	(138.00)
L	33,001 - 39,000	(320.00)	470	(192.00)
M	39,001 - 45,000	(420.00)	590	(252.00)
N	45,001 - 51,000	(540.00)	710	(324.00)
O	51,001 - 57,000	(690.00)	860	(414.00)
P	57,001 - 63,000	(830.00)	1010	(498.00)
Q	63,001 - 69,000	(970.00)	1180	(582.00)

	TOTAL GROSS WEIGHT IN POUNDS	(SCHEDULE I)	(SCHEDULE II)
		Tax	(TAX)
R	69,001 - 73,280	(1,050.00) 1320	(630.00)
S	73,281 -(77,000) 78,000	(1,155.00) 1520	(693.00)
T	(77,001) 78,001 - 81,000	(1,260.00) 1620	(746.00)

For each vehicle with a gross weight in excess of 81,000 pounds an additional tax of (\$36) \$50 is imposed for each ton or fraction thereof in excess of 81,000 pounds, subject to provisions of subdivision 12.

(PROVIDED HOWEVER, THAT ON ALL TRUCKS, EXCEPT THOSE IN THIS CHAPTER DEFINED AS FARM TRUCKS AND URBAN TRUCKS, HAVING A GROSS WEIGHT IN EXCESS OF 18,000 POUNDS BUT LESS THAN 27,001 POUNDS, THE TAX SHALL BE:)

((A) FOR THE REGISTRATION YEAR 1976, 70 PERCENT OF THE APPLICABLE SCHEDULE I OR SCHEDULE II OF THIS SUBDIVISION;)

((B) FOR THE REGISTRATION YEAR 1977, 80 PERCENT OF THE APPLICABLE SCHEDULE I OR SCHEDULE II OF THIS SUBDIVISION;)

((C) FOR THE REGISTRATION YEAR 1978, 90 PERCENT OF THE APPLICABLE SCHEDULE I OR SCHEDULE II OF THIS SUBDIVISION;)

((D) FOR THE REGISTRATION YEAR 1979 AND THEREAFTER; 100 PERCENT OF THE APPLICABLE SCHEDULE I OR SCHEDULE II OF THIS SUBDIVISION.)

(ON VEHICLES HAVING A GROSS WEIGHT IN EXCESS OF 27,000 POUNDS, AND USED FOR THE TRANSPORTATION OF LIVESTOCK OR UNPROCESSED AND RAW FARM PRODUCTS SHALL BE TAXED AT 90 PERCENT OF THE MINNESOTA BASE RATE PRESCRIBED BY THIS SUBDIVISION UNDER SCHEDULE I DURING EACH OF THE FIRST SIX YEARS OF VEHICLE LIFE AND DURING THE SEVENTH AND SUCCEEDING YEARS OF VEHICLE LIFE AS TAKEN FROM SCHEDULE II, PROVIDED THE GROSS RECEIPTS DERIVED FROM SUCH USE EQUAL OR EXCEED 60 PERCENT OF THE OWNER'S TOTAL GROSS RECEIPTS FROM THE OPERATION OF SUCH VEHICLE DURING THE 12 MONTH PERIOD IMMEDIATELY PRE-

CEDING THE DATE SET BY LAW FOR THE REREGISTRATION OF SUCH VEHICLE. THE OWNER SHALL FURNISH SUCH INFORMATION AS THE COMMISSIONER OF PUBLIC SAFETY MAY REQUIRE, INCLUDING SWORN STATEMENTS OF FACT, AND THE COMMISSIONER OF PUBLIC SAFETY SHALL THEREUPON DETERMINE WHETHER SUCH OWNER COMES WITHIN THE PROVISIONS OF THIS PARAGRAPH.)

(IF AN OWNER HAS NOT USED SUCH VEHICLE FOR THE TRANSPORTATION OF LIVESTOCK OR UNPROCESSED AND RAW FARM PRODUCTS SO AS TO BE ABLE TO REPORT GROSS RECEIPTS FOR THE 12 MONTH PERIOD AS HEREIN SET FORTH, HE MAY, NEVERTHELESS, APPLY FOR REGISTRATION HEREUNDER AND PAY THE REDUCED TAX AND THE COMMISSIONER OF PUBLIC SAFETY SHALL, AFTER CONSIDERATION OF THE ESTABLISHED FACTS, DETERMINE WHETHER SUCH OWNER IS ENTITLED TO HAVE SUCH REGISTRATION APPROVED.)

(IF AN OWNER FAILS TO OPERATE UNDER THE CONDITIONS AND LIMITATIONS HEREIN SET FORTH, HE SHALL IMMEDIATELY NOTIFY THE COMMISSIONER OF PUBLIC SAFETY OF SUCH FACT AND PAY THE DIFFERENCE BETWEEN THE SCHEDULED GROSS WEIGHT TAX AND THE REDUCED TAX PROPORTIONATE TO THE NUMBER OF MONTHS REMAINING IN THE YEAR, 1/12 OF THE DIFFERENCE FOR EACH MONTH OR FRACTION THEREOF, BEGINNING WITH THE MONTH IN WHICH SUCH OPERATIONS WERE DISCONTINUED OR CHANGED.)

(IF AN OWNER FIRST USES SUCH VEHICLE FOR THE TRANSPORTATION OF LIVESTOCK AND UNPROCESSED AND RAW FARM PRODUCTS AFTER THE TAX BECOMES DUE WITHOUT REDUCTION, NO ADJUSTMENT OF REFUND OF TAX SHALL BE MADE DURING THAT CALENDAR YEAR FOR REASONS OF TRANSPORTING LIVESTOCK AND UNPROCESSED AND RAW FARM PRODUCTS.)

(2) All truck-tractors except those herein defined as farm and urban truck-tractors shall be taxed in accord with the foregoing gross weight tax schedule on the basis of the combined gross weight of such truck-tractor and any semi-trailer or semi-trailers which the applicant proposes to combine with the truck-tractor. In addition, to (SUCH) *the* gross weight tax imposed on the truck-tractor, each semi-trailer shall be taxed a fee of (\$10) \$30 for a one year period or (\$50) \$150 for a five year period whichever the applicant elects.

(3) Urban trucks include only all trucks and all truck-tractors and semi-trailers used exclusively in transporting property within the metropolitan area consisting of Hennepin, Ramsey, Scott, Dakota, Anoka, Washington and Carver counties, or within the corporate limits of any city or contiguous cities or within one mile of cities of the first and second class. For the purposes of this clause a land area ceded to the United States of America under General Laws 1889, Chapter 57, is a statutory city. The vehicle shall not be operated outside the metropolitan area or corporate limits of such city or contiguous cities, or beyond one mile of cities of the first and second class; except that the commissioner of public safety may, by special permit, authorize the permanent removal of such vehicle from any registration area to another. The license plates issued therefor shall be plainly marked. On urban trucks and combinations the tax shall be based on total gross weight and shall be (30) 70 percent of the Minnesota base rate (PRESCRIBED IN THIS SUBDIVISION UNDER SCHEDULE I DURING EACH OF THE FIRST SIX YEARS OF VEHICLE LIFE, BUT IN NO EVENT LESS THAN \$19, AND DURING THE SEVENTH AND SUCCEEDING YEARS OF VEHICLE LIFE AS TAKEN FROM SCHEDULE II, BUT IN NO EVENT LESS THAN \$11. IN ADDITION TO SUCH GROSS WEIGHT TAX IMPOSED ON THE TRUCK-TRACTOR, EACH SEMITRAILER SHALL BE TAXED A FEE OF \$10 FOR A ONE YEAR PERIOD OR \$50 FOR A FIVE YEAR PERIOD WHICHEVER THE APPLICANT ELECTS). Provided that on vehicles used by an authorized local cartage carrier operating under a permit issued pursuant to section 221.296 and whose gross transportation revenue consist of at least 60 percent obtained solely from local cartage carriage, shall be (TAXED AT 90 PERCENT OF THE PRESCRIBED URBAN TRUCK AND COMBINATION RATES) *taxed at 50 percent of the Minnesota base rate schedule for all trucks and combinations for the life of the vehicle during each year such vehicle is used, provided that the gross revenues obtained from transportation services is obtained from local cartage carriage is at least 60 percent of all revenue obtained from transportation services by said person; and provided further, that said tax shall in no event be less than (\$10) \$25.*

(4) *Except for those trucks and combinations used by authorized local cartage carriers, on those trucks and combinations included within the definition of urban trucks prior to the effective date of this act, the tax for the seventh and succeeding years of vehicle life shall be:*

(a) *for the 1982 registration year, 43 percent of the tax imposed in the Minnesota base rate schedule;*

(b) *for the 1983 registration year, 56 percent of the tax imposed in the Minnesota base rate schedule; and*

(c) for the 1984 registration year and each succeeding year, 70 percent of the tax imposed in the Minnesota base rate schedule.

(5) On all trucks, truck tractors and semi-trailer combinations, except those defined as farm trucks and farm combinations, and except for those urban trucks and combinations specifically provided for in this subdivision, the tax for the seventh and succeeding years of vehicle life shall be:

(a) for the 1982 registration year, 73 percent of the tax imposed in the Minnesota base rate schedule;

(b) for the 1983 registration year, 87 percent of the tax imposed in the Minnesota base rate schedule; and

(c) for the 1984 registration year, and each succeeding year, 100 percent of the tax imposed in the Minnesota base rate schedule.

Sec. 8. Minnesota Statutes 1980, Section 168.013, Subdivision 1f, is amended to read:

Subd. 1f. [(INTERCITY) BUSES.] On all intercity buses, the tax during each the first two years of vehicle life shall be based on the gross weight of the vehicle and graduated according to the following schedule:

Gross Weight of Vehicle	Tax
Under 6,000 lbs.	\$125
6,000 to 8,000 lbs., incl.	125
8,001 to 10,000 lbs., incl.	125
10,001 to 12,000 lbs., incl.	150
12,001 to 14,000 lbs., incl.	190
14,001 to 16,000 lbs., incl.	210
16,001 to 18,000 lbs., incl.	225
18,001 to 20,000 lbs., incl.	260
20,001 to 22,000 lbs., incl.	300
22,001 to 24,000 lbs., incl.	350
24,001 to 26,000 lbs., incl.	400

26,001 to 28,000 lbs., incl.	450
28,001 to 30,000 lbs., incl.	500
30,001 and over	550

During each of the third and fourth years of vehicle life, the tax shall be 75 percent of the foregoing scheduled tax; during the fifth year of vehicle life, the tax shall be 50 percent of the foregoing scheduled tax; during the sixth year of vehicle life, the tax shall be 37 1/2 percent of the foregoing scheduled tax; and during the seventh and each succeeding year of vehicle life, the tax shall be 25 percent of the foregoing scheduled tax; provided that the annual tax paid in any year of its life for an intercity bus shall be not less than \$175 for a vehicle of over 25 passenger seating capacity and not less than \$125 for a vehicle of 25 passenger and less seating capacity.

On all intracity buses operated by an auto transportation company in the business of transporting persons for compensation as a common carrier and operating within the limits of cities having populations in excess of 200,000 inhabitants, the tax during each year of the vehicle life of each such bus shall be \$40; on all of such intracity buses operated in cities having a population of less than 200,000 and more than 70,000 inhabitants, the tax during each year of vehicle life of each bus shall be \$10; and on all of such intracity buses operating in cities having a population of less than 70,000 inhabitants, the tax during each year of vehicle life of each bus shall be \$2.

On all other buses the tax during each of the first three years of the vehicle life shall be based on the gross weight of the vehicle and graduated according to the following schedule: Where the gross weight of the vehicle is 6,000 pounds or less, \$25. Where the gross weight of the vehicle is more than 6,000 pounds, and not more than 8,000 pounds, the tax shall be \$25 plus an additional tax of \$5 per ton for the ton or major portion in excess of 6,000 pounds. Where the gross weight of the vehicle is more than 8,000 pounds, and not more than 20,000 pounds, the tax shall be \$30 plus an additional tax of \$10 per ton for each ton or major portion in excess of 8,000 pounds. Where the gross weight of the vehicle is more than 20,000 pounds and not more than 24,000 pounds, the tax shall be \$90 plus an additional tax of \$15 per ton for each ton or major portion in excess of 20,000 pounds. Where the gross weight of the vehicle is more than 24,000 pounds and not more than 28,000 pounds, the tax shall be \$120 plus an additional tax of \$25 per ton for each ton or major portion in excess of 24,000 pounds. Where the gross weight of the vehicle is more than 28,000 pounds, the tax shall be \$170 plus an additional tax of \$30 per ton for each ton or major portion in excess of 28,000 pounds.

During (EACH OF) the fourth (, FIFTH AND SIXTH) *and succeeding* years of vehicle life, the tax shall be 80 percent of the foregoing scheduled tax but in no event less than \$20 per vehicle.

(DURING EACH OF THE SEVENTH, EIGHTH AND NINTH YEARS OF VEHICLE LIFE, THE TAX SHALL BE 60 PERCENT OF THE FOREGOING SCHEDULED TAX BUT IN NO EVENT LESS THAN \$16 PER VEHICLE.)

(DURING THE TENTH AND SUCCEEDING YEARS OF VEHICLE LIFE, THE TAX SHALL BE 40 PERCENT OF THE FOREGOING SCHEDULED TAX BUT IN NO EVENT LESS THAN \$12 PER VEHICLE.)

Sec. 9. Minnesota Statutes 1980, Section 168.013, Subdivision 1g, is amended to read:

Subd. 1g. [RECREATIONAL VEHICLES.] Selfpropelled recreational vehicles shall be separately licensed and taxed annually on the basis of total gross weight (AT 100 PERCENT OF) *and the tax shall be graduated according to the Minnesota base rate schedule* prescribed in subdivision 1e (UNDER SCHEDULE I DURING EACH OF THE FIRST SIX YEARS OF VEHICLE LIFE), but in no event less than (\$14, AND DURING THE SEVENTH AND SUCCEEDING YEARS OF VEHICLE LIFE AS TAKEN FROM SCHEDULE II, BUT IN NO EVENT LESS THAN \$8) \$20.

For all selfpropelled recreational vehicles, the tax for the seventh and succeeding years of vehicle life shall be:

(a) *for the 1982 registration year, 73 percent of the tax imposed in the Minnesota base rate schedule;*

(b) *for the 1983 registration year, 87 percent of the tax imposed in the Minnesota base rate schedule; and*

(c) *for the 1984 registration year and each succeeding year, 100 percent of the tax imposed in the Minnesota base rate schedule.*

Towed recreational vehicles shall be separately licensed and taxed annually on the basis of total gross weight at 30 percent of the Minnesota base rate prescribed in subdivision 1e (UNDER SCHEDULE I) but in no event less than \$5.

The annual tax on a slip-in camper as defined in section 168.011, subdivision 25, shall be as provided for selfpropelled recreational vehicles unless (SUCH) *the owner elects to register (SUCH) the slip-in camper as a truck. If the owner elects to register (SUCH) the slip-in camper as a truck, the annual tax shall be either the tax imposed for selfpropelled recreational*

vehicles or the tax imposed for trucks on the basis of gross weight in subdivision 1e, whichever is higher. Notwithstanding any law to the contrary, all trailers and semitrailers taxed pursuant to this section shall be exempt from any wheelage tax now or hereafter imposed by any political subdivision or political subdivisions.

Sec. 10. Minnesota Statutes 1980, Section 168.013, Subdivision 1h, is amended to read:

Subd. 1h. [MOTORIZED BICYCLES.] On motorized bicycles the tax is (\$3) \$6, which includes the surtax provided for in subdivision 14.

Sec. 11. [168.018] [QUARTERLY REGISTRATION OF FARM TRUCKS.]

The owner of any farm truck as defined in section 168.011, subdivision 17, may elect to register and license the farm truck only for one or more quarters of a registration year, at a tax of one-fourth of the annual tax on the vehicle plus \$5 for each quarterly registration. The expiration date of a quarterly registration shall be displayed on the license plate in such a manner as the registrar shall direct. No farm truck registered on a quarterly basis shall be operated on the public streets and highways more than ten days beyond the end of the quarter for which it is registered unless the registration has been renewed for another quarter or for the remainder of the registration year.

For purposes of this section registration quarters shall begin on March 1, June 1, September 1, and December 1.

Sec. 12. Minnesota Statutes 1980, Section 168.12, Subdivision 2a, is amended to read:

Subd. 2a. [PERSONALIZED LICENSE PLATES.] Personalized license plates shall be issued to any applicant for registration of a passenger automobile, station wagon, van or pickup truck with a gross weight of 9,000 pounds or less, or self-propelled recreational vehicle, upon compliance with all laws of this state relating to registration of the vehicle, and upon payment of a fee of (\$50) \$100 in addition to the registration tax required by law for the vehicle. In lieu of the numbers assigned as provided in subdivision 1, such personalized license plates shall have imprinted thereon a series of not to exceed any combination of six numbers and letters. When an applicant has once obtained personalized plates, he shall have a prior claim for similar personalized plates in the next succeeding year that plates are issued if he makes application for them at least 30 days prior to the first date on which his registration can be renewed. The commissioner of public safety shall adopt rules and regulations in the manner provided by chapter 15, regulating the issuance and transfer of

such personalized license plates. No words or combination of letters placed on such personalized license plates may be used for commercial advertising or be of an obscene, indecent or immoral nature, or such as would offend public morals or decency. The call signals or letters of a radio or television station shall not be construed as commercial advertising for the purposes of this subdivision.

Notwithstanding the provisions of subdivision 1, personalized license plates issued pursuant to this subdivision may be transferred to another motor vehicle upon the payment of a fee of \$5, which fee shall be paid into the state treasury and credited to the highway user tax distribution fund. The registrar may by regulation provide a form for such notification.

The fee prescribed for personalized license plates shall be paid only in those years in which the number plate itself is issued, and shall not be payable in any year in which a year plate, tab or sticker is issued in lieu of a number plate.

All fees from the sale of personalized license plates shall be paid into the state treasury and credited to the highway user tax distribution fund.

Sec. 13. Minnesota Statutes 1980, Section 168.27, Subdivision 16, is amended to read:

Subd. 16. [PLATES, DISTINGUISHING NUMBERS.] (a) The registrar shall issue to every motor vehicle dealer, upon a request from such motor vehicle dealer licensed as provided in Subdivisions 2 or 3, one or more pair of number plates displaying a general distinguishing number upon the payment of \$10 to the registrar. In addition the dealer shall pay a motor vehicle excise tax of \$15 annually for each pair of dealer plates purchased as required by section 297B.035. The registrar shall deposit the tax in the state treasury and it shall be credited (TO THE GENERAL FUND) *as provided in section 15*. Motor vehicles, new or used, owned by such motor vehicle dealer and bearing such number plates, except vehicles leased to the user who is not an employee of the dealer during the term of the lease, held for hire, or customarily used by the dealer as a tow truck, service truck, or parts pickup truck, may be driven upon the streets and highways of this state by such motor vehicle dealer, or any employee of such motor vehicle dealer or by any member of the immediate family of such dealer or employee for either private or business purposes; or may be driven upon the streets and highways for demonstration purposes by any prospective buyer thereof for a period of 48 hours or in the case of a truck, truck-tractor, or semi-trailer, for a period of seven days.

(b) A new or used motor vehicle sold by such motor vehicle dealer and bearing the motor vehicle dealer's number plates

may be driven upon the public streets and highways for a period of 72 hours by the buyer for either of the following purposes: (1) Removing the vehicle from this state for registration in another state, or (2) permitting the buyer to use the motor vehicle before he receives number plates pursuant to his own registration. Use of a motor vehicle by the buyer under the provisions of clause (2) of the preceding sentence before he receives number plates pursuant to his own registration constitutes a use of the public streets or highways for the purpose of the time requirements for registration of motor vehicles.

Sec. 14. Minnesota Statutes 1980, Section 297B.035, Subdivision 2, is amended to read:

Subd. 2. Motor vehicles which satisfy the definitions of subdivision 1, shall be taxed at a yearly rate of \$15 per set of dealer plates. This tax shall be paid when dealer plates are purchased and shall be deposited in the state treasury and credited (TO THE GENERAL FUND) *as provided in section 15*. This tax shall be in lieu of any other state sales, excise, or use tax.

Sec. 15. Minnesota Statutes 1980, Section 297B.09, is amended to read:

297B.09 [ALLOCATION OF REVENUE.]

Subdivision 1. [GENERAL FUND SHARE.] All moneys collected and received (UNDER LAWS 1971, CHAPTER 853,) under this chapter shall be (ALLOCATED MONTHLY BY THE MOTOR VEHICLE REGISTRAR TO THE STATE COMMISSIONER OF REVENUE AND BY HIM SHALL BE PAID TO THE STATE TREASURER AND SHALL BE) deposited (AS PROVIDED IN SECTION 297A.44.) in the state treasury and credited as follows:

(a) All of the proceeds collected until June 30, 1983 shall be credited to the general fund;

(b) Three-fourths of the proceeds collected after June 30, 1983 and before July 1, 1984 shall be credited to the general fund;

(c) One-half of the proceeds collected after June 30, 1984 and before July 1, 1985 shall be credited to the general fund;

(d) One-fourth of the proceeds collected after June 30, 1985 and before July 1, 1986 shall be credited to the general fund; and

(e) After June 30, 1986, none of the proceeds collected shall be credited to the general fund.

Subd. 2. [HIGHWAY USER TAX DISTRIBUTION FUND SHARE.] The proceeds collected under this chapter and not credited to the general fund shall be deposited in the highway user tax distribution fund for apportionment in the same manner and for the same purposes as other money in that fund.

Sec. 16. Minnesota Statutes 1980, Section 296.02, Subdivision 1, is amended to read:

Subdivision 1. [TAX IMPOSED FOR MOTOR VEHICLE USE.] There is hereby imposed an excise tax of (11) 15 cents per gallon on all gasoline used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by persons specified in this chapter.

Sec. 17. Minnesota Statutes 1980, Section 174.50, Subdivision 1, is amended to read:

Subdivision 1. State assistance is needed to supplement local effort and the highway user tax distribution fund in financing capital improvements to preserve and develop a balanced transportation system throughout the state. Such a system is a proper function and concern of state government and necessary to protect the safety and personal and economic welfare of all citizens. *It requires capital expenditures for public facilities, improvements, and equipment that are complementary, additional, and alternate to highways and are a proper object for contracting public debt and engaging in works of internal improvement under article XI, section 5, clause (a) of the constitution. These expenditures are needed to harmonize state and local highway systems with the requirements of the federal interstate highways system, to avoid harmful environmental impact of arterial highways on urban, scenic, and recreational areas, to provide auxiliary facilities for the convenience and safety of persons crossing highways and persons living and working adjacent to them, and to reduce the number of private motor vehicles on highways by providing alternate modes of transportation. Capital expenditures of this nature exceed requirements for basic highway systems and should be funded from sources other than the taxes and bonds authorized in article XIV of the constitution. However, the improvements tend to reduce the cost of maintenance of highways to the minimum required for accommodation of traffic, and the cost may and shall continue to be paid from taxes authorized in article XIV of the constitution. Immediate improvement needs are reconstruction and replacement of key bridges and approaches to remove obstructions to the flow of traffic on state and county highways, municipal streets and township roads and expedited completion of the interstate highway system in Minnesota by paying the state and local shares of interstate highway segments, and of interstate highway substitution projects when approved by the United States secretary of*

transportation, the governor, and the responsible regional councils and local government units.

Sec. 18. [TRANSPORTATION FUND APPROPRIATIONS.]

\$115,000,000 is appropriated from the state transportation fund to the commissioner of transportation to acquire and better public land, buildings, and capital improvements in accordance with section 174.50 and rules promulgated thereunder, to be expended in the following amounts for the following purposes, respectively:

(a) Design, construction, and reconstruction of key bridges and bridge approaches on routes of trunk and interstate highways - \$56,200,000;

(b) Payment of the state's share of the cost of completion of segments of the interstate highway system in cooperation with the United States secretary of transportation - \$52,200,000; and

(c) Payment of state and local shares of transit and highway projects for service of urbanized areas and connecting corridors in unurbanized areas, approved by the United States secretary of transportation, the governor, and responsible regional councils and local government units, in substitution for interstate routes withdrawn from the areas - \$6,600,000.

Sec. 19. [AUTHORIZATION OF BONDS.]

To provide the money appropriated in this act from the state transportation fund the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$115,000,000 in the manner, upon the terms, and with the effect prescribed by section 174.51, and by the constitution, article XI, sections 4 to 7. The proceeds of the bonds, except premium and accrued interest, are appropriated to and shall be deposited in the Minnesota state transportation fund for expenditure for the acquisition and betterment of public land, buildings, and capital improvements in accordance with section 18 and section 174.50.

Sec. 20. [REPEALER.]

Minnesota Statutes 1980, Section 168.013, Subdivision 17, is repealed.

Sec. 21. [EFFECTIVE DATE.]

Sections 1 to 11 and 20 are effective November 15, 1981, for the year 1982 and subsequent years, provided that for vehicles registered under the monthly system on November 15, 1981, the increases provided in section 3 are effective on the date of the first renewal applications. Section 16 is effective June 1, 1981,

and applies to all gasoline and special fuel as defined in section 296.01, subdivision 6, in storage on that date. Sections 12, 17, 18 and 19 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to transportation; providing for the financing of certain services of the department of transportation; adjusting the motor vehicle registration tax on certain vehicles; increasing the fee for personalized license plates; increasing the tax on gasoline and special fuels; providing that the proceeds of the motor vehicle excise tax be allocated between the general fund and the highway user tax distribution fund for a period of four years, and thereafter all the proceeds to be deposited in the highway user tax distribution fund; authorizing the issuance of state bonds and appropriating the proceeds for the purpose of providing money to acquire and better public land, buildings, and capital improvements comprising key bridges, segments of interstate highways, and interstate highway substitution projects needed for an integrated state transportation system; amending Minnesota Statutes 1980, Sections 168.011, Subdivisions 7 and 10; 168.013, Subdivisions 1a, 1b, 1c, 1d, 1e, 1f, 1g, and 1h; 168.12, Subdivision 2a; 168.27, Subdivision 16; 174.50, Subdivision 1; 296.02, Subdivision 1; 297B.035, Subdivision 2; and 297B.09; proposing new law coded in Minnesota Statutes, Chapter 168; repealing Minnesota Statutes 1980, Section 168.013, Subdivision 17."

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

The report was adopted.

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

H. F. No. 407, A bill for an act relating to insurance; modifying the definition of a covered claim for purposes of the state's insurance guaranty association act; amending Minnesota Statutes 1980, Section 60C.09, Subdivision 1.

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

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 411, A bill for an act relating to Ramsey County; stating positions in the unclassified county service; placing employees of the judicial district administrator's office in the un-

classified service; amending Laws 1974, Chapter 435, Section 3.02, Subdivision 6, as amended.

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. 553, A bill for an act relating to drivers licenses; increasing fees for motorized bicycle operator permits and for driver licenses; establishing a fee for the Minnesota identification card; providing for uniform application fees; requiring reexamination before issuance of a new drivers license after revocation; amending Minnesota Statutes 1980, Sections 171.02, Subdivision 3; 171.06, Subdivisions 1, 2 and 4; 171.07, Subdivision 3; and 171.29.

Reported the same back with the following amendments:

Page 2, after line 28 insert:

"Sec. 4. Minnesota Statutes 1980, Section 171.06, is amended by adding a subdivision to read:

Subd. 3a. [MIDDLE NAME MAY BE MAIDEN NAME.] For the purposes of subdivision 3, and section 171.07, subdivision 1, the full name of a married applicant may include, at the option of the applicant, the applicant's family name prior to marriage instead of the applicant's given middle name, notwithstanding the middle name specified on the applicant's marriage certificate."

Page 3, line 9, strike "an" and insert "a Minnesota identification card,"

Page 4, line 32, before "This" insert "Sections 1 and 2 and 4 to 7 of" and delete "is" and insert "are"

Page 4, line 32, after the period insert "Section 3 is effective January 1, 1983."

Renumber the sections

Amend the title as follows:

Page 1, line 7, after the semicolon insert "authorizing married applicants to use their maiden name as their middle name;"

Page 1, line 9, after "2" delete "and" and insert a comma

Page 1, line 9, after "4" insert ", and by adding a subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

Mann from the Committee on Transportation to which was referred:

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

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

The report was adopted.

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

H. F. No. 673, A bill for an act relating to commerce; increasing the amount of the surety bond required of collection agencies; authorizing the commissioner of securities and real estate to investigate and examine certain collection agencies; broadening the classification of prohibited practices; amending Minnesota Statutes 1980, Sections 332.34; 332.37; and 332.40.

Reported the same back with the following amendments:

Page 1, line 17, delete "\$25,000" and insert "\$10,000 effective July 1, 1982 and \$20,000 effective July 1, 1983. An applicant for a new or renewal license may request that the amount of the bond hereby required be reduced to an amount which shall be not less than \$5,000. This request may be granted upon a showing that the total dollar amount received from debtors by the collection agency in the preceding fiscal year did not exceed \$30,000"

Page 1, line 25, strike "justices of the peace,"

Page 4, line 20, after "for" delete "any" and insert "or on"

Page 4, delete section 4

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 697, A bill for an act relating to agriculture; regulating alien use of agricultural land; providing penalties; amending Minnesota Statutes 1980, Section 500.221.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 500.221, is amended to read:

500.221 [RESTRICTIONS ON ACQUISITION OF TITLE.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, "agricultural land" means land capable of use in the production of agricultural crops, livestock or livestock products, poultry or poultry products, milk or dairy products, or fruit and other horticultural products but does not include any land zoned by a local governmental unit for a use other than and nonconforming with agricultural use. For the purposes of this section, "interest in agricultural land" includes any leasehold interest. *For the purposes of this section, a "permanent resident alien of the United States" is a natural person who has been lawfully admitted to the United States as a permanent resident alien and in fact maintains his or her principal, actual dwelling place within the United States, for at least six months out of every consecutive 12 month period, without regard to intent. For the purposes of this section, "commissioner" means the commissioner of agriculture.*

Subd. 1a. [DETERMINATION OF ALIEN STATUS.] *Every permanent resident alien of the United States who owns property subject to this section shall annually after January 1 and prior to January 31, file with the commissioner a statement setting forth the dates and places of that person's residence in the United States during the prior calendar year.*

Subd. 2. [ALIENS AND NON-AMERICAN CORPORATIONS.] Except as hereinafter provided, no natural person shall (HEREAFTER) acquire directly or indirectly any interest in agricultural land unless (HE BE) *the person is a citizen of the United States, (OR) a permanent resident alien of the United States, or is in the employ of the United States* and, in addition to the restrictions in section 500.24, no corporation, partnership, limited partnership, trustee, or other business entity shall (HEREAFTER,) directly or indirectly, acquire or otherwise obtain any interest, whether legal, beneficial or otherwise, in any title to agricultural land unless at least 80 percent of each class of stock issued and outstanding or 80 percent of the ultimate beneficial interest of (SUCH) *the entity is held directly or indirectly by citizens of the United States or permanent resi-*

dent aliens. This section shall not apply to agricultural land that may be acquired by devise, inheritance, as security for indebtedness, by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, that all agricultural land so acquired in the collection of debts or by the enforcement of a lien or claim shall be disposed of within three years after acquiring ownership. Further, the provisions of this section shall not apply to citizens or subjects of a foreign country whose rights to hold land are secured by treaty or lands used for transportation purposes by a common carrier, as defined in section 218.011, subdivision 2, or lands or interests in lands acquired for use in connection with mining and mineral processing operations provided, however, that pending the development of agricultural land for mining purposes (SUCH) *the* land may not be used for farming except under lease to a family farm, a family farm corporation or an authorized farm corporation. Further, the provisions of this section shall not apply to agricultural land operated for research or experimental purposes, provided that the ownership of the agricultural land shall be incidental to the research or experimental objectives of the person or business entity, and provided that total acreage owned by the person or business entity does not exceed the acreage owned on May 27, 1977.

Subd. 2a. [LOSS OF EXEMPT STATUS.] If any person or business entity acquires an interest in agricultural land as permitted by subdivision 2 and thereafter ceases to be a person or entity qualified to acquire an interest in agricultural land as permitted by subdivision 2 by reason of the loss of citizenship or permanent residence status or the loss of citizenship or permanent residence status of its shareholders or the holders of ultimate beneficial interests, the person or entity shall:

(a) Notify the commissioner within 90 days of the loss of qualification and shall file a report with the commissioner of agriculture giving a description of all agricultural land owned by the person or entity within the state, the date upon which the land was acquired, the date upon which the person or entity ceased to be qualified, and any other information as may reasonably be required by the commissioner;

(b) Divest itself of any agricultural land acquired after May 27, 1977 but before May 1, 1981, within three years and for those lands acquired after May 1, 1981, within one year of the date upon which the person or entity ceased to be qualified;

(c) Report the divestiture to the commissioner of agriculture within 30 days after it occurs;

(d) Make other reports as the commissioner may reasonably require; and

(e) *Continue to file periodic reports as required by subdivision 4 with respect to any land acquired on or before May 27, 1977.*

The commissioner is empowered to issue subpoenas requiring the attendance of any witness having information relevant to any matter reasonably related to the provisions of this section and to compel the production of any books, records, papers, articles, instruments, documents, memoranda, or other information, including machine sensible data, related to the matter. The commissioner is authorized to administer oaths and take testimony.

Any real estate broker or real estate salesperson, as defined in sections 82.17 and 82.18, and licensed under the provisions of chapter 82, who knowingly participates in a transaction in violation of this section shall be deemed to be in violation of chapter 82 and subject to its remedies.

Any person who willfully and knowingly violates this section as an agent shall be guilty of a misdemeanor.

Subd. 2b. [INJUNCTIVE RELIEF.] The commissioner may seek injunctive relief whenever a violation of this section is threatened.

Subd. 3. [ENFORCEMENT.] If the (ATTORNEY GENERAL) commissioner has reason to believe that any person is violating subdivision 2, he shall commence an action in the district court in which any agricultural land relative to the violation is situated, or if situated in two or more counties, in any county in which a substantial part of the land is situated. The (ATTORNEY GENERAL) commissioner shall file for record with the county recorder or the registrar of titles of each county in which any portion of said land is located a notice of the pendency of the action as provided in section 557.02. If the court finds that the land in question is being held in violation of subdivision 2, it shall enter an order so declaring. The (ATTORNEY GENERAL) commissioner shall file for record any such order with the county recorder or the registrar of titles of each county in which any portion of said land is located. Thereafter, the natural person, corporation, partnership, limited partnership, trustee or other business entity, owning such land shall have a period of one year from the date of the order to divest itself of the lands. The aforementioned one year limitation period shall be deemed a covenant running with the title to the land against any grantee or assignee or successor corporation. Any land not so divested within the time prescribed shall be sold at public sale in the manner prescribed by law for the foreclosure of a mortgage by action. In addition, any prospective or threatened violation may be enjoined by an action brought by the (ATTORNEY GENER-

AL) *commissioner* in the manner provided by law. No title to land shall be invalid or subject to forfeiture by reason of the alienage of any former owner or person having a former interest therein.

Subd. 4. [REPORTS.] Any natural person, corporation, partnership, limited partnership, trustee, or other business entity prohibited from future acquisition of agricultural land may retain title to any agricultural land *lawfully acquired* within this state (ACQUIRED) prior to May 27, 1977, but it shall file a report with the commissioner of agriculture within (90) 30 days after May 27, 1977 and annually before (APRIL 15) *January 31* thereafter, containing a description of all agricultural land held within the state, the purchase price and market value of the land, the use to which it is put, the date of acquisition and any other reasonable information required by the commissioner. The commissioner shall make the information available to the public. *All required annual reports shall include a filing fee of \$100.*

Subd. 5. [PENALTY.] Willful failure to properly register any parcel of land as required by subdivision 4 is a gross misdemeanor. Each full month of failure to register is a separate offense."

With the recommendation that when so amended the bill pass.

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 731, A bill for an act relating to family; providing for solemnization of marriages by certain court officers; amending Minnesota Statutes 1980, Section 517.04.

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 732, A bill for an act relating to agriculture; providing for continuation of certain farm tenancies on termination of life estates; proposing new law coded in Minnesota Statutes, Chapter 500.

Reported the same back with the following amendments:

Page 1, line 15, after "March 1" insert "or completion of harvest, whichever is sooner,"

Page 1, line 18, after "*year*" insert "*“, or upon completion of harvest, whichever is sooner”*"

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. 736, A bill for an act relating to Hennepin county; providing for the administration of health care and related services of the county; providing for the administration of the duties and the appointment of the county medical examiner; repealing Laws 1963, Chapter 738, as amended; and Laws 1963, Chapter 848, as amended.

Reported the same back with the following amendments:

Page 10, line 2, after "*progress*," insert "*written*"

Page 12, delete lines 3 to 6

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

The report was adopted.

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

H. F. No. 748, A bill for an act relating to recycling of solid waste; authorizing counties to license redemption centers; requiring payment of a refund on nonrefillable beverage containers; imposing duties on the commissioner of revenue and county auditors; imposing penalties; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 116F.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [116F.09] [DEFINITIONS.]

Subdivision 1. [SCOPE.] For the purposes of sections 2 to 10, the terms defined in this section have the meanings given them.

Subd. 2. [AGENCY.] "Agency" means the pollution control agency.

Subd. 3. [BEER.] "*Beer*" means beer, ale or other malt drink containing one half of one percent or more of alcohol by volume.

Subd. 4. [COMMISSIONER.] "*Commissioner*" means the commissioner of revenue.

Subd. 5. [DISTRIBUTOR.] "*Distributor*" means a person who sells filled nonrefillable beverage containers to retail dealers in this state.

Subd. 6. [LIQUOR.] "*Liquor*" means ethyl alcohol, distilled, fermented, spirituous, vinous, and malt beverages containing in excess of 3.2 percent of alcohol by weight.

Subd. 7. [MILK.] "*Milk*" means any milk or fluid milk product as defined in section 32.391, other than sour cream, cottage cheese and yogurt.

Subd. 8. [NONREFILLABLE BEVERAGE CONTAINER.] "*Nonrefillable beverage container*" means an individual hermetically sealed bottle, can, jar or carton which is composed of at least 50 percent glass, metal or plastic by weight and which is used for the purpose of containing milk, liquor, beer, soft drinks or other beverages in liquid form intended for human consumption, and which is not designed or constructed to be returned, refilled and resold after the beverage which it contained has been consumed.

Subd. 9. [OTHER BEVERAGES.] "*Other beverages*" means noncarbonated drinks including spring water, fruit or vegetable juices, fruit or vegetable drinks, chocolate drinks, and other similar drinks whether naturally or artificially flavored.

Subd. 10. [RECYCLING CONTRACTOR.] "*Recycling contractor*" means any person who contracts with the agency pursuant to section 5 and includes, but is not limited to, a local unit of government, distributor, retail dealer, recycling center, scrap dealer, waste transporter, or waste facility operator.

Subd. 11. [SOFT DRINKS.] "*Soft drinks*" means soda waters, mineral waters and any other carbonated non-alcoholic beverages.

Sec. 2. [116F.10]. [WASTE RESOURCE RECOVERY VALUE.]

The price of a filled nonrefillable beverage container sold or offered for off-sale at retail stores in this state shall include a refund value of two cents plus a recycling allowance of one cent.

Sec. 3. [116.F.11] [COLLECTION.]

Subdivision 1. [SCOPE.] A distributor selling filled non-refillable beverage containers to retail dealers in the state shall add three cents to the price of each filled nonrefillable beverage container.

Subd. 2. [REPORT.] After January 1, 1982, before the last day of each month, each distributor in the state shall complete a form supplied by the commissioner of revenue specifying the total number of filled nonrefillable beverage containers sold to retail dealers in the state for the previous month, and shall forward the report to the commissioner along with three cents per filled nonrefillable beverage container sold to retail dealers in the previous month.

Subd. 3. [FUND.] The department of finance shall establish a fund in the state treasury for the purposes of sections 1 to 10 to be known as the "land disposal abatement and recycling fund." All moneys collected by the commissioner pursuant to this section shall be deposited in the land disposal abatement and recycling fund, and are hereby appropriated for the purposes of sections 1 to 10, except that the commissioner may deduct the necessary costs to administer, audit and collect the moneys.

Sec. 4. [116F.12] [RECYCLING CONTRACTORS.]

Subdivision 1. [PURPOSE.] The agency shall contract with recycling contractors for the purpose of recycling all nonrefillable beverage containers capable of being recycled, encouraging recycling throughout the state, and ensuring that a greater number of nonrefillable beverage containers are recycled each year.

Subd. 2. [REFUND PAYMENT.] A recycling contractor shall accept an empty nonrefillable beverage container from any person and shall pay an amount at least equal to two cents per container at the initial point of collection.

Subd. 3. [REFUND REPORT.] Recycling contractors, before the last day of each month, shall complete a form supplied by the agency specifying the total amount of nonrefillable beverage containers that were paid a refund value by them for the previous month, and shall forward proof of the amount.

Subd. 4. [REFUND REIMBURSEMENT.] The agency shall reimburse out of the land disposal abatement and recycling fund, by the fifteenth of each month, a recycling contractor completing and providing the form pursuant to this section, and shall pay the recycling contractor the equivalent of three cents per nonrefillable beverage container reported.

Sec. 5. [116F.13] [CONTRACTS.]

Any person may contract with the agency to become a recycling contractor pursuant to sections 1 to 10. In awarding a contract, preference shall be given by the agency to private contractors and contractors who propose to accept a full range of waste materials.

All contracts awarded by the agency shall conform with the requirements of section 16.07. At a minimum, the contracts shall:

- (a) State the geographic area to be served;*
- (b) Ensure that empty nonrefillable beverage containers collected and reported for payment are recycled for reuse;*
- (c) State the specific other types of solid waste that the contractor shall accept for recycling; and*
- (d) Require any other conditions the agency deems appropriate before awarding a contract.*

Sec. 6. [116F.14] [UNREFUNDED SURPLUS.]

After December 31, 1982, and each calendar year thereafter, the agency, after deducting necessary costs of administering sections 1 to 10, shall expend any surplus in the land disposal abatement and recycling fund. Priorities for expenditures of the surplus are:

- (1) To encourage and assist in the development of nonrefillable beverage container waste markets for reusable or recyclable solid materials in those areas of the state where local waste markets do not exist;*
- (2) To promote and assist in the development of resource recovery systems for the recovery of materials or energy from nonrefillable beverage containers, or for the collection, transportation, separation, sorting, processing or storing of solid materials which aid in the recovery of materials or energy from nonrefillable beverage containers;*
- (3) To initiate and conduct public education programs for nonrefillable beverage container and other waste material recycling, and the reduction of solid waste generation; and*
- (4) To promote and establish annual cash awards to local units of government, public and private nonprofit groups, and charitable organizations for outstanding achievements in recycling nonrefillable beverage containers and waste materials. In*

no case shall an annual cash award given by this section exceed \$1,000 to any one group.

Sec. 7. [116F.15] [LABOR IMPACT.]

The department of economic security shall conduct a study on employee dislocation to any person who suffers loss of employment directly related to, or caused by, the provisions of sections 2 to 10. An initial draft of study shall be completed by January 1, 1983 and forwarded to the appropriate policy committees of the house of representatives and senate. The study shall be completed by January 1, 1985 and sent to the governor and the appropriate policy committees of the house of representatives and senate.

If the results of the study show that employee dislocation is taking place pursuant to the provisions of sections 1 to 10, it is the intent of the legislature to permit expenditures of the unfunded surplus pursuant to section 6 for employee reemployment assistance. The reemployment assistance shall include, but not be limited to, retraining and relocation allowances, employment assistance and educational training programs.

Sec. 8. [116F.16] [STUDY.]

The legislative commission on waste management shall direct a study conducted by the agency to recommend methods for using the surplus pursuant to section 6 to ensure equitable treatment of areas of the state where nonrefillable beverage container and other waste material recycling is not economically viable at the present time. The study shall include, but not be limited to, an analysis and recommendations on:

(a) Subsidizing regional collection, separation and transfer systems at varying rates until recycling becomes economically viable;

(b) Developing local waste markets and uses for recovered waste;

(c) Establishing categorical grants to assist litter control or waste collection and management programs of local units of government; and

(d) Ensuring that the surplus pursuant to section 6 diminishes each year by assisting in a greater percentage of nonrefillable beverage containers being recycled each year.

The study shall be completed by March 1, 1982 and forwarded to the legislative commission on waste management and the appropriate policy committees of the house of representatives and senate.

Sec. 9. [116F.17] [ANNUAL REPORT.]

By December 31 of each year, the agency shall file an annual report to the governor and the legislature specifying the total amount of money collected by the commissioner pursuant to section 3 for the preceding calendar year, the total amount of money paid by the agency to recycling contractors during that year, and the total amount of the unrefunded surplus in the land disposal abatement and recycling fund and payments made from the surplus for the year.

Sec. 10. [116F.18] [PENALTIES.]

Any person violating section 3 or 4 is guilty of a misdemeanor. Each day of violation is a separate offense.

Sec. 11. [REPEALER.]

Minnesota Statutes 1980, Sections 116F.21 and 116F.22 are repealed.

Sec. 12. [EFFECTIVE DATE.]

This act is effective January 1, 1982."

Amend the title as follows:

Page 1, line 3, delete everything before the semicolon and insert "the state to contract for recycling"

Page 1, line 6, delete "county auditors" and insert "the pollution control agency"

Page 1, line 7, delete "appropriating money" and insert "establishing a dedicated fund in the state treasury"

Page 1, line 8, before the period insert "; repealing Minnesota Statutes 1980, Sections 116F.21 and 116F.22"

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

The report was adopted.

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

H. F. No. 875, A bill for an act relating to local government; permitting Murray county and the city of Slayton to make joint powers agreements for the administration of county ditches.

Reported the same back with the recommendation that 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. 889, A bill for an act relating to water well contractors; altering the exemption from license requirements for certain registered professional engineers; amending Minnesota Statutes 1980, Section 156A.03, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 16, after "*wells*" and before the period insert "*as defined in rules promulgated by the commissioner*"

Page 1, line 16, remove the underscoring from the period

Page 1, after line 20, insert

"Any professional engineer engaged in the practice of constructing ground water quality sampling and monitoring wells as described in this subdivision shall register with the commissioner on forms provided by the commissioner."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 921, A bill for an act relating to motor vehicles; adjusting bond provisions for dealers; requiring bonds for motorized bicycle dealers; amending Minnesota Statutes 1980, Section 168.27, Subdivision 24.

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. 972, A bill for an act relating to financial institutions; increasing the percentage of capital and surplus a bank or trust company may invest in the stock of certain banks or

bank holding companies; amending Minnesota Statutes 1980, Section 48.61, Subdivision 3.

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

The report was adopted.

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

House Concurrent Resolution No. 1, A house concurrent resolution expressing the appreciation of Minnesotans in this day of renewed patriotism to all Vietnam War veterans for their services to the people of the State of Minnesota; and encouraging the establishment of a memorial and local demonstrations to engender proper recognition of Vietnam veterans.

Reported the same back with the following amendments:

Page 2, delete lines 12 to 16

Page 2, lines 25 and 26, delete "the mayors of all cities in Minnesota, the county boards of all Minnesota counties" and insert "the Adjutant General of the Minnesota National Guard"

Page 2, line 28, after the comma insert "Military Order of the Purple Heart,"

Page 2, line 28, after the period insert "The adjutants of the veterans groups are requested to encourage local units of their organizations to contact local governments, patriotic organizations, and civic organizations, and encourage cooperation in finding appropriate ways of expressing appreciation to Vietnam veterans living in their areas."

Amend the title as follows:

Page 1, line 5, delete "the establishment of a"

Page 1, line 6, delete "memorial and"

With the recommendation that when so amended the resolution be adopted.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 72, 159, 193, 407, 411, 553, 606, 673, 697, 731, 732, 736, 875, 889, 921 and 972 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 354 and 11 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Weaver, Jacobs, Wigley, Clawson and Nelson, K., introduced:

H. F. No. 1254, A bill for an act relating to state government; establishing a Minnesota federal intervention board; authorizing the board to intervene before various bodies of the federal government; providing a staff for intervention proceedings; appropriating money; amending Minnesota Statutes 1980, Sections 216A.05, Subdivision 6; 216B.62, Subdivision 3; and 237.295, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 15; repealing Minnesota Statutes 1980, Section 45.17, Subdivision 7.

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

Minne; Nelson, K.; Elioff; Begich and Battaglia introduced:

H. F. No. 1255, A bill for an act relating to public utilities; prohibiting rate increases under bond by certain electric utilities with excess generating capacities; amending Minnesota Statutes 1980, Section 216B.16, Subdivision 3, and by adding a subdivision.

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

Johnson, D., and Carlson, D., introduced:

H. F. No. 1256, A bill for an act relating to agriculture; prohibiting the sale of certain female cattle; amending Minnesota Statutes 1980, Section 35.245, Subdivision 3.

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

Haukoos, Ludeman, Kalis, Welker and Reding introduced:

H. F. No. 1257, A bill for an act relating to transportation; providing for the maintenance of the trunk highway system by certain counties pursuant to contract with the commissioner of transportation; defining terms; amending Minnesota Statutes 1980, Section 161.32, Subdivisions 1 and 2; proposing new law coded in Minnesota Statutes, Chapter 161; repealing Minnesota Statutes 1980, Section 161.32, Subdivision 4.

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

Clawson, Wenzel, Niehaus, Samuelson and Carlson, D., introduced:

H. F. No. 1258, A bill for an act relating to local government; authorizing counties, cities and towns to levy an assessment for services provided to state parks; proposing new law coded in Minnesota Statutes, Chapter 471.

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

Minne; Nelson, K.; Elioff; Begich and Battaglia introduced:

H. F. No. 1259, A bill for an act relating to public utilities; exclusion of excess generating capacity from an electric utilities rate base; amending Minnesota Statutes 1980, Section 216B.16, by adding a subdivision.

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

Clawson, Munger, Weaver, Lehto and Wenzel introduced:

H. F. No. 1260, A bill for an act relating to natural resources; extending the permissible term of agricultural leases of state peat lands; amending Minnesota Statutes 1980, Section 92.50, Subdivision 1.

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

Ainley introduced:

H. F. No. 1261, A bill for an act relating to courts; permitting all judicial districts except Hennepin county to set salaries of law clerks; clarifying employment status in every judicial district to be unclassified and without tenure; amending Minnesota Statutes 1980, Section 484.545, Subdivision 2, and by adding a subdivision.

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

Rice introduced:

H. F. No. 1262, A bill for an act relating to workers' compensation; permitting political subdivisions to provide additional benefits; amending Minnesota Statutes 1980, Section 176.021, Subdivision 5.

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

Nelson, B.; Sherwood; Dean; Forsythe and Weaver introduced:

H. F. No. 1263, A bill for an act relating to state government; clarifying fee adjustments and minimum deposits with the state treasurer; facilitating the general fund's receipt of amounts from canceled warrants; modifying provisions relative to the state's issuance of certificates of indebtedness; appropriating money for the payment of certificates, interest thereon and other expenses; authorizing a state property tax under certain conditions; amending Minnesota Statutes 1980, Sections 16A.128 and 16A.275; proposing new law coded in Minnesota Statutes, Chapter 16; repealing Minnesota Statutes 1980, Sections 16A.67; 16A.75 to 16A.754; 268.15, Subdivision 4; 352.04, Subdivision 10; 352B.061; and 354.61.

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

Haukoos, Reif, Blatz, Reding and Jennings introduced:

H. F. No. 1264, A bill for an act relating to public welfare; increasing the time period during which certain transfers of property by persons seeking medical assistance will result in their ineligibility for assistance; amending Minnesota Statutes 1980, Section 256B.17.

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

Valan, Haukoos and Stadum introduced:

H. F. No. 1265, A bill for an act relating to public employees; permitting public employers to require their employees to have a state residence; proposing new law coded in Minnesota Statutes, Chapter 179.

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

Minne; Murphy; Elioff; Peterson, D., and Osthoff introduced:

H. F. No. 1266, A bill for an act relating to counties; providing for publication of certain salary and expense information; amending Minnesota Statutes 1980, Section 375.17.

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

Wenzel, Schreiber, Battaglia, Rice and Peterson, B., introduced:

H. F. No. 1267, A bill for an act relating to snowmobiles; increasing registration fees and appropriating collections for recreational purposes; amending Minnesota Statutes 1980, Sections 84.82, Subdivision 3; and 84.83.

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

McCarron introduced:

H. F. No. 1268, A bill for an act relating to counties; providing county licensing requirements for building contractors; proposing new law coded in Minnesota Statutes, Chapter 373.

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

Wynia and Jude introduced:

H. F. No. 1269, A bill for an act relating to energy; confidentiality of certain energy data; powers and duties of Minnesota energy agency; subdivision regulations; providing for certain inspections; extending biomass plan deadline; amending Minnesota Statutes 1980, Sections 116H.07; 116H.08; 116H.129, Subdivision 4; 116H.19, Subdivision 1; 462.358, Subdivision 2a; proposing new law coded in Minnesota Statutes, Chapter 15.

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

Olsen and O'Connor introduced:

H. F. No. 1270, A bill for an act relating to courts; providing for the appointment of referees and judicial officers after July 31, 1981; amending Laws 1978, Chapter 750, Section 6.

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

Olsen and O'Connor introduced:

H. F. No. 1271, A bill for an act relating to courts; maintaining existing referee positions; amending Minnesota Statutes 1980, Section 484.70, Subdivision 1; repealing Laws 1978, Chapter 750, Section 6.

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

McDonald introduced:

H. F. No. 1272, A bill for an act relating to public welfare; defining homestead for purposes of receiving medical assistance and aid to families with dependent children; amending Minnesota Statutes 1980, Sections 256.73, Subdivision 2; and 256B.06, Subdivision 1.

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

Evans and Anderson, I., introduced:

H. F. No. 1273, A bill for an act relating to taxation; sales tax; changing the definition of "sale"; amending Minnesota Statutes 1980, Section 297A.01, Subdivision 3.

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

McCarron introduced:

H. F. No. 1274, A bill for an act relating to insurance; proscribing certain discriminatory practices relating to price quotations to agents and brokers; amending Minnesota Statutes 1980, Section 72A.20, by adding a subdivision.

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

Peterson, B.; Jude; Wynia and Rothenberg introduced:

H. F. No. 1275, A bill for an act relating to courts; providing for continuation of juvenile and family court referees in the second and fourth judicial districts until the positions are vacated; providing for creation of juvenile and family court judgeships in the second and fourth judicial districts; providing for the duties and powers of family court referees in the second and fourth judicial districts; providing for continuation of probate court referee positions in the second and fourth judicial districts; providing for the continuation of certain other referee and judicial officer positions; amending Minnesota Statutes 1980, Sections 260.031, Subdivision 1, and by adding a subdivision; 484.64; 484.70, Subdivisions 1 and 3; 487.08, Subdivisions 2, 3 and 4; 525.10; Laws 1980, Chapter 580, Section 23; repealing Minnesota Statutes 1980, Section 484.65.

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

Clawson, Rice, Norton, Weaver and Jennings introduced:

H. F. No. 1276, A bill for an act relating to occupations and professions; providing for oral examinations of electricians by the board of electricity; amending Minnesota Statutes 1980, Section 326.242, Subdivision 7.

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

Greenfield, Norton and Heinitz introduced:

H. F. No. 1277, A bill for an act relating to human rights; clarifying the meaning of reprisal; requiring an annual report to the legislature; permitting the filing of a charge of unfair discriminatory practice directly in district court; granting certain powers to the commissioner of human rights and eliminating the requirement that the commissioner provide a bond; increasing an award of punitive damages; permitting the recovery for certain damages; awarding attorneys' fees in certain cases; amending Minnesota Statutes 1980, Sections 363.03, Subdivision 7; 363.05, Subdivision 1; 363.06, Subdivisions 1, 3, and 4; 363.071, Subdivision 2; 363.14, Subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, Chapter 363; repealing Minnesota Statutes 1980, Section 363.04, Subdivision 3.

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

Dahlvang, Begich, Rice and Simoneau introduced:

H. F. No. 1278, A bill for an act relating to public employment labor relations; clarifying the definition of "employer"; amending Minnesota Statutes 1980, Section 179.63, Subdivision 4.

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

Stadum, Nysether and Valan introduced:

H. F. No. 1279, A bill for an act relating to labor; extending cooling-off period; amending Minnesota Statutes 1980, Section 179.07.

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

Stadum, Valan, Nysether and Heinitz introduced:

H. F. No. 1280, A bill for an act relating to workers' compensation; revising the procedure for division of payroll; permitting the workers' compensation reinsurance association to incorporate; exempting the reinsurance association from taxation; providing for amendment to the reinsurance association plan of operation; making changes in rules, requirements and procedures affecting members of the reinsurance association; reenacting Laws 1980, Chapter 556, Sections 6, 7, 8, 9, 10, 11 and 13.

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

Rees, by request, introduced:

H. F. No. 1281, A bill for an act relating to retirement; basing the annuities of retired judges upon the current salaries for active judges; amending Minnesota Statutes 1980, Section 490.102, Subdivision 2.

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

Stadum, Stumpf and Nysether introduced:

H. F. No. 1282, A bill for an act relating to agriculture; authorizing gradual increases in assessments for potato research and promotion; amending Minnesota Statutes 1980, Section 30.469.

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

Wynia, Hokanson, Jude, Forsythe and Vanasek introduced:

H. F. No. 1283, A bill for an act relating to limitation of actions; providing a five year statute of limitations for criminal sexual offenses; tolling the statute of limitations for victims of criminal sexual conduct; amending Minnesota Statutes 1980, Section 628.26.

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

Brandl, Hokanson, Berkelman, Onnen and Sviggum introduced:

H. F. No. 1284, A bill for an act relating to public welfare; requiring medical assistance recipients to enroll in a prepaid health care plan or co-pay for optional services; 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.

Clawson, Piepho, Wigley, Novak and Begich introduced:

H. F. No. 1285, A bill for an act relating to local government aids; changing the distribution formula; appropriating money; amending Minnesota Statutes 1980, Section 477A.03; proposing new law coded in Minnesota Statutes, Chapter 477A; repealing Minnesota Statutes 1980, Section 477A.01.

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

Jude introduced:

H. F. No. 1286, A bill for an act relating to courts; requiring notice to remove a judge to be made on the day set for trial before any other motions; amending Minnesota Statutes 1980, Sections 487.40, Subdivision 2; and 542.16, Subdivision 1.

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

McCarron, Byrne, Drew, Wynia and Kelly introduced:

H. F. No. 1287, A bill for an act relating to corrections; authorizing Ramsey county to reorganize correctional services; amending Minnesota Statutes 1980, Section 401.02, Subdivision 3.

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

Long; Gustafson; Otis; Peterson, D., and McCarron introduced:

H. F. No. 1288, A bill for an act relating to intoxicating liquor; permitting holders of both on-sale wine and on-sale non-intoxicating malt beverages licenses to sell intoxicating malt beverages; amending Minnesota Statutes 1980, Section 340.11, Subdivision 20.

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

Weaver, Jacobs, McCarron, Clawson and Voss introduced:

H. F. No. 1289, A bill for an act relating to the city of East Bethel, Anoka County; changing the application of urban district in the Minnesota highway traffic regulation act.

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

Nysether, Voss, Stadum, Berkelman and Ellingson introduced:

H. F. No. 1290, A bill for an act relating to insurance; prohibiting the payment of motor vehicle damage claims by insurers unless notice is given to insureds; proposing new law coded in Minnesota Statutes, Chapter 65B.

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

Levi, Valento, Clawson and Gustafson introduced:

H. F. No. 1291, A bill for an act relating to crimes; specifying the crime of mail, telegraph and telephone harassment; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.

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

Hokanson and Swanson introduced:

H. F. No. 1292, A bill for an act relating to public welfare; providing the commissioner with authority to control expenditures in specified instances; modifying the payment responsibility for costs of care for mentally retarded persons in state institutions; changing resource limits for recipients of aid to families with dependent children; prorating the first month's grant; reducing the scope of services provided under the medical assistance program; limiting payments to vendors; eliminating certain income disregards; making free choice of vendor under general assistance medical care an option for counties; reducing the income disregard for general assistance; providing for the closing of two state hospitals over the next biennium; amending Minnesota Statutes 1980, Sections 245.0313; 256.73, Subdivision 2; 256.76, Subdivision 1; 256B.02, Subdivision 8; 256B.03; 256B.06, Subdivision 1; 256D.03, Subdivision 3; 256D.04; 256D.06, Subdivision 1, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 256B.

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

Anderson, I., introduced:

H. F. No. 1293, A bill for an act relating to taxation; property; altering the taxation of certain lands owned by the United States and leased for a term of three or more years; amending Minnesota Statutes 1980, Section 273.19, Subdivision 1, and by adding a subdivision.

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

Anderson, G., introduced:

H. F. No. 1294, A bill for an act relating to the city of Granite Falls; authorizing the establishment of a community development program and providing powers for it.

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

Jude, McCarron, Minne, Kvam and Evans introduced:

H. F. No. 1295, A bill for an act relating to elections; providing for automatic recounts in certain judicial elections; amending Minnesota Statutes 1980, Sections 204A.51, Subdivisions 2 and 3; and 204A.53, Subdivisions 2 and 3.

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

Peterson, D., and Clark, K., introduced:

H. F. No. 1296, A bill for an act relating to housing; authorizing a rental housing administrator to encumber premises when necessary and to use municipal funds when necessary with costs to be recovered by special assessment; amending Minnesota Statutes 1980, Section 566.29, Subdivision 4.

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

Battaglia, Minne, Begich and Eliooff introduced:

H. F. No. 1297, A bill for an act relating to labor; prohibiting the use of certain evidence by employers; proposing new law coded in Minnesota Statutes, Chapter 181.

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

Begich and Battaglia introduced:

H. F. No. 1298, A bill for an act relating to taxation; railroad operating property; providing for additional property taxes to be paid in certain cases; proposing new law coded in Minnesota Statutes, Chapter 270.

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

Eliooff, Begich and Battaglia introduced:

H. F. No. 1299, A bill for an act relating to Independent School District No. 706; permitting issuance of bonds for the construction, equipment, and furnishing of a physical education building and the levying of taxes for their payment.

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

Kaley and Heinitz introduced:

H. F. No. 1300, A bill for an act relating to taxation; income; providing that certain medical payments shall not be included in income in determining whether an individual is a dependent for purposes of the low income alternative tax or the personal credits; amending Minnesota Statutes 1980, Section 290.06, Subdivisions 3d, and 3f.

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

Greenfield introduced:

H. F. No. 1301, A bill for an act relating to consumer protection; providing for a definition of building materials which may contain urea formaldehyde; providing for exceptions; amending Minnesota Statutes 1980, Section 325F.18, by adding a subdivision.

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

Clark, J., introduced:

H. F. No. 1302, A bill for an act relating to trade regulations; prescribing a penalty for the sale of imitation Indian-made goods without a brand; amending Minnesota Statutes 1980, Section 325F.46.

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

Vanasek, Lehto, Laidig and Greenfield introduced:

H. F. No. 1303, A bill for an act relating to corrections; authorizing parole of inmates by majority vote of the corrections board; amending Minnesota Statutes 1980, Section 243.05.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 84, A bill for an act relating to the city of St. James; authorizing the issuance of revenue bonds for the acquisition and betterment of an airport facility.

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

H. F. No. 330, A bill for an act relating to Independent School District No. 625; providing for times of election and terms of

office; amending Laws 1965, Chapter 705, Section 1, Subdivision 2, as amended.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 71, A bill for an act relating to elections; revising, reorganizing and recodifying major portions of the Minnesota election law; modernizing and improving language, organization and style; clarifying certain ambiguities; removing certain obsolete terms and provisions; restating guidelines for determining voter eligibility; providing for voter registration, absentee voting, the conduct of elections and the counting and canvassing of election returns; defining terms; providing penalties; making necessary technical amendments, corrections and other revisions; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 12; 40.05, Subdivision 3; 123.32, Subdivision 7; 200.-01; 200.02; 201.01; 201.021; 201.061; 201.071; 201.081; 201.091; 201.11; 201.12; 201.121; 201.13; 201.14; 201.15; 201.161; 201.-171; 201.18; 201.211; 201.221; 201.27; 201.275; 202A.11; 202A.-16, Subdivision 1; 205.01; 205.03; 205.11, Subdivision 4a; 205.13, Subdivision 1; 205.14, Subdivision 4; 205.15; 205.17, Subdivision 2; 205.20, Subdivisions 2 and 5; 206.026, Subdivision 5; 206.07, Subdivision 1; 206.185, Subdivisions 1 and 5; 206.20, Subdivision 2; 206.21, Subdivisions 1 and 2; 208.04, Subdivisions 1 and 2; 210A.07; 210A.26, Subdivision 4; 210A.28; 210A.34, Subdivision 4; 290.06, Subdivision 11; 290.21, Subdivision 3; 365.51; 365.52; 375.20; 382.28; and 487.03, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapters 200, 201, 205, and 210A; proposing new law coded as Minnesota Statutes, Chapters 203B, 204B, 204C, and 204D; repealing Minnesota Statutes 1980, Sections 201.231; 201.26; 201.33; 202A.21 to 202A.-721; and 210.22; and Chapters 203A, 204A, and 207.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 297, A bill for an act relating to the town of Great Scott; granting the town certain powers of a municipality.

PATRICK E. FLAHAVEN, Secretary of 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. 173, A bill for an act relating to human rights; providing that certain statutes be equally applicable to all persons regardless of sex, including statutes related to the health department, suits for seduction, garnishment actions, judicial pensions, and probate proceedings; providing for a penalty; amending Minnesota Statutes 1980, Sections 46.09, Subdivision 1; 144.06; 181.07; 242.47; 246.53; 256.85; 290.28, Subdivision 3; 490.102, Subdivisions 6 and 7; 510.06; 519.05; 525.05; 525.082; 540.07; 540.08; 540.09; 558.28; 576.08; 609.375; 629.55; and 631.09.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Piepho moved that the House concur in the Senate amendments to H. F. No. 173 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 173, A bill for an act relating to human rights; providing that certain statutes be equally applicable to all persons regardless of sex, including statutes related to the health department, suits for seduction, garnishment actions, judicial pensions, and probate proceedings; providing for penalties; amending Minnesota Statutes 1980, Sections 46.09, Subdivision 1; 144.06; 181.07; 242.47; 246.53; 256.85; 290.28, Subdivision 3; 490.102, Subdivisions 6 and 7; 510.06; 519.05; 525.05; 525.082; 540.07; 540.08; 540.09; 558.28; 576.08; 609.375; 629.55; and 631.09.

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 1 nay as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Nelsen, B.

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. 269, A bill for an act relating to elections; allowing a candidate to transport parents of the candidate or the candidate's spouse to or from the polls; amending Minnesota Statutes 1980, Section 210A.13, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Simoneau moved that the House concur in the Senate amendments to H. F. No. 269 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 269, A bill for an act relating to elections; allowing a candidate to transport parents of the candidate or the candidate's spouse to or from the polls; amending Minnesota Statutes 1980, Section 210A.13, Subdivision 3.

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	Esau	Kalis	O'Connor	Sieben, M.
Ainley	Evans	Kelly	Ogren	Simoneau
Anderson, B.	Ewald	Knickerbocker	Olsen	Skoglund
Anderson, G.	Fjoslien	Kostohryz	Onnen	Stadum
Anderson, I.	Forsythe	Kvam	Osthoff	Staten
Anderson, R.	Friedrich	Laidig	Otis	Stowell
Battaglia	Greenfield	Lehto	Peterson, B.	Stumpf
Begich	Gruenes	Lemen	Peterson, D.	Sviggun
Berkelman	Gustafson	Levi	Piepho	Swanson
Blatz	Halberg	Long	Redalen	Tomlinson
Brandl	Hanson	Ludeman	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	Rose	Welch
Clark, K.	Hoberg	Metzen	Rothenberg	Welker
Clawson	Hokanson	Minne	Samuelson	Wenzel
Dahlvang	Hokr	Munger	Sarna	Wieser
Dempsey	Jacobs	Murphy	Schafer	Wynia
Den Ouden	Jennings	Nelsen, B.	Schoenfeld	Zubay
Drew	Johnson, C.	Nelson, K.	Schreiber	Spkr. Sieben, H.
Eken	Johnson, D.	Niehaus	Searles	
Elioff	Jude	Norton	Shea	
Ellingson	Kahn	Novak	Sherman	
Erickson	Kaley	Nysether	Sherwood	

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. 40, A bill for an act relating to state lands; authorizing the conveyance of certain lands in St. Louis County.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Begich moved that the House concur in the Senate amendments to H. F. No. 40 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 40, A bill for an act relating to state lands; authorizing the conveyance of certain lands in St. Louis County.

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	Evans	Kaley	Nysether	Searles
Ainley	Ewald	Kalis	O'Connor	Sherman
Anderson, B.	Fjoslien	Kelly	Ogren	Sherwood
Anderson, G.	Forsythe	Knickerbocker	Olsen	Sieben, M.
Anderson, I.	Friedrich	Kostohryz	Onnen	Simoneau
Anderson, R.	Greenfield	Kvam	Osthoff	Skoglund
Battaglia	Gruenes	Laidig	Otis	Stadum
Begich	Gustafson	Lehto	Peterson, B.	Staten
Berkelman	Halberg	Lemen	Peterson, D.	Stowell
Blatz	Hanson	Levi	Piepho	Stumpf
Brandl	Harens	Long	Pogemiller	Swiggum
Brinkman	Hauge	Ludeman	Redalen	Swanson
Byrne	Haukoos	Marsh	Reding	Tomlinson
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
Dempsey	Hokr	Minne	Rose	Welch
Den Ouden	Jacobs	Murphy	Rothenberg	Welker
Drew	Jennings	Nelsen, B.	Samuelson	Wenzel
Eken	Johnson, C.	Nelson, K.	Sarna	Wieser
Ellingson	Johnson, D.	Niehaus	Schafer	Wynia
Erickson	Jude	Norton	Schoenfeld	Zubay
Esau	Kahn	Novak	Schreiber	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. 341, A bill for an act relating to the city of Edina; providing for the purchasing and contracting authority of the city manager and council.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Forsythe moved that the House concur in the Senate amendments to H. F. No. 341 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 341, A bill for an act relating to the city of Edina; providing for the purchasing and contracting authority of the city manager and council.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

S. F. No. 247.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 247

A bill for an act relating to metropolitan government; providing for the maximum amount of the borrowing authorization of the metropolitan airports commission; requiring the installation of certain equipment; mandating a noise abatement plan; amending Minnesota Statutes 1980, Sections 473.608, Subdivision 20, and by adding a subdivision; and 473.667, Subdivision 2.

March 31, 1981

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S. F. No. 247, report that we have agreed upon the items in dispute and recommend as follows:

That the house recede from its amendments and S. F. 247 be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 473.667, Subdivision 2, is amended to read:

Subd. 2. [BORROWING AUTHORIZATION.] No additional bonds shall be issued under the provisions of section 473.665, over and above the amount outstanding April 1, 1974. Except for refunding bonds and certificates of indebtedness, the principal amount of bonds that may be issued under this section, over and above the amount of bonds of the commission outstanding (FEBRUARY 1, 1980) *January 15, 1981*, is limited to (\$75,000,000) *\$92,000,000* until and unless this limitation is increased by law. The pledge of revenues of the commission to its debt service fund in lieu of the taxes otherwise required by section 473.665 to be assessed and extended shall be and remain a first charge on all current revenues of the commission to the extent required annually to cancel such taxes.

Sec. 2. Minnesota Statutes 1980, Section 473.608, Subdivision 20, is amended to read:

Subd. 20. Subject to the final enactment of the Airport and Airways Development Act Amendments of 1975 the corporation shall install aircraft noise suppressing equipment at the ground run-up operation sites of the Minneapolis-St. Paul International Airport. All such aircraft noise suppressing equipment shall con-

form to specifications approved by the pollution control agency. (THE POLLUTION CONTROL AGENCY SHALL DETERMINE THE DEADLINE FOR DESIGN SELECTION AND INSTALLATION OF THE AIRCRAFT NOISE SUPPRESSING EQUIPMENT; PROVIDED) The deadline for design selection shall be no later than (DECEMBER 31, 1980) *March 1, 1983.*

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

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

Sec. 4. [EFFECTIVE DATE.]

This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington and is effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to metropolitan government; providing for the maximum amount of the borrowing authorization of the metropolitan airports commission; requiring actions to abate airport noise; amending Minnesota Statutes 1980, Sections 473.608, Subdivision 20; and 473.667, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 473."

We request adoption of this report and repassage of the bill.

Senate Conferees: CLARENCE M. PURFEERST, OTTO T. BANG, JR. and IRVING M. STERN.

House Conferees: GORDON O. VOSS, WESLEY J. SKOGLUND and WILLIAM SCHREIBER.

Voss moved that the report of the Conference Committee on S. F. No. 247 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 247, A bill for an act relating to metropolitan government; providing for the maximum amount of the borrowing authorization of the metropolitan airports commission; requiring the installation of certain equipment; mandating a noise abatement plan; amending Minnesota Statutes 1980, Sections 473.608, Subdivision 20, and by adding a subdivision; and 473.667, Subdivision 2.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

S. F. Nos. 34, 249, 331, 347 and 400.

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. 197, 208, 336 and 384.

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. 182, 263, 275, 329, 375 and 416.

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. 432 and 537.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 387.

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. 463, 611, 885, 917 and 918.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 34, A bill for an act relating to public welfare; allowing the commissioner of public welfare to grant a variance related to certain license holders whose licenses have been previous-

ly 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.

S. F. No. 249, A bill for an act relating to watershed districts; requiring published notice and a public hearing before district managers adopt a budget; amending Minnesota Statutes 1980, Section 112.611, Subdivision 1.

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

S. F. No. 331, A bill for an act relating to the military; expanding the authorized uses of the military land fund to include forest management on military lands and to provide an enlisted persons service center at Camp Ripley; amending Minnesota Statutes 1980, Section 190.25, Subdivision 3.

The bill was read for the first time.

Nelsen, B., moved that S. F. No. 331 and H. F. No. 372, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 347, 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.

The bill was read for the first time.

Carlson, L., moved that S. F. No. 347 and H. F. No. 734, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 400, A bill for an act relating to peace officers; changing the designation of part-time officers and reserve officers; removing the hours of work limitation for certain part-time peace officers; permitting reserve peace officers to carry firearms in emergencies; providing for two members to the peace officers standards and training board from among elected city officials; authorizing the board to provide for training for certain part-time peace officers; authorizing the board to obtain criminal history data; amending Minnesota Statutes 1980, Sections 214.10, Subdivision 7; 626.84; 626.841; 626.843, Subdivision 1; 626.845, Subdivision 1; 626.846, Subdivisions 1 and 2; 626.8461; 626.8462; 626.8463; 626.8464; 626.8465, Subdivisions 1 and 2; 626.851, Subdivision 1; and 626.852.

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

S. F. No. 197, A bill for an act relating to highway traffic regulations; providing for the type and placement of reflectors on certain farm equipment; amending Minnesota Statutes 1980, Section 169.55, Subdivision 2.

The bill was read for the first time.

Lemen moved that S. F. No. 197 and H. F. No. 193, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 208, A bill for an act relating to air pollution; allowing cities and urban towns to adopt ordinances to permit and regulate open burning of leaves; amending Minnesota Statutes 1980, Section 116.07, by adding a subdivision.

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

S. F. No. 336, A bill for an act relating to local government; making explicit the power of local government units to establish more than one recreation board; amending Minnesota Statutes 1980, Section 471.15.

The bill was read for the first time.

Lemen moved that S. F. No. 336 and H. F. No. 387, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 384, A bill for an act relating to local government; providing that charter commission documents be available to the public; amending Minnesota Statutes 1980, Sections 410.05, Subdivision 4; and 410.07.

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

S. F. No. 182, A bill for an act relating to probate; increasing the surviving spouse's share of certain personal property; amending Minnesota Statutes 1980, Section 525.15.

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

S. F. No. 263, A bill for an act relating to highway traffic regulations; requiring the use of child passenger restraint systems for certain children under the age of four years; prescrib-

ing penalties; amending Minnesota Statutes 1980, Section 169.685, Subdivision 4, and by adding a subdivision.

The bill was read for the first time.

Laidig moved that S. F. No. 263 and H. F. No. 72, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 275, 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.

The bill was read for the first time.

Wenzel moved that S. F. No. 275 and H. F. No. 665, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 329, A bill for an act relating to probate; providing that certain mobile homes are homesteads; amending Minnesota Statutes 1980, Section 525.145.

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

S. F. No. 375, A bill for an act relating to Hennepin county; providing for the administration of health care and related services of the county; providing for the administration of the duties and the appointment of the county medical examiner; repealing Laws 1963, Chapter 738, as amended; and Laws 1963, Chapter 848, as amended.

The bill was read for the first time.

Clark, J., moved that S. F. No. 375 and H. F. No. 736, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 416, 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.

The bill was read for the first time.

Brandl moved that S. F. No. 416 and H. F. No. 466, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 432, A bill for an act relating to taxation; providing dates for settlement of mortgage registry and deed tax receipts; providing for payment of excise tax on special fuel by bulk purchasers; clarifying responsibilities and authority of commissioner of revenue in administering and auditing mineral taxes; providing for filing requirements for royalty reports; amending Minnesota Statutes 1980, Sections 287.12; 287.29, Subdivision 1; 296.12, Subdivisions 3, 4, and 5, and by adding a subdivision; 298.09, by adding a subdivision; 298.15; 299.03; 299.05; and 299.12; and repealing Minnesota Statutes 1980, Section 287.29, Subdivision 2.

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

S. F. No. 537, A bill for an act relating to highway traffic regulations; increasing the length of certain vehicles; establishing permit fees for certain oversize vehicles; directing the commissioner of transportation to conduct certain studies; clarifying the operation of certain combination vehicles; amending Minnesota Statutes 1980, Sections 169.81, Subdivision 3; 169.86, Subdivision 5, and by adding a subdivision; and 169.861.

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

S. F. No. 387, A bill for an act relating to agriculture; imposing certain requirements on milk houses for milk used for manufacturing; amending Minnesota Statutes 1980, Section 32.212.

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

S. F. No. 463, A bill for an act relating to credit unions; permitting a change of titles of officers; amending Minnesota Statutes 1980, Sections 52.06, Subdivision 1; and 52.09, by adding a subdivision.

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

S. F. No. 611, A bill for an act relating to motor vehicles; requiring certain owners of motorcycles to furnish evidence of security under the Minnesota no-fault automobile insurance act; amending Minnesota Statutes 1980, Section 65B.68, Subdivision 2.

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

S. F. No. 885, A bill for an act relating to regional railroad authorities; providing that cities of the first class may join in the organization of a regional railroad authority in conjunction

with one or more counties; amending Minnesota Statutes 1980, Sections 398A.02; 398A.03; 398A.04, Subdivisions 8 and 9; and 398A.06, Subdivision 1.

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

S. F. No. 917, A bill for an act relating to the statutes; removing archaic language from certain laws related to animals; amending Minnesota Statutes 1980, Sections 346.20; 346.21; 346.215; 346.216; 346.22; 346.23; 346.24; 346.25; 346.26; 346.27; 346.28; 346.31; 346.32; 346.33; 346.34; and 347.23.

The bill was read for the first time.

Jude moved that S. F. No. 917 and H. F. No. 911, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 918, A bill for an act relating to Minnesota Statutes; making various clarifications and technical amendments relating to the style and form of Minnesota Statutes 1980, Chapter 56; amending Minnesota Statutes 1980, Sections 56.01; 56.02; 56.04; 56.05; 56.06; 56.07; 56.09; 56.10; 56.11; 56.12; 56.13; 56.14; 56.15, Subdivision 1; 56.16; 56.17; 56.18; 56.19; 56.20; 56.21; 56.22; 56.23; 56.24; 56.25; proposing new law coded in Minnesota Statutes, Chapter 56; repealing Minnesota Statutes 1980, Sections 56.15, Subdivision 2; and 56.26.

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

CONSENT CALENDAR

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.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 743 was reported to the House.

Upon objection of ten members H. F. No. 743 was stricken from the Consent Calendar and returned to General Orders.

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.

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	Dean	Hauge	Kvam	Novak
Ainley	Dempsey	Haukoos	Laidig	Nysether
Anderson, B.	Den Ouden	Heap	Lehto	O'Connor
Anderson, G.	Drew	Heinitz	Lemen	Ogren
Anderson, I.	Eken	Himle	Levi	Olsen
Anderson, R.	Elioff	Hoberg	Long	Onnen
Battaglia	Ellingson	Hokanson	Ludeman	Osthoff
Begich	Erickson	Hokr	Marsh	Otis
Berkelman	Esau	Jacobs	McCarron	Peterson, B.
Blatz	Evans	Jennings	McDonald	Peterson, D.
Brandl	Ewald	Johnson, C.	McEachern	Piepho
Brinkman	Fjoslien	Johnson, D.	Mehrkens	Pogemiller
Byrne	Forsythe	Jude	Metzen	Redalen
Carlson, D.	Friedrich	Kahn	Minne	Reding
Carlson, L.	Greenfield	Kaley	Murphy	Rees
Clark, J.	Gruenes	Kalis	Nelsen, B.	Reif
Clark, K.	Halberg	Kelly	Nelson, K.	Rice
Clawson	Hanson	Knickerbocker	Niehaus	Rodriguez, C.
Dahlvang	Harens	Kostohryz	Norton	Rodriguez, F.

Rose	Searles	Staten	Vanasek	Wieser
Rothenberg	Shea	Stowell	Vellenga	Wynia
Samuelson	Sherman	Stumpf	Voss	Zubay
Sarna	Sherwood	Svigum	Weaver	Spkr. Sieben, H.
Schafer	Sieben, M.	Swanson	Welch	
Schoenfeld	Skoglund	Tomlinson	Welker	
Schreiber	Stadum	Valento	Wenzel	

The bill was passed and its title agreed to.

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.

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

The bill was passed and its title agreed to.

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 Min-

nesota Statutes 1980, Sections 309.53, Subdivision 3; and 309.555, Subdivision 2.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

CALENDAR

S. F. No. 52, A bill for an act relating to elections; fair campaign practices; providing a penalty for denial of access to certain dwellings; amending Minnesota Statutes 1980, Section 210A.43, Subdivision 4.

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

The question was taken on the passage of the bill and the roll was called. There were 75 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Drew	Kalis	O'Connor	Sieben, M.
Anderson, G.	Eken	Kelly	Ogren	Simoneau
Anderson, I.	Elioff	Kostohryz	Osthoff	Skoglund
Anderson, R.	Ellingson	Lehto	Otis	Staten
Battaglia	Greenfield	Long	Peterson, D.	Stumpf
Begich	Gustafson	Marsh	Pogemiller	Swanson
Berkelman	Hanson	McCarron	Reding	Tomlinson
Brandl	Harens	McEachern	Reif	Vanasek
Byrne	Hauge	Metzen	Rice	Vellenga
Carlson, L.	Hoberg	Minne	Rodriguez, C.	Voss
Clark, J.	Hokanson	Munger	Rodriguez, F.	Weaver
Clawson	Jacobs	Murphy	Samuelson	Welch
Dahlvang	Johnson, C.	Nelson, K.	Sarna	Wenzel
Dean	Jude	Norton	Schoenfeld	Wynia
Dempsey	Kahn	Novak	Sherman	Spkr. Sieben, H.

Those who voted in the negative were:

Aasness	Brinkman	Esau	Forsythe	Haukoos
Ainley	Den Ouden	Ewald	Gruenes	Heap
Blatz	Erickson	Fjoslien	Halberg	Heinitz

Himle	Laidig	Nysether	Schafer	Welker
Hokr	Lemen	Olsen	Schreiber	Wieser
Jennings	Ludeman	Onnen	Searles	Zubay
Johnson, D.	McDonald	Peterson, B.	Sherwood	
Kaley	Mehrkens	Piepho	Stadum	
Knickerbocker	Nelsen, B.	Redalen	Stowell	
Kvam	Niehaus	Rothenberg	Valento	

The bill was passed and its title agreed to.

H. F. No. 131, A bill for an act relating to crimes; authorizing the release of account information to law enforcement authorities investigating the issuance of worthless checks; authorizing the issuance of account information to payee or holders when a check has been dishonored; amending Minnesota Statutes 1980, Section 609.535, by adding subdivisions.

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

The question was taken on the passage of the bill and the roll was called. There were 126 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.	Ewald	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	Peterson, D.	Stumpf
Begich	Gruenes	Levi	Piepho	Sviggum
Berkelman	Gustafson	Long	Pogemiller	Swanson
Blatz	Halberg	Ludeman	Redalen	Tomlinson
Brandl	Hanson	Marsh	Reding	Valento
Brinkman	Harens	McCarron	Rees	Vanasek
Byrne	Haukoos	McDonald	Reif	Vellenga
Carlson, D.	Heap	McEachern	Rice	Voss
Carlson, L.	Heinitz	Mehrkens	Rodriguez, C.	Weaver
Clark, J.	Himle	Metzen	Rodriguez, F.	Welch
Clawson	Hoberg	Minne	Rose	Welker
Dahlvang	Hokanson	Munger	Rothenberg	Wenzel
Dean	Hokr	Murphy	Samuelson	Wieser
Dempsey	Jacobs	Nelsen, B.	Sarna	Wynia
Den Ouden	Johnson, C.	Nelson, K.	Schafer	Zubay
Drew	Johnson, D.	Niehaus	Schoenfeld	Spkr. Sieben, H.
Eken	Jude	Norton	Schreiber	
Elioff	Kahn	Novak	Searles	
Ellingson	Kaley	Nysether	Shea	
Erickson	Kalis	O'Connor	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 409, A bill for an act relating to agriculture; requiring department of agriculture approval and receipt of certain grain storage receipts; regulating the family farm security program; changing terms of members of the family farm advisory council; regulating denaturing of certain food; identify-

ing fur pelts; amending Minnesota Statutes 1980, Sections 17.35, Subdivision 7; 31.095; 41.52, Subdivisions 5, 8 and 9; 41.54, Subdivision 2; 41.56, Subdivisions 1, 2 and 4; 41.58, Subdivision 2; 232.06, Subdivision 1; 233.03; 234.02; 236.03; and 290.08, Subdivision 24; repealing Minnesota Statutes 1980, Section 29.091.

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

The bill was passed and its title agreed to.

H. F. No. 575, A bill for an act relating to intoxicating liquor; authorizing cities to permit on-sale of liquor at publicly owned sports or convention facilities by existing licensees; amending Minnesota Statutes 1980, Section 340.11, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Erickson	Harens	Onnen	Wieser
Den Ouden	Esau	Nelsen, B.	Swanson	

The bill was passed and its title agreed to.

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

The bill was read for the 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 5 nays as follows:

Those who voted in the affirmative were:

Aasness	Clawson	Hanson	Knickerbocker	Nelsen, B.
Ainley	Dahlvang	Harens	Kostohryz	Nelson, K.
Anderson, B.	Dempsey	Hauge	Kvam	Niehaus
Anderson, G.	Den Ouden	Haukoos	Laidig	Norton
Anderson, I.	Eken	Heap	Lehto	Novak
Anderson, R.	Elioff	Heinitz	Lemen	Nysether
Battaglia	Ellingson	Himle	Levi	O'Connor
Begich	Esau	Hoberg	Ludeman	Ogren
Berkelman	Evans	Hokanson	Marsh	Olsen
Blatz	Ewald	Hokr	McCarron	Onnen
Brandl	Fjoslien	Jacobs	McDonald	Osthoff
Brinkman	Forsythe	Johnson, C.	McEachern	Otis
Byrne	Friedrich	Johnson, D.	Mehrkens	Peterson, B.
Carlson, D.	Greenfield	Jude	Metzen	Peterson, D.
Carlson, L.	Gruenes	Kahn	Minne	Piepho
Clark, J.	Gustafson	Kaley	Munger	Redalen
Clark, K.	Halberg	Kalis	Murphy	Reding

Rees	Sarna	Sieben, M.	Swanson	Wenzel
Reif	Schafer	Simoneau	Tomlinson	Wieser
Rice	Schoenfeld	Skoglund	Valento	Wynia
Rodriguez, C.	Schreiber	Stadum	Vanasek	Zubay
Rodriguez, F.	Searles	Staten	Vellenga	Spkr. Sieben, H.
Rose	Shea	Stowell	Weaver	
Rothenberg	Sherman	Stumpf	Welch	
Samuelson	Sherwood	Sviggum	Welker	

Those who voted in the negative were :

Dean	Erickson	Jennings	Pogemiller	Voss
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The bill was passed and its title agreed to.

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

The bill was read for the 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 2 nays as follows :

Those who voted in the affirmative were :

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

Those who voted in the negative were :

Drew	Welker
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The bill was passed and its title agreed to.

H. F. No. 347, A bill for an act 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.

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 112 yeas and 16 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ainley	Hauge	Niehaus	Rothenberg	Welker
Den Ouden	Kahn	Nysether	Sviggum	Wieser
Esau	Kvam	Onnen		
Gruenes	Ludeman	Piepho		

The bill was passed and its title agreed to.

H. F. No. 353, A bill for an act relating to agriculture; protecting agricultural operations from nuisance suits under certain circumstances; proposing new law coded in Minnesota Statutes, Chapter 561.

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 115 yeas and 11 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ainley	Marsh	Sherwood	Skoglund	Zubay
Friedrich	McDonald	Sieben, M.	Welker	
Kaley	Schreiber			

The bill was passed and its title agreed to.

H. F. No. 519, A bill for an act relating to individual housing accounts; providing for the subtraction from federal adjusted gross income of certain contributions to and interest earned on individual housing accounts; repealing the deduction for individual housing account contributions and interest; clarifying various provisions relating to individual housing accounts; amending Minnesota Statutes 1980, Sections 48.159, Subdivision 2; 50.157, Subdivision 2; 51A.21, Subdivision 16a; 52.136; 290.-01, Subdivision 20; 290.08, by adding a subdivision; and 290.17, Subdivision 2; repealing Minnesota Statutes 1980, Section 290.-09, Subdivision 30.

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

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

Those who voted in the affirmative were:

Aasness	Anderson, I.	Berkelman	Byrne	Clark, K.
Ainley	Anderson, R.	Blatz	Carlson, D.	Clawson
Anderson, B.	Battaglia	Brandl	Carlson, L.	Dahivang
Anderson, G.	Begich	Brinkman	Clark, J.	Dean

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

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

Aasness	Ewald	Johnson, D.	Nelsen, B.	Schafer
Ainley	Fjoslien	Kaley	Niehaus	Schoenfeld
Anderson, B.	Forsythe	Kalis	Norton	Schreiber
Anderson, G.	Friedrich	Knickerbocker	Nysether	Searles
Anderson, R.	Gruenes	Kvam	Ogren	Sherman
Berkelman	Halberg	Laidig	Olsen	Sherwood
Blatz	Hauge	Lehto	Otis	Stadum
Brinkman	Haukoos	Lemen	Peterson, B.	Swiggum
Dean	Heap	Levi	Piepho	Valan
Dempsey	Heinitz	Ludeman	Pogemiller	Valento
Den Ouden	Himle	Marsh	Redalen	Voss
Drew	Hoberg	McDonald	Reding	Weaver
Eken	Hokr	Mehrkens	Rees	Welker
Erickson	Jacobs	Metzen	Reif	Wenzel
Esau	Jennings	Munger	Rose	Zubay
Evans	Johnson, C.	Murphy	Rothenberg	

Those who voted in the negative were:

Anderson, I.	Brandl	Carlson, L.	Clawson	Ellingson
Battaglia	Byrne	Clark, J.	Dahlvang	Greenfield
Begich	Carlson, D.	Clark, K.	Elioff	Hanson

Harens	McCarron	Peterson, D.	Sieben, M.	Vanasek
Hokanson	McEachern	Rice	Simoneau	Vellenga
Jude	Minne	Rodriguez, C.	Skoglund	Welch
Kahn	Nelson, K.	Rodriguez, F.	Staten	Wieser
Kelly	Novak	Samuelson	Stowell	Wynia
Kostohryz	Onnen	Sarna	Stumpf	
Long	Osthoff	Shea	Swanson	

The bill was passed and its title agreed to.

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

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

The bill was passed and its title agreed to.

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

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

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Brandl	Schreiber	Staten	Welker	Wynia
Kahn	Shea			

The bill was passed and its title agreed to.

H. F. No. 624, A bill for an act relating to corrections; clarifying the transfer of correctional inmates to medical facilities; providing for tuberculosis testing for correctional employees; clarifying unclaimed property of correctional inmates, and diversified labor accounts; changing terminology of correctional facilities; harmonizing furlough provisions; prescribing the time for counties to submit estimates for reimbursement for probation services; prescribing a penalty; amending Minnesota Statutes 1980, Sections 241.07; 241.09; 241.14; 241.22; 241.64, Subdivisions 1 and 2; 242.20; 242.22; 242.43; 242.44; 242.45; 242.47; 242.48; 243.05; 243.20; 243.211; 243.465; 243.57; 243.58; 243.64; 244.07, Subdivision 1; 260.311, Subdivision 5; repealing Minnesota Statutes 1980, Sections 241.01, Subdivision 8; 241.15; 242.23; 242.24; 242.375; 242.52; 242.53; 243.06; 243.22; 243.25; 243.26; and 243.78.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

The bill was read for the 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	Byrne	Ellingson	Hanson	Johnson, C.
Ainley	Carlson, D.	Erickson	Harens	Johnson, D.
Anderson, B.	Carlson, L.	Esau	Hauge	Jude
Anderson, G.	Clark, J.	Evans	Haukoos	Kahn
Anderson, I.	Clark, K.	Ewald	Heap	Kaley
Anderson, R.	Clawson	Fjoslien	Heinitz	Kalis
Battaglia	Dahlvang	Forsythe	Himle	Kelly
Begich	Dean	Friedrich	Hoberg	Knickerbocker
Berkelman	Dempsey	Greenfield	Hokanson	Kostohryz
Blatz	Den Ouden	Gruenes	Hokr	Kvam
Brandl	Drew	Gustafson	Jacobs	Laidig
Brinkman	Elioff	Halberg	Jennings	Lehto

Lemen	Nelson, K.	Redalen	Searles	Valento
Levi	Niehaus	Reding	Sherman	Vanasek
Long	Norton	Rees	Sherwood	Vellenga
Ludeman	Novak	Reif	Sieben, M.	Voss
Marsh	Nysether	Rice	Simoneau	Weaver
McCarron	O'Connor	Rodriguez, C.	Skoglund	Welch
McDonald	Olsen	Rodriguez, F.	Stadum	Welker
McEachern	Onnen	Rose	Staten	Wenzel
Mehrkens	Osthoff	Rothenberg	Stowell	Wieser
Metzen	Otis	Samuelson	Stumpf	Wynia
Minne	Peterson, B.	Sarna	Sviggum	Zubay
Munger	Peterson, D.	Schafer	Swanson	Spkr. Sieben, H.
Murphy	Piepho	Schoenfeld	Tomlinson	
Nelsen, B.	Pogemiller	Schreiber	Valan	

The bill was passed and its title agreed to.

H. F. No. 739, A bill for an act relating to local government; regulating the tax levy of the joint recreation and park board of the city of Hibbing and Independent School District 701; amending Laws 1971, Chapter 573, Section 2.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

GENERAL ORDERS

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

REPORT OF COMMITTEE OF THE WHOLE

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

H. F. Nos. 386, 142 and 90 which it recommended to pass.

H. F. Nos. 170 and 63 which it recommended progress.

H. F. No. 502 which it recommended progress until Thursday, May 7, 1981.

H. F. No. 503 which it recommended be returned to its author.

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

H. F. No. 473 which it recommended to pass with the following amendments:

Offered by Hauge:

Page 2, line 31, following "*that*", insert "*except for reasonable wheeling charges,*"

Page 3, line 9, delete "*The impact of cogeneration and small power production*" and insert "*whether cogeneration and small power production has resulted in any major impacts on the utility system*"

Page 3, line 10, delete "*on utility system costs and reliability*"

Offered by Sviggum:

Page 1, line 25, delete "*100*" and insert "*20*"

Page 2, line 7, after "*energy*" insert "*less 40 percent*"

Page 2, line 14, delete "*100*" and insert "*20*"

Page 2, line 18, delete "*100*" and insert "*20*"

S. F. No. 354 which it recommended to pass with the following amendment offered by Brandl:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 290.01, Subdivision 20, is amended to read:

Subd. 20. [GROSS INCOME.] Except as otherwise provided in this chapter, the term "gross income," as applied to corporations includes every kind of compensation for labor or personal services of every kind from any private or public employment, office, position or services; income derived from the ownership or use of property; gains or profits derived from every kind of disposition of, or every kind of dealing in, property; income derived from the transaction of any trade or business; and income derived from any source; except that gross income shall not include "exempt function income" of a "homeowners association" as those terms are defined in Section 528 of the Internal Revenue Code of 1954, as amended through December 31, 1979.

The term "gross income" in its application to individuals, estates, and trusts shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable taxable year, with the modifications specified in this section.

(i) The Internal Revenue Code of 1954, as amended through December 31, 1974, shall be in effect for the taxable years beginning after December 31, 1974.

(ii) The Internal Revenue Code of 1954, as amended through December 31, 1976, including the amendments made to section 280A (relating to licensed day care centers) in H.R. 3477 as it passed the Congress on May 16, 1977, shall be in effect for the taxable years beginning after December 31, 1976. The provisions of the Tax Reform Act of 1976, P.L. 94-455, which affect adjusted gross income shall become effective for purposes of this chapter at the same time they become effective for federal income tax purposes. Section 207 (relating to extension of period for nonrecognition of gain on sale or exchange of residence) and section 402 (relating to time for making contributions to pension plans of self employed people) of P.L. 94-12 shall be effective for taxable years beginning after December 31, 1974.

The provisions of section 4 of P.L. 95-458, and sections 131, 133, 134, 141, 152, 156, 157, and 405 of P.L. 95-600 (relating to pensions, individual retirement accounts, deferred compensation plans, and to the sale of a residence) shall be effective at the same time that these provisions became effective for federal income tax purposes.

(iii) The Internal Revenue Code of 1954, as amended through December 31, 1979, shall be in effect for taxable years beginning after December 31, 1979.

For taxable years beginning after December 31, 1980 and before January 1, 1983, the provisions of section 404 (relating to partial exclusions of dividends and interest received by individuals) of the Crude Oil Windfall Profit Tax Act of 1980, P.L. 96-223, shall apply.

References to the Internal Revenue Code of 1954 in clauses (a), (b) and (c) following shall mean the code in effect for the purpose of defining gross income for the applicable taxable year.

(a) Modifications increasing federal adjusted gross income. There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) Interest income on obligations of any authority, commission, or instrumentality of the United States, which the laws of the United States exempt from federal income tax, but not from state income taxes;

(3) Income taxes imposed by this state or any other taxing jurisdiction, to the extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(4) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under this chapter, to the extent deductible in determining federal adjusted gross income;

(5) Amounts received as reimbursement for an expense of sickness or injury which was deducted in a prior taxable year to the extent that the deduction for the reimbursed expenditure resulted in a tax benefit;

(6) The amount of any federal income tax overpayment for any previous taxable year, received as refund or credited to another taxable year's income tax liability, proportionate to the percentage of federal income tax that was claimed as a deduction in determining Minnesota income tax for the previous taxable year.

The overpayment refund or credit, determined with respect to a husband and wife on a joint federal income tax return for a previous taxable year, shall be reported on joint or separate Minnesota income tax returns. In the case of separate Minnesota

returns, the overpayment shall be reported by each spouse proportionately according to the relative amounts of federal income tax claimed as a deduction on his or her separate Minnesota income tax return for such previous taxable year;

(7) In the case of a change of residence from Minnesota to another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income;

(8) In the case of property disposed of on or after January 1, 1973, the amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954 to the extent of the credit under section 38 of the Internal Revenue Code of 1954 that was previously allowed as a deduction either under section 290.01, subdivision 20 (b) (7) or under section 290.09, subdivision 24;

(9) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29;

(10) Expenses and depreciation attributable to substandard buildings disallowed by section 290.101;

(11) The amount by which the gain determined pursuant to section 41.59, subdivision 2 exceeds the amount of such gain included in federal adjusted gross income;

(12) To the extent deducted in computing the taxpayer's federal adjusted gross income for the taxable year, losses recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(13) Interest income from qualified scholarship funding bonds as defined in section 103(e) of the Internal Revenue Code of 1954, if the nonprofit corporation is domiciled outside of Minnesota;

(14) Exempt-interest dividends, as defined in section 852 (b)(5)(A) of the Internal Revenue Code of 1954, not included in federal adjusted gross income pursuant to section 852(b)(5)(B) of the Internal Revenue Code of 1954, except for that portion of exempt-interest dividends derived from interest income on obligations of the state of Minnesota, any of its political or governmental subdivisions, any of its municipalities, or any of its governmental agencies or instrumentalities;

(15) The amount of any excluded gain recognized by a trust on the sale or exchange of property as defined in section 641(c) (1) of the Internal Revenue Code of 1954;

(16) An amount equal to one-sixth of any gain from the sale or other disposition of property deducted under sections 1202(a) and 1202(c)(1) of the Internal Revenue Code of 1954;

(17) To the extent not included in the taxpayer's federal adjusted gross income, the amount of any gain, from the sale or other disposition of property having a lower adjusted basis for Minnesota income tax purposes than for federal income tax purposes. This modification shall not exceed the difference in basis. If the gain is considered a long term capital gain for federal income tax purposes, the modification shall be limited to 50 percent of the portion of the gain. This modification is limited to property that qualified for the energy credit contained in section 290.06, subdivision 14, and to property acquired in exchange for the release of the taxpayer's marital rights contained in section 290.14, clause (9);

(18) The amount of any loss from a source outside of Minnesota which is not allowed under section 290.17 including any capital loss or net operating loss carryforwards or carrybacks resulting from the loss; and

(19) The amount of a distribution from an individual housing account which is to be included in gross income as required under clause (c) of section 290.09, subdivision 30.

(b) Modifications reducing federal adjusted gross income. There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instrumentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to 50 per centum of the portion of the gain. This modification shall not be applicable if the difference in basis is due to disallowance of depreciation pursuant to section 290.101.

(3) Interest or dividend income on securities to the extent exempt from income tax under the laws of this state authorizing the issuance of the securities but includible in gross income for federal income tax purposes;

(4) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions

of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks resulting from the losses;

(5) If included in federal adjusted gross income, the amount of any credit received, whether received as a refund or credit to another taxable year's income tax liability, pursuant to chapter 290A, and the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether the amount is received as a refund or credited to another taxable year's income tax liability;

(6) To the extent included in federal adjusted gross income, or the amount reflected as the ordinary income portion of a lump sum distribution under section 402(e) of the Internal Revenue Code of 1954, notwithstanding any other law to the contrary, the amount received by any person (i) from the United States, its agencies or instrumentalities, the Federal Reserve Bank or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer firefighter's relief association, by way of payment as a pension, public employee retirement benefit, or any combination thereof, or (ii) as a retirement or survivor's benefit made from a plan qualifying under section 401, 403, 404, 405, 408, 409 or 409A of the Internal Revenue Code of 1954. The maximum amount of this subtraction shall be \$11,000 less the amount by which the individual's federal adjusted gross income, plus the ordinary income portion of a lump sum distribution as defined in section 402(e) of the Internal Revenue Code of 1954, exceeds \$17,000. In the case of a volunteer firefighter who receives an involuntary lump sum distribution of his pension or retirement benefits, the maximum amount of this subtraction shall be \$11,000; this subtraction shall not be reduced by the amount of the individual's federal adjusted gross income in excess of \$17,000;

(7) In the case of property acquired on or after January 1, 1973, the amount of any credit to the taxpayer's federal tax liability under section 38 of the Internal Revenue Code of 1954 but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(8) To the extent included in the taxpayer's federal adjusted gross income for the taxable year, gain recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(9) The amount of any distribution from a qualified pension or profit sharing plan included in federal adjusted gross income in the year of receipt to the extent of any contribution not previously allowed as a deduction by reason of a change in federal law

which was not adopted by Minnesota law for a taxable year beginning in 1974 or later;

(10) Interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of the property on a family farm security loan executed before January 1, 1982 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60;

(11) The first \$3,000 of compensation for personal services in the armed forces of the United States or the United Nations, and the next \$2,000 of compensation for personal services in the armed forces of the United States or the United Nations wholly performed outside the state of Minnesota. This modification does not apply to compensation defined in clause (b) (6);

(12) The amount of any income earned for personal services rendered outside of Minnesota prior to the date when the taxpayer became a resident of Minnesota. This modification does not apply to compensation defined in clause (b) (6);

(13) In the case of wages or salaries paid or incurred on or after January 1, 1977, the amount of any credit for employment of certain new employees under sections 44B and 51 to 53 of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(14) In the case of work incentive program expenses paid or incurred on or after January 1, 1979, the amount of any credit for expenses of work incentive programs under sections 40, 50A and 50B of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(15) Unemployment compensation to the extent includible in gross income for federal income tax purposes under section 85 of the Internal Revenue Code of 1954;

(16) To the extent included in federal adjusted gross income, severance pay that may be treated as a lump sum distribution under the provisions of section 290.032, subdivision 5;

(17) The amount of any income or gain which is not assignable to Minnesota under the provisions of section 290.17; and

(18) Minnesota exempt-interest dividends as provided by subdivision 27.

(c) Modifications affecting shareholders of electing small business corporations under section 1372 of the Internal Revenue Code of 1954, or section 290.972 of this chapter.

(1) Shareholders in a small business corporation, which has elected to be so taxed under the Internal Revenue Code of 1954, but has not made an election under section 290.972 of this chapter, shall deduct from federal adjusted gross income the amount of any imputed income from the corporation and shall add to federal adjusted gross income the amount of any loss claimed as a result of stock ownership. Also there shall be added to federal adjusted gross income the amount of any distributions in cash or property made by said corporation to its shareholders during the taxable year.

(2) In cases where the small business corporation has made an election under section 1372 of the Internal Revenue Code of 1954, but has not elected under section 290.972 of this chapter and the corporation is liquidated or the individual shareholder disposes of the stock and there is no capital loss reflected in federal adjusted gross income because of the fact that corporate losses have exhausted the shareholders basis for federal purposes, the shareholders shall be entitled, nevertheless, to a capital loss commensurate to their Minnesota basis for the stock.

(3) In cases where the election under section 1372 of the Internal Revenue Code of 1954 antedates the election under section 290.972 of this chapter and at the close of the taxable year immediately preceding the effective election under section 290.972 the corporation has a reserve of undistributed taxable income previously taxed to shareholders under the provisions of the Internal Revenue Code of 1954, in the event and to the extent that the reserve is distributed to shareholders the distribution shall be taxed as a dividend for purposes of this act.

Items of gross income includible within these definitions shall be deemed such regardless of the form in which received. Items of gross income shall be included in gross income of the taxable year in which received by a taxpayer unless properly to be accounted for as of a different taxable year under methods of accounting permitted by section 290.07, except that (1) amounts transferred from a reserve or other account, if in effect transfers to surplus, shall, to the extent that the amounts were accumulated through deductions from gross income or entered into the computation of taxable net income during any taxable year, be treated as gross income for the year in which the transfer occurs, but only to the extent that the amounts resulted in a reduction of the tax imposed by this act, and (2) amounts received as refunds on account of taxes deducted from gross income during any taxable year shall be treated as gross income for the year in which actually received, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act.

(d) Modification in computing taxable income of the estate of a decedent. Amounts allowable under section 291.07, subdivision 1, clause (2) in computing Minnesota inheritance or estate tax liability shall not be allowed as a deduction *(or as an offset against the sales price of property in determining gain or loss)* in computing the taxable income of the estate *or any person* unless there is filed within the time and in the manner and form prescribed by the commissioner a statement that the amounts have not been allowed as a deduction under section 291.07 and a waiver of the right to have the amounts allowed at any time as deductions under section 291.07. The provisions of this paragraph shall not apply with respect to deductions allowed under section 290.077 (relating to income in respect of decedents). In the event that the election made for federal tax purposes under section 642(g) of the Internal Revenue Code of 1954 differs from the election made under this paragraph appropriate modification of the estate's federal taxable income shall be made to implement the election made under this paragraph in accordance with regulations prescribed by the commissioner.

Sec. 2. Minnesota Statutes 1980, Section 291.005, Subdivision 1, is amended to read:

Subdivision 1. Unless the context otherwise clearly requires, the following terms used in this chapter shall have the following meanings:

(1) "Federal gross estate" means the gross estate of a decedent as valued and otherwise determined for federal estate tax purposes by federal taxing authorities pursuant to the provisions of the Internal Revenue Code.

(2) "Minnesota gross estate" means the federal gross estate of a decedent after (a) excluding therefrom any property included therein which has its situs outside Minnesota and (b) including therein any property omitted from the federal gross estate which is includable therein, has its situs in Minnesota, and was not disclosed to federal taxing authorities. The Minnesota gross estate shall be valued pursuant to the provisions of section 291.215, subdivision 1.

(3) "Personal representative" means the executor, administrator or other person appointed by the court to administer and dispose of the property of the decedent. If there is no executor, administrator or other person appointed, qualified, and acting within this state, then any person in actual or constructive possession of any property having a situs in this state which is included in the federal gross estate of the decedent shall be deemed to be a personal representative to the extent of (SUCH) the property and the Minnesota estate tax due with respect to (SUCH) the property.

(4) "Resident decedent" means an individual whose domicile at the time of his death was in Minnesota.

(5) "Nonresident decedent" means an individual whose domicile at the time of his death was not in Minnesota.

(6) "Situs of property" means, with respect to real property, the state or country in which it is located; with respect to tangible personal property, the state or country in which it was normally kept or located at the time of the decedent's death; and with respect to intangible personal property, the state or country in which the decedent was domiciled at death.

(7) "Commissioner" means the commissioner of revenue or any person to whom (HE MAY HAVE) *the commissioner has* delegated (HIS) functions under this chapter.

(8) "Internal Revenue Code" means the United States Internal Revenue Code of 1954 as amended through December 31, (1978) 1980.

Sec. 3. Minnesota Statutes 1980, Section 291.03, Subdivision 1, is amended to read:

Subdivision 1. The tax (HEREBY) imposed shall be an amount equal to the greater of:

(1) A tax computed by applying to the Minnesota taxable estate the following prescribed rates:

7 percent on the first \$100,000,

8 percent on the next \$100,000 or part thereof,

9 percent on the next \$100,000 or part thereof,

10 percent on the next \$200,000 or part thereof,

11 percent on the next \$500,000 or part thereof,

12 percent on the excess over \$1,000,000, or

(2) A tax equal to the amount by which the maximum credit allowable under section 2011 of the Internal Revenue Code for state death taxes exceeds the aggregate amount of all estate, inheritance, legacy and succession taxes actually paid to other states of the United States in respect of any property subject to federal estate tax; provided that where the decedent is a non-resident the tax shall (NOT EXCEED THE SAME PROPORTION OF THE EXCESS AMOUNT) *be in the same proportion* of the maximum credit for state death taxes described herein as the Minnesota gross estate bears to the value of the federal gross estate.

Sec. 4. Minnesota Statutes 1980, Section 291.05, is amended to read:

291.05 [EXEMPTIONS.]

The following exemptions from the tax are hereby allowed:

(1) Any devise, bequest, gift, or transfer: (a) to or for the use of the United States of America or any state or any political subdivision thereof for public purposes exclusively; (b) to or for the use of any corporation, fund, foundation, trust, or association operated within this state for religious, charitable, scientific, literary, education or public cemetery purposes exclusively, including the encouragement of art and the prevention of cruelty to children or animals, no part of which devise, bequest, gift, or transfer inures to the profit of any private stockholder or individual or to a trustee or trustees exclusively for such purposes; (c) to an employee stock ownership trust as defined in section 290.01, subdivision 25, provided that, if the beneficiaries of a stock ownership trust include the transferor, his spouse, children, grandchildren, parents, siblings or their children, the amount of the exemption shall be reduced by the product of multiplying said amount by their percentage interest in the trust; (d) to a clergyman, in an amount not exceeding \$1,000, the proceeds of which are to be used for religious purposes or rites designated by the testator; and (e) to or for the use of any corporation, fund, foundation, trust, or association operated for religious, charitable, scientific, literary, education, or public cemetery purposes exclusively, including the encouragement of art, and the prevention of cruelty to children or animals, no part of which devise, bequest, gift, or transfer inures to the profit of any private stockholder or any individual, or to a trustee or trustees exclusively for such purposes, if, at the date of the decedent's death, the laws of the state under the laws of which the transferee was organized or existing, either (i) did not impose a death tax of any character, in respect of property transferred to a similar corporation, fund, foundation, trust, or association, organized or existing under the laws of this state, or (ii) contained a reciprocal provision under which transfers to a similar corporation, fund, foundation, trust, or association, organized or existing under the laws of another state were exempted from death taxes of every character if such other state allowed a similar exemption to a similar corporation, fund, foundation, trust, or association, organized under the laws of such state.

If an interest passes or has passed from the decedent to or for the use of an organization, corporation, fund, foundation, trust or association as described above, and an interest, other than an interest which is extinguished upon the decedent's death, in the same property, passes or has passed from the decedent for a use not described above for less than an adequate and full consideration in money or moneys worth, no exemption is

allowed unless the interest was deductible pursuant to section 2055 of the Internal Revenue Code.

(2) Proceeds of any insurance policy issued by the United States and generally known as war risk insurance, United States government life insurance or national service life insurance payable upon the death of any person dying on or after June 24, 1950, and proceeds of life insurance issued pursuant to Public Law 89-214 and generally known as servicemen's group life insurance payable upon the death of any person on or after September 1, 1965, shall be exempt.

(3) Proceeds of payments made by the United States government as compensation for the decedent's service as a member of the armed forces of the United States during a period while he was classified as missing in action prior to being declared dead, shall be exempt. The commissioner shall make refunds for inheritance taxes paid which are attributable to payments exempt pursuant to this clause upon the filing of a claim by each beneficiary of the estate for his portion of the inheritance tax paid. Claims for refund must be filed with the commissioner no later than July 1, 1982.

(4) Proceeds of payments from the United States railroad retirement fund; or from the United States as social security benefit or veterans burial benefit, shall be exempt.

Sec. 5. Minnesota Statutes 1980, Section 291.065, is amended to read:

291.065 [EMPLOYEE RETIREMENT PLANS, EXEMPTION.]

To the extent included in the federal gross estate, the value of an annuity or other payment shall be exempt from estate tax if received under (1) any plan, which at the time of the decedent's separation from employment, whether by death or otherwise, or at the time of termination of the plan if earlier, qualified under section 401, 403, 404, 405, 408 (OR), 409 or 409A of the Internal Revenue Code; (2) a benefit plan for employees of the United States, its agencies or instrumentalities, the Federal Reserve Bank, the state of Minnesota or any of its political or governmental subdivisions or any other state or its political or governmental subdivisions; or (3) for members of a Minnesota volunteer firefighters' relief association.

Sec. 6. Minnesota Statutes 1980, Section 291.07, Subdivision 1, is amended to read:

291.07 [ADDITIONAL DEDUCTIONS.]

Subdivision 1. In determining the tax imposed by section 291.01, the following *additional* deductions shall be allowed:

- (1) funeral expenses;
- (2) reasonable legal, accounting, fiduciary and administration expenses and fees with respect to both probate and nonprobate assets, including but not limited to expenses incurred during administration in converting real and personal property held by the estate into cash;
- (3) expenses of last illness unpaid at death;
- (4) valid claims against and debts of the decedent, unpaid at death, which have been properly paid;
- (5) Minnesota and federal income taxes on "income in respect of a decedent," as computed under subdivision 3;
- (6) the portion of the federal estate tax allocable to Minnesota, which shall equal the amount obtained by multiplying the federal estate tax due and payable to the United States Treasury by a fraction, the numerator of which shall equal the value of the Minnesota gross estate reduced by: (a) in the case of a resident decedent, the deductions and exemptions allowed by sections 291.05, 291.051, 291.065, 291.07, subdivision 1, clauses (1), (2), (3), (4), (5), (7) and (8); or (b) in the case of a nonresident decedent the deductions and exemptions allowed by sections 291.05, 291.051, 291.065, 291.08, clauses (1), (2), (4) and (5), and the denominator of which shall equal the value of the federal taxable estate as defined in section 2051 of the Internal Revenue Code; provided, however, in any case where any property is included in the Minnesota gross estate but incorrectly omitted from the federal gross estate or where any property that is included in both the Minnesota gross estate and the federal gross estate is valued at a higher or lower value in determining the Minnesota gross estate than in determining the federal gross estate, the federal taxable estate shall be recomputed for purposes of this provision and shall be based on a federal gross estate including the value of such omitted property and including or excluding the difference in value of such revalued property, and further provided that the federal estate tax deduction shall not exceed the federal estate tax due and payable to the United States Treasury;
- (7) real estate taxes due and payable prior to or in the year of the decedent's death with respect to real estate subject to taxation under this chapter and other taxes which have accrued and are a lien on property in the estate at the time of death;
- (8) liens and mortgages on property subject to taxation under this chapter which are not deductible as claims or debts of the decedent.

Sec. 7. Minnesota Statutes 1980, Section 291.08, is amended to read:

291.08 [NONRESIDENT ESTATES; ALLOWANCE OF ADDITIONAL DEDUCTIONS (AND EXEMPTIONS).]

Where a tax is due on the transfer of any property or interest therein owned by a nonresident, the following *additional* deductions (AND EXEMPTIONS) shall be allowed:

- (1) Funeral expenses to the extent incurred in Minnesota;
- (2) Reasonable legal, accounting, fiduciary and administration fees and expenses allocable to both probate and nonprobate property included in the Minnesota gross estate;
- (3) Federal estate taxes as computed in section 291.07;
- (4) Real estate taxes on Minnesota property which are due and payable prior to or in the year of the decedent's death;
- (5) Liens and mortgages on property included in the Minnesota gross estate.

Sec. 8. Minnesota Statutes 1980, Section 291.09, Subdivision 3a, is amended to read:

Subd. 3a. (1) The commissioner may challenge matters of valuation or taxability of any assets reported on the return, or any deductions claimed, or the computation of tax, only if within (90 DAYS OF RECEIPT OF THE RETURN) *180 days from the due date of the return or the receipt of the return* and all documents required to be filed with the return, *whichever is later*, the commissioner mails or delivers a written notice to the personal representative objecting to the return as filed and specifying the reasons for the objection.

(2) If the personal representative disagrees with the objection or does not wish to fully comply with the objection, he may request that the commissioner hold a hearing on the objection. Within 30 days of receipt of a request, the commissioner shall set a time and place for hearing. Unless otherwise agreed upon, the hearing date shall not be earlier than 30 days nor later than 60 days from the date of the notice setting the hearing. The notice of hearing shall set forth the rights available to the personal representative under chapter 15. Not later than 30 days after the commissioner receives the report and recommendation of the hearing examiner, or a written waiver of his hearing rights by the personal representative, the commissioner shall issue an order determining the tax. Any such determination made by the commissioner may be appealed to the tax court as provided in section 271.09.

(3) At any time together with or after the objection, the commissioner, on his own initiative, may set a time and place for a hearing in accordance with (2) above.

(4) In his objection, or at any time thereafter, the commissioner may assess any additional tax as the facts may warrant, subject to the right of the personal representative to demand a hearing under chapter 15. If the personal representative does not demand a hearing within 90 days of the date of the assessment, the tax so assessed shall be legally due and the commissioner may proceed to collect any unpaid tax after one year from the date of death. If the commissioner later finds the tax assessment to be erroneous, he may adjust the assessment prior to collection.

(5) The commissioner shall not be required to object to any subsequent original, amended or supplemental return in order to preserve his rights. The commissioner shall not be precluded from objecting to a subsequent original, amended or supplemental return even though an original return was accepted as filed. If the commissioner had accepted an original return showing no tax due and a subsequent original, amended or supplemental return discloses additional assets not disclosed on the original return, the commissioner may object to any matter of valuation, taxability, deduction or computation of tax on the original return within (90 DAYS) *180 days* of receipt of the subsequent original, amended or supplemental return.

(6) Subject to the provisions of section 291.11, the Minnesota estate tax liability shall be considered as finally determined on the date notification of acceptance is issued to the personal representative or, if no objection is filed, on the (91ST DAY AFTER THE RETURN) *day following 180 days from the due date of the return or the receipt of the return*, together with all other documents required to be filed with the return, (IS RECEIVED) *whichever is later*.

(7) Subject to the time limits imposed elsewhere in this chapter, the commissioner may refund an overpayment of tax, penalty or interest even though the personal representative has not made an application for refund.

Sec. 9. Minnesota Statutes 1980, Section 291.31, Subdivision 1, is amended to read:

Subdivision 1. The commissioner of revenue is hereby authorized and empowered to issue a citation to any person who he may believe or has reason to believe has any knowledge or information concerning any property which he believes or has reason to believe has been transferred by any person and as to which there is or may be a tax due to the state under the provisions of this chapter, and by such citation require such person to appear before him at a time and place to be designated in such citation and testify, under oath, as to any fact or information within his knowledge touching the quantity, value, and description of any such property and its ownership and the disposition thereof which may have been made by any person, and to produce

and submit to the inspection of the commissioner of revenue any books, records, accounts, or documents in the possession of or under the control of any person so cited. The commissioner of revenue shall also have power to inspect and examine the books, records, and accounts of any person, firm, or corporation, including the stock transfer books of any corporation, for the purpose of acquiring any information deemed necessary or desirable by him for the proper enforcement of this chapter and the collection of the full amount of the tax which may be due to the state hereunder. Any and all information acquired by the commissioner of revenue under and by virtue of the means and methods provided for by this section shall be deemed and held by him as confidential and shall not be disclosed by him except so far as the same may be necessary for the enforcement and collection of the (INHERITANCE) tax provided for by this chapter.

Refusal of any person to attend before the commissioner of revenue in obedience to any such citation, or to testify, or produce any books, accounts, records, or documents in his possession or under his control, and submit the same to inspection of the commissioner of revenue when so required, may, upon application of the commissioner of revenue, be punished by any district court in the same manner as if the proceedings were pending in such court.

Witnesses so cited before the commissioner of revenue, and any sheriff or other officer serving such citation, shall receive the same fees as are allowed in civil actions; to be paid by the commissioner of revenue out of the funds appropriated for the enforcement of this chapter.

Sec. 10. Minnesota Statutes 1980, Section 291.48, is amended to read:

291.48 [PUBLICITY OF RETURNS; INFORMATION.]

It shall be unlawful for the commissioner or any other public official, employee or former employee to divulge or otherwise make known in any manner any particulars set forth or disclosed in any report or return required by this chapter or chapter 292 or information acquired while examining or auditing any taxpayer's liability for taxes thereunder, except in connection with a proceeding involving taxes due under this chapter or chapter 292 from the taxpayer making the return. The commissioner may furnish a copy of any return or report to any official of the United States or any state having duties to perform in respect to the assessment or collection of any inheritance, estate, or gift tax, if the taxpayer is required by the laws of the United States or of the other state to make a return therein. Prior to the release of any information to any official of the United States or any other state under the provisions of this section, the person to whom the information is to be released shall sign an agreement which provides that he will protect the confidentiality of the returns and information revealed to the

extent that it is protected under the laws of the state of Minnesota. The commissioner and all other public officials and employees shall keep and maintain the same secrecy with respect to any information furnished by any department, commission, or official of the United States or of any other state. Nothing herein contained shall be construed to prohibit the commissioner from publishing statistics so classified as not to disclose the identity of particular property, decedents, heirs, or personal representatives, returns or reports and the contents thereof. Any person violating the provisions of this section shall be guilty of a gross misdemeanor.

The *report or return* of a decedent or donor shall, upon written request, be open to inspection by or disclosure to (1) the administrator, executor, or trustee of his estate, and (2) any heir at law, next of kin, or beneficiary under the will of the decedent, and any other person whose basis in property is determined in whole or part by values set forth in the return, or (3) a donee of the property, or (4) *a holder of an interest in the property*, but only if the commissioner finds that the heir, next of kin, beneficiary or other person or donee has a material interest which will be affected by information contained therein.

For purposes of this section the term public official shall not include judges, officials or employees of a court having jurisdiction of probate proceedings, *county recorders, county treasurers, and employees in their respective offices.*

Sec. 11. Minnesota Statutes 1980, Section 600.21, is amended to read:

600.21 [COPIES OF RECORD OF DEATH; RECORDATION.]

In all cases of joint tenancy in lands, and in all cases where any estate, title interest in, or lien upon, lands, has been or may be created, which estate, title interest, or lien was, or is, to continue only during the life of any person named or described in the instrument by which such estate, title, interest, or lien was created, a copy of the record of the death of any such joint tenant, or of the person upon whose life such estate, title, interest, or lien was, or is, limited, duly certified by any officer who is required by the law of the state or country in which such record is made, to keep a record of the death of persons occurring within the jurisdiction of such officer, may be recorded in the office of the county recorder of the county in which such lands are situated, and such certified copy or such record thereof in such office, or a duly certified copy of such last mentioned record, shall be prima facie evidence of the death of such person and the termination of such joint tenancy and of all such estate, title, interest, and lien as was, or is, limited upon the life of such person. When a certified copy of such death certificate is

attached to an affidavit of survivorship *which, for decedents dying prior to January 1, 1980, has been duly certified by the commissioner of revenue, or an affidavit of survivorship for exempt homestead property in compliance with the provisions of section 291.14, subdivision 2, clause (4), for decedents dying prior to January 1, 1980, the same shall, prior to recordation in the office of the county recorder or registrar of titles, be presented to the county auditor of the county wherein such estate, title, interest, or lien is situated and such county auditor shall note the transfer on his books and shall inscribe upon the instrument over his official signature the words "Transfer entered."* Until so presented and indication made thereon, said instrument shall not be entitled to record in the office of the county recorder or registrar of titles of said county.

Sec. 12. [EFFECTIVE DATE.]

Section 1 is effective for taxable years beginning after December 31, 1980. Sections 2, 3, 4, and 8 are effective for the estates of decedents dying after December 31, 1980. Sections 5 and 11 are effective for estates of decedents dying after December 31, 1979. Sections 9 and 10 are effective the day following final enactment."

Further amend by deleting the title and inserting:

"A bill for an act relating to taxation; estate tax; 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."

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

ROLL CALLS IN COMMITTEE OF THE WHOLE

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

The question was taken on the Redalen motion that H. F. No. 473, as amended, be re-referred to the Committee on Regulated Industries and the roll was called. There were 58 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	Kvam	Onnen	Sherman
Ainley	Friedrich	Laidig	Peterson, B.	Sherwood
Anderson, R.	Halberg	Lemen	Piepho	Stadum
Blatz	Haukoos	Levi	Redalen	Stowell
Carlson, D.	Heap	Ludeman	Rees	Swiggunn
Dempsey	Heinitz	Marsh	Reif	Valan
Den Ouden	Himle	McDonald	Rodriguez, C.	Valento
Drew	Hoberg	Mehrkins	Rose	Welker
Erickson	Jennings	Nelsen, B.	Rothenberg	Wieser
Esau	Johnson, D.	Niehaus	Schafer	Zubay
Evans	Kaley	Nysether	Schreiber	
Ewald	Knickerbocker	Olsen	Searles	

Those who voted in the negative were:

Anderson, B.	Eken	Kahn	O'Connor	Staten
Anderson, G.	Elioff	Kalis	Ogren	Stumpf
Battaglia	Ellingson	Kelly	Otis	Swanson
Begich	Fjoslien	Kostohryz	Peterson, D.	Tomlinson
Berkelman	Greenfield	Lehto	Pogemiller	Vanasek
Brandl	Gruenes	Long	Reding	Vellenga
Brinkman	Gustafson	McCarron	Rice	Voss
Byrne	Hanson	Metzen	Rodriguez, F.	Weaver
Carlson, L.	Harens	Minne	Sarna	Welch
Clark, J.	Hauge	Munger	Schoenfeld	Wenzel
Clark, K.	Hokanson	Murphy	Shea	Wynia
Clawson	Jacobs	Nelson, K.	Sieben, M.	Spkr. Sieben, H.
Dahlvang	Johnson, C.	Norton	Simoneau	
Dean	Jude	Novak	Skoglund	

The motion did not prevail.

The question was taken on the Stadum motion that H. F. No. 473, as amended, be re-referred to the Committee on Appropriations and the roll was called. There were 59 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Aasness	Ewald	Johnson, D.	Nysether	Searles
Ainley	Forsythe	Kaley	Olsen	Sherman
Anderson, G.	Friedrich	Knickerbocker	Onnen	Sherwood
Anderson, R.	Gruenes	Kvam	Osthoff	Stadum
Blatz	Halberg	Lemen	Peterson, B.	Swiggunn
Carlson, D.	Haukoos	Levi	Piepho	Valan
Dean	Heap	Ludeman	Redalen	Valento
Dempsey	Heinitz	Marsh	Rees	Weaver
Den Ouden	Himle	McDonald	Reif	Welker
Drew	Hoberg	Mehrkins	Rose	Wieser
Esau	Hokr	Nelsen, B.	Rothenberg	Zubay
Evans	Jennings	Niehaus	Schafer	

Those who voted in the negative were:

Anderson, B.	Byrne	Dahlvang	Greenfield	Hokanson
Battaglia	Carlson, L.	Eken	Gustafson	Jacobs
Begich	Clark, J.	Elioff	Hanson	Johnson, C.
Berkelman	Clark, K.	Ellingson	Harens	Jude
Brandl	Clawson	Fjoslien	Hauge	Kahn

Kalis	Nelson, K.	Reding	Simoneau	Voss
Kelly	Norton	Rice	Skoglund	Welch
Kostohryz	Novak	Rodriguez, C.	Staten	Wenzel
Lehto	O'Connor	Rodriguez, F.	Stumpf	Wynia
Long	Ogren	Sarna	Swanson	Spkr. Sieben, H.
McCarron	Otis	Schoenfeld	Tomlinson	
Minne	Peterson, D.	Shea	Vanasek	
Murphy	Pogemiller	Sieben, M.	Vellenga	

The motion did not prevail.

Sviggum moved to amend H. F. No. 473, as amended, as follows:

Page 2, line 7, after the period, delete the balance of the line and insert, *"The retail utility will be the purchasing utility in the case of net input into the utility system"*

Page 2, delete lines 8 to 12

Page 2, line 13, delete *"additional costs incurred in making the purchase"*

The question was taken on the amendment and the roll was called. There were 62 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Aasness	Ewald	Kalis	Olsen	Sherwood
Ainley	Forsythe	Knickerbocker	Onnen	Stadum
Anderson, R.	Friedrich	Kvam	Peterson, B.	Stowell
Blatz	Gruenes	Laidig	Piepho	Sviggum
Brinkman	Halberg	Lemen	Redalen	Valan
Carlson, D.	Haukoos	Levi	Rees	Valento
Dean	Heap	Ludeman	Reif	Weaver
Dempsey	Hoberg	Marsh	Rose	Welker
Den Ouden	Hokr	McDonald	Rothenberg	Wieser
Drew	Jennings	Mehrkins	Schafer	Zubay
Erickson	Johnson, C.	Nelsen, B.	Schreiber	
Esau	Johnson, D.	Niehaus	Searles	
Evans	Kaley	Nysether	Sherman	

Those who voted in the negative were:

Anderson, B.	Eken	Kelly	Peterson, D.	Stumpf
Anderson, G.	Elioff	Kostohryz	Pogemiller	Swanson
Anderson, I.	Ellingson	Lehto	Reding	Tomlinson
Battaglia	Fjoslien	Long	Rice	Vanasek
Begich	Greenfield	Minne	Rodriguez, C.	Vellenga
Berkelman	Gustafson	Munger	Rodriguez, F.	Voss
Brandl	Hanson	Murphy	Sarna	Welch
Byrne	Harens	Nelson, K.	Schoenfeld	Wenzel
Carlson, L.	Hauge	Norton	Shea	Wynia
Clark, J.	Hokanson	Novak	Sieben, M.	Spkr. Sieben, H.
Clark, K.	Jacobs	O'Connor	Simoneau	
Clawson	Jude	Ogren	Skoglund	
Dahlvang	Kahn	Otis	Staten	

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

Svigum moved to amend H. F. No. 473, as amended, as follows:

Page 1, line 25, delete "100" and insert "20"

Page 2, line 7, after "energy" and insert "less 40 percent"

Page 2, line 14, delete "100" and insert "20"

Page 2, line 18, delete "100" and insert "20"

The question was taken on the amendment and the roll was called. There were 67 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Aasness	Fjoslien	Kaley	Olsen	Sherman
Ainley	Forsythe	Kalis	Onnen	Sherwood
Anderson, R.	Friedrich	Knickerbocker	Osthoff	Stadum
Blatz	Gruenes	Kvam	Peterson, B.	Stowell
Brinkman	Halberg	Laidig	Piepho	Svigum
Carlson, D.	Haukoos	Lemen	Redalen	Valan
Dean	Heap	Levi	Rees	Valento
Dempsey	Heinitz	Ludeman	Reif	Weaver
Den Ouden	Himle	Marsh	Rose	Welker
Drew	Hoberg	McDonald	Rothenberg	Wieser
Erickson	Hokr	Mehrkens	Schafer	Zubay
Esau	Jennings	Nelsen, B.	Schoenfeld	
Evans	Johnson, C.	Niehaus	Schreiber	
Ewald	Johnson, D.	Nysether	Searles	

Those who voted in the negative were:

Anderson, B.	Eken	Kostohryz	Ogren	Staten
Anderson, C.	Elioff	Lehto	Otis	Stumpf
Anderson, I.	Ellingson	Long	Peterson, D.	Swanson
Battaglia	Greenfield	McCarron	Pogemiller	Tomlinson
Begich	Gustafson	McEachern	Reding	Vanasek
Berkelman	Hanson	Metzen	Rice	Vellenga
Brandl	Harens	Minne	Rodriguez, F.	Voss
Byrne	Hauge	Munger	Samuelson	Welch
Carlson, L.	Hokanson	Murphy	Sarna	Wenzel
Clark, J.	Jacobs	Nelson, K.	Shea	Wynia
Clark, K.	Jude	Norton	Sieben, M.	Spkr. Sieben, H.
Clawson	Kahn	Novak	Simoneau	
Dahlvang	Kelly	O'Connor	Skoglund	

The motion prevailed and the amendment was adopted.

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

REPORTS OF STANDING COMMITTEES

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

H. F. No. 1086, A bill for an act relating to the environment; clarifying terms and duties in the waste management act; ex-

tending time limits for site selections and reports; providing that certain appropriations shall remain available until expended; amending Minnesota Statutes 1980, Sections 115A.03, Subdivisions 15 and 29; 115A.06, Subdivision 4, and by adding a subdivision; 115A.08, Subdivisions 4, 5 and 6; 115A.09; 115A.11, Subdivision 1; 115A.19; 115A.20; 115A.21, Subdivisions 1 and 2; 115A.22, Subdivisions 3 and 4; 115A.23; 115A.24; 115A.26; 115A.28, Subdivision 2; 115A.33; 115A.37, Subdivision 2; 115A.54, Subdivision 3; 116.07, Subdivisions 2 and 4; 116.41, Subdivision 2; 400.161; 473.149, Subdivisions 2c and 2e; 473.153, Subdivisions 1, 2 and 6; 473.803, Subdivision 1a; 473.811, Subdivision 5b; and 473.833, Subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 115A.03, Subdivision 15, is amended to read:

Subd. 15. "Intrinsic suitability" of a land area or site means that, (BECAUSE OF) *based on existing data on the inherent and natural attributes, physical features, and location of the land area or site, there is no known reason why* the waste facility proposed to be located in the area or site (WOULD NOT BE LIKELY TO RESULT IN MATERIAL HARM TO THE PUBLIC HEALTH AND SAFETY AND NATURAL RESOURCES AND THAT THEREFORE THE PROPOSED FACILITY CAN) *cannot* reasonably be expected to qualify for permits in accordance with agency rules. *Agency certification of intrinsic suitability shall be based on data submitted to the agency by the proposing entity and data included by the hearing examiner in the record of any public hearing on recommended certification, and applied against criteria in agency rules and any additional criteria developed by the agency in effect at the time the proposing entity submits the site for certification.*

Sec. 2. Minnesota Statutes 1980, Section 115A.03, Subdivision 29, is amended to read:

Subd. 29. "Sewage sludge" means the solids and associated liquids in municipal wastewater which are encountered and concentrated by a municipal wastewater treatment plant (FOR DISPOSAL AT A SEWAGE SLUDGE DISPOSAL FACILITY). Sewage sludge does not include incinerator residues and grit, scum, or screenings removed from other solids during treatment.

Sec. 3. Minnesota Statutes 1980, Section 115A.05, Subdivision 3, is amended to read:

Subd. 3. [TEMPORARY MEMBERS.] For the purposes of each project review conducted by the board under sections

115A.18 to 115A.30 and 115A.32 to 115A.39 and for the purpose of preparing and adopting the hazardous waste management plan under section 115A.11 and making decisions on the elements of the certification of need for disposal required under sections 115A.18 to 115A.30, six local representatives shall be added to the board as temporary voting members, as provided in sections 115A.22, subdivision 4, and 115A.34. The provisions of section (15.075) 15.0575, subdivisions 3 and 4 relating to compensation, removal, and vacancy shall apply to temporary members except that the rate of compensation shall be \$50 per day spent on board activities and that appointments by the governor to fill vacancies shall not be subject to the advice and consent of the senate.

Sec. 4. Minnesota Statutes 1980, Section 115A.06, Subdivision 4, is amended to read:

Subd. 4. [ACQUISITION OF SITES FOR HAZARDOUS WASTE FACILITIES.] The board may direct the commissioner of administration to acquire by purchase, lease, condemnation, gift, or grant, any right, title, and interest in and to real property, including positive and negative easements and water, air, and development rights, for sites and buffer areas surrounding sites for hazardous waste facilities approved by the board pursuant to sections 115A.18 to 115A.30 and 115A.32 to 115A.39, and any temporary interest in any land subject to the development moratorium established by section 115A.21, subdivision 3. Money for the acquisition of any real property and interest in real property pursuant to this subdivision shall come from the issuance of state waste management bonds in accordance with sections 115A.57 to 115A.59. The property shall be leased to the owner and operator of the hazardous waste facility located thereon at a rate sufficient to pay debt service on the bonds which provided funds used to acquire the property and to evaluate the eligibility of the property for inclusion in the inventory under section 115A.09 or candidacy under sections 115A.18 to 115A.30. Any local government unit and the commissioners of transportation, natural resources, and administration may convey or allow the use of any property for such sites and areas, subject to the rights of the holders of any bonds issued with respect thereto, with or without compensation and without an election or approval by any other government agency. Land owned by the state may be exchanged for land not owned by the state for the purpose of providing a site and buffer area for a commercial hazardous waste facility, in accordance with the provisions of section 94.341 to 94.347 and other law. The commissioner of administration may hold the property for the purposes for which it was acquired, and may lease, rent, or dispose of the property so far as not needed for such purposes, upon the terms and in the manner the commissioner deems advisable. The right to acquire lands and property rights by condemnation shall be exercised in accordance with chapter 117. The commissioner of administration may take possession of any property for which

condemnation proceedings have been commenced at any time after the issuance of a court order appointing commissioners for its condemnation. Where the property is acquired through eminent domain proceedings, the land owner's compensation shall be the fair market value of the property. Where the property is acquired by means other than through eminent domain proceedings, as by direct purchase or gift, the land owner's compensation shall be determined by the agreement of the parties involved. An award of compensation in a condemnation proceeding shall not be increased or decreased by reason of any increase or decrease in the value of the property caused by its designation in the inventory of (SITES AND BUFFER) *preferred* areas under section 115A.09 or as a candidate site under sections 115A.18 to 115A.30 or its selection as a site or buffer area.

Sec. 5. Minnesota Statutes 1980, Section 115A.06, is amended by adding a subdivision to read:

Subd. 13. [PRIVATE AND NON-PUBLIC DATA.] Any data held by the board which consists of trade secret information as defined by section 15.1673, subdivision 1, clause (b), sales information, or any other information which, if public, would tend to adversely affect the competitive position of the subject of the data, shall be classified as private or non-public data as defined in section 15.162, subdivision 5a and 5c if the subject of the data has certified that the data qualifies as non-public or private data under this subdivision and the chairman of the waste management board approves the classification in writing. When data is classified private or non-public pursuant to this subdivision the board may:

(a) Use the data to compile and publish analyses or summaries and to carry out its statutory responsibilities in a manner which does not identify the subject of the data; or

(b) Disclose the data when it is obligated to disclose it to comply with federal law or regulation but only to the extent required by federal law or regulation. The subject of data classified as private or non-public pursuant to this subdivision may authorize the disclosure of some or all of that data by the board.

Sec. 6. Minnesota Statutes 1980, Section 115A.08, Subdivision 4, is amended to read:

Subd. 4. [REPORT ON HAZARDOUS WASTE MANAGEMENT; DRAFT MANAGEMENT PLAN AND CERTIFICATION OF NEED.] By (JANUARY 1) *August 15, 1982*, the board through its chairperson shall report to the legislative commission on hazardous waste management. The report shall include at least:

(a) an evaluation of alternative disposal facilities, disposal facility technologies, and disposal facility design and operating

specifications and an explanation of the preliminary design and operating specifications for disposal facilities selected for consideration under section 115A.23;

(b) an evaluation of prospects, strategies, and methods for developing commercial hazardous waste disposal facilities of various types, sizes, and functions;

(c) an evaluation of all feasible and prudent alternatives to disposal, including waste reduction, separation, pretreatment, processing, and resource recovery, and the potential of the alternatives to reduce the need for and practice of disposal;

(d) an evaluation of feasible and prudent disposal abatement objectives, along with a description of hazardous waste management methods and technologies, private and government actions, facilities and services, development schedules, revenue-raising measures, and levels of public and private expenditure and effort necessary to the achievement of those objectives.

The report shall analyze the environmental, social, and economic effects of the alternatives and methods by which unavoidable adverse effects could be mitigated. The report shall include a draft hazardous waste management plan, based on the analysis in the report and proposed for adoption pursuant to section 115A.11, and a draft certificate or certificates of need proposed for issuance under section 115A.24.

Sec. 7. Minnesota Statutes 1980, Section 115A.08, Subdivision 5, is amended to read:

Subd. 5. [REPORT ON MITIGATION OF LOCAL EFFECTS OF HAZARDOUS WASTE FACILITIES.] By (JANUARY 1) *August 15, 1982*, the board through its chairperson shall report and make recommendations to the legislative commission on methods of mitigating and compensating for the local risks, costs, and other adverse effects of various types of hazardous waste facilities and on methods of financing mitigation and compensation measures. The methods of mitigating and compensating to be considered shall include but not be limited to the following: payment outside of levy limitations in lieu of taxes for all property taken off the tax rolls; preference in reviews of applications for federal funds conducted by the metropolitan council and regional development commissions; payment of all costs to service the facilities including the cost of roads, monitoring, inspection, enforcement, police and fire, and litter clean up costs; payment for buffer zone amenities and improvement; local control over buffer zone design; a guarantee against any and all liability that may occur.

Sec. 8. Minnesota Statutes 1980, Section 115A.08, Subdivision 6, is amended to read:

Subd. 6. [PREPARATION OF HAZARDOUS WASTE REPORTS; PROCEDURES; PUBLIC INVOLVEMENT.] By

January 1, 1981, the board through its chairperson shall submit a proposed scope of work and work program for the hazardous waste reports required by subdivisions 4 and 5 to the legislative commission for review. During the preparation of the proposed scope of work and work plan and the reports, the board and the chairperson on behalf of the board shall encourage public debate and discussion of the issues relating to the reports. The board and the chairperson on behalf of the board shall meet with local officials and sponsor at least one public meeting in areas of the state affected by the inventory of preferred processing facility (SITES) areas prepared pursuant to section 115A.09. The board and the chairperson on behalf of the board shall follow the procedures set out in section 115A.22, for consulting with citizens in areas affected by the selection of candidate sites for disposal facilities. To assist it in preparing the reports required by subdivisions 4 and 5, the board through its chairperson shall make grants to each local project review committee established for a candidate site for disposal identified under sections 115A.18 to 115A.30. The grants may be used by the committee to employ staff, pay administrative expenses, or contract with affected units of government or qualified consultants. The board and the chairperson on behalf of the board shall request recommendations from the private waste management industry, the board's advisory councils, affected regional development commissions, and the metropolitan council and shall consult with them on the board's intended disposition of the recommendations. The reports of the board shall summarize the comments received and the board's response to the comments.

Sec. 9. Minnesota Statutes 1980, Section 115A.09, is amended to read:

115A.09 [DUTIES OF THE BOARD; INVENTORY OF PREFERRED (SITES) AREAS FOR HAZARDOUS WASTE PROCESSING FACILITIES.]

Subdivision 1. [BOARD RESPONSIBILITY.] By (NOVEMBER) January 1, (1981) 1982, the board shall prepare an inventory of preferred (SITES) areas of up to ten square miles in size for commercial hazardous waste processing facilities. No preferred area may extend into more than one statutory or home rule charter city or town, but the board may propose adjoining preferred areas in adjacent cities and towns. The inventory shall include at least three (SITES) areas for each of the following categories of processing facilities: (a) a commercial chemical processing facility for hazardous waste, (b) a commercial incineration facility for hazardous waste, and (c) a commercial transfer and storage facility for hazardous waste.

Subd. 2. [EVALUATION OF (SITES) AREAS.] The board shall not be required to promulgate rules pursuant to chapter 15 to govern its evaluation and selection of (SITES) areas under this section. The board and the chairperson on

behalf of the board shall evaluate the (SITES) *areas* in consultation with the board's advisory councils, the affected counties and regions, generators of hazardous waste, and prospective facility developers. The evaluation shall consider at least the consistency of (SITES) *areas* with state and federal regulations, local land use and land use controls, the protection of agriculture and natural resources, existing and future development patterns, transportation and other services appropriate to the hazardous waste facilities, the quality of other potential (SITES) *areas*, and the location of hazardous waste generators. (NO SITE SHALL BE INCLUDED IN THE INVENTORY UNLESS THE AGENCY CERTIFIES ITS INTRINSIC SUITABILITY FOR THE USE INTENDED. NO LAND SHALL BE EXCLUDED FROM CONSIDERATION FOR INCLUSION IN THE INVENTORY EXCEPT LAND DETERMINED BY THE AGENCY TO BE INTRINSICALLY UNSUITABLE) *The agency shall prepare a report on the suitability of each proposed area for the use intended.*

Subd. 3. [PROCEDURES.] The board shall propose the inventory of (SITES) *areas* by (JUNE) *August 1, 1981*, by publication in the state register and newspapers of general circulation in the state and by mail to each regional development commission and local government unit containing a proposed (SITE) *area*. (ANY) *The publications and mailing should include notice of* (PERSON OBJECTING TO THE AGENCY'S CERTIFICATION OR THE BOARD'S PROPOSAL OF A SITE FOR INCLUSION IN THE INVENTORY SHALL HAVE 30 DAYS IN WHICH TO REQUEST A HEARING. IF A HEARING IS REQUESTED, THE HEARING SHALL BE ORDERED BY THE CHAIRPERSON OF THE BOARD AND) *hearings on the board's proposal. The hearings shall be conducted by the state office of administrative hearings in a manner determined by the hearing examiner to be consistent with the completion of the proceedings and the examiner's report in the time allowed by this section. At the hearing, any county, or any local government unit within the county, in which (A SITE) an area is proposed for inclusion in the inventory may propose an alternative (SITE) area or (SITES) areas within the county. The hearing shall afford all interested persons an opportunity to testify and present evidence on the subject of the hearing. The subject of the hearing shall be limited to information submitted by the board and additional information on the proposed area or alternative areas within the county which is relevant to the board's decision on the areas to be included in the inventory. The proceedings shall not be deemed a contested case or rule-making hearing. The hearing examiner may consolidate hearings. The report of the hearing examiner shall contain findings of fact, conclusions, and recommendations on the subject of the hearing. When any (SITE) area in the inventory becomes unavailable as a hazardous waste facility site, the inventory shall be amended, in the manner of its original adoption, provided, however, that during the period when the inventory is being*

amended any other (SITE) *area* in the inventory may be reviewed and approved under sections 115A.32 to 115A.39. No action of the board shall be held invalid by reason of the board's failure to notify any of the entities listed in this subdivision.

Subd. 4. [GRANTS; TECHNICAL ASSISTANCE.] To assist counties participating in the inventory required by this section, the board through its chairperson may make grants to the counties to be used to employ staff, pay administrative expenses, or contract with qualified consultants. The board through its chairperson shall ensure the delivery to the counties of technical information and assistance by appropriate state agencies.

Sec. 10. Minnesota Statutes 1980, Section 115A.11, Subdivision 1, is amended to read:

Subdivision 1. [CONTENTS.] By (MAY 1) *December 15*, 1982, the board shall adopt a hazardous waste management plan. The plan shall include at least the following elements:

(a) an estimate of the types and volumes of hazardous waste which will be generated in the state through the year 2000;

(b) specific and quantifiable objectives for reducing to the greatest feasible and prudent extent the need for and practice of disposal, through waste reduction, pretreatment, processing, and resource recovery;

(c) a description of the minimum disposal capacity and capability needed to be developed within the state for use through the year 2000, based on the achievement of the objectives under clause (b).

The plan shall require the establishment of at least one commercial disposal facility in the state.

Sec. 11. Minnesota Statutes 1980, Section 115A.19, is amended to read:

115A.19 [PROCEDURE NOT EXCLUSIVE.]

Except as provided in Minnesota Statutes 1980, Section 115A.21, Subdivision 1, the procedure established by sections 115A.18 to 115A.30 for the permitting of hazardous waste disposal facilities shall not preclude the issuance of permits by the agency pursuant to section 116.07 for disposal facilities at sites not reviewed under sections 115A.18 to 115A.30.

Sec. 12. Minnesota Statutes 1980, Section 115A.20, is amended to read:

115A.20 [EVALUATION OF SITES.]

The board shall not be required to promulgate rules pursuant to chapter 15 to govern its evaluation and selection of sites for commercial disposal facilities under sections 115A.18 to 115A.30, *nor shall the agency be required to promulgate rules pursuant to chapter 15 on criteria and standards to govern its certification of intrinsic suitability of sites for commercial disposal facilities under sections 115A.18 to 115A.30.* In evaluating and selecting sites for disposal facilities, the board shall consider at least the following factors:

(a) economic feasibility, including proximity to concentrations of generators of the types of hazardous wastes likely to be proposed and permitted for disposal;

(b) intrinsic suitability of the sites;

(c) federal and state pollution control and environmental protection rules;

(d) the risk and effect for local residents, units of government, and the local public health, safety, and welfare, including such dangers as an accidental release of wastes during transportation to a facility or at a facility, water, air, and land pollution, and fire or explosion;

(e) the consistency of a facility with, and its effect on, existing and planned local land use and development; local laws, ordinances, and permits; and local public facilities and services;

(f) the adverse effects of a facility at the site on agriculture and natural resources and opportunities to mitigate or eliminate such adverse effects by stipulations, conditions, and requirements respecting the design and operation of a disposal facility at the proposed site.

No land shall be excluded from consideration except land determined by the agency to be intrinsically unsuitable for the use intended.

Sec. 13. Minnesota Statutes 1980, Section 115A.21, Subdivision 1, is amended to read:

Subdivision 1. [SELECTION.] By (AUGUST 1, 1981) *March 15, 1982*, the board shall select six locations in the state, no more than one site per county, as candidate sites for commercial disposal facilities for hazardous waste. No location shall be selected as a candidate site unless the agency certifies its intrinsic suitability for the use intended. The board shall consult with the agency and the private waste management industry in selecting candidate sites. Any sites proposed in applications for permits for disposal facilities being reviewed by the agency (ON AUGUST 1, 1981,) may be included by the board as can-

didate sites, provided the agency certifies the intrinsic suitability of the sites. *The agency shall suspend its review of any permit application being reviewed by the board for inclusion as a candidate site until the site is eliminated from consideration as a candidate site.*

Sec. 14. Minnesota Statutes 1980, Section 115A.21, Subdivision 2, is amended to read:

Subd. 2. [PROCEDURE.] As soon as practicable, the board through its chairperson shall publish a request soliciting proposals and permit applications for hazardous waste disposal facilities from potential developers and operators of such facilities. Notice of the request shall be published in the state register and newspapers of general circulation in the state and shall be transmitted to all regional development commissions, the metropolitan council, and all counties in the state. The board may select conceptual design and operating specifications for a variety of hazardous waste disposal facilities in sufficient detail and extent in the judgment of the board to assist the evaluation of sites and the selection of candidate sites. By November 1, 1980, the board through its chairperson shall notify each regional development commission, or the metropolitan council, and each local government unit within whose jurisdiction the board intends to search for candidate sites. The notification shall explain the selection of the jurisdiction as a search area; shall summarize any conceptual specifications and the evaluation factors, criteria, standards, and procedures the board intends to use in selecting candidate sites; and shall describe the relationship of the candidate site selection process to the other review procedures under sections 115A.18 to 115A.30 and the hazardous waste reports and plans required under sections 115A.04 to 115A.15. The notification shall request recommendations and suggestions from each such commission, the metropolitan council, and local government unit on the criteria, standards, and procedures the board should use in selecting candidate sites within the time allowed. The board through its chairperson shall make a written response to any recommendations, explaining its disposition of the recommendations. *The board shall provide to the agency data relating to the intrinsic suitability of the sites to be proposed as candidate sites as soon as available but no later than November 1, 1981.* By (MAY 1) November 15, 1981, the board shall propose at least six locations as candidate sites, the director of the agency shall issue a notice indicating which of those sites the director recommends be certified as intrinsically suitable, and the board and the director shall publish notice of hearings on the board's proposal and the director's recommendations. Notice shall be published in the state register and newspapers of general circulation in the state and shall (NOTIFY) be sent by mail to all regional development commissions, or the metropolitan council, and to local government units containing a proposed candidate site. (ANY PERSON OBJECTING TO THE AGENCY'S CERTIFICATION OR THE

BOARD'S PROPOSAL OF A SITE FOR CANDIDACY SHALL HAVE 30 DAYS IN WHICH TO REQUEST A HEARING. IF A HEARING IS REQUESTED, THE HEARING SHALL BE ORDERED BY THE CHAIRPERSON OF THE BOARD AND) *The hearings shall be conducted in a manner consistent with the completion of the proceedings and the hearing examiner's report to the agency and board in the time allowed by this section. The hearing shall afford all interested persons an opportunity to testify and present evidence on the subject of the hearing. The subject of the hearing shall be limited to information submitted by the board and additional information on the proposed sites which is relevant to the board's decision on candidate sites and the agency's decision on intrinsic suitability. The proceedings shall not be deemed a contested case or rule-making hearing. The hearing examiner may consolidate hearings. The report of the hearing examiner shall contain finds of fact, conclusions, and recommendations on the subject of the hearing. The agency shall make a final determination as to the intrinsic suitability of each proposed site and shall certify sites accordingly by March 1, 1982. No action of the board or agency shall be held invalid by reason of the board's or agency's failure to notify any of the entities listed in this subdivision.*

Sec. 15. Minnesota Statutes 1980, Section 115A.22, Subdivision 3, is amended to read:

Subd. 3. [MEMBERSHIP ON LOCAL COMMITTEES.] By (SEPTEMBER 1, 1981) *April 15, 1982*, the governor shall appoint the chairperson and members of each local project review committee, ensuring a balanced representation of all parties with a legitimate and direct interest in the outcome of the project review. The governor shall consult particularly with affected local units of government before selecting members. Members may be added to the local committee from time to time by the governor.

Sec. 16. Minnesota Statutes 1980, Section 115A.22, Subdivision 4, is amended to read:

Subd. 4. [APPOINTMENT OF TEMPORARY BOARD MEMBERS.] By (OCTOBER 1, 1981) *May 15, 1982*, each local committee shall select a temporary board member to be added to the board for the purposes of the reports, certifications, and review conducted under sections 115A.18 to 115A.30. *If a local committee fails to appoint a temporary board member within 45 days after the appointment of the committee the governor shall appoint a temporary board member to represent the committee on the board.* Temporary board members may be members of the local project review committee, and they shall be residents of the county where the candidate site is located. *Temporary board members shall serve for terms lasting until the board has taken final action pursuant to section 115A.28 and, in the case*

of members representing the site or sites finally chosen for the facility, until the commencement of the operation of the facility at that site.

Sec. 17. Minnesota Statutes 1980, Section 115A.23, is amended to read:

115A.23 [DISPOSAL FACILITIES; PRELIMINARY DESIGN AND OPERATING SPECIFICATIONS.]

By (JANUARY 1) *August 15, 1982*, the board shall select, for further study and consideration, design and operating specifications for a variety of disposal facilities for hazardous waste in sufficient detail and extent in the judgment of the agency to allow the agency to begin preparing an environmental impact statement on the alternative facilities at each of the candidate sites pursuant to section 115A.25. The preliminary design and operating specifications shall not be final and shall not preclude the consideration of other specifications nor foreclose the subsequent addition by the board of other disposal facility alternatives.

Sec. 18. Minnesota Statutes 1980, Section 115A.24, is amended to read:

115A.24 [CERTIFICATION OF NEED.]

By (MAY 1) *December 15, 1982*, on the basis of and consistent with its hazardous waste management plan adopted under section 115A.11, the board shall issue a certificate or certificates of need for disposal facilities for hazardous wastes in the state. The certificate or certificates shall indicate the types and volumes of waste for which disposal facilities are and will be needed through the year 2000 and the number, types, sizes, general design and operating specifications, and function or use of the disposal facilities needed in the state. The board shall certify need only to the extent that the board has determined that there are no feasible and prudent alternatives including waste reduction, separation, pretreatment, processing, and resource recovery which would minimize adverse impact upon natural resources, provided that the board shall require the establishment of at least one commercial disposal facility in the state. Economic considerations alone shall not justify certification nor the rejection of alternatives. Alternatives that are speculative and conjectural shall not be deemed to be feasible and prudent. The certificate or certificates shall not be subject to the provisions of chapter 15 but shall be the final determination required on the matters decided by the certificate or certificates and shall have the force and effect of law. The certificate or certificates shall not be amended for five years. The board and the permitting agencies, in reviewing and selecting sites, completing environmental impact statements, and issuing approvals and permits for waste

disposal facilities described in the certificate or certificates of need, shall not reconsider matters determined in the certification. The board and the permitting agencies shall be required to make a final decision approving the establishment of facilities consistent with the certification. The board and the permitting agencies shall be required to make a final decision approving the establishment of at least one commercial disposal facility for hazardous waste in the state.

Sec. 19. Minnesota Statutes 1980, Section 115A.26, is amended to read:

115A.26 [AGENCIES; PERMIT CONDITIONS.]

Within 60 days following (THE ACCEPTANCE) *determination of adequacy* of the final environmental impact statement, and after consulting with the board, facility developers, affected local government units, and the local project review committees, each permitting state agency shall issue a notice of intent to issue permits, indicating the terms, conditions, and requirements of agency approval for all permits needed at each candidate site for the establishment of the facilities described in the board's certification of need. The agency decisions shall be consistent with the establishment of facilities in accordance with the certification of need.

Sec. 20. Minnesota Statutes 1980, Section 115A.28, Subdivision 2, is amended to read:

Subd. 2. [BOARD'S DECISION PARAMOUNT.] The board's decision under subdivision 1 shall be final and shall supersede and preempt requirements of state agencies and political subdivisions (, EXCEPTING ONLY) *and the requirements of sections 473H.02 to 473H.17; except that the facility shall be subject to those terms, conditions, and requirements of permitting agencies embodied in the board's decision and (EXCEPT AS PROVIDED IN) any requirements imposed pursuant to* subdivision 3. The permitting agencies shall issue permits within 60 days following and in accordance with the board's final decision, and all permits shall conform to the terms, conditions, and requirements of the board's decision. No charter provision, ordinance, regulation, permit, or other requirement of any state agency or political subdivision shall prevent or restrict the establishment, operation, expansion, continuance, or closure of a facility in accordance with the final decision of the board and permits issued pursuant thereto.

Sec. 21. Minnesota Statutes 1980, Section 115A.33, is amended to read:

115A.33 [ELIGIBILITY; REQUEST FOR REVIEW.]

The following persons shall be eligible to request supplementary review by the board pursuant to sections 115A.32 to 115A.39: (a) a generator of sewage sludge within the state who has been issued permits by the agency for a facility to dispose of sewage sludge or solid waste resulting from sewage treatment; (b) a political subdivision which has been issued permits by the agency, or a political subdivision acting on behalf of a person who has been issued permits by the agency, for a solid waste facility which is no larger than 250 acres, not including any proposed buffer area, and located outside the metropolitan area; (c) a generator of hazardous waste within the state who has been issued permits by the agency for a hazardous waste facility to be owned and operated by the generator, on property owned by the generator, and to be used by the generator for managing the hazardous wastes produced by the generator only; (d) a person who has been issued permits by the agency for a commercial hazardous waste processing facility at a site included in the board's inventory of preferred sites for such facilities adopted pursuant to section 115A.09; *(e) a person who has been issued permits by the agency for a disposal facility for the nonhazardous sludge, ash, or other solid waste generated by a permitted hazardous waste processing facility operated by the person.* The metropolitan waste control commission shall not be eligible to request review under clause (a) for a sewage sludge disposal facility. The metropolitan waste control commission shall not be eligible to request review under clause (a) for a solid waste facility with a proposed permitted life of longer than four years. The board may require completion of a plan conforming to the requirements of section 115A.46, before granting review under clause (b). A request for supplementary review shall show that the required permits for the facility have been issued by the agency and that a political subdivision has refused to approve the establishment or operation of the facility.

Sec. 22. Minnesota Statutes 1980, Section 115A.34, is amended to read:

115A.34 [APPOINTMENT OF TEMPORARY BOARD MEMBERS.]

Within 45 days of the submission of a request determined by the board to satisfy the requirements for review under sections 115A.32 to 115A.39, temporary board members shall be added to the board for the purpose of the supplementary review. Three members shall be selected by the governing body of the city or town in which the chairperson of the waste management board determines the facility would be principally located, and three members shall be selected by the governing body of the county in which the chairperson of the waste management board determines the proposed facility would be principally located. If the proposed facility is located in unorganized territory, all six members shall be selected by the governing board of the county.

Temporary members shall be residents of the county in which the proposed facility would be located and shall be selected to represent broadly the local interests that would be directly affected by the proposed facility. At least one member appointed by the city or town shall live within one mile of the proposed facility, and at least one member appointed by the county shall be a resident of a city or town in which the proposed facility would be located. *If the appointing authority fails to appoint temporary board members in the period allowed, the governor shall appoint the temporary members to represent the local interests in accordance with this section.* Temporary board members shall serve for terms lasting until the board has taken final action on the facility.

Sec. 23. Minnesota Statutes 1980, Section 115A.37, Subdivision 2, is amended to read:

Subd. 2. [DECISION PARAMOUNT.] The decision of the board to approve a facility shall be final and shall supersede and preempt requirements of state agencies and political subdivisions (, EXCEPTING ONLY) *and the requirements of sections 473H.02 to 473H.17; except that the facility shall be subject to those terms, conditions, and requirements of permitting agencies embodied in the board's approval and (EXCEPT AS PROVIDED IN) any requirements imposed pursuant to subdivision 3.* The permitting agencies shall issue or amend the permits for the facility within 60 days following and in accordance with the final decision of the board, and all permits shall conform to the terms, conditions, and requirements of the board's decision. No charter provision, ordinance, regulation, permit, or other requirement of any state agency or political subdivision shall prevent or restrict the establishment, operation, expansion, continuance, or closure of the facility in accordance with the final decision of the board and permits issued pursuant thereto.

Sec. 24. Minnesota Statutes 1980, Section 115A.54, Subdivision 3, is amended to read:

Subd. 3. [OBLIGATIONS OF RECIPIENT.] No grant or loan for any project shall be disbursed until the governing body of the recipient has made an irrevocable undertaking, by resolution, to use all funds made available exclusively for the capital cost of the project and to pay any additional amount by which the cost of the project exceeds the estimate by appropriation to the construction fund of additional funds or proceeds of additional bonds of the recipient. The resolution shall also indicate that any subsequent withdrawal of allocated or additional funds of the recipient will impair the obligation of contract between the state of Minnesota, the recipient, and the bondholders. The resolution shall pledge payment to the debt service account of all revenues of the project to the extent that they exceed costs and shall also obligate the recipient to levy a tax sufficient to

make timely payments under the loan agreement, if a deficiency occurs in the amount of user charges, taxes, special assessments, or other moneys pledged for payment under the loan agreement. Each loan made to a recipient shall be secured by resolutions adopted by the board and the governing body of the recipient, obligating the recipient to repay the loan to the state treasurer in annual installments including both principal and interest. Installments shall be in an amount sufficient to pay the principal amount within the period required by the (AGENCY) board. The interest on the loan shall be calculated on the declining balance at a rate not less than the average annual interest rate on the state bonds of the issue from which proceeds of the loan were made. The resolution shall obligate the recipient to provide money for the repayment from user charges, taxes, special assessments or any other funds available to it.

Sec. 25. Minnesota Statutes 1980, Section 116.07, Subdivision 2, is amended to read:

Subd. 2. [ADOPTION OF STANDARDS.] The pollution control agency shall improve air quality by promoting, in the most practicable way possible, the use of energy sources and waste disposal methods which produce or emit the least air contaminants consistent with the agency's overall goal of reducing all forms of pollution. The agency shall also adopt standards of air quality, including maximum allowable standards of emission of air contaminants from motor vehicles, recognizing that due to variable factors, no single standard of purity of air is applicable to all areas of the state. In adopting standards the pollution control agency shall give due recognition to the fact that the quantity or characteristics of air contaminants or the duration of their presence in the atmosphere, which may cause air pollution in one area of the state, may cause less or not cause any air pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, prevailing wind directions and velocities, and the fact that a standard of air quality which may be proper as to an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such standards of air quality shall be premised upon scientific knowledge of causes as well as effects based on technically substantiated criteria and commonly accepted practices. No local government unit shall set standards of air quality which are more stringent than those set by the pollution control agency.

The pollution control agency shall promote solid waste disposal control by encouraging the updating of collection systems, elimination of open dumps, and improvements in incinerator practices. The agency shall also adopt standards for the control of the collection, transportation, storage, processing, and disposal of solid waste and (THE DISPOSAL OF) sewage sludge for the prevention and abatement of water, air and land pollution, recog-

nizing that due to variable factors, no single standard of control is applicable to all areas of the state. In adopting standards, the pollution control agency shall give due recognition to the fact that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, topography, soils and geology, climate, transportation, and land use. Such standards of control shall be premised on technical criteria and commonly accepted practices.

The pollution control agency shall also adopt standards describing the maximum levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere, recognizing that due to variable factors no single standard of sound pressure is applicable to all areas of the state. Such standards shall give due consideration to such factors as the intensity of noises, the types of noises, the frequency with which noises recur, the time period for which noises continue, the times of day during which noises occur, and such other factors as could affect the extent to which noises may be injurious to human health or welfare, animal or plant life, or property, or could interfere unreasonably with the enjoyment of life or property. In adopting standards, the pollution control agency shall give due recognition to the fact that the quantity or characteristics of noise or the duration of its presence in the outdoor atmosphere, which may cause noise pollution in one area of the state, may cause less or not cause any noise pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, meteorological conditions and the fact that a standard which may be proper in an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such noise standards shall be premised upon scientific knowledge as well as effects based on technically substantiated criteria and commonly accepted practices. No local governing unit shall set standards describing the maximum levels of sound pressure which are more stringent than those set by the pollution control agency.

The pollution control agency shall adopt standards for the identification of hazardous waste and for the management, identification, labeling, classification, storage, collection, transportation, processing, and disposal of hazardous waste, recognizing that due to variable factors, a single standard of hazardous waste control may not be applicable to all areas of the state. In adopting standards, the pollution control agency shall recognize that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state. The agency shall consider existing physical conditions, topography, soils, and geology, climate, transportation and land use. Stan-

dards of hazardous waste control shall be premised on technical knowledge, and commonly accepted practices. No local government unit shall set standards of hazardous waste control which are in conflict or inconsistent with those set by the pollution control agency.

Sec. 26. Minnesota Statutes 1980, Section 116.07, Subdivision 4, is amended to read:

Subd. 4. [RULES AND STANDARDS.] Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend and rescind rules and standards having the force of law relating to any purpose within the provisions of Laws 1969, Chapter 1046, for the prevention, abatement, or control of air pollution. Any such rule or standard may be of general application throughout the state, or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, rules or standards may relate to sources or emissions of air contamination or air pollution, to the quality or composition of such emissions, or to the quality of or composition of the ambient air or outdoor atmosphere or to any other matter relevant to the prevention, abatement, or control of air pollution.

Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend, and rescind rules and standards having the force of law relating to any purpose within the provisions of Laws 1969, Chapter 1046, for the collection, transportation, storage, processing, and disposal of solid waste and the prevention, abatement, or control of water, air, and land pollution which may be related thereto, and the deposit in or on land of any other material that may tend to cause pollution. The agency shall adopt such rules and standards for (THE DISPOSAL OF) sewage sludge, addressing the intrinsic suitability of land, the volume and rate of application of sewage sludge of various degrees of intrinsic hazard, design of (DISPOSAL) facilities, and operation of (DISPOSAL) facilities and (DISPOSAL) sites. The agency shall promulgate temporary rules for sewage sludge (DISPOSAL) pursuant to section 15.0412, subdivision 5. Any such rule or standard may be of general application throughout the state or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, rules or standards may relate to collection, transportation, processing, disposal, equipment, location, procedures, methods, systems or techniques or to any other matter relevant to the prevention, abatement or control of water, air, and land pollution which may be advised through the control of collection, transportation, processing, and disposal of solid waste and (THE DISPOSAL OF) sewage sludge, and the deposit in or on land of any other material that may tend to cause pollution.

Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend and rescind rules and standards having the force of law relating to any purpose within the provisions of Laws 1971, Chapter 727, for the prevention, abatement, or control of noise pollution. Any such rule or standard may be of general application throughout the state, or may be limited as to times, places, circumstances or conditions in order to make due allowances for variations therein. Without limitation, rules or standards may relate to sources or emissions of noise or noise pollution, to the quality or composition of noises in the natural environment, or to any other matter relevant to the prevention, abatement, or control of noise pollution.

As to any matters subject to this chapter, local units of government may set emission regulations with respect to stationary sources which are more stringent than those set by the pollution control agency.

Pursuant to chapter 15, the pollution control agency may adopt, amend, and rescind rules and standards having the force of law relating to any purpose within the provisions of this chapter for the management, identification, labeling, classification, storage, collection, treatment, transportation, processing, and disposal of hazardous waste and location of hazardous waste facilities. A rule or standard may be of general application throughout the state or may be limited as to time, places, circumstances, or conditions. The public utilities commission, in cooperation with the pollution control agency, shall set standards for the transportation of hazardous waste in accordance with chapter 221. In implementing its hazardous waste rules, the pollution control agency shall give high priority to providing planning and technical assistance to hazardous waste generators. The agency shall assist generators in investigating the availability and feasibility of both interim and long term hazardous waste management methods. The methods shall include waste reduction, waste separation, waste processing, resource recovery, and temporary storage.

The pollution control agency shall give highest priority in the consideration of permits to authorize disposal of diseased shade trees by open burning at designated sites to evidence concerning economic costs of transportation and disposal of diseased shade trees by alternative methods.

Sec. 27. Minnesota Statutes 1980, Section 116.41, Subdivision 2, is amended to read:

Subd. 2. [TRAINING AND CERTIFICATION PROGRAMS.] The agency shall develop standards of competence for persons operating and inspecting various classes of disposal facilities. The agency shall conduct training programs for persons op-

erating facilities for the disposal of waste and for inspectors of such facilities, and may charge such fees as are necessary to cover the actual costs of the training programs.

The agency shall require operators and inspectors of such facilities to obtain from the agency a certificate of competence. The agency shall conduct examinations to test the competence of applicants for certification, and shall require that certificates be renewed at reasonable intervals. The agency may charge such fees as are necessary to cover the actual costs of receiving and processing applications, conducting examinations, and issuing and renewing certificates. *Certificates shall not be required for a private individual for landspreading and associated interim and temporary storage of sewage sludge on property owned or farmed by that individual.*

Sec. 28. Minnesota Statutes 1980, Section 400.161, is amended to read:

400.161 [HAZARDOUS WASTE REGULATIONS.]

The county may by ordinance establish and revise rules, regulations, and standards relating to (a) identification of hazardous waste, (b) the labeling and classification of hazardous waste, (c) the collection, transportation, processing, disposal, and storage of hazardous waste, (d) other matters as may be determined necessary for the public health, welfare and safety. The county may issue permits or licenses for hazardous waste generation and may require the generators be registered with a county office. The ordinance may require appropriate procedures for the payment by the generator of any costs incurred by the county in completing such procedures. If the generator fails to complete such procedures, the county may recover the costs of completion in a civil action in any court of competent jurisdiction or, in the discretion of the board, the costs may be certified to the county auditor as a special tax against the land as other taxes are collected. The ordinance may be enforced by injunction, action to compel performance, or other action in district court. (ANY ORDINANCE UNDER THIS SECTION SHALL EMBODY STANDARDS AND REQUIREMENTS ESTABLISHED BY RULE OF THE AGENCY.) *County hazardous waste ordinances shall embody and be consistent with agency hazardous waste rules. Counties shall submit adopted ordinances to the agency for review. In the event that agency rules are modified, each county shall modify its ordinances accordingly and shall submit the modification to the agency for review within 120 days. Issuing, denying, modifying, imposing conditions upon, or revoking permits (PURSUANT TO THE PROVISIONS OF THIS SECTION) or licenses and county hazardous waste regulations (PROMULGATED HEREUNDER) and ordinances shall be subject to review, denial, suspension, modification, and reversal by the pollution control agency. The pollution control agency shall after written notification have 15 days in the case of haz-*

ardous waste permits and licenses and 30 days in the case of hazardous waste ordinances to review, deny, suspend, modify, or reverse the action of the county. After (15 DAYS) this period, the action of the county board shall be final subject to appeal to the district court as provided in section 115.05.

Sec. 29. Minnesota Statutes 1980, Section 473.149, Subdivision 2b, is amended to read:

Subd. 2b. [INVENTORY OF SOLID WASTE DISPOSAL SITES.] By (OCTOBER 1, 1981) *February 1, 1982*, the council shall adopt by resolution an inventory of eligible solid waste disposal sites and buffer areas within the metropolitan area. The council's inventory shall be composed of the sites and buffer areas proposed by the counties and reviewed and approved by the council pursuant to section 473.803, subdivision 1a. If a county does not have an approved inventory, the council shall adopt the required inventory for the county, following investigations by the council and public hearings as the council deems appropriate. The council's inventory shall satisfy all requirements and standards described in section 473.803, subdivision 1a, for sites and buffer areas proposed by counties. For sites and buffer areas included in the council's inventory, the moratorium imposed under section 473.803, subdivision 1a, shall extend until October 1, 1983.

Sec. 30. Minnesota Statutes 1980, Section 473.149, Subdivision 2c, is amended to read:

Subd. 2c. [REPORT ON LOCAL EFFECTS OF SOLID WASTE DISPOSAL FACILITIES; REPORT TO LEGISLATURE.] By (JANUARY 1) *August 15, 1982*, the council shall report to the legislative commission on methods of mitigating and compensating for the local risks, costs, and other adverse effects of solid waste disposal facilities and on methods of financing mitigation and compensation measures. The methods of mitigating and compensating to be considered shall include but not be limited to the following: payment outside of levy limitations in lieu of taxes for all property taken off the tax rolls; preference for the city or town containing a facility in federal A-95 reviews conducted by the council; payment of all costs to service the facilities including the costs of roads, monitoring, inspection, enforcement, police and fire, and litter clean up costs; payment for buffer zone amenities and improvements; city or town control over buffer zone design; elimination of the tipping charge for solid waste collected in the city or town; a guarantee against any and all liability that may occur; payment for reclamation of closed sites to local design specifications.

Sec. 31. Minnesota Statutes 1980, Section 473.149, Subdivision 2e, is amended to read:

Subd. 2e. [SOLID WASTE DISPOSAL FACILITIES DEVELOPMENT SCHEDULE.] By January 1, 1983, after requesting and considering recommendations from the counties, cities, and towns, the council as part of its policy plan shall determine the number of sites to be acquired within each metropolitan county for solid waste disposal facilities in accordance with section 473.833. The council shall adopt a schedule for development of disposal facilities by each such county through the year 2000. The schedule shall be based upon the council's reduced estimate of the disposal capacity needed because of the council's land disposal abatement plan. The schedule may include procedures to be used by counties in selecting sites for acquisition pursuant to section 473.833. The schedule shall include standards and procedures for council certification of need pursuant to section 473.823. The schedule shall include a facility closure schedule and plans for post-closure management and disposition, for the use of property after acquisition and before facility development, and for the disposition of property and development rights, as defined in section 473.833, no longer needed for disposal facilities. *The schedule shall also include a facility closure schedule and plans for post-closure management of facilities in existence prior to January 1, 1983.*

Sec. 32. Minnesota Statutes 1980, Section 473.149, is amended by adding a subdivision to read:

Subd. 4a. [RIGHT OF ACCESS.] Whenever the council deems it necessary to the evaluation of a disposal site or buffer area under this chapter, the council or any member, employee, or agent thereof, when authorized by it, may enter upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations, provided that the entrance and activity is undertaken after reasonable notice and during normal business hours and provided that compensation is made for any damage to the property caused by the entrance and activity.

Sec. 33. Minnesota Statutes 1980, Section 473.153, Subdivision 1, is amended to read:

Subdivision 1. [FACILITIES REQUIRED.] Except as provided in subdivision 7 and section 115A.33, all sewage sludge disposal facilities and facilities for the disposal of solid waste generated by the metropolitan waste control commission shall be established and operated in accordance with this section and section 473.516. The council and the commission shall establish (AT LEAST ONE FACILITY FOR SEWAGE SLUDGE DISPOSAL AND AT LEAST ONE FACILITY FOR SOLID WASTE DISPOSAL) *the facilities needed for the disposal of sewage sludge and solid waste generated by the commission. The council and the commission shall establish at least one facility.*

Sec. 34. Minnesota Statutes 1980, Section 473.153, Subdivision 2, is amended to read:

Subd. 2. [CANDIDATE SITE SELECTION.] By (JULY) November (1) 15, 1981, the council shall select (THREE) six candidate sites for the disposal of the commission's sewage sludge and (THREE CANDIDATE SITES FOR THE DISPOSAL OF THE COMMISSION'S) solid waste, together with appropriate surrounding buffer areas. The council shall evaluate sites for candidacy on the basis of at least the following factors: local land use and land use controls, the protection of agriculture and natural resources, existing and future development patterns, transportation facilities, distance from the points of generation, and the intrinsic suitability of sites compared with other potential sites. Notwithstanding any plan, charter provision, law, ordinance, regulation, or other requirement of the council, counties, or local units of government, no land shall be excluded from consideration for candidacy except land determined by the agency to be intrinsically unsuitable. No site shall be selected for candidacy unless the agency certifies its (AP-PARENT) intrinsic suitability for the use intended, based on preliminary environmental analysis and on-site surveys and investigations conducted by the (AGENCY) council. *The council shall provide to the agency data relating to the intrinsic suitability of the sites to be proposed as candidate sites as soon as available but no later than August 15, 1981. By September 1, 1981, the council shall propose at least six locations as candidate sites and the director of the agency shall issue a notice indicating which of those sites the director recommends be certified as intrinsically suitable. The director shall publish notice of a consolidated hearing on the director's recommendation. Notice shall be published in the state register and newspapers of general circulation in the metropolitan area and shall be sent by mail to local government units containing a proposed candidate site. The hearing shall be conducted in a manner consistent with the completion of the proceedings and the hearing examiner's report to the agency in the time allowed by this section. The hearing shall afford all interested persons an opportunity to testify and present evidence on the subject of the hearing. The subject of the hearing shall be limited to information submitted by the council and additional information on the proposed sites which is relevant to the agency's decision on intrinsic suitability. The proceedings shall not be deemed a contested case or rule-making hearing. The report of the hearing examiner shall contain findings of fact, conclusions, and recommendations on the subject of the hearing. The agency shall make a final determination as to the intrinsic suitability of each proposed site and shall certify them accordingly by November 1, 1981. The agency shall not be required to promulgate rules pursuant to chapter 15 on criteria and standards to govern its certification of intrinsic suitability under this section. No action of the agency shall be held invalid by reason of the agency's failure to notify any of the entities listed in this subdivision. In selecting candi-*

date sites, the council shall prefer land which is capable of being returned to its existing use or the use anticipated in a plan of a metropolitan agency, county, or local unit of government use after closure of a disposal facility.

Sec. 35. Minnesota Statutes 1980, Section 473.153, Subdivision 6, is amended to read:

Subd. 6. [COUNCIL SITE SELECTION.] Within 90 days following the agency's decision on permit conditions and terms, the council shall select at least one of the candidate sites for acquisition and development by the commission (AS A SEWAGE SLUDGE DISPOSAL FACILITY AND AT LEAST ONE OF THE CANDIDATE SITES FOR ACQUISITION AND DEVELOPMENT BY THE COMMISSION AS A SOLID WASTE DISPOSAL FACILITY). Before its selection the council shall consult with the advisory committee and affected counties, cities, and towns. *The requirements of sections 473H.02 to 473H.17 shall not apply to the selection and acquisition of the sites.*

Sec. 36. Minnesota Statutes 1980, Section 473.516, Subdivision 4, is amended to read:

Subd. 4. [TECHNICAL MONITORING; SEWAGE SLUDGE DISPOSAL.] Each sewage sludge disposal facility of the waste control commission, or site used for the disposal of sewage sludge of the commission, shall be required to have an agency permit issued pursuant to agency rules for permitting sewage sludge disposal facilities and sites. Each permit shall require a regular monitoring and testing program to be carried out by the waste control commission. A regular inspection program shall be conducted by the agency or a county under contract to the agency. The commission shall reimburse the agency quarterly for the cost of the program, and the amounts reimbursed are hereby appropriated to the agency for the purposes of the program. *The commission shall attempt to the greatest practical extent to provide the highest quality sludge when disposing of its sludge on private property as a soil conditioner or amendment. The commission shall provide recipients with information on the facility generating the sludge and the content of the sludge taken from its various treatment facilities.*

Sec. 37. Minnesota Statutes 1980, Section 473.801, is amended by adding a new subdivision to read:

Subd. 4. *Unless otherwise provided the definitions of terms defined in section 115A.03 shall apply to sections 473.801 to 473.823.*

Sec. 38. Minnesota Statutes 1980, Section 473.803, Subdivision 1a, is amended to read:

Subd. 1a. [PROPOSED INVENTORY OF DISPOSAL SITES.] By (JUNE) *September (1) 15, 1981*, each county shall adopt, by resolution of its governing body, an inventory of four proposed sites in the county suitable for mixed municipal solid waste disposal facilities and one proposed site in the county suitable for the disposal of demolition debris and shall submit the inventory to the council for approval or disapproval. The council shall evaluate and approve or disapprove each proposed site in accordance with the standards set out in this subdivision. Except as otherwise provided in this subdivision, each site shall satisfy the standards and criteria in federal and state regulations and the council's policy plan for solid waste management. In proposing and approving sites for the inventory, the counties and the council shall prefer land which is capable of being returned to its existing use or the use anticipated in a plan of a metropolitan agency, county, or local unit of government use after closure of a disposal facility. Each site shall contain no less than 80 acres and no more than 250 acres. Each proposed site shall be surrounded by a buffer area at least equal to the area of the site. No site shall be (PROPOSED BY THE COUNTY OR APPROVED) *adopted by a county or the council as part of an inventory unless the agency certifies its intrinsic suitability for the use intended, based on preliminary environmental analysis and on site surveys and investigations conducted by the county (OR AGENCY). Notwithstanding any plan, charter provision, law, ordinance, regulation, or other requirement of any state agency or political subdivision, no land shall be excluded from consideration for inclusion in the inventory except land determined by the agency to be intrinsically unsuitable. Each county shall provide to the agency data relating to the intrinsic suitability of the sites to be proposed for the inventory as soon as available but no later than June 15, 1981. By July 1, 1981 each county shall propose at least the number of sites required for the inventory, and the director of the agency shall issue a notice indicating which of those sites the director recommends be certified as intrinsically suitable. The director shall publish notice of a hearing in each county designed to gather additional information on each proposed site within the county. Notice shall be published in the state register and newspapers of general circulation in the metropolitan area and shall be sent by mail to the metropolitan council and local government units containing a proposed inventory site. A hearing shall be held in each metropolitan county and shall be conducted in a manner consistent with the completion of the proceedings and the hearing examiner's report to the agency in the time allowed by this section. The hearing shall afford all interested persons an opportunity to testify and present evidence on the subject of the hearing. The subject of the hearing shall be limited to information submitted by the county and additional information on the proposed sites which is relevant to the agency's decision on intrinsic suitability. The proceedings shall not be deemed a contested case or rule-making hearing. The report of the hearing examiner shall contain findings of fact, conclusions, and recommendations on the subject of the hearing. The agency shall make a final determination as to the intrinsic suitability*

bility of each proposed site and shall certify them accordingly by October 1, 1981. The agency shall not be required to promulgate rules pursuant to chapter 15 on criteria and standards to govern its certification of intrinsic suitability under this section. No action of the agency shall be held invalid by reason of the agency's failure to notify any of the entities listed in this subdivision. The council shall evaluate each site with respect to local land use and land use controls, the protection of agriculture and natural resources, existing and future development patterns, transportation facilities and other services and facilities appropriate to land disposal facilities, the quality of other potential sites, and patterns of generation of solid waste. The council shall notify a county of any site proposed by the county which the council disapproves and shall allow the county 60 days to propose an alternative site. If the county fails to propose an alternative acceptable to the council in the time allowed, the council shall propose a site acceptable to it for inclusion in the inventory of sites in that county. If in the council's judgment a county does not contain the requisite number of satisfactory sites, the council may reduce the number of sites required of that county. A moratorium is hereby imposed on development within the area of each site and buffer area proposed by a county, pending the council's adoption of an inventory pursuant to section 473.149, subdivision 2b. For sites and buffer areas included in the council's inventory, the moratorium shall extend until October 1, 1983. No development shall be allowed to occur within the area of a site or buffer area during the period of the moratorium. No county, city, or town land use control shall permit such development, nor shall any county, city, or town sanction or approve any subdivision, permit, license, or other authorization which would allow such development to occur.

Sec. 39. Minnesota Statutes 1980, Section 473.811, Subdivision 2, is amended to read:

Subd. 2. [COUNTY FINANCING OF FACILITIES.] Each metropolitan county may by resolution authorize the issuance of bonds to provide funds for the acquisition or betterment of solid waste facilities or property or property rights for a solid waste facility, or for refunding any outstanding bonds issued for any such purpose, and may pledge to the payment of the bonds and the interest thereon, its full faith, credit and taxing powers, or the proceeds of any designated tax levies, or the gross or net revenues or charges to be derived from any facility operated by or for the county, or any combination thereof. Taxes levied for the payment of the bonds and interest shall not reduce the amounts of other taxes which the county is authorized by law to levy. *The proceeds of the bonds may be used in part to establish a reserve as further security for the payment of the principal and interest of the bonds when due. Revenue bonds issued pursuant to this section may be sold at public or private sale upon such conditions as the county board shall determine, but*

any bonds to which the full faith and credit and taxing powers of the county are pledged shall be sold in accordance with the provisions of chapter 475. No election shall be required to authorize the issuance of the bonds. Except as otherwise provided, the bonds shall be issued and sold in accordance with the provisions of chapter 475.

Sec. 40. Minnesota Statutes 1980, Section 473.811, is amended by adding a new subdivision to read:

Subd. 2A. [COUNTY SOLID WASTE INDUSTRIAL DEVELOPMENT REVENUE BONDS.] A metropolitan county shall also have authority to issue revenue bonds to finance solid waste and related facilities projects located inside or outside the boundaries of cities or towns described in Section 368.01 under and pursuant to the provisions of Chapter 474.

Sec. 41. Minnesota Statutes 1980, Section 473.811, Subdivision 3, is amended to read:

Subd. 3. [COUNTY OPERATION OF FACILITIES.] Each metropolitan county may operate and maintain solid waste facilities, and for this purpose may employ all necessary personnel, may adopt regulations governing operation, and may establish and collect reasonable, non-discriminatory rates and charges for the use of the facilities by any local government unit or person, estimated to be sufficient, with any other moneys appropriated for the purpose, to pay all costs of acquisition, operation and maintenance. Each metropolitan county may use itself or sell all or any part of materials or energy recovered from solid waste to private interests or public agencies for consumption or reuse by them. Section 471.345 and Laws 1951, Chapter 556, as amended shall not apply to the sale of the materials or energy (**PROVIDED THAT THE DEALINGS OF EACH COUNTY SHALL BE ON A COMPETITIVE BASIS SO AS NOT TO CREATE AN UNFAIR OR UNREASONABLE ADVANTAGE OR RESTRAINT OF TRADE ON THE PART OF THE COUNTY.**)

Sec. 42. Minnesota Statutes 1980, Section 473.811, Subdivision 4, is amended to read:

Subd. 4. [COUNTY CONTRACTS.] Each metropolitan county may contract for the *acquisition or use of existing public or private solid waste facilities or any facilities deemed necessary or useful for resource recovery from solid waste* and may contract with any person for the operation (**AND**) or maintenance, or both, of any solid waste facility owned by the county. The contract shall provide for the operation (**AND**) or maintenance, or both, of the facility in accordance with any regulations, criteria, and standards of the agency, the metropolitan council and the county relating thereto. *Any contract for the operation or maintenance of a solid waste facility may provide for the sale of solid waste, materials, electric energy, steam or other product*

to the operator or for a fee payable to the operator, which may be a fixed fee, or a fee based on tonnage or a percentage of income or other measure, or any combination thereof. A metropolitan county shall have power to warrant to the operator of a solid waste facility or contract purchaser of any solid waste, materials, electric energy, steam or other product the quality, composition and available quantity of the solid waste, materials, electric energy, steam or other product to be sold or delivered.

Sec. 43. Minnesota Statutes 1980, Section 473.811, is amended by adding a new subdivision to read:

Subd. 4b. [CONTRACTS; NEGOTIATION.] Notwithstanding any other law, a metropolitan county may contract for the acquisition, construction, improvement, maintenance or operation of solid waste facilities or property or property rights for solid waste facilities by any means available and in the manner determined by the county board, with or without advertisement for bids. A metropolitan county may select and employ a construction manager for construction and acquisition of solid waste facilities or property or property rights for solid waste facilities and negotiate and enter into a construction management agreement, which may but need not include a guaranteed maximum price. A construction manager shall give a bond to the county in accordance with Section 574.26 if a construction management agreement shall provide for a guaranteed maximum price, provided that the amount of any bond furnished by any contractor or subcontractor for performance of and payment of labor and materials under a contract or subcontract for solid waste facilities or property or property rights for solid waste facilities included in the guaranteed maximum price may be substituted to the extent of the bond amount for the bond of the construction manager. A construction management agreement for acquisition and construction of solid waste facilities or property or property rights for solid waste facilities may be combined with a contract for maintenance or operation, or both, of such facilities and negotiated with the same person.

Sec. 44. Minnesota Statutes 1980, Section 473.811, Subdivision 5b, is amended to read:

Subd. 5b. [ORDINANCES; HAZARDOUS WASTE MANAGEMENT.] Each metropolitan county shall by ordinance establish and revise rules, regulations, and standards relating to (a) the identification of hazardous waste, (b) the labeling and classification of hazardous waste, (c) the collection, storage, transportation, processing, and disposal of hazardous waste, and (d) other matters necessary for the public health, welfare and safety. The county shall require permits or licenses for the generation, collection, processing, and disposal of hazardous waste and shall require registration with a county office. County hazardous waste ordinances shall embody and be consistent with agency hazardous waste rules. Counties shall submit adopted ordinances to the agency for review. In the event that agency

rules are modified, each county shall modify its ordinances accordingly and shall submit the modification to the agency for review within 120 days. Issuing, denying, suspending, modifying, imposing conditions upon, or revoking hazardous waste permits or licenses, and county hazardous waste regulations and ordinances, shall be subject to review, denial, suspension, modification, and reversal by the agency. The agency shall after written notification have 15 days in the case of hazardous waste permits and licenses and 30 days in the case of hazardous waste ordinances to review, suspend, modify, or reverse the action of the county. After this period, the action of the county board shall be final subject to appeal to the district court in the manner provided in chapter 15.

Sec. 45. Minnesota Statutes 1980, Section 473.811, Subdivision 8, is amended to read:

Subd. 8. [COUNTY SALE OR LEASE.] Each metropolitan county may sell or lease any facilities or property or property rights previously used or acquired to accomplish the purposes specified by sections 473.149, 473.151, and 473.801 to 473.823 and sections 473.827, 473.831, 473.833, and 473.834. Such property may be sold in the manner provided by section 458.196, *or may be sold in such other manner and on such terms and conditions as the county board shall determine.* Each metropolitan county may convey to or permit the use of any such property by a local government unit, with or without compensation, without submitting the matter to the voters of the county. No real property or property rights acquired pursuant to this section, may be disposed of in any manner unless and until the county shall have submitted to the agency and the metropolitan council for review and comment the terms on and the use for which the property will be disposed of. The agency and the council shall review and comment on the proposed disposition within 60 days after each has received the data relating thereto from the county.

Sec. 46. Minnesota Statutes 1980, Section 473.831, Subdivision 1, is amended to read:

Subdivision 1. [GENERAL OBLIGATION BONDS.] Following the adoption of the revisions to its policy plan required by section 473.149, subdivision 2e, the council may by resolution authorize the issuance of general obligation bonds of the council to provide funds for the acquisition of sites and surrounding buffer areas for development as solid waste disposal facilities pursuant to this section and section 473.833 and to provide funds for refunding obligations issued under this section. The bonds shall be sold, issued, and secured in the manner provided in chapter 475 for general obligation bonds, and the council shall have the same power and duties as a municipality and its governing body in issuing bonds under chapter 475, except as otherwise provided in this chapter. No election shall be required, and the net debt limitations in chapter 475 shall not apply. *The council shall have*

the power to levy ad valorem taxes for debt service of the council's solid waste bonds upon all taxable property within the metropolitan area, without limitation of rate or amount and without affecting the amount or rate of taxes which may be levied by the council for other purposes or by any local government unit in the area. Each of the county auditors shall annually assess and extend upon the tax rolls in his county the portion of the taxes levied by the council in each year which is certified to him by the council. The principal amount of bonds issued pursuant to this section shall not exceed \$15,000,000.

Sec. 47. Minnesota Statutes 1980, Section 473.833, Subdivision 2, is amended to read:

Subd. 2. [REQUIREMENT.] Each metropolitan county shall select and acquire sites and buffer areas for solid waste disposal facilities in accordance with this section and the council's policy plan and development schedule adopted pursuant to section 473.149, subdivision 2e. *The requirements of sections 473H.02 to 473H.17 shall not apply to the selection and acquisition of the sites.*

Sec. 48. Minnesota Statutes 1980, Section 473.834, Subdivision 2, is amended to read:

Subd. 2. [ALLOCATION OF DEBT SERVICE.] The annual debt service on the council's solid waste bonds, issued under section 473.831, shall be annually apportioned and certified by the council to each (CITY AND TOWN) county in the metropolitan area, in the proportion that the assessed value of all taxable property within (SUCH CITY OR TOWN) each county bears to the assessed value of the taxable property in all (SUCH CITIES AND TOWNS, AS LAST FINALLY EQUALIZED BEFORE OCTOBER 1 IN THE YEAR IN WHICH THE ALLOCATION IS MADE) the counties, except that the apportionment to each county shall first be adjusted to reflect exemptions from payment required by subdivision 1 and reductions in payment required by subdivision 3.

Sec. 49. [APPROPRIATIONS.]

Subdivision 1. The appropriation of \$1,200,000 made available for certain purposes before June 30, 1981, by Laws 1980, Chapter 564, Article XII, Section 1, Subdivision 3, Clause (b), is available for expenditure for those purposes until expended.

Subd. 2. The appropriation made in Laws 1980, Chapter 564, Article XII, Section 1, Subdivision 4, Clause (b), is available until expended.

Subd. 3. The two positions in the unclassified service created in Laws 1980, Chapter 564, Article XII, Section 1, Subdivision 6, shall not cancel when the appropriation is expended. The con-

tinuation of the positions is dependent upon the availability of money in the general services revolving fund, resource recovery account established in section 115A.15, subdivision 6.

Sec. 50. [REPEALER.]

Minnesota Statutes 1980, Section 473.834, Subdivisions 4 and 5, are repealed.

Sec. 51. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 2, after "terms" insert ", procedures, powers,"

Page 1, line 3, after "act" insert "and for counties and metropolitan waste management"

Page 1, line 7, after the semicolon insert "115A.05, Subdivision 3;"

Page 1, line 12, after "115A.33;" insert "115A.34;"

Page 1, line 15, before "2c" insert "2b,"

Page 1, line 15, after "2c" delete "and" and insert a comma

Page 1, line 15, after "2e" insert ", and by adding a subdivision"

Page 1, line 16, after "6;" insert "473.516, Subdivision 4; 473.801, by adding a subdivision;"

Page 1, line 16, before "5b" delete "Subdivision" and insert "Subdivisions 2, 3, 4,"

Page 1, line 16, after "5b" insert ", 8, and by adding subdivisions"

Page 1, line 17, delete "and" and insert "473.831, Subdivision 1;"

Page 1, line 17, before the period insert "; and 473.834, Subdivision 2; repealing Minnesota Statutes 1980, Section 473.834, Subdivisions 4 and 5"

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

The report was adopted.

MOTIONS AND RESOLUTIONS

Sieben, M., moved that the name of Rodriguez, C., be added as an author on H. F. No. 1114. The motion prevailed.

McEachern moved that the name of Metzen be stricken and the name of Heinitz be added as an author on H. F. No. 137. The motion prevailed.

Otis moved that the name of Staten be added as an author on H. F. No. 729. The motion prevailed.

Peterson, D., moved that the name of Pogemiller be added as an author on H. F. No. 1296. The motion prevailed.

Wynia moved that the name of Nelson, K., be added as an author on H. F. No. 1269. The motion prevailed.

Olsen moved that the name of Long be added as an author on H. F. No. 1270 and H. F. No. 1271. The motion prevailed.

Rothenberg moved that H. F. No. 456 be returned to its author. The motion prevailed.

Redalen moved that H. F. No. 796 be returned to its author. The motion prevailed.

House Concurrent Resolution No. 1 was reported to the House.

Sherman moved that House Concurrent Resolution No. 1 be continued until Thursday, April 9, 1981. The motion prevailed.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, April 9, 1981. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 continued until Thursday, April 9, 1981. The motion prevailed.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

