

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1981

THIRTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 20, 1981

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

Prayer was offered by Reverend Laurits C. Nielsen, First United Methodist Church, Windom, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Kahn, Luknic, Searles and Wigley were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. Peterson, B., moved that further reading of the Journals be dispensed with and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 70, 108, 590, 725, 749, 1142, 1166, 659, 708, 887, 1294, 779, 848, 996, 1059, 1071, 1072, 12, 247, 892, 664, 874, 61, 251, 284, 478, 484, 565, 567, 933, 1223, and S. F. Nos. 31, 155, 330, 560, 393, 430, 168, 849, 973, 196, 462, 408, 333, 436, 759, 489, 520, 522, 874, 903, 72, 89 and 250 have been placed in the members' files.

S. F. No. 849 and H. F. No. 1024, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

McEachern moved that S. F. No. 849 be substituted for H. F. No. 1024 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 196 and H. F. No. 427, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

McDonald moved that S. F. No. 196 be substituted for H. F. No. 427 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 333 and H. F. No. 206, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Berkelman moved that the rules be so far suspended that S. F. No. 333 be substituted for H. F. No. 206 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 168 and H. F. No. 291, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

McDonald moved that the rules be so far suspended that S. F. No. 168 be substituted for H. F. No. 291 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 520 and H. F. No. 714, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Peterson, D., moved that the rules be so far suspended that S. F. No. 520 be substituted for H. F. No. 714 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 560 and H. F. No. 1034, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Voss moved that the rules be so far suspended that S. F. No. 560 be substituted for H. F. No. 1034 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 874 and H. F. No. 729, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Otis moved that the rules be so far suspended that S. F. No. 874 be substituted for H. F. No. 729 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 462 and H. F. No. 421, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Rice moved that the rules be so far suspended that S. F. No. 462 be substituted for H. F. No. 421 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 72 and H. F. No. 780, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Minne moved that the rules be so far suspended that S. F. No. 72 be substituted for H. F. No. 780 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

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

April 15, 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>
153		26	April 14	April 15
247		27	April 14	April 15
	40	28	April 14	April 15
	71	29	April 14	April 15
	84	30	April 14	April 15
173		31	April 14	April 15
201		32	April 14	April 15
269		33	April 14	April 15
297		34	April 14	April 15
330		35	April 14	April 15
341		36	April 14	April 15
470		37	April 14	April 15

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

37th Day]

MONDAY, APRIL 20, 1981

1763

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 16, 1981

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

Dear Speaker Sieben:

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

H. F. No. 1083, relating to charitable trusts; transferring responsibility of keeping certain records;

H. F. No. 214, relating to labor; regulating certain steam engine and boiler operators; exempting certain operators from testing requirements;

Sincerely,

ALBERT H. QUIE
Governor

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

April 17, 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>
	214	38	April 16	April 17
	1083	39	April 16	April 17

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Anderson, I., from the Committee on Taxes to which was referred:

H. F. No. 161, A bill for an act relating to the city of Cloquet; permitting the city to contract, pay, and tax for certain public transportation services.

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

The report was adopted.

Anderson, I., from the Committee on Taxes to which was referred:

H. F. No. 252, A bill for an act relating to taxation; allowing urban towns to increase their tax levy limit base by eight percent per year; amending Minnesota Statutes 1980, Section 275.52, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 21, delete *"the day following final enactment"* and insert *"for taxes levied in 1981 and thereafter, payable in 1982 and thereafter"*

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. 463, 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 following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [160.298] [SPECIFIC SIGN STUDY.]

Subdivision 1. [INFORMATIONAL SERVICE TO THE TRAVELING PUBLIC.] The department of transportation and the department of economic development shall recommend ways to inform travelers of the location of businesses which serve the traveling public. The recommendations shall address the following:

- (a) definition of businesses which serve the traveling public;*
- (b) information needs of travelers;*
- (c) methods of providing information to travelers.*

Subd. 2. [METHODS OF PROVIDING INFORMATION.] In preparing recommendations, the departments shall consider the following methods of providing information to travelers:

- (a) state map distribution;*
- (b) local maps;*
- (c) directional signs;*
- (d) sign bays;*
- (e) establishment of a logo sign program;*
- (f) coordination of state and local directional sign programs.*

Subd. 3. [RECOMMENDATIONS.] Specific recommendations for legislative action shall be submitted to the standing committees on transportation of both houses of the legislature by February 1, 1982, and shall state the cost and the time required for implementing each recommendation and whether agency rulemaking might be necessary.

Subd. 4. [LEAD AGENCY.] The department of economic development shall be the lead agency in compiling and submitting the recommendation. The commissioners of transportation and economic development or their designees shall prepare the recommendations."

Delete the title and insert:

"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

traveling public; proposing new law coded in Minnesota Statutes, Chapter 160."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 746, A bill for an act relating to occupational and professional licensing; removing the consecutive term restriction from the board of nursing; removing delinquent and non-practicing statutes; providing for nursing permits; repealing outdated statutes; amending Minnesota Statutes 1980, Sections 148.181, Subdivision 2; 148.231, Subdivisions 1, 4, 5, and 6; 148.271; 148.294 and 148.295; repealing Minnesota Statutes 1980, Section 148.231, Subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 148.181, Subdivision 2, is amended to read:

Subd. 2. On expiration of the term of a member who is a registered nurse, the governor may appoint a registered nurse from a list of members submitted by professional nursing groups. Likewise on expiration of the term of a member who is a licensed practical nurse, the governor may appoint a licensed practical nurse from a list of members submitted by licensed practical nursing groups. (SUCH) *These* lists should contain names of persons in number at least twice the number of places to be filled. Vacancies occurring on the board, when the member is a registered nurse or a licensed practical nurse, may be filled for the unexpired terms by appointments to be made by the governor from nominations submitted by nursing groups in the manner aforesaid. (NO BOARD MEMBER SHALL BE APPOINTED TO CONSECUTIVE TERMS.) Members shall hold office until a successor is appointed and qualified.

Sec. 2. Minnesota Statutes 1980, Section 148.211, Subdivision 1, is amended to read:

Subdivision 1. An applicant for a license to practice as a registered nurse shall apply to the board for license by examination on forms prescribed by the board and pay a fee in an amount determined by rule. An applicant applying for re-examination shall pay a fee in an amount determined by rule. In no case shall fees be refunded.

Before being scheduled for examination the applicant shall provide written evidence verified by oath that he (a) is of good moral character, (b) is in good mental health, (c) meets secondary education requirements as determined by the board and other preliminary qualification requirements the board may prescribe by rule, and (d) either has completed a course of study in a professional nursing program approved by the board or is enrolled in the final term of study in such program. *The board shall annually publish and distribute to secondary school counselors the requirements for licensure for practice in Minnesota.*

The applicant shall be required to pass a written examination in the subjects the board may determine. Each written examination may be supplemented by an oral or practical examination. An applicant failing to pass any portion of the examination shall be deemed to have failed the examination and may apply for re-examination in the subjects or sections failed.

Refusal to supply information necessary to determine the qualifications of an applicant may result in denial of the application.

Upon submission by the applicant of an affidavit of graduation from an approved nursing program as well as proof that the applicant has passed the examination, paid the required fees and met all other requirements stated in this subdivision, the board shall issue a license to the applicant.

Sec. 3. Minnesota Statutes 1980, Section 148.231, Subdivision 1, is amended to read:

Subdivision 1. [REGISTRATION.] (EXCEPT FOR A PERSON WHOSE NAME IS ON THE NON-PRACTICING LIST AS PROVIDED IN THIS SECTION,) Every person licensed to practice professional nursing must also maintain with the board, a current registration for practice as a registered nurse which must be renewed at regular intervals stipulated by the board by rule. Upon adoption by the board of rules (AND REGULATIONS) establishing procedures and minimum requirements for successful completion of specified continuing education as hereinafter provided, no certificate of registration shall be issued by the board to a nurse until he or she has submitted satisfactory evidence of compliance with the procedures and minimum requirements established by the board.

The fee for periodic registration for practice as a registered nurse shall be determined by the board by rule. A penalty fee shall be added for any application received after the (EXPIRATION) required date as specified by the board by rule. Upon receipt of the application and the required fees, the board shall verify the application and the evidence of completion of continuing education requirements in effect, and thereupon issue to

(SUCH) *the* applicant a certificate of registration for the next renewal period.

Sec. 4. Minnesota Statutes 1980, Section 148.231, Subdivision 4, is amended to read:

Subd. 4. [FAILURE TO REGISTER.] Any person licensed under the provisions of sections 148.171 to 148.285 who fails to re-register within the period hereinbefore provided (, SHALL BE DEEMED DELINQUENT AND) shall not be entitled to practice nursing in this state as a registered nurse (, UNTIL AN APPLICATION FOR RENEWAL REGISTRATION HAS BEEN FILED WITH THE BOARD ACCOMPANIED BY SATISFACTORY EVIDENCE OF COMPLIANCE WITH THE PROCEDURES AND MINIMUM REQUIREMENTS CURRENTLY ESTABLISHED BY THE BOARD FOR CONTINUING EDUCATION AND BY A REGISTRATION FEE FOR EACH CALENDAR YEAR DURING WHICH SAID APPLICANT HAS FAILED TO REGISTER, UP TO A MAXIMUM STIPULATED BY THE BOARD BY RULE, AND A CERTIFICATE OF RE-REGISTRATION ISSUED TO SUCH PERSON).

Sec. 5. Minnesota Statutes 1980, Section 148.231, Subdivision 5, is amended to read:

Subd. 5. [(NON-PRACTICING LIST;) RE-REGISTRATION.] (A PERSON LICENSED UNDER THE PROVISIONS OF SECTIONS 148.171 TO 148.285 WHO DESIRES TO RETIRE FROM PRACTICE TEMPORARILY, SHALL SEND A WRITTEN NOTICE TO THE BOARD. UPON THE RECEIPT OF SUCH NOTICE, THE BOARD SHALL PLACE THE NAME OF SUCH PERSON ON THE NON-PRACTICING LIST. WHILE SO REMAINING ON THIS LIST, THE PERSON SHALL NOT BE SUBJECT TO THE PAYMENT OF ANY FEES, AND SHALL NOT PRACTICE NURSING IN THIS STATE.) When (SUCH) *a* person desires to resume practice he or she shall make application for re-registration, and submit satisfactory evidence of compliance with the procedures and minimum requirements established by the board for continuing education, and pay the registration fee for the current period to the board. Thereupon, the registration certificate shall be issued to such applicant, and such person shall immediately be placed on the practicing list as a registered nurse.

Sec. 6. Minnesota Statutes 1980, Section 148.231, Subdivision 6, is amended to read:

Subd. 6. [FEE FOR LICENSE VERIFICATION.] A person licensed under the provisions of sections 148.171 to 148.285 who requests the board to verify (SUCH) *a* Minnesota license to another jurisdiction or to an agency, facility, school or institution shall pay a fee to the board for each verification.

Sec. 7. Minnesota Statutes 1980, Section 148.251, is amended by adding a subdivision to read:

Subd. 4. Associate degree nursing programs approved or seeking to be approved by the board shall provide for advanced standing for licensed practical nurses in recognition of their nursing education and experience. The board shall adopt rules by July 1, 1982 to implement this section.

Sec. 8. Minnesota Statutes 1980, Section 148.271, is amended to read:

148.271 [ALLOWABLE UNLICENSED PRACTICES.]

The provisions of sections 148.171 to 148.285 shall not prohibit:

- (1) The furnishing of nursing assistance in an emergency.
- (2) The practice of nursing by any legally qualified nurse of another state who is employed by the United States government or any bureau, division or agency thereof while in the discharge of his or her official duties.
- (3) Under the direct supervision of a registered nurse, the practice of nursing by a graduate of a school of professional nursing approved by the board between the date of graduation and the date of notification to (SUCH) *the* graduate of the board action upon his or her application for licensure hereunder, provided that (SUCH) *the* graduate will take the first examination for licensure hereunder following graduation given by the board and will be issued a permit by the board to engage in supervised practice of professional nursing while awaiting notification of the results of such examination. The board is authorized to issue permits to such graduates which shall permit the practice of professional nursing under direct supervision from the date of graduation until the date that the board shall notify (SUCH) *the* graduates of the results of their applications for registration conditioned upon (SUCH) *the* graduates making prompt application for registration and taking the first examination given by the board which they are eligible to take following graduation. (SUCH) *These* permits shall not be renewable.
- (4) The practice of any profession or occupation licensed by the state, other than professional nursing, by any person duly licensed to practice (SUCH) *the* profession or occupation, or the performance by (SUCH) a person of any acts properly coming within the scope of (SUCH A) *the* profession, occupation or license.
- (5) The performance of any act in the nursing care of the sick by a nurse's aide under the direction of a registered nurse.

(6) The practice of nursing by a person licensed as a professional nurse in another jurisdiction and qualified for licensure in the state of Minnesota pursuant to a temporary permit issued by the board of nursing which permit shall be issued by the board pursuant to (SUCH) rules (AND REGULATIONS) as it may promulgate, for the period between the submission of a proper application for licensure by (SUCH) the person and the date of action upon (SUCH) the application by the board.

(7) The care of the sick, injured or infirm in a private home by any person who does not assume or represent to be a registered or professional nurse.

(8) Care of the sick with or without compensation when done in a nursing home covered by the provisions of section 144A.09, subdivision 1.

(9) *The practice of nursing by a graduate of an approved professional nursing program in another jurisdiction provided the graduate has applied for licensure in the state of Minnesota by interstate endorsement and has written the first examination for licensure following graduation. Practice under this clause is allowable only under a temporary permit issued by the board which shall be issued pursuant to rules as the board may promulgate, and which shall be valid only for the period between submission of a proper application and completion of the examination by the person and the date of action upon the application by the board. The examination must be the same examination required of applicants for licensure by examination in Minnesota. The permit shall authorize the practice of nursing only under the direct supervision of a licensed professional nurse. The permit shall not be renewable.*

Sec. 9. Minnesota Statutes 1980, Section 148.291, Subdivision 1, is amended to read:

Subdivision 1. [QUALIFICATIONS.] An applicant for a license to practice nursing as a licensed practical nurse shall apply to the board for examination on forms provided by the board and pay a fee in an amount determined by rule. An applicant applying for re-examination shall pay a fee in an amount determined by rule. In no case shall fees be refunded.

Before being scheduled for examination the applicant shall provide written evidence, verified by oath that he (a) is of good moral character, (b) is in good mental health, (c) meets secondary education requirements as determined by the board and any other preliminary qualification requirements the board may prescribe by rule, and (d) either has completed an approved course for the training of licensed practical nurses or is enrolled in the final term of study in such program. *The board shall annually publish and distribute to secondary counselors the requirements for licensure for practice in Minnesota.*

Refusal to supply information necessary to determine the qualifications of an applicant may result in denial of the application.

Upon submission by the applicant of an affidavit of graduation from an approved nursing program as well as proof that the applicant has passed the examination, paid the required fees and met all other requirements stated in this subdivision, the board shall issue a license to such applicant.

Sec. 10. Minnesota Statutes 1980, Section 148.294, is amended to read:

148.294 [REGISTRATION; FEE FOR LICENSE VERIFICATION.]

Subdivision 1. [(ANNUAL) CURRENT REGISTRATION.] (EVERY LICENSED PRACTICAL NURSE SHALL REGISTER ANNUALLY WITH THE BOARD FOR EACH CALENDAR YEAR AND PAY A FEE ON OR BEFORE DECEMBER 31 OF THE IMMEDIATELY PRECEDING YEAR, THEREUPON, THE BOARD SHALL ISSUE A CERTIFICATE OF RENEWAL REGISTRATION. A PENALTY FEE SHALL BE ADDED FOR RENEWAL REGISTRATION APPLICATIONS POSTMARKED AFTER DECEMBER 31 OF THE IMMEDIATELY PRECEDING YEAR.) *Every person licensed to practice practical nursing must also maintain with the board a current registration for practice as a licensed practical nurse which must be renewed at regular intervals stipulated by the board by rule.*

The fee for periodic registration for practice as a licensed practical nurse shall be determined by the board by rule. A penalty fee shall be added for any application received after the required date as specified by the board by rule. Upon receipt of the application and the required fees, the board shall verify the application and thereupon issue to the applicant a certificate of registration for the next renewal period.

Subd. 2. [FAILURE TO RE-REGISTER.] (A) Any person licensed under the provisions of (SECTION) sections 148.291 to 148.299 who fails to re-register within the period hereinbefore provided (SHALL BE DEEMED DELINQUENT AND) shall not be entitled to practice nursing in this state as a licensed practical nurse (, UNTIL AN APPLICATION FOR RENEWAL REGISTRATION HAS BEEN FILED WITH THE BOARD ACCOMPANIED BY A REGISTRATION FEE FOR EACH CALENDAR YEAR DURING WHICH SAID APPLICANT HAS BEEN DELINQUENT, UP TO A MAXIMUM STIPULATED BY THE BOARD BY RULE, AND A CERTIFICATE OF RE-REGISTRATION ISSUED TO SUCH PERSON.

Subd. 3. [(NOTICE OF TEMPORARY RETIREMENT) *RE-REGISTRATION.*] (A PERSON LICENSED UNDER THE PROVISIONS OF SECTION 148.291 WHO DESIRES TO RETIRE FROM PRACTICE TEMPORARILY, SHALL SEND A WRITTEN NOTICE TO THE BOARD. UPON THE RECEIPT OF SUCH NOTICE THE BOARD SHALL PLACE THE NAME OF SUCH PERSON ON THE NON-PRACTICING LIST. WHILE SO REMAINING ON THIS LIST, THE PERSON SHALL NOT BE SUBJECT TO THE PAYMENT OF ANY FEES, AND SHALL NOT PRACTICE NURSING IN THIS STATE.) When (SUCH) *a* person desires to resume practice he or she shall make application for re-registration and pay the (ANNUAL) registration fee for the current (YEAR) *period* to the board, and the registration certificate shall be issued to (SUCH) *the* applicant, and (SUCH) *the* person shall immediately be placed on the practicing list as a licensed practical nurse.

Subd. 4. [FEE FOR LICENSE VERIFICATION.] A person licensed under the provisions of sections 148.29 to (148.297) *148.299* who requests the board to verify (SUCH) *a* Minnesota license to another jurisdiction *or to an agency, facility, school or institution* shall pay a fee (OF \$5) to the board for each verification.

Sec. 11. Minnesota Statutes 1980, Section 148.295, is amended to read:

148.295 [ALLOWABLE UNLICENSED PRACTICES.]

The provisions of sections 148.29 to 148.297 shall not prohibit:

(1) The practice of practical nursing by any legally qualified licensed practical nurse of another state who is employed by the United States government or any bureau, division or agency thereof while in the discharge of his or her official duties;

(2) Under the direct supervision of a registered nurse, the practice of practical nursing by a graduate of a school of practical nursing approved by the board between the date of graduation and the date of notification to the graduate of the board action upon his *or her* application for licensure hereunder, provided that the graduate will take the first licensure examination following graduation and will be issued a permit by the board to engage in supervised practice. The permits shall not be renewable (.);

(3) *The practice of practical nursing by a graduate of an approved practical nursing program in another jurisdiction provided the graduate has applied for licensure in the state of Minnesota by interstate endorsement and has written the first examination for licensure following graduation. Practice under this clause is allowable only under a temporary permit issued by the board which shall be issued pursuant to rules as the*

board may promulgate, and which shall be valid only for the period between submission of a proper application and completion of the examination by the person and the date of action upon the application by the board. The examination must be the same examination required of applicants for licensure by examination in Minnesota. The permit shall authorize the practice of nursing only under the direct supervision of a licensed professional nurse. The permit shall not be renewable; or

(4) The practice of practical nursing by a person licensed as a licensed practical nurse in another jurisdiction and qualified for licensure in the state of Minnesota. Practice under this clause is allowable only under a temporary permit issued by the board which shall be issued by the board pursuant to rules as the board may promulgate, and which shall be valid only for the period between the submission of a proper application for licensure by the person and the date of action upon the application by the board.

Sec. 12. [REPEALER.]

Minnesota Statutes 1980, Section 148.231, Subdivision 2, is repealed.

Sec. 13. [EFFECTIVE DATE.]

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

Delete the title and insert:

"A bill for an act relating to occupational and professional licensing; removing the consecutive term restriction from the board of nursing; requiring distribution of licensure requirements to secondary school counselors; removing delinquent and non-practicing statutes; providing for nursing permits; repealing outdated statutes; providing for advanced standing for licensed practical nurses; amending Minnesota Statutes 1980, Sections 148.181, Subdivision 2; 148.211, Subdivision 1; 148.231, Subdivisions 1, 4, 5, and 6; 148.251, by adding a subdivision; 148.271; 148.291, Subdivision 1; 148.294 and 148.295; repealing Minnesota Statutes 1980, Section 148.231, Subdivision 2."

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

The report was adopted.

Sieben, M., from the Committee on Appropriations to which was referred:

H. F. No. 748, A bill for an act relating to recycling of solid waste; authorizing the state to contract for recycling; requiring payment of a refund on nonrefillable beverage containers; imposing duties on the commissioner of revenue and the pollution control agency; imposing penalties; establishing a dedicated

fund in the state treasury; proposing new law coded in Minnesota Statutes, Chapter 116F; repealing Minnesota Statutes 1980, Sections 116F.21 and 116F.22.

Reported the same back with the following amendments:

Page 2, after line 4, insert:

"Subd. 8. [NEWSPRINT.] "Newsprint" means any daily or weekly newspaper."

Renumber the subdivisions

Page 2, line 29, after the period insert "No retail store in the state shall be required to accept an empty nonrefillable beverage container from any person or pay a refund value pursuant to this act."

The price of a newspaper sold or offered for sale in this state shall include a refund value of two cents per pound plus a recycling allowance of one cent per pound."

Page 2, after line 34, insert

"A publisher selling newsprint in the state shall add three cents per pound to the price of each newspaper sold or offered for sale in the state."

Page 2, line 36, after "distributor" insert "and publisher"

Page 3, line 3, after "dealers" insert ", distributors and residents"

Page 3, line 5, after "container" insert "and pound of newsprint"

Page 3, line 6, after "dealers" insert ", distributors and residents"

Page 3, line 7, after "[FUND.]" insert "Prior to July 1, 1983,"

Page 3, line 10, delete the period and insert a comma

Page 3, line 10, before "All" insert "and"

Page 3, line 14, after the period insert "Beginning July 1, 1983, all moneys collected pursuant to this section including an unencumbered balance in the "land disposal abatement and recycling fund" shall be deposited in the general fund and moneys necessary for the purposes of this act shall be from biennial appropriations. The complement of the pollution control agency is in-

creased by four positions in fiscal year 1982, and by an additional three positions in fiscal year 1983.

Subd. 4. The provisions of chapter 297A relating to limitations on filing and auditing reports or returns, penalties for late payment or late filing, extensions for time to file and pay, and the audit authority of the commissioner, are applicable to the reports or returns required to be filed with the commissioner pursuant to this act. The provisions of section 297A.43 are not applicable and the data required to be submitted to the commissioner shall be public data."

Page 3, lines 18, 20 and 23, after "containers" insert "and newsprint"

Page 3, line 25, after "container" insert "or per pound of newsprint"

Page 3, line 29, after "containers" insert "or pounds of newsprint"

Page 3, line 36, after "container" insert "or per pound of newsprint"

Page 4, after line 22, insert:

"(1) For employee reemployment assistance, the reemployment assistance shall include, but not be limited to, retraining and relocation allowances, employment assistance and educational training programs;"

Renumber the clauses

Page 4, line 24, after "container" insert "or newsprint"

Page 4, lines 29 and 32, after "containers" insert "or newsprint"

Page 4, line 34, after "container" insert ", newsprint"

Page 5, line 3, after "containers" insert ", newsprint"

Page 5, line 19, after "section 6" insert a period and delete the balance of the line

Page 5, delete lines 20 to 23 and insert:

"A taxpayer who is a dislocated worker may claim a credit against any individual income tax due the state for the taxable year for the cost of vocational or educational training or retrain-

ing and for any moving expenses due to relocation in order to obtain employment not paid by the employer or covered by the provisions of this act.

The credit shall be equal to 100 percent of the cost of the vocational or educational training or retraining and for any moving expenses due to relocation in order to obtain employment but shall not exceed \$5,000.

If the amount of the credit provided exceeds the taxpayers liability for the taxable year, the excess may be carried forward to future taxable years until the actual or maximum allowable credit has been allowed.

"Dislocated worker" means any individual who is involved in the production or distribution of any container or beverage covered by the provisions of this act and who suffers a loss of employment due to the permanent closing, or temporary closing due to converting or retooling, of a place of employment or a part of a place of employment which is directly related to or caused by the passage of this act."

Page 5, line 28, after "container" insert ", newsprint"

Page 6, line 6, after "containers" insert "and newsprint"

Page 6, line 7, delete "March" and insert "October"

Page 6, after line 19, insert:

"Sec. 10. [RULES.]

The agency shall adopt rules necessary to carry out its responsibilities under this act."

Page 6, line 27, after "1982" insert ", and expires January 1, 1984"

Renumber the sections

Amend the title as follows:

Page 1, line 4, after "containers" insert "and newsprint"

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. 886, A bill for an act relating to mobile homes; regulating lot rentals; specifying conditions on which a lessor may recover possession of land upon which a mobile home is located; amending Minnesota Statutes 1980, Section 327.44.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 327.44, is amended to read:

327.44 [TERMINATION FOR CAUSE.]

A lessor may recover possession of land upon which an occupied mobile home is situated only if:

(a) The tenant fails to comply with a local ordinance or state law or regulation relating to mobile homes within the time the ordinance, law or regulation provides or, if no time is provided, within a reasonable time after the tenant has received written notice of noncompliance;

(b) The tenant fails to comply with the terms and conditions of the lease or rental agreement within 30 days after the tenant has received written notice of the alleged noncompliance except the 30 day notice shall not apply to nonpayment of rent;

(c) The owner voluntarily ceases to operate as a park all or the part of the mobile home park occupied by the tenant, and the tenant has received six months written notice of the planned cessation of operation;

(d) The tenant conducts himself upon the mobile home park premises in a manner which substantially annoys or endangers the health or safety of other tenants or causes substantial damage to the mobile home park premises and has received 30 days written notice to vacate, except the park owner may require the tenant to vacate immediately if the tenant violates this clause a second or subsequent time after receipt of the notice;

(e) The mobile home park owner intends to make improvements to the mobile home park premises which necessitate removal of the tenant's mobile home from the park and the tenant has received 90 days' written notice; (OR)

(f) A lease of a term of at least one year expires and the lessor seeks to recover possession (WITHIN 15 DAYS AFTER EXPIRATION) *as provided in section 2;*

(g) The lessor seeking to recover possession on grounds of nonpayment of rent or utilities gives ten days written notice to

the tenant, and to any party holding a security interest in the mobile home known to the lessor, to pay the amounts then owing and cure the default. If neither the tenant nor the secured party cures within ten days from receipt of notice, the lessor may commence legal proceedings to recover possession; or

(h) The tenant has repeatedly violated provisions of the lease or provisions of a local ordinance or state law or rule relating to mobile homes, and the lessor has given the tenant written notice of the violations and has given the tenant a written warning that any future violation will be treated as cause for eviction as provided in this paragraph, and within six months of receiving the warning the tenant violates any material provision of the lease or any provision of a local ordinance or state law or rule relating to mobile homes.

Sec. 2. [327.441] [RECOVERY OF POSSESSION.]

Subdivision 1. [NOTICE.] To recover possession of a mobile home lot as allowed in section 327.44, clause (f), a lessor must give the tenant written notice at least 60 days before the expiration of the lease. The notice shall state the date that the lease will expire and shall explain the tenant's rights as provided in this section to sell the home within the park. If the park gives the tenant the notice required by this section, the tenant must stop residing on the lot when the lease expires. If the tenant continues to reside on the lot after the expiration of the lease, the lessor may bring an action for possession.

Subd. 2. [SALE AFTER NOTICE.] After receiving the notice required by subdivision 1, the tenant may sell his mobile home within the park until the lease expires; provided, that the lessor may reserve the right to approve any buyer as a tenant. Approval shall not be unreasonably withheld.

Subd. 3. [EXPIRATION OF LEASE PRIOR TO SALE.] If when the lease expires and the tenant has not yet sold his home, the tenant may keep the home installed on the lot for an additional 60 days solely for the purpose of selling the home within the park if: (a) at least 30 days prior to the expiration of the lease the tenant gives the lessor written notice that the home will remain in the park for the purpose of sale; (b) the tenant does not reside in the home or on the lot; (c) the tenant obeys all reasonable park rules and regulations relating to lot and home maintenance; and (d) the tenant pays rent and any applicable utility charges on time. The lessor may reserve the right to approve any buyer as a tenant. Approval shall not be unreasonably withheld. If the tenant fails to perform as required by this subdivision, the park may immediately bring an action for possession. If 61 days after the expiration of the lease the home has neither been removed from the lot nor sold to a buyer whom the lessor has approved as a tenant, the lessor may bring an action for possession.

Sec. 3. Minnesota Statutes 1980, Section 327.553, Subdivision 1, is amended to read:

Subdivision 1. [DISCLOSURE REQUIRED.] Prior to the consummation of the sale of any mobile home other than a new mobile home, each dealer shall disclose to all parties to the transaction all charges, payments, commissions and other fees paid or payable in connection with the transaction. *The dealer shall also disclose to all parties the age of the mobile home and the policy, if any, of the mobile home park where the mobile home is located, with regard to the sale of a mobile home within the park after a mobile home is more than 15 years old.* This subdivision shall not require any dealer to disclose any consideration received for having acted as an insurance agent, as defined in section 60A.02, subdivision 7, in connection with the transaction, nor shall this subdivision require any dealer to disclose any consideration received in return for the dealer having agreed to any contingent liability in connection with the financing of the sale.

Sec. 4. [EFFECTIVE DATE: APPLICATION.]

This act is effective the day following final enactment, and its provisions are expressly made applicable to leases of a term of at least one year commenced, renewed, or extended prior to the effective date. The provisions of this act shall apply to any lease of a term of less than one year initiated, renewed, or extended after the effective date."

Amend the title as follows:

Page 1, line 2, delete everything after the first semicolon

Page 1, line 5, after "located;" insert "providing for the recovery of possession of land by the lessor upon expiration of the lease term;"

Page 1, line 6, after "327.44" insert "; proposing new law coded in Minnesota Statutes, Chapter 327"

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

The report was adopted.

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

H. F. No. 942, A bill for an act relating to welfare; clarifying certain provisions for determination of cost of care at state hospitals; directing the commissioner of public welfare to promulgate rules; changing the responsibility of relatives under certain circumstances; altering the method of charging for

outpatient care; giving claims against estates of deceased patients or responsible relatives preferred status; amending Minnesota Statutes 1980, Sections 246.50, Subdivision 5; 246.51; 246.53; and 487.39, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 36, delete "*by relatives*" and insert "*for patients whose parents, parent, spouse, guardian or conservator*"

Page 3, line 1, delete "*who*"

Page 3, line 3, delete "*relatives*" and insert "*the parent, spouse, conservator or guardian*"

Page 3, lines 12 to 14, reinstate the stricken language

Page 3, line 13, after "*relatives*" insert "*, guardians or conservators*"

Page 3, line 17, after "*relative*" insert "*, guardian or conservator*"

Page 3, line 18, after the period insert "*For any year in which a new payment schedule is established pursuant to this subdivision, payment increases shall be no greater than the cumulative percentage increase, in the years since publication of the previous schedule, in the revised consumer price index for all urban consumers for the Minneapolis-St. Paul metropolitan area prepared by the United States department of labor with 1967 as a base year.*"

Page 3, delete lines 33 to 36

Page 4, delete lines 1 and 2

Page 4, line 3, delete "*3*" and insert "*2*"

Page 4, line 4, insert a period after "*claim*"

Page 4, line 4, delete "*and*"

Page 4, delete lines 5 to 7 and insert "*This estate claim shall be classified as a priority, pursuant to section 524.3-805, below expenses of the last illness and above debts and taxes with preference under other laws of this state.*"

Page 4, lines 8 to 15, delete the new language and the headnote and strike the old language

Page 4, line 16, delete "*5*" and insert "*3*"

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. 1046, A bill for an act relating to corrections; providing for sheriffs expenses incurred in conveying convicts to correctional facilities; amending Minnesota Statutes 1980, Section 243.17, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 11, strike "Minnesota" and insert "*state adult*"

Page 1, line 12, strike everything following "correctional"

Page 1, line 13, strike "facility-St. Cloud" and insert "*facilities*"

Page 1, line 17, strike "the Minnesota" and insert "*state adult*"

Page 1, strike line 18

Page 1, line 19, strike "Cloud" and insert "*facilities*"

Page 2, line 1, strike "Minnesota" and insert "*state adult*"

Page 2, lines 1 and 2, strike "facility-Stillwater or the Minnesota correctional facility-St. Cloud" and insert "*facilities*"

Page 2, line 4, strike "Minnesota" and insert "*state adult*"

Page 2, line 5, after the first "correctional" strike the balance of the line

Page 2, line 6, strike "facility-St. Cloud" and insert "*facilities*"

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. 1130, A bill for an act relating to corrections; providing programs for women offenders; establishing an advisory

board on women offenders in corrections; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 241.

Reported the same back with the following amendments:

Page 2, delete lines 6 to 13

Page 2, line 18, after the period insert "*Counties may agree to cooperate in preparing a joint plan and may submit and administer their plan jointly.*"

Page 2, line 19, delete "BOARD" and insert "TASK FORCE"

Page 2, lines 21, 23 and 28, delete "*board*" and insert "*task force*"

Pages 2 and 3, delete section 3 and insert:

"Sec. 3. [241.72] [PROGRAM FUNDING.]

Subdivision 1. [GRANTS IN AID.] To assist those counties who have existing programs for the woman offender, and to encourage counties to develop and implement such programs, the commissioner of corrections, from funds appropriated for the purposes of this act, shall make grants in aid not to exceed 40 percent of the costs of such programs in those counties electing to participate in the program provided by this act.

Subd. 2. [COUNTY PARTICIPATION; PLANS.] To qualify for the grants in aid provided by this act those counties with existing programs and those counties who desire to participate must, by resolution of the county board, request that they be allowed to participate and submit a plan in accordance with the provisions of section 1, subdivision 4 and the rules of the commissioner.

Subd. 3. [MULTI-COUNTY PROGRAMS; LOCAL MATCHING FUNDS.] Where several counties combine to operate one or more of the programs provided by this act, the 60 percent local matching funds shall be borne proportionately by the participating counties on the basis of need or use as determined by the rules of the commissioner."

Page 3, line 22, delete "and"

Page 3, line 23, after "act" insert "; and

(g) Provide by rule a method of determining the amount of contribution to be made by each county where two or more counties combine to provide the programs provided by this act"

Amend the title as follows:

Page 1, line 3, delete "board" and insert "task force"

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

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 1139, A bill for an act relating to courts; providing for certain reorganization of the court system in the state; providing that Hennepin and Ramsey municipal courts shall also be probate courts; abolishing the office of referee; providing for continuance of certain referee positions for a limited time; providing for continuance of certain judicial officer positions for a limited time; abolishing the office of court commissioner; providing for continuance of the Ramsey county court commissioner position for a limited time; amending Minnesota Statutes 1980, Sections 2.722, Subdivision 1, and by adding a subdivision; 260.021, Subdivision 4; 260.031, Subdivision 1, and by adding a subdivision; 484.70, Subdivision 1, and by adding subdivisions; 487.08, Subdivisions 2, 3, and by adding a subdivision; 488A.01, Subdivisions 1, 8, and by adding subdivisions; 488A.18, Subdivisions 1, 9, and by adding subdivisions; 489.01; 525.10; repealing Minnesota Statutes 1980, Sections 260.019; 484.64; 484.65; 484.67; 484.70, Subdivisions 2, 3, 4 and 5; 487.08, Subdivision 4; 487.09; 488A.01, Subdivision 7; 488A.18, Subdivision 8; 489.05; and 525.04.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 2.722, Subdivision 1, is amended to read:

Subdivision 1. [DESCRIPTION.] Effective July 1, 1959, the state is divided into ten judicial districts composed of the following named counties, respectively, in each of which districts two or more judges shall be chosen as hereinafter specified:

(1) Goodhue, Dakota, Carver, LeSueur, McLeod, Scott, and Sibley; five judges; and four permanent chambers shall be maintained in Red Wing, Hastings, Shakopee, and Glencoe and one other shall be maintained at the place designated by the chief judge of the district;

(2) Ramsey; (12) 13 judges;

(3) Wabasha, Winona, Houston, Rice, Olmsted, Dodge, Steele, Waseca, Freeborn, Mower, and Fillmore; six judges; and

permanent chambers shall be maintained in Faribault, Albert Lea, Austin, Rochester, and Winona;

(4) Hennepin; (19) 25 judges;

(5) Blue Earth, Watonwan, Lyon, Redwood, Brown, Nicollet, Lincoln, Cottonwood, Murray, Nobles, Pipestone, Rock, Faribault, Martin, and Jackson; five judges; and permanent chambers shall be maintained in Marshall, Windom, Fairmont, New Ulm, and Mankato;

(6) Carlton, St. Louis, Lake, and Cook; six judges;

(7) Benton, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Clay, Becker, and Wadena; four judges; and permanent chambers shall be maintained in Moorhead, Fergus Falls, Little Falls, and St. Cloud;

(8) Chippewa, Kandiyohi, Lac qui Parle, Meeker, Renville, Swift, Yellow Medicine, Big Stone, Grant, Pope, Stevens, Traverse, and Wilkin; three judges; and permanent chambers shall be maintained in Morris, Montevideo, and Willmar;

(9) Norman, Polk, Marshall, Kittson, Red Lake, Roseau, Mahnomen, Pennington, Aitkin, Itasca, Crow Wing, Hubbard, Beltrami, Lake of the Woods, Clearwater, Cass and Koochiching; six judges; and permanent chambers shall be maintained in Crookston, Thief River Falls, Bemidji, Brainerd, Grand Rapids, and International Falls;

(10) Anoka, Isanti, Wright, Sherburne, Kanabec, Pine, Chisago, and Washington; (SIX) 11 judges; and permanent chambers shall be maintained in Anoka, Stillwater, and (SUCH) other places (AS MAY BE) designated by the chief judge of the district.

Sec. 2. Minnesota Statutes 1980, Section 2.722, is amended by adding a subdivision to read:

Subd. 3. [HENNEPIN AND RAMSEY PROBATE JUDGES; COURTS.] The probate judges of Ramsey and Hennepin probate courts in office on August 1, 1981 shall be district court judges of the second and fourth judicial districts, respectively, and shall continue in office for the balance of the term for which they were elected and shall be eligible for reelection. The offices of probate court of Hennepin and Ramsey counties, and all of their jurisdiction, records, powers, duties, functions, and personnel, are hereby transferred to the district courts of the second and fourth judicial districts respectively and made divisions of them. The chief judge of the fourth judicial district shall at all times assign at least two judges to the probate court duties.

Sec. 3. Minnesota Statutes 1980, Section 260.031, Subdivision 1, is amended to read:

Subdivision 1. The (JUDGE OF THE JUVENILE COURT MAY APPOINT ONE OR MORE SUITABLE PERSONS TO ACT AS REFEREES) *office of referee is abolished. No vacancy in the office of referee shall be filled, nor new office created. Persons holding the office of referee on January 1, 1981, in the second and in the fourth judicial districts may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to juvenile court. (THESE) Referees shall be qualified for their duties by their previous training and experience and (SHALL) hold office at the pleasure of the judge. The compensation of a referee shall be fixed by the judge (AND), approved by the county board and (SHALL BE) payable from the general revenue funds of the county not otherwise appropriated.*

Sec. 4. Minnesota Statutes 1980, Section 484.70, Subdivision 1, is amended to read:

Subdivision 1. *The office of referee is abolished. No vacancy in the office of referee, including family, juvenile, probate, and special term referees, shall be filled, nor new office created. Persons holding the office of referee (FULL TIME) on (JUNE 30, 1977) January 1, 1981, in the second (,) and fourth (AND SIXTH) judicial districts may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to family (OR), probate, juvenile or special term court.*

Sec. 5. Minnesota Statutes 1980, Section 484.70, is amended by adding a subdivision to read:

Subd. 6. No referee may hear a contested trial, hearing, motion or petition if a party or attorney for a party objects in writing to the assignment of a referee to hear the matter. The court shall by rule, specify the time within which an objection must be filed.

Sec. 6. Minnesota Statutes 1980, Section 484.70, is amended by adding a subdivision to read:

Subd. 7. The duties and powers of referees shall be as follows:

(a) *Hear and report all matters assigned by the chief judge.*

(b) Recommend findings of fact, conclusions of law, temporary and interim orders, and final orders for judgment.

(c) All recommended orders and findings of a referee shall be subject to confirmation by a judge. Review of any recommended order or finding of a referee by a judge may be by notice served and filed within ten days of effective notice of the recommended order or finding. The notice of review shall specify the grounds for review and the specific provisions of the recommended findings or orders disputed, and the court, upon receipt of a notice of review, shall set a time and place for a review hearing.

(d) Upon the conclusion of the hearing in each case, the referee shall transmit to a judge the court file together with recommended findings and orders in writing. The recommended findings and orders of a referee become the findings and orders of the court when confirmed by a judge. The order of the court shall be proof of such confirmation, and also of the fact that the matter was duly referred to the referees.

Sec. 7. Minnesota Statutes 1980, Section 487.03, is amended by adding a subdivision to read:

Subd. 6. [JUDGE POSITIONS; CREATION; ABOLITION.] Notwithstanding the provisions of sections 2.722 and 487.01:

(a) Upon the occurrence of one vacancy in the office of county court judge in the county court district comprised of Lincoln, Lyon, and Redwood counties, that vacant judgeship is abolished.

Upon the occurrence of one vacancy in the office of county court judge in the county court district comprised of Pipestone, Murray, Rock, and Nobles counties, that vacant judgeship is abolished.

Upon the occurrence of one vacancy in the office of county court judge in the county court district comprised of Jackson, Martin, and Faribault counties, that vacant judgeship is abolished.

Upon the occurrence of one vacancy in the office of county court judge in the county court district comprised of Nicollet, Brown, Cottonwood, and Watonwan counties, that vacant judgeship is abolished.

Upon the occurrence of the first two vacancies in the office of county court judge in the county court district comprised of Wilkin, Traverse, Grant, Stevens, Pope, and Big Stone counties, those vacant judgeships are abolished.

Upon the occurrence of the first two vacancies in the office of county court judge in the county court district comprised of Lac Qui Parle, Yellow Medicine, Chippewa, and Renville counties, those vacant judgeships are abolished.

Upon the occurrence of one vacancy in the office of county court judge in the counties of Crow Wing, Waseca, and Mower, each vacant judgeship is abolished.

(b) Upon the occurrence of a vacancy in the office of county court judge in Hubbard county, the vacant judgeship is abolished and a new office of county court judge is created in Itasca county. The governor shall appoint a qualified person to fill the office until a successor is elected and qualified. The successor shall be elected for a six year term at the next general election occurring more than one year after the appointment; and

(c) Upon the occurrence of the first vacancy in the office of county court judge in each of the counties of Carver and Scott, the vacant judgeship is abolished. When each judgeship is abolished under this clause, an additional office of judge of district court is created in the first judicial district. The governor shall appoint a qualified person to fill each office until a successor is elected and qualified. The successor shall be elected for a six year term at the next general election occurring more than one year after the appointment.

(d) A vacancy for the purpose of this section occurs when a judge dies, resigns, or chooses not to run at the end of his term.

Sec. 8. Minnesota Statutes 1980, Section 487.08, Subdivision 2, is amended to read:

Subd. 2. Persons holding the office of judicial officer full time or part time on January 1, (1978) 1981, in St. Louis county (AND FULL TIME ON JANUARY 1, 1978), (IN) Steele county and Carlton county may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. (ONE FULL TIME JUDICIAL OFFICER MAY BE APPOINTED IN CARLTON COUNTY.)

Sec. 9. Minnesota Statutes 1980, Section 487.08, Subdivision 3, is amended to read:

Subd. 3. The persons holding the office of judicial officer in Nobles and Rock, Brown, Nicollet, Morrison, Goodhue (,) and Wabasha, Scott, and Polk counties on January 1, 1978, may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointments.

Sec. 10. Minnesota Statutes 1980, Section 487.15, is amended to read:

487.15 [CIVIL JURISDICTION.]

The county court may hear, try, and determine actions at law in which the amount in controversy does not exceed (THE SUM OF \$5,000) \$15,000, exclusive of interest and costs, except for causes involving title to real estate.

Sec. 11. Minnesota Statutes 1980, Section 487.16, is amended to read:

487.16 [MINOR CIVIL AND CRIMINAL JURISDICTION.]

The county court shall also have jurisdiction in all civil and criminal cases residing, on the effective date of Laws 1971, Chapter 951 and Laws 1973, Chapter 679, in municipal courts other than municipal courts in Hennepin and Ramsey counties (, EXCEPT THAT NOTWITHSTANDING ANY LAW TO THE CONTRARY, NO COUNTY COURT SHALL HAVE GROSS MISDEMEANOR JURISDICTION). *The county court shall have gross misdemeanor jurisdiction.*

Sec. 12. Minnesota Statutes 1980, Section 487.18, is amended to read:

487.18 [CRIMINAL JURISDICTION.]

(a) The county court has jurisdiction to hear, try and determine any charge of violation of

((1)) a criminal law of this state constituting a misdemeanor or gross misdemeanor committed within the county court district (;) and of

((2)) any ordinance, charter provision, rule or regulation of any subdivision of government in the county court district.

(b) The county court has jurisdiction to conduct preliminary hearings and to exercise all judicial powers incident to preliminary hearing proceedings on the charge of violation of any criminal law committed within the county court district.

(c) The county court has jurisdiction to hear, try and determine any matter constituting a petty misdemeanor.

Sec. 13. Minnesota Statutes 1980, Section 488A.01, Subdivision 4, is amended to read:

Subd. 4. [CIVIL JURISDICTION.] Excepting causes involving title to real estate, the court has jurisdiction to hear, try and determine civil actions at law in which the amount in controversy does not exceed (THE SUM OF \$6,000) \$15,000, exclusive of interest and costs.

Sec. 14. Minnesota Statutes 1980, Section 488A.01, Subdivision 6, is amended to read:

Subd. 6. [CRIMINAL JURISDICTION.] ((A)). The court has jurisdiction to hear, try and determine any charge of violation of:

(1) A criminal law of this state constituting a misdemeanor or *gross misdemeanor* committed within the county of Hennepin including all of the city of St. Anthony.

(2) Any ordinance, charter provision, rule or regulation of any subdivision of government in the county of Hennepin, including all of the city of St. Anthony or

(3) Any ordinance, charter provision, rule or regulation of the Minneapolis-St. Paul Metropolitan Airports Commission.

((B) THE COURT HAS JURISDICTION TO CONDUCT PRELIMINARY HEARINGS AND TO EXERCISE ALL JUDICIAL POWERS INCIDENT TO PRELIMINARY HEARING PROCEEDINGS, ON ANY CHARGE OF VIOLATION OF ANY CRIMINAL LAW OF THIS STATE COMMITTED WITHIN THE COUNTY OF HENNEPIN.)

Sec. 15. Minnesota Statutes 1980, Section 488A.01, Subdivision 8, is amended to read:

Subd. 8. [TERRITORIAL JURISDICTION.] (THE SUMMONS IN CIVIL AND FORCIBLE ENTRY AND UNLAWFUL DETAINER ACTIONS MAY BE SERVED ONLY WITHIN THE COUNTY OF HENNEPIN EXCEPT THAT SUCH SUMMONS MAY BE SERVED IN RAMSEY COUNTY ON STATE OFFICIALS FOR NON-RESIDENT INDIVIDUALS AND CORPORATIONS UNDER STATUTES PROVIDING FOR SUCH SERVICE. GARNISHMENT SUMMONS, SUBPOENAS AND) All (OTHER) civil and criminal process and orders may be served and enforced anywhere within the state of Minnesota.

Sec. 16. Minnesota Statutes 1980, Section 488A.18, Subdivision 4, is amended to read:

Subd. 4. [CIVIL JURISDICTION.] (a) Excepting cases involving title to real estate, the court has jurisdiction to hear, try and determine civil actions at law in which the amount in controversy does not exceed (THE SUM OF \$6,000) \$15,000, exclusive of interest and costs. The territorial jurisdiction of the court is coextensive with the geographic boundaries of the county of Ramsey.

(b) The court also has jurisdiction, within the limitations provided in this subdivision, to hear, try and determine civil actions commenced by a plaintiff, resident of Ramsey county, where the action arose out of alleged negligent operation of a motor vehicle in Ramsey county, notwithstanding that the defendant or defendants are not residents of the county. Notwithstanding any law or rule of civil procedure to the contrary, the summons in (ANY SUCH) *the* action may be served anywhere within the state of Minnesota.

(c) Notwithstanding the provisions of clause (a) or any rule of court to the contrary, the municipal court of Ramsey county has jurisdiction to determine an action brought pursuant to section 504.20 for the recovery of a deposit on rental property located in whole or in part in Ramsey county, and the summons in the action may be served anywhere within the state of Minnesota.

Sec. 17. Minnesota Statutes 1980, Section 488A.18, Subdivision 7, is amended to read:

Subd. 7. [CRIMINAL JURISDICTION.] ((A)) The court has jurisdiction to hear, try and determine any charge of violation within Ramsey county of:

(1) A criminal law of this state constituting a misdemeanor or *gross misdemeanor* and any offense of this state which constitutes a petty misdemeanor,

(2) Any ordinance, charter provision, rule or regulation of any subdivision of government in the county of Ramsey, or

(3) Any ordinance, charter provision, rule or regulation of the Minneapolis-Saint Paul Metropolitan Airports Commission,

(4) Any ordinance, rule or regulation of the regents of the University of Minnesota.

((B) THE COURT HAS JURISDICTION TO CONDUCT PRELIMINARY HEARINGS AND TO EXERCISE ALL JUDICIAL POWERS INCIDENT TO PRELIMINARY HEARING PROCEEDINGS, ON ANY CHARGE OF VIOLATION OF ANY CRIMINAL LAW OF THIS STATE COMMITTED WITHIN RAMSEY COUNTY.)

((C) JURISDICTION UNDER CLAUSES (1) AND (2) OF PARAGRAPH (A) OF THIS SUBDIVISION IS EXCLUSIVE FOR ANY VIOLATION COMMITTED WITHIN THE COUNTY OF RAMSEY; JURISDICTION UNDER PARAGRAPH (B) OF THIS SUBDIVISION IS EXCLUSIVE FOR ANY VIOLATION COMMITTED INSIDE THE CITY OF

SAINT PAUL OR INSIDE THAT PART OF THE VILLAGE
OF SAINT ANTHONY LYING INSIDE RAMSEY COUNTY.)

Sec. 18. Minnesota Statutes 1980, Section 488A.18, Subdivision 9, is amended to read:

Subd. 9. [TERRITORIAL JURISDICTION.] (THE SUMMONS IN CIVIL AND FORCIBLE ENTRY AND UNLAWFUL DETAINER ACTIONS MAY BE SERVED ONLY WITHIN THE COUNTY OF RAMSEY. GARNISHMENT SUMMONS, SUBPOENAS AND) All (OTHER) civil and criminal process and orders may be served and enforced anywhere within the state of Minnesota.

Sec. 19. Minnesota Statutes 1980, Section 488A.18, Subdivision 13, is amended to read:

Subd. 13. [TRIAL OF CRIMINAL ACTIONS.] All charges of misdemeanors, *gross misdemeanors*, petty misdemeanors and ordinance violations shall be tried in the municipality where the alleged violation occurred (; HOWEVER,). If there is no court located in (SUCH) *the* municipality, then the trial of (SUCH) *the* charges shall take place at the nearest place of holding court. In addition to (SUCH) *any* daytime arraignments as the court may establish, traffic and criminal arraignments shall be held at least once each week in the evening after 7:00 p.m. if so requested by the governing body of a city in which a court is situated as provided by Laws 1973, Chapter 708 by a resolution filed with the administrator of court.

Sec. 20. Minnesota Statutes 1980, Section 488A.27, Subdivision 11, is amended to read:

Subd. 11. [PROSECUTING ATTORNEYS.] Except where the county attorney is specifically designated by law as the prosecutor for the particular violation charged, the attorney of the municipality in which the violation is alleged to have occurred shall have charge of the prosecution of all violations of statutes, *including gross misdemeanor violations*, ordinances, charter provisions, rules or regulations triable in this court and shall prepare complaints for (SAID) *the* violations.

Sec. 21. Minnesota Statutes 1980, Section 525.10, is amended to read:

525.10 [REFEREE; APPOINTMENT; BOND; OFFICE
ABOLISHED.]

Subdivision 1. [OFFICE ABOLISHED.] *The office of referee is abolished. No vacancy in the office of referee shall be filled, nor new office created.*

Subd. 2. [INCUMBENTS.] Persons holding the office of referee on January 1, 1981, in the second and in the fourth judicial districts may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to probate court. All referees are subject to the provisions of section 484.70.

Subd. 3. [REFEREES.] (THE JUDGES OF THE PROBATE COURT IN HENNEPIN AND RAMSEY COUNTIES MAY APPOINT ONE OR MORE REFEREES) Each referee in probate (WHO) court shall be (A RESIDENT OF SUCH COUNTY AND) an attorney at law duly admitted in this state. (HE SHALL HOLD OFFICE DURING THE PLEASURE OF THE JUDGE APPOINTING HIM. SUCH) The appointment shall be in writing and filed in (SUCH) the court. (BEFORE ENTERING UPON THE DUTIES OF HIS OFFICE, HE SHALL EXECUTE A BOND TO THE STATE IN THE AMOUNT OF \$1,000 APPROVED BY THE COUNTY BOARD AND CONDITIONED UPON THE FAITHFUL DISCHARGE OF HIS DUTIES. SUCH BOND WITH THE OATH OF THE APPOINTEE SHALL BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER. THE PREMIUMS ON SUCH BOND AND THE EXPENSES OF SUCH RECORDING AND FILING SHALL BE PAID BY THE COUNTY. AN ACTION MAY BE MAINTAINED ON SUCH BOND BY ANY PERSON AGGRIEVED BY THE VIOLATION OF THE CONDITIONS THEREOF.) The referee has the power to take acknowledgments and administer oaths.

Sec. 22. [REPEALER.]

Subdivision 1. Minnesota Statutes 1980, Sections 484.67; 484.70, Subdivisions 2, 3, 4 and 5; 487.08, Subdivision 4; 487.09; 489.05; and 525.04, are repealed.

Subd. 2. Laws 1978, Chapter 750, Section 6, is repealed.

Sec. 23. [APPROPRIATION.]

The sum of \$ is appropriated for the salaries and fringe benefits of the additional judges appointed pursuant to section 1.

Sec. 24. [EFFECTIVE DATE.]

Sections 7 and 22, subdivision 2, of this act are effective upon final enactment. Sections 11, 12, 14, 17, 19, and 20 are effective

January 1, 1982. Section 22, subdivision 1, and the remaining sections are effective August 1, 1981."

Delete the title and insert:

"A bill for an act relating to courts; providing for certain re-organization in the court system in the state; providing that the second and fourth judicial district courts shall also be probate courts; abolishing certain county court judgeships; creating certain judicial positions; raising the jurisdictional limit in county and county municipal court; providing the county and county municipal court with gross misdemeanor jurisdiction; abolishing the office of referee; providing for continuance of certain referee positions for a limited time; providing for continuance of certain judicial officer positions for a limited time; appropriating money; amending Minnesota Statutes 1980, Sections 2.722, Subdivision 1, and by adding a subdivision; 260.031, Subdivision 1; 484.70, Subdivision 1, and by adding subdivisions; 487.03, by adding a subdivision; 487.08, Subdivisions 2 and 3; 487.15; 487.16; 487.18; 488A.01, Subdivisions 4, 6 and 8; 488A.18, Subdivisions 4, 7, 9 and 13; 488A.27, Subdivision 11; 525.10; repealing Minnesota Statutes 1980, Sections 487.67; 484.70, Subdivisions 2, 3, 4 and 5; 487.08, Subdivision 4; 487.09; 489.05; 525.04; and Laws 1978, Chapter 750, Section 6."

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. 1158, A bill for an act relating to retirement; clarifying certain ambiguous provisions; correcting certain oversights, inconsistencies, unintended results and erroneous provisions; eliminating certain redundant, obsolete or conflicting provisions; amending Minnesota Statutes 1980, Sections 3.85, Subdivision 3; 3A.01, Subdivisions 2 and 7; 3A.02, Subdivision 1; 3A.04, Subdivisions 1, 1a, 2 and 4; 3A.05; 3A.09; 3A.11, Subdivisions 1 and 2; 3A.12, Subdivision 1; 11A.17, Subdivision 11; 11A.23, Subdivision 2; 15A.083, Subdivision 3; 16A.19; 69.011, Subdivision 1; 69.031, Subdivisions 5 and 6; 69.051, Subdivision 1; 69.77, Subdivisions 1, 1a, 2 and 2a; 69.772, Subdivisions 2 and 2a; 69.773, Subdivision 2; 118.01, Subdivision 11; 136.80, Subdivision 1; 136.81; 136.82; 136.83; 136.85; 136.87, Subdivisions 1 and 2; 275.125, Subdivision 6a; 275.50, Subdivision 5; 352.01, Subdivisions 2A, 11, 19 and 23; 352.029, Subdivision 1; 352.03, Subdivision 6; 352.113, Subdivision 4; 352.115, Subdivision 10; 352.116, Subdivision 3; 352.12, Subdivision 11; 352.22, Subdivisions 2a, 3 and 10; 352.72, Subdivisions 2 and 4; 352.75; 352.85, by adding a subdivision; 352.90; 352.91, Subdivision 2; 352B.02,

Subdivision 1; 352B.075, Subdivision 1; 352B.08, Subdivision 2; 352B.11, Subdivision 2; 352B.26, Subdivisions 1 and 3; 352C.-031, by adding a subdivision; 352C.04, Subdivision 1; 352D.02, Subdivisions 1 and 2; 352D.04, Subdivision 2; 352D.09, Subdivision 1; 352E.01, Subdivision 1; 353.01, Subdivisions 6, 7 and 10; 353.023; 353.03, Subdivision 1; 353.16; 353.28, Subdivisions 6 and 8; 353.29, Subdivision 4; 353.30, Subdivision 1c; 353.31, Subdivisions 1 and 9; 353.32, Subdivision 1a; 353.33, Subdivision 2; 353.34, Subdivision 3; 353.36, Subdivision 2; 353.37, Subdivisions 1 and 1a; 353.46, Subdivision 1a, and by adding a subdivision; 353.64, by adding a subdivision; 353.656, Subdivision 6; 353.71, Subdivision 1; 354.05, Subdivisions 2, 13, 24, 25 and 26; 354.06, Subdivision 1; 354.07, Subdivision 1; 354.091; 354.092; 354.094; 354.43, Subdivision 4; 354.44, Subdivisions 1a, 4, 5, 6, 7 and 8; 354.47, Subdivision 1; 354.48, Subdivision 10, and by adding a subdivision; 354.50, Subdivision 2; 354.51, Subdivisions 1, 4 and 5; 354.52, Subdivisions 2, 3 and 4; 354.53, Subdivisions 1 and 3; 354.55, Subdivision 11; 354.56; 354.57; 354.60; 354.62, Subdivision 5; 354.66; 354.69; 354A.011, Subdivision 27; 354A.091, Subdivisions 1 and 6; 354A.092; 354A.094, Subdivisions 3, 8, 11, and by adding a subdivision; 354A.31, Subdivision 3; 354A.35, Subdivisions 2 and 3; 355.07; 355.11, Subdivisions 2, 4 and 5; 355.13, Subdivision 2; 355.21, Subdivisions 2 and 4; 355.22; 355.23, Subdivision 1; 355.29, Subdivisions 1, 3 and 4; 355.311, Subdivisions 1, 2 and 4; 355.41, Subdivisions 2, 3, 4 and 7; 355.46, Subdivision 3; 355.71, Subdivision 6; 355.72; 356.18, Subdivision 1; 356.20; 356.215; 356.216; 356.22, Subdivision 1; 356.24; 356.25; 356.32, Subdivision 1; 356.39; 356.45, Subdivision 2; 356.60, Subdivision 1; 422A.01, Subdivision 11; 422A.06, Subdivisions 2, 3 and 5; 422A.08, Subdivisions 1 and 5; 422A.09, Subdivision 3; 422A.101; 422A.11, Subdivision 1; 422A.15, Subdivision 1; 422A.16, Subdivision 8; 422A.22, Subdivision 2; 422A.23, Subdivision 5; 422A.24; 422A.26; 423.075, Subdivision 1; 423.38; 423.801, Subdivision 2; 423.802; 423.805; 423.806, Subdivision 1; 423.807, Subdivisions 1 and 2; 423.808; 423.809, Subdivisions 1 and 2; 423.810, Subdivision 1; 423.815, Subdivision 1; 423A.04; 424A.01, Subdivision 2; 424A.02, Subdivisions 1, 3, 4, 8 and 9; 424A.04; 424A.05, Subdivisions 1 and 3; 458.18, Subdivision 1; 484.61; 484.68, Subdivision 8; 488A.-115; 488A.285; 490.101, Subdivision 2; 490.106; 490.107; 490.-12, by adding a subdivision; 490.121, Subdivisions 1, 4, 6 and 7; 490.122; 490.123, Subdivision 1; 490.124, Subdivisions 1, 2, 6 and 10; 490.126, Subdivision 1; 490.129; and 490.132; Laws 1955, Chapter 75, Section 12, Subdivision 2, as amended; Laws 1959, Chapter 131, Section 10, Subdivision 1, as amended; Laws 1965, Chapters 446, Section 7, Subdivision 1, as amended; 458, Section 3, Subdivision 2, as amended; and 498, Section 1, Subdivision 1, as amended; Laws 1967, Chapters 575, Section 9, Subdivision 2; 742, Section 2; 775, Section 8, as amended; 798, Section 1, Subdivision 1, as amended; and 815, Section 8, Subdivision 1; Laws 1969, Chapters 526, Section 11, Subdivision 1; 576, Section 1, Subdivision 1, as amended; 641, Section 2, Subdivision 1, as amended; 719, Section 2; 1088, Section 8, Subdivision 1, as amended; and 1105, Section 4; Laws 1971, Chapters 51, Sec-

tions 9, as amended, and 10, Subdivision 2, as amended; 114, Section 8, Subdivision 1; 184, Sections 4 and 5; 214, Section 10; 407, Section 1, Subdivisions 2 and 3; 614, Section 2; and 810, Section 7, as amended; Laws 1973, Chapters 304, Section 3, Subdivision 1; and 587, Section 1, Subdivisions 3, as amended, and 5, as amended; Laws 1974, Chapter 251, Section 1, Subdivisions 2 and 3; Laws 1975, Chapter 424, Section 11, as amended; Laws 1976, Chapter 36, Sections 2, 3 and 4; Laws 1977, Chapter 61, Section 5, Subdivision 2, as amended; and Laws 1978, Chapter 689, Sections 4, Subdivision 2, and 8; proposing new law coded in Minnesota Statutes, Chapters 345, 352, 353, 355 and 356; repealing Minnesota Statutes 1980, Sections 136.86; 352.115, Subdivision 13; 352.1181; 352D.10; 354.09, Subdivisions 1 and 4; 354.41, Subdivisions 3, 6 and 8; 355.302; 355.303; 355.304; 355.305; 355.306; 355.307; 355.308; 355.309; 355.53; 355.73, Subdivisions 5, 6 and 7; 356.18, Subdivision 2; 422A.01, Subdivisions 14, 15 and 16; 422A.08, Subdivisions 2, 3, 4 and 6; 422A.081; 422A.091; 422A.30; 422A.31; 422A.32; 422A.33; 422A.34; 422A.35; 422A.39; 423.075, Subdivision 2; 423.815, Subdivision 3; 487.06; 490.104; 490.127; 490.128; and 490.13; Laws 1969, Chapter 252; Laws 1973, Chapter 481; Laws 1975, Chapter 429; Laws 1978, Chapter 538, Section 6; and Laws 1980, Chapters 342, Section 20; and 509, Section 135.

Reported the same back with the following amendments:

Page 7, line 4, after the first *"the"* insert *"average monthly"*

Page 7, line 8, after *"the"* insert *"first day of the month next following the"*

Page 8, line 3, after *"the"* insert *"average monthly"*

Page 8, line 14, after *"the"* insert *"first day of the month next following the"*

Page 13, after line 36, insert:

"Sec. 18. Minnesota Statutes 1980, Section 43.051, Subdivision 4, is amended to read:

Subd. 4. (1) Notwithstanding any provisions of (CHAPTERS 352A AND) chapter 352B or any other law to the contrary, conservation officers and crime bureau officers who are first employed on or after July 1, 1973 and are members of the highway (PATROLMEN'S) patrol retirement association by reason of their employment, shall not continue employment after attaining the age of 60 years, except for such fractional portion of one year as will enable the employee to complete (HIS) the employee's next full year of allowable service as defined pursuant to section 352B.01, subdivision 3.

(2) Notwithstanding any provisions of (CHAPTERS 352A AND) *chapter 352B* or any other law to the contrary, conservation officers and crime bureau officers who are first employed and are members of the highway (PATROLMEN'S) *patrol* retirement association by reason of their employment before July 1, 1973, shall be governed by the same mandatory retirement regulations applied to other state employees who are covered by the Minnesota state retirement system.

(3) *Notwithstanding any provisions of chapter 352B or any other law to the contrary, members of the Minnesota highway patrol division of the department of public safety who are members of the highway patrol retirement association by reason of their employment, shall not continue employment after attaining the age of 60 years, except for such fractional portion of one year as will enable the employee to complete the employee's next full year of allowable service as defined pursuant to section 352B.01, subdivision 3."*

Page 31, line 30, strike "136.86" and insert "136.85"

Page 31, line 36, strike "136.86" and insert "136.85"

Page 37, line 9, delete "in"

Page 37, line 28, after "*individual*" insert a period

Page 37, line 36, after "*the*" insert "*first day of the month next following the*"

Page 65, delete lines 5 through 15

Page 65, line 27, after "\$600." insert "*The term "average monthly salary" shall not include any reduced salary paid during the period the person is entitled to benefit payments from the workers' compensation court of appeals for temporary disability."*

Page 67, line 20, strike "himself" and insert "*from fulltime attendance*"

Page 75, line 33, delete "No." and insert "no."

Page 87, line 26, after "422A.18." insert "*The disability benefit amount attributable to service as a member of the basic program of the Minneapolis municipal employees retirement fund shall be payable by the Minneapolis municipal employees retirement fund and the disability benefit amount attributable to all other service shall be payable by the public employees retirement association."*

Page 89, line 34, after "association" insert "*unless the employee is covered by the Minnesota state retirement system by virtue of prior employment by the association*"

Page 91, line 18, before "sections" insert "*Minnesota Statutes 1980,*"

Page 91, line 27, before "sections" insert "*Minnesota Statutes 1980,*"

Page 91, line 30, before "sections" insert "*Minnesota Statutes 1980,*"

Page 98, line 14, strike "ADJUSTABLE FIXED BENEFIT" and insert "*POST RETIREMENT INVESTMENT FUND*"

Pages 95, 96, 97, 98 and 99, delete sections 105, 106, and 107

Page 103, line 15, delete "for"

Page 106, line 1, delete "reaches" and insert "attains"

Page 106, line 28, delete "retirement"

Page 108, line 12, after "Each" insert "school" and strike "of education"

Page 108, line 26, after "officer," insert "school" and strike the second "of"

Page 108, line 27, strike "education"

Page 116, line 22, delete "retirement"

Page 116, line 34, delete the new language

Page 117, line 17, delete "membership,"

Page 117, line 22, delete "membership,"

Page 118, line 9, delete "membership"

Page 118, line 10, delete "in,"

Page 118, lines 22 and 28, delete "membership in,"

Page 119, lines 1, 12, 19, 26, 31, and 36, delete "membership in,"

Page 120, line 4, delete "*membership in,*"

Page 129, line 17, delete "*other than a soil and water*"

Page 129, line 18, delete the new language

Page 129, line 19, strike "Minnesota Statutes,"

Page 129, line 29, delete the new language

Page 129, line 30, delete the new language

Page 132, line 10, strike "Municipalities" and insert "*Cities*"

Page 134, line 33, delete "355.08" and insert "355.07"

Page 135, line 24, delete "*contribution of a*" and insert "*judge shall pay into the contribution fund established pursuant to section 355.04, an employee contribution on wages*"

Page 135, delete line 25

Page 135, line 26, delete "*reduced by an amount*"

Page 135, line 27, after "*act.*" insert "*This contribution shall be made from the contribution made by the judge pursuant to section 490.123, subdivision 1.*"

Page 137, line 24 delete "*personnel*" and insert "*employee relations*"

Page 138, after line 14, insert:

"Sec. 166. Minnesota Statutes 1980, Section 355.73, is amended by adding a subdivision to read:

Subd. 8. Any hospital employee excluded from retirement coverage by the public employees retirement association pursuant to section 355.73, subdivision 5, shall continue to be excluded from that retirement coverage so long as the person remains employed as a hospital employee."

Page 144, line 25, delete "*fifth*" and insert "*sixth*"

Page 152, line 34, strike "shall be" and insert "*is*"

Page 154, lines 18 and 19, strike "TRANSFER OF RESERVES; ORIGINALLY DETERMINED BENEFITS" and insert "*BASIS FOR SUBSEQUENT POST RETIREMENT ADJUSTMENTS*"

Page 156, line 28, after "*contributions*" insert "*, any outstanding unpaid annuity, service pension or other retirement benefit payments, including those made on warrants issued by the commissioner of finance, which have been issued and delivered for more than six years prior to the date of the end of the fiscal year applicable to the public pension fund,*"

Page 158, line 17, strike "adjustable fixed-benefit" and insert "post retirement investment"

Page 158, line 32, strike "adjustable fixed-benefit" and insert "post retirement investment"

Page 168, line 18, strike "for"

Page 180, delete section 210

Pages 182 to 187, delete sections 212 and 213

Pages 188 and 189, delete section 215

Pages 191 and 192, delete section 218

Page 193, after line 31, insert:

"Sec. 215. Minnesota Statutes 1980, Section 487.01, Subdivision 7, is amended to read:

Subd. 7. When the judicial business of a county court permits, the chief justice of the supreme court, upon the recommendation of all of the county boards of a county court district may, by order filed in the office of the secretary of state, reduce the number of county court judges. The office of any judge shall not be terminated until the expiration of (HIS) *the* term (AND) *of the judge (SHALL BE ELIGIBLE FOR RETIREMENT COMPENSATIONS UNDER THE PROVISIONS OF SECTION 487.06).*

Sec. 216. Minnesota Statutes 1980, Section 487.01, Subdivision 9, is amended to read:

Subd. 9 (1) All probate judges in office on July 1, 1972 shall be the county court judges of their respective counties and shall continue in office as such for the balance of the terms for which they were last elected and shall be eligible for reelection to office. In counties hereby combined into county court districts and for which only one judge is provided, the probate judge of the county having the largest population determined by the last United States census shall be the judge of the county court if he consents, and files his consent prior to July 1, 1972 in the office of the secretary of state. If he does not consent, the probate judge of the smaller county shall be the judge of the

county court. In counties combined into county court districts for which only one judge is provided, a probate judge in any of the affected counties who at the effective date of this act, is, or before or at the expiration of his then current term of office will become, eligible for retirement pursuant to section (487.06) 225 shall not become county court judge upon the effective date of this act, but he shall serve as a judicial officer until his retirement which shall occur not later than the expiration of his then current term of office. If all probate judges in such a county court district will qualify for retirement pursuant to section (487.06) 225 at or before the expiration of their current term of office as of the effective date of this act, the county court judge shall be selected according to the population of the respective counties in the county court district as hereinbefore provided in subparagraph 1. The probate judge who is not hereby designated as judge of the county court shall continue in office until the expiration of his term and become a part time judicial officer of the county court, hearing and trying matters assigned to him by the judge of the county court but, if he is not learned in the law, then he shall hear and try only matters assigned to him by the judge of the county court he was heretofore authorized by law to hear and try.

(1a) The probate judges of St. Louis county probate court in office on January 1, 1974 shall be county court judges of the county court of St. Louis county and shall continue in office as such for the balance of the terms for which they were last elected and shall be eligible for reelection to office.

(2) Except as provided in subparagraph 1, the judges required by the application of this section shall be appointed by the governor from among the municipal court judges or magistrates serving pursuant to a municipal ordinance, charter, or legislative act other than special municipal court judges serving within the county who are learned in the law and consent thereto. A judge so appointed shall serve until his successor is elected and qualifies. If there are no serving municipal court judges, such county court judges shall be elected at the next general election following July 1, 1972.

(2a) Except as provided in subparagraph 1a, the judges required by the application of this section in the south district of the county court of St. Louis county shall be appointed by the governor from among the full time judges of the municipal court of the city of Duluth in office on January 1, 1974, and a judge so appointed shall serve until his successor is elected and qualifies; and the judges required in the northwest and northeast districts of the county court of St. Louis county shall be appointed by the governor from among persons learned in the law residing in each district, and a judge so appointed shall serve until his successor is elected and qualifies."

Page 195, line 31, strike "fraction"

Page 195, line 32, before "service" insert "fractional"

Page 198, line 17, delete "227" and insert "222"

Page 199, line 10, strike "The retirement benefits due and"

Page 199, lines 11 to 24, strike the old language and delete the new language

Page 199, line 25, strike "(5)"

Page 199, line 31, after "to" insert "this" and strike "(4)"

Page 201, after line 13, insert:

"Any judge whose office is terminated pursuant to section 487.01, subdivision 7, shall be eligible for a retirement allowance pursuant to the provisions of this section."

Page 204, line 31, strike "60" and insert "90"

Page 219, line 27, strike "must" and insert "shall"

Page 230, line 20, delete "Subdivision 3," and insert "Subdivisions"

Page 230, line 29, after "135" insert "are repealed"

Page 231, line 1, delete "209" and insert "207"

Renumber the sections

Amend the title as follows:

Page 1, line 12, after "16A.19;" insert "43.051, Subdivision 4;"

Page 1, line 25, delete "352B.075, Subdivision 1;"

Page 1, line 41, delete "354.091; 354.092; 354.094;"

Page 2, line 11, after "355.72;" insert "355.73, by adding a subdivision;"

Page 2, line 24, delete "424A.01, Subdivision 2;"

Page 2, line 25, delete ", 3, 4," and insert "and" and delete "and 9" and delete "Subdivisions" and insert "Subdivision" and delete the second "and"

Page 2, line 26, delete "3"

Page 2, line 27, after "8;" insert "487.01, Subdivisions 7 and 9;"

Page 2, line 61, delete "3,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, M., from the Committee on Appropriations to which was referred:

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

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

The report was adopted.

Anderson, I., from the Committee on Taxes to which was referred:

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

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 287.12, is amended to read:

287.12 [TAXES, HOW APPORTIONED.]

All taxes paid to the county treasurers under the provisions of sections 287.01 to 287.12 shall be apportioned, 95 percent to the general fund of the state, and five percent to the county revenue fund.

On or before the tenth day of each month the county treasurer shall determine and pay to the commissioner of revenue the state's portion of the receipts from the mortgage registration tax during the preceding month. The commissioner shall deposit the receipts in the state treasury to the credit of the general fund.

Sec. 2. Minnesota Statutes 1980, Section 287.29, Subdivision 1, is amended to read:

Subdivision 1. On or before the tenth day of each month the county treasurer shall determine and pay to the (STATE TREASURER) *commissioner of revenue* the receipts from the sale of documentary stamps during the preceding month. The (STATE TREASURER) *commissioner* shall deposit such receipts in the state treasury to the credit of the general fund.

Sec. 3. Minnesota Statutes 1980, Section 296.12, Subdivision 3, is amended to read:

Subd. 3. [COLLECTION, REPORTING AND PAYMENT OF TAX.] (ALL DISTRIBUTORS AND SPECIAL FUEL DEALERS SELLING OR DELIVERING SPECIAL FUEL INTO THE SUPPLY TANK OF AN AIRCRAFT OR A LICENSED MOTOR VEHICLE SHALL COLLECT, REPORT AND PAY THE EXCISE TAX THEREON TO THE COMMISSIONER.)

Distributors (MAY, SUBJECT TO THE APPROVAL OF THE COMMISSIONER, ELECT TO) *shall* pay the special fuel excise tax on all combustible gases and liquid petroleum products or substitutes therefor, except gasoline, delivered into storage tanks at retail service stations operated by them. (UPON SUCH ELECTION, THE PAYMENT OF THE SPECIAL FUEL EXCISE TAX SHALL BE MADE IN THE SAME MANNER FOR THE BALANCE OF THE LICENSE PERIOD.)

(LICENSED SPECIAL FUEL DEALERS MAY, SUBJECT TO THE APPROVAL OF THE COMMISSIONER, ELECT TO PAY THE SPECIAL FUEL EXCISE TAX ON ALL COMBUSTIBLE GASES AND LIQUID PETROLEUM PRODUCTS OR SUBSTITUTES THEREFOR, EXCEPT GASOLINE, DELIVERED TO THEM. UPON SUCH ELECTION, THE PAYMENT OF THE SPECIAL FUEL EXCISE TAX SHALL BE MADE IN THE SAME MANNER FOR THE BALANCE OF THE LICENSE PERIOD.)

Distributors and special fuel dealers may, subject to the approval of the commissioner, elect to pay to the commissioner the special fuel excise tax on all special fuel delivered or sold into the supply tank of an aircraft or a licensed motor vehicle. Under this option an invoice must be issued at the time of each delivery showing the name and address of the purchaser, date of sale, number of gallons, price per gallon and total amount of sale. A separate sales ticket book shall be maintained for special fuel sales.

Bulk purchasers shall report and pay the excise tax on all special fuel purchased by them for storage, to the commissioner.

Any person delivering special fuel on which the excise tax has not previously been paid, into the supply tank of an aircraft or a licensed motor vehicle shall report such delivery and pay the excise tax on the special fuel so delivered, to the commissioner.

Sec. 4. Minnesota Statutes 1980, Section 296.12, Subdivision 4, is amended to read:

Subd. 4. [MONTHLY REPORTS; SHRINKAGE ALLOWANCE.] On or before the 23rd day of each month, the persons subject to the provisions of this section shall file in the office of the commissioner at St. Paul, Minnesota, a report in the following manner:

(1) (DISTRIBUTORS AND SPECIAL FUEL DEALERS SHALL REPORT THE TOTAL NUMBER OF GALLONS OF SPECIAL FUEL SOLD OR DELIVERED INTO THE SUPPLY TANK OF AN AIRCRAFT OR A LICENSED MOTOR VEHICLE BY THEM DURING THE PRECEDING CALENDAR MONTH, AND THE REPORT SHALL BE ACCOMPANIED BY THE SPECIAL FUEL EXCISE TAX DUE THEREON AND SUCH OTHER INFORMATION AS THE COMMISSIONER MAY REQUIRE.)

((2)) Distributors and special fuel dealers (WHO HAVE ELECTED TO PAY THE SPECIAL FUEL EXCISE TAX ON ALL SPECIAL FUEL DELIVERED TO THEM AS PROVIDED IN SUBDIVISION 3 OF SECTION 296.12) shall report the total number of gallons delivered to them during the preceding calendar month and shall pay the special fuel excise tax due thereon to the commissioner. Credit for the excise tax due or previously paid on special fuel used by the distributor or special fuel dealer for heating his place of business, or special fuel sold for any purpose other than use in licensed motor vehicles and evidenced by an invoice issued at time of sale, may be allowed in computing the tax liability. The invoice must show the true and correct name and address of the purchaser, and the purchaser's signature. The report shall contain such other information as the commissioner may require. (THE FIRST REPORT AFTER SUCH ELECTION SHALL ALSO SHOW THE TOTAL

GALLONS ON HAND ON THE FIRST DAY OF THE PERIOD FOR WHICH THE REPORT IS FILED AND IT SHALL BE ACCOMPANIED BY THE SPECIAL FUEL EXCISE TAX DUE THEREON.)

(2) *Distributors and special fuel dealers who have elected to pay the special fuel excise tax on all special fuel delivered into the supply tank of an aircraft or licensed motor vehicle as provided in section 296.12, subdivision 3, shall report the total number of gallons delivered into the supply tank of an aircraft or licensed motor vehicle during the preceding calendar month and shall pay the special fuel excise tax due thereon to the commissioner.*

(3) Bulk purchasers shall report and pay the special fuel excise tax on all special fuel purchased by them for storage, during the preceding calendar month. In such cases as the commissioner may permit, credit for the excise tax due or previously paid on special fuel not used in aircraft or licensed motor vehicles, may be allowed in computing tax liability. The report shall contain such other information as the commissioner may require.

(4) In computing the special fuel excise tax due under clauses (1), (2), and (3), a deduction of one percent of the quantity of special fuel on which tax is due shall be made for evaporation and loss.

Sec. 5. Minnesota Statutes 1980, Section 296.12, Subdivision 5, is amended to read:

Subd. 5. [SALES TICKETS.] A sales ticket shall be issued for each delivery of special fuel to a bulk purchaser (OR INTO THE SUPPLY TANK OF AN AIRCRAFT OR A LICENSED MOTOR VEHICLE). *A sales ticket shall also be issued for each delivery into the supply tank of an aircraft or a licensed motor vehicle, if so requested by the purchaser.* The person who delivers the special fuel shall issue (AND SIGN) the sales ticket and (SUCH PERSON) shall show thereon the name and address of the purchaser, (MOTOR VEHICLE LICENSE NUMBER IF DELIVERED INTO THE SUPPLY TANK OF A LICENSED MOTOR VEHICLE,) date of sale, number of gallons, price per gallon, and total amount of sale. (ON DELIVERIES OF SPECIAL FUEL INTO THE SUPPLY TANK OF AN AIRCRAFT OR A LICENSED MOTOR VEHICLE THE SALES TICKET SHALL SHOW THE PER GALLON RATE OF SPECIAL FUEL EXCISE TAX. THE WORDS "SPECIAL FUEL" SHALL BE WRITTEN ON EACH SALES TICKET AT THE TIME OF SALE OR DELIVERY. A SEPARATE SALES TICKET BOOK SHALL BE MAINTAINED FOR SPECIAL FUEL SALES BY A SPECIAL FUEL DEALER.)

Sec. 6. Minnesota Statutes 1980, Section 296.12, is amended by adding a subdivision to read:

Subd. 11. [QUALIFIED BULK PURCHASERS.] Notwithstanding any other provision of law to the contrary, the commissioner of revenue may allow any bulk purchaser who receives special fuel in bulk storage for subsequent delivery into the supply tank of passenger automobiles or other licensed vehicles operated by him or her to purchase bulk special fuel on a tax paid basis from any consenting supplier licensed as a distributor or special fuel dealer under sections 296.06 or 296.12. Bulk purchasers qualifying under this provision must become registered in a manner approved by the commissioner but shall be exempt from the bulk purchaser license requirements. Every licensed distributor or special fuel dealer who sells or delivers special fuel on a tax paid basis to persons registered under this provision must report on or before the 23rd day of each month sales made during the preceding calendar month and shall pay the special fuel excise tax due thereon to the commissioner. The report shall contain information as the commissioner may require.

Sec. 7. Minnesota Statutes 1980, Section 298.09, is amended by adding a subdivision to read:

Subd. 5. If before the expiration of the time allowed in subdivision 4 for the redetermination of the tax, the commissioner and the taxpayer consent in writing to an extension of time for the redetermination of the tax, the tax may be redetermined at any time prior to the expiration of the period agreed upon. The period agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

Sec. 8. Minnesota Statutes 1980, Section 298.15, is amended to read:

298.15 [RECORDS OF COMPANIES TO BE OPEN TO INSPECTION.]

Subdivision 1. All books, way-bills, inventories, correspondence, and memoranda relating to or used in the transaction of the business of any person owning or operating any such mine shall, on demand by the commissioner of revenue, or (HIS) the commissioner's authorized representatives, be open to inspection or examination. If any one having charge, control, or possession of these papers and books of (SUCH PERSON) the owner or operator shall neglect or refuse, on demand of the commissioner of revenue, or (HIS) the commissioner's authorized representatives, access to these papers and books, (HE) that person shall be deemed guilty of a gross misdemeanor; and, upon conviction, punished therefor as provided by law.

Subd. 2. For the purpose of determining the correctness of any return or of determining whether or not any person should have made a return or paid taxes or for the purpose of collection of any of the taxes imposed by this chapter, the commission-

er shall have power to examine, or cause to be examined, any books, papers, records, or memoranda, which may be relevant to making the determinations, whether the books, papers, records, or memoranda, are the property of or are in the possession of the person or any other person. The commissioner shall have the power to require the attendance of any person having knowledge or information which may be relevant, to compel the production of books, papers, records, or memoranda by persons so required to attend, to take testimony on matters material to the determination, and to administer oaths or affirmations.

Subd. 3. For the purpose of making examinations and determinations, the commissioner may appoint examiners as deemed necessary. The examiners shall have all the rights and powers conferred upon the commissioner by this section. The clerk of any court of record, upon demand of the commissioner or any examiner, shall issue a subpoena for the attendance of any witness or the production of any books, papers, records or memoranda. The commissioner may also issue subpoenas. Disobedience of subpoenas issued under this section shall be punished by the district court of the district in which the subpoena is issued as for a contempt of the district court.

Sec. 9. Minnesota Statutes 1980, Section 299.03, is amended to read:

299.03 [REPORTS TO COMMISSIONER.]

Every person to whom royalty of \$5,000 or more is paid shall, on or before the first day of February, make and file with the commissioner of revenue annually a report setting forth the amount of royalty received by (SUCH) *that* person during the preceding calendar year, and (SUCH) other information as the commissioner of revenue may require.

Sec. 10. Minnesota Statutes 1980, Section 299.05, is amended to read:

299.05 [ASSESSMENT BY COMMISSIONER.]

Upon (THE) receipt (BY THE COMMISSIONER OF REVENUE) of the report provided for in section 299.03, (HE) *the commissioner of revenue* shall determine, from (SUCH) information as (HE) may (POSSESS) *be possessed*, or (OBTAIN) *obtained*, whether the (SAME) report is correct, or (OTHERWISE) *incorrect*; and, if found correct, (HE) *the commissioner* shall determine (THEREFROM) the amount of tax due from (SUCH) *the* person, enter the amount (THEREOF) *of the tax* in (HIS) *department* records, make (HIS) assessment of taxes due (THEREON) from (SUCH) *the* person, and the amount that has been paid (THEREON); and, on or

before June 30, of each year, demand payment from (SUCH) the person. The commissioner of revenue shall have power, in case he shall deem the report incorrect, or in case the report is not made and filed with the commissioner as provided in section 299.03, to make (HIS) findings as to the amount of (SUCH) taxes due after hearing upon notice to the person interested, and (HIS) the findings shall have the same effect as the determination of the amount of such taxes upon a report made as hereinbefore provided.

A person subletting land for the use of which (HE) is received royalty shall be required to pay taxes only on the difference between the amount of royalty paid by him or her and the amount received.

If the amount of tax determined by the commissioner is subsequently found to be erroneous, the commissioner may, at any time within three years from the date allowed above for the original assessment, redetermine the amount of the tax. No redetermination shall be made increasing the tax unless the person from whom the additional amount is due is given ten days written notice of the proposed increase and the person's right to a hearing pursuant to chapter 15. Any person who has paid a royalty tax may apply to the commissioner within three years from the date allowed above for the original assessment for a redetermination of the tax and if the commissioner determines that the tax has been overpaid, he or she shall make and file an order determining the amount of the overpayment and credit the overpayment against the royalty taxes otherwise payable by the person who overpaid the tax. If the tax is increased, interest at the rate specified in section 270.75 from the date payment should have been made shall be determined and added to the tax. If the tax is reduced, interest at the rate of six percent per annum from the date of the overpayment shall be allowed.

Sec. 11. Minnesota Statutes 1980, Section 299.12, is amended to read:

299.12 [RECORDS; INSPECTION BY COMMISSIONER; REFUSAL OF ACCESS A MISDEMEANOR.]

All books, way-bills, inventories, correspondence, and memoranda relating to or used in the transaction of the business of any person paying or receiving royalty on ore mined in this state shall, upon request (OF THE COMMISSIONER OF REVENUE,) be open to (HIS) inspection or examination by the commissioner of revenue. If any (SUCH) person shall neglect or refuse, on request of the commissioner of revenue, access to these papers and books, (HE) that person shall be guilty of a misdemeanor; and, upon conviction, punished therefor as provided by law.

The provisions of section 298.15 which relate to the examination of records, appointment of examiners, issuance of subpoenas and punishment for disobeying a subpoena, are made applicable to royalty tax records, reports, and returns.

Sec. 12. [REPEALER.]

Minnesota Statutes 1980, Section 287.29, Subdivision 2, is repealed.

Sec. 13. [EFFECTIVE DATE.]

This act is effective July 1, 1981."

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:

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

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

The report was adopted.

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

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

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 161, 252, 463, 746, 748, 886, 1158 and 1218 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 196, 849, 333, 168, 72, 520, 560, 874, 462, 432, 463 and 611 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Johnson, C.; Ainley; Brinkman; Redalen and Novak introduced:

H. F. No. 1409, A bill for an act relating to cooperatives; allowing electric cooperatives to acquire certain unclaimed distributions, redemptions, or payments by forfeiture; proposing new law coded in Minnesota Statutes, Chapter 308.

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

Stadum introduced:

H. F. No. 1410, A bill for an act relating to taxation; exempting sales of certain food products from the sales tax; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.

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

Anderson, I., introduced:

H. F. No. 1411, A bill for an act relating to unemployment compensation; redefining the term "week"; amending Minnesota Statutes 1980, Section 268.04, Subdivision 27.

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

Clawson and Vanasek introduced:

H. F. No. 1412, A bill for an act relating to taxation; providing a special levy for certain new jail facilities for a three year period; amending Minnesota Statutes 1980, Section 275.50, Subdivision 5.

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

Valan and Rees, by request, introduced:

H. F. No. 1413, A bill for an act relating to retirement; recalculation of survivor benefits payable to the surviving spouse of a deceased member of the teachers retirement association.

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

Skoglund, Ellingson, Stowell, Munger and Lemen introduced:

H. F. No. 1414, A bill for an act relating to the environment; authorizing the state fire marshal to inspect potential leaks in flammable liquid or gas tanks; amending Minnesota Statutes 1980, Section 299F.19, Subdivision 1, and by adding a subdivision.

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

Ogren introduced:

H. F. No. 1415, A bill for an act relating to energy; exempting small storage facilities from the certificate of need requirements; imposing an assessment upon certain large electric utilities to cover costs associated with certificates of need; amending Minnesota Statutes 1980, Sections 116H.02, Subdivision 5; and 116H.13, Subdivision 6.

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

Pogemiller, Vanasek, Jude, Blatz and Lemen introduced:

H. F. No. 1416, A bill for an act relating to arrest; providing for the extradition and rendition of accused persons; escapees and other persons subject to orders in criminal proceedings; enacting the uniform extradition and rendition act; amending Minnesota Statutes 1980, Sections 480.059, Subdivision 7; 611.14; and 629.404, Subdivision 2; proposing new law coded as Minnesota Statutes, Chapter 629A; repealing Minnesota Statutes 1980, Sections 629.01 to 629.29.

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

Pogemiller, Vanasek, Jude, Blatz and Lemen introduced:

H. F. No. 1417, A bill for an act relating to the interstate compact on juveniles; amending the compact to require the home state to authorize the return of a runaway juvenile and to permit a state in which a juvenile is found to return him to a state in which the juvenile is charged with being a delinquent by reason of a violation of criminal law; amending Minnesota Statutes 1980, Section 260.51.

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

McCarron and Jude introduced:

H. F. No. 1418, A bill for an act relating to tort claims against the state; clarifying existing law; amending Minnesota Statutes 1980, Sections 3.732, Subdivisions 1, 2, and 3; 3.736, Subdivisions 1, 3, 4, 5, 7, 8, 9, and by adding subdivisions; 3.755; and 3.84.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Byrne, Clawson, Vanasek, Zubay and Levi introduced:

H. A. No. 25, A proposal to study punishment and all aspects of its deterrent effects upon crime.

The advisory was referred to the Committee on Criminal Justice.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 349, A bill for an act relating to agriculture; regulating livestock marketing; providing a penalty; amending Minnesota Statutes 1980, Sections 17A.02; 17A.03, Subdivision 7;

17A.14; proposing new law coded in Minnesota Statutes, Chapter 17A.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Stumpf moved that the House concur in the Senate amendments to H. F. No. 349 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 349, A bill for an act relating to agriculture; regulating livestock marketing; providing a penalty; amending Minnesota Statutes 1980, Sections 17A.02; 17A.03, Subdivision 7; 17A.14; proposing new law coded in Minnesota Statutes, Chapter 17A.

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

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

Those who voted in the affirmative were:

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

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

Mr Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in

which amendment the concurrence of the House is respectfully requested:

H. F. No. 521, A bill for an act relating to transportation; including motels within the specific information signing program; amending Minnesota Statutes 1980, Sections 160.292; 160.293, Subdivisions 1, 2, and 3; and 160.295, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Ainley moved that the House concur in the Senate amendments to H. F. No. 521 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 521, A bill for an act relating to transportation; including motels within the specific information signing program; amending Minnesota Statutes 1980, Sections 160.292; 160.293, Subdivisions 1, 2, and 3; and 160.295, Subdivision 3.

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

The question was taken on the repassage of the bill and the roll was called. There were 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Erickson	Kalis	O'Connor	Sherwood
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	Levi	Piepho	Sviggum
Blatz	Gustafson	Long	Pogemiller	Swanson
Brandl	Halberg	Ludeman	Redalen	Tomlinson
Brinkman	Harens	Mann	Reding	Valan
Byrne	Hauge	Marsh	Rees	Valento
Carlson, D.	Haukoos	McCarron	Reif	Vanasek
Carlson, L.	Heap	McDonald	Rice	Vellenga
Clark, J.	Heinitz	McEachern	Rodriguez, C.	Voss
Clark, K.	Himle	Mehrkens	Rodriguez, F.	Weaver
Clawson	Hoberg	Metzen	Rose	Welch
Dahlvang	Hokanson	Minne	Rothenberg	Welker
Dean	Hokr	Murphy	Samuelson	Wenzel
Dempsey	Jacobs	Nelsen, B.	Sarna	Wieser
Den Ouden	Jennings	Nelson, K.	Schafer	Wynia
Drew	Johnson, C.	Niehaus	Schoenfeld	Zubay
Eken	Johnson, D.	Norton	Schreiber	Spkr. Sieben, H.
Elioff	Jude	Novak	Shea	
Ellingson	Kaley	Nysether	Sherman	

Those who voted in the negative were:

Hanson

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

Mr. Speaker:

I hereby announce that the Senate wishes to recall for the purpose of further consideration Senate File No. 759.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, B., moved that the House accede to the request of the Senate and that S. F. No. 759 be recalled from the Committee on Transportation and be returned to the Senate. The motion prevailed.

Mr. Speaker:

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

S. F. No. 964.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 530, 550, 660 and 741.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 358, 639, 699 and 785.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 136, 179 and 353.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

S. F. Nos. 372, 476 and 535.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

S. F. Nos. 574 and 822.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

S. F. Nos. 713, 982 and 1044.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

S. F. Nos. 272, 513, 533 and 771.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

S. F. No. 305.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

S. F. Nos. 188, 268 and 539.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1043.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 732.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 215.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 964, A bill for an act relating to human rights; requiring certain state contractors to have affirmative action plans approved by the commissioner of human rights; amending Minnesota Statutes 1980, Section 363.073; proposing new law coded in Minnesota Statutes, Chapter 363.

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

S. F. No. 530, A bill for an act relating to game and fish; revising certain provisions concerning the transportation of pistols and revolvers; amending Minnesota Statutes 1980, Section 100.29, Subdivisions 5 and 17.

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

S. F. No. 550, A bill for an act relating to education; changing the time period for filing an application to be placed on the ballot for board elections; amending Minnesota Statutes 1980, Section 123.32, Subdivision 4.

The bill was read for the first time.

Blatz moved that S. F. No. 550 and H. F. No. 855, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 660, A bill for an act relating to counties; providing correct references to certain civil service procedures; amending Minnesota Statutes 1980, Sections 375.58, Subdivision 3; and 375.62.

The bill was read for the first time.

Rees moved that S. F. No. 660 and H. F. No. 664, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 741, A bill for an act relating to the town of Woodville; permitting payment of the cemetery directors; repealing Laws 1959, Chapter 149.

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

S. F. No. 358, A bill for an act relating to intoxicating liquor; requiring proof of financial responsibility; amending Minnesota Statutes 1980, Sections 340.11, by adding a subdivision; 340.12; and 340.353, by adding a subdivision.

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

S. F. No. 639, A bill for an act relating to metropolitan government; requiring that metropolitan council boundaries be redrawn after each federal census; amending Minnesota Statutes 1980, Section 473.123, Subdivision 2.

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

S. F. No. 699, A bill for an act relating to transportation; authorizing the commissioner of transportation to act as agent for political subdivisions for the construction of roads and bridges under certain circumstances; amending Minnesota Statutes 1980, Section 161.36, Subdivision 3.

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

S. F. No. 785, A bill for an act relating to taxation; real property; providing open space treatment for archery and firearms ranges; amending Minnesota Statutes 1980, Section 273.112, Subdivision 3.

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

S. F. No. 136, A bill for an act relating to elections; changing compensation of certain election judges; amending Minnesota Statutes 1980, Section 204A.23.

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

S. F. No. 179, A bill for an act relating to economic development; regulating business loans to Indians; amending Minnesota Statutes 1980, Section 362.40, Subdivisions 2, 8, 9, 11, 12, 14, and by adding a subdivision; repealing Minnesota Statutes 1980, Section 362.40, Subdivisions 4, 5, and 10.

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

S. F. No. 353, A bill for an act relating to local government; setting conditions for group insurance contract bids; amending Minnesota Statutes 1980, Section 471.616, Subdivision 1.

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

S. F. No. 372, A bill for an act relating to agriculture; removing certain buyers and sellers of hay and straw from commission merchant licensing requirements; amending Minnesota Statutes 1980, Sections 223.01; 223.02; 223.03; and 223.05; repealing Minnesota Statutes 1980, Sections 223.06 and 223.12.

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

S. F. No. 476, A bill for an act relating to crimes; providing the court with discretion to require a presentence investigation in the case of felony convictions; requiring a presentence sentencing worksheet for a defendant convicted of a felony; amending Minnesota Statutes 1980, Section 609.115, Subdivision 1.

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

S. F. No. 535, A bill for an act relating to corporations; providing for the issuance of stock in a professional corporation to a partnership or a professional corporation performing the same kind of service; providing for the transfer of stock to a partnership or a professional corporation; amending Minnesota Statutes 1980, Section 319A.11.

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

S. F. No. 574, A bill for an act relating to judicial procedures; changing certain provisions relating to guardianship and conservatorship; amending Minnesota Statutes 1980, Sections 525.539, Subdivision 3, and by adding a subdivision; 525.54; 525.541; 525.542; 525.543; 525.55; 525.551; 525.5515; 525.56, Subdivisions 3 and 4; 525.58; 525.591, Subdivisions 2 and 3; 525.618, Subdivision 1; 525.6185; 525.619; 525.6192; 525.6196; 525.6198; 525.62; 525.67; 525.69; and 525.703; proposing new law coded in Minnesota Statutes, Chapter 525; repealing Minnesota Statutes 1980, Section 525.504.

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

S. F. No. 822, A bill for an act relating to occupations and professions; providing for oral examinations of electricians by the board of electricity; amending Minnesota Statutes 1980, Section 326.242, Subdivision 7.

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

S. F. No. 713, A bill for an act relating to drivers licenses; increasing fees for motorized bicycle operator permits and for driver licenses; establishing a fee for the Minnesota identification card; providing for uniform application fees; providing for the reallocation of certain revenues; requiring reexamination before issuance of a new drivers license after revocation; authorizing married applicants to use their maiden name as their middle name; amending Minnesota Statutes 1980, Sections 171.02, Subdivision 3; 171.06, Subdivisions 1, 2, 4, and by adding a subdivision; 171.07, Subdivision 3; 171.26; and 171.29.

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

S. F. No. 982, 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 of hydroelectric power, and the issuance of revenue bonds to finance the project.

The bill was read for the first time.

Gruenes moved that S. F. No. 982 and H. F. No. 1089, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1044, A bill for an act relating to the city of Echo; authorizing the issuance of bonds for the acquisition and betterment of a community center.

The bill was read for the first time.

Den Ouden moved that S. F. No. 1044 and H. F. No. 1142, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 272, A bill for an act relating to children; prohibiting neglect and abuse of children; amending Minnesota Statutes 1980, Sections 626.556, Subdivision 2, and by adding a subdivision; and 626.557, Subdivision 19.

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

S. F. No. 513, A bill for an act relating to interest; clarifying the usury exemption on certain loans; increasing rates of interest on loans for business and agricultural transactions and loans made by agricultural credit corporations; removing certain deficiencies and ambiguities; amending Minnesota Statutes 1980, Sections 334.01, Subdivision 2; 334.011, Subdivision 1; and 334.061.

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

S. F. No. 533, A bill for an act relating to crimes; authorizing law enforcement agencies in municipalities with more than 2,500 inhabitants to seize property unlawfully used in connection with controlled substance violations; amending Minnesota Statutes 1980, Section 152.01, Subdivision 17.

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

S. F. No. 771, A bill for an act relating to Otter Tail county and the town of Oak Port in Clay county; authorizing the Otter Tail county board to grant certain powers for a district created under Minnesota Statutes, Chapter 116A; authorizing the town of Oak Port to exercise certain powers.

The bill was read for the first time.

Fjoslien moved that S. F. No. 771 and H. F. No. 862, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 305, 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.

The bill was read for the first time.

Sarna moved that S. F. No. 305 and H. F. No. 439, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 188, A bill for an act relating to crimes; regulating the possession, use, sale, and furnishing of tear gas and tear gas

compounds; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 624; repealing Minnesota Statutes 1980, Section 624.73.

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

S. F. No. 268, A bill for an act relating to insurance; regulating suicide provisions in life insurance contracts; proposing new law coded in Minnesota Statutes, Chapter 61A.

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

S. F. No. 539, A bill for an act relating to family law; allowing joint custody of minor children; providing for acknowledgments of paternity; changing provisions related to venue; providing expedited hearings; changing determination of maintenance and support orders; changing the division of marital property; providing for enforcement of maintenance and support orders; changing requirements for evidence, orders, and decrees; adopting the revised uniform reciprocal enforcement of support act; amending Minnesota Statutes 1980, Sections 257.34, Subdivision 1; 518.003, by adding a subdivision; 518.09; 518.131, Subdivisions 3 and 4, and by adding subdivisions; 518.145; 518.17; 518.54, Subdivision 5; 518.551; 518.58; and 518.64, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 518C; repealing Minnesota Statutes 1980, Sections 518.41; 518.42; 518.43; 518.44; 518.45; 518.46; 518.47; 518.48; 518.49; 518.491; 518.50; 518.51; 518.52; and 518.53.

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

S. F. No. 1043, A bill for an act relating to administrative procedures; providing for changes in the recompilation, publication, and drafting of administrative rules; modifying the powers of the revisor of statutes with respect to compiling, publishing, and drafting of administrative rules; clarifying which rules are to be published; fixing a common nomenclature for certain steps in the administrative process; extending statutory standard definitions of terms and principles of construction to administrative rules; providing for the effect of transferring responsibilities between agencies; extending the jurisdiction of the LCRAR; clarifying when a rule suspended by the LCRAR becomes effective; modifying certain provisions of the administrative procedure act; removing certain obsolete terms and clarifying certain language; amending Minnesota Statutes 1980, Sections 3.965, Subdivision 2; 15.0411, Subdivisions 2 and 3; 15.0412, Subdivisions 1, 1a, 2a, 4, 4c, 4d, 4e, 4f, 4g, 4h, 5, 7, 8, 9 and 10; 15.0413; 15.0415; 16.86, Subdivision 2; 62E.10, Subdivision 8; 121.931, Subdivision 8; 121.932, Subdivision 3; 169.128; 182.655, Subdivision 1; 238.09, Subdivision 9; 271.06, Subdivision 7;

299A.03, Subdivision 6; 299F.19, Subdivision 6; 360.015, Subdivisions 4, 5 and 16; 645.071, Subdivision 1; 645.08; 645.11; 645.12, Subdivision 1; 645.13; 645.14; 645.15; 645.18; 645.19; 645.20; 645.21; 645.23; 645.24; 645.26, Subdivisions 1 and 2; 645.31, Subdivision 1; 645.34; 645.35; 645.36; 645.37; 645.39; 645.40; 645.41; 645.44, Subdivision 1; 645.45; 645.451, Subdivision 1; 645.46; 645.48; 648.31, Subdivision 6; 648.50, Subdivisions 1, 2, 3, 4 and 6, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapters 15 and 645; repealing Minnesota Statutes 1980, Sections 15.015 to 15.04; 174.06, Subdivision 6; and 245.04 to 245.07.

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

S. F. No. 732, A bill for an act relating to insurance; revising the statutory provisions relating to surplus lines insurance; clarifying its operation and coverage; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 60A; repealing Minnesota Statutes 1980, Section 60A.20.

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

S. F. No. 215, A bill for an act relating to taxation; allowing urban towns to increase their tax levy limit base by eight percent per year; amending Minnesota Statutes 1980, Section 275.52, Subdivision 2.

The bill was read for the first time.

Lehto moved that S. F. No. 215 and H. F. No. 252, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Sieben, M., requested immediate consideration of H. F. No. 70.

H. F. No. 70 was reported to the House.

Ainley moved to amend H. F. No. 70 as follows:

Page 115, delete lines 34 to 36

Page 116, delete line 1

Renumber the remaining subdivisions

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

H. F. No. 70, A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies and the distribution of tax revenues; granting certain powers and duties to school districts, the state board of education and others; replacing AVTI capital expenditure aid with AVTI equipment aid and AVTI repair and betterment aid; requiring a legislative study of curriculum implications of secondary vocational education aid; providing a new aid and levy authorization for certain capital expenditures; changing the preschool screening program from mandatory to optional; limiting participation in teacher mobility programs; decreasing the state's obligations and changing eligibility standards for the maximum effort school aid program; appropriating money; amending Minnesota Statutes 1980, Sections 3.9278, Subdivision 1; 3.9279, Subdivisions 10 and 12; 120.17, Subdivisions 3, 3b, 4, 5a, 6, 7 and by adding a subdivision; 121.904, Subdivision 7; 121.906, Subdivisions 2 and 3; 121.912, Subdivision 1; 122.22, Subdivisions 3, 4, 5, 8, 9, 11, 13, 14, 20 and by adding a subdivision; 123.35, Subdivision 15; 123.36, Subdivision 13; 123.39, Subdivision 1 and by adding a subdivision; 123.702, Subdivision 1; 123.703, Subdivision 3; 123.705; 123.937; 124.01, Subdivisions 2, 3, 4 and by adding a subdivision; 124.11, Subdivisions 1, 2a, 2b, 2c and by adding a subdivision; 124.14, Subdivisions 3, 4 and by adding a subdivision; 124.17, Subdivisions 2, 2c and by adding a subdivision; 124.20; 124.212, Subdivisions 1, 5a, 7d, 8a, 9a and by adding a subdivision; 124.223; 124.225, Subdivisions 1, 1a, 2, 3, 4a, 5, 6, 7a, 8a, 8b, 9, 11 and by adding a subdivision; 124.245, Subdivisions 1, 2 and by adding a subdivision; 124.247, Subdivisions 3 and 5; 124.26, Subdivisions 3, 4 and by adding subdivisions; 124.271, Subdivision 2; 124.32, Subdivisions 1a, 1b, 6, 9 and by adding a subdivision; 124.38, Subdivision 7; 124.39, Subdivision 5; 124.40, Subdivision 2; 124.41; 124.42, Subdivisions 1 and 2; 124.43, Subdivisions 1, 2, 3, 4 and 5; 124.474; 124.476; 124.561, Subdivisions 2a, 3a and by adding subdivisions; 124.562, by adding a subdivision; 124.5621, Subdivisions 2, 5, 6 and 12; 124.5622, Subdivisions 3, 4 and 5; 124.5623, Subdivisions 3, 4 and 5; 124.5624; 124.565, Subdivisions 3, 4, 6 and 7; 124.566; 124.572, Subdivision 8 and by adding subdivisions; 124.573, Subdivisions 2, 3a, 5 and by adding a subdivision; 124.574, Subdivisions 2 and 4; 124.646, Subdivision 1; 125.60, Subdivisions 2a and 7; 125.611, Subdivisions 1, 3, 5, 8, 9 and 10; 126.54, Subdivision 1; 134.35, Subdivision 1; 134.351, Subdivision 5 and by adding subdivisions; 134.36; 275.125, Subdivisions 2a, 2c, 6b, 6c, 7a, 7b, 8, 11a and by adding subdivisions; 298.28, Subdivision 1; 354.094, Subdivisions 1, 2, 3 and by adding a subdivision; 354.66, Subdivision 9; 354A.091, Subdivisions 1, 2, 3 and by adding a subdivision; 354A.094, Subdivision 9; 375.335, Subdivision 4 and by adding subdivisions; Laws 1967, Chapter 822, Section 1, as amended; proposing new law coded in Minnesota Statutes, Chapters 120; and 124; repealing Minnesota Statutes 1980, Sections 3.9279, Subdivision 13; 120.17, Subdivision 3c; 122.22, Subdivisions 10, 12, 15 and 16; 123.40, Subdivision 5; 124.212, Subdivisions 6c and 7c; 124.225, Subdivisions 4, 7 and 8; 124.271, Subdivision 1a; 124.561, Subdivision 4; 124.

562, Subdivisions 3 and 4; 124.571; 126.268, Subdivision 1; 126.52, Subdivision 12; 275.125, Subdivisions 2b and 14.

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

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ainley Clawson Voss

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 121, A bill for an act relating to statutory cities and urban towns; permitting publication of summaries of ordinances

prior to enactment; amending Minnesota Statutes 1980, Sections 368.01, Subdivision 21; and 412.191, Subdivision 4.

And the Senate respectfully requests that a Conference Committee be appointed thereon.

Messrs. Wegener, Pehler and Frederickson have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Clawson moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 121. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 209, A bill for an act relating to gambling devices; clarifying definitions of gambling devices; authorizing an additional gambling device; authorizing certain payments for operation of gambling devices; changing prize limitations; changing the penalty provision for violation; amending Minnesota Statutes 1980, Sections 349.26, Subdivisions 2, 4, 5, 12, 13, 14 and 15, and by adding a subdivision; 349.30, Subdivision 2; and 349.31, Subdivision 1.

And the Senate respectfully requests that a Conference Committee be appointed thereon.

Messrs. Nelson; Keefe and Peterson, C. C. have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Reding moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 209. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

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

The Senate has appointed as such committee Messrs. Dicklich, Johnson and Solon.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONSENT CALENDAR

S. F. No. 718, A bill for an act relating to marriage; making the age of consent requirements for boys the same as for girls; amending Minnesota Statutes 1980, Section 517.02.

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 98 yeas and 29 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Elioff	Kostohryz	Olsen	Shea
Anderson, G.	Ellingson	Laidig	Onnen	Sherman
Anderson, I.	Evans	Lehto	Osthoff	Sherwood
Battaglia	Forsythe	Lemen	Otis	Sieben, M.
Begich	Greenfield	Levi	Peterson, B.	Simoneau
Berkelman	Halberg	Long	Peterson, D.	Skoglund
Blatz	Hanson	Ludeman	Piepho	Staten
Brandl	Hauge	Mann	Pogemiller	Stumpf
Brinkman	Haukoos	Marsh	Redalen	Swanson
Byrne	Heap	McEachern	Reding	Tomlinson
Carlson, D.	Heinitz	Metzen	Rees	Valan
Carlson, L.	Himle	Minne	Rice	Vanasek
Clark, J.	Hokanson	Munger	Rodriguez, C.	Vellenga
Clark, K.	Hokr	Murphy	Rodriguez, F.	Voss
Clawson	Jacobs	Nelson, K.	Rose	Welch
Dahlvang	Jennings	Norton	Rothenberg	Wenzel
Dean	Johnson, C.	Novak	Samuelson	Wynia
Dempsey	Jude	Nysether	Sarna	Spkr. Sieben, H.
Drew	Kaley	O'Connor	Schoenfeld	
Eken	Knickerbocker	Ogren	Schreiber	

Those who voted in the negative were:

Aasness	Fjoslien	Kalis	Neisen, B.	Valento
Ainley	Friedrich	Kelly	Niehaus	Weaver
Anderson, R.	Gruenes	Kvam	Reif	Welker
Den Ouden	Gustafson	McCarron	Schafer	Wieser
Erickson	Harens	McDonald	Stowell	Zubay
Esau	Johnson, D.	Mehrkens	Sviggun	

The bill was passed and its title agreed to.

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.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 838, A bill for an act relating to transportation; delaying the effective date of the laws establishing and prescribing the powers and duties of the transportation regulation board; amending Laws 1980, Chapter 534, Section 87.

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 8 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Greenfield	Lehto	Rees	Tomlinson	Voss
Hanson	McCarron	Schoenfeld		

The bill was passed and its title agreed to.

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.

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 96 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Johnson, C.	Ogren	Skoglund
Ainley	Evans	Johnson, D.	Olsen	Stadum
Anderson, B.	Ewald	Kaley	Onnen	Staten
Anderson, I.	Fjoslien	Kalis	Otis	Stowell
Anderson, R.	Forsythe	Kelly	Peterson, B.	Stumpf
Battaglia	Friedrich	Knickerbocker	Peterson, D.	Svigum
Begich	Greenfield	Kvam	Piepho	Valan
Berkelman	Gruenes	Laidig	Pogemiller	Valento
Blatz	Gustafson	Lemen	Redalen	Weaver
Brandl	Halberg	Levi	Reding	Welch
Brinkman	Harens	Ludeman	Rees	Welker
Carlson, D.	Hauge	Mann	Reif	Wenzel
Dahlvang	Haukoos	Marsh	Rodriguez, F.	Wieser
Dean	Heap	McDonald	Rose	Wynia
Dempsey	Heinitz	Mehrkens	Rothenberg	Zubay
Den Ouden	Himle	Minne	Schafer	Spkr. Sieben, H.
Drew	Hoberg	Nelsen, B.	Schreiber	
Elioff	Hokr	Niehaus	Sherman	
Ellingson	Jacobs	Norton	Sherwood	
Erickson	Jennings	Nysether	Sieben, M.	

Those who voted in the negative were:

Anderson, G.	Carlson, L.	Clark, K.	Eken	Hokanson
Byrne	Clark, J.	Clawson	Hanson	Jude

Kostohryz	Metzen	O'Connor	Sarna	Vanasek
Lehto	Munger	Osthoff	Schoenfeld	Vellenga
Long	Murphy	Rice	Shea	Voss
McCarron	Nelson, K.	Rodriguez, C.	Simoneau	
McEachern	Novak	Samuelson	Swanson	

The bill was passed and its title agreed to.

H. F. No. 247 was reported to the House.

Peterson, D., moved that H. F. No. 247 be continued on the Consent Calendar for one day. The motion prevailed.

H. F. No. 484, A bill for an act relating to commerce; clarifying the definition of "continuing care"; providing for implementation of the continuing care facilities disclosure and rehabilitation act in a self-executing manner; amending Minnesota Statutes 1980, Sections 80D.01; 80D.02, Subdivision 2 and by adding a subdivision; 80D.03, Subdivision 1; 80D.04; 80D.05; 80D.06; 80D.08; 80D.09; 80D.11; 80D.13, Subdivision 1; 80D.14, Subdivisions 1 and 2; 80D.15; 80D.16; and 82.18; repealing Minnesota Statutes 1980, Sections 80D.02, Subdivision 3; 80D.03, Subdivisions 3 and 4; 80D.10; 80D.12; 80D.14, Subdivision 3; 80D.17; and 80D.18.

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

The bill was passed and its title agreed to.

H. F. No. 567, A bill for an act relating to retirement; teachers retirement association and teacher retirement fund associations in cities of the first class; allowing certain types of survivor coverage be provided to a designated beneficiary instead of a surviving spouse; requiring public pension funds to provide information concerning optional annuity forms with retirement application form; requiring the signature of the spouse of a member on the retirement application form in certain instances; amending Minnesota Statutes 1980, Sections 354.46, Subdivisions 1 and 2, and by adding a subdivision; 354.47, Subdivision 1; and 354A.35, by adding a subdivision; and proposing new law coded in Minnesota Statutes, Chapter 356.

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

The bill was passed and its title agreed to.

H. F. No. 708, A bill for an act relating to public improvements; permitting deferral of special assessments in instances of hardship; amending Minnesota Statutes 1980, Section 435.193.

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 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Minne

The bill was passed and its title agreed to.

H. F. No. 749, A bill for an act relating to real property; providing a fee for issuing noncertified copies of instruments or parts of instruments on file in the office of the registrar of titles; amending Minnesota Statutes 1980, Section 508.82.

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

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

The bill was passed and its title agreed to.

H. F. No. 887 was reported to the House.

Upon objection of ten members H. F. No. 887 was stricken from the Consent Calendar and returned to General Orders.

H. F. No. 996, A bill for an act relating to retirement; making various administrative changes in the teachers retirement law; authorizing a medical advisor; payment of shortages in member deductions; amending Minnesota Statutes 1980, Sections 354.06, Subdivisions 2 and 2a; 354.091; 354.092; 354.41, by adding a subdivision; 354.44, Subdivisions 4 and 8; 354.48, Subdivisions 2, 4, and by adding a subdivision; 354.51, Subdivision 5; 354.52, Subdivision 4; and 354.62, Subdivisions 4 and 5.

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:

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

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

The bill was passed and its title agreed to.

H. F. No. 1059, A bill for an act relating to crimes; providing for the type of proof of the fact of killing in murder and manslaughter cases; amending Minnesota Statutes 1980, Section 634.051.

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:

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

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 590, A bill for an act relating to highways; providing criteria for determining the population of a city for the purposes of the municipal state-aid street system; amending Minnesota Statutes 1980, Section 162.09, Subdivision 4.

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 62 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Erickson	Kelly	Norton	Staten
Battaglia	Ewald	Laidig	Novak	Stowell
Begich	Greenfield	Lehto	Ogren	Tomlinson
Berkelman	Gustafson	Long	Otis	Valan
Brandl	Hanson	Ludeman	Peterson, D.	Voss
Brinkman	Harens	Mann	Pogemiller	Welch
Byrne	Hauge	McCarron	Rice	Wenzel
Clark, J.	Hoberg	Metzen	Rodriguez, F.	Wieser
Clark, K.	Jacobs	Minne	Samuelson	Wynia
Dean	Jennings	Munger	Schoenfeld	Spkr. Sieben, H.
Drew	Johnson, C.	Murphy	Shea	
Elioff	Jude	Nelson, K.	Sieben, M.	
Ellingson	Kalis	Niehaus	Skoglund	

Those who voted in the negative were:

Aasness	Fjoslien	Kostohryz	Osthoff	Sherwood
Ainley	Forsythe	Kvam	Peterson, B.	Simoneau
Anderson, G.	Friedrich	Lemen	Piepho	Stadum
Anderson, I.	Gruenes	Levi	Redalen	Stumpf
Anderson, R.	Halberg	Marsh	Reding	Sviggum
Carlson, D.	Haukoos	McDonald	Rees	Swanson
Carlson, L.	Heap	McEachern	Rodriguez, C.	Vanasek
Dahlvang	Heinitz	Mehrkens	Rose	Vellenga
Dempsey	Himle	Nelsen, B.	Rothenberg	Weaver
Den Ouden	Hokr	Nysether	Sarna	Welker
Eken	Johnson, D.	O'Connor	Schaefer	Zubay
Esau	Kaley	Olsen	Schreiber	
Evans	Knickerbocker	Onnen	Sherman	

The bill was not passed.

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

The bill was read for the 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 1 nay as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Rees

The bill was passed and its title was agreed to.

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

S. F. No. 263, A bill for an act relating to highway traffic regulations; requiring the use of child passenger restraint systems for certain children under the age of four years; prescribing penalties; amending Minnesota Statutes 1980, Section 169.-685, Subdivision 4 and by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 85 yeas and 38 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Ewald	Kelly	Novak	Schreiber
Anderson, R.	Greenfield	Knickerbocker	Olsen	Shea
Battaglia	Gruenes	Kostohryz	Osthoff	Sherman
Berkelman	Halberg	Kvam	Otis	Sherwood
Blatz	Hanson	Laidig	Peterson, B.	Sieben, M.
Brandl	Harens	Lehto	Peterson, D.	Simoneau
Byrne	Hauge	Lemen	Pogemiller	Skoglund
Carlson, L.	Haukoos	Long	Redalen	Staten
Clark, J.	Heap	Mann	Reding	Stumpf
Clark, K.	Himle	McDonald	Rees	Swanson
Clawson	Hoberg	Mehrkens	Reif	Tomlinson
Dean	Hokanson	Metzen	Rice	Vellenga
Dempsey	Hokr	Minne	Rodriguez, C.	Voss
Drew	Jacobs	Munger	Rodriguez, F.	Weaver
Elioff	Johnson, D.	Murphy	Rothenberg	Wenzel
Ellingson	Jude	Nelson, K.	Schafer	Wynia
Erickson	Kalis	Norton	Schoenfeld	Spkr. Sieben, H.

Those who voted in the negative were:

Aasness	Den Ouden	Johnson, C.	O'Connor	Swiggum
Ainley	Eken	Kaley	Ogren	Valan
Anderson, G.	Esau	Ludeman	Onnen	Valento
Anderson, I.	Evans	Marsh	Piepho	Welker
Begich	Fjoslien	McCarron	Rose	Wieser
Brinkman	Friedrich	McEachern	Samuelson	Zubay
Carlson, D.	Gustafson	Nelsen, B.	Sarna	
Dahlvang	Jennings	Niehaus	Stowell	

The bill was passed and its title agreed to.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 121:

Clawson, McEachern and Levi.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 209:

Reding, Rice and Hoberg.

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. 4 and 236 which it recommended progress retaining its place on General Orders.

H. F. No. 170 which it recommended progress until Thursday, April 30, 1981.

S. F. No. 346 which it recommended progress until Monday, April 27, 1981 retaining its place on General Orders.

H. F. No. 576 which it recommended re-referral to the Committee on Appropriations with the following amendment offered by Ludeman:

Page 12, line 31, before "The" insert "*After December 31, 1982,*" and strike "shall" and insert "*may*"

Page 13, line 12, after the period insert "*Before any public waters are set aside or managed for the purposes of section 105.39, subdivisions 3, 4, and 5, the commissioner shall notify in writing all riparian owners.*"

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:

Ludeman moved to amend H. F. No. 576, the first engrossment, as follows:

Page 12, line 31, before "The" insert "*After December 31, 1982,*" and strike "shall" and insert "*may*"

Page 13, line 12, after the period insert "*Before any public waters are set aside or managed for the purposes of section 105.39, subdivisions 3, 4, and 5, the commissioner shall notify in writing all riparian owners.*"

The question was taken on the amendment and the roll was called. There were 79 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Aasness	Evans	Johnson, D.	Nelsen, B.	Shea
Ainley	Ewald	Jude	Niehaus	Sherman
Anderson, B.	Fjoslien	Kaley	Nysether	Sherwood
Anderson, G.	Forsythe	Kalis	Ogren	Stadum
Anderson, I.	Friedrich	Kelly	Olsen	Stowell
Anderson, R.	Gruenes	Knickerbocker	Onnen	Stumpf
Battaglia	Halberg	Kvam	Piepho	Sviggum
Blatz	Hauge	Levi	Redalen	Swanson
Brinkman	Haukoos	Ludeman	Rees	Valan
Carlson, D.	Heap	Mann	Reif	Valento
Dempsey	Heinitz	Marsh	Rothenberg	Weaver
Den Ouden	Himle	McDonald	Samuelson	Welch
Eken	Hoberg	McEachern	Sarna	Welker
Elioff	Hokr	Mehrkens	Schafer	Wieser
Erickson	Jennings	Minne	Schoenfeld	Zubay
Esau	Johnson, C.	Murphy	Schreiber	

Those who voted in the negative were:

Begich	Drew	Lehto	Osthoff	Sieben, M.
Berkelman	Ellingson	Lemen	Otis	Simoneau
Brandl	Greenfield	Long	Peterson, B.	Skoglund
Byrne	Gustafson	McCarron	Peterson, D.	Staten
Carlson, L.	Hanson	Metzen	Pogemiller	Tomlinson
Clark, J.	Harens	Munger	Reding	Vellenga
Clark, K.	Hokanson	Nelson, K.	Rice	Voss
Clawson	Jacobs	Norton	Rodriguez, C.	Wenzel
Dahlvang	Kostohryz	Novak	Rodriguez, F.	Wynia
Dean	Laidig	O'Connor	Rose	Spkr. Sieben, H.

The motion prevailed and the amendment was adopted.

Clawson moved to amend H. F. No. 576, the first engrossment, as amended, as follows:

Page 12, delete lines 29 to 36

Page 13, delete lines 1 to 12

Renumber the remaining sections

Amend the title:

Page 1, line 12, delete "97.48, Subdivision 11;"

The question was taken on the amendment and the roll was called. There were 46 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Berkelman	Greenfield	Long	Pogemiller	Tomlinson
Brandl	Gustafson	McCarron	Reding	Vellenga
Byrne	Hanson	Metzen	Rice	Voss
Carlson, L.	Harens	Munger	Rodriguez, C.	Wenzel
Clark, J.	Jacobs	Nelson, K.	Rodriguez, F.	Wynia
Clark, K.	Kostohryz	Norton	Samuelson	Spkr. Sieben, H.
Clawson	Kvam	O'Connor	Sieben, M.	
Dahlvang	Laidig	Otis	Simoneau	
Dean	Lehto	Peterson, B.	Skoglund	
Ellingson	Lemen	Peterson, D.	Staten	

Those who voted in the negative were:

Aasness	Esau	Johnson, C.	Niehaus	Sherman
Ainley	Evans	Johnson, D.	Novak	Sherwood
Anderson, B.	Ewald	Jude	Nysether	Stadum
Anderson, G.	Fjoslien	Kaley	Ogren	Stowell
Anderson, I.	Forsythe	Kalis	Olsen	Stumpf
Anderson, R.	Friedrich	Kelly	Onnen	Sviggunn
Battaglia	Gruenes	Knickerbocker	Piepho	Swanson
Begich	Halberg	Levi	Redalen	Valan
Blatz	Hauge	Ludeman	Rees	Valento
Brinkman	Haukoos	Mann	Reif	Weaver
Carlson, D.	Heap	Marsh	Rose	Welker
Dempsey	Heinitz	McDonald	Rothenberg	Wieser
Den Ouden	Himle	McEachern	Sarna	Zubay
Drew	Hoberg	Mehrkens	Schafer	
Eken	Hokanson	Minne	Schoenfeld	
Elioff	Hokr	Murphy	Schreiber	
Erickson	Jennings	Nelsen, B.	Shea	

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

The question was taken on the Clawson motion that H. F. No. 576, as amended, be re-referred to the Committee on Appropriations and the roll was called. There were 80 yeas and 47 nays as follows:

Those who voted in the affirmative were:

Ainley	Eken	Kostohryz	Ogren	Sherman
Anderson, G.	Ellingson	Kvam	Olsen	Sherwood
Anderson, I.	Evans	Laidig	Osthoff	Sieben, M.
Anderson, R.	Ewald	Lehto	Otis	Simoneau
Begich	Forsythe	Lemen	Peterson, D.	Skoglund
Berkelman	Greenfield	Long	Pogemiller	Staten
Brandl	Gustafson	Mann	Reding	Stowell
Brinkman	Halberg	McCarron	Rice	Stumpf
Byrne	Hanson	Metzen	Rodriguez, C.	Swanson
Carlson, L.	Harens	Minne	Rodriguez, F.	Tomlinson
Clark, J.	Hokanson	Munger	Rose	Vellenga
Clark, K.	Jacobs	Murphy	Samuelson	Voss
Clawson	Johnson, C.	Nelson, K.	Sarna	Welch
Dahlvang	Jude	Norton	Schafer	Wenzel
Dean	Kelly	Novak	Schreiber	Wynia
Drew	Knickerbocker	O'Connor	Shea	Spkr. Sieben, H.

Those who voted in the negative were:

Aasness	Fjoslien	Jennings	Niehaus	Swiggum
Anderson, B.	Friedrich	Johnson, D.	Nysether	Valan
Battaglia	Gruenes	Kaley	Onnen	Valento
Blatz	Hauge	Kalis	Piepho	Weaver
Carlson, D.	Haukoos	Levi	Redalen	Welker
Dempsey	Heap	Ludeman	Rees	Wieser
Den Ouden	Heinitz	Marsh	Reif	Zubay
Elioff	Himle	McDonald	Rothenberg	
Erickson	Hoberg	Mehrkens	Schoenfeld	
Esau	Hokr	Nelsen, B.	Stadum	

The motion prevailed.

MOTIONS AND RESOLUTIONS

Norton moved that the names of Jude, Wieser, Brandl and Nysether be added as authors on H. F. No. 771. The motion prevailed.

Clark, J., moved that the name of Clark, K., be shown as chief author and the name of Clark, J., be shown as second author on H. F. No. 1302. The motion prevailed.

Peterson, D., moved that the name of Peterson, D., be stricken and the name of Sarna be added as chief author on H. F. No. 247. The motion prevailed.

Anderson, I., moved that his name be stricken as an author on H. F. No. 475 and H. F. No. 1325. The motion prevailed.

Clawson moved that S. F. No. 822 be recalled from the Committee on Governmental Operations and together with H. F. No. 1276, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Clark, K., moved that the name of Staten be added as an author on H. F. No. 792. The motion prevailed.

Samuelson moved that the name of Wenzel be added as an author on H. F. No. 510. The motion prevailed.

Pogemiller moved that the name of Pogemiller be stricken and the name of Long be shown as chief author on H. F. No. 1153. The motion prevailed.

Ellingson moved that the name of Dempsey be stricken and the name of Heap be added as an author on H. F. No. 165. The motion prevailed.

Haukoos moved that H. F. No. 960 be returned to its author. The motion prevailed.

Sarna moved that H. F. No. 795 be returned to its author. The motion prevailed.

Peterson, B.; Ainley; Munger and Eken introduced:

House Resolution No. 16, A house resolution commemorating the 90th anniversary of the establishment of Itasca State Park.

SUSPENSION OF RULES

Peterson, B., moved that the Rules be so far suspended that House Resolution No. 16 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 16

A house resolution commemorating the 90th anniversary of the establishment of Itasca State Park.

Whereas, the mystery of the source of the Mississippi River was the cause of much of the early exploration of Minnesota in the late 1700s and early 1800s; and,

Whereas, in 1832 Henry Rowe Schoolcraft located the most northerly source of the Mississippi at what he called Lake Itasca; and,

Whereas, the Lake Itasca area is not only interesting as the source of the Mississippi River but also for its unspoiled forests, wildlife, prehistoric sites, and sites connected with the exploration of Minnesota; and,

Whereas, the 27th Legislature passed Laws of Minnesota 1891, Chapter 56, which established Itasca State Park, and was signed into law on April 20, 1891; and,

Whereas, Itasca State Park is one of the first state or national parks established in America; and,

Whereas, the establishment of Itasca State Park has been widely accepted as an act of inspired foresightedness; and,

Whereas, on the 90th anniversary of its establishment, it is fitting and proper to commemorate the preservation of the park lands and resources not only for Minnesotans of today but also for future generations; *now therefore*,

Be it resolved by the House of Representatives of the State of Minnesota that it acknowledges the debt to those who fought for and obtained the preservation of the lands and resources of the Itasca State Park. It calls upon all Minnesotans to reflect upon the wealth that has been preserved for their use and enjoyment at the park. It urges Minnesotans to see and enjoy that wealth.

Peterson, B., moved that House Resolution No. 16 be now adopted. The motion prevailed and the resolution was adopted.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, April 22, 1981. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, April 22, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives