

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1981

THIRTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 22, 1981

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

Prayer was offered by Pastor Craig H. Hanson, Roseville Lutheran Church, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Elioff, Luknic, Rose, Searles and Wigley were excused. Anderson, R., was excused until 3:45 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Olsen moved that further reading of the Journal be

dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 161, 1218, 252, 746, 886, 463, 748 and 1158 and S. F. Nos. 530, 550, 660, 741, 215, 732, 1043, 188, 268, 539, 305, 272, 513, 533, 771, 713, 982, 1044, 574, 822, 372, 476, 535, 136, 179, 353, 358, 639, 699, 785, 964 and 432 have been placed in the members' files.

S. F. No. 550 and H. F. No. 855 which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Blatz moved that S. F. No. 550 be substituted for H. F. No. 855 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1044 and H. F. No. 1142, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Den Ouden moved that S. F. No. 1044 be substituted for H. F. No. 1142 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 982 and H. F. No. 1089, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Gruenes moved that S. F. No. 982 be substituted for H. F. No. 1089 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 215 and H. F. No. 252, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Lehto moved that the rules be so far suspended that S. F. No. 215 be substituted for H. F. No. 252 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 305 and H. F. No. 439, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Sarna moved that the rules be so far suspended that S. F. No. 305 be substituted for H. F. No. 439 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 660 and H. F. No. 664, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Rees moved that the rules be so far suspended that S. F. No. 660 be substituted for H. F. No. 664 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 771 and H. F. No. 862, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Fjoslien moved that the rules be so far suspended that S. F. No. 771 be substituted for H. F. No. 862 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 822 and H. F. No. 1276, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Clawson moved that the rules be so far suspended that S. F. No. 822 be substituted for H. F. No. 1276 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 460, A bill for an act relating to drugs; requiring imprinting of legend drugs; amending Minnesota Statutes 1980, Section 151.361.

Reported the same back with the following amendments:

Page 1, line 17, after "*solid*" insert "*oral*"

Page 1, line 20, after "*with*" delete to the end of the line

Page 1, delete lines 21 and 22 and insert "*a symbol, number, company name, words, letters, national drug code or other mark uniquely identifiable to that drug product. An identifying mark or imprint made as required by federal law or by the federal Food and Drug Administration shall be deemed to be in compliance with this section.*"

Page 1, line 24, after "section" insert "*on its own initiative or*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 722, A bill for an act relating to the Coon Creek watershed district; authorizing an annual administrative levy by the district.

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

The report was adopted.

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

H. F. No. 895, A bill for an act relating to state lands; authorizing the sale of certain tax-forfeited land.

Reported the same back with the following amendments:

Page 1, line 12, after the period add a new section to read:

"Sec. 2. [SALE.]

Notwithstanding any law to the contrary, the commissioner of natural resources shall grant as an easement the following described real property in the manner provided by law:

The North 33.00 feet of the East 300.0 feet of the Northwest Quarter of the Northeast Quarter of Section 36, Township 34, Range 24, Anoka County; but not including that portion of the real property which is designated as a right of way for county state aid highway number 24."

Renumber remaining section

Amend the title as follows:

Page 1, line 3, delete "tax-forfeited"

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

The report was adopted.

Pursuant to House rule 9.3 and Joint rule 2.03, H. F. No. 895 was re-referred to the Committee on Rules and Legislative Administration.

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

H. F. No. 935, A bill for an act relating to commerce; eliminating the state override of the federal usury preemption on certain loans; repealing Minnesota Statutes 1980, Section 47.203.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1980, Section 47.20, Subdivision 1, is amended to read:

Subdivision 1. Pursuant to (SUCH) rules (AS) the commissioner of banks finds to be necessary and proper, if any, banks, savings banks, mutual savings banks, building and loan associations, and savings and loan associations organized under the laws of this state or the United States, trust companies, trust companies acting as fiduciaries, and other banking institutions subject to the supervision of the commissioner of banks, and mortgagees or lenders approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs, or approved or certified by the administrator of the farmers home administration, are authorized:

(1) To make (SUCH) loans and advances of credit and purchases of obligations representing loans and advances of credit (AS) *which* are insured or guaranteed by the secretary of housing and urban development pursuant to the national housing act, as amended, or the administrator of veterans affairs pursuant to the servicemen's readjustment act of 1944, as amended, or the administrator of the farmers home administration pursuant to the consolidated farm and rural development act, Pub. L. 87-128, as amended, and to obtain (SUCH) *the* insurance or guarantees;

(2) To make (SUCH) loans secured by mortgages on real property *and loans secured by a share or shares of stock or a membership certificate or certificates issued to a stockholder*

or member by a cooperative apartment corporation which the secretary of housing and urban development, the administrator of veterans affairs, or the administrator of the farmers home administration has insured or guaranteed or made a commitment to insure or guarantee, and to obtain (SUCH) the insurance or guarantees.

Sec. 2. Minnesota Statutes 1980, Section 47.20, Subdivision 2, is amended to read:

Subd. 2. For the purposes of this section the terms defined in this subdivision have the meanings given them:

(1) "Actual closing costs" mean reasonable charges for or sums paid for the following, whether or not retained by the mortgagee or lender:

(a) Any insurance premiums including but not limited to premiums for title insurance, fire and extended coverage insurance, flood insurance, and private mortgage insurance, but excluding any charges or sums retained by the mortgagee or lender as self-insured retention.

(b) Abstracting, title examination and search, and examination of public records.

(c) The preparation and recording of any or all documents required by law or custom for closing a conventional *or cooperative apartment* loan.

(d) Appraisal and survey of real property securing a conventional loan *or real property owned by a cooperative apartment corporation of which a share or shares of stock or a membership certificate or certificates are to secure a cooperative apartment loan.*

(e) A single service charge, which includes any consideration, not otherwise specified herein as an "actual closing cost" paid by the borrower and received and retained by the lender for or related to the acquisition, making, refinancing or modification of a conventional *or cooperative apartment* loan, and also includes any consideration received by the lender for making a borrower's interest rate commitment or for making a borrower's loan commitment, whether or not an actual loan follows the commitment. The term service charge does not include forward commitment fees. The service charge shall not exceed one percent of the original bona fide principal amount of the conventional *or cooperative apartment* loan, except that in the case of a construction loan, the service charge shall not exceed two percent of the original bona fide principal amount of the loan. That portion of the service charge imposed because the loan is a construction loan shall be itemized and a copy of the itemization

furnished the borrower. A lender shall not collect from a borrower the additional one percent service charge permitted for a construction loan if it does not perform the service for which the charge is imposed or if third parties perform and charge the borrower for the service for which the lender has imposed the charge.

(f) Charges and fees necessary for or related to the transfer of real or personal property securing a conventional or cooperative apartment loan or the closing of a conventional or cooperative apartment loan paid by the borrower and received by any party other than the lender.

(2) "Contract for deed" means an executory contract for the conveyance of real estate, the original principal amount of which is less than \$100,000. A commitment for a contract for deed shall include an executed purchase agreement or earnest money contract wherein the seller agrees to finance any part or all of the purchase price by a contract for deed.

(3) "Conventional loan" means a loan or advance of credit, other than a loan or advance of credit made by a credit union or made pursuant to section 334.011, to a noncorporate borrower in an original principal amount of less than \$100,000, secured by a mortgage upon real property containing one or more residential units or upon which at the time the loan is made it is intended that one or more residential units are to be constructed, and which is not insured or guaranteed by the secretary of housing and urban development, by the administrator of veterans affairs, or by the administrator of the farmers home administration. The term mortgage does not include contracts for deed or installment land contracts.

(4) "Cooperative apartment loan" means a loan or advance of credit, other than a loan or advance of credit made by a credit union or made pursuant to section 334.011, to a noncorporate borrower in an original principal amount of less than \$100,000, secured by a security interest on a share or shares of stock or a membership certificate or certificates issued to a stockholder or member by a cooperative apartment corporation, which may be accompanied by an assignment by way of security of the borrower's interest in the proprietary lease or occupancy agreement in property issued by the cooperative apartment corporation and which is not insured or guaranteed by the secretary of housing and urban development, by the administrator of veterans affairs, or by the administrator of the farmers home administration.

(5) "Cooperative apartment corporation" means a corporation or association organized under sections 308.05 to 308.18 or chapter 317, the shareholders or members of which are entitled, solely by reason of their ownership of stock or membership certificates in the corporation or association, to occupy one or more

residential units in a building owned or leased by the corporation or association.

((4)) (6) "Forward commitment fee" means a fee or other consideration paid to a lender for the purpose of securing a binding forward commitment by or through the lender to make conventional loans to two or more credit worthy purchasers, including future purchasers, of residential units, or a fee or other consideration paid to a lender for the purpose of securing a binding forward commitment by or through the lender to make conventional loans to two or more credit worthy purchasers, including future purchasers, of apartments as defined in section 515.02 to be created out of existing structures pursuant to the Minnesota condominium act, or a fee or other consideration paid to a lender for the purpose of securing a binding forward commitment by or through the lender to make cooperative apartment loans to two or more credit worthy purchasers, including future purchasers, of a share or shares of stock or a membership certificate or certificates in a cooperative apartment corporation; provided, that the forward commitment rate of interest does not exceed the maximum lawful rate of interest effective as of the date the forward commitment is issued by the lender.

((5)) (7) "Borrower's interest rate commitment" means a binding commitment made by a lender to a borrower wherein the lender agrees that, if a conventional or cooperative apartment loan is made following issuance of and pursuant to the commitment, the conventional or cooperative apartment loan shall be made at a rate of interest not in excess of the rate of interest agreed to in the commitment, provided that the rate of interest agreed to in the commitment is not in excess of the maximum lawful rate of interest effective as of the date the commitment is issued by the lender to the borrower.

((6)) (8) "Borrower's loan commitment" means a binding commitment made by a lender to a borrower wherein the lender agrees to make a conventional or cooperative apartment loan pursuant to the provisions, including the interest rate, of the commitment, provided that the commitment rate of interest does not exceed the maximum lawful rate of interest effective as of the date the commitment is issued and the commitment when issued and agreed to shall constitute a legally binding obligation on the part of the mortgagee or lender to make a conventional or cooperative apartment loan within a specified time period in the future at a rate of interest not exceeding the maximum lawful rate of interest effective as of the date the commitment is issued by the lender to the borrower; provided that a lender who issues a borrower's loan commitment pursuant to the provisions of a forward commitment is authorized to issue the borrower's loan commitment at a rate of interest not to exceed the maximum lawful rate of interest effective as of the date the forward commitment is issued by the lender.

((7)) (9) "Finance charge" means the total cost of a conventional or cooperative apartment loan including extensions or grant of credit regardless of the characterization of the same and includes interest, finders fees, and other charges levied by a lender directly or indirectly against the person obtaining the conventional or cooperative apartment loan or against a seller of real property securing a conventional loan or a seller of a share or shares of stock or a membership certificate or certificates in a cooperative apartment corporation securing a cooperative apartment loan, or any other party to the transaction except any actual closing costs and any forward commitment fee. The finance charges plus the actual closing costs and any forward commitment fee, charged by a lender shall include all charges made by a lender other than the principal of the conventional or cooperative apartment loan.

((8)) (10) "Lender" means any person making a conventional or cooperative apartment loan, or any person arranging financing for a conventional or cooperative apartment loan. The term also includes the holder or assignee at any time of a conventional or cooperative apartment loan.

((9)) (11) "Loan yield" means the annual rate of return obtained by a lender over the term of a conventional or cooperative apartment loan and shall be computed as the annual percentage rate as computed in accordance with sections 226.5 (b), (c) and (d) of Regulation Z, 12 C.F.R. section 226, but using the definition of finance charge provided for in this subdivision.

((10)) (12) "Monthly index of long term United States government bond yields" means the monthly unweighted average of the daily unweighted average of the closing bid yield quotations in the over the counter market for all outstanding United States treasury bond issues, based on available statistics, which are either maturing or callable in ten years or more. This index is expressed in terms of percentage interest per annum.

((11)) (13) "Monthly index of the federal national mortgage association auction yields" means the gross weighted average yield of accepted offers in the second free market system conventional home mortgage auction held by the federal national mortgage association in a month.

((12)) (14) "Person" means an individual, corporation, business trust, partnership or association or any other legal entity.

((13)) (15) "Residential unit" means any structure used principally for residential purposes or any portion thereof, and includes a unit in a townhouse or planned unit development, a condominium apartment, a non-owner occupied residence, and any other type of residence regardless of whether (SUCH) the unit

is used as a principal residence, secondary residence, vacation residence or residence of some other denomination.

((14)) (16) "Vendor" means any person or persons who agree to sell real estate and finance any part or all of the purchase price by a contract for deed. The term also includes the holder or assignee at any time of the vendor's interest in a contract for deed.

Sec. 3 Minnesota Statutes 1980, Section 47.20, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding the provisions of section 334.01, lenders are authorized to make conventional or cooperative apartment loans and purchases of obligations representing conventional or cooperative apartment loans pursuant to (SUCH) rules (AS) the commissioner of banks finds to be necessary and proper, if any, at an interest rate not in excess of the maximum lawful interest rate prescribed in subdivision 4 or 4a. Contract for deed vendors are authorized to charge interest on contracts for deed at an interest rate not in excess of the maximum lawful interest rate prescribed in subdivision 4 or 4a.

Sec. 4. Minnesota Statutes 1980, Section 47.20, Subdivision 4, is amended to read:

Subd. 4. No conventional or cooperative apartment loan or contract for deed shall be made at a rate of interest or loan yield in excess of a maximum lawful interest rate which is based upon the monthly index of long term United States government bond yields as compiled by the United States treasury department and published by the department in the monthly treasury bulletin. The maximum lawful interest rate shall be computed as follows:

(1) The maximum lawful rate of interest for a conventional or cooperative apartment loan or contract for deed made or contracted for during any calendar month is equal to the monthly index of long term United States government bond yields for the second preceding calendar month plus an additional two percent per annum rounded off to the nearest quarter of one percent per annum or rounded off to the highest quarter of one percent per annum if equidistant.

(2) On or before the 20th day of each month the commissioner of banking shall determine, based on available statistics, the monthly index of long term United States government bond yields for the preceding calendar month and shall determine the maximum lawful rate of interest for conventional or cooperative apartment loans or contracts for deed for the next succeeding month, as defined in clause (1) and shall cause the maximum lawful rate of interest to be published in a legal newspaper in Ramsey County on or before the 20th day of each month and in

the state register on or before the last day of each month; the maximum lawful rate of interest to be effective on the first day of the next succeeding month.

(3) A contract rate within the maximum lawful interest rate applicable to a conventional or cooperative apartment loan or contract for deed at the time the loan is made shall be the maximum lawful interest rate for the term of the conventional or cooperative apartment loan or contract for deed.

(4) Contracts for deed executed pursuant to a commitment for a contract for deed, or conventional or cooperative apartment loans made pursuant to a borrower's interest rate commitment, or made pursuant to a borrower's loan commitment, or made pursuant to a commitment for conventional or cooperative apartment loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, which commitment provides for consummation within some future time following the issuance of the commitment may be consummated pursuant to the provisions, including the interest rate, of the commitment notwithstanding the fact that the maximum lawful rate of interest at the time the contract for deed or conventional or cooperative apartment loan is actually executed or made is less than the commitment rate of interest, provided the commitment rate of interest does not exceed the maximum lawful interest rate in effect on the date the commitment was issued. The refinancing of (a) an existing conventional or cooperative apartment loan, (b) a loan insured or guaranteed by the secretary of housing and urban development, the administrator of veterans affairs, or the administrator of the farmers home administration, or (c) a contract for deed by making a conventional or cooperative apartment loan is deemed to be a new conventional or cooperative apartment loan for purposes of determining the maximum lawful rate of interest under this subdivision. A borrower's interest rate commitment or a borrower's loan commitment is deemed to be issued on the date the commitment is hand delivered by the lender to, or mailed to the borrower. A forward commitment is deemed to be issued on the date the forward commitment is hand delivered by the lender to, or mailed to the person paying the forward commitment fee to the lender, or to any one of them if there should be more than one. A commitment for a contract for deed is deemed to be issued on the date the commitment is initially executed by the contract for deed vendor or his authorized agent.

(5) A contract for deed executed pursuant to a commitment for a contract for deed, or a loan made pursuant to a borrower's interest rate commitment, or made pursuant to a borrower's loan commitment, or made pursuant to a forward commitment for conventional or cooperative apartment loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, issued on or before July 31, 1983 at a rate of interest not in excess of the

rate of interest authorized by this subdivision at the time the commitment was made continues to be enforceable in accordance with its terms until the indebtedness is fully satisfied.

(6) This subdivision expires July 31, 1983.

Sec. 5. Minnesota Statutes 1980, Section 47.20, Subdivision 4a, is amended to read:

Subd. 4a. No conventional *or cooperative apartment* loan or contract for deed shall be made at a rate of interest or loan yield in excess of a maximum lawful interest rate which shall be based upon the monthly index of the federal national mortgage association auction yields as compiled by the federal national mortgage association. The maximum lawful interest rate shall be computed as follows:

(1) The maximum lawful rate of interest for a conventional *or cooperative apartment* loan or contract for deed made or contracted for during any calendar month is equal to the monthly index of the federal national mortgage association auction yields for the first preceding calendar month rounded off to the next highest quarter of one percent per annum.

(2) On or before the last day of each month the commissioner of banking shall determine, based on available statistics, the monthly index of the federal national mortgage association auction yields for that calendar month and shall determine the maximum lawful rate of interest for conventional *or cooperative apartment* loans or contracts for deed for the next succeeding month, as defined in clause (1) and shall cause the maximum lawful rate of interest to be published in a legal newspaper in Ramsey County on or before the first day of each month or as soon thereafter as practicable and in the state register on or before the last day of each month; the maximum lawful rate of interest to be effective on the first day of that month. If a federal national mortgage association free market system conventional home mortgage auction is not held in any month, the maximum lawful rate of interest determined by the commissioner of banks pursuant to the last auction is the maximum lawful rate of interest through the last day of the month in which the next auction is held.

(3) A contract rate within the maximum lawful interest rate applicable to a conventional *or cooperative apartment* loan or contract for deed at the time the loan is made is the maximum lawful interest rate for the term of the conventional *or cooperative apartment* loan or contract for deed.

(4) Contracts for deed executed pursuant to a commitment for a contract for deed, or conventional *or cooperative apartment* loans made pursuant to a borrower's interest rate commitment or made pursuant to a borrower's loan commitment, or made

pursuant to a commitment for conventional or cooperative apartment loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, which commitment provides for consummation within some future time following the issuance of the commitment may be consummated pursuant to the provisions, including the interest rate, of the commitment notwithstanding the fact that the maximum lawful rate of interest at the time the contract for deed or conventional or cooperative apartment loan is actually executed or made is less than the commitment rate of interest, provided the commitment rate of interest does not exceed the maximum lawful interest rate in effect on the date the commitment was issued. The refinancing of (a) an existing conventional or cooperative apartment loan, (b) a loan insured or guaranteed by the secretary of housing and urban development, the administrator of veterans affairs, or the administrator of the farmers home administration, or (c) a contract for deed by making a conventional or cooperative apartment loan is deemed to be a new conventional or cooperative apartment loan for purposes of determining the maximum lawful rate of interest under this subdivision. A borrower's interest rate commitment or a borrower's loan commitment is deemed to be issued on the date the commitment is hand delivered by the lender to, or mailed to the borrower. A forward commitment is deemed to be issued on the date the forward commitment is hand delivered by the lender to, or mailed to the person paying the forward commitment fee to the lender, or to any one of them if there should be more than one. A commitment for a contract for deed is deemed to be issued on the date the commitment is initially executed by the contract for deed vendor or his authorized agent.

(5) A contract for deed executed pursuant to a commitment for a contract for deed, or a loan made pursuant to a borrower's interest rate commitment, or made pursuant to a borrower's loan commitment, or made pursuant to a forward commitment for conventional or cooperative apartment loans made upon payment of a forward commitment fee including a borrower's loan commitment issued pursuant to a forward commitment, issued on or before November 30, 1982, at a rate of interest not in excess of the rate of interest authorized by this subdivision at the time the commitment was made continues to be enforceable in accordance with its terms until the indebtedness is fully satisfied.

(6) This subdivision supersedes subdivision 4 from May 31, 1979 until November 30, 1982.

(7) This subdivision expires November 30, 1982.

Sec. 6. Minnesota Statutes 1980, Section 47.20, Subdivision 7, is amended to read:

Subd. 7. (1) No conventional loan made on or after the effective date of Laws 1977, Chapter 350 and prior to May 31, 1979

shall contain a provision requiring or permitting the imposition, directly or indirectly, of any discount points, whether or not actually denominated as discount points, on any person. Conventional or cooperative apartment loans made on or after May 31, 1979 may contain provisions permitting discount points, if the loan does not provide a loan yield in excess of that permitted by subdivision 4 or 4a. The loan yield is computed using the amount resulting when the discount points are included in the finance charge.

(2) Forward commitment fees are not discount points within the meaning of this subdivision.

(3) No charges, fees, or sums permitted by this section which are paid to and received by a lender may be increased for purposes of evading compliance with this subdivision.

Sec. 7. Minnesota Statutes 1980, Section 47.20, Subdivision 13a, is amended to read:

Subd. 13a. Any contract for deed or cooperative apartment loan having an interest rate in excess of the maximum lawful interest rate provided for in subdivision 4 or 4a as applicable is usurious. No contract for deed or cooperative apartment loan is unenforceable solely because the interest rate thereon is usurious. Persons who have paid usurious interest may recover an amount not to exceed five times the usurious portion of the interest paid under the contract for deed or cooperative apartment loan plus attorneys' fees from the person to whom the interest has been paid. The penalty provisions of chapter 334, do not apply to usurious contracts for deed or cooperative apartment loans.

Sec. 8. Minnesota Statutes 1980, Section 47.201, is amended to read:

47.201 [GRADUATED PAYMENT MORTGAGES AND COOPERATIVE APARTMENT LOANS.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the terms defined in this subdivision shall have the meanings given them:

(1) "Financial institution" means a state bank or trust company, a national banking association, a state or federally chartered savings and loan association, a mortgage bank or mutual savings bank.

(2) "Graduated payment home loan" means a conventional or cooperative apartment loan made pursuant to section 47.20 and subject to the provisions therein, whereunder initial periodic repayments are lower than those under the standard

conventional or cooperative apartment loan having equal periodic repayments, and gradually rise to a predetermined point after which they remain constant.

Subd. 2. [AUTHORIZATION.] Notwithstanding the provisions of sections 334.01, subdivision 1, and 51A.37, subdivision 3, clause (d), any financial institution is authorized to make graduated payment home loans and purchases representing graduated payment home loans pursuant to such rules as the commissioner of banks finds to be necessary and proper, if any, at an interest rate not in excess of the maximum lawful interest rate prescribed in section 47.20, subdivision 4. Notwithstanding the provisions of section 334.01, subdivision 1, where initial repayments of a graduated payment home loan are less than the total accrued outstanding interest, the excess accrued and unpaid interest may be added to the outstanding loan balance on which interest accrues at the contracted rate.

Subd. 3. [GRADUATED PAYMENTS.] A (MORTGAGE) *graduated payment home loan* may provide that periodic repayments of principal and interest on (VARIABLE) *graduated payment home loans* may increase in amounts not exceeding the following:

- (a) 7.5 percent annually during a period of five years or less;
- (b) 6.5 percent annually during a period of six years;
- (c) 5.5 percent annually during a period of seven years;
- (d) 4.5 percent annually during a period of eight years;
- (e) 3.5 percent annually during a period of nine years; and
- (f) 3 percent annually during a period of ten years.

No (MORTGAGE) *graduated payment home loan* may provide for principal and interest increases after its first ten years. The increases in payments of principal and interest provided in clauses (a) to (f) are independent and one graduation period may not be used in conjunction with another period.

Subd. 4. [CHANGES RESTRICTED.] Payments of principal and interest may not be changed more than once a year. The first change may not occur until one year after the date of the first payment under the (MORTGAGE) *graduated payment home loan*.

Subd. 5 [CONVERSION RIGHTS.] Borrowers taking a (MORTGAGE WITH GRADUATED PAYMENTS) *graduated payment home loan* shall have the right to convert, at a time

chosen by the borrower, to a standard nongraduated payment (MORTGAGE) *conventional loan or cooperative apartment loan*. No assessment or penalties shall be made if the borrower chooses to convert at the interest rate and outstanding principal of the graduated payment (MORTGAGE) *home loan*.

Subd. 6 [DISCLOSURE.] Each prospective borrower shall receive materials explaining in reasonably simple terms the graduated payment (MORTGAGE) *home loan* offered and a comparable standard (MORTGAGE) *conventional loan or cooperative apartment loan* instrument with a fixed interest rate and level payments. The material shall include:

(a) A comparison of the terms of the graduated payment (MORTGAGE) *home loan* and a standard (MORTGAGE) *conventional loan or cooperative apartment loan*;

(b) Payment schedules for both types of instruments and the total payment in dollars over the full term of the loan;

(c) A description of the conversion option; and

(d) A prominent statement that borrowers have the option to elect a standard (MORTGAGE) *conventional loan or cooperative apartment loan* instrument.

Subd. 7. [SAVINGS AND LOAN ASSOCIATIONS; FIRST LIEN.] Capitalization of interest resulting from any negative amortization of a graduated payment home loan made by a savings and loan association shall not change the status of the mortgage as a first lien against the property securing the loan pursuant to section 51A.38, subdivision 5. The capitalization of interest in a negative amortization shall not be considered as a loan or debt separate from the graduated payment mortgage contracted for at the time of loan origination."

Page 1, line 10, delete "Section 1 is" and insert "Sections 1 to 9 are"

Renumber the sections accordingly

Delete the title and insert:

"A bill for an act relating to financial institutions; authorizing the making and purchasing of cooperative apartment loans; prescribing certain requirements and conditions applicable to these loans; redefining the term "graduated payment home loan" to include cooperative apartment loans; eliminating the state override of the federal usury preemption on certain loans; amending Minnesota Statutes 1980, Sections 47.20, Subdivisions 1, 2, 3, 4, 4a, 7, and 13a; and 47.201; repealing Minnesota Statutes 1980, Section 47.203."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 96, A bill for an act relating to state property; providing for the conveyance to Kandiyohi County of a residence building in Sibley state park.

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

The report was adopted.

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

S. F. No. 99, A bill for an act relating to elections; changing certain procedures and requirements relating to elections; amending Minnesota Statutes 1980, Sections 201.061, Subdivisions 1 and 3; 203A.13; 203A.31, Subdivision 3; 203A.32, Subdivision 3; 203A.33, Subdivision 4; 204A.14; 204A.29; 204A.34, Subdivision 2; 204A.44, Subdivision 1; 204A.45, Subdivision 1; 204A.47, Subdivision 1; 204A.49, Subdivision 1; 206.03; 206.20, Subdivision 2; 207.08, Subdivision 2; 208.03; and 208.05; repealing Minnesota Statutes 1980, Section 201.18.

Reported the same back with the following amendments:

Page 1, line 21, delete ". A"

Page 1, delete lines 22 and 23

Page 1, line 24, delete the new language

Page 9, delete section 14

Renumber the sections

Amend the title as follows:

Page 1, line 9, delete "206.03;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 145, A bill for an act relating to crimes; authorizing notices of dishonored checks to be made by certified or regular mail and an affidavit of service by mailing; amending Minnesota Statutes 1980, Section 609.535, Subdivision 3.

Reported the same back with the following amendments:

Page 2, line 4, strike "of record" and insert "*printed on the check*"

Page 2, line 7, after the period insert "*If the notice to the maker or drawer is returned undelivered or unclaimed, notice shall be deemed to have been received by the maker or drawer.*"

Page 2, delete lines 8 to 23 and insert "*The notice may state that unless the check is paid in full within five business days after receipt of the notice of non-payment or dishonor, the payee or holder of the check or other order for the payment of money will or may refer the matter to proper authorities for prosecution under this section.*"

Page 2, line 24, delete "*substantially*" and insert "*retained by the payee or holder of the check.*"

Page 2, delete lines 25 to 36

Page 3, delete lines 1 to 11

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

The report was adopted.

Mann from the Committee on Transportation to which was referred:

S. F. No. 159, A bill for an act relating to transportation; providing for the allocation of federal aid secondary funds; and the full utilization of those funds; amending Minnesota Statutes 1980, Section 161.086.

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

The report was adopted.

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

S. F. No. 219, A bill for an act relating to state historic sites; adding the Wayzata Depot to the registry of state historic sites;

amending Minnesota Statutes 1980, Section 138.56, by adding a subdivision.

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

The report was adopted.

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

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

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

The report was adopted.

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

S. F. No. 330, A bill for an act relating to the Riley-Purgatory Creek Watershed District; authorizing certain tax levies.

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

The report was adopted.

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

S. F. No. 339, A bill for an act relating to historic sites; designating an additional historic site; amending Minnesota Statutes 1980, Section 138.58, 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. 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 defi-

ciencies and ambiguities; amending Minnesota Statutes 1980, Sections 334.01, Subdivision 2; 334.011, Subdivision 1; and 334.-061.

Reported the same back with the following amendments:

Page 2, line 2, reinstate the stricken language and delete "*five*"

Page 2, line 27, delete "*five*" and insert "*four and one-half*"

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. 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.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 460 and 935 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 550, 1044, 982, 215, 305, 660, 771, 822, 96, 99, 145, 159, 219, 249, 330, 339, 513 and 732 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Norton, Laidig and Berkelman introduced:

H. F. No. 1419, A bill for an act relating to state government; directing the commissioner of administration to obtain state office space in certain types of historically significant buildings when practical; authorizing the commissioner to lease or provide space in state buildings for commercial, cultural, recreational, and educational activities; amending Minnesota Statutes 1980, Section 16.243; proposing new law coded in Minnesota Statutes, Chapter 16.

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

Jacobs introduced:

H. F. No. 1420, A bill for an act relating to taxation; reducing the rate of taxation of certain corporate and bank income; eliminating use of the arithmetic average for apportionment of income; amending Minnesota Statutes 1980, Sections 290.06, Subdivision 1; 290.19, Subdivision 1; and 290.361, Subdivision 2.

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

Sieben, M., for the Committee on Appropriations, introduced:

H. F. No. 1421, A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes, including the department of education, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals, with certain conditions; amending Minnesota Statutes 1980, Sections 15.38; 121.931, Subdivision 5; 123.742, by adding a subdivision; 123.743; and 136A.121, Subdivisions 4 and 5.

The bill was read for the first time and laid over one day.

Jude; Sieben, M.; O'Connor; Forsythe and Schafer introduced:

H. F. No. 1422, A resolution memorializing Congress to enact laws providing for standard procedures to call and operate a constitutional convention.

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

Simoneau introduced:

H. F. No. 1423, A bill for an act relating to taxation; altering temporarily the unemployment compensation contribution computation for employers.

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

Stumpf introduced:

H. F. No. 1424, A bill for an act relating to health; requiring the establishment of additional rural health cooperatives; requiring a report to the legislature; appropriating money.

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

Elioff, Battaglia and Begich introduced:

H. F. No. 1425, A bill for an act relating to retirement; Buhl police relief association; authorizing the purchase of service credit for probationary service.

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

Esau, Mann, Reding, Nysether and Schoenfeld introduced:

H. F. No. 1426, A bill for an act relating to children; prescribing certain powers and duties of the American Society for the Prevention of Cruelty to Children; directing government officials to cooperate; giving certain agents authority as peace officers; prescribing certain training and licensing requirements; amending Minnesota Statutes 1980, Sections 626.05, Subdivision 2; and 626.84; proposing new law coded in Minnesota Statutes, Chapters 343 and 626.

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

Staten; Johnson, D.; Rodriguez, F.; Clark, K., and Norton introduced:

H. F. No. 1427, 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.

Ogren introduced:

H. F. No. 1428, A bill for an act relating to agriculture; regulating commerce in seed; establishing fees; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 21.47; 21.48; 21.49; 21.50; 21.51; 21.52; 21.53; 21.54, Subdivision 3; 21.55; 21.58; and proposing new law coded in Minnesota Statutes, Chapter 21.

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

Norton introduced:

H. F. No. 1429, A bill for an act relating to state departments; creating a department of state and community resources; transferring all the functions of the state planning agency, energy agency, and department of economic development, and the staff of the crime control planning board, to the department of state and community resources; abolishing the state planning agency, energy agency, and department of economic development; amending Minnesota Statutes 1980, Sections 3.922, Subdivision 1; 4.10; 4.11, Subdivisions 4 and 5; 4.12; 4.125; 4.13; 4.17; 4.18, Subdivision 2; 4.191; 4.26; 4.27; 4.29; 4.35; 4.36, Subdivisions 2, 3, 4, and 5; 15.01; 15.057; 15.50, Subdivision 2; 15A.081, Subdivision 1; 16.014, Subdivision 1; 16.084; 16.086, Subdivisions 1 and 2; 16.125, Subdivision 2; 16.756, Subdivision 1; 18.023, Subdivision 11; 18.024, Subdivision 1; 43.09, Subdivision 2a; 84.028, Subdivision 2; 84.54; 85.016; 85.017; 86.72, Subdivision 3; 86A.06; 86A.09, Subdivisions 1, 2, 3, and 4; 92.35; 92.36; 92.37; 104.03, Subdivision 1; 104.35, Subdivisions 2 and 3; 105.484; 105.485, Subdivision 3; 114A.03, Subdivision 1; 115A.07, Subdivision 1; 115A.12, Subdivision 2; 115A.15, Subdivision 5; 116C.03, Subdivisions 2, 3, and 4; 116H.05; 116H.06; 116H.07; 116H.08; 116H.085; 116H.087; 116H.088, Subdivision 1; 116H.089; 116H.09, Subdivisions 1, 4, and 5; 116H.10; 116H.11; 116H.12, Subdivisions 1, 1b, 2, 4, 5, 6, and 9; 116H.121, Subdivisions 1 and 2; 116H.122; 116H.123; 116H.124; 116H.126; 116H.127; 116H.128; 116H.129, Subdivisions 1, 4, 5, 6, and 8; 116H.13; 116H.14; 116H.15, Subdivision 2; 116H.17; 116H.18; 116H.19, Subdivision 1; 116H.23; 120.78, Subdivision 1; 124.225, Subdivision 4a; 126.111, Subdivision 2; 137.31, Subdivision 6; 138.93, Subdivision 4; 145.834; 145.835, Subdivision 1; 145.836, Subdivision 1; 145.837, Subdivision 1; 145.845; 145.912, Subdivision 15; 160.262, Subdivisions 1 and 3; 160.265, Subdivision 1; 174.03, Subdivision 7; 204.06, Subdivision 1b; 216B.241, Subdivision 2; 222.62; 222.65; 245.783, Subdivision 2; 268.014; 273.74, Subdivisions 2 and 5; 275.53, Subdivisions 1, 3, and 4; 290.06, Subdivision 14; 298.48, Subdivision 4; 299A.03, Subdivision 5; 299A.04; 301.75; 301.77, Subdivision 1; 301A.01, Subdivision 1; 301A.05; 301A.07, Subdivision 1; 325F.19, Subdivision 3; 325F.19, Subdivision 6; 325F.20, Subdivision 1;

325F.21, Subdivision 2; 325F.23, Subdivision 1; 325F.24, Subdivision 3a; 362.12, Subdivision 1; 362.13; 362.132; 362.40, Subdivisions 8, 9, and 10; 362.41, Subdivision 5; 362.42; 362.51, Subdivisions 8 and 10; 362A.06; 402.045; 402.062, Subdivision 1; 402.095; 451.09, Subdivision 2; 462.375; 462.384, Subdivision 7; 462.385, Subdivisions 1 and 3; 462.386; 462.387; 462.39, Subdivisions 2 and 3; 462.391, Subdivisions 2, 3, and 4; 462.395; 462.396, Subdivision 1; 462.398; 462.421, Subdivision 21; 462A.05, Subdivision 15b; 473.204, Subdivision 2; 473.411, Subdivision 1; 473.857, Subdivision 2; 473H.06, Subdivision 5; 474.01, Subdivisions 6, 7, and 8; 641.24; proposing new law coded as Minnesota Statutes, Chapter 116J; repealing Minnesota Statutes 1980, Sections 4.11, Subdivisions 1, 2, 3, 6, 7, and 8; 4.15; 4.16; 16.014, Subdivision 3; 115A.08, Subdivisions 1, 2, and 3; 116H.001; 116H.02, Subdivisions 2 and 4; 116H.03; 116H.09, Subdivisions 2 and 3; 116H.12, Subdivision 3b; 126.52, Subdivision 12; 254A.06; 362.07; 362.08; 362.09; 362.10; 362.11; 362.12, Subdivisions 2 and 3; 362.121; 362.125; 362.15; 362.17; 362.18; 362.19; 362.23; 462.711; and 473.571, Subdivisions 2, 3, and 4.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 241, A bill for an act relating to local government; removing a limit on advertising budgets of certain statutory cities; amending Minnesota Statutes 1980, Section 465.56, Subdivision 1; repealing Minnesota Statutes 1980, Section 465.56, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

H. F. No. 30, A bill for an act relating to Independent School District No. 219, Elmore; requiring revision of its certified statutory operating debt.

H. F. No. 401, A bill for an act relating to commerce; regulating the licensing of electricians; amending Minnesota Statutes 1980, Section 326.242, Subdivision 2.

H. F. No. 420, A bill for an act relating to the bureau of criminal apprehension; including the superintendent within workers' compensation coverage; amending Minnesota Statutes 1980, Section 299C.19.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

H. F. No. 396, A bill for an act relating to the military; requiring the adjutant general to furnish an American flag upon re-

quest of the person disposing of the remains of a deceased person who served six years or more in the Minnesota national guard; proposing new law coded in Minnesota Statutes, Chapter 192.

PATRICK E. FLAHAVEN, Secretary of the Senate

Jennings moved that the House refuse to concur in the Senate amendments to H. F. No. 396, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 708, 760 and 1058.

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. 254, 278, 411 and 805.

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. 650, 674 and 817.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 708, A bill for an act relating to public employees; excluding the executive secretaries of certain state boards from bargaining units; amending Minnesota Statutes 1980, Section 179.74, Subdivision 4.

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

S. F. No. 760, 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.

The bill was read for the first time.

Carlson, L., moved that S. F. No. 760 and H. F. No. 746, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1058, A bill for an act relating to elections; authorizing the validation of absentee ballots by judges of absentee ballot precincts; providing for notice to election judges in an absentee ballot precinct; amending Minnesota Statutes 1980, Sections 207.09, Subdivision 2; 207.11, Subdivisions 1 and 5; and 207.30, Subdivision 3, and by adding a subdivision.

The bill was read for the first time.

Blatz moved that S. F. No. 1058 and H. F. No. 517, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 254, A bill for an act relating to natural resources; providing for the designation of endangered plant species; establishing a temporary technical advisory committee; amending Minnesota Statutes 1980, Section 97.488.

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

S. F. No. 278, A bill for an act relating to transportation; extending the life of the joint commuter rail study commission and the deadline for its report; amending Laws 1980, Chapter 607, Article XIII, Section 2, Subdivisions 3 and 5.

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

S. F. No. 411, A bill for an act relating to game and fish; limiting eligibility for antlerless deer permits in certain restricted hunting areas; amending Minnesota Statutes 1980, Section 97.48, Subdivision 24.

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

S. F. No. 805, A bill for an act relating to state government; authorizing a new account in the Minnesota supplemental investment fund; modifying the post-retirement adjustment; authorizing the state board of investment to invest in commingled funds and limited partnerships; amending Minnesota Statutes 1980, Sections 11A.17; 11A.18, Subdivision 9; 11A.24, Subdivisions 3, 4, 5, and by adding a subdivision; 69.77, Subdivision 2; and 69.775.

The bill was read for the first time.

Reding moved that S. F. No. 805 and H. F. No. 725, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 650, A bill for an act relating to education; providing for the inclusion of certain community college and state university faculty members in the definition of an employee under the public employment labor relations act of 1971; amending Minnesota Statutes 1980, Section 179.63, Subdivision 7.

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

S. F. No. 674, A resolution memorializing the President and Congress to seek a settlement of the White Earth Indian Reservation controversy.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 817, A bill for an act relating to retirement; removing the director from the state board investment advisory council; changing the investment authority of the fund; the Minneapolis employees retirement fund; establishing a new retirement benefit fund therein; transferring assets from the Minnesota post-retirement investment fund; amending Minnesota Statutes 1980, Sections 11A.08, Subdivision 1; 422A.05, Subdivision 2c; and 422A.06, Subdivisions 1, 3, 4, 5, and by adding a subdivision; repealing Minnesota Statutes 1980, Section 422A.05, Subdivision 3.

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

CONSENT CALENDAR

S. F. No. 462, A bill for an act relating to labor; providing for increases in fees for certain steamfitters; prohibiting certain time credit when applying for license; amending Minnesota Statutes 1980, Sections 326.48, Subdivision 1; and 326.50.

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

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 196, A bill for an act relating to Carver county; providing for payment of expenses of the county commissioners.

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

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 849, A bill for an act relating to education; adding a representative from the Minnesota association of private post-secondary schools to the higher education advisory council; amending Minnesota Statutes 1980, Section 136A.02, Subdivision 6.

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 247, A bill for an act relating to retirement; authorizing certain persons to purchase prior service credit; au-

thorizing certain persons to change retirement coverage for future services.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 886 was reported to the House.

Voss moved to amend H. F. No. 886, as follows:

Page 1, line 4, after the semicolon insert "requiring disclosure;"

Page 1, line 7, delete "Section 327.44;" and insert "Sections 327.44; and 327.553, Subdivision 1;"

The motion prevailed and the amendment was adopted.

H. F. No. 886, A bill for an act relating to mobile homes; specifying conditions on which a lessor may recover possession of land upon which a mobile home is located; requiring disclosure; providing for the recovery of possession of land by the lessor upon expiration of the lease term; amending Minnesota Statutes 1980, Sections 327.44; and 327.553, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 327.

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

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Anderson, I., requested immediate consideration of H. F. No. 932.

H. F. No. 932, A bill for an act relating to taxation; income; property tax refund; making technical corrections; deleting obsolete provisions; amending Minnesota Statutes 1980, Sections 290.01, Subdivisions 3, 19, 20, 21, 22, 23, 25, 26, and 27; 290.011; 290.032, Subdivision 2; 290.06, Subdivisions 1, 2c, 3e, 3f, and 11; 290.07, Subdivision 3; 290.071, Subdivisions 2 and 3; 290.075; 290.077, Subdivisions 1 and 2; 290.079, Subdivision 6; 290.08, Subdivision 8; 290.081; 290.085; 290.09, Subdivisions 1, 2, 4, 5, 6, 7, 10, 15, 18, 21, and 29; 290.095, Subdivision 2; 290.10; 290.101, Subdivision 9; 290.12, Subdivisions 1, 2, and 4; 290.13, Subdivision 5; 290.131, Subdivisions 1 and 3; 290.132, Subdivision 1; 290.133, Subdivision 2; 290.134, Subdivision 1; 290.135, Subdivision 1; 290.14; 290.16, Subdivisions 1, 3, 7, 8, 9, 12, and 13; 290.17, Subdivision 2; 290.18, Subdivisions 1 and 2; 290.21, Subdivisions 1, 3, 3a, 4, and 7; 290.22; 290.23, Subdivisions 3, 5, 9, and 15; 290.25, Subdivision 1; 290.26, Subdivisions 1, 2a, and 3; 290.281, Subdivision 2; 290.31, Subdivisions 2, 3, 4, 6, 9, 10, 11, 21, and by adding a subdivision; 290.32; 290.34, Subdivision 3; 290.35; 290.39, Subdivision 1; 290.42; 290.45, Subdivision 3; 290.46; 290.48, Subdivision 2; 290.49, Subdivisions 1 and 4; 290.50, Subdivisions 1, 3, and 5; 290.53, Subdivisions 1 and 4; 290.56, Subdivisions 2, 3, and 4; 290.92, Subdivisions 5, 6, 16, and 19; 290.93, Subdivisions 5 and 6; 290.932, Subdivisions 1 and 4; 290A.03, Subdivisions 3 and 13; 290A.04, Subdivisions 2 and 2c; 290A.06; and 290A.07, Subdivision 2; repealing Minnesota Statutes 1980, Sections 290.076; 290.08, Subdivisions 7 and 13; 290.131, Subdivisions 4, 5, 6, and 7; 290.133, Subdivision 3; 290.134, Subdivisions 2, 3, and 4; 290.135, Subdivisions 2, 3, and 4; 290.23, Subdivisions 1, 2, 6, 7, 8, 10, 11, 12, 13, and 14; 290.24; 290.25, Subdivisions 2, 3, 4, and 5; 290.26, Subdivisions 4 and 7; 290.27; 290.28; 290.60; 290.65, Subdivision 17; 290.931, Subdivision 4; 290.932, Subdivision 3; 290.933, Subdivision 3; and 290.934, Subdivision 6.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 396:

Jennings; Anderson, G., and Kostohryz.

CALENDAR

S. F. No. 333, A bill for an act relating to public employees; regulating bargaining between instructional unit employees and the University of Minnesota; amending Minnesota Statutes 1980, Section 179.741, Subdivision 3.

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 101 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Aasness	Carlson, D.	Erickson	Haukoos	Kelly
Ainley	Carlson, L.	Evans	Heap	Knickerbocker
Anderson, B.	Clark, J.	Ewald	Hoberg	Kostohryz
Anderson, G.	Clark, K.	Friedrich	Hokanson	Kvam
Anderson, I.	Clawson	Greenfield	Jacobs	Laidig
Battaglia	Dahlvang	Gruenes	Jennings	Lehto
Begich	Dean	Gustafson	Johnson, D.	Lemen
Berkelman	Dempsey	Halberg	Jude	Levi
Blatz	Den Ouden	Hanson	Kahn	Long
Brinkman	Drew	Harens	Kaley	Ludeman
Byrne	Ellingson	Hauge	Kalis	Mann

Marsh	Novak	Rees	Sherman	Voss
McCarron	O'Connor	Reif	Sherwood	Weaver
McDonald	Ogren	Rice	Sieben, M.	Wenzel
McEachern	Olsen	Rodriguez, C.	Staten	Wieser
Mehrkens	Osthoff	Rodriguez, F.	Stowell	Zubay
Metzen	Otis	Rothenberg	Stumpf	Spkr. Sieben, H.
Minne	Peterson, D.	Samuelson	Svigum	
Munger	Pogemiller	Sarna	Swanson	
Murphy	Redalen	Schoenfeld	Vanasek	
Niehaus	Reding	Shea	Vellenga	

Those who voted in the negative were:

Eken	Himle	Nysether	Schreiber	Welch
Esau	Hokr	Onnen	Simoneau	Welker
Fjoslien	Johnson, C.	Peterson, B.	Skoglund	Wynia
Forsythe	Nelson, K.	Piepho	Stadum	
Heinitz	Norton	Schafer	Valan	

The bill was passed and its title was agreed to.

GENERAL ORDERS

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

REPORT OF COMMITTEE OF THE WHOLE

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

H. F. Nos. 732, 25, 35 and 54 which it recommended to pass.

H. F. No. 236 which it recommended progress retaining its place on General Orders.

H. F. No. 4 which it recommended progress until Monday, May 4, 1981, retaining its place on General Orders.

H. F. No. 188 which it recommended to pass with the following amendment offered by Lehto:

Page 1, after line 18, insert:

"Sec. 2. [OVERDRAFT NOTICES.]

Any periodic statement evidencing an overdraft checking plan loan balance shall clearly state that all or any part of said balance may be prepaid at any time."

Renumber the remaining section.

S. F. No. 874 which it recommended to pass with the following amendment offered by Otis:

Page 1, delete lines 25 and 26

Page 2, delete lines 1 to 16

Page 2, line 17, delete "3" and insert "2"

Page 2, line 27, delete "4" and insert "3"

Page 2, line 33, delete "5" and insert "4"

Page 2, line 36, delete "6" and insert "5"

Page 3, line 1, delete "5" and insert "4"

Further amend the title:

Page 1, line 6, delete "Subdivisions 1 and" and insert "Subdivision"

S. F. No. 520 which it recommended to pass with the following amendment offered by Peterson, D.:

Delete everything after the enacting clause and insert:

"Section 1. Laws 1981, Chapter 29, Article II, Section 9, is amended to read:

Sec. 9. Minnesota Statutes 1980, Section 201.071, is amended to read:

201.071 [REGISTRATION CARDS.]

Subdivision 1. [FORM.] Registration cards shall be of suitable size and weight for mailing, and shall contain the following information in substantially the following form:

VOTER REGISTRATION CARD

(Please print or type)

Date:

1. Name:
Last First Middle Initial

2. Address:
Street or Route No.

City (or Township) County Zip

3. Telephone Number:

4. Date of birth (optional):

5. Last registration if any
Street or Route Number

City (or Township) Zip

6. I certify that I will be at least 18 years old on election day and that the above facts are correct. I understand that giving false information to procure a registration is a felony punishable by not more than five years imprisonment and a fine of not more than \$5,000, or both.

Signature of Voter

Subd. 2. [INSTRUCTIONS.] A registration card shall be accompanied by instructions specifying the manner and method of registration, the qualifications for voting and the penalties for false registration.

Subd. 3. [DEFICIENT REGISTRATION.] No registration is deficient if it contains the voter's name, address, prior registration if any and signature. The absence of a zip code number does not cause the registration to be deficient. The election judges shall request an individual to correct a registration card if it is deficient or illegible. No eligible voter may be prevented from voting unless his registration card is deficient or he is duly and successfully challenged in accordance with *Laws 1981, Chapter 29*, Article II, Section 22 or Article V, Section 12.

Subd. 4. [CHANGE OF REGISTRATION.] Any county auditor who receives a registration card indicating that an individual was previously registered in a different county in Minnesota shall notify the county auditor of that county on a form prescribed by the secretary of state. A county auditor receiving a registration card indicating that a voter was previously registered in a different precinct in the same county or receiving a notification form as provided in this subdivision or *Laws 1981, Chapter 29*, Article V, Section 30, Subdivision 2, shall delete that individual's name from the registration lists and remove the (ORIGINAL AND) duplicate voter registration card, if any, and the original voter registration cards from the files. Any county auditor who receives a registration card or notification requiring a change of registration records under this subdivi-

sion shall also check the duplicate registration card or file from the precinct of prior residence to determine whether the individual voted in that precinct in the most recent election.

Subd. 5. A county or municipality with an electronic or automatic data processing system for maintaining duplicate voter registration records may elect to use the system in place of duplicate voter registration cards. The auditor of a county or the clerk of a city making such an election shall notify the secretary of state of that election in writing.

Subd. 6. A county or municipality which makes the election authorized in subdivision 5 of this section shall maintain in their data processing system the information required by the alternate form of the duplicate registration file prescribed by the secretary of state under Laws 1981, Chapter 29, Article II, Section 24, Subdivision 3. A county or municipality which makes the election shall not be required to obtain or maintain a duplicate voter registration card. Any reference in chapter 201 to "duplicate registration file" shall not be interpreted as requiring duplicate registration cards or signatures on duplicate registration cards.

Subd. 7. Notwithstanding subdivisions 1 and 3 of this section, a county or municipality which makes the election authorized by subdivision 5 of this section shall require the day and month of birth of the registrant on the voter registration card. A registration in a county or municipality which makes the election is defective if it does not contain the day and month of birth of the registrant. Currently registered voters shall not be required to re-register to comply with this subdivision but shall be requested to give their day and month of birth to the county or municipality at any time except at the polling place. A county or municipality which makes the election authorized in subdivision 5 of this section shall make the prescribed duplicate registration file available as authorized by section 201.091 provided that no list which is made available for examination or purchase shall include the day and month of birth of any registered voter.

Sec. 2. Laws 1981, Chapter 29, Article II, Section 24, is amended to read:

Sec. 24. Minnesota Statutes 1980, Section 201.221, is amended to read:

201.221 [RULES.]

Subdivision 1. [ADOPTION OF RULES.] To implement the provisions of this chapter, the secretary of state shall adopt rules consistent with federal and state election laws.

Subd. 2. [UNIFORM PROCEDURES FOR COUNTIES.] The secretary of state shall assist local election officers by devis-

ing uniform forms and procedures. The secretary of state shall provide uniform rules for counties maintaining voter registration records on data processing systems so that the systems are compatible with a uniform system of electronic data maintenance. The secretary of state shall supervise the development and use of the system to insure that it conforms to applicable laws and rules.

Subd. 3. [PROCEDURES FOR DUPLICATE REGISTRATION FILE.] The secretary of state shall prescribe the form of the duplicate registration file so that a duplicate card contains spaces for the voter's name, address, telephone number, and signature, and space to indicate whether the voter has voted in a given election. The secretary of state shall prescribe procedures for transporting the duplicate registration files to the election judges for use on election day.

The secretary of state shall prescribe an alternate form of the duplicate registration file for counties and cities which make the election authorized by section 1, subdivision 5. The alternate form shall not require a duplicate card or voter's signature. Information contained in the duplicate registration file shall include the voter's name, address, month and day of birth, last registration (if any), and a record of the vote history for the previous four years of elections. The secretary of state shall prescribe the form for the duplicate registration file to be used on election day in the polling place and the file shall include the name, address, month and day of birth, and a space for the voters to sign the file when they vote. He shall prescribe the form for a county or municipality to request the day and month of birth from currently registered voters. The county or municipality shall not request the day and month of birth from currently registered voters by any communication other than the prescribed form and the form shall clearly indicate that a currently registered voter does not lose his or her registration status by failing to provide his or her day and month of birth. The secretary of state shall prescribe procedures for transporting the duplicate registration files to the judges on election day. In accordance with Laws 1981, Chapter 29, Article IV, Section 40, the county auditor and the clerk of any municipality shall retain the prescribed duplicate registration file used on the date of election for one year following the election.

Subd. 4. [COUNTY RULES.] The county auditor of each county may adopt rules which delegate to municipal officials in that county the duties assigned to county auditors by this chapter. If the county auditor delegates the duty to accept registrations, that delegation does not relieve him of the duty to accept registrations. When a municipal official is delegated duties given to the county auditor by this chapter, the governing body of the municipality shall immediately provide the necessary funds, equipment and facilities, establish a place of registration and put the registration plan into operation without delay.

Sec. 3. Laws 1981, Chapter 29, Article V, Section 10, is amended to read:

Sec. 10. [204C.10] [PERMANENT REGISTRATION; COMPLETION OF VOTER CERTIFICATES; VERIFICATION OF REGISTRATION.]

Subdivision 1. In election precincts with a permanent registration system, an individual seeking to vote shall print his name and address on a certificate which states that the individual is registered and will be voting only in that precinct. The individual shall then sign the certificate.

An election judge shall compare the signature on the voter's certificate with the signature as it appears on the duplicate registration card. If the election judge is satisfied that the signatures are the same, the election judge shall initial the certificate and record the fact of voting on the back of the duplicate registration card. The initialed certificate shall be handed to the voter, who shall deliver it to the election judge in charge of ballots as proof of the right to vote.

Subd. 2 *Subdivision 1 does not apply to voting in counties or municipalities which make the election authorized by section 1, subdivision 5. In lieu of the certificate required by subdivision 1, an applicant shall sign the duplicate registration file in the space provided next to his name in the file. In lieu of the signature comparison required by subdivision 1, a judge may, before the applicant signs the duplicate registration file, request that the applicant give his name, address, and day and month of birth. After the applicant signs the registration file, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of his right to vote, and thereupon the judge shall hand to the voter the ballot. The judges shall destroy the voters' receipts at the end of the day.*

Sec. 4. [TEMPORARY RULES.]

The secretary of state shall have authority to promulgate temporary rules pursuant to chapter 15 to carry out the purposes of section 2.

Sec. 5. [EFFECTIVE DATE.]

This act is effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to elections; allowing cities and counties to elect to use data processing systems in lieu of dupli-

cate registration cards; requiring the secretary of state to prescribe alternate forms for duplicate registration files; changing voter verification requirements for cities and counties which elect to use data processing systems; amending Laws 1981, Chapter 29, Article II, Section 9; Article II, Section 24; and Article V, Section 10."

H. F. No. 673 which it recommended progress with the following amendments:

Offered by Heap:

Page 4, line 21, after the period insert *"The subpoena shall contain a written statement setting forth in detail facts and circumstances of which the commissioner or designated person is aware and which reasonably leads him or her to believe that a violation of sections 332.31 to 332.45 has occurred."*

Offered by Dempsey:

Page 4, line 6, delete *"or is about to violate"*

H. F. No. 697 which it recommended to pass with the following amendment offered by Stumpf:

Page 1, line 24, following *"intent"* insert the phrase *". Where a permanent resident alien is in the employ of, or otherwise performing services for, the United States, this six month residency requirement does not apply"*

Page 3, line 24, after *"commissioner"* delete *","* and add *","* and insert new sentence, *"This report shall be in lieu of the annual report required under subdivision 4;"*

Page 3, lines 26 to 27, delete *"May 27, 1977 but before"* and after *"1981,"* delete *"within three years and for those lands acquired after May 1, 1981,"*

Page 3, line 32, after *"require"* delete *","* insert *","* delete *"and"*

Page 3, delete lines 33 to 35

Page 5, line 16, strike *"May 27, 1977"* insert *"June 1, 1981"*

Page 5, line 17, after *"agriculture"* strike *"within"* and delete *"30"*

Page 5, line 18, strike *"days after May 27, 1977 and"*

S. F. No. 375 which it recommended to pass with the following amendment offered by Olsen:

Page 10, line 2, before "consent" insert "written"

H. F. No. 889 which it recommended to pass with the following amendment offered by Welker; Nelson, K.; Voss; Munger and Rees:

Page 1, after line 25, insert:

"Sec. 2. Minnesota Statutes 1980, Section 156A.02, is amended by adding a subdivision to read:

Subd. 6. For the purposes of sections 156A.02 to 156A.08 "groundwater thermal exchange device" means any space heating or cooling device, the operation of which is dependent upon extraction and reinjection of groundwaters from an independent aquifer. Thermal exchange devices licensed under this chapter shall be sealed against the introduction of any foreign substance into the system, but shall be so constructed as to permit periodic inspection of water quality and temperature.

Sec. 3. [] [GROUNDWATER THERMAL EXCHANGE DEVICES: LICENSING AND REGULATION.]

Subdivision 1. Notwithstanding any department or agency rule to the contrary, the department of health shall issue, upon request and submission of a \$50 fee, permits for the reinjection of water by a properly constructed well into the same aquifer from which the water was drawn exclusively for the operation of a groundwater thermal exchange device. Withdrawal and reinjection shall be accomplished by means of a closed system in which the waters drawn for thermal exchange shall have no contact or commingling with water from other sources or with any polluting material or substances and so constructed as to allow opening for inspection by the department. As a condition of the permit, an applicant shall agree to allow inspection by the department during regular working hours for department inspectors. A maximum of 200 permits shall be issued for small systems having maximum capacities of 20 gallons per minute or less, which shall be subject to inspection twice annually. A maximum of ten permits shall be issued for larger systems having maximum capacities from 20 to 50 gallons per minute, which shall be subject to inspection four times per year. The department may by rule provide for administration of this section.

Subd. 2. Water appropriation permit requirements and penalties provided in sections 105.41 to 105.416 and any related rules promulgated and enforced by the department of natural resources shall apply to groundwater thermal exchange permit recipients if actual rate of flow exceeds 20 gallons per minute. Validity of the permit is contingent upon compliance with all provisions of subdivision 1: Noncompliance shall subject the permitted party to any sanctions applicable to the noncomplying

activity available to the Minnesota department of health and Minnesota pollution control agency."

Renumber the remaining section

Amend the title as follows:

Page 1, line 4, after "engineers;" insert "providing for licensing of thermal exchange devices;"

Page 1, line 5, delete "Section" and insert "Sections"

Page 1, line 5, before "156A.03" insert "156A.02, by adding a subdivision; and"

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:

Otis moved to amend S. F. No. 874.

Carlson, D., requested a division of the amendment.

The first portion of the Otis amendment reads as follows:

Page 1, delete lines 25 and 26

Page 2, delete lines 1 to 16

Page 2, line 17, delete "3" and insert "2"

Page 2, line 27, delete "4" and insert "3"

Page 2, line 33, delete "5" and insert "4"

Page 2, line 36, delete "6" and insert "5"

Page 3, line 1, delete "5" and insert "4"

Further amend the title:

Page 1, line 6, delete "Subdivisions 1 and" and insert "Subdivision"

The question was taken on the first portion of the Otis amendment and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The second portion of the Otis amendment reads as follows:

Page 2, line 29, delete "*Prior to January 1, 1983*" and insert "*Not later than July 1, 1982*"

Page 2, line 30, delete "*may*" and insert "*shall*"

The question was taken on the second portion of the Otis amendment and the roll was called. There were 53 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Brandl	Hanson	McCarron	Peterson, D.	Staten
Byrne	Harens	McEachern	Pogemiller	Swanson
Carlson, L.	Hauge	Metzen	Reding	Tomlinson
Clark, J.	Jacobs	Munger	Rice	Vanasek
Clark, K.	Johnson, C.	Murphy	Rodriguez, C.	Vellenga
Clawson	Jude	Nelson, K.	Rodriguez, F.	Voss
Dean	Kahn	Norton	Samuelson	Wenzel
Drew	Kelly	Novak	Sarna	Wynia
Eken	Kostohryz	O'Connor	Sieben, M.	Spkr. Sieben, H.
Ellingson	Lehto	Ogren	Simoneau	
Greenfield	Long	Otis	Skoglund	

Those who voted in the negative were:

Aasness	Esau	Jennings	Nelsen, B.	Sherman
Ainley	Evans	Johnson, D.	Niehaus	Sherwood
Anderson, B.	Ewald	Kaley	Nysether	Stadum
Anderson, G.	Fjoslien	Kalis	Olsen	Stumpf
Anderson, I.	Forsythe	Knickerbocker	Onnen	Sviggum
Battaglia	Friedrich	Kvam	Osthoff	Valan
Begich	Gruenes	Laidig	Peterson, B.	Valento
Berkelman	Halberg	Lemen	Piepho	Weaver
Blatz	Haukoos	Levi	Redalen	Welker
Brinkman	Heap	Ludeman	Rees	Wieser
Carlson, D.	Heinitz	Mann	Reif	Zubay
Dahlvang	Himle	Marsh	Rothenberg	
Dempsey	Hoberg	McDonald	Schafer	
Den Ouden	Hokanson	Mehrkins	Schoenfeld	
Erickson	Hokr	Minne	Schreiber	

The motion did not prevail and the second portion of the amendment was not adopted.

Heap moved to amend H. F. No. 673 as follows:

Page 1, line 17, after "the" insert "*amount to be calculated as follows:*"

ANNUAL VOLUME AMOUNT OF BOND

(Gross Collections)

<i>Less than \$150,000</i>	<i>\$5,000</i>
<i>\$150,000-\$300,000</i>	<i>\$7,500</i>
<i>\$300,000-\$500,000</i>	<i>\$10,000</i>
<i>\$500,000-\$750,000</i>	<i>\$15,000</i>
<i>\$750,000-\$950,000</i>	<i>\$20,000</i>
<i>more than \$950,000</i>	<i>\$25,000"</i>

Page 1, line 17, strike "sum of"

Page 1, line 17, delete "\$10,000"

Page 1, line 18, delete "*and \$20,000 effective July 1, 1983*"

The question was taken on the amendment and the roll was called. There were 57 yeas and 63 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Heap moved to amend H. F. No. 673 as follows:

Page 4, delete lines 3 to 13

Renumber the subdivisions

The question was taken on the amendment and the roll was called. There were 60 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Aasness	Ewald	Jennings	Nelsen, B.	Sherman
Ainley	Fjoslien	Johnson, D.	Niehaus	Sherwood
Blatz	Forsythe	Kaley	Nysether	Stadum
Brinkman	Friedrich	Kalis	Olsen	Stowell
Carlson, D.	Gruenes	Knickerbocker	Onnen	Swiggum
Dean	Halberg	Kvam	Piepho	Valan
Dempsey	Haukoos	Laidig	Redalen	Valento
Den Ouden	Heap	Lemen	Rees	Weaver
Drew	Heinitz	Ludeman	Reif	Welch
Erickson	Himle	Mann	Rothenberg	Welker
Esau	Hoberg	McDonald	Schafer	Wieser
Evans	Hokr	Mehrkins	Schreiber	Zubay

Those who voted in the negative were:

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

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

Heap moved to amend H. F. No. 673.

Den Ouden requested a division of the amendment.

The first portion of the Heap amendment reads as follows:

Page 4, line 17, delete "*witnesses*" and insert "*licensee*"

The question was taken on the first portion of the Heap amendment and the roll was called. There were 60 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Hoberg	Mehrkens	Sherman
Ainley	Evans	Johnson, D.	Nelsen, B.	Sherwood
Anderson, B.	Ewald	Kaley	Niehaus	Stadum
Anderson, G.	Fjoslien	Knickerbocker	Nysether	Stowell
Blatz	Forsythe	Kostohryz	Olsen	Svigum
Brinkman	Friedrich	Kvam	Onnen	Valan
Carlson, D.	Gruenes	Laidig	Peterson, B.	Valento
Dean	Halberg	Levi	Piepho	Weaver
Dempsey	Haukoos	Ludeman	Redalen	Welch
Den Ouden	Heap	Mann	Rothenberg	Welker
Drew	Heinitz	Marsh	Schafer	Wieser
Erickson	Himle	McDonald	Schreiber	Zubay

Those who voted in the negative were:

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

The motion did not prevail and the first portion of the amendment was not adopted.

The second portion of the Heap amendment reads as follows:

Page 4, line 21, after the period insert "*The subpoena shall contain a written statement setting forth in detail facts and circumstances of which the commissioner or designated person is aware and which reasonably leads him or her to believe that a violation of sections 332.31 to 332.45 has occurred.*"

The question was taken on the second portion of the Heap amendment and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the second portion of the amendment was adopted.

Heap moved to amend H. F. No. 673, as amended, as follows:

Page 5, after line 7, insert:

"*Subd. 6. [ATTORNEY'S FEES.] In the event the commissioner seeks an order of the court suspending or revoking the license of a licensee and in the event the licensee prevails, the commissioner shall pay attorney's fees and costs incurred by the licensee in defense of the proceeding.*"

The question was taken on the amendment and the roll was called. There were 59 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Aasness	Ewald	Kaley	Nysether	Sherwood
Ainley	Fjoslien	Knickerbocker	Olsen	Stadum
Blatz	Forsythe	Kvam	Onnen	Stowell
Brinkman	Friedrich	Laidig	Piepho	Svigggum
Carlson, D.	Gruenes	Lemen	Redalen	Valan
Dean	Halberg	Ludeman	Reding	Valento
Dempsey	Haukoos	Mann	Reif	Weaver
Den Ouden	Heap	Marsh	Rodriguez, C.	Welch
Drew	Hoberg	McDonald	Rothenberg	Welker
Erickson	Hokr	Mehrkens	Schafer	Wieser
Esau	Jennings	Nelsen, B.	Schreiber	Zubay
Evans	Johnson, D.	Niehaus	Sherman	

Those who voted in the negative were:

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

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

Dempsey moved to amend H. F. No. 673, as amended, as follows:

Page 4, line 6, delete "*or is about to violate*"

The question was taken on the amendment and the roll was called. There were 122 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Byrne Clark, K. Ogren

The motion prevailed and the amendment was adopted.

The question was taken on the motion to recommend passage of H. F. No. 673, as amended, and the roll was called. There were 64 yeas and 65 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

Stumpf moved to amend H. F. No. 697.

Hauge requested a division of the amendment.

A roll call was requested on the second portion of the Stumpf amendment.

The second portion of the Stumpf amendment reads as follows:

Page 3, lines 26 to 27, delete "*May 27, 1977 but before*" and after "*1981,*" delete "*within three years and for those lands acquired after May 1, 1981,*"

Page 5, line 16, strike "*May 27, 1977*" insert "*June 1, 1981*"

The question was taken on the second portion of the Stumpf amendment and the roll was called. There were 114 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, B. Hauge Heinitz Shea

The motion prevailed and the second portion of the amendment was adopted.

Niehaus moved to amend H. F. No. 889, as amended, as follows:

Page 1, line 12, delete "*civil or*"

The question was taken on the amendment and the roll was called. There were 28 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Aasness Anderson, B. Anderson, R. Dempsey Esau

Evans	Jude	McEachern	Sarna	Vanasek
Fjoslien	Kalis	Metzen	Schoenfeld	Wenzel
Gruenes	Kelly	Niehaus	Sherman	Wieser
Hokr	Kvam	Nysether	Sviggum	
Johnson, D.	Marsh	Piepho	Valento	

Those who voted in the negative were:

Ainley	Gustafson	Lehto	Ogren	Skoglund
Anderson, G.	Halberg	Lemen	Osthoff	Staten
Battaglia	Hanson	Levi	Otis	Stowell
Begich	Harens	Long	Peterson, B.	Stumpf
Berkelman	Hauge	Ludeman	Peterson, D.	Swanson
Brandl	Heap	Mann	Pogemiller	Tomlinson
Byrne	Heinitz	McCarron	Reding	Vellenga
Carlson, L.	Himle	McDonald	Rees	Voss
Clark, J.	Hoberg	Mehrken	Rice	Weaver
Clark, K.	Hokanson	Minne	Rodriguez, C.	Welker
Clawson	Jacobs	Munger	Rodriguez, F.	Wynia
Dahlvang	Jennings	Murphy	Samuelson	Zubay
Den Ouden	Johnson, C.	Nelsen, B.	Schafer	Spkr. Sieben, H.
Drew	Kahn	Nelson, K.	Schreiber	
Eken	Kaley	Norton	Sherwood	
Ellingson	Kostohryz	Novak	Sieben, M.	
Greenfield	Laidig	O'Connor	Simoneau	

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

The question was taken on the motion to recommend passage of H. F. No. 54 and the roll was called. There were 98 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	Kaley	Norton	Sherwood
Anderson, B.	Friedrich	Kalis	Novak	Simoneau
Anderson, G.	Gruenes	Kelly	Nysether	Skoglund
Berkelman	Gustafson	Knickerbocker	O'Connor	Stadum
Blatz	Halberg	Kostohryz	Olsen	Stowell
Brandl	Hanson	Kvam	Onnen	Stumpf
Brinkman	Harens	Laidig	Peterson, B.	Sviggum
Carlson, D.	Hauge	Lehto	Piepho	Swanson
Carlson, L.	Haukoos	Lemen	Pogemiller	Tomlinson
Clawson	Heap	Levi	Redalen	Valan
Dahlvang	Heinitz	Ludeman	Reding	Valento
Dempsey	Himle	Mann	Rees	Vellenga
Den Ouden	Hoberg	Marsh	Reif	Weaver
Drew	Hokanson	McDonald	Rodriguez, C.	Welker
Eken	Hokr	Mehrken	Rodriguez, F.	Wenzel
Ellingson	Jacobs	Metzen	Samuelson	Wieser
Erickson	Jennings	Minne	Schafer	Wynia
Esau	Johnson, C.	Munger	Schoenfeld	Zubay
Ewald	Johnson, D.	Nelsen, B.	Shea	
Fjoslien	Jude	Niehaus	Sherman	

Those who voted in the negative were:

Ainley	Byrne	Kahn	Nelson, K.	Sarna
Anderson, I.	Clark, J.	Long	Ogren	Staten
Anderson, R.	Clark, K.	McCarron	Osthoff	Vanasek
Battaglia	Dean	McEachern	Otis	Voss
Begich	Greenfield	Murphy	Rice	Welch

The motion prevailed.

MOTIONS AND RESOLUTIONS

Lemen moved that the name of Dempsey be added as an author on H. F. No. 121. The motion prevailed.

Ellingson moved that the name of Jude be added as an author on H. F. No. 931. The motion prevailed.

Clark, K., moved that the name of Pogemiller be added as an author on H. F. No. 890. The motion prevailed.

MOTION FOR RECONSIDERATION

Laidig moved that the vote whereby H. F. No. 588, as amended, was not passed on the Calendar on Wednesday, April 15, 1981, be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the motion to reconsider and the roll was called. There were 74 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	Kaley	Nelsen, B.	Schafer
Ainley	Friedrich	Kalis	Niehaus	Shea
Anderson, B.	Gruenes	Knickerbocker	Nysether	Sherman
Berkelman	Halberg	Kvam	Olsen	Sherwood
Blatz	Hauge	Laidig	Onnen	Stadum
Brinkman	Haukoos	Lehto	Otis	Stowell
Dean	Heap	Levi	Peterson, B.	Sviggum
Dempsey	Heinitz	Ludeman	Piepho	Valan
Den Ouden	Himle	Mann	Redalen	Valento
Drew	Hokanson	Marsh	Reding	Vanasek
Eken	Jacobs	McDonald	Rees	Welch
Erickson	Jennings	McEachern	Reif	Welker
Esau	Johnson, C.	Mehrkins	Rodriguez, C.	Wieser
Ewald	Johnson, D.	Metzen	Rodriguez, F.	Zubay
Fjoslien	Jude	Munger	Rothenberg	

Those who voted in the negative were:

Anderson, G.	Clark, K.	Hokr	Ogren	Swanson
Anderson, I.	Clawson	Kahn	Osthoff	Tomlinson
Anderson, R.	Dahlvang	Kelly	Peterson, D.	Vellenga
Battaglia	Ellingson	Kostohryz	Rice	Voss
Begich	Evans	McCarron	Sarna	Weaver
Brandl	Greenfield	Minne	Schoenfeld	Wenzel
Byrne	Gustafson	Nelson, K.	Sieben, M.	Wynia
Carlson, D.	Hanson	Norton	Simoneau	Spkr. Sieben, H.
Carlson, L.	Harens	Novak	Skoglund	
Clark, J.	Hoberg	O'Connor	Staten	

The motion prevailed.

H. F. No. 588, as amended, was reported to the House.

Anderson, G., moved that the action whereby H. F. No. 588, as amended, was given its third reading be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Anderson, G., motion and the roll was called. There were 51 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Harens	Lemen	Reding	Swanson
Brandl	Hauge	Long	Reif	Vanasek
Byrne	Haukoos	McCarron	Rice	Vellenga
Carlson, L.	Hoberg	Murphy	Rodriguez, C.	Voss
Clark, J.	Hokanson	Nelson, K.	Rodriguez, F.	Wenzel
Clark, K.	Jacobs	Niehaus	Samuelson	Wynia
Drew	Jennings	Norton	Schoenfeld	Spkr. Sieben, H.
Ellingson	Jude	Novak	Shea	
Greenfield	Kahn	O'Connor	Simoneau	
Gustafson	Kelly	Ogren	Skoglund	
Hanson	Lehto	Otis	Stumpf	

Those who voted in the negative were:

Aasness	Eken	Kaley	Nelsen, B.	Sieben, M.
Ainley	Erickson	Kalis	Nysether	Stadum
Anderson, B.	Esau	Knickerbocker	Olsen	Staten
Anderson, I.	Evans	Kostohryz	Onnen	Stowell
Anderson, R.	Ewald	Kvam	Osthoff	Swiggum
Battaglia	Fjoslien	Laidig	Peterson, B.	Tomlinson
Begich	Forsythe	Levi	Peterson, D.	Valan
Berkelman	Friedrich	Ludeman	Piepho	Valento
Blatz	Gruenes	Mann	Redalen	Weaver
Brinkman	Halberg	Marsh	Rees	Welch
Carlson, D.	Heap	McDonald	Rothenberg	Welker
Clawson	Heinitz	McEachern	Sarna	Wieser
Dahlvang	Himle	Mehrkens	Schafer	Zubay
Dean	Hokr	Metzen	Schreiber	
Dempsey	Johnson, C.	Minne	Sherman	
Den Ouden	Johnson, D.	Munger	Sherwood	

The motion to reconsider the third reading did not prevail.

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

The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill, as amended, and the roll was called. There were 75 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Aasness	Ewald	Kaley	Niehaus	Sherman
Ainley	Fjoslien	Kalis	Nysether	Sherwood
Anderson, B.	Forsythe	Knickerbocker	Olzen	Stadum
Anderson, R.	Friedrich	Kvam	Onnen	Staten
Berkelman	Gruenes	Laidig	Otis	Stowell
Blatz	Halberg	Lehto	Peterson, B.	Stumpf
Brandl	Hauge	Levi	Piepho	Sviggum
Brinkman	Haukoos	Ludeman	Redalen	Valan
Dean	Heap	Mann	Reding	Valento
Dempsey	Heinitz	Marsh	Rees	Vanasek
Drew	Himle	McDonald	Rodriguez, C.	Welch
Eken	Hoberg	McEachern	Rodriguez, F.	Welker
Erickson	Jennings	Mehrkens	Rothenberg	Wenzel
Esau	Johnson, C.	Metzen	Schafer	Wieser
Evans	Johnson, D.	Nelsen, B.	Schreiber	Zubay

Those who voted in the negative were:

Anderson, G.	Den Ouden	Kelly	O'Connor	Simoneau
Anderson, I.	Ellingson	Kostohryz	Ogren	Skoglund
Battaglia	Greenfield	Lemen	Osthoff	Swanson
Begich	Gustafson	Long	Peterson, D.	Tomlinson
Byrne	Hanson	McCarron	Reif	Vellenga
Carlson, D.	Harens	Minne	Rice	Voss
Carlson, L.	Hokanson	Munger	Samuelson	Weaver
Clark, J.	Hokr	Murphy	Sarna	Wynia
Clark, K.	Jacobs	Nelson, K.	Schoenfeld	Spkr. Sieben, H.
Clawson	Jude	Norton	Shea	
Dahlvang	Kahn	Novak	Sieben, M.	

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

ADJOURNMENT

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, April 23, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives