

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1981

THIRTY-FOURTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, APRIL 14, 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 Pastor Robert Moritz, Hadley Trinity Lutheran Church, Hadley, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Erickson, Luknic, Searles, Sherwood and Wigley were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Schreiber 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. 234, 421, 427, 619, 659, 696, 855, 928, 937, 960, 970, 976, 978, 1021, 1051, 1070, 1120, 1156, 1178, 1190, 1200, 1221, 1231, 1237, 1247, 1276, 1295, 291, 298, 534, 560, 616, 707, 774, 834, 849, 1045, 1182, 1301, 695, 763, 862, 1080, 1242, 453, 486, 583, 586, 621, 780, 997, 1015, 1269, 253, 636, 1225, 1160, 979, 332, 491 and 932 and S. F. No. 291 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

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

April 13, 1981

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

The Honorable Jack Davies
President of the Senate

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

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1981</i>	<i>Date Filed 1981</i>
	44	23	April 13	April 13
	45	24	April 13	April 13
171		25	April 13	April 13

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

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

H. F. No. 439, A bill for an act relating to retirement; Minneapolis municipal employees retirement fund; authorizing the repayment of a refund by certain individuals.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 43.60, Subdivision 3, is amended to read:

Subd. 3. Employees in shared positions shall be eligible for the following benefits and subject to the following obligations:

(1) Membership in the Minnesota state retirement system, the teachers retirement association, or the highway patrol retirement fund, whichever is appropriate, except that, *notwithstanding any provision of sections 352.01, subdivisions 11 and 16, 352B.01, subdivision 3, 354.05, subdivisions 13 and 25, or 354.091, employees (WHO ARE MEMBERS OF THE MINNESOTA STATE RETIREMENT SYSTEM OR THE HIGHWAY PATROL RETIREMENT FUND) shall have allowable service for (PURPOSES OF SECTION 352.01, SUBDIVISIONS 11 AND 16,) the purpose of meeting the minimum service requirements for eligibility to a retirement annuity or other retirement benefit credited in full, but shall have benefit accrual service for the purpose of computing a retirement annuity or other retirement benefit credited on a fractional basis either weekly or annually based upon the relationship that the number of hours of service bears to either 40 hours per week or 2,080 hours per year, with any salary paid for the fractional service credited on the basis of the rate of salary applicable for a full-time week or a full-time year;*

(2) Vacation and sick leave accrual at the rate of the appropriate shared-time percent of the entitlement of comparable full-time employees;

(3) Employee dental, medical and hospital benefits coverage shall be available of the same type and coverage afforded to comparable full-time employees. Employees in shared positions who elect such coverage shall pay, by payroll deduction, the difference between the actual cost to the employer and the appropriate shared-time percent of the actual cost. The remaining percent shall be paid by the employer. Employee life insurance coverage shall be available to employees in shared positions on the same terms as for comparable full-time employees;

(4) Dependent life insurance coverage shall be available to employees in shared positions on the same terms as for comparable full-time employees. Dependent medical, hospital and dental benefits coverage shall be available to employees in shared

positions of the same type and coverage afforded to comparable full-time employees, except that the employer shall contribute the appropriate shared-time percent of the dollar amount contributed for comparable full-time employees electing the same program, the remainder to be paid by payroll deduction by the employee electing such coverage;

(5) Employees in shared positions shall be entitled to the appropriate shared-time percent of the holiday pay to which comparable full-time employees are entitled for holidays observed by the full-time employees whenever the employee in a shared position would otherwise be scheduled to work on that day. The employee may be allowed to reschedule working hours to avoid any loss in pay due to the prorating of holiday pay. When an employee in a shared position is not scheduled to work on an observed holiday the next scheduled working day shall be treated as the holiday;

(6) Employees in shared positions shall accrue seniority time in every relevant category at the same rate accorded to comparable full-time employees. No full-time employee accepting a shared position shall suffer any loss of or gap in seniority time in the relevant categories applicable to the full-time employment; and

(7) Any other benefits of employment for employees in shared positions shall be prorated at a rate of the appropriate shared-time percent of those available to comparable full-time employees, whenever the benefits are divisible. Contributions by the employer toward the benefits, if any, shall be equal to the appropriate share time percent of the full-time benefits. When not divisible, the cost of the full-time benefits normally allocable to the employer shall be allocated, the appropriate shared-time percent to the employee in a shared position, by payroll deduction, and the remaining percent to the employer.

Sec. 2. [43.621] [CREDIT FOR PRIOR PART-TIME SERVICE.]

Any person who was employed in a shared position in the Minnesota demonstration job-sharing program pursuant to Laws 1980, Chapter 572 prior to the effective date of this act shall have service credit for that service in the applicable retirement fund recalculated in accordance with the provisions of section 1.

Sec. 3. Minnesota Statutes 1980, Section 69.011, Subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] Unless the language or context clearly indicates that a different meaning is intended, the following words and terms shall for the purposes of this chapter and chapter 424 have the meanings ascribed to them:

(a) "Commissioner" means the commissioner or director of insurance.

(b) "Municipality" means any city of any class, and organized town.

(c) "Minnesota Firetown Premium Report" means a blank form containing space for reporting by insurers of fire, lightning, sprinkler leakage and extended coverage premiums less return premiums and dividends received upon risks located or to be performed in this state.

(d) "Firetown" means any municipality having a qualified fire department or a qualified incorporated fire department having a retirement plan.

((E)) "AVERAGE STATE AID" MEANS THE SUM OF THE AMOUNT OF AID APPORTIONED FOR FIREFIGHTER'S PENSIONS OR SERVICES THE PREVIOUS TWO YEARS PLUS THE AMOUNT OF AID COMPUTED FOR APPORTIONMENT BY THE ASSESSED PROPERTY VALUATION AND POPULATION BASIS FOR THE CURRENT YEAR DIVIDED BY THREE.)

((F)) (e) "Assessed Property Valuation" means latest available assessed value of all property in a taxing jurisdiction, whether such property is subject to taxation, or exempt from ad valorem taxation for any reason, appearing on abstracts filed with the commissioner of revenue or equalized by the state board of equalization.

((G)) (f) "Minnesota Aid to Police Premium Report" means a blank form containing space for reporting by each fire and casualty insurer of all premiums less return premiums and dividends received upon direct business received by it in this state, or by its agents for it, in cash or otherwise, during the preceding calendar year, with reference to insurance written for insuring against the perils contained in auto liability-bodily injury, auto liability-property damage, and auto physical damage as reported on lines 19, 20, and 21 of page 14 of the fire and casualty insurance companies annual financial statement which each insurer is required to file with the commissioner in accordance with the governing laws or regulations.

((H)) (g) "Police officer" means any person:

(1) Whose primary source of income derived from wages is from direct employment by a municipality or county as a law enforcement officer on a full time basis of not less than 30 hours per week;

(2) Who has been employed for a minimum of six (CONSECUTIVE) months prior to December 31 preceding the date

of the current year's certification pursuant to subdivision 2, clause (b);

(3) Who is sworn to enforce the general criminal laws of the state and local ordinances;

(4) Who is authorized to arrest with a warrant;

(5) Who is a member of a local police relief association or the public employees police and fire fund;

(6) Who, if employed in a municipality with a population of more than 1,000 inhabitants according to the most recent federal census, is (CERTIFIED) *licensed* or meets the requirements for (CERTIFICATION) *licensure* by the Minnesota (POLICE) *peace officers standards and training board*; and

(7) Who meets the selection standards of the Minnesota (POLICE) *peace officers standards and training board*.

((1)) (h) "Full time equivalent number of (POLICE) *peace officers providing contract service*" means the integral or fractional number of (POLICE) *peace officers* which would be necessary to provide the contract service if all were employed on a full time basis as defined by the employing unit in the municipality receiving the contract service.

Sec. 4. Minnesota Statutes 1980, Section 69.011, Subdivision 2, is amended to read:

Subd. 2. [CLERK TO FILE CERTIFICATE.] (a) On or before March 1 annually the clerk of each municipality having a duly organized fire department as provided in subdivision 4, clause (1) or the secretary of nonprofit fire fighting corporations having a relief and retirement plan or incorporated fire-fighter's relief association shall certify that fact and the fire personnel and equipment of the fire department as of the preceding December 31 to the commissioner on a form prescribed by him together with the other facts the commissioner may require. The certification shall be made to the commissioner in duplicate. Each copy of the certificate shall be duly executed and deemed an original. The commissioner shall forward one copy to the auditor of the county wherein the fire department is located and retain one copy.

(b) On or before March 1 annually the clerk of each municipality having a duly organized police department and having a duly incorporated relief association shall certify that fact to the county auditor of the county where the police department is located and to the commissioner on a form prescribed by him together with the other facts the commissioner or auditor may require.

On or before March 1 annually, the clerk of each municipality and the auditor of each county employing one or more police officers as defined in subdivision 1, clause (h), shall certify the number of such police officers to the commissioner on forms prescribed by him. *Credit for officers employed less than a full year shall be apportioned. Each full month of employment of a qualifying officer during the calendar year shall entitle the employing municipality or county to credit for one-twelfth of the payment for employment of a police officer for the entire year.* For purposes of sections 69.011 to 69.051, employment of a police officer shall commence when the police officer is entered on the payroll of the respective municipal police department or county sheriff's department. No police officer shall be included in the certification of the number of police officers by more than one municipality or county *for the same month.*

Sec. 5. Minnesota Statutes 1980, Section 69.021, Subdivision 1, is amended to read:

Subdivision 1. [MINNESOTA FIRETOWN PREMIUM REPORT AND MINNESOTA AID TO POLICE PREMIUM REPORT.] The commissioner of insurance shall, at the time he mails annual statement and tax forms, send blank copies of the Minnesota Firetown Premium Report and when applicable the Minnesota Aid to Police Premium Report to each insurer, including township and farmers mutual insurance companies licensed to write insurance as described in section 69.011, subdivision 1, (CLAUSE) *clauses* (c) and (CLAUSE (G)) (f) in this state. These reports shall contain space for the insurers name, address, gross premiums less return premiums, dividends, net premiums, certification and other facts the commissioner may require.

Sec. 6. Minnesota Statutes 1980, Section 69.021, Subdivision 2, is amended to read:

Subd. 2. [REPORT OF PREMIUMS.] Each insurer, including township and farmers mutual insurers where applicable, shall return to the commissioner with its annual financial statement the reports described in subdivision 1 certified by its secretary and president or chief financial officer. The Minnesota Firetown Premium Report shall contain a true and accurate statement of the total premium for all gross direct fire, lightning, and sprinkler leakage insurance of all domestic mutual insurers and the total premiums for all gross direct fire, lightning, sprinkler leakage and extended coverage insurance of all other insurers, less return premiums and dividends received by them on that business written or done during the preceding calendar year upon property located within the state or brought into the state for temporary use. The fire and extended coverage portion of multi-peril and multiple peril package premiums and all other combination premiums shall be determined by applying percentages determined by the commissioner or by rating bu-

reaus recognized by the commissioner. The Minnesota Aid to Police Premium Report shall contain a true and accurate statement of the total premiums, less return premiums and dividends received, on all direct business received by such insurer in this state, or by its agents for it, in cash or otherwise, during the preceding calendar year, with reference to insurance written for perils described in section 69.011, subdivision 1, clause ((G)) (f).

Sec. 7. Minnesota Statutes 1980, Section 69.021, Subdivision 6, is amended to read:

Subd. 6. [CALCULATION OF APPORTIONMENT OF AID TO COUNTIES.] With respect to firefighters, one-half of the state aid available shall be distributed to the counties in proportion to their population as shown by the last official statewide federal census. The remaining one-half of the state aid available shall be distributed to the counties in proportion to their assessed property valuation, excluding mineral values.

In the case of incorporated or municipal fire departments furnishing fire protection to cities, towns or townships in other counties as evidenced by valid fire service contracts filed with the commissioner of insurance and county auditor the distribution to the respective counties shall be adjusted proportionately to take into consideration the crossover fire protection service. (THE AMOUNT OF FIREFIGHTER'S STATE AID APPORTIONED TO EACH COUNTY SHALL NOT BE LESS THAN 100 PERCENT NOR MORE THAN 150 PERCENT OF THE AVERAGE STATE AID CALCULATED FOR APPORTIONMENT TO THE COUNTY. PROVIDED THAT IF THE AMOUNT OF AID SO CALCULATED IS EITHER GREATER OR LESS THAN THE AMOUNT OF AID AVAILABLE AS CALCULATED IN SUBDIVISION 5 EACH COUNTY'S PROPORTIONATE SHARE OF THE STATE AID SHALL BE REDUCED OR INCREASED ON A PERCENTAGE BASIS SO THAT THE AMOUNT OF AID APPORTIONED SHALL NOT EXCEED THE AMOUNT OF TAX COLLECTED. OTHER) Necessary adjustments shall be made to subsequent apportionments. (NO COUNTY SHALL RECEIVE LESS THAN PROVIDED FOR UNDER THIS SUBDIVISION.)

The state aid available in respect to police officers shall not exceed the amount of tax collected and shall be distributed to the counties in proportion to the total number of active police officers, as defined in section 69.011, subdivision 1, clause ((H)) (g), in each county who are employed either by municipalities maintaining police departments or by the county. Any necessary adjustments shall be made to subsequent apportionments.

Sec. 8. Minnesota Statutes 1980, Section 69.021, Subdivision 7, is amended to read:

Subd. 7. [APPORTIONMENT OF AID TO MUNICIPALITIES AND FIREFIGHTER'S RELIEF ASSOCIATIONS BY COUNTY AUDITOR.] (1) The county auditor shall apportion the state aid received by him relative to the premiums reported on the Minnesota Firetown Premium Reports filed pursuant to this chapter to each municipality and/or firefighter's relief association certified to him by the commissioner in the same manner that state aid is apportioned to the counties, one-half in proportion to the population and one-half in proportion to the assessed property valuation of the fire towns in the county for which aid is proportioned. (THE COUNTY AUDITOR SHALL APPORTION THE AMOUNT OF AID TO EACH MUNICIPALITY AND/OR FIREFIGHTER'S RELIEF ASSOCIATION IN AN AMOUNT NOT LESS THAN 100 PERCENT NOR MORE THAN 150 PERCENT OF THE AVERAGE STATE AID CALCULATED FOR APPORTIONMENT TO THE MUNICIPALITY AND/OR FIREFIGHTER'S RELIEF ASSOCIATION. PROVIDED THAT IF THE AMOUNT OF AID SO CALCULATED IS EITHER GREATER OR LESS THAN THE AMOUNT OF AID AVAILABLE AS CALCULATED IN SUBDIVISION 5 EACH MUNICIPALITY'S AND/OR FIREFIGHTER'S RELIEF ASSOCIATION'S PROPORTIONATE SHARE OF THE STATE AID SHALL BE REDUCED OR INCREASED ON A PERCENTAGE BASIS SO THAT THE AMOUNT OF AID APPORTIONED SHALL NOT EXCEED THE AMOUNT OF TAX COLLECTED. NO MUNICIPALITY OR FIREFIGHTER'S RELIEF ASSOCIATION SHALL RECEIVE LESS THAN PROVIDED FOR UNDER THIS SUBDIVISION.) *Necessary adjustments shall be made to subsequent apportionments.*

In the case of municipalities or independent fire departments qualifying for the aid the county auditor shall calculate the state aid for the municipality or relief association on the basis of the population and the property valuation of the area furnished fire protection service by the fire department as evidenced by duly executed and valid fire service agreements filed with him. If one or more fire departments are furnishing contracted fire service to a city, town or township only the population and valuation of the area served by each fire department shall be considered in calculating the state aid and the fire departments furnishing service shall enter into an agreement apportioning among themselves the percent of the population and the assessed property valuation of each service area. Agreement shall be in writing and filed with the commissioner in duplicate. The commissioner shall forward one copy of the agreement to the county auditor of the county wherein the fire department is located and retain one copy.

In the case of cities of the first and second class the state aid calculated shall be paid directly to the treasurer of the relief association. In the case of all other municipalities and independent fire department relief associations or retirement plans

the aid shall be paid to the treasurer of the municipality where the fire department is located and the treasurer of the municipality shall within 30 days transmit the aid to the relief association if the relief association has filed a financial report with the treasurer of the municipality and has met all other statutory provisions pertaining to the aid apportionment.

The county auditor and commissioner are hereby empowered to make rules and regulations to permit the administration of the provisions of this section.

(2) The county auditor shall apportion the state police aid received by him to each municipality and to the county in the following manner:

(a) For all municipalities maintaining police departments and the county, the state aid shall be distributed by the county auditor in proportion to the total number of police officers, as (DEFINED IN) *determined pursuant to section 69.011, subdivision 1, clause ((H)) (g), and subdivision 2, clause (b), employed by each municipality and by the county for 12 calendar months and the proportional or fractional number who were employed less than 12 months;*

(b) For each municipality which contracts with the county for police service, a proportionate amount of the state aid distributed to the county based on the full time equivalent number of police officers providing contract service shall be credited against the municipality's contract obligation;

(c) For each municipality which contracts with another municipality for police service, a proportionate amount of the state aid distributed to the municipality providing contract service based on the full time equivalent number of police officers providing contract service on a full time equivalent basis shall be credited against the contract obligation of the municipality receiving contract service;

(d) No municipality entitled to receive police state aid shall be apportioned less police state aid for any year under Laws 1976, Chapter 315, than the amount which was apportioned to it for calendar year 1975 based on premiums reported to the commissioner for calendar year 1974; provided, the amount of police state aid to other municipalities within the county and to the county shall be adjusted in proportion to the total number of police officers in the municipalities and the county, so that the amount of police state aid apportioned shall not exceed the amount of police state aid available for apportionment.

The county auditor and commissioner are hereby empowered to make rules and regulations to permit the administration of the provisions of this section.

Sec. 9. Minnesota Statutes 1980, Section 69.031, Subdivision 5, is amended to read:

Subd. 5. [DEPOSIT OF STATE AID.] (1) The municipal treasurer, when the state aid and tax is received by him, shall within 30 days after receipt pay over the portion of it attributed to premiums reported on the Minnesota Firetown Premium Report to the treasurer of the duly incorporated firefighter's relief association if there is one organized and the association has filed a financial report with the municipality; but if there is no relief association organized, or if any association dissolve, be removed, or has heretofore dissolved, or has been removed as trustees of state aid, then the treasurer of the municipality shall keep the money in the municipal treasury as provided for in (SECTIONS 424.30 AND 424.31) *section 424A.08* and shall be disbursed only for the purposes and in the manner set forth in those sections.

(2) The municipal treasurer, upon receipt of the state aid and tax attributed to insurance premiums reported on the Minnesota Aid to Police Premium Report, shall disburse the state aid in the following manner.

(a) For a municipality in which a local police relief association exists and all police officers are members of the association, the total state aid shall be transmitted to the treasurer of the relief association within 30 days of the date of receipt, and the treasurer of the relief association shall immediately deposit the total state aid in the special fund of the relief association;

(b) For a municipality in which police retirement coverage is provided by the public employees police and fire fund and all police officers are members of the fund, the total state aid shall be applied toward the municipality's employer contribution to the public employees police and fire fund pursuant to section 353.65, subdivision 3, and any state aid in excess of the amount required to meet the employer's contribution pursuant to section 353.65, subdivision 3, shall also be contributed to the public employees police and fire fund and credited in the manner to be specified by the board of trustees of the public employees retirement association; or

(c) For a municipality in which both a police relief association exists and police retirement coverage is provided in part by the public employees police and fire fund, the municipality may elect at its option to transmit the total state aid to the treasurer of the relief association as provided in this subdivision, to use the total state aid to apply toward the municipality's employer contribution to the public employees police and fire fund subject to all the provisions set forth in clause (b), or to allot the total state aid proportionately to be transmitted to the police relief association as provided in this subdivision and to apply toward the municipality's employer contribution to the public employees

police and fire fund subject to the provisions of clause (b) on the basis of the respective number of active full time police officers, as defined in section 69.011, subdivision 1, clause ((H)) (g).

(3) The county treasurer, upon receipt of the police state aid for the county, shall apply the total state aid toward the county's employer contribution to the public employees police and fire fund pursuant to section 353.65, subdivision 3, and any state aid in excess of the amount required to meet the employer's contribution pursuant to section 353.65, subdivision 3, shall also be contributed to the public employees police and fire fund and credited in the manner to be specified by the board of trustees of the public employees retirement association.

Sec. 10. Minnesota Statutes 1980, Section 352.113, Subdivision 3, is amended to read:

Subd. 3. [COMPUTATION OF BENEFITS.] The total and permanent disability benefit shall be computed in the manner provided in section 352.115. The disability benefit shall be the normal annuity without reduction for each month the employee is under age 65 at the time of becoming disabled. (THE OPTIONAL ANNUITIES PROVIDED FOR IN SECTION 352.116 DO NOT APPLY TO THIS SECTION. EMPLOYEES COVERED BY THE SYSTEM WHOSE TOTAL AND PERMANENT DISABILITY SHALL HAVE BEEN ESTABLISHED PRIOR TO JULY 1, 1961, AND APPROVED BY THE TRUSTEES, SHALL CONTINUE TO RECEIVE THE DISABILITY BENEFITS PROVIDED BY THE LAW THEN IN EFFECT SO LONG AS THE TOTAL AND PERMANENT DISABILITY CONTINUES.) *A disabled employee may elect to receive the normal disability benefit or an optional annuity as provided in section 352.116, subdivision 3. The election of an optional annuity shall be made prior to the commencement of payment of the disability benefit and shall be effective 30 days after receipt of the election or the date on which the disability begins to accrue as provided in subdivision 2, whichever occurs later. Upon becoming effective, the optional annuity shall begin to accrue on the same date as provided for the disability benefit.*

Sec. 11. Minnesota Statutes 1980, Section 352.113, Subdivision 12, is amended to read:

Subd. 12. [RETIREMENT STATUS AT AGE 65.] The disability benefit paid to (AN) *a disabled employee hereunder shall terminate when (HE) the employee reaches age 65. If (HE) the disabled employee is still totally and permanently disabled (. AT THAT TIME HE) when the employee reaches age 65, the employee shall be deemed to be a retired employee and, if the employee had elected an optional annuity pursuant to subdivision 3, shall receive an annuity in accordance with the terms of the optional annuity previously elected, or, if the employee had not elected an optional annuity pursuant to subdivision 3,*

may then elect to receive *either* a normal retirement annuity equal in amount to the disability benefit paid (TO HIM) before (HE) *the employee* reached age 65 or an optional annuity as provided in section 352.116, subdivision 3. Election of an optional annuity (MUST) shall be made (WITHIN 60 DAYS) prior to reaching age 65 (AND,). If an optional annuity is elected, the election shall be effective on the date on which the employee attains the age of 65 years and the optional (AMOUNT) annuity shall begin to accrue the first of the month following the month in which the employee attains age 65.

Sec. 12. Minnesota Statutes 1980, Section 352.95, is amended by adding a subdivision to read:

Subd. 1a. [OPTIONAL ANNUITY ELECTION.] A disabled correctional employee may elect the normal disability benefit or an optional annuity as provided in section 352.116, subdivision 3. The election of an optional annuity shall be made prior to commencement of payment of the disability benefit and shall be effective 30 days after receipt of the election or the date on which the disability benefit begins to accrue as provided in subdivision 3, whichever occurs later. Upon becoming effective, the optional annuity shall begin to accrue on the same date as provided for the disability benefit.

Sec. 13. Minnesota Statutes 1980, Section 352.95, Subdivision 5, is amended to read:

Subd. 5. [RETIREMENT STATUS AT AGE 65.] The disability benefit paid to (AN) a disabled correctional employee hereunder shall terminate when the employee reaches age 62. (AT THAT TIME HE OR SHE) If the disabled correctional employee is still disabled when the employee reaches age 62, the employee shall be deemed to be a retired employee and, if the employee had elected an optional annuity pursuant to subdivision 1a, shall receive an annuity in accordance with the terms of the optional annuity previously elected, or, if the employee had not elected an optional annuity pursuant to subdivision 1a, may then either elect to receive a normal retirement annuity computed in the manner provided in section 352.115 or elect to receive an optional annuity as provided in section 352.116, subdivision 3, based on the same length of service as used in the calculation of the disability benefit. Election of an optional annuity shall be made prior to attaining the age of 62 years. The reduction for retirement prior to age 65 as provided in section 352.116, subdivision 1, shall not be applicable. The savings clause provision of section 352.93, subdivision 3, shall be applicable. If an optional annuity is elected, the optional annuity shall begin to accrue on the first of the month following the month in which the employee attains the age of 62 years.

Sec. 14. Minnesota Statutes 1980, Section 352B.10, is amended to read:

352B.10 [DISABILITY BENEFITS.]

(1) Any member less than 55 years of age, who shall become disabled and physically unfit to perform his duties as a direct result of an injury, sickness, or other disability incurred in or arising out of any act of duty, which shall render the member physically or mentally unable to perform his or her duties, shall receive disability benefits during the period of such disability. The benefits shall be paid in monthly installments equal to that portion of the average monthly salary of the member multiplied (a) by 50 percent and, (b) by an additional two percent for each year and pro rata for completed months of service in excess of 20 years.

(2) If a member is injured under circumstances which entitle him to receive benefits under the workers' compensation law, he shall receive the same benefits as provided in clause (1), less the amount paid to him in weekly benefits under the workers' compensation law.

(3) Any member who after not less than five years of service, before reaching the age of 55, terminates employment because of sickness or injury occurring while not on duty and not engaged in state work entitling the member to membership and the termination is necessary because the member is unable to perform his or her duties shall be entitled to receive a disability benefit. The benefit shall be in the same amount and computed in the same manner as if the member were 55 years of age at the date of disability and the annuity were paid pursuant to section 352B.08. Should disability under this clause occur after five but in less than ten years service, the disability benefit shall be computed as though the member had ten years service.

(4) No member shall receive any disability benefit payment when the member has unused annual leave or sick leave or under any other circumstances, when during the period of disability there has been no impairment of salary. Should such member or former member resume a gainful occupation and his or her earnings are less than the salary received at the date of disability or the salary currently paid for similar positions, the disability benefit shall be continued in an amount which when added to earnings does not exceed the salary received at the date of disability or the salary currently paid for similar positions, whichever is higher, provided the disability benefit in such case does not exceed the disability benefit originally allowed.

(5) No disability benefit payment shall be made except upon adequate proof furnished to the director of the existence of such disability, and during the time when any such benefits are being paid, the director shall have the right, at reasonable times, to require the disabled former member to submit proof of the continuance of the disability claimed.

(6) *A disabled member not eligible for survivorship coverage pursuant to section 352B.11, subdivision 2, may elect the normal disability benefit or an optional annuity as provided in section 352B.08, subdivision 2. The election of an optional annuity shall be made prior to commencement of payment of the disability benefit and shall be effective 30 days after receipt of this election or the date on which the disability benefit begins to accrue, whichever occurs later. Upon becoming effective, the optional annuity shall begin to accrue on the same date as provided for the disability benefit.*

Sec. 15. Minnesota Statutes 1980, Section 352B.105, is amended to read:

352B.105 [TERMINATION OF DISABILITY BENEFITS.]

All disability benefits payable under section 352B.10 shall terminate when the beneficiary becomes 55 years of age. (THEREAFTER, RETIREMENT BENEFITS SHALL BE PAID TO THE BENEFICIARY IN THE SAME AMOUNT AS THE DISABILITY BENEFITS WHICH HE WAS PREVIOUSLY RECEIVING, EXCEPT THAT HE MAY ELECT WHEN HE ATTAINS 55 YEARS OF AGE TO RECEIVE RETIREMENT BENEFITS IN ACCORDANCE WITH ANY OPTION THEN AVAILABLE TO OTHER MEMBERS RETIRING AT THE TIME.) *If the beneficiary is still disabled when the beneficiary attains the age of 55 years, the beneficiary shall be deemed to be a retired member and, if the beneficiary had elected an optional annuity pursuant to section 352B.10, clause (6), shall receive an annuity in accordance with the terms of the optional annuity previously elected, or, if the beneficiary had not elected an optional annuity pursuant to section 352B.10, clause (6), may then elect to receive either a normal retirement annuity computed pursuant to section 352B.08, subdivision 1, or an optional annuity as provided in section 352B.08, subdivision 2. Election of an optional annuity shall be made prior to attaining the age of 55 years. If an optional annuity is elected, the optional annuity shall begin to accrue the first of the month following the month in which the beneficiary attains the age of 55 years.*

Sec. 16. Minnesota Statutes 1980, Section 353.01, Subdivision 2a, is amended to read:

Subd. 2a. [INCLUDED EMPLOYEES.] The following persons are included in the meaning of "public employee":

(a) Elected or appointed officers and employees of elected officers.

(b) District court reporters.

(c) Officers and employees of the public employees retirement association.

(d) Employees of the League of Minnesota Cities.

(e) Officers and employees of public hospitals, owned or operated by or an integral part of, any governmental subdivision or governmental subdivisions.

(f) Employees of a school district who receive separate salaries for driving their own buses.

(g) Employees of the Association of Minnesota Counties.

(h) Employees of the Metropolitan Inter-County Council.

(i) Employees of the Minnesota Municipal Utilities Association.

(j) Elected or appointed officers and employees of the city of Minneapolis, or any of the boards, departments or commissions operated as a department of the city of Minneapolis or independently if financed in whole or in part by funds of the city of Minneapolis, if the officer's assumption of the position or the employee's employment initially commences on or after July 1, 1979.

(k) Employees of the metropolitan airports commission if employment initially commences on or after July 1, 1979.

(l) Employees of the Minneapolis municipal employees retirement fund, if employment initially commences on or after July 1, 1979.

(m) Employees of special school district number 1 who are not members of the Minneapolis teachers retirement fund association if employment initially commences on or after July 1, 1979.

(n) *Employees of the Range Association of Municipalities and Schools.*

(o) *Employees of the soil and water conservation districts.*

Sec. 17. Minnesota Statutes 1980, Section 353.01, Subdivision 2b, is amended to read:

Subd. 2b. [EXCLUDED EMPLOYEES.] The following persons are excluded from the meaning of "public employee":

(a) Persons employed for professional services where such service is incidental to regular professional duties.

(b) Election officers.

(c) Independent contractors and their employees.

(d) Patient and inmate help in governmental subdivision charitable, penal and correctional institutions.

(e) Members of boards, commissions, bands and others who serve the governmental subdivision intermittently.

(f) Employees who hold positions of an essentially temporary or seasonal character, provided such employment does not continue for a period in excess of 120 working days in any calendar year. Immediately following the expiration of such 120 working days if such employees continue in public service and earn in excess of (\$250) \$325 in any one calendar month, the department heads must then report all such employees for membership and must cause employee contributions to be made on behalf of such employees in accordance with section 353.27, subdivision 4, and they shall remain members until termination of public service.

(g) Part-time employees other than firefighters who receive monthly compensation not exceeding (\$250) \$325, and part-time employees other than firefighters and elected officials whose annual compensation is stipulated in advance to be not more than (\$3,000) \$3,900 per year, except that members shall continue their membership until termination of public service.

(h) Persons who first occupy an elected office after March 1, 1978, the compensation for which does not exceed (\$250) \$325 per month.

(i) Emergency employees who are employed by reason of work caused by fire, flood, storm or similar disaster.

(j) Employees who by virtue of their employment are required to contribute to any other pension, relief or retirement fund established for the benefit of officers and employees of a governmental subdivision, except as an act of the legislature has specifically enabled participation by employees of a designated governmental subdivision in a plan supplemental to the public employees retirement association; provided that this clause shall not prevent a person from contributing to the public employees retirement association and also belonging to or contributing to another public pension fund for other service occurring during the same period of time.

(k) Police matrons employed in a police department of any city who are transferred to the jurisdiction of a joint city and county detention and corrections authority.

(l) Chaplains and nuns who have taken a vow of poverty as members of a religious order.

(m) Full-time students who are enrolled and are regularly attending classes at an accredited school, college or university; provided, no person employed full-time by a governmental subdivision shall be exempt under this paragraph.

(n) Resident physicians, medical interns and pharmacist interns who are serving in public hospitals.

(o) Appointed or elected officers, paid entirely on a fee basis, and who were not members on June 30, 1971.

(p) Nothing in Laws 1973, Chapter 753 shall be interpreted to impair or revoke any option exercised under Laws 1963, Chapter 793.

(q) Persons employed in subsidized on-the-job training, work experience or public service employment as enrollees under the federal comprehensive employment and training act from and after March 30, 1978, unless the person has as of the later of March 30, 1978 or the date of employment sufficient service credit in the retirement fund to meet the minimum vesting requirements for a deferred retirement annuity, or the employer agrees in writing on forms prescribed by the executive director to make the required employer contributions, including any employer additional contributions, on account of that person from revenue sources other than funds provided under the federal comprehensive training and employment act, or the person agrees in writing on forms prescribed by the executive director to make the required employer contributions in addition to the required employee contribution.

(r) Town, city or county assessors elected or appointed pursuant to chapter 273 who do not receive compensation in excess of (\$250) \$325 per month from any one employing governmental subdivision or who are employed pursuant to an employment contract which sets forth the total compensation to be paid and the length of service, not to exceed three months in duration, required for the performance of the contract and which was entered into in advance of the commencement of employment.

(s) Volunteer firefighters as defined in subdivision 34.

(t) A person holding a part time adult supplementary vocational-technical school license who renders part time teaching

service in a vocational-technical school if (1) the service is incidental to the person's regular nonteaching occupation; and (2) the applicable vocational-technical school stipulates annually in advance that the part time teaching service will not exceed 300 hours in a fiscal year; and (3) the part time teaching service actually does not exceed 300 hours in a fiscal year.

(u) A person exempt from licensure pursuant to section 125.031.

Sec. 18. Minnesota Statutes 1980, Section 353.01, Subdivision 6, is amended to read:

Subd. 6. [GOVERNMENTAL SUBDIVISION.] "Governmental subdivision" means a county, city, town, school district within this state, or a department or unit of state government, or any public body whose revenues are derived from taxation, fees, assessments or from other sources, but does not mean any municipal housing and redevelopment authority organized under the provisions of sections 462.415 to 462.711; or any port authority organized pursuant to chapter 458; (OR ANY SOIL CONSERVATION DISTRICT ORGANIZED PURSUANT TO CHAPTER 40;) or any hospital district organized or reorganized prior to July 1, 1975 pursuant to legislation enacted by the 1959 legislature.

Sec. 19. [353.024] [RETIREMENT; PUBLIC EMPLOYEES RETIREMENT ASSOCIATION; EMPLOYEES OF SUBURBAN PUBLIC HEALTH NURSING SERVICE, INCORPORATED.]

From and after June 1, 1981, employees of the Suburban Public Health Nursing Service, Incorporated, shall become members of the public employees retirement association unless specifically exempt under section 353.01, subdivision 2b, and the Suburban Public Health Nursing Service, Incorporated, shall be deemed to be a governmental subdivision for the purpose of this chapter.

Retirement coverage by the public employees retirement association shall be provided by the appropriate retirement program as follows:

(a) *an employee who was a basic member of the public employees retirement association prior to December 2, 1977, and who chose to be excluded from federal old age, survivors, disability and health insurance coverage during an authorized referendum for the period from December 2, 1977, to June 1, 1981, shall be deemed to be a basic member and shall be entitled to coverage by the basic retirement program; and*

(b) *an employee who was either a basic member or a coordinated member prior to December 2, 1977, and who chose to be included in federal old age, survivors, disability and health insurance coverage during an authorized referendum for the period December 2, 1977, to June 1, 1981, or an employee who was a coordinated member prior to December 2, 1977, and who chose to be excluded from federal old age, survivors, disability and health insurance coverage during an authorized referendum for the period from December 2, 1977, to June 1, 1981, shall be deemed to be a coordinated member and shall be entitled to coverage by the coordinated retirement coverage.*

Sec. 20. [353.025] [RETIREMENT; PUBLIC EMPLOYEES RETIREMENT ASSOCIATION; RANGE ASSOCIATION OF MUNICIPALITIES AND SCHOOLS.]

From and after January 1, 1982, employees of the Range Association of Municipalities and Schools hereinafter referred to as the association, shall become coordinated members of the public employees retirement association unless specifically exempt under section 353.01, subdivision 2b, and the association shall be deemed to be a governmental subdivision for the purposes of this chapter.

Sec. 21. Minnesota Statutes 1980, Section 353.33, is amended by adding a subdivision to read:

Subd. 3a. [OPTIONAL ANNUITY ELECTION.] A disabled member may elect to receive the normal disability benefit or an optional annuity as provided in section 353.30, subdivision 3. The election of an optional annuity shall be made prior to the commencement of payment of the disability benefit and shall be effective 30 days after receipt of the election or the date on which the disability benefit begins to accrue as provided in subdivision 2, whichever occurs later. Upon becoming effective, the optional annuity shall begin to accrue on the same date as provided for the disability benefit.

Sec. 22. Minnesota Statutes 1980, Section 353.33, Subdivision 11, is amended to read:

Subd. 11. [RETIREMENT STATUS AT AGE 65.] No person shall be entitled to receive disability benefits and a retirement annuity at the same time. The disability benefits paid to a person hereunder shall terminate when (HE) the person reaches age 65 (.). If (HE) the person is still totally and permanently disabled (. AT THAT TIME HE) when the person attains the age of 65 years, the person shall be deemed to be on retirement status and, if the person had elected an optional annuity pursuant to subdivision 3a, shall receive an annuity in accordance with the terms of the optional annuity previously elected, or, if the person had not elected an optional annuity pursuant to subdi-

vision 3a, may at (HIS) the option (BE PAID) of the person either elect to receive either a normal retirement annuity as provided in section 353.29 or normal retirement annuity equal to the disability benefit paid (TO HIM) before (HE) the person reached age 65, whichever amount is greater, or elect to receive an optional annuity as provided in section 353.30, subdivision 3. Any disabled person who becomes age 65 (AFTER JUNE 30, 1973,) shall have (HIS) the annuity computed in accordance with the law in effect upon attainment of age 65. (A PERSON WHO ELECTS AN ANNUITY UNDER SECTION 353.29 MAY, PRIOR TO AGE 65, SELECT AN OPTIONAL ANNUITY PURSUANT TO SECTION 353.30, SUBDIVISION 3.) Election of an optional annuity shall be made prior to the person attaining the age of 65 years. If an optional annuity is elected, the election shall be effective on the date on which the person attains the age of 65 years and the optional annuity shall begin to accrue on the first day of the month next following the month in which the person attains the age of 65 years.

Sec. 23. Minnesota Statutes 1980, Section 353.656, is amended by adding a subdivision to read:

Subd. 1a. [OPTIONAL ANNUITY ELECTION.] A disabled member of the police and fire fund may elect to receive the normal disability benefit or an optional annuity as provided in section 353.30, subdivision 3. The election of an optional annuity shall be made prior to commencement of payment of the disability benefit and shall be effective 30 days after receipt of the election or the date on which the disability benefit begins to accrue, whichever occurs later. Upon becoming effective, the optional annuity shall begin to accrue on the same date as provided for the disability benefit.

Sec. 24. Minnesota Statutes 1980, Section 353.656, Subdivision 6, is amended to read:

Subd. 6. [RETIREMENT STATUS AT AGE 55.] All disability benefits payable under this section shall terminate when the disabled firefighter or police officer becomes 55 years of age. (THEREAFTER, RETIREMENT BENEFITS SHALL BE PAID TO THE DISABLED FIREFIGHTER OR POLICE OFFICER IN THE SAME AMOUNT AS THE DISABILITY BENEFITS WHICH HE WAS PREVIOUSLY RECEIVING.) If the person is still disabled when the person attains the age of 55 years, the person shall be deemed to be a retired member and, if the person had elected an optional annuity pursuant to subdivision 1a, shall receive an annuity in accordance with the terms of the optional annuity previously elected, or, if the person had not elected an optional annuity pursuant to subdivision 1a, may then elect to receive either a normal retirement annuity computed pursuant to section 353.651, or an optional annuity as provided in section 353.30, subdivision 3. Any disabled person who becomes age 55 (AFTER JUNE 30, 1973,) shall have (HIS)

the annuity computed in accordance with the law in effect upon attainment of age 55. (PRIOR TO REACHING AGE 55, A DISABLED PERSON MAY SELECT AN OPTIONAL ANNUITY PURSUANT TO SECTION 353.30, SUBDIVISION 3.)

Election of an optional annuity shall be made prior to the person attaining the age of 55 years. If an optional annuity is elected, the election shall be effective on the date on which the person attains the age of 55 years and the optional annuity shall begin to accrue on the first day of the month next following the month in which the person attains the age of 55 years.

Sec. 25. Minnesota Statutes 1980, Section 354.48, is amended by adding a subdivision to read:

Subd. 3a. [OPTIONAL ANNUITY ELECTION.] A disabled member may elect to receive the normal disability benefit or an optional annuity as provided in section 354.45, subdivision 1. The election of an optional annuity shall be made prior to commencement of payment of the disability benefit and shall be effective 30 days after receipt of the election or the date on which the disability benefit begins to accrue, whichever occurs later. Upon becoming effective, the optional annuity shall begin to accrue on the same date as provided for the disability benefit.

Sec. 26. Minnesota Statutes 1980, Section 354.48, Subdivision 10, is amended to read:

Subd. 10. [RETIREMENT STATUS AT AGE 65.] No person shall be entitled to receive both disability benefits and a retirement annuity provided by this chapter. The disability benefit paid to a person hereunder shall terminate when (HE) the person reaches age 65. If (HE) the person is still totally and permanently disabled (. AT THAT TIME HE) when the person attains the age of 65 years, the person shall be deemed to be on retirement status and (HE), if the person had elected an optional annuity pursuant to subdivision 3a, shall receive an annuity in accordance with the terms of the optional annuity previously elected, or, if the person had not elected an optional annuity pursuant to subdivision 3a, may at (HIS) the option (BE PAID) of the person elect to receive either a straight life retirement annuity (AS PROVIDED IN) computed pursuant to section 354.44 or a straight life retirement annuity equal to the disability benefit paid (TO HIM) before (HE) the person reached age 65, whichever amount is greater, or elect to receive an optional annuity as provided in section 354.45, subdivision 1. (HE MAY INSTEAD OF TAKING THE STRAIGHT LIFE ANNUITY PROVIDED HEREIN, HOWEVER, SELECT AN OPTIONAL RETIREMENT ANNUITY AS PROVIDED IN SECTION 354.45. ANY DISABILITY BENEFIT RECIPIENT WHO IS AGE 65 AFTER JUNE 30, 1973 SHALL HAVE HIS RETIREMENT ANNUITY COMPUTED IN ACCORDANCE WITH MINNESOTA STATUTES 1974, SECTION 354.44, SUBDIVISION 6 OR 7, IF SUCH ANNUITY IS LARGER

THAN THE ANNUITY OTHERWISE PAYABLE. ANY INCREASE IN RETIREMENT ANNUITIES SHALL BEGIN TO ACCRUE JULY 1, 1975) *Election of an optional annuity shall be made prior to the person attaining the age of 65 years. If an optional annuity is elected, the election shall be effective on the date on which the person attains the age of 65 years and the optional annuity shall begin to accrue on the first day of the month next following the month in which the person attains the age of 65 years.*

Sec. 27. Minnesota Statutes 1980, Section 354A.36, is amended by adding a subdivision to read:

Subd. 3a. [OPTIONAL ANNUITY ELECTION.] A disabled coordinated member may elect to receive the normal disability benefit or an optional annuity as provided in section 354A.32. The election of an optional annuity shall be made prior to commencement of payment of the disability benefit and shall be effective 30 days after receipt of the election or the date on which the disability benefit begins to accrue, whichever occurs later. Upon becoming effective, the optional annuity shall begin to accrue on the same date as provided for the disability benefit.

Sec. 28. Minnesota Statutes 1980, Section 354A.36, Subdivision 10, is amended to read:

Subd. 10. [RETIREMENT STATUS UPON ATTAINING AGE 65.] No person shall be entitled to receive both a disability benefit under this section and a retirement annuity under section 354A.31. If a disability benefit recipient remains totally and permanently disabled upon attaining age 65, the disability benefit shall terminate and the former disability benefit recipient shall be deemed to be on retirement status. If the former disability benefit recipient had elected an optional annuity pursuant to subdivision 3a, the recipient shall receive an annuity in accordance with the terms of the optional annuity previously elected, or if the recipient had not elected an optional annuity pursuant to subdivision 3a, the recipient shall be entitled either to receive a retirement annuity in an amount equal to the greater of either a single life retirement annuity calculated pursuant to section 354A.31 or the disability benefit paid to the recipient immediately prior to the recipient's attaining age 65 (THE FORMER DISABILITY BENEFIT RECIPIENT SHALL BE ENTITLED TO) or elect either a single life retirement annuity as provided in this section or an actuarial equivalent optional form retirement annuity as provided in section 354A.32. Election of an optional annuity shall be made prior to the person attaining the age of 65 years. If an optional annuity is elected, the election shall be effective on the date on which the person attains the age of 65 years and the optional annuity shall begin to accrue on the first day of the month next following the month in which the person attains the age of 65 years.

Sec. 29. [356.371] [APPLICATION FOR RETIREMENT ANNUITY; PROCEDURE FOR ELECTING ANNUITY FORM.]

Subdivision 1. [DEFINITIONS.] As used in this section, the following terms shall have the meanings given.

(1) "Annuity form" means the payment procedure and duration of a retirement annuity available to a member of a public pension fund, based on the period over which a retirement annuity is payable, determined by the number of persons to whom the retirement annuity is payable, and the amount of the retirement annuity which is payable to each person.

(2) "Joint and survivor optional annuity" means an optional annuity form which provides a retirement annuity to a retired member and the spouse of the member on a joint basis during the lifetime of the retired member and all or a portion of the original retirement annuity amount to the surviving spouse in the event of the death of the retired member.

(3) "Optional annuity form" means an annuity form which is elected by a member and is not provided automatically as the standard annuity form of the public pension fund.

(4) "Public pension fund" means a public pension plan as defined pursuant to Minnesota Statutes, Section 356.60, Subdivision 1, Clause (a).

(5) "Retirement annuity" means a retirement annuity, retirement allowance or service pension.

Subd. 2. [PROVISION OF INFORMATION ON ANNUITY FORMS.] *Every public pension fund which provides for an annuity form other than a single life retirement annuity as an option which can be elected by the active or retiring member shall provide as a part of, or accompanying the annuity application form, a written statement summarizing the optional annuity forms which are available, a general indication of the consequences of selecting one annuity form over another, a calculation of the actuarial reduction in the amount of the retirement annuity which would be required for each optional annuity form and the procedure to be followed to obtain more information from the public pension fund concerning optional annuity forms.*

Subd. 3. [REQUIREMENT OF NOTICE TO MEMBER'S SPOUSE.] *If a public pension fund provides optional annuity forms which include a joint and survivor optional annuity form potentially applicable to the surviving spouse of a member, the public pension fund shall send a copy of the written statement required by subdivision 2 to the spouse of the member prior to the member's election of an optional annuity.*

Following the election of an annuity form by the member, a copy of the completed annuity application shall be sent by certified mail to the spouse of the retiring member.

Sec. 30. [422A.221] [AUTHORIZATION FOR REPAYMENT OF REFUND IN CERTAIN INSTANCES.]

Subdivision 1. [ENTITLEMENT.] Any person who was a member of the Minneapolis municipal employees retirement fund by virtue of the person's employment and was required to receive a refund of accumulated member contributions and interest pursuant to Minnesota Statutes 1957, Section 422.09 shall be entitled to repay to the Minneapolis municipal employees retirement fund any amounts refunded and, when otherwise qualified, to receive a retirement annuity from the fund calculated under the applicable law in effect upon the termination of covered service.

Subd. 2. [CALCULATION OF REPAYMENT.] The refund repayment shall be an amount equal to the amount previously refunded plus interest from the date of the refund until the date of the repayment at the rate of six percent per annum, compounded annually. No service credit shall be credited prior to the receipt of the amount refunded plus interest thereon.

Sec. 31. Laws 1945, Chapter 74, Section 2, as amended by Laws 1949, Chapter 164, Section 1; Laws 1953, Chapter 235, Section 1; Laws 1959, Chapter 211, Section 1; Laws 1961, Chapter 290, Section 1; and Laws 1971, Chapter 810, Section 1, is amended to read:

Sec. 2. [CHISHOLM, CITY OF; POLICE RELIEF ASSOCIATION, PENSIONS.]

The members of the municipal police department of Chisholm are hereby authorized to become incorporated pursuant to the provisions of General Statutes 1923, Chapter 58, and the laws amendatory thereto, and adopt a constitution and bylaws as a relief association, and provide for and permit and allow such police relief association, so incorporated, and organized, to pay out of and from any funds it may have received from any source a service, disability or dependency pension in such amounts and in such manner as its articles of incorporation and bylaws shall designate, subject to the provisions of Laws 1945, Chapter 74, as amended.

When a member has reached the age of (55) 50 years or more and served as a member of such municipal police department for a period of 20 years or more, or has been disabled physically or mentally because of any injury received or suffered after at least one year of service as a member of the police department, so as to render necessary his retirement from active police service and cause a total and permanent disability, such retire-

ment member shall be paid each month a pension equal to one-half of his average monthly (BASE) total pay during the last six months of his service with said police department. No pension authorized by this act shall be paid to any person after he removes his residence from the United States, or to any person who shall have been convicted of a felony for which he shall have been adjudged to be imprisoned, or who is an habitual drunkard, or to any person receiving a pension or sick relief from any other public relief association.

When any member retires from said service who either is not entitled to, or does not care to accept a pension, he may withdraw all moneys deducted from his salary, minus any moneys that have been paid out of such fund for his benefit for hospitalization or doctors' services, or in insurance premiums therefore. In that event, neither he nor his dependents shall be entitled to further benefits under Laws 1945, Chapter 74, as amended. Alternatively, a member of the association who completes 20 years of service but has not attained (55) 50 years of age may retire without forfeiting his right to a retirement pension. Upon application he shall be placed upon the preferred pension roll of the association. After he has attained the age of (55) 50 years the association shall, upon application, commence payment of his pension from the date upon which it approves his application.

These monthly payments may be increased by adding thereto an amount not exceeding \$5 per month for each year of active duty over 20 years of service before retirement not to exceed five years for purposes of pension computation. No such pension shall be paid to any person while he remains a member of the police department and no person receiving such pension shall be entitled to any other relief from the association.

Sec. 32. Laws 1945, Chapter 74, Section 3, is amended to read:

Sec. 3. [(WIDOWS AND CHILDREN MAY RECEIVE PENSION) SURVIVORS' BENEFITS.]

Subdivision 1. [DEFINITIONS.] For the purposes of Laws 1945, Chapter 74, as amended, the terms defined in this section have the meanings given them.

(1) "Surviving spouse" means a person who became the member's legally married spouse during or prior to the time the member was on the payroll of any such police department as a police officer, and remained such continuously after their marriage until the member's death, without having been granted a marriage dissolution or legal separation, and who, in case the deceased member was a service or deferred pensioner, was legally married to the member before the member's retirement from

the police department; and who, in any case, was residing with the member at the time of the member's death. No temporary absence for purposes of business, health or pleasure shall constitute a change of residence for purposes of this clause.

(2) *"Surviving child" means any child born the issue of the lawful wedlock of a service, disability or deferred pensioner or of a deceased active member, who is under the age of 18 or who is a full-time student under the age of 22.*

Subd. 2. [ELIGIBILITY.] Pensions may be paid to any (WIDOW) *surviving spouse or surviving child (UNDER SIXTEEN YEARS OF AGE) of (SUCH) a pensioned and retired member of the police department, or (TO ANY WIDOW OR CHILD UNDER SIXTEEN YEARS OF AGE) of any member who dies while in the service of the police department of (ANY SUCH) this city.*

Sec. 33. Laws 1945, Chapter 74, Section 4, as amended by Laws 1953, Chapter 235, Section 2; and Laws 1971, Chapter 810, Section 3, is amended to read:

Sec. 4. [SURVIVORS' PENSIONS, (TO WHOM) AMOUNTS PAYABLE.]

(PENSION MAY BE PAID BY SUCH POLICE RELIEF ASSOCIATION TO ANY WIDOW OR CHILD UNDER 19 YEARS OF AGE OF ANY SUCH PENSIONED AND RETIRED MEMBER OF THE POLICE DEPARTMENT AND TO ANY WIDOW OR CHILD UNDER 19 YEARS OF AGE OF ANY MEMBER WHO DIES WHILE IN THE SERVICE OF THE POLICE DEPARTMENT OF SUCH CITY, AND SUCH WIDOW OR CHILD SHALL RECEIVE SUCH SUMS AS MAY BE PROVIDED FOR IN THE BYLAWS OF SUCH POLICE RELIEF ASSOCIATION. IN THE EVENT ANY SUCH WIDOW REMARRIES, SHE SHALL RECEIVE NO FURTHER BENEFITS UNDER THIS LAW.)

A surviving spouse shall receive a monthly benefit equal to 25 percent of the member's average monthly total pay during the last six months of allowable service preceding death. If a surviving spouse remarries, the pension shall cease and terminate as of the date of the remarriage.

Each surviving child shall receive a monthly benefit equal to \$125 per month.

If both the member and the member's spouse are deceased, a monthly benefit equal to 25 percent of the member's average monthly total pay during the last six months of allowable service preceding death shall be paid to the surviving child or children.

The benefit shall be divided equally if there is more than one surviving child.

This fund shall not be used for any other purpose than the payment of service, disability or dependency pensions, as herein provided, and for the relief of a sick, injured and disabled policeman. The word "member" as used in this act includes policewomen, police matrons and assistant police matrons.

Sec. 34. Laws 1955, Chapter 151, Section 7, as amended by Laws 1963, Chapter 271, Section 4, Laws 1965, Chapter 465, Section 1, and Laws 1969, Chapter 442, Section 2, is amended to read:

Sec. 7. [ST. PAUL POLICE RELIEF ASSOCIATION; AUTHORIZED INVESTMENTS.]

In addition to the rate allowed to be expended for cost of government by the charter of the city or state statute, the city shall levy a tax on all taxable property within the city of Saint Paul at a mill rate which is the greater of (a) or (b) but not greater than (c) where

(a) is the benefits to be paid from the plan in the ensuing calendar year (all other income will be added to the assets as a net increase in such assets) and

(b) is the "adjusted normal cost" for the ensuing calendar year less all other income other than investment income during the ensuing calendar year where the term "adjusted normal cost" is defined as the normal cost figure indicated in the most recent actuarial report required by law increased or decreased by the same ratio as participating (covered) payroll has increased or decreased since the date of the most recent actuarial report required by law, plus interest on the actual deficit as shown by the most recent actuarial valuation at the rate of three percent per annum, and

(c) is an amount not greater than four mills in the year 1969 and an additional one mill each year thereafter unless a greater amount is required by the police and firemen's relief associations guidelines act of 1969. The results of (a), (b) and (c) above will be adjusted so as to reflect any differences between estimates for prior calendar years and actual circumstances during such prior calendar years.

The tax so levied under the provisions of this section shall be levied in the same manner as the city levies other taxes, and the proceeds of this tax shall be paid into the St. Paul policemen's pension fund. The tax levy authorized by this section shall not be considered a part of the tax levy under any limitation in the

charter of the city or state statute, but shall be in addition to any existing charter or statutory tax levy limitation.

(SAID RELIEF ASSOCIATION MAY DEPOSIT ALL FUNDS AVAILABLE FOR INVESTMENT WITH ANY BANK OR SAVINGS AND LOAN ASSOCIATION IN SAINT PAUL IN THE FORM OF TIME DEPOSITS OR WITH THE STATE BOARD OF INVESTMENT FOR THE PURCHASE OF SHARES OF PARTICIPATION IN THE SUPPLEMENTAL RETIREMENT FUND OR ANY SIMILAR FUND CREATED BY THE LEGISLATURE FOR POLICE PENSION INVESTMENT PURPOSES. AT THE DETERMINATION OF THE BOARD OF TRUSTEES OF THE ASSOCIATION, UP TO 20 PERCENT OF THE FUNDS DEPOSITED WITH THE STATE BOARD OF INVESTMENT MAY BE INVESTED IN THE GROWTH SHARE ACCOUNT, WITH THE REMAINDER TO BE INVESTED IN THE INCOME SHARE ACCOUNT. SUCH SHARES SHALL BE CREDITED TO THE ACCOUNT OF AND OWNED BY THE SAINT PAUL POLICE RETIREMENT ASSOCIATION AND NOT TO THE ACCOUNT OF ANY INDIVIDUAL EMPLOYEE.) *The investment of the funds of the relief association shall be governed pursuant to Minnesota Statutes, Section 69.77, Subdivision 2, Clause (7).*

Sec. 35. Laws 1955, Chapter 375, Section 12, as amended by Laws 1957, Chapter 256, Section 1, Laws 1967, Chapter 708, Section 1 and Laws 1969, Chapter 443, Section 1, is amended to read:

Sec. 12. [ST. PAUL, CITY OF; (FIREMEN'S) FIRE-FIGHTERS' RELIEF ASSOCIATION; TAX LEVY.]

The city council or other governing body of such city wherein such a relief association is located shall, each year, at the time the tax levies for the support of the city are made, and in addition thereto levy a tax on all taxable property within the city of Saint Paul in an amount which is the greater of (a) or (b) but not greater than (c) where

(a) is the benefits to be paid from the plan in the ensuing calendar year (all other income will be added to the assets as a net increase in such assets), and

(b) is the "Adjusted Normal Cost" for the ensuing calendar year less all other income other than investment income during the ensuing calendar year where the term "Adjusted Normal Cost" is defined as the Normal Cost figure indicated in the most recent actuarial report required by law increased or decreased by the same ratio as participating (covered) payroll has increased or decreased since the date of the most recent actuarial report required by law, plus interest on the actual deficit as

shown by the most recent actuarial valuation at the rate of three percent per annum, and

(c) is an amount not greater than four and one half mills in the year 1969 and an additional one mill each year thereafter unless a greater amount is required by the Police and Firemen's Relief Associations Guidelines Act of 1969. The results of (a), (b) and (c) above will be adjusted so as to reflect any differences between estimates for prior calendar years and actual circumstances during such prior calendar years.

The tax so levied under the provisions of this section shall be levied in the same manner as the city levies other taxes, and the proceeds of this tax shall be paid into the St. Paul Fire Department Relief Association's pension fund. The tax levy authorized by this section shall not be considered a part of the tax levy under any limitation in the charter of the city or state statute, but shall be in addition to any existing charter or statutory tax levy limitation.

The tax so levied shall be transmitted with other tax levies to the auditor of the county in which such city is situated, and by said county shall be collected and payment thereof enforced when and in like manner as state and county taxes are paid.

(SAID RELIEF ASSOCIATION MAY DEPOSIT ALL FUNDS AVAILABLE FOR INVESTMENT WITH ANY BANK OR SAVINGS AND LOAN ASSOCIATION IN SAINT PAUL IN THE FORM OF TIME DEPOSITS OR WITH THE STATE BOARD OF INVESTMENT FOR THE PURCHASE OF SHARES OF PARTICIPATION IN THE SUPPLEMENTAL RETIREMENT FUND OR ANY SIMILAR FUND CREATED BY THE LEGISLATURE FOR FIRE AND POLICE PENSION INVESTMENT PURPOSES. AT THE DETERMINATION OF THE BOARD OF TRUSTEES OF THE ASSOCIATION, UP TO 20 PERCENT OF THE FUNDS DEPOSITED WITH THE STATE BOARD OF INVESTMENT MAY BE INVESTED IN THE GROWTH SHARE ACCOUNT, WITH THE REMAINDER TO BE INVESTED IN THE INCOME SHARE ACCOUNT. SUCH SHARES SHALL BE CREDITED TO THE ACCOUNT OF AND OWNED BY THE SAINT PAUL FIRE DEPARTMENT RELIEF ASSOCIATION AND NOT TO THE ACCOUNT OF ANY INDIVIDUAL EMPLOYEE.) *The investment of the funds of the relief association shall be governed pursuant to Minnesota Statutes, Section 69.77, Subdivision 2, Clause (7).*

Sec. 36. Laws 1961, Chapter 631, Section 1, as amended by Laws 1971, Chapter 809, Section 1, is amended to read:

Sec. 1. [CHISHOLM, CITY OF; FIREMEN'S RELIEF ASSOCIATION.]

In the city of Chisholm, which has a fire department relief association organized under the laws of this state and authorized to pay pensions under Mason's Minnesota Statutes of 1927, Sections 1919, 1920, and 3723 to 3728, or any amendments thereof, such association may pay retirement pensions in excess of the amounts so authorized, but not in excess of the following total amounts:

When a member has reached the age of (55) 50 years or more and has served as a member of such municipal fire department for a period of 20 years or more, or has been disabled physically or mentally because of any injury received or suffered after at least one year of service as a member of the fire department so as to render necessary his retirement from active fire service and cause a total and permanent disability, (SUCH RETIREMENT) the member shall be paid each month a pension equal to one half of his average monthly (BASE) total pay during the last six months of his service with said fire department. The monthly payment may be increased by adding thereto an amount not exceeding \$5 per month for each year of active duty over 20 years of service before retiring not to exceed five years for purposes of pension computation. No such pension shall be paid to any person while he remains a member of the fire department. The amounts of the retirement pensions hereby authorized shall not apply to members who have retired prior to the enactment hereof, except as may be hereinafter provided.

Sec. 37. [CHISHOLM FIREFIGHTERS' RELIEF ASSOCIATION; SURVIVORS' BENEFITS.]

Subdivision 1. [DEFINITIONS.] For the purposes of Laws 1961, Chapter 631, as amended, the terms defined in this section have the meanings given them.

(1) "Surviving spouse" means a person who became the member's legally married spouse during or prior to the time the member was on the payroll of any such fire department as a firefighter, and remained such continuously after their marriage until the member's death, without having been granted a marriage dissolution or legal separation, and who, in case the deceased member was a service or deferred pensioner, was legally married to the member prior to the member's retirement from the fire department; and who, in any case, was residing with the member at the time of the member's death. No temporary absence for purposes of business, health or pleasure shall constitute a change of residence for purposes of this clause.

(2) "Surviving child" means any child born the issue of the lawful wedlock of a service, disability or deferred pensioner, or of a deceased active member, who is under the age of 18 or who is a full-time student under the age of 22.

Subd. 2. [ELIGIBILITY.] Notwithstanding any law to the contrary, pensions may be paid to any surviving spouse or surviving child of a pensioned and retired member of the fire department or of any member who dies while in the service of the fire department of this city.

Subd. 3. [AMOUNTS PAYABLE.] A surviving spouse shall receive a monthly benefit equal to 25 percent of the member's average monthly total pay during the last six months of allowable service preceding death. If a surviving spouse remarries, the pension shall cease and terminate as of the date of the remarriage.

Each surviving child shall receive a monthly benefit equal to \$125 per month.

If both the member and the member's spouse are deceased, a monthly benefit equal to 25 percent of the member's average monthly total pay during the last six months of allowable service preceding death shall be paid to the surviving child or children. The benefit shall be divided equally if there is more than one surviving child.

Sec. 38. Laws 1974, Chapter 435, Section 3.03, is amended to read:

Sec. 3.03 [RETIREMENT.] (NOTWITHSTANDING THE PROVISIONS OF THE VETERANS PREFERENCE ACT OR OTHER STATUTES OF THE STATE OF MINNESOTA TO THE CONTRARY,) Each employee of the county of Ramsey, except (EACH) an elected official, who is (65) 70 years of age, (MUST) shall retire from (HIS) employment by Ramsey county on the first day of the month after the month in which (HE) the employee becomes (65) 70.

Sec. 39. Laws 1977, Chapter 61, Section 6, is amended to read:

Sec. 6. [FINANCIAL REQUIREMENTS OF THE TRUST FUND.]

Commencing January 1, 1978, the city of Eveleth shall provide by annual levy an amount sufficient to pay the greater of either (a) an amount which when added to the investment income of the trust fund is sufficient to pay the benefits provided under the trust fund for the succeeding year as certified by the board of trustees of the fund; or (b) an amount equal to the level annual dollar amount sufficient to amortize the unfunded accrued liability of the trust fund by December 31, 1991, as determined in accordance with Minnesota Statutes, Sections 69.77, 356.215 and 356.216 in the latest actuarial valuation.

The annual levy under this section shall not be included in any limitation as to rate or amount set by charter and shall be a special levy for purposes of Minnesota Statutes, Section 275.50, Subdivision 5. All revenues generated by the levy required under this section shall be transferred to the trust fund.

Sec. 40. [EVELETH POLICE AND FIREFIGHTERS.]

Notwithstanding any general or special law to the contrary, retirement benefits payable to retired police officers and firefighters by the Eveleth police and fire trust fund may be increased by \$40 per month. Survivor benefits payable to a surviving spouse or surviving dependent child may be increased by \$20 per month. Increases may be made retroactive to January 1, 1981.

Sec. 41. Laws 1978, Chapter 689, Section 5, is amended to read:

Sec. 5. [FINANCIAL REQUIREMENTS OF THE TRUST FUND.]

Commencing January 1, 1979, the city of Thief River Falls shall provide by annual levy an amount sufficient to pay the greater of either:

(a) the aggregate amount of service pensions, disability benefits, and survivorship benefits projected by the board of trustees of the trust fund established pursuant to section 4 for the following calendar year less the amount of assets in the trust fund as reported in the last audited financial report of the association prepared pursuant to Minnesota Statutes, Section 69.051, or

(b) an amount equal to the level annual dollar amount sufficient to amortize the unfunded accrued liability of the trust fund by December 31, 1996, as determined in accordance with Minnesota Statutes, Sections 69.77, 356.215 and 356.216 in the latest actuarial valuation. All revenues generated by any levy required under this section shall be transferred to the trust fund.

Sec. 42. [THIEF RIVER FALLS POLICE; SURVIVOR BENEFITS.]

Subdivision 1. [BENEFITS.] *Notwithstanding Minnesota Statutes, Section 423.58, when a service pensioner, disability pensioner, deferred pensioner, or an active member of the Thief River Falls police relief association dies, leaving a surviving spouse, one or more surviving children, or both, the surviving spouse and child or children shall be entitled to a pension or pensions as follows:*

(1) *To the surviving spouse a pension in an amount not to exceed \$250 per month payable for life; provided, however, that if the surviving spouse shall remarry, the pension shall terminate as of the date of remarriage.*

(2) *To the child or children, until the child reaches the age of 18 years, a monthly benefit in an amount not to exceed \$125 per month. Payments for the benefit of any qualified dependent child under the age of 18 years shall be made to the surviving parent or if none, to the legal guardian of the child. The maximum monthly benefit for any one family shall not exceed \$750. If the member shall die under circumstances which entitle his surviving spouse and dependent children to receive benefits under the workers' compensation law, the amounts so received by them shall not be deducted from the benefits payable under this section.*

Subd. 2. [DEFINITIONS.] (a) "Surviving spouse" means a person who became the member's legally married spouse while or prior to the time he was on the payroll of the police department as a police officer, and remained such continuously after their marriage until his death, and who, in case the deceased member was a service or deferred pensioner, was legally married to the member before his retirement from the police department; and who, in any case, was residing with him at the time of his death. No temporary absence for purposes of business, health or pleasure, shall constitute a change of residence for the purposes of this section.

(b) "Surviving child" means any child born the issue of the lawful wedlock of a service, disability or deferred pensioner, or of a deceased active member.

Sec. 43. [BUHL POLICE SURVIVOR BENEFITS.]

Notwithstanding any provision of any general or special law to the contrary, the Buhl police relief association may provide in its bylaws or articles of incorporation for the payment of survivor benefits to the surviving spouse of a deceased member, or the surviving dependent children equally if there be no surviving spouse, in an amount equal to 50 percent of the pension the deceased member was receiving on the date of death. The service pension is to be based on one-half of the total pay of the previous 12 month period. Payment shall continue until the surviving spouse remarries or until the dependent children reach the age of 18 years, or 22 years if a full-time student. In the event of the death of a member prior to retirement, dependent children shall receive survivor benefits in the amount of \$125 per month per child, payable until age 18 or age 22 if a full-time student.

Sec. 44. [ELECTION OF RETIREMENT COVERAGE.]

Subdivision 1. [ELECTION.] Any person who was an employee of the Suburban Public Health Nursing Service, Incorporated, on or after December 2, 1977, who was excluded from membership in the public employees retirement association shall be entitled to receive allowable service credit in the public employees retirement association in the applicable retirement program for any service as an employee of the Suburban Public Health Nursing Service, Incorporated, during the period from December 2, 1977, to June 1, 1981, if:

(a) the employee had deposited an amount equal to the applicable employee contribution rate specified in Minnesota Statutes, Section 353.27, Subdivision 2, applied to the salary rates which the employee actually earned during the period in a retirement contribution escrow account established by the Suburban Public Health Nursing Service, Incorporated;

(b) the Suburban Public Health Nursing Service, Incorporated, had deposited an amount equal to the applicable employer and employer additional contribution rate specified in Minnesota Statutes, Section 353.27, Subdivisions 3 and 3a, applied to the salary rates which the employee actually earned during the period in the retirement contribution escrow account;

(c) the accumulated moneys of the retirement contribution escrow account, including any investment income earned, is transferred on or before the effective date of this act; and

(d) proof of service is established by documentation from the Suburban Public Health Nursing Service, Incorporated, to the executive director of the public employees retirement association in whatever form and to whatever extent required by the executive director.

Allowable service credit shall only be granted based on amounts deposited in the retirement contribution escrow account representing contributions for actual service rendered. Purchase of allowable service credit shall be limited to service attributable to the moneys representing contributions transferred from the escrow account to the public employees retirement association. In the event that the moneys representing contributions transferred to the retirement association are not equal to the amount of contributions which should have been made for the service certified, service credit shall be granted in the proportion that the actual moneys representing contributions bear to the contributions that should have been contributed for the amount of service certified.

For any person, the service credit granted pursuant to this section shall be allowable service for the purposes of Minnesota Statutes, Chapter 353.

Any person covered by this act who is currently receiving an annuity from the public employees retirement association for service other than service credit granted pursuant to this subdivision shall have their annuity recomputed to include the service credit granted pursuant to this section. The recomputed annuity shall be paid commencing the first day of the month following the effective date of the act.

Subd. 2. [REPAYMENT OF REFUND.] *Notwithstanding any minimum service period of Minnesota Statutes 1980, Section 353.35, upon resuming active membership in the public employees retirement association, any person employed by the Suburban Public Health Nursing Service, Incorporated, shall be entitled to repay any refund amounts received pursuant to Minnesota Statutes, Section 353.34, Subdivisions 1 and 2, plus interest at six percent per annum, compounded annually.*

Sec. 45. [TEMPORARY PROVISION.]

Any person whose disability benefit is authorized and in effect pursuant to Minnesota Statutes, Sections 352.113, 352.95, 352B.10, 353.33, 353.656, 354.48, or 354A.36 on the day of final enactment of this act may, on or before December 31, 1981, elect an actuarially equivalent optional annuity pursuant to the provisions of this act. The optional annuity shall be calculated based on the ages of all persons involved as of the date on which the optional annuity begins to accrue. The optional annuity shall begin to accrue on the first day of the month occurring two months after the month in which the optional annuity is elected.

Sec. 46. [REPEALER.]

Minnesota Statutes 1980, Section 353.022, is repealed.

Sec. 47. [EFFECTIVE DATE.]

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 21, 22, 23, 24, 25, 26, 27, 28, 30, and 45 are effective on the day following final enactment. Section 16 with respect to the addition of clause (n) shall be effective on January 1, 1982 and with respect to the addition of clause (o) shall be effective on July 1, 1981. Section 17 shall be effective on the day following final enactment, except that for any person subject to the provisions of this section who, on or prior to July 1, 1980, had established an individual retirement account pursuant to section 408 of the federal internal revenue code of 1954 as amended through December 31, 1980, this section is effective retroactively to the first day of the payroll period including January 1, 1980. Sections 18, 29, and 46 are effective on July 1, 1981. Sections 19 and 44 are effective on June 1, 1981. Section 20 is effective on January 1, 1982. Sections 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43 are effective upon compliance with Minnesota Statutes, Section 645.021."

Amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to retirement; various retirement funds; crediting service for vesting and benefit accrual purposes in the Minnesota demonstration job-sharing program; removing certain transitional provisions governing the fire state aid program; providing police state aid for municipalities which employ police officers with less than a full year of service; allowing disability benefit recipients to elect actuarially equivalent joint and survivor optional annuities; providing retirement coverage in the public employees retirement association for employees of the Range Association of Municipalities and Schools, the soil and water conservation districts and the Suburban Public Health Nursing Service, Incorporated; increasing the minimum salary requirement for inclusion in membership in the public employees retirement association; requiring various public pension plans to provide information on annuity forms to retiring members and notification to spouse of annuity form elected; authorizing certain former members of the Minneapolis municipal employees retirement fund to repay refund amounts under certain conditions; authorizing benefit increases for the Chisholm police relief association, the Chisholm firefighters relief association, the Eveleth police and firefighters retirement trust fund, the Thief River Falls police retirement trust fund, and the Buhl police relief association; specifying the investment authority of the St. Paul police relief association and the St. Paul firefighters relief association; amending Minnesota Statutes 1980, Sections 43.60, Subdivision 3; 69.011, Subdivisions 1 and 2; 69.021, Subdivisions 1, 2, 6 and 7; 69.031, Subdivision 5; 352.113, Subdivisions 3 and 12; 352.95, Subdivision 5 and by adding a subdivision; 352B.10; 352B.105; 353.01, Subdivisions 2a, 2b and 6; 353.33, Subdivision 11 and by adding a subdivision; 353.656, Subdivision 6 and by adding a subdivision; 354.48, Subdivision 10 and by adding a subdivision; 354A.36, Subdivision 10 and by adding a subdivision; Laws 1945, Chapter 74, Sections 2, as amended, 3 and 4, as amended; 1955, Chapters 151, Section 7, as amended; and 375, Section 12, as amended; 1961, Chapter 631, Section 1, as amended; 1974, Chapter 435, Section 3.03; 1977, Chapter 61, Section 6; and 1978, Chapter 689, Section 5; proposing new law coded in Minnesota Statutes, Chapters 43; 353; 356; and 422A; repealing Minnesota Statutes 1980, Section 353.022."

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

The report was adopted.

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

H. F. No. 517, A bill for an act relating to elections; authorizing the validation of absentee ballots by judges of absentee bal-

lot precincts; amending Minnesota Statutes 1980, Sections 207.11, Subdivisions 1 and 5; and 207.30, Subdivision 3.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1980, Section 207.09, Subdivision 2, is amended to read:

Subd. 2. [DELIVERY BY AUDITOR AND TOWN AND CITY CLERKS.] On the day before election day the county auditor shall deliver to the town and city clerks within his county the applications theretofore received and endorsed by him. The town and city clerks shall in turn deliver those endorsed applications together with the applications filed with their respective offices to the respective judges of the several precincts or to the absentee ballot precinct if it has been authorized to examine and receive or reject absentee ballots."

Renumber the sections

Page 2, after line 21, insert:

"If the election board of an absentee ballot precinct is authorized to receive, examine, and validate absentee ballots, the county auditor or city clerk shall remove from the duplicate registration files the cards of all persons who apply for absentee ballots at the election and deliver them to the election board of the absentee ballot precinct along with the applications for absentee ballots. When a duplicate registration card has been removed from the file for this purpose, it shall be replaced with a notification to the election judges that the voter's card has been removed. The notification form shall direct the election judges to contact the election board of the absentee ballot precinct if that voter presents himself at the polling place for the purpose of casting his vote in person. If contacted by the judges in the precinct, the election board of the absentee ballot precinct shall examine the voter's duplicate registration card to determine if he has cast an absentee ballot. They shall notify the precinct election judges of their findings and, if the absentee ballot has not yet been cast, the voter shall be allowed to cast his vote in person. The election board of the absentee ballot precinct shall then make a notation on the duplicate registration card that the voter has voted, and no absentee ballot shall be counted for him."

Renumber the sections

Amend the title as follows:

Page 1, line 4, after "Sections" insert "207.09, Subdivision 2,"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 546, A bill for an act relating to insurance; providing for a program of continuing education; establishing a continuing insurance education advisory committee; authorizing the commissioner of insurance to promulgate rules to implement the program; requiring certain disclosures on credit insurance policies and application; amending Minnesota Statutes 1980, Section 62B.06, Subdivisions 2, 3 and 4; and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 60A.

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

The report was adopted.

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

H. F. No. 549, A bill for an act relating to energy; creating the Minnesota energy financing commission; establishing a program of loans and financial assistance for small businesses and municipalities; authorizing the issuance of bonds; appropriating money; proposing new law coded in Minnesota Statutes 1980, Chapter 116H; repealing Minnesota Statutes 1980, Section 3.351.

Reported the same back with the following amendments:

Page 1, line 12, delete "COMMISSION" and insert "BOARD"

Page 1, line 14, delete "*commission*" and insert "*board*"

Page 2, line 7, delete "*Commission*" and insert "*Board*"

Page 2, lines 8 and 11, delete "*commission*" and insert "*board*"

Page 3, line 13, delete the first "*the*" and insert "*hydroelectric or hydromechanical projects having a maximum rated output of ten megawatts or less and*"

Page 3, line 21, delete "*or*"

Page 3, line 22, after the comma insert "*counties, town,*"

Page 3, line 25, delete "COMMISSION" and insert "BOARD"

Page 3, line 26, delete "*commission*" and insert "*board*"

Page 3, line 28, delete "*cities, towns, counties and*"

Page 3, line 34, delete "*commission*" and insert "*board*"

Page 4, delete lines 3 to 7

Page 4, lines 16, 17, 21, 22, 29 and 34, delete "*commission*" and insert "*board*"

Page 5, lines 2, 3, 5, 8, 12, and 14, delete "*commission*" and insert "*board*"

Page 5, line 24, delete "COMMISSION" and insert "BOARD"

Page 5, line 24, delete "*commission*" and insert "*board*"

Page 5, line 27, delete "*commissioners*" and insert "*board members*"

Page 5, line 30, delete "*and*"

Page 5, line 31, after "*official*" insert " ; *and*

(d) *One officer or employee of a venture capital firm*"

Page 5, line 32, after "*The*" insert "*chairperson of the energy committee of the house of representatives, the chairperson of the energy and housing committee of the senate, the*"

Page 5, line 34, after "*ex officio*" delete "*members of*" and insert " , *non-voting advisors to*"

Page 5, line 34, delete "*commission*" and insert "*board*"

Page 5, line 35, delete "*The commissioners shall serve three*" and insert "*The appointment, terms, compensation, and removal of members shall be as prescribed in section 15.0575.*"

Page 5, delete line 36

Page 6, delete lines 1 to 4

Page 6, lines 5, 7, 9, 11, and 12, delete "*commission*" and insert "*board*"

Page 6, after line 17, insert

"Subd. 16. [LIABILITY.] A member of the board shall be indemnified and held harmless by the state for any reasonable costs or expenses incurred as a result of any actual or threatened litigation or administrative proceeding arising out of the performance of the member's duties, except an action brought by the state or an agency thereof arising from the failure of a board member to perform duties in good faith."

Page 6, line 19, delete "commission" and insert "board"

Page 6, line 21, after "renewable energy" insert "system"

Page 6, line 24, delete "commission" and insert "board"

Page 6, line 28, delete "commission's" and insert "board's"

Page 7, line 2, delete "commission's" and insert "board's"

Page 7, lines 12, 13, 20, 25 and 33, delete "commission" and insert "board"

Page 8, lines 21 and 28, delete "commission" and insert "board"

Page 8, after line 31, insert

"Subd. 7. [LOANS; BOARD MEMBERS INELIGIBLE.] No loan shall be made by the board to any small business which is owned wholly or in part by a member of the board, or in which a board member has a direct financial interest."

Page 8, line 32, delete "7" and insert "8"

Page 8, line 34, delete "commission" and insert "board"

Page 9, lines 5 and 25, delete "commission" and insert "board"

Page 10, line 30, delete "commission's" and insert "board's"

Page 10, line 34, delete "\$1,000" and insert "\$"

Pages 11, lines 5 and 14, delete "commission" and insert "board"

Page 12, line 16, delete "commission" and insert "board"

Page 12, line 22, delete "commission's" and insert "board's"

Page 12, lines 24, 27 and 28, delete "commission" and insert "board"

Page 12, line 34, delete "commission's" and insert "board's"

Page 12, line 35, delete "commission" and insert "board"

Page 13, lines 1, 4 and 8, delete "commission" and insert "board"

Page 13, after line 11, insert:

"Sec. 7. [EXPIRATION OF BONDING AUTHORITY.]

The board shall not issue any bond, note or other obligation after July 1, 1986."

Renumber the section

Amend the title as follows:

Page 1, line 3, delete "commission" and insert "board"

Page 1, line 7, after "Statutes" delete "1980"

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

The report was adopted.

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

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

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

The report was adopted.

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

H. F. No. 662, A bill for an act relating to education; imposing duties on certain test agencies; providing a penalty for failure to perform the duties; proposing new law coded in Minnesota Statutes, Chapter 136A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [136A.89] [DEFINITIONS.]

Subdivision 1. [TERMS.] As used in sections 2 to 6, the terms defined in this section have the meanings given them.

Subd. 2. [BOARD.] "Board" means the Minnesota higher education coordinating board.

Subd. 3. [POST-SECONDARY EDUCATIONAL INSTITUTION.] "Post-secondary educational institution" means any institution providing a course of study beyond the secondary school level which uses standardized tests as a factor in its admissions process.

Subd. 4. [STANDARDIZED TEST; TEST.] "Standardized test" or "test" means any test that is used or required in the selection process for admission to a post-secondary educational institution or program at the institution, and for which the test subject pays a fee. It does not include a federal, state, or local civil service test; a test designed and used solely for nonadmission placement or credit-by-examination; a test or portion of a test designed to evaluate manual skills or other physical abilities; or a test developed and administered by an educational institution for its own internal admission purposes only.

Subd. 5. [TEST AGENCY.] "Test agency" means any person, organization, association, corporation, or partnership which develops, sponsors, or administers a standardized test.

Subd. 6. [SPONSORING TEST AGENCY.] "Sponsoring test agency" means a test agency which (a) develops or contracts for the development of a standardized test and (b) causes the standardized test to be identified to the public under its name, a trade name, trademark, or other identifying symbol owned by it.

Subd. 7. [TEST PREPARATION COURSE.] "Test preparation course" means any curriculum, course of study, plan of instruction, or method of preparation given for a fee which is specifically designed or constructed to prepare a test subject for, or to improve a test subject's score on, a standardized test.

Subd. 8. [TEST PROGRAM.] "Test program" means every administration of a test of the same name during a testing year.

Subd. 9. [TEST SCORE.] "Test score" means the value given to the test subject's performance on a test by the test agency, whether the value is reported in numerical, percentile, or any other form.

Subd. 10. [TEST SCORE RECIPIENT.] "Test score recipient" means any person, organization, association, corporation, post-secondary educational institution, or governmental agency or subdivision to which the test subject requests a test agency to report the test subject's score.

Subd. 11. [TEST SUBJECT.] "Test subject" means an individual to whom a test is administered.

Subd. 12. [TESTING YEAR.] "Testing year" means the 12 calendar months which the test agency chooses as its operational cycle for purposes of sections 2 to 6.

Subd. 13. [TEST FORM.] "Test form" means the set of questions that make up a particular version of a standardized test.

Sec. 2. [136A.90] [REPORTS TO TEST SUBJECTS AND THE BOARD.]

Subdivision 1. [REPORTS TO BOARD.] Within 30 days after the results of a standardized test are released to a test subject or test score recipient, the test agency which releases the results shall file or cause to be filed in the office of the board each of the following:

(a) A copy of the test questions used in determining a test subject's raw score;

(b) The corresponding acceptable answers to those questions; and

(c) All rules for transferring raw scores into the scores reported to a test subject and post-secondary educational institution, together with an explanation of the rules.

Subd. 2. [REPORT TO TEST SUBJECT.] A test agency shall provide to any person who registers for a test the option of submitting with the registration form, a request for the following information:

(a) A copy of the test questions used in determining the subject's raw score;

(b) A copy of the answer sheet to the test and of the test subject's answer sheet with questions counting toward the subject's raw score so marked;

(c) A statement of the test subject's raw score used to calculate the score sent to the test subject; and

(d) All rules for transferring raw scores into the scores reported to a test subject and post-secondary educational institution, together with an explanation of the rules.

A test agency shall send the information specified in clauses (a) to (d) to any test subject who requested the information when registering. A test agency shall also send the specified information to a test subject who submits a request within 90 days after the release of the test score to the test subject.

The test agency may charge a fee for sending the information requested pursuant to this subdivision. The fee may not exceed the direct incremental cost to the test agency of providing the information.

Subd. 3. [LIMITED APPLICATION.] (a) Notwithstanding subdivisions 1 and 2, a test agency may withhold from disclosure any test forms administered in Minnesota in any given test program to not more than five percent of the anticipated test subjects annually or to not more than 50 test subjects annually, whichever is greater. However, the test agency shall file, (1) a copy of the test questions used in determining a test subject's raw score, and (2) the corresponding acceptable answers to those questions, in the office of the board within three years after the administration in Minnesota of the test.

(b) Notwithstanding subdivisions 1 and 2 or clause (a) of this subdivision, if a test agency has administered a standardized test to less than 500 test subjects in Minnesota annually, the test agency shall file in the office of the board the information in subdivision 1, clauses (a), (b) and (c) at least once every three years.

(c) Notwithstanding subdivisions 1 and 2, a test agency may withhold from disclosure not more than one-half of the test forms used at regularly scheduled test administration dates administered during a testing year.

(d) Notwithstanding clauses (a), (b) or (c) of this subdivision the number of times a test program shall be administered with disclosure of test questions and answers shall be no less than the number of times that test program was administered with disclosure of test questions and answers to test subjects during the test agency's testing year commencing in 1980.

Subd. 4. [EXCEPTIONS.] This section shall not apply to the Medical College Admissions Test, the Graduate Records Exam Advance Test, the College Board Achievement Tests, or to a standardized test which is determined by the board to have substantial use in psychological testing.

Subd. 5. [PUBLIC RECORDS.] Documents submitted to the board pursuant to this section shall be public records pursuant to Minnesota Statutes, Section 15.1621.

Sec. 3. [136A.91] [NOTICE TO TEST SUBJECTS.]

Subdivision 1. [INFORMATION TO TEST SUBJECT AT REGISTRATION.] A test agency which provides a registration form to a potential test subject shall provide to the potential test subject in clear and simple language along with the registration form for a test, the following information:

- (a) An explanation of the test;*
- (b) The purposes for which the test was constructed and is intended to be used;*
- (c) The subject areas included on the test and the knowledge and skills which the test purports to measure;*
- (d) Information for interpreting test results, including the test score scale, the standard error of measurement for the test, and a list of available correlations between test scores and each of the following: (1) grades, (2) first year grade point average, (3) grade point average earned during a completed course of study, (4) the successful completion of a course of study leading to a degree, (5) completion of test preparation courses, and (6) parental income;*
- (e) How the test scores will be reported, including the following: whether the raw test scores will be altered in any way before being reported to the test subject and whether and how the test agency will use the test score, in raw or transformed form, by itself or together with any other information about the test subject, to predict the subject's future academic performance for a post-secondary education institution;*
- (f) A complete description of any promises or covenants the test agency makes to the test subject about the accuracy of test scoring, timely forwarding of information including score reporting, policies for notifying test subjects regarding inaccuracies in scoring or score reporting, and privacy of information relating to the test subject and the test subject's score;*
- (g) Whether or not a test score is the property of the test subject, how long it will be retained by the test agency, and policies regarding storage, disposal and future use of test score data;*
- (h) The time period within which the test subject's test score will be determined and mailed to the test subject and the time*

period within which the score will be mailed to test score recipients designated by the test subject;

(i) A description of special services to accommodate handicapped test subjects;

(j) Notice of the information which is available to the test subject under section 2, subdivision 2, and the procedure for appeal or review of a test score by a test agency;

(k) Information about the availability of past tests; and

(l) The dates upon which tests will be administered with disclosure of test questions and answers.

Subd. 2. [INFORMATION TO INSTITUTION.] *The test agency required to provide the information specified in subdivision 1 to the potential test subject shall provide the same information to an institution which is a test score recipient. The test agency shall provide the information with respect to any test before or coincident with the first reporting of a test score for that test to a recipient institution. The institution is encouraged to provide interpretive processing by qualified personnel.*

Subd. 3. [NOTICE OF SCORE DELAY.] *The test agency which reports a test score to the test subject and test score recipient shall immediately notify the test subject and the institutions designated as test score recipients by the test subject if the test subject's score is delayed ten calendar days beyond the time period stated under subdivision 1, clause (h).*

Sec. 4. [136A.92] [COSTS OF COMPLIANCE.]

Any costs incurred by a test agency to comply with sections 2 to 5 in excess of the costs of providing the information pursuant to section 2, subdivision 2, may be added to the regular test fees charged to test subjects. Additional fees may not exceed the direct costs incurred by the agency in complying with sections 2 to 5.

Sec. 5. [136A.93] [RULES.]

The board shall promulgate rules to implement the provisions of sections 2 to 6. The failure of the board to promulgate rules shall not prevent the provisions of sections 1 to 6 from taking effect.

Sec. 6. [136A.94] [VIOLATIONS.]

A test agency which violates provisions of sections 2 to 5 shall be liable for a civil penalty of not more than \$500 for each viola-

tion. If the board determines that a test agency has not substantially complied with the provisions of sections 2 to 5 with regard to a test, the board may prohibit the testing agency from administering that test until the test agency has substantially complied with the requirements of sections 2 to 5 for the test.

Sec. 7. [EFFECTIVE DATE.]

This act is effective on July 1, 1981 but its provisions shall not apply to a testing agency until the testing agency commences its testing year beginning in 1982."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 681, A bill for an act relating to retirement; reducing a certain deduction from amounts available to pay post-retirement adjustments; appropriating funds; amending Minnesota Statutes 1980, Section 11A.18, Subdivision 9.

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. 705, A bill for an act relating to the city of Northome; authorizing the establishment of detached banking facilities.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [BIG FALLS, TOWN OF: DETACHED BANKING FACILITY; AUTHORIZATION.]

With the prior approval of the commissioner of banks, any bank doing business within 35 miles of the town of Big Falls in Koochiching County may establish and maintain not more than one detached facility. Any bank desiring to establish a detached facility shall follow the approval procedure prescribed in Minnesota Statutes, Section 47.54. The establishment of a detached facility in the town of Big Falls shall be subject to the provisions of Minnesota Statutes, Sections 47.51 to 47.57 except insofar as inconsistent with this section.

Sec. 2. [LOCAL APPROVAL.]

This act takes effect when approved by the town board of the town of Big Falls and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, delete "Northome" and insert "Big Falls"

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. 745, A bill for an act relating to transportation; classifying the engineers' estimates for all state transportation construction projects as non-public data; adding a new route to the trunk highway system in substitution of an existing route; authorizing the commissioner of transportation to convey or otherwise dispose of certain lands no longer needed for trunk highway purposes; authorizing the temporary transfer of money from certain public funds under certain conditions to certain agency accounts and providing for repayment; increasing the dollar limits for certain contracts and agreements negotiated by the commissioner; defining motor carrier and exempt carrier; transferring the licensing and regulatory provisions for building movers to the transportation regulation board; increasing the dollar limit for development of landing strips; providing fees for hot air balloons and certain non-resident aircraft; amending Minnesota Statutes 1980, Sections 161.16, Subdivision 4; 161.32, Subdivision 2; 161.36, Subdivision 5; 161.46, Subdivision 3; 221.011, Subdivisions 15 and 22; 221.031, Subdivision 2; 221.261; 221.81; 360.305, Subdivision 4; and 360.55, by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapters 15 and 161.

Reported the same back with the following amendments:

Page 1, line 33, delete "*preliminary*" and insert "*completion of final*"

Page 7, after line 32, insert:

"Sec. 10. Minnesota Statutes 1980, Section 221.221, is amended to read:

221.221 [ENFORCEMENT POWERS.]

Transportation representatives and hazardous material specialists of the department for the purpose of enforcing the provisions of this chapter and the rules of the commissioner and board issued pursuant to this chapter, but for no other purpose, shall have all the powers conferred by law upon police officers. The powers shall include the authority to conduct inspections at designated highway weigh stations or under other appropriate circumstances within the state for the purpose of viewing log books, licenses, health certificates and other documents or equipment required to be maintained within commercial motor vehicles operating in Minnesota pursuant to applicable state motor vehicle carrier laws and rules."

Page 9, after line 22, insert:

"Sec. 13. Minnesota Statutes 1980, Section 360.037, Subdivision 3, is amended to read:

Subd. 3. [USE OF REVENUES.] The revenues obtained from the ownership, control, and operation of any such airport or other air navigation facility shall be used, first, to finance the maintenance and operating expenses thereof and, second, to make payments of interest on and current principal requirements of any outstanding bonds or certificates issued for the acquisition or improvement thereof, and to make payment of interest on any mortgage heretofore made. Revenues in excess of the foregoing requirements (MAY) shall be applied to finance the extension or improvement of the airport or other air navigation facilities."

Page 11, line 23, delete "\$15" and insert "\$25"

Page 11, line 34, delete "\$15" and insert "\$25"

Page 12, line 1, delete "12" and insert "14"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 14, after "carrier;" insert "granting enforcement powers to hazardous material specialists;"

Page 1, line 16, after "board;" insert "requiring excess revenue from an airport to be applied to the improvement of the airport or other air navigation facility;"

Page 1, line 22, after "2;" insert "221.221;"

Page 1, line 23, after "221.81;" insert "360.037, Subdivision 3;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 757, A bill for an act relating to financial institutions; authorizing establishment of detached facilities resulting from mergers and consolidations; amending Minnesota Statutes 1980, Sections 49.34; 49.36; and 49.45.

Reported the same back with the following amendments:

Page 2, line 8, delete *"providing"* and insert *"provided"*

Page 2, line 8, after *"the"* delete *"location and number of"*

Page 2, line 9, delete *"facilities"* and insert *"facility"*

Page 2, line 9, after *"bank"* insert *"which results from such acquisition"*

Page 2, line 9, delete *"conform"* and insert *"conforms"*

Page 2, line 17, after *"facility"* delete *"pursuant"*

Page 2, line 18, delete *"to"* and insert *"in order to prevent the probable failure of a bank as provided in"*

Page 2, line 20, delete *"proposed"* and insert *"resulting"*

Page 2, line 20, delete *"is to"* and insert *"will"*

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. 838, A bill for an act relating to transportation; including within the specific information signing program commercial establishments that provide resort recreational or related services to the recreational traveler; amending Minnesota Statutes 1980, Sections 160.292, Subdivisions 2 and 9, and 160.293, Subdivisions 1 and 3.

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. 859, A bill for an act relating to commerce; providing for examinations of financial institutions; providing for the proportioning of annual assessments; providing uniform retention periods for records; clarifying the definition of financial

institution; clarifying the distance drive-in or walk-up facilities may be located from a detached facility under certain circumstances; clarifying the notice and approval procedures and judicial review procedures for detached facilities; providing that voting equity in a bank's holding company satisfies the stock requirement of a director; providing additional time for submitting certain bank reports and authorizing acceptance of certain substitute reports; clarifying certain withdrawal provisions applicable to savings associations; requiring credit unions to obtain a commitment for insurance of accounts prior to approval of its application for organization; expanding the exemption from the licensing requirement for sales finance companies to include certain other financial institutions; providing for a compliance examination of sales finance companies once every two years instead of annually; removing certain obsolete provisions; amending Minnesota Statutes 1980, Sections 46.04, Subdivision 1; 46.131, Subdivision 4; 46.21; 47.015, Subdivision 1; 47.52; 47.54; 48.06; 48.48; 51A.33; 52.01; 168.67; and 168.705; repealing Minnesota Statutes 1980, Sections 46.131, Subdivision 6; and 47.17.

Reported the same back with the following amendments:

Page 4, after line 6, insert:

"Sec. 3. Minnesota Statutes 1980, Section 46.131, Subdivision 9, is amended to read:

Subd. 9. These assessments or fees shall be paid by the institution examined within 20 days after a statement of the amount (THEREOF SHALL HAVE) *has* been (RENDERED) *submitted* to the institution examined by the commissioner of banks and, if not so paid, shall bear interest at the *discount* rate (OF SIX PERCENT PER ANNUM; PROVIDED, THAT IN NO CASE SHALL THIS PENALTY BE LESS THAN \$5. SUCH) *charged member banks for borrowing from the Federal Reserve Bank. The* penalty shall be payable to the commissioner on (HIS MAKING A) request (FOR PAYMENT)."

Page 5, line 34, strike "if the commissioner"

Page 5, lines 35 and 36, strike the old language and delete the new language

Page 6, line 1, strike "addition of a drive-in or walk-up facility"

Page 9, after line 12, insert:

"Sec. 9. Minnesota Statutes 1980, Section 48.34, is amended to read:

48.34 [BRANCH BANKS PROHIBITED.]

No bank or trust company organized under the laws of this state shall maintain a branch bank or receive deposits or pay checks within this state, except at its own banking house, and *except as authorized by sections 47.51 to 47.57 and sections 47.61 to 47.74*. The commissioner shall take possession of and liquidate the business and affairs of any state bank or trust company violating the provisions of this section, in the manner prescribed by law for the liquidation of insolvent state banks and trust companies."

Page 10, after line 11, insert:

"Sec. 11. Minnesota Statutes 1980, Section 48.51, is amended to read:

48.51 [DEMAND DEPOSITS DEFINED.]

For the purpose of sections 48.50 and 48.51, all deposits are payable on demand except:

(1) Those deposits which are evidenced by a negotiable or non-negotiable instrument which provides on its face that the amount of the deposit is payable:

(a) on a certain date, specified in the instrument, not less than (30) 14 days after the date of the deposit; or (b) at the expiration of a specified period not less than (30) 14 days after the date of the instrument; or (c) upon written notice to be given not less than (30) 14 days before the date of repayment.

(2) Those deposits which may not be withdrawn within (30) 14 days of the making thereof.

(3) Those deposits which may not be withdrawn within (30) 14 days of the giving of notice of an intended withdrawal."

Page 11, line 31, strike "such" and insert "the"

Page 13, line 24, strike "his" and insert "a"

Page 16, after line 11, insert:

"Sec. 16. Minnesota Statutes 1980, Section 300.025, is amended to read:

300.025 [ORGANIZATION, CERTIFICATE.]

Any three or more persons may form a corporation for any of the purposes specified in section 47.12 by complying with the conditions hereinafter prescribed; provided, no corporation shall be formed under this section which might be formed under the

Minnesota business corporation act. They shall subscribe and acknowledge a certificate specifying:

(1) The name, the general nature of its business, and the principal place of transacting the same. (SUCH) *The* name shall distinguish it from all other corporations, domestic or foreign, authorized to do business in this state, and shall contain the word "company," "corporation," "bank," "association," or "incorporated". (IN THE CASE OF A STATE BANK THE NAME SHALL CONTAIN THE WORDS "STATE BANK.")

(2) The period of its duration, if limited.

(3) The names and places of residence of the incorporators.

(4) In what board its management shall be vested, the date of the annual meeting at which it shall be elected, and the names and addresses of those composing the board until the first election, a majority of whom shall always be residents of this state.

(5) The amount of capital stock, if any, how the same is to be paid in, the number of shares into which it is to be divided, and the par value of each share; and, if there is to be more than one class, a description and the terms of issue of each, and the method of voting thereon.

(6) The highest amount of indebtedness or liability to which the corporation shall at any time be subject.

It may contain any other lawful provision defining and regulating the powers and business of the corporation, its officers, directors, trustees, members, and stockholders provided that corporations subject to provisions of section 48.27 may show their highest amount of indebtedness to be 30 times the amount of its capital and actual surplus."

Page 16, line 17, delete "13" and insert "17"

Renumber the sections accordingly

Amend the title as follows:

Page 1, line 4, after the semicolon insert "providing a penalty for failure to pay certain fees and assessments;"

Page 1, line 15, after the semicolon insert "modifying the definition of "demand deposits";"

Page 1, line 24, after the semicolon insert "removing the requirement that a state bank's name contain the words "state bank";"

Page 1, line 26, delete "Subdivision 4" and insert "Subdivisions 4 and 9"

Page 1, line 27, after "48.06;" insert "48.34;"

Page 1, line 27, after "48.48;" insert "48.51;"

Page 1, line 28, delete "and" and after "168.705;" insert "and 300.025;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 922, A bill for an act relating to financial institutions; providing for uniform administration of liquidity reserve requirements among deposit institutions; amending Minnesota Statutes 1980, Sections 46.04, Subdivision 1; 50.175; and 52.17; proposing new law coded in Minnesota Statutes, Chapters 48; and 51A; and repealing Minnesota Statutes 1980, Sections 48.22; and 51A.36.

Reported the same back with the following amendments:

Page 4, line 3, after "for" insert "any"

Page 4, line 4, delete "banks" and insert "bank" and delete "companies" and insert "company"

Page 4, line 5, after "reports" insert "relating to the bank or trust company that are"

Page 4, line 8, after the period insert "Reserves for an individual state bank or trust company as prescribed by the commissioner pursuant to this section shall be enforced in accordance with sections 46.24 and 46.30 to 46.33."

Page 5, line 19, after "for" insert "any" and delete "banks" and insert "bank"

Page 5, line 20, after "reports" insert "relating to the savings bank that are"

Page 5, line 24, after the period insert "Reserves for an individual savings bank as prescribed by the commissioner pursuant to this section shall be enforced in accordance with sections 46.24 and 46.30 to 46.33."

Page 5, line 30, delete "an" and insert "any"

Page 5, line 32, after "reports" insert "relating to the association that are"

Page 5, line 35, after the period insert "Reserves for an individual association as prescribed by the commissioner pursuant to this section shall be enforced in accordance with sections 46.24 and 46.30 to 46.33."

Page 6, line 31, after the period insert "The commissioner may waive the requirements in clauses (a) (2) and (b) (2) based on applications by credit unions demonstrating need and considering levels of total reserves and other factors bearing on the credit union's safety and soundness. The commissioner may also require special reserves to protect the interests of members either by rule or by an individual credit union in any special case."

Page 7, line 20, delete "an" and insert "any"

Page 7, line 22, after "reports" insert "relating to the credit union that are"

Page 7, line 24, delete "an association" and insert "a credit union"

Page 7, line 25, after the period insert "Reserves for an individual credit union as prescribed by the commissioner pursuant to this section shall be enforced in accordance with sections 46.24 and 46.30 to 46.33."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 986, A bill for an act relating to financial institutions; savings associations; increasing the loan term of direct reduction loans; providing for the organization, operation, conversion, merger, reorganization, consolidation, and dissolution of mutual and capital stock associations; authorizing the establishment of savings and loan holding companies; granting the commissioner certain supervisory powers; providing certain examination and reporting requirements; authorizing the issuance and sale of capital certificates; authorizing the payment of dividends on capital stock; authorizing the issuance of certain accounts to married persons or minors as sole owners thereof; allowing certain foreign associations to do business in the state;

prescribing duties; providing examinations and supervision; defining terms; prescribing penalties; amending Minnesota Statutes 1980, Sections 51A.02, Subdivisions 2 and 4, and by adding subdivisions; 51A.03; 51A.04; 51A.07; 51A.08; 51A.09; 51A.10; 51A.11; 51A.12; 51A.13; 51A.15, Subdivision 7; 51A.19, Subdivision 1, and by adding subdivisions; 51A.20; 51A.21, Subdivision 5, and by adding subdivisions; 51A.22; 51A.43; 51A.44; 51A.45; 51A.50; 51A.52; 51A.53; proposing new law coded in Minnesota Statutes, Chapter 51A; repealing Minnesota Statutes 1980, Sections 51A.06; and 51A.49.

Reported the same back with the following amendments:

Page 14, line 11, delete "COMPENSATION OF DIRECTORS" and insert "DIRECTORS' FEES"

Page 14, line 12, delete "compensation" and insert "fees"

Page 14, line 13, delete "compensation" and insert "fees"

Page 16, line 24, after the period delete the remaining language

Page 16, delete lines 25 to 27

Page 18, line 4, after the period strike the remaining language

Page 18, lines 5 and 6, strike the old language, delete the new and insert "*Any hearing required by this section shall be conducted by the commerce commission in accordance with the provisions of the administrative procedures act, sections 15.0411 to 15.052, governing contested cases, including the provisions of the act relating to judicial review of agency decisions.*"

Page 20, line 24, after "CAPITAL REQUIRED" delete the remaining language

Page 20, line 25, delete "SIZES"

Page 20, line 30, delete "paragraph b" and insert "subdivision 2"

Page 21, line 5, delete ", labor, or services actually performed," and insert "*or authorized securities*"

Page 21, line 9, after "be" delete the remaining language

Page 21, delete lines 10 to 14

Page 21, line 15, delete "*the latest available federal census.*" and insert "*not less than \$500,000, provided the commisisoner*"

may, in his discretion, require a larger amount to be paid in. No portion of the capital stock shall be withdrawn by any person or in any way, either in dividends or otherwise, except as provided by law. No dividend on capital stock shall be made except as provided in section 51A.21, subdivision 21."

Page 21, line 18, delete "CAPITAL" and insert "PAID-IN" and after the word "SURPLUS" insert "AND EXPENSE FUND"

Page 21, delete lines 19 to 25, and insert *"addition to the required capital stock the incorporators shall pay an additional amount as the commissioner shall determine which shall constitute minimum paid-in surplus. This paid-in surplus shall in no event be less than 25 percent of the amount of required capital stock. Furthermore, there shall be established an expense fund in an amount determined by the commissioner to be adequate to meet the expense of organizing the association and its operating expenses until the time its net income is sufficient."*

Page 21, line 27, delete "board" and insert "commerce commission" and delete "petition" and insert "application"

Page 25, line 13, after the period insert *"In addition to any notice of annual or special meeting required by this act and"*

Page 26, line 6, after "shall" delete the remaining language

Page 26, delete line 7, and insert *"receive without payment nontransferable rights for a period of at least 20 days to purchase a proportionate share of voting capital stock"*

Page 26, line 10, after "others," insert *"provided the offering shall be sold in a public offering through an underwriter or if directly by the converting association in a direct community marketing program as provided for in the plan for conversion approved by the commissioner or other responsible authority,"*

Page 27, delete lines 9 to 12

Page 27, line 13, delete "(h)" and insert "(g)"

Page 27, line 15, delete "(i)" and insert "(h)" and after "other" insert *"provisions, requirements or"*

Page 27, line 16, delete *"required by"* and insert *"acceptable to"*

Page 29, line 20, delete "TO BANKING DIVISION"

Page 29, line 22, after *"therefrom"* delete the remaining language

Page 29, delete line 23, and insert *"and the proceedings shall be conducted pursuant to the provisions of the administrative procedure act relating to judicial review of agency decisions, sections 15.0424 to 15.0426, and the scope of judicial review in the proceedings shall be as provided therein."*

Page 30, line 16, after "therefrom" strike the remaining language

Page 30, line 17, strike everything before the period and insert *"and the proceedings shall be conducted pursuant to the provisions of the administrative procedure act relating to judicial review of agency decisions, sections 15.0424 to 15.0426, and the scope of judicial review in the proceedings shall be as provided therein"*

Page 30, line 18, to page 37, line 18, delete section 11

Page 44, line 13, delete "120" and insert "\$0"

Page 44, line 25, reinstate the old language, and delete the new language

Page 44, line 31, after "DIRECTORS" insert *"OF MUTUAL ASSOCIATIONS"*

Page 45, after line 19, insert:

"Subd. 2a. [QUALIFICATIONS REQUIRED OF DIRECTORS OF STOCK ASSOCIATIONS.] In order to qualify as a director of a capital stock association each director shall own and hold shares of voting capital stock of the association unencumbered with a par or stated value of not less than \$500, provided that, if the total assets of the association exceed \$5,000,000, a director must own and hold shares of not less than \$1,000. Except with the written consent of the commissioner, no person shall be eligible for election or shall serve as director or officer of an association who has been adjudicated a bankrupt or convicted of a criminal offense involving dishonesty or a breach of trust. A director shall automatically cease to be a director when he is adjudicated a bankrupt or is convicted of a criminal offense as herein provided or when the par or stated value of the shares of voting capital stock of the association held by him aggregates less than the minimum required to be eligible for election as a director."

Page 47, delete lines 12 to 19, and insert:

"Subd. 11. [MAINTENANCE OF STOCKHOLDER RECORDS; REPORT TO COMMISSIONER.] Every capital stock association shall at all times keep an accurate verified list of all its stockholders with the amount of stock held by each, the type

of stock, voting status, the dates of all issuances and transfers, and names of transferees, and shall annually file a copy of the list as it appears on the date of the annual stockholders meeting with the commissioner. A capital stock association has the power to employ the services of a transfer agent to maintain stockholder records and perform stock transfer services. Whenever a change occurs in the outstanding voting stock of any capital stock association which will result in control or in a change in the control of the association it shall promptly report the facts to the commissioner of banks. As used in this subdivision the term "control" means the power to directly or indirectly direct or cause the direction of the management or policies of the association. A change in ownership of capital stock which would result in direct or indirect ownership by a stockholder or an affiliated group of stockholders of less than 25 percent of the outstanding capital stock shall not be considered a change of control. If there is any doubt as to whether a change in the outstanding voting stock is sufficient to result in control thereof or to effect a change in control thereof, the doubt shall be resolved in favor of reporting the facts to the commissioner."

Page 48, line 9, before "Every" insert "Subdivision 1. [MUTUAL ASSOCIATIONS.]"

Page 49, after line 9, insert:

"Subd. 2. [CAPITAL STOCK ASSOCIATIONS.] At the end of each dividend period, after deducting all necessary expenses and losses, all of the remaining net profits for the period shall be set aside as a surplus fund provided the surplus fund of the association is not equal to at least 25 percent of outstanding capital stock. If the surplus fund is equal to or exceeds 25 percent of outstanding capital stock, ten percent of the remaining net profits for the period shall be set aside as a surplus fund until it equals 50 percent of the capital stock. The directors may then declare a dividend of so much of the remainder as they may deem expedient, subject to the commissioner's approval."

Page 51, line 5, before "The" insert "Subdivision 1. [OPERATION OF SAVINGS LIABILITY.]" and strike "is not limited, but"

Page 51, after line 33, insert:

"Subd. 2. [AMOUNT OF SAVINGS LIABILITY.] The savings liability of a mutual association is not limited. The savings liability of a stock association shall not exceed a sum which is 30 times the amount of its capital stock and its actual surplus. For purposes of this subdivision capital certificates outstanding pursuant to section 51A.21, subdivision 20, may be included in the definition of capital stock."

Page 52, line 24, to page 60, line 31, delete sections 30 to 33

Page 62, line 1, after "51A.06" insert ", Subdivisions 1 and 2"

Page 62, line 4, delete "37" and insert "32"

Renumber the sections

Amend the title as follows:

Page 1, line 7, delete the language after the semicolon

Page 1, line 8, delete everything before "granting"

Page 1, line 15, delete everything after the semicolon

Page 1, delete line 16

Page 1, line 17, delete everything before "defining"

Page 1, line 24, delete everything after the second semicolon

Page 1, line 27, after "51A.06" insert "Subdivisions 1 and 2"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1005, A bill for an act relating to the housing finance agency; authorizing temporary rulemaking to define certain terms; providing for a revolving account; permitting certain loans; appropriating money; amending Minnesota Statutes 1980, Sections 462A.03, Subdivision 10; 462A.04, Subdivision 8; 462A.05, Subdivision 17, and by adding subdivisions; 462A.20, Subdivision 3; 462A.21, Subdivision 8, and by adding a subdivision; and 462A.22, Subdivision 9; repealing Minnesota Statutes 1980, Section 462A.21, Subdivision 11.

Reported the same back with the following amendments:

Page 3, line 19, after the period, insert:

"No loan under this subdivision shall be denied solely on the basis of the inability of the applicant to make periodic loan payments."

Page 3, line 29, strike "the"

Page 3, strike lines 30 and 31

Page 3, line 32, strike "terms inconsistent with section 47.20"

Page 3, line 34, delete ", subdivision 6" and insert "conventional loans owned by the agency on the effective date of this subdivision 17 or thereafter made or purchased may contain provisions which limit, condition, or prohibit assumption of the loans"

Page 4, after line 14, insert:

"Sec. 6. Minnesota Statutes 1980, Section 462A.07, is amended by adding a subdivision to read:

Subd. 16. It may establish cooperative relationships with municipal housing and redevelopment authorities and municipalities to develop priorities for the use of agency resources and assistance within municipalities, and to consider municipal housing plans and programs in the process of setting the priorities."

Page 5, line 9, after "Statutes" insert "1980"

Page 5, after line 29, insert:

"Sec. 11. Minnesota Statutes 1980, Section 462C.03, is amended by adding a subdivision to read:

Subd. 10. Notwithstanding any provision of this chapter to the contrary, not more than two percent of the aggregate dollar amount of all loans made or purchased within any calendar year under all of a city's housing programs shall be made or purchased without regard to the income limitations of section 462C.03, subdivision 2, and the occupancy limitations of section 462C.05, subdivisions 2 and 4.

Sec. 12. [462C.09] [ALLOCATION OF QUALIFIED MORTGAGE BONDS.]

The applicable limit for the Minnesota housing finance agency, pursuant to section 103A (g) of the Internal Revenue Code of 1954 as amended through December 31, 1980, for any calendar year commencing with calendar year 1981, shall be 100 percent of the state ceiling for that year, reduced only by any amounts of bonds which have been or may be allocated by law to specified cities.

By July 1 of each year, any city which has received by law an allocation of the state ceiling shall certify to the agency the amount of bonds subject to the state ceiling which the city intends to issue during the calendar year. If the amount certified is less than the amount allocated by law to the city, the applicable limit for the agency shall be increased by the difference between the amount allocated by law to the city, and the amount certified by the city, to the agency.

Sec. 13. [APPLICABILITY.]

The provisions of section 11 shall not apply to any programs which were approved or are considered approved pursuant to section 462C.04, subdivision 2, by the Minnesota housing finance agency on or before the day of final enactment."

Page 6, after line 15, insert:

"Sec. 16. [EFFECTIVE DATE.]

Sections 1 to 14 are effective the day after final enactment."

Renumber the sections

Amend the title as follows:

Page 1, delete lines 2 to 3 and insert "relating to housing; authorizing the housing finance agency to use temporary rule-making to define certain terms;"

Page 1, line 5, after "loans;" insert "limiting the dollar amount of certain loans; providing for the allocation of mortgage subsidy bonds;"

Page 1, line 8, before "462A.20" insert "462A.07, by adding a subdivision;"

Page 1, line 10, delete "and"

Page 1, line 10, after the semicolon insert "462C.03, by adding a subdivision; and proposing new law coded in Minnesota Statutes, Chapter 462C;"

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

The report was adopted.

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

H. F. No. 1013, A bill for an act relating to the operation of state government; authorizing the state board of investment to employ investment management firms to invest certain funds on its behalf; appropriating money; amending Minnesota Statutes 1980, Section 11A.04.

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

The report was adopted.

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

H. F. No. 1024, A bill for an act relating to education; adding a representative from the Minnesota association of private post-secondary schools to the higher education advisory council; amending Minnesota Statutes 1980, Section 136A.02, Subdivision 6.

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. 1030, A bill for an act relating to motor vehicles; defining motorized bicycles; regulating the operation thereof; providing for the licensure of operators; amending Minnesota Statutes 1980, Sections 168.011, Subdivision 27; 169.01, Subdivision 4a; 169.223; 171.01, Subdivision 20; and 171.02, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 12, after "bicycle" delete ","

Page 1, line 13, delete "commonly termed a "moped","

Page 1, line 20, delete "moped" and insert "motorized bicycle"

Page 1, line 25, after "bicycle" delete ","

Page 1, line 26, delete "commonly termed a "moped","

Page 2, line 7, delete "moped" and insert "motorized bicycle"

Page 2, line 26, after "160.263" insert ", but motorized bicycles may be parked in areas designated for parking bicycles"

Page 3, line 3, delete ", commonly termed a "moped","

Page 3, line 11, delete "moped" and insert "motorized bicycle"

Pages 3 and 4, delete section 5

Page 4, after line 2, insert:

"Sec. 5. [INFORMATION.]

The department of public safety shall develop educational and enforcement programs to provide information to law enforcement agencies and members of the public regarding motorized bicycle safety and to prevent the illegal operation of motorized bicycles.

Sec. 6. [APPROPRIATION.]

There is appropriated to the department of public safety from the general fund in the state treasury the sum of \$ to carry out the purposes of this act."

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. 1034, A bill for an act relating to employment; prohibiting certain cities from establishing residency requirements as a condition of employment; proposing new law coded in Minnesota Statutes, Chapter 415.

Reported the same back with the following amendments:

Page 1, line 11, after "city" insert "or county"

Page 1, line 13, in both instances, after "city" insert "or county"

Amend the title as follows:

Page 1, line 2, after "cities" insert "or counties"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1048, A bill for an act relating to insurance; removing insurance solicitors from insurance licensing provisions; prescribing certain fees; providing for licensing of certain legal entities as agents; providing for the licensing of other insurance agents; providing for examinations; providing exceptions to the licensing requirements; authorizing temporary licenses; provid-

ing for appointment of agents by insurers; prohibiting certain persons from obtaining an agent's license; providing for the revocation or suspension of licenses upon specified conditions; providing for the surrender, loss, or destruction of licenses; prescribing certain powers of the commissioner; authorizing the sale of contracts on a variable basis without licensure in certain circumstances; authorizing the commissioner to promulgate rules; prescribing penalties; amending Minnesota Statutes 1980, Sections 60A.02, Subdivision 7; 60A.14, Subdivision 1; 60A.17, Subdivisions 1, 3, 5, 6, 10, 12, and 13, and by adding subdivisions; repealing Minnesota Statutes 1980, Sections 60A.02, Subdivision 8; and 60A.17, Subdivisions 2, 2a, 2b, 4, 5a, 6a, 7, and 9.

Reported the same back with the following amendments:

Page 3, line 23, delete "by an" and insert ", a domestic"

Page 3, line 24, reinstate the stricken language before the semicolon

Page 3, line 24, after "\$5" insert "annually"

Page 3, line 24, after "\$3" insert "annually"

Page 3, line 26, delete the comma

Page 3, line 27, delete "\$15"

Page 5, line 17, delete "licensed" and insert "qualified"

Page 5, line 19, before the period insert "*and been appointed by an insurer which has submitted a written requisition for a license for that agent as of August 1, 1981*"

Page 5, line 20, delete "licensed" and insert "qualified"

Page 5, line 23, before the period insert "*and been appointed by any insurer which has submitted a written requisition for a license for that agent as of August 1, 1981*"

Page 7, after line 6, insert:

"(d) The examination shall be given only after the applicant has completed a program of studies in a school, which shall include a school conducted by an admitted insurer, a correspondence course given by an admitted insurer, or other course of study. The course of study shall consist of the equivalent of 45 hours study for each line for which a license application is made. If the applicant has been previously licensed for the particular line of insurance in the state of Minnesota, the requirement of a program of studies or a study course shall be waived. A certifi-

cation of compliance by an admitted insurer shall accompany the agent's license application. This program of studies in a school or a study course shall not apply to farm property perils and farm liability applicants, or to agents writing such other lines of insurance as the commissioner may exempt from examination by directive;"

Page 7, line 7, delete "(d)" and insert "(e)"

Page 7, line 11, delete "both" and delete "and the appointing insurer"

Page 7, line 13, delete "(e)" and insert "(f)"

Page 7, line 16, delete "(f)" and insert "(g)"

Page 9, line 8, delete "business"

Page 10, line 4, delete "who acts" and insert ", without license or other qualification, may act"

Page 10, line 5, after "insurance" insert "for that insurer; provided that"

Page 10, line 5, delete "participates" and insert "must participate"

Page 10, line 6, delete "the" and insert "any such"

Page 14, line 35, delete "until voluntarily terminated" and add "for one year unless sooner terminated voluntarily"

Page 14, line 36, delete "until"

Page 15, line 1, after "terminated" insert "during the appointment year"

Page 15, lines 13, 18 and 22, delete "information,"

Page 16, after line 28, insert:

"Sec. 13. Minnesota Statutes 1980, Section 60A.17, is amended by adding a subdivision to read:

Subd. 6b. [FEES FOR SERVICES.] No person shall charge a fee for any services rendered in connection with the solicitation, negotiation or servicing of any insurance contract unless:

(1) prior to rendering the services, a written statement is provided disclosing:

- (a) *the services for which fees are charged;*
- (b) *the amount of the fees;*
- (c) *that the fees are charged in addition to premiums; and*
- (d) *that premiums include a commission;*
- (2) *all fees charged are reasonable in relation to the services rendered."*

Renumber the remaining sections accordingly

Page 16, line 31, delete "6b" and insert "6c"

Page 17, line 28, delete "or"

Page 17, line 30, before the period insert "; or

(12) *That the licensee has violated subdivision 6b"*

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1052, A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Fergus Falls.

Reported the same back with the following amendments:

Page 1, line 10, after "Minnesota," insert "*for the purposes of student housing,*"

Page 1, line 12, delete "*Mesabi*" and insert "*Fergus Falls*"

Page 1, line 12, after the period insert "*The tract shall not exceed three acres. The deed shall provide that the tract shall revert to the state when it is no longer used for student housing.*"

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. 1078, A bill for an act relating to transportation; providing for the repair of impassable town roads; establishing a dollar limit per mile for work performed by a county on impassable town roads; amending Minnesota Statutes 1980, Section 163.16, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 19, strike "30" and insert "120"

Page 1, line 25, delete "\$30,000" and insert "\$25,000"

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. 1089, A bill for an act relating to the city of St. Cloud; authorizing the improvement and operation of the city-owned Mississippi River dam to provide for generation and transmission of hydroelectric power, and the issuance of revenue bonds to finance the project.

Reported the same back with the following amendments:

Page 1, lines 13 and 16, delete "*and transmission*"

Amend the title as follows:

Page 1, line 4, delete "and"

Page 1, line 5, delete "transmission"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1199, A bill for an act relating to insurance; providing for the examination of certain insurers; requiring certain reports and providing certain alternatives to examinations; authorizing the commissioner to promulgate rules; broadening the commissioner's power to revoke or suspend certificates of authority; expanding certain insurers' investment authority; allowing the commissioner to regulate an insurer's ratio of qualified assets to required liabilities; broadening the coverage of the financial statement requirement; providing for annual audits;

providing standards for the investment of assets of insurance companies; allowing the use of certain depositories and systems; providing certain limitations on the acquisition of specified investments and holdings; providing for miscellaneous changes and clarifications; amending Minnesota Statutes 1980, Sections 60A.031, Subdivisions 1, 3, 4, 5, and by adding subdivisions; 60A.05; 60A.11, by adding subdivisions; 60A.13, Subdivisions 1 and 6, and by adding subdivisions; 61A.28, Subdivisions 2, 3, and 6; 61A.282; 61A.29, Subdivision 2; 61A.30; 61A.31, Subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, Chapters 60A and 61A; repealing Minnesota Statutes 1980, Sections 60A.031, Subdivision 2; and 60A.11, Subdivisions 2 to 8.

Reported the same back with the following amendments:

Page 27, line 16, strike the comma

Page 27, line 32, strike "if the real estate is used for"

Page 27, line 33, strike "commercial purposes"

Page 28, line 23, strike "if" and delete "the"

Page 28, line 24, strike "real estate is to be used for commercial purposes"

Page 29, line 13, delete "dispersed" and insert "disbursed"

Page 31, line 32, delete "20" and insert "25"

Page 31, line 33, delete "25" and insert "20"

Page 32, line 13, delete "granted by an issuer"

Page 32, line 14, strike "of"

Page 32, line 17, delete "the issuer"

Page 33, delete lines 6 to 8

Page 33, line 9, delete "the Dominion of Canada,"

Page 33, line 9, after "indebtedness" strike the comma and insert "(1) secured by letters of credit issued by a national bank, state bank or trust company which is a member of the Federal Reserve system or by a bank organized under the laws of the Dominion of Canada; (2) traded on a National Securities Exchange, or (3)"

Page 33, line 13, after "thereof," delete "or"

Page 33, line 14, delete *"traded on a National Securities Exchange,"*

Page 34, line 6, after "a" insert *"governmental entity or"*

Page 34, line 12, after *"the company."* insert *"In addition to the authority granted by clause (d) of this subdivision, to the extent and on such terms and conditions as the commissioner determines to be consistent with the purposes of this chapter,"*

Page 34, line 14, after *"options"* insert a period and delete the balance of the line

Page 34, delete lines 15 and 16

Page 35, line 36, after *"(a)"* insert *"or held in the name of the company"*

Page 36, line 18, before *"value"* insert *"market"*

Page 36, line 19, after *"time"* insert *", excluding securities held in a separate account established pursuant to section 61A.-14, subdivision 1,"*

Page 39, line 35, after *"cost"* insert *"to the company"*

Page 40, line 13, restore the stricken language before *"real and after "or"*

Page 40, lines 14 to 20, restore the stricken language

Page 40, line 21, restore *"or 40 years, whichever is less, and (3)"*

Page 40, line 29, restore the stricken language after *"(5)"*

Page 40, lines 30 and 31, restore the stricken language

Page 40, line 32, delete *"(b)"* and insert *"(c)"*

Page 41, line 2, strike *"(c)"* and insert *"(d)"*

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1253, A bill for an act relating to the department of economic security; authorizing financial assistance to com-

munity action agencies; defining terms; providing a formula for the distribution of funds; proposing new law coded as Minnesota Statutes, Chapter 268A.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 439, 517, 552, 662, 681, 705, 745, 757, 838, 859, 922, 986, 1024, 1034, 1048, 1052, 1078, 1089 and 1199 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Wenzel introduced:

H. F. No. 1376, A bill for an act relating to appropriations; appropriating funds to the public utilities commission for a report on natural gas rate averaging; directing the averaging of rates in a certain geographic area.

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

Ellingson, Skoglund and Wynia introduced:

H. F. No. 1377, A bill for an act relating to the environment; providing approval authority for critical areas only to the legislature; providing plan and regulation approval authority to the state planning agency; permanently designating the Mississippi River Corridor Critical Area; amending Minnesota Statutes 1980, Sections 116G.03, by adding a subdivision; 116G.04; 116G.06; 116G.07; 116G.08; 116G.09, Subdivisions 1, 3, and 4; 116G.10; 116G.12, Subdivision 4; and 116G.14; proposing new law coded in Minnesota Statutes, Chapter 116G; repealing Minnesota Statutes 1980, Section 116G.09, Subdivision 2.

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

Halberg and Dempsey introduced:

H. F. No. 1378, A bill for an act relating to costs and attorney fees; providing for recovery of costs and attorney fees by prevailing parties in civil actions against the state and administrative contested cases; proposing new law coded in Minnesota Statutes, Chapters 3 and 15.

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

Brinkman, Ewald, Searles and Berkelman introduced:

H. F. No. 1379, A bill for an act relating to financial institutions; providing a usury exemption on open end credit extended in the use of bank credit cards; detailing certain notice requirements; regulating the charges for certain types of insurance issued in connection with the extension of such credit; amending Minnesota Statutes 1980, Section 48.185, Subdivisions 3 and 4, and by adding a subdivision; repealing Minnesota Statutes 1980, Section 48.185, Subdivision 4a.

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

Sarna, Munger, McEachern, Osthoff and Aasness introduced:

H. F. No. 1380, A bill for an act relating to natural resources; providing for an adult hunter education program; appropriating money.

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

Tomlinson, Novak, Hanson, Schreiber and Dempsey introduced:

H. F. No. 1381, A bill for an act relating to taxation; property tax assessment; providing penalties and bonuses for certain property assessment performance; amending Minnesota Statutes 1980, Section 275.51, Subdivision 3d; proposing new law coded in Minnesota Statutes, Chapter 477A; repealing Minnesota Statutes 1980, Section 477A.04.

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

Lehto introduced:

H. F. No. 1382, A bill for an act relating to the city of Duluth; providing for the size of the housing and redevelopment authority.

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

Anderson, I., introduced:

H. F. No. 1383, A bill for an act relating to education; establishing grants for alternative educational delivery systems in small rural school districts; appropriating money.

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

McEachern and Welch introduced:

H. F. No. 1384, A bill for an act relating to waters; authorizing conveyance of the state's interest in certain lands in Sherburne county.

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

Rodriguez, F., introduced:

H. F. No. 1385, A bill for an act relating to retirement; teachers' occupational disability benefits; amending Minnesota Statutes 1980, Section 354.05, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 354.

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

Sarna; Anderson, I.; Osthoff; Carlson, D., and Begich introduced:

H. F. No. 1386, A bill for an act relating to public employment; providing for transfer of accrued vacation or compensatory time under certain conditions; amending Minnesota Statutes 1980, Section 16A.17, Subdivision 7.

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

Minne introduced:

H. F. No. 1387, A bill for an act relating to the city of Hibbing; providing for the election and terms of city officers.

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

Ainley; Nelsen, B.; Kvam; Nysether and Dempsey introduced:

H. F. No. 1388, A bill for an act relating to taxation; real property; providing a reduced assessment ratio for industrial and commercial property; amending Minnesota Statutes 1980, Section 273.13, by adding a subdivision.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Clawson and Byrne introduced:

H. A. No. 23, A proposal to re-examine the proposed dissolution of the state's procurement standards and engineering function.

The advisory was referred to the Committee on Governmental Operations.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 339, A bill for an act relating to towns; providing for the opening of cartways under certain circumstances; providing a method for determining whether to open or maintain certain town roads; amending Minnesota Statutes 1980, Sections 164.08, Subdivision 2; and 365.10.

PATRICK E. FLAHAVEN, Secretary of the Senate

Berkelman moved that the House refuse to concur in the Senate amendments to H. F. No. 339, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

CONSENT CALENDAR

S. F. No. 692, A bill for an act relating to Ramsey County; stating positions in the unclassified county services; placing employees of the judicial district administrator's office in the unclassified service; amending Laws 1974, Chapter 435, Section 3.02, Subdivision 6, as amended.

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

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 454, A bill for an act relating to crimes; redefining criminal sexual conduct; amending Minnesota Statutes 1980, Sections 609.341, Subdivision 11; 609.342; 609.343; and 609.345.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Sieben, M., requested immediate consideration of H. F. Nos. 1304, 326 and 3.

H. F. No. 1304, A bill for an act relating to state government; providing for deficiencies in and supplementing appropriations for the expenses of state government; appropriating money.

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	Blatz	Dahlvang	Evans	Hanson
Ainley	Brandl	Dean	Ewald	Hauge
Anderson, B.	Brinkman	Dempsey	Fjoslien	Haukoos
Anderson, G.	Byrne	Den Ouden	Forsythe	Heap
Anderson, I.	Carlson, D.	Drew	Friedrich	Heintz
Anderson, R.	Carlson, L.	Eken	Greenfield	Himle
Battaglia	Clark, J.	Elioff	Gruenes	Hoberg
Begich	Clark, K.	Ellingson	Gustafson	Hokanson
Berkelman	Clawson	Esau	Halberg	Hokr

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

The bill was passed and its title agreed to.

H. F. No. 326, A bill for an act relating to health; changing eligibility requirements for catastrophic health expense protection; including insurance premiums; appropriating money; amending Minnesota Statutes 1980, Sections 62E.52, Subdivisions 2 and 3; 62E.53, Subdivisions 1 and 2; and 62E.531, 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 125 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden Ludeman

The bill was passed and its title agreed to.

H. F. No. 3 was reported to the House.

McCarron moved to amend H. F. No. 3, the second engrossment, as follows:

Page 23, line 14, delete "256E.08, subdivision 9;"

Amend the title as follows:

Page 1, line 18, delete "256E.08, Subdivision 9;"

The motion prevailed and the amendment was adopted.

H. F. No. 3, A bill for an act relating to community social services; defining groups of persons for whom counties are responsible; establishing certain funding levels; clarifying sections of the community social services act; amending Minnesota Statutes 1980, Sections 245.64; 245.66; 245.84, Subdivisions 2 and 5; 252.21; 252.24, Subdivisions 1, 3 and 4; 252.27, Subdivisions 1 and 2; 254A.03, Subdivision 1; 254A.05, Subdivision 1; 254A.07, Subdivision 2; 254A.08, Subdivision 1; 256E.03, Subdivision 2; 256E.04, Subdivision 1; 256E.05, Subdivisions 2 and 3; 256E.06, Subdivisions 1, 2, 4, and 5; 256E.07, Subdivision 2; 256E.08, Subdivisions 1, 7 and 9; 256E.09, Subdivisions 1, 3, and by adding a subdivision; 256E.10; and 256E.12, Subdivision 3; repealing Minnesota Statutes 1980, Sections 245.67; 245.68; 245.72; 252.26; 256E.06, Subdivision 11; and 261.27.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed, as amended, and its title agreed to.

CALENDAR

H. F. No. 623, A bill for an act relating to commerce; providing for an alternative method of meeting the organizational membership requirement for the conducting of bingo occasions, operation of gambling devices, and conducting of raffles by organizations; amending Minnesota Statutes 1980, Sections 349.14; and 349.26, Subdivision 9.

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

The question was taken on the passage of the bill and the roll was called. There were 117 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden Hanson	Heap	Laidig	Rice	Schoenfeld
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The bill was passed and its title agreed to.

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

The bill was passed and its title agreed to.

H. F. No. 332, A bill for an act relating to franchises; providing for regulation of motor vehicle franchises; prohibiting certain practices by motor vehicle manufacturers; removing motor vehicle franchises from the general statutory provisions regarding franchises; requiring motor fuel franchises to extend to and bind the successors of both parties; prescribing penalties; providing remedies; amending Minnesota Statutes 1980, Section 80C.01, Subdivision 4; proposing new law coded as Minnesota Statutes, Chapters 80C and 80E; repealing Min-

nesota Statutes 1980, Sections 168.27, Subdivision 21; and 325D.17 to 325D.29.

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

The question was taken on the passage of the bill and the roll was called. There were 114 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden	McDonald	Sviggum	Welker	Wieser
Ludeman				

The bill was passed and its title agreed to.

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 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:

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

Brinkman	Hanson	Lehto	Olsen	Shea
Byrne	Harens	Lemen	Onnen	Sherman
Carlson, D.	Hauge	Levi	Osthoff	Sieben, M.
Carlson, L.	Haukoos	Long	Otis	Simoneau
Clark, J.	Heap	Mann	Peterson, B.	Skoglund
Clark, K.	Himle	McCarron	Peterson, D.	Staten
Clawson	Hoberg	McDonald	Pogemiller	Stowell
Dahlvang	Hokanson	McEachern	Redalen	Stumpf
Dean	Hokr	Mehrkens	Reding	Swiggum
Drew	Jacobs	Metzen	Rees	Swanson
Eken	Jennings	Minne	Reif	Tomlinson
Elioff	Johnson, C.	Munger	Rice	Valan
Ellingson	Johnson, D.	Murphy	Rodriguez, C.	Vellenga
Evans	Jude	Nelsen, B.	Rodriguez, F.	Voss
Ewald	Kahn	Nelson, K.	Rose	Weaver
Fjoslien	Kaley	Niehaus	Rothenberg	Welch
Friedrich	Kalis	Norton	Samuelson	Wenzel
Greenfield	Kelly	Novak	Sarna	Wieser
Gruenes	Knickerbocker	Nysether	Schafer	Wynia
Gustafson	Kostohryz	O'Connor	Schoenfeld	Zubay
Halberg	Laidig	Ogren	Schreiber	Spkr. Sieben, H.

Those who voted in the negative were:

Aasness	Esau	Ludeman	Piepho	Vanasek
Dempsey	Kvam	Marsh	Stadum	Welker
Den Ouden				

The bill was passed and its title agreed to.

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

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

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

The bill was passed and its title agreed to.

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

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

The bill was passed and its title agreed to.

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

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Hanson	Kahn	Voss
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The bill was passed and its title agreed to.

Sarna was excused at 3:45 p.m. until 7:00 p.m.

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. 206, 588, 817, 893 and 912 which it recommended to pass.

H. F. Nos. 188, 590, 632, 714, 729 and 1040 which it recommended progress.

H. F. No. 170 which it recommended progress retaining its place on General Orders.

S. F. No. 197 which it recommended to pass.

S. F. No. 263 which it recommended progress.

H. F. No. 182 which it recommended to pass with the following amendments:

Offered by Berkelman:

Page 2, line 9, delete everything after the period

Page 2, delete lines 10 to 14

Page 2, line 15, delete "*all other cases,*"

Offered by Wynia:

Page 19, after line 7, insert:

"THE CREDIT LIFE INSURANCE AND CREDIT DISABILITY INSURANCE AVAILABLE THROUGH THIS LENDER HAD AN ACTUAL LOSS RATIO DURING THE LAST CALENDAR YEAR OF _____ PERCENT. THIS MEANS THAT, ON THE AVERAGE, \$_____ OF EVERY \$100 IN PREMIUMS PAID TO THE INSURANCE COMPANY WERE RETURNED AS BENEFITS TO POLICYHOLDERS DURING THAT YEAR."

H. F. No. 449 which it recommended to pass with the following amendment offered by Zubay:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 486.05, Subdivision 1, is amended to read:

Subdivision 1. (THE JUDGE BY AN ORDER FILED WITH THE COUNTY AUDITORS ON OR BEFORE THE SECOND MONDAY IN JUNE SHALL ANNUALLY FIX AND ESTABLISH THE SALARY OF THE COURT REPORTER AT AN AMOUNT NOT EXCEEDING \$22,500 PER YEAR, AND, IN SUCH ORDER, EACH JUDGE, EXCEPT THOSE JUDGES IN THE SECOND AND FOURTH JUDICIAL DISTRICTS, SHALL APPORTION THE SALARIES OF THE REPORTERS IN THEIR RESPECTIVE DISTRICTS AMONG THE SEVERAL COUNTIES, AND) *In all judicial districts a salary range for court reporters shall be established annually by the judicial district administrator with the approval of a majority of judges of the district. The salary for each court reporter shall be set within that range annually by the district administrator after consultation with the chief judge. Nothing herein shall change the manner by which court reporters are paid, the proportions among the various counties of a judicial district by which the funds are allocated or any statutory provisions related to court reporter compensation other than the manner of setting salary. Each county shall be required by (SUCH) order to pay a specified amount thereof in monthly installments, which shall be such proportion of the whole salary as the population in each county bears to the total population in the district as set forth in the most recent federal census. It is provided, however, that in the event a judge is temporarily transferred to hold court in some county other than in his judicial district then, and in that event, the said county shall pay that part of the monthly salary of the judge's reporter as that part of the month worked by said reporter in said county. Each reporter shall have and maintain his residence in the district in which he is appointed. The reporter, in addition to his salary, shall be paid such sums as he shall accrue as necessary mileage, traveling, and hotel expenses while absent from the city in which he resides in the discharge of his official duties, such expenses to be paid by the county for which the same were incurred upon presentation of a verified itemized statement thereof approved by the judge; and the auditor of such county, upon presentation of such approved statement, shall issue his warrant in payment thereof.*

All laws now in force relating to the salary of district court reporters inconsistent herewith relating to any and all counties are hereby repealed and superseded, except the manner of setting salary as hereinbefore set forth shall not apply to the second and fourth judicial districts.

Sec. 2. Minnesota Statutes 1980, Section 487.11, Subdivision 2, is amended to read:

Subd. 2. [TRANSCRIPTION OF COURT PROCEEDINGS.] Electronic recording equipment may be used for the purposes of Laws 1971, Chapter 951 to record court proceedings in lieu of a court reporter. However, at the request of any

party to any proceedings the court may in its discretion require the proceedings to be recorded by a competent court reporter who shall perform such additional duties as the court directs. (THE CHIEF JUDGE OF THE COUNTY COURT, BY ORDER FILED WITH THE COUNTY BOARD OR BOARDS SHALL FIX THE SALARY OF A REPORTER APPOINTED IN AN AMOUNT NOT TO EXCEED THE SALARY OF DISTRICT COURT REPORTERS AS PROVIDED BY SECTIONS 486.05 AND 486.06) *The salary of a reporter shall be set in accordance with the procedure provided by sections 486.05 and 486.06."*

Further delete the title and insert:

"A bill for an act relating to courts; providing that court reporters' salaries shall be set by the district court administrator after consultation with the chief judge; amending Minnesota Statutes 1980, Sections 486.05, Subdivision 1; and 487.11, Subdivision 2."

H. F. No. 569 which it recommended to pass with the following amendment offered by Peterson, D.:

Page 2, after line 30, insert:

"Subd. 5. [LIMITATIONS.] With respect to each program established by the authority to provide financial assistance or financing with respect to real property other than rental assistance programs, an employee or commissioner may receive such financial assistance or financing not more than once."

Renumber the subdivision

H. F. No. 743 which it recommended to pass with the following amendment offered by Nelson, K.:

Page 1, line 8, before "Any" insert "Subdivision 1."

Page 1, after line 12, add a subdivision to read:

"Subd. 2. [FUEL PAYMENT PLANS.] Fuel suppliers that offer their retail customers a payment plan which results in a monthly payment equal to the monthly average of an estimated or actual yearly bill shall make that payment plan available to any residential customer."

The Committee of the Whole was in recess between the hours of 4:10 p.m. and 7:00 p.m.

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:

Berkelman offered an amendment to H. F. No. 182.

Voss requested a division of the amendment.

The first portion of the Berkelman amendment reads as follows:

Page 2, line 9, delete everything after the period

Page 2, delete lines 10 to 14

Page 2, line 15, delete "*all other cases*,"

The first portion of the Berkelman amendment prevailed and the amendment was adopted.

The second portion of the Berkelman amendment reads as follows:

Page 2, line 28, delete "*loan fee*,"

Page 15, line 9, delete the period and insert a semicolon

Page 15, after line 9, insert:

"(c) An investigation charge of \$1 for each \$50, or fraction thereof, loaned, for expenses, including any examination or investigation of the character and circumstances of the borrower, co-maker or security, and drawing and taking the acknowledgment of necessary papers, filing fees, or other expenses incurred in making the loan; provided, that no charge shall be made on that portion of a loan in excess of \$2,000 and no charge shall be collected unless a loan is made. The full amount of the investigation charge authorized by this section shall be fully earned at the time a loan is made without regard to the expenses incurred and shall not be deemed interest; provided, however, if a loan for which an investigation charge was made is renewed within 12 months from the date of the loan, then 1/12 of the investigation charge shall be deemed earned for each month or portion thereof from the date of the loan to the date of renewal, and the balance thereof shall be refunded to the borrower. A loan shall be deemed to be renewed at the time the loan is paid in full if any part of the payment is made out of the proceeds of another loan from the same or an affiliated lender."

The question was taken on the second portion of the Berkelman amendment and the roll was called. There were 49 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Ainley	Fjoslien	Johnson, C.	Nysether	Stadum
Berkelman	Forsythe	Kaley	Olsen	Stumpf
Blatz	Friedrich	Knickerbocker	Onnen	Swanson
Carlson, D.	Gruenes	Kvam	Piepho	Valan
Dahlvang	Haukoos	Laidig	Redalen	Valento
Dean	Heap	Ludeman	Rees	Welker
Dempsey	Heinitz	Marsh	Reif	Wieser
Drew	Himle	Mehrkens	Rodriguez, F.	Zubay
Esau	Hoberg	Metzen	Rothenberg	Spkr. Sieben, H.
Ewald	Hokr	Nelsen, B.	Schreiber	

Those who voted in the negative were:

Aasness	Elioff	Kalis	O'Connor	Simoneau
Anderson, B.	Ellingson	Kelly	Ogren	Skoglund
Anderson, G.	Evans	Kostohryz	Osthoff	Staten
Anderson, I.	Greenfield	Lehto	Otis	Stowell
Anderson, R.	Gustafson	Lemen	Peterson, B.	Sviggum
Battaglia	Halberg	Mann	Peterson, D.	Tomlinson
Begich	Hanson	McCarron	Pogemiller	Vanasek
Brandl	Harens	McEachern	Reding	Vellenga
Brinkman	Hauge	Minne	Rice	Voss
Carlson, L.	Hokanson	Murphy	Rodriguez, C.	Welch
Clark, J.	Jacobs	Nelson, K.	Rose	Wenzel
Clark, K.	Johnson, D.	Niehaus	Schoenfeld	Wynia
Clawson	Jude	Norton	Shea	
Den Ouden	Kahn	Novak	Sieben, M.	

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

Halberg and Hoberg moved to amend H. F. No. 182, the first engrossment, as amended, as follows:

Page 10, lines 21 to 28, delete the underscored language and reinstate the stricken language

Page 14, line 31, delete *"except for the following additional charges"*

Page 14, line 31, before *"which"* insert *"lawful fees and taxes paid to any public officer to record, file or release the security"*

Page 14, line 32, delete the colon and insert a period

Page 14, delete lines 33 to 36

Page 15, delete lines 1 to 9

Page 20, line 8, delete *"real or"*

Amend the title as follows:

Page 1, line 13, delete everything after the semi-colon

Page 1, line 14, delete everything before "restating"

The question was taken on the amendment and the roll was called. There were 50 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Kvam	Otis	Stowell
Anderson, I.	Gustafson	Laidig	Peterson, D.	Valento
Battaglia	Halberg	Lehto	Pogemiller	Vanasek
Begich	Haukoos	McCarron	Rice	Vellenga
Brandl	Hoberg	McEachern	Rodriguez, C.	Voss
Clark, K.	Johnson, D.	Minne	Schoenfeld	Weaver
Elioff	Jude	Niehaus	Shea	Welch
Ellingson	Kahn	Ogren	Simoneau	Wenzel
Evans	Kelly	Olsen	Skoglund	Wieser
Fjoslien	Kostohryz	Osthoff	Staten	Wynia

Those who voted in the negative were:

Aasness	Drew	Jennings	Novak	Schreiber
Ainley	Esau	Kaley	Nysether	Sherman
Anderson, R.	Ewald	Knickerbocker	O'Connor	Sieben, M.
Berkelman	Forsythe	Lemen	Onnen	Stadum
Blatz	Friedrich	Ludeman	Peterson, B.	Stumpf
Brinkman	Gruenes	Mann	Piepho	Svigum
Carlson, D.	Hanson	Marsh	Redalen	Swanson
Carlson, L.	Harens	McDonald	Reding	Tomlinson
Clark, J.	Hauge	Mehrkens	Rees	Valan
Clawson	Heap	Metzen	Reif	Welker
Dahlvang	Heinitz	Murphy	Rodriguez, F.	Zubay
Dean	Himle	Nelsen, B.	Rose	Spkr. Sieben, H.
Dempsey	Hokr	Nelson, K.	Rothenberg	
Den Ouden	Jacobs	Norton	Samuelson	

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

Wynia moved to amend H. F. No. 182, the first engrossment, as amended, as follows:

Page 19, after line 7, insert:

"THE CREDIT LIFE INSURANCE AND CREDIT DISABILITY INSURANCE AVAILABLE THROUGH THIS LENDER HAD AN ACTUAL LOSS RATIO DURING THE LAST CALENDAR YEAR OF _____ PERCENT. THIS MEANS THAT, ON THE AVERAGE, \$_____ OF EVERY \$100 IN PREMIUMS PAID TO THE INSURANCE COMPANY WERE RETURNED AS BENEFITS TO POLICY-HOLDERS DURING THAT YEAR."

The question was taken on the amendment and the roll was called. There were 59 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dean	Kahn	Novak	Staten
Anderson, G.	Elioff	Kelly	Ogren	Swanson
Anderson, I.	Ellingson	Kostohryz	Osthoff	Tomlinson
Battaglia	Greenfield	Lehto	Otis	Vanasek
Begich	Hanson	Long	Peterson, D.	Vellenga
Brandl	Hauge	McDonald	Pogemiller	Voss
Carlson, D.	Haukoos	Minne	Rees	Weaver
Carlson, L.	Hokanson	Munger	Rice	Welch
Clark, J.	Hokr	Murphy	Rodriguez, C.	Wenzel
Clark, K.	Jacobs	Nelson, K.	Sieben, M.	Wynia
Clawson	Jennings	Niehaus	Simoneau	Spkr. Sieben, H.
Dahlvang	Jude	Norton	Skoglund	

Those who voted in the negative were:

Aasness	Forsythe	Knickerbocker	Olsen	Sherman
Ainley	Friedrich	Kvam	Onnen	Stadum
Berkelman	Gruenes	Laidig	Peterson, B.	Stowell
Blatz	Halberg	Lemen	Piepho	Sviggum
Brinkman	Harens	Levi	Redalen	Valan
Byrne	Heap	Ludeman	Reding	Valento
Dempsey	Heinitz	Mann	Reif	Welker
Den Ouden	Himle	Marsh	Rodriguez, F.	Wieser
Drew	Hoberg	Mehrkins	Rothenberg	Zubay
Esau	Johnson, C.	Metzen	Schafer	
Evans	Johnson, D.	Nelsen, B.	Schreiber	
Ewald	Kaley	Nysether	Shea	

The motion prevailed and the amendment was adopted.

Berkelman moved to amend H. F. No. 206, as follows:

Page 1, line 8, after the period, insert "Minnesota Statutes 1980, Section 179.64, Subdivision 1a, is amended to read:

Subd. 1a. Except as otherwise provided by section 179.691, teachers employed by a local school district, other than principals and assistant principals, may strike only under the following circumstances:

(1)(a) The collective bargaining agreement between their exclusive representative and their employer has expired or, if there is no agreement, impasse under section 179.691 has occurred; and

(b) The exclusive representative and the employer have participated in mediation over a period of at least 60 days, 30 days of which have occurred after the expiration date of the collective bargaining agreement, provided that the mediation period established by section 179.691 shall govern negotiations pursuant to that section. For the purposes of this sub-clause the mediation

period commences on the day following receipt by the director of a request for mediation; and

(c) Written notification of intent to strike was served on the employer and the director by the exclusive representative on or after the expiration date of the collective bargaining agreement or, if there is no agreement, on or after the date impasse under section 179.691 has occurred and at least ten days prior to the commencement of the strike, provided that if more than 30 days have expired after service of a notification of intent to strike, no strike may commence until ten days after service of a new written notification; and

(d) A request for binding arbitration has been rejected pursuant to section 179.69; or

(2) 45 days after impasse pursuant to section 179.69, subdivisions 3 (, 3A) and 3b, or *section 179.691*, neither party has requested arbitration; or

(3) The employer violates section 179.68, subdivision 2, clause (9).

Written notification of intent to strike under clauses (2) and (3) shall be served on the employer and the director by the exclusive representative at least ten days prior to the commencement of the strike, provided that if more than 30 days have expired after service of a notification of intent to strike, no strike may commence until ten days after service of a new written notification, and further provided that notice of intent to strike under clause (2) shall be given no earlier than the last day of the period provided in clause (2).

Sec. 2. Minnesota Statutes 1980, Section 179.691, is amended to read:

179.691 [NEW EXCLUSIVE REPRESENTATIVE OF TEACHERS.]

If a new or different exclusive representative of teachers employed by a local school district is certified by the director at any time other than the period between 120 days before the termination date of a contract and the termination date of the contract, or if on July 1 of any odd-numbered year a representation proceeding involving the employer and the employer's teachers is before the director, the provisions of (LAWS 1980, CHAPTER 617, SECTION 22, CLAUSE (1)) *section 179.64, subdivision 1a*, shall apply. In those cases, however, the employer and the exclusive representative of the teachers shall execute a written contract or memorandum of contract as provided in section 179.70 no later than 60 days after a certification by the director of a new or different exclusive representative or the resolution

by the director of a representation proceeding. Either party may petition the director of mediation services for assistance in reaching an agreement, as provided in section 179.69, subdivision 1. If the employer and the exclusive representative of the teachers fail to execute a contract by 60 days after the certification of a new or different exclusive representative or the resolution by the director of a representation proceeding, they shall be conclusively presumed to be at an impasse after having participated in mediation sessions called pursuant to section 179.69 over a period of no less than 60 days.

Sec. 3. Minnesota Statutes 1980, Section 179.692, is amended to read:

179.692 [NEW EXCLUSIVE REPRESENTATIVE; NON-TEACHERS.]

If a new or different exclusive representative of employees other than teachers employed by a local school district is certified by the director, or if on the expiration date of an existing contract a representation proceeding is before the director, the provisions of (LAWS 1980, CHAPTER 617, SECTION 22, CLAUSE (1)) *section 179.64, subdivision 1*, shall apply. In those cases, however, the employer and the exclusive representative of the employees shall execute a written contract or memorandum of contract as provided in section 179.70 no later than 45 days after a certification by the director of a new or different exclusive representative or the resolution by the director of a representation proceeding. Either party may petition the director of mediation services for assistance in reaching an agreement, as provided in section 179.69, subdivision 1. If the employer and the exclusive representative fail to execute a contract by 45 days after the certification of a new or different exclusive representative or the resolution by the director of a representation proceeding, they shall be conclusively presumed to be at an impasse after having participated for a period of no less than 45 days in mediation sessions called pursuant to section 179.69.

Sec. 4."

Page 4, line 7, delete "2" and insert "5"

Page 4, line 8, delete "is" and insert "*through 4 are*"

Further, amend the title as follows:

Page 1, line 2, after the semi-colon insert "clarifying impasse procedures when a school employee exclusive representative changes;"

Page 1, line 5, delete "Section" and insert "Sections 179.64, Subdivision 1a; 179.691; 179.692; and"

The question was taken on the amendment and the roll was called. There were 18 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Clark, J.	Hanson	Lehto	Reding	Voss
Clark, K.	Hauge	Munger	Rose	Wynia
Elioff	Kahn	Murphy	Stumpf	
Greenfield	Kelly	Otis	Vanasek	

Those who voted in the negative were:

Aasness	Ewald	Kaley	Nysether	Skoglund
Ainley	Fjoslien	Kalis	O'Connor	Stadum
Anderson, G.	Forsythe	Knickerbocker	Ogren	Stowell
Anderson, I.	Friedrich	Kvam	Olsen	Sviggum
Anderson, R.	Gruenes	Laidig	Onnen	Tomlinson
Battaglia	Halberg	Lemen	Osthoff	Valan
Begich	Harens	Levi	Peterson, D.	Valento
Blatz	Haukoos	Long	Piepho	Vellenga
Brinkman	Heap	Ludeman	Pogemiller	Weaver
Carlson, D.	Heinitz	Mann	Redalen	Welch
Carlson, L.	Himle	Marsh	Rees	Welker
Clawson	Hoberg	McCarron	Reif	Wenzel
Dahlvang	Hokanson	McDonald	Rice	Wieser
Dempsey	Hokr	McEachern	Rodriguez, C.	Zubay
Den Ouden	Jacobs	Mehrkens	Rodriguez, F.	Spkr. Sieben, H.
Drew	Jennings	Metzen	Rothenberg	
Ellingson	Johnson, C.	Minne	Schafer	
Esau	Johnson, D.	Nelsen, B.	Schoenfeld	
Evans	Jude	Niehaus	Sherman	

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

The question was taken on the motion to recommend passage of H. F. No. 206 and the roll was called. There were 64 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Eken	Jude	Murphy	Schoenfeld
Anderson, I.	Elioff	Kahn	Nelson, K.	Shea
Battaglia	Evans	Kalis	O'Connor	Staten
Begich	Greenfield	Kelly	Ogren	Stowell
Berkelman	Gruenes	Kostohryz	Otis	Stumpf
Byrne	Gustafson	Lehto	Peterson, D.	Sviggum
Carlson, D.	Hanson	Levi	Pogemiller	Vanasek
Carlson, L.	Harens	Long	Reif	Vellenga
Clark, J.	Hauge	Marsh	Rice	Voss
Clark, K.	Hoberg	McEachern	Rodriguez, C.	Weaver
Clawson	Hokanson	Metzen	Rodriguez, F.	Wenzel
Dean	Jacobs	Minne	Rose	Spkr. Sieben, H.
Drew	Johnson, D.	Munger	Samuelson	

Those who voted in the negative were:

Aasness	Anderson, R.	Dempsey	Fjoslien	Haukoos
Ainley	Brinkman	Den Ouden	Forsythe	Heap
Anderson, B.	Dahlvang	Esau	Friedrich	Heinitz

Himle	Mann	Olsen	Rothenberg	Valento
Hokr	McCarron	Onnen	Schafer	Weich
Jennings	McDonald	Osthoff	Sherman	Welker
Kaley	Mehrkens	Peterson, B.	Simoneau	Wieser
Kvam	Nelsen, B.	Piepho	Skoglund	Wynia
Laidig	Niehaus	Redalen	Stadum	Zubay
Lemen	Norton	Reding	Tomlinson	
Ludeman	Nysether	Rees	Valan	

The motion prevailed.

Zubay moved to amend H. F. No. 449 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 486.05, Subdivision 1, is amended to read:

Subdivision 1. (THE JUDGE BY AN ORDER FILED WITH THE COUNTY AUDITORS ON OR BEFORE THE SECOND MONDAY IN JUNE SHALL ANNUALLY FIX AND ESTABLISH THE SALARY OF THE COURT REPORTER AT AN AMOUNT NOT EXCEEDING \$22,500 PER YEAR, AND, IN SUCH ORDER, EACH JUDGE, EXCEPT THOSE JUDGES IN THE SECOND AND FOURTH JUDICIAL DISTRICTS, SHALL APPORTION THE SALARIES OF THE REPORTERS IN THEIR RESPECTIVE DISTRICTS AMONG THE SEVERAL COUNTIES, AND) *In all judicial districts a salary range for court reporters shall be established annually by the judicial district administrator with the approval of a majority of judges of the district. The salary for each court reporter shall be set within that range annually by the district administrator after consultation with the chief judge. Nothing herein shall change the manner by which court reporters are paid, the proportions among the various counties of a judicial district by which the funds are allocated or any statutory provisions related to court reporter compensation other than the manner of setting salary. Each county shall be required by (SUCH) order to pay a specified amount thereof in monthly installments, which shall be such proportion of the whole salary as the population in each county bears to the total population in the district as set forth in the most recent federal census. It is provided, however, that in the event a judge is temporarily transferred to hold court in some county other than in his judicial district then, and in that event, the said county shall pay that part of the monthly salary of the judge's reporter as that part of the month worked by said reporter in said county. Each reporter shall have and maintain his residence in the district in which he is appointed. The reporter, in addition to his salary, shall be paid such sums as he shall accrue as necessary mileage, traveling, and hotel expenses while absent from the city in which he resides in the discharge of his official duties, such expenses to be paid by the county for which the same were incurred upon presentation of a verified itemized statement thereof approved by the judge; and the auditor of such county, upon presentation*

of such approved statement, shall issue his warrant in payment thereof.

All laws now in force relating to the salary of district court reporters inconsistent herewith relating to any and all counties are hereby repealed and superseded, except the manner of setting salary as hereinbefore set forth shall not apply to the second and fourth judicial districts.

Sec. 2. Minnesota Statutes 1980, Section 487.11, Subdivision 2, is amended to read:

Subd. 2. [TRANSCRIPTION OF COURT PROCEEDINGS.] Electronic recording equipment may be used for the purposes of Laws 1971, Chapter 951 to record court proceedings in lieu of a court reporter. However, at the request of any party to any proceedings the court may in its discretion require the proceedings to be recorded by a competent court reporter who shall perform such additional duties as the court directs. (THE CHIEF JUDGE OF THE COUNTY COURT, BY ORDER FILED WITH THE COUNTY BOARD OR BOARDS SHALL FIX THE SALARY OF A REPORTER APPOINTED IN AN AMOUNT NOT TO EXCEED THE SALARY OF DISTRICT COURT REPORTERS AS PROVIDED BY SECTIONS 486.05 AND 486.06) *The salary of a reporter shall be set in accordance with the procedure provided by sections 486.05 and 486.06.*"

Further delete the title and insert:

"A bill for an act relating to courts; providing that court reporters' salaries shall be set by the district court administrator after consultation with the chief judge; amending Minnesota Statutes 1980, Sections 486.05, Subdivision 1; and 487.11, Subdivision 2."

The question was taken on the amendment and the roll was called. There were 61 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Aasness	Gruenes	Kvam	Osthoff	Swanson
Ainley	Hanson	Laidig	Redalen	Valan
Blatz	Haukoos	Lemen	Reding	Valento
Brandl	Heap	Levi	Rees	Voss
Brinkman	Heinitz	Ludeman	Reif	Weaver
Carlson, D.	Himle	Marsh	Rose	Welch
Den Ouden	Hokr	McDonald	Rothenberg	Welker
Drew	Jennings	Nelsen, B.	Schafer	Wenzel
Evans	Johnson, D.	Niehaus	Shea	Zubay
Ewald	Kahn	Norton	Simoneau	
Fjoslien	Kaley	Nysether	Stadum	
Forsythe	Kalis	Olsen	Stowell	
Friedrich	Knickerbocker	Onnen	Sviggum	

Those who voted in the negative were:

Anderson, B.	Elioff	Kelly	O'Connor	Sieben, M.
Anderson, G.	Ellingson	Kostohryz	Ogren	Skoglund
Anderson, I.	Esau	Lehto	Otis	Staten
Battaglia	Greenfield	Long	Peterson, B.	Tomlinson
Begich	Gustafson	Mann	Peterson, D.	Vanasek
Berkelman	Halberg	McCarron	Piepho	Vellenga
Byrne	Harens	McEachern	Pogemiller	Wieser
Carlson, L.	Hauge	Mehrkens	Rice	Wynia
Clark, K.	Hoberg	Metzen	Rodriguez, C.	Spkr. Sieben, H.
Clawson	Hokanson	Minne	Rodriguez, F.	
Dahlvang	Jacobs	Munger	Samuelson	
Dempsey	Johnson, C.	Murphy	Schoenfeld	
Eken	Jude	Novak	Sherman	

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

Mehrkens moved that the vote whereby the Zubay amendment to H. F. No. 449 was not adopted be now reconsidered.

The question was taken on the Mehrkens motion for reconsideration and the roll was called. There were 70 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Aasness	Fjoslien	Johnson, D.	Niehaus	Sherman
Ainley	Forsythe	Kahn	Norton	Simoneau
Anderson, R.	Friedrich	Kaley	Nysether	Stadum
Blatz	Gruenes	Knickerbocker	Olsen	Stowell
Brandl	Halberg	Kvam	Onnen	Swiggun
Brinkman	Hanson	Laidig	Osthoff	Swanson
Carlson, D.	Haukoos	Lemen	Redalen	Valan
Clark, J.	Heap	Levi	Reding	Valento
Dean	Heinitz	Ludeman	Rees	Voss
Den Ouden	Himle	Marsh	Reif	Weaver
Drew	Hoberg	McDonald	Rose	Welker
Esau	Hokanson	Mehrkens	Rothenberg	Wenzel
Evans	Hokr	Nelsen, B.	Schafer	Wieser
Ewald	Jennings	Nelson, K.	Shea	Zubay

Thoes who voted in the negative were:

Anderson, B.	Eken	Kelly	O'Connor	Sieben, M.
Anderson, G.	Elioff	Kostohryz	Ogren	Skoglund
Anderson, I.	Ellingson	Lehto	Otis	Staten
Battaglia	Greenfield	Long	Peterson, B.	Tomlinson
Berkelman	Gustafson	Mann	Peterson, D.	Vanasek
Byrne	Harens	McEachern	Piepho	Vellenga
Carlson, L.	Hauge	Metzen	Pogemiller	Wynia
Clark, K.	Jacobs	Minne	Rice	Spkr. Sieben, H.
Clawson	Johnson, C.	Munger	Rodriguez, C.	
Dahlvang	Jude	Murphy	Rodriguez, F.	
Dempsey	Kalis	Novak	Schoenfeld	

The motion prevailed.

The Zubay amendment was reported to the House.

Zubay moved to amend H. F. No. 449, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 486.05, Subdivision 1, is amended to read:

Subdivision 1. (THE JUDGE BY AN ORDER FILED WITH THE COUNTY AUDITORS ON OR BEFORE THE SECOND MONDAY IN JUNE SHALL ANNUALLY FIX AND ESTABLISH THE SALARY OF THE COURT REPORTER AT AN AMOUNT NOT EXCEEDING \$22,500 PER YEAR, AND, IN SUCH ORDER, EACH JUDGE, EXCEPT THOSE JUDGES IN THE SECOND AND FOURTH JUDICIAL DISTRICTS, SHALL APPORTION THE SALARIES OF THE REPORTERS IN THEIR RESPECTIVE DISTRICTS AMONG THE SEVERAL COUNTIES, AND) *In all judicial districts a salary range for court reporters shall be established annually by the judicial district administrator with the approval of a majority of judges of the district. The salary for each court reporter shall be set within that range annually by the district administrator after consultation with the chief judge. Nothing herein shall change the manner by which court reporters are paid, the proportions among the various counties of a judicial district by which the funds are allocated or any statutory provisions related to court reporter compensation other than the manner of setting salary.* Each county shall be required by (SUCH) order to pay a specified amount thereof in monthly installments, which shall be such proportion of the whole salary as the population in each county bears to the total population in the district as set forth in the most recent federal census. It is provided, however, that in the event a judge is temporarily transferred to hold court in some county other than in his judicial district then, and in that event, the said county shall pay that part of the monthly salary of the judge's reporter as that part of the month worked by said reporter in said county. Each reporter shall have and maintain his residence in the district in which he is appointed. The reporter, in addition to his salary, shall be paid such sums as he shall accrue as necessary mileage, traveling, and hotel expenses while absent from the city in which he resides in the discharge of his official duties, such expenses to be paid by the county for which the same were incurred upon presentation of a verified itemized statement thereof approved by the judge; and the auditor of such county, upon presentation of such approved statement, shall issue his warrant in payment thereof.

All laws now in force relating to the salary of district court reporters inconsistent herewith relating to any and all counties are hereby repealed and superseded, except the manner of setting salary as hereinbefore set forth shall not apply to the second and fourth judicial districts.

Sec. 2. Minnesota Statutes 1980, Section 487.11, Subdivision 2, is amended to read:

Subd. 2. [TRANSCRIPTION OF COURT PROCEEDINGS.] Electronic recording equipment may be used for the purposes of Laws 1971, Chapter 951 to record court proceedings in lieu of a court reporter. However, at the request of any party to any proceedings the court may in its discretion require the proceedings to be recorded by a competent court reporter who shall perform such additional duties as the court directs. (THE CHIEF JUDGE OF THE COUNTY COURT, BY ORDER FILED WITH THE COUNTY BOARD OR BOARDS SHALL FIX THE SALARY OF A REPORTER APPOINTED IN AN AMOUNT NOT TO EXCEED THE SALARY OF DISTRICT COURT REPORTERS AS PROVIDED BY SECTIONS 486.05 AND 486.06) *The salary of a reporter shall be set in accordance with the procedure provided by sections 486.05 and 486.06."*

Further delete the title and insert:

"A bill for an act relating to courts; providing that court reporters' salaries shall be set by the district court administrator after consultation with the chief judge; amending Minnesota Statutes 1980, Sections 486.05, Subdivision 1; and 487.11, Subdivision 2."

The question was taken on the amendment and the roll was called. There were 66 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	Knickerbocker	Olsen	Sviggunm
Ainley	Friedrich	Kvam	Onnen	Swanson
Anderson, R.	Gruenes	Laidig	Osthoff	Valan
Blatz	Hanson	Lemen	Peterson, D.	Valento
Brandl	Haukoos	Levi	Redalen	Voss
Brinkman	Heap	Ludeman	Reding	Weaver
Carlson, D.	Heinitz	Marsh	Rees	Welch
Clark, J.	Himle	McDonald	Reif	Welker
Dean	Hokr	Mehrkens	Rose	Wenzel
Den Ouden	Jennings	Nelsen, B.	Schafer	Zubay
Drew	Johnson, D.	Nelson, K.	Shea	
Evans	Kahn	Niehaus	Simoneau	
Ewald	Kaley	Norton	Stadum	
Fjoslien	Kalis	Nysether	Stowell	

Those who voted in the negative were:

Anderson, B.	Elioff	Kelly	Ogren	Sieben, M.
Anderson, G.	Ellingson	Kostohryz	Otis	Skoglund
Anderson, I.	Esau	Lehto	Peterson, B.	Staten
Battaglia	Greenfield	Long	Piepho	Stumpf
Begich	Gustafson	Mann	Pogemiller	Tomlinson
Berkelman	Halberg	McCarron	Rice	Vanasek
Byrne	Harens	McEachern	Rodriguez, C.	Vellenga
Carlson, L.	Hauge	Metzen	Rodriguez, F.	Wieser
Clark, K.	Hoberg	Minne	Rothenberg	Wynia
Clawson	Hokanson	Munger	Samuelson	Spkr. Sieben, H.
Dahlvang	Jacobs	Murphy	Sarna	
Dempsey	Johnson, C.	Novak	Schoenfeld	
Eken	Jude	O'Connor	Sherman	

The motion prevailed and the amendment was adopted.

The question was taken on the motion to recommend passage of H. F. No. 449, as amended, and the roll was called. There were 103 yeas and 24 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B.	Dahlvang	Kelly	Novak	Swanson
Anderson, G.	Den Ouden	Kostohryz	Osthoff	Vanasek
Anderson, I.	Eken	Mann	Samuelson	Wieser
Brinkman	Esau	McCarron	Sarna	Wynia
Clark, K.	Greenfield	McEachern	Staten	

The motion prevailed.

Rothenberg moved to amend H. F. No. 729, as follows:

Page 2, lines 16 to 33, delete section 3

Page 3, line 9, delete "5" insert "4"

Renumber the sections accordingly

Amend the title as follows:

Page 1, line 5, delete "216B.165,"

Page 1, line 6, delete "Subdivision 1;"

The question was taken on the amendment and the roll was called. There were 56 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	Kaley	Olsen	Stadum
Ainley	Friedrich	Knickerbocker	Onnen	Stowell
Anderson, R.	Gruenes	Kvam	Peterson, B.	Sviggum
Blatz	Halberg	Laidig	Peterson, D.	Swanson
Carlson, D.	Haukoos	Lemen	Piepho	Valan
Dean	Heap	Ludeman	Redalen	Valento
Dempsey	Heinitz	Marsh	Rees	Weaver
Den Ouden	Himle	McDonald	Reif	Zubay
Drew	Hoberg	Mehrkens	Rose	
Elioff	Hokr	Nelsen, B.	Rothenberg	
Esau	Jennings	Niehaus	Schafer	
Ewald	Johnson, D.	Nysether	Sherman	

Thoes who voted in the negative were:

Anderson, G.	Ellingson	Kelly	Ogren	Sieben, M.
Anderson, I.	Greenfield	Kostohryz	Osthoff	Simoneau
Battaglia	Gustafson	Long	Otis	Skoglund
Begich	Hanson	Mann	Pogemiller	Staten
Berkelman	Harens	McCarron	Reding	Stumpf
Brandl	Hauge	Minne	Rice	Tomlinson
Carlson, L.	Hokanson	Munger	Rodriguez, C.	Vanasek
Clark, K.	Jacobs	Murphy	Rodriguez, F.	Voss
Clawson	Johnson, C.	Nelson, K.	Samuelson	Wenzel
Dahlvang	Jude	Norton	Schoenfeld	Wynia
Eken	Kahn	Novak	Shea	Spkr. Sieben, H.

The motion prevailed and the amendment was adopted.

Nelson, K., moved to amend H. F. No. 743, as follows:

Page 1, line 8, before "Any" insert "Subdivision 1."

Page 1, after line 12, add a subdivision to read:

"Subd. 2. [FUEL PAYMENT PLANS.] *Fuel suppliers that offer their retail customers a payment plan which results in a monthly payment equal to the monthly average of an estimated or actual yearly bill shall make that payment plan available to any residential customer.*"

Ainley moved to amend the Nelson, K., amendment to H. F. No. 743, as follows:

Page 1, line 8, after "to any residential customer" insert "except those receiving emergency fuel assistance"

The question was taken on the Ainley amendment to the Nelson, K., amendment and the roll was called. There were 34 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Aasness	Ainley	Anderson, R.	Dempsey	Den Ouden
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Esau	Heap	Marsh	Peterson, B.	Stowell
Evans	Heinitz	McDonald	Piepho	Sviggum
Ewald	Hoberg	Nelsen, B.	Rees	Valento
Forsythe	Kaley	Niehaus	Rothenberg	Welker
Friedrich	Knickerbocker	Nysether	Sherman	Zubay
Halberg	Ludeman	Olsen	Stadum	

Those who voted in the negative were:

Anderson, I.	Elioff	Kelly	O'Connor	Sieben, M.
Battaglia	Ellingson	Kostohryz	Ogren	Simoneau
Begich	Fjoslien	Laidig	Onnen	Skoglund
Berkelman	Greenfield	Lehto	Osthoff	Staten
Blatz	Gruenes	Lemen	Otis	Stumpf
Brandl	Hanson	Long	Peterson, D.	Swanson
Byrne	Harens	Mann	Pogemiller	Tomlinson
Carlson, D.	Hauge	McCarron	Redalen	Vanasek
Carlson, L.	Haukoos	McEachern	Reding	Vellenga
Clark, J.	Himle	Metzen	Reif	Voss
Clark, K.	Hokanson	Minne	Rodriguez, C.	Weaver
Clawson	Hokr	Munger	Rodriguez, F.	Wenzel
Dahlvang	Jacobs	Murphy	Rose	Wieser
Dean	Johnson, C.	Nelson, K.	Samuelson	Wynia
Drew	Jude	Norton	Sarna	Spkr. Sieben, H.
Eken	Kahn	Novak	Schoenfeld	

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

The question recurred on the Nelson, K., amendment and the roll was called. There were 70 yeas and 56 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Ewald	Kaley	Olsen	Sviggum
Ainley	Fjoslien	Kvam	Onnen	Tomlinson
Anderson, G.	Forsythe	Laidig	Peterson, B.	Valan
Anderson, R.	Friedrich	Lemen	Piepho	Valento
Blatz	Gruenes	Levi	Redalen	Weaver
Carlson, D.	Haukoos	Ludeman	Rees	Welker
Dean	Heap	Marsh	Rothenberg	Wieser
Dempsey	Heinitz	McDonald	Schafer	Zubay
Den Ouden	Himle	Mehrkens	Schreiber	
Drew	Hoberg	Nelsen, B.	Sherman	
Esau	Jennings	Niehaus	Stadum	
Evans	Johnson, D.	Nysether	Stowell	

The motion prevailed and the Nelson, K., amendment was adopted.

The question was taken on the motion to recommend passage of H. F. No. 743, as amended, and the roll was called. There were 67 yeas and 60 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed.

Peterson, D., moved that the vote whereby the Rothenberg amendment to H. F. No. 729 was adopted be now reconsidered.

The question was taken on the Peterson, D., motion for reconsideration and the roll was called. There were 68 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Clark, K.	Harens	Kostohryz	Munger
Battaglia	Clawson	Hauge	Lehto	Murphy
Begich	Dahlvang	Hokanson	Levi	Nelson, K.
Berkelman	Eken	Jacobs	Long	Norton
Brandl	Elioff	Johnson, C.	Mann	Novak
Brinkman	Ellingson	Jude	McCarron	O'Connor
Byrne	Greenfield	Kahn	McEachern	Ogren
Carlson, L.	Gustafson	Kalis	Metzen	Osthoff
Clark, J.	Hanson	Kelly	Minne	Otis

Peterson, D.	Rodriguez, F.	Sieben, M.	Tomlinson	Wenzel
Pogemiller	Samuelson	Simoneau	Vanasek	Wynia
Reding	Sarna	Skoglund	Vellenga	Spkr. Sieben, H.
Rice	Schoenfeld	Staten	Voss	
Rodriguez, C.	Shea	Stumpf	Welch	

Those who voted in the negative were:

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

The motion prevailed.

The Rothenberg amendment was reported to the House.

Rothenberg moved to amend H. F. No. 729, as follows:

Page 2, lines 16 to 33, delete section 3

Page 3, line 9, delete "5" insert "4"

Re-number the sections accordingly

Amend the title as follows:

Page 1, line 5, delete "216B.165,"

Page 1, line 6, delete "Subdivision 1;"

The question was taken on the amendment and the roll was called. There were 59 yeas and 67 nays as follow:

Those who voted in the affirmative were:

Aasness	Ewald	Jennings	Niehaus	Schafer
Ainley	Fjoshien	Kaley	Nysether	Sherman
Anderson, R.	Forsythe	Knickerbocker	O'Connor	Stadum
Begich	Friedrich	Kvam	Olsen	Stowell
Blatz	Gruenes	Laidig	Onnen	Sviggum
Carlson, D.	Halberg	Lemen	Peterson, B.	Valan
Dean	Haukoos	Levi	Piepho	Valento
Dempsey	Heap	Ludeman	Redalen	Weaver
Den Ouden	Heinitz	Marsh	Rees	Welker
Drew	Himle	McDonald	Reif	Wieser
Esau	Hoberg	Mehrkens	Rose	Zubay
Evans	Hokr	Nelsen, B.	Rothenberg	

Those who voted in the negative were:

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

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

Peterson, B., moved to amend H. F. No. 729, as follows:

Page 2, line 23, delete "\$10" and insert "*one-half of the cost*"

The question was taken on the amendment and the roll was called. There were 57 yeas and 68 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

The question was taken on the motion to recommend passage of H. F. No. 729 and the roll was called. There were 63 yeas and 64 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Fjoslien	Kaley	Nelsen, B.	Schafer
Ainley	Forsythe	Kalis	Niehaus	Sherman
Anderson, G.	Friedrich	Knickerbocker	Nysether	Stadum
Anderson, R.	Gruenes	Kvam	Olsen	Stowell
Battaglia	Halberg	Laidig	Onnen	Sviggum
Begich	Haukoos	Lemen	Peterson, B.	Swanson
Carlson, D.	Heap	Levi	Piepho	Valan
Dempsey	Heinitz	Ludeman	Redalen	Valento
Den Ouden	Himle	Mann	Rees	Weaver
Drew	Hoberg	Marsh	Reif	Welker
Esau	Hokr	McDonald	Rose	Wieser
Evans	Jennings	Mehrkens	Rothenberg	Zubay
Ewald	Johnson, D.	Minne	Samuelson	

The motion did not prevail.

Kahn moved to amend H. F. No. 817, as follows:

Page 2, line 16, after "limited" insert "provided that teams or events are provided for each sex to the extent necessary to accommodate the demonstrated interest of each sex to participate in wrestling"

The question was taken on the amendment and the roll was called. There were 33 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Byrne	Gustafson	Laidig	Murphy	Osthoff
Clark, J.	Hokanson	Lehto	Nelson, K.	Otis
Clark, K.	Kahn	Long	Norton	Peterson, D.
Ellingson	Kaley	Minne	Novak	Rees
Greenfield	Kelly	Munger	Ogren	Rodriguez, C.

Rodriguez, F. Sieben, M.	Simoneau Staten	Tomlinson Vellenga	Wynia	Spkr. Sieben, H.
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Those who voted in the negative were:

Aasness	Drew	Hoberg	Nelsen, B.	Sherman
Ainley	Eken	Hokr	Niehaus	Skoglund
Anderson, B.	Elihoff	Jacobs	O'Connor	Stowell
Anderson, G.	Esau	Jennings	Olsen	Sviggum
Anderson, R.	Evans	Johnson, C.	Onnen	Swanson
Battaglia	Ewald	Johnson, D.	Peterson, B.	Valan
Begich	Fjoslien	Jude	Piepho	Valento
Berkelman	Forsythe	Kalis	Redalen	Vanasek
Blatz	Friedrich	Knickerbocker	Reding	Voss
Brandl	Gruenes	Kostohryz	Reif	Weaver
Brinkman	Halberg	Kvam	Rose	Welch
Carlson, D.	Hanson	Lemen	Rothenberg	Welker
Carlson, L.	Harens	Ludeman	Samuelson	Wenzel
Clawson	Hauge	Mann	Sarna	Wieser
Dahlvang	Haukoos	Marsh	Schafer	
Dean	Heap	McCarron	Schoenfeld	
Dempsey	Heinitz	McDonald	Schreiber	
Den Ouden	Himle	Mehrkens	Shea	

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

The question was taken on the motion to recommend passage of H. F. No. 1040 and the roll was called. There were 41 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Ewald	Metzen	Pogemiller	Sieben, M.
Anderson, R.	Greenfield	Minne	Reding	Simoneau
Brandl	Heap	Murphy	Rees	Tomlinson
Brinkman	Kahn	Norton	Reif	Wynia
Clark, J.	Knickerbocker	Novak	Rodriguez, F.	Zubay
Clark, K.	Kostohryz	O'Connor	Rose	
Dahlvang	Long	Otis	Samuelson	
Dempsey	McCarron	Peterson, B.	Sarna	
Evans	McEachern	Peterson, D.	Sherman	

Those who voted in the negative were:

Aasness	Ellingson	Jacobs	Mehrkens	Staten
Ainley	Esau	Jennings	Munger	Stowell
Anderson, B.	Fjoslien	Johnson, C.	Niehaus	Stumpf
Anderson, G.	Friedrich	Johnson, D.	Nysether	Sviggum
Battaglia	Gruenes	Jude	Ogren	Swanson
Begich	Gustafson	Kaley	Onnen	Valan
Berkelman	Halberg	Kalis	Osthoff	Valento
Byrne	Hanson	Kelly	Piepho	Vanasek
Carlson, D.	Harens	Kvam	Redalen	Vellenga
Carlson, L.	Hauge	Laidig	Rodriguez, C.	Voss
Clawson	Haukoos	Lehto	Rothenberg	Weaver
Dean	Heinitz	Lemen	Schafer	Welker
Den Ouden	Himle	Ludeman	Schoenfeld	Wenzel
Drew	Hoberg	Mann	Schreiber	Wieser
Eken	Hokanson	Marsh	Skoglund	Spkr. Sieben, H.
Elihoff	Hokr	McDonald	Stadum	

The motion did not prevail.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 339:

Berkelman, Minne, and Begich.

The Speaker announced the appointment of the following members of the House to act as an honor guard for the funeral of Dwight Sherwood, father of Representative Glen Sherwood:

Nelsen, B.; Aasness; Ainley; Sieben, H.; Eken, and Reding.

MOTIONS AND RESOLUTIONS

Clark, J., moved that the name of Clark, K., be added as an author on H. F. No. 1302. The motion prevailed.

Vanasek moved that H. F. No. 1372 be returned to its author. The motion prevailed.

Aasness introduced:

House Resolution No. 15, A house resolution relating to the city of Fergus Falls; extending congratulations upon being selected an All-America City.

The resolution was referred to the Committee on Rules and Legislative Administration.

Eken introduced:

House Concurrent Resolution No. 4, A house concurrent resolution relating to adjournment of the House of Representatives for more than three days.

SUSPENSION OF RULES

Eken moved that the Rules be so far suspended that House Concurrent Resolution No. 4 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 4

A house concurrent resolution relating to adjournment of the House of Representatives for more than three days.

Be It Resolved by the House of Representatives, the Senate concurring:

(1) Upon its adjournment on April 15, 1981, the House of Representatives may set its next day of meeting for 2:00 p.m. on April 20, 1981.

(2) Pursuant to the Minnesota Constitution, Article IV, Section 12, the Senate consents to the adjournment of the House of Representatives for more than three days.

Eken moved that House Concurrent Resolution No. 4 be now adopted. The motion prevailed and House Concurrent Resolution No. 4 was adopted.

ADJOURNMENT

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, April 15, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives