

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1981

FORTIETH DAY

SAINT PAUL, MINNESOTA, FRIDAY, APRIL 24, 1981

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

Prayer was offered by Reverend Marvin E. Sandness, Christ Lutheran Church, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Dean; Elioff; Evans; Haukoos; Johnson, C.; Osthoff; Samuelson; Searles and Wigley were excused.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1434, 1124, 1131, 184, 588, 890, 403, 658, 870, 1108, 192, 217 and 126 and S. F. Nos. 939, 1064, 1140, 1150, 368, 562, 595, 314, 399, 443, 510, 549, 378, 763, 782, 808, 827, 1008, 225, 338, 964 and 1043 have been placed in the members' files.

S. F. No. 399 and H. F. No. 460, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Simoneau moved that S. F. No. 399 be substituted for H. F. No. 460 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 763 and H. F. No. 834, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Nelson, K., moved that the rules be so far suspended that S. F. No. 763 be substituted for H. F. No. 834 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 808 and H. F. No. 848, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Munger moved that the rules be so far suspended that S. F. No. 808 be substituted for H. F. No. 848 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 23, 1981

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

Dear Speaker Sieben:

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

H. F. No. 483, relating to Ramsey county, providing for the administration of the soldiers' rest;

H. F. No. 471, relating to agriculture, consolidating certain promotional fund accounts; regulating deposit of certain funds; appropriating money;

H. F. No. 117, relating to general assistance; removing the presumption of eligibility from general assistance; providing that applications be permitted no later than four days after assistance is requested; requiring that determinations be made with respect to the need for emergency general assistance; providing that eligibility determinations for general assistance be made no later than 30 days following application; providing that the first general assistance grant be computed for eligible applicants from the time when assistance is requested; requiring vendor payments of grants until eligibility determinations are complete;

Sincerely,

ALBERT H. QUIE
Governor

REPORTS OF STANDING COMMITTEES

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

H. F. No. 116, A bill for an act relating to local government; providing conditions for the annexation of town territory to municipalities; providing for the membership of the municipal board; amending Minnesota Statutes 1980, Sections 414.01, Subdivision 2; and 414.031, Subdivision 4.

Reported the same back with the following amendments:

Page 1, line 13, strike "One"

Page 1, line 14, strike "of the members shall be" and delete the comma

Page 1, line 15, delete the new language and strike the old language

Page 1, strike lines 16 to 19

Page 1, line 20, strike "defined."

Pages 2 to 4, delete sections 2 and 3

Amend the title as follows:

Page 1, line 2, delete "providing conditions for"

Page 1, delete line 3

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

Page 1, line 6, delete "; and 414.031, Subdivision 4"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 165, A bill for an act relating to corporations; modernizing and improving provisions governing business corporations; appropriating money; amending Minnesota Statutes 1980, Sections 53.01; 303.05, Subdivision 1; 308.341; 319A.03; 319A.05; 319A.12, Subdivisions 1a and 2; 319A.20; and 367.42, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 302A; repealing Minnesota Statutes 1980, Sections 301.01 to 301.67.

Reported the same back with the following amendments:

Page 2, line 33, after "*signed*," insert "*and*"

Page 2, line 33, after "*acknowledged*" insert "*or verified*" and delete "*Minnesota*"

Page 2, line 34, delete "*Statutes, Sections 358.32 to 358.40*" and insert "*chapter 358*"

Page 5, line 22, after "*voting*" insert "*power of the*"

Page 5, line 28, after "*percent*" insert "*of the voting power*"

Page 5, line 29, delete "*voting*"

Page 6, line 14, after "*300*" insert "*that has not subsequently become governed by chapter 301 and that was incorporated*"

Page 7, line 3, after "*articles*" insert "*for amendment of the articles*"

Page 7, line 9, after "*election*" insert "*to become governed by sections 1 to 125*"

Page 7, after line 19, insert:

"Subd. 7. [ELECTION TO REMAIN SUBJECT TO CHAPTER 301.] A corporation subject to sections 301.01 to 301.67 may elect to remain subject to those sections until June 30, 1985 by filing a resolution with the secretary of state, in the manner provided in subdivision 4, before January 1, 1983. A corporation electing under this subdivision may elect to become subject to sections 1 to 125 at any time before June 30, 1985 by filing a resolution with the secretary of state in the manner provided in subdivision 4. A corporation electing under this subdivision is subject to sections 1 to 125 on and after June 30, 1985."

Renumber the subdivision

Page 7, line 26, after "300" insert *"that has not subsequently become governed by chapter 301"*

Page 7, line 27, after "125," insert *"or to remain subject to sections 301.01 to 301.67 until June 30, 1985 pursuant to subdivision 7,"*

Page 8, line 10, after "301" delete *"and"* and insert a comma and after "316" insert *"and 556"*

Page 10, line 13, after the first *"voting"* insert *"power of the"*

Page 10, line 16, before *"all"* insert *"the voting power of"*

Page 13, line 14, before *"It"* insert *"[POWERS NEED NOT BE STATED.]"*

Page 13, line 25, delete *". This provision does not affect"* and insert a semicolon

Page 13, delete lines 26 to 28

Page 13, line 35, delete *"exclusive"*

Page 13, line 36, after *"time"* insert *"of incorporation"*

Page 14, line 1, delete *"333.52"* and insert *"333.54"*

Page 14, line 14, after *"corporation,"* insert *"or that the holder of a name filed or registered with the secretary of state under sections 333.001 to 333.54, filed or registered that name at least three years prior to the affidavit,"*

Page 14, line 17, after *"corporation"* insert *"or the holder of a name filed or registered with the secretary of state under sections 333.001 to 333.54"*

Page 14, line 18, after "corporation" insert ", or the address of the holder of a name filed or registered with the secretary of state under sections 333.001 to 333.54,"

Page 14, line 22, after "corporation" insert "or holder of a name filed or registered with the secretary of state under sections 333.001 to 333.54"

Page 14, line 26, after "state" insert "or has been unable to find any telephone listing for the holder of a name filed or registered with the secretary of state under sections 333.011 to 333.54, in the county in which is located the address of the holder shown in the records of the secretary of state"

Page 14, line 27, after "corporation" insert "or holder of a name filed or registered with the secretary of state under sections 333.001 to 333.54,"

Page 14, after line 28, insert:

"Subd. 2. [NAMES CONTINUED.] Subdivision 1, clause (d), does not affect the right of a domestic corporation existing on January 1, 1983, or a foreign corporation authorized to do business in this state on that date to continue the use of its name."

Renumber the subdivisions

Page 14, line 35, delete "333.52" and insert "333.54"

Page 15, line 28, delete "a corporation"

Page 18, line 6, delete "one" and insert "three"

Page 18, line 8, after "notice" insert "has not yet been given but still"

Page 18, line 16, delete everything after the period

Page 18, delete lines 17 and 18 and insert: "The provisions of this subdivision regarding shareholder-proposed amendments do not apply to a corporation registered or reporting under the federal securities laws, to the extent that those provisions are in conflict with the federal securities laws or rules promulgated thereunder, in which case the federal securities laws or rules promulgated thereunder shall govern."

Page 18, line 25, after "voting" insert "power of the"

Page 22, line 23, after the semicolon, insert "and"

Page 22, line 24, delete everything after "*animals*"

Page 22, delete line 25 to "*thereof*"

Page 22, delete lines 26 to 31

Renumber the subdivisions

Page 24, line 19, after "*validity*" insert "*, recordability*"

Page 27, line 4, delete "*one*" and insert "*three*"

Page 27, line 12, after the period insert "*The provisions of this subdivision regarding shareholder-proposed amendments shall not apply to a corporation registered or reporting under the federal securities laws, to the extent that those provisions are in conflict with the federal securities laws or rules promulgated thereunder, in which case the federal securities laws or rules promulgated thereunder shall govern.*"

Page 28, line 9, delete the comma

Page 28, line 10, delete the comma

Page 28, line 12, delete both commas

Page 29, line 5, after "*to*" insert *any officer of the corporation before the meeting, or to*"

Page 29, lines 26 and 27, delete "*by the affirmative vote of a majority of the directors present,*"

Page 29, line 32, after "*directors*" insert "*present affirmatively*"

Page 29, line 37, after "*voting*" insert "*power of the*"

Page 30, line 7, delete "*number of shares*" and insert "*proportion of the voting power*"

Page 33, line 3, delete "*smaller*"

Page 34, lines 12 and 13, delete "*or not*"

Page 35, line 27, after the semicolon, delete "*or*"

Page 35, line 28, after "*meeting*" delete the period and insert "*; or*"

(c) *Is prohibited by section 45 from voting on the action.*"

Page 36, line 26, after "*resolution*" insert "*fixing the compensation of the director or*"

Page 37, after line 35, insert:

"(d) Disburse corporate funds and issue checks and drafts in the name of the corporation, as ordered by the board;"

Renumber the clauses

Page 40, line 9, after "*securities*" insert "*only*"

Page 43, line 8, after "*voting*" insert "*power of the*"

Page 43, line 15, after "*voting*" insert "*power of the*"

Page 43, line 15, after "*without*" insert "*any new or additional*"

Page 43, line 24, after "*majority of*" insert "*the voting power of*"

Page 47, line 1, after "*majority of*" insert "*the voting power of*"

Page 47, line 7, delete the second "*to*"

Page 47, delete line 8 and insert "*if the resale or other distribution of those securities or rights to purchase securities is not restricted by either state or federal securities laws; or*"

Page 51, line 26, after the period insert "*A restriction under this section is deemed to be noted conspicuously, and is effective if the existence of the restriction is stated on the certificate and reference is made to a separate document creating or describing the restriction.*"

Page 51, line 34, delete "*one*" and insert "*three*"

Page 52, line 8, before "*meeting*" insert "*regular*"

Page 54, line 22, after "*voting*" insert "*power of the*"

Page 55, line 5, after "*majority of*" insert "*the voting power of*"

Page 55, line 16, delete "*50*" and insert "*60*"

Page 57, line 23, delete "*either*"

Page 57, line 24, after "notice" insert "either"

Page 59, line 2, after "majority of" insert "the voting power of"

Page 61, line 30, after "shareholder" insert ", beneficial owner,"

Page 61, line 36, after "shareholder" insert ", beneficial owner,"

Page 62, line 5, after "shareholder" insert ", beneficial owner,"

Page 63, line 18, delete the first "and" and insert a comma

Page 63, line 18, after "presentation" insert a comma and after "and" insert "describing"

Page 65, line 34, delete ", if none,"

Page 65, line 35, after "circumstances" insert ", whichever is lower"

Page 68, line 6, after "5" insert a comma

Page 68, line 27, after "determine" insert "whether or not the shareholder or shareholders in question have fully complied with the requirements of this section, and shall determine"

Page 69, line 7, after "vexatious" insert a comma

Page 70, after line 8, insert:

"Subd. 3. [BANKING AUTHORITY NOT GRANTED.] This section does not grant any authority to act as a bank or to carry on the business of banking."

Page 71, line 24, delete "Conducted himself" and insert "Acted"

Page 76, line 37, after the comma insert "except a director who is prohibited by section 45 from voting on the distribution,"

Page 76, line 37, after "to" insert a comma

Page 79, line 11, after "majority of" insert "the voting power of"

Page 79, line 17, delete *"included in the"* and insert *"affected by the plan of"*

Page 81, line 25, after *"majority of"* insert *"the voting power of"*

Page 81, line 31, after *"majority of"* insert *"the voting power of"*

Page 84, line 20, after *"proceeding"* insert a comma

Page 85, line 10, after *"majority of"* insert *"the voting power of"*

Page 86, line 35, after *"majority of"* insert *"the voting power of"*

Page 90, line 5, after *"majority of"* insert *"the voting power of"*

Page 90, line 26, delete *"or not"*

Page 98, line 37, delete *"ANNUAL REPORT"* and insert *"CORPORATE REGISTRATION"*

Page 99, line 1, delete *"[ANNUAL REPORT.]"* and insert *"[MINNESOTA CORPORATE REGISTRATION.]"*

Page 99, delete lines 2 to 18 and insert:

"Subdivision 1. [INFORMATION REQUIRED.] A domestic corporation shall annually file with the commissioner of revenue along with the return required by sections 290.37 and 290.974, or along with an affidavit that the corporation need not file a return under section 290.37, a registration containing:

(a) The name of the corporation;

(b) The address of its principal executive office;

(c) The address of its registered office;

(d) The state of incorporation;

(e) The former name and address of the corporation or its registered office, if changed since the corporation filed its previous return;

(f) The name of its registered agent, if any; and

(g) *The name and business address of the officer or other person exercising the principal functions of the chief executive officer of the corporation.*

Subd. 2. [INFORMATION PUBLIC.] *The information required by subdivision 1 shall be forwarded by the commissioner of revenue to the secretary of state and is public data. Sections 15.163 to 15.1699 do not apply to this information."*

Page 99, line 20, delete "*an annual report conforming*" and insert "*a registration pursuant*"

Page 99, line 21, after "*state*" insert "*and is subject to a \$25 fine*"

Page 99, line 23, delete "*annual report*" and insert "*registration*"

Page 99, line 24, delete "; PENALTY"

Page 99, lines 25 and 26, delete "*an annual report conforming*" and insert "*a registration pursuant*"

Page 99, line 29, delete everything after "*section*"

Page 99, delete lines 30 to 32 and insert "*and is subject to dissolution by the office of the secretary of state if the registration is not filed pursuant to subdivision 1 within 60 days after the mailing of the notice.*

Subd. 5. [PENALTY.] (a) *A corporation that for two consecutive years has failed to file the registration required by subdivision 1, has been notified of the failure pursuant to subdivision 4, and has failed to file the registration during the 60-day period described in subdivision 4, may be dissolved by the secretary of state as described in clause (b).*

(b) *Immediately after the expiration of the 60-day period in the second consecutive year of failure to file the registration, the secretary of state shall issue a certificate of involuntary dissolution, a copy of which shall be filed in the office of the secretary of state. The original certificate and a notice explaining that the corporation has been dissolved shall be sent to the registered office of the corporation. The secretary of state shall annually inform the attorney general and the commissioner of revenue of the names of corporations dissolved under this section during the preceding year. A corporation dissolved in this manner is not entitled to the benefits of section 117, subdivision 1."*

Page 101, line 22, reinstate the stricken language and before "1" insert "or"

Page 101, after line 26, insert :

"Sec. 127. Minnesota Statutes 1980, Section 290.61, is amended to read :

290.61 [PUBLICITY OF RETURNS, INFORMATION.]

It shall be unlawful for the commissioner or any other public official or employee to divulge or otherwise make known in any manner any particulars set forth or disclosed in any report or return required by this chapter, or any information concerning, the taxpayer's affairs acquired from his or its records, officers, or employees while examining or auditing any taxpayer's liability for taxes imposed hereunder, except in connection with a proceeding involving taxes due under this chapter from the taxpayer making such return or to comply with the provisions of (SECTION) *sections 290.612 and 122*. The commissioner may furnish a copy of any taxpayer's return to any official of the United States or of any state having duties to perform in respect to the assessment or collection of any tax imposed upon or measured by income, if such taxpayer is required by the laws of the United States or of such state to make a return therein. Prior to the release of any information to any official of the United States or any other state under the provisions of this section, the person to whom the information is to be released shall sign an agreement which provides that he will protect the confidentiality of the returns and information revealed thereby to the extent that it is protected under the laws of the state of Minnesota. The commissioner and all other public officials and employees shall keep and maintain the same secrecy in respect to any information furnished by any department, commission, or official of the United States or of any other state in respect to the income of any person as is required by this section in respect to information concerning the affairs of taxpayers under this chapter. Nothing herein contained shall be construed to prohibit the commissioner from publishing statistics so classified as not to disclose the identity of particular returns or reports and the items thereof. Upon request of a majority of the members of the senate tax committee or of the house tax committee or the tax study commission, the commissioner shall furnish abstracted financial information to those committees for research purposes from returns or reports filed pursuant to this chapter, provided that he shall not disclose the name, address, social security number, business identification number or any other item of information associated with any return or report which the commissioner believes is likely to identify the taxpayer. The commissioner shall not furnish the actual return, or a portion thereof, or a reproduction or copy of any return or portion thereof. "Abstracted financial information" means only the dollar amounts set forth on each line on the form including the filing status.

Any person violating the provisions of this section shall be guilty of a gross misdemeanor.

In order to locate the named payee on state warrants issued pursuant to this chapter or chapter 290A and undeliverable by the United States postal service, the commissioner may publish in any English language newspaper of general circulation in this state a list of the name and last known address of the payee as shown on the reports or returns filed with the commissioner. The commissioner may exclude the names of payees whose refunds are in an amount which is less than a minimal amount to be determined by the commissioner. The published list shall not contain any particulars set forth on any report or return. The publication shall include instructions on claiming the warrants."

Page 102, after line 26, insert:

"Sec. 130. [316.24] [SCOPE; CHAPTER NOT APPLICABLE.]

Sections 316.01 to 316.23 do not apply to a corporation incorporated under or governed by sections 1 to 125."

Page 104, line 7, delete "391A.20" and insert "319A.20"

Page 105, after line 9, insert:

"Sec. 137. Minnesota Statutes 1980, Section 462.601, is amended to read:

462.601 [MINNESOTA BUSINESS CORPORATION ACT APPLIES IN PART.]

The provisions of (THE MINNESOTA BUSINESS CORPORATION ACT) *sections 301.01 to 301.61 and sections 1 to 125* shall apply to redevelopment companies, except where those provisions are in conflict with the provisions of sections 462.415 to 462.711. In the event that any action with respect to which the holders of income debentures shall have the right to vote is proposed to be taken, then notice of any meeting at which such action is proposed to be taken shall be given to those holders in the same manner (and) to the same extent as if they were stockholders entitled to notice of and to vote at such meeting, and any certificate filed pursuant to law in the department of state with respect to any such action, whether taken with or without meeting, and any affidavit required by law to be annexed to that certificate, shall contain the same statements or recitals, and the certificate shall be subscribed and acknowledged, and the affidavit shall be made in the same manner as if those holders were stockholders holding shares of an additional class of stock entitled to vote on that action, or with respect to the proceedings provided for in the certificate.

Sec. 138. Minnesota Statutes 1980, Section 462.605, is amended to read:

462.605 [POWERS OF REDEVELOPMENT COMPANY.]

Each redevelopment company shall have and may exercise such of the powers conferred by (THE MINNESOTA BUSINESS CORPORATION ACT) *sections 301.01 to 301.61 and sections 1 to 125* or, in cities of the first class, the Minnesota uniform limited partnership act as shall be necessary in conducting the business of a redevelopment company and consistent with the provisions of sections 462.415 to 462.711."

Page 105, line 23, in the blank insert "131,800"

Page 105, delete lines 28 to 31 and insert:

"	1981	1982	1983
(a) Computerization		\$51,000	\$57,000
(b) Other duties	\$2,900	\$11,100	\$ 9,800"

Page 105, line 33, delete everything after "1" and insert "*to 121, 123, 124, 126, 128 to 135, 137, 138 and 140 are effective July*"

Page 105, line 34, delete "*134, and 135*" and insert "*127 and 136*"

Page 105, line 35, after the period, insert "*Section 122 is effective January 1, 1984. Section 139 is effective July 1, 1985.*"

Renumber the sections

Amend the title as follows:

Page 1, line 3, after the semicolon insert "providing penalties;"

Page 1, line 5, after "53.01" insert "; 290.61"

Page 1, line 7, delete "and"

Page 1, line 7, after "1" insert "; 462.601; and 462.605"

Page 1, line 8, delete "Chapter 302A" and insert "Chapters 302A and 316"

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

The report was adopted.

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

H. F. No. 196, A bill for an act relating to game and fish; increasing and making permanent a surcharge on small game licenses for wildlife land acquisition; amending Minnesota Statutes 1980, Section 97.482, Subdivision 1; repealing Laws 1961, Chapter 66, Section 1, as amended.

Reported the same back with the following amendments:

Page 1, line 18, strike "and" and insert a comma

Page 1, line 19, after "development" insert "*and management*"

Page 1, after line 19, insert:

"Sec. 2. Laws 1961, Chapter 66, Section 1, as amended by Laws 1971, Chapter 867, Section 1, and by Laws 1977, Chapter 310, Section 17, is amended to read:

Sec. 17. [EXTENSION.] The provisions of Laws 1957, Chapter 644, Sections 1 to 4 appearing in Minnesota Statutes (1976) 1980 as Sections 97.481 to 97.484 inclusive, shall continue in effect until February 28, (1985) 1990 (, NOTWITHSTANDING ANY PROVISION OF LAWS 1957, CHAPTER 644, SECTION 5, TO THE CONTRARY)."

Renumber remaining section

Page 1, lines 21 and 22, delete all of the language and insert "*Laws 1957, Chapter 644, Section 5,*"

Amend the title as follows:

Page 1, line 2, delete "and making"

Page 1, line 3, delete "permanent"

Page 1, line 5, after the semicolon insert "Laws 1961, Chapter 66, Section 1, as amended;"

Page 1, line 6, delete all of the language and insert "1957, Chapter 644, Section 5."

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

The report was adopted.

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

H. F. No. 582, A bill for an act relating to natural resources; regulating the use of state funded trails; providing a penalty; amending Minnesota Statutes 1980, Section 84.90, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 85.

Reported the same back with the following amendments:

Page 1, line 16, delete "*designated*" and insert "*covered*"

Page 1, line 16, after "*section*" insert "*84.029 or*"

Page 1, line 16, after "*85.015*" insert "*, on any trail on state owned land,*"

Page 1, line 17, delete "*the acquisition of*"

Page 1, line 25, delete "*, the acquisition of*"

Page 1, line 26, delete "*grant-in-aids*" and insert "*grants-in-aid and sponsored by a local unit of government*"

Page 2, line 16, delete "*nonmotorized travel*" and insert "*use of a motorized vehicle other than a snowmobile,*"

Page 2, line 17, delete "*nor use of a motorized vehicle, other than a*"

Page 2, line 18, delete "*snowmobile,*"

Page 2, line 30, delete "*whose lands the trail system*" and insert "*their land where a trail*"

Page 2, after line 31, insert:

"Subd. 6. [PUBLIC RIGHTS-OF-WAY.] Nothing in this section shall be construed to limit the existing or future motor vehicle use of township roads, county and county state aid highways and state highway rights-of-way."

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

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 769, A bill for an act relating to transportation; establishing a rail bank account; providing for the deposit of money in the rail bank account and specifying the purposes for which it may be expended; appropriating money; amending Min-

nesota Statutes 1980, Sections 222.49; 222.50, Subdivision 7; 222.63, by adding a subdivision; and Laws 1980, Chapter 610, Section 1.

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:

H. F. No. 786, A bill for an act relating to water resources; altering certain provisions concerning the regulation of shoreland use and development in municipalities; amending Minnesota Statutes 1980, Section 105.485, Subdivision 6.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 105.485, Subdivision 6, is amended to read:

Subd. 6 [MUNICIPAL SHORELAND MANAGEMENT.] (BEFORE APRIL 1, 1974, EACH) *Any* municipality having shoreland within its corporate limits shall submit to the commissioner, *within one year from the date of notification by the commissioner, for (HIS) review (, ANY) and approval, proposed municipal shoreland management ordinances, rules, or regulations (AFFECTING THE USE AND DEVELOPMENT OF ITS SHORELANDS) which meet the minimum standards and criteria established pursuant to this section.* The commissioner shall review the ordinances, rules, or regulations and determine whether they are in substantial compliance with municipal shoreland management standards and criteria promulgated pursuant to subdivision 3. In making (HIS) *the* review the commissioner also shall consider any feature unique to the municipal shoreland in question, including but not limited to the characteristics of the waters which may be affected by development, storm sewer facilities, and sanitary and waste disposal facilities in existence at the time of the commissioner's review. If the commissioner determines that the ordinances, rules, or regulations of a municipality do not substantially comply with the state standards and criteria for municipal shoreland management, (HE) *the commissioner* shall so notify the municipality and shall indicate to the municipality the changes which are necessary to bring the ordinances, rules, or regulations into substantial compliance with state standards and criteria. Within (ONE YEAR) *six months* after receiving this notice from the commissioner, the municipality shall make the changes necessary

to bring the ordinances, rules, or regulations into substantial compliance with state standards and criteria *and shall enact ordinances, rules, or regulations which meet state standards and criteria.* (IF A MUNICIPALITY HAS NO ORDINANCE, RULE, OR REGULATION AFFECTING THE USE AND DEVELOPMENT OF SHORELAND ON APRIL 1, 1974, IT SHALL ADOPT SUCH AN ORDINANCE, RULE, OR REGULATION COMPLYING WITH STATE STANDARDS AND CRITERIA FOR MUNICIPAL SHORELAND MANAGEMENT, BEFORE JULY 1, 1975.)

The commissioner may adopt a shoreland management ordinance, rule or regulation for a municipality as provided in this subdivision if:

(a) (A) *The municipality has (NO) been notified by the commissioner to submit a shoreland management ordinance, rule, or regulation (AFFECTING THE USE AND DEVELOPMENT OF SHORELAND ON APRIL 1, 1974,) and fails to (ADOPT SUCH) submit an ordinance (BY JULY 1, 1975, OR IF), rule or regulation within one year after receiving the notice;*

(b) *The corporate boundaries of the municipality are expanded to include shorelands not previously included within the municipal boundaries and the municipality fails to adopt (SUCH) an ordinance, rule or regulation within one year after including the shorelands within its municipal boundaries (,); or (IF)*

(c) *The commissioner determines that a municipal shoreland management ordinance, rule or regulation does not substantially comply with the state standards and criteria for municipal shoreland management and that the municipality has failed to make the necessary changes within (ONE YEAR) six months after receiving notice of the commissioner's determination of substantial noncompliance (, THE COMMISSIONER MAY ADOPT AN ORDINANCE, RULES, OR REGULATIONS FOR THE MUNICIPALITY IN THE FOLLOWING MANNER).*

If the commissioner proposes an ordinance, rule or regulation, he shall hold at least one public hearing on the proposed ordinance, (RULES, OR REGULATIONS) rule or regulation in the manner provided in section 462.357, after giving notice as provided in section 462.357. The ordinance, rules, or regulations are effective for the municipality on the date and in accordance with (SUCH) regulations relating to compliance as the commissioner shall prescribe. The ordinance shall be enforced as provided in section 462.362. The penalties provided in section 462.362 apply to violations of the ordinances, rules, or regulations adopted for the municipality by the commissioner. The costs incurred by the commissioner in adopting the ordinances, rules, or regulations for the municipality shall be paid by the municipi-

pality and collected from the municipality in the same manner as (SUCH) costs are paid by a county and collected from a county pursuant to subdivision 5 (; AND). Any tax levied to pay the costs shall be levied in excess of any limitation as to rate or amount, but shall not cause the amount of other taxes which are subject to any limitation to be reduced in any amount whatsoever.

Sec. 2. [EFFECTIVE DATE.]

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

With the recommendation that when so amended the bill pass.

The report was adopted.

Mann from the Committee on Transportation to which was referred:

H. F. No. 830, A bill for an act relating to advertising devices; requiring compensation for removing certain devices; providing for maintenance of areas; amending Minnesota Statutes 1980, Section 173.17; proposing new law coded in Minnesota Statutes, Chapter 173.

Reported the same back with the following amendments:

Page 2, line 32, after "chapter," insert "including section 173.20,"

Page 3, line 5, delete "Subdivision 1. [AGREEMENTS.]"

Page 3, delete lines 18 to 23

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

The report was adopted.

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

H. F. No. 845, A bill for an act relating to economic development; providing grants to colleges and universities receiving federal small business management grants; appropriating money.

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

The report was adopted.

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

H. F. No. 869, A bill for an act relating to game and fish; restricting the taking of bear to adult bear; amending Minnesota Statutes 1980, Section 100.27, Subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1980, Section 97.49, Subdivision 1A, is amended to read:

Subd. 1a. (a) For purposes of this subdivision, "deer license" means a license issued by the commissioner under the provisions of section 98.46, subdivision 2, clauses (2) and (3) and subdivision 14, clauses (2) and (3).

(b) It is the policy of this state that at least (\$1) \$2 from each deer license issued by the commissioner shall be used for the purpose of deer habitat improvement *contingent upon deer license fees being increased by 1981 law*.

Sec. 2. Minnesota Statutes 1980, Section 100.27, Subdivision 1, is amended to read:

Subdivision 1. Except as otherwise specifically provided, there shall be no open season on elk, caribou, antelope, marten, *cougar*, or wolverine."

Renumber remaining section

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "increasing deer license habitat amount; restricting season on cougar;"

Page 1, line 3, after the comma insert "Sections 97.49, Subdivision 1a; and"

Page 1, line 4, delete "Section" and "Subdivision" and insert "Subdivisions 1 and"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1055, A bill for an act relating to negligent fires; altering minimum sentences for negligent fires; amending Minnesota Statutes 1980, Section 609.576.

Reported the same back with the following amendments:

Page 1, line 20, delete "\$500" and insert "\$750"

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

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

Reported the same back with the following amendments:

Page 1, lines 24 and 25, strike "not exceeding" and insert "up to"

Page 2, line 3, after "mineral" insert "*or agricultural*"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

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

The report was adopted.

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

H. F. No. 1344, A bill for an act relating to education; authorizing school boards to permit certain persons to enroll in classes and programs at a secondary school; providing for class fees in certain circumstances; prohibiting districts from count-

ing certain persons enrolled in classes and programs for the purposes of state aid; authorizing districts to provide transportation; increasing the administration fee when senior citizens attend classes at higher education institutions; amending Minnesota Statutes 1980, Sections 123.35, by adding subdivisions; 123.39, by adding a subdivision; and 136A.81, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 18, after "*person*" insert "*who is*"

Page 1, line 18, delete "*16*" and insert "*21 or who has graduated from high school*"

Page 1, line 19, after "*enroll*" insert "*as a part-time student*"

Page 1, line 20, after "*available*" delete the balance of the line

Page 1, line 21, delete everything before the period

Page 1, line 21, before "*The*" insert "*In determining if there is space available, full-time public school students, shared-time students, and students returning to complete a regular course of study shall be given priority over part-time students seeking enrollment pursuant to this subdivision.*"

Page 1, line 26, after "*(d)*" insert "*for a person over the age of 21,*"

Page 2, line 2, after "*charge*" insert "*a part-time student*"

Page 2, line 3, after the period delete the balance of the line

Page 2, delete lines 4 and 5

Page 2, line 13, delete "*persons*" and insert "*part-time students*"

Page 2, lines 30 to 33, reinstate the stricken language

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

The report was adopted.

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

S. F. No. 2, A bill for an act relating to the Mississippi River headwaters area; establishing a joint board of counties to pre-

pare, adopt and implement a comprehensive land use plan for the Mississippi River headwaters area; imposing a temporary moratorium on the use of certain lands subject to city land use controls; proposing new law coded as Minnesota Statutes, Chapter 114B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [114B.01] [PURPOSE AND INTENT.]

The legislature finds that:

(a) *The Mississippi River from its outlet at Lake Itasca, Clearwater County, to the southerly boundary of Morrison County, Minnesota, possesses outstanding and unique natural, scientific, historical, recreational and cultural values deserving of protection and enhancement;*

(b) *The counties of Clearwater, Hubbard, Beltrami, Cass, Itasca, Aitkin, Crow Wing and Morrison have entered into a joint powers agreement pursuant to law for the purpose of developing a plan for the protection and enhancement of the foregoing values; and*

(c) *The plan adopted by the counties pursuant to the joint powers agreement establishes guidelines and minimum standards for cooperative local management of this segment of the Mississippi River.*

It is the intent of sections 1 to 7 to authorize and direct the joint board and the counties to implement this comprehensive plan for the Mississippi headwaters area.

Sec. 2. [114B.02] [MISSISSIPPI HEADWATERS BOARD.]

Subdivision 1. [DEFINITIONS.] For the purpose of sections 1 to 6, the following terms have the meanings given them in this subdivision unless the context clearly requires otherwise.

(a) [BOARD.] "Board" means the Mississippi headwaters board established pursuant to subdivision 2 of this section or those counties that have complied with section 8 of this act.

(b) [COUNTIES.] "Counties" means the counties of Clearwater, Hubbard, Beltrami, Cass, Itasca, Aitkin, Crow Wing and Morrison.

Subd. 2. [ESTABLISHMENT.] The Mississippi headwaters board established by the counties of Clearwater, Hub-

bard, Beltrami, Cass, Itasca, Aitkin, Crow Wing and Morrison by agreement entered into on February 22, 1980, pursuant to section 471.59, is hereby established as a permanent board with authority to prepare, adopt and implement a comprehensive land use plan designed to protect and enhance the Mississippi River and related shoreland areas situated within the counties.

Subd. 3. [MEMBERSHIP; TERMS; VACANCIES.] The board shall consist of eight members. The governing body of each county shall appoint one of its members to serve on the board. The members appointed to the board and serving on the effective date of this section shall constitute the first board as provided in this subdivision. The term of a member serving on the board on the effective date of this section shall expire on the first Monday in January of 1983. Thereafter, the terms of board members shall be two years commencing on the first Monday in January of odd numbered years. Vacancies on the board shall be filled for the remainder of the term by the governing body that made the original appointment. The governing body of a county may designate another member of the governing body or a county officer to act as an alternate for the member appointed by that county.

Subd. 4. [OFFICERS.] The board shall annually appoint from among its members a chairman, vice-chairman and secretary-treasurer who shall serve for concurrent one year terms.

The chairman shall preside over all meetings of the board and may call special meetings at reasonable times and upon adequate notice when necessary. The vice-chairman shall preside over the meetings of the board in the absence of the chairman. The secretary-treasurer or his designee shall keep a record of all proceedings of the board. The secretary-treasurer shall provide for the proper receipt and disbursement of funds.

Subd. 5. [MEETINGS.] The regular meetings of the board shall be held at times and places prescribed by it. A majority of all members of the board shall constitute a quorum and a majority vote of all members shall be required for actions taken by the board.

Sec. 3. [114B.03] [COMPREHENSIVE PLAN.]

Subdivision 1. [EXISTING PLAN CONFIRMED; MINIMUM STANDARDS.] The comprehensive land use plan prepared by the board and approved by resolution adopted on February 12, 1981, shall be the comprehensive land use plan authorized by section 2, subdivision 2, and shall be implemented by the board as provided in this section and section. 4. The counties shall adopt land use ordinances consistent with the comprehensive land use plan of the board. The standards set forth in the plan are the minimum standards which may be adopted by the board and by the counties for the protection and enhancement of the natural,

scientific, historical, recreational and cultural values of the Mississippi River and related shoreland areas subject to the plan. Except for forest management, fish and wildlife habitat improvement, and open space recreational uses as defined in the plan, no state or county lands within the boundaries established by the plan shall be offered for public sale or lease. The board may amend the plan in any way that does not reduce the minimum standards set forth in the plan approved on February 12, 1981.

Subd. 2. [ADVISORY COMMITTEES; HEARINGS.] The board shall appoint advisory committees, representing a broad geographical area and diverse public interests, and conduct public meetings and hearings necessary to afford the public an opportunity to become fully informed of all deliberations in the preparation and implementation of the plan.

Subd. 3. [GOVERNMENTAL AGENCIES.] The board shall initiate and maintain contacts with governmental agencies as necessary to properly prepare the plan and shall negotiate cooperative management agreements with the United States forest service and bureau of land management and the state department of natural resources. The board, Beltrami, Cass, Hubbard, and Itasca Counties shall initiate and maintain contacts with the governing body of the Leech Lake Indian Reservation and shall negotiate a cooperative management and jurisdiction agreement with the reservation governing body on or before September 1, 1981.

Subd. 4. [LEECH LAKE INDIAN RESERVATION.] Sections 1 to 7 shall not be construed to alter or expand the zoning jurisdiction of the counties within the exterior boundaries of the Leech Lake Indian Reservation. The comprehensive plan of the board and the county ordinances adopted pursuant to section 3, subdivision 1, shall apply only to areas within the zoning jurisdiction of the counties as provided by law in effect prior to the enactment of sections 1 to 7.

Subd. 5. [IMPLEMENTATION.] The board shall develop and establish a schedule for implementation and common administration of the plan by the counties. The schedule shall be binding upon the counties subject to approval by the governing bodies of the respective counties.

Subd. 6. [FUNDS.] The board shall annually submit to each county for its approval an estimate of the funds it will need from that county in the next fiscal year to prepare and implement the plan and otherwise carry out the duties imposed upon it by sections 1 to 6. Each county shall, upon approval of the estimate by its governing body, furnish the necessary funds to the board. The board may apply for, receive and disburse federal, state and other grants and donations.

Subd. 7. [CONTRACTS.] The board may employ staff and contract for goods and services as necessary to implement sections 1 to 6. Contracts are subject to the statutory procedures and restrictions applicable to county contracts.

Sec. 4. [114B.04] [REVIEW AND CERTIFICATION OF LAND USE ACTIONS.]

Subdivision 1. [PURPOSE.] In order to insure that the comprehensive land use plan prepared by the board is not nullified by unjustified exceptions in particular cases and to promote uniformity in the treatment of applications for exceptions, a review and certification procedure is established for the following categories of land use actions taken by the counties and directly or indirectly affecting land use within the area covered by the plan:

(a) The adoption or amendment of an ordinance regulating the use of land, including rezoning of particular tracts of land;

(b) The granting of a variance from provisions of the land use ordinance; and

(c) The approval of a plat which is inconsistent with the land use ordinance.

Subd. 2. [CERTIFICATION.] Notwithstanding any provision of chapter 394 to the contrary no action of a type specified in subdivision 1, clauses (a) to (c) is effective until the board has reviewed the action and certified that it is consistent with the comprehensive plan of the board. In determining consistency of ordinances and ordinance amendments, the provisions of the comprehensive land use plan shall be considered minimum standards. An aggrieved person may appeal a decision of the type specified in subdivision 1, clauses (a) to (c) which is reviewed by the board under this section in the same manner as provided for review of a decision of a board of adjustment in section 394.27, subdivision 9, but only after the procedures prescribed under this section have been completed.

Subd. 3. [PROCEDURE FOR CERTIFICATION.] A copy of all notices of public hearings or, when a hearing is not required, a copy of the application to consider any actions of a type specified in subdivision 1, clauses (a) to (c) shall be forwarded to the board by the county at least 15 days prior to the hearing or meetings to consider the actions. The county shall notify the board of its final decision on the proposed action within ten days of the decision. No later than 30 days from the time it receives the notice, the board shall notify the county and the applicant of its approval or disapproval of the proposed action.

Subd. 4. [DISAPPROVAL OF ACTIONS; HEARING.] In the case of notice of disapproval issued by the board, either the county or the applicant may, within 30 days of notice, file with the board a demand for a hearing. If no demand is filed during that period, the disapproval becomes final. If a demand is filed during that period, a hearing shall be held within 60 days of demand and shall be preceded by two weeks published notice. Within 30 days after the hearing, the board shall either affirm its disapproval of the proposed action or certify its approval thereof.

Sec. 5. [114B.05] [INCORPORATION AND ANNEXATION.]

When land subject to the comprehensive land use plan of the board is annexed, incorporated or otherwise subjected to the land use planning authority of a home rule charter or statutory city, a moratorium shall exist on all subdivision platting and building permits on that land until zoning regulations are adopted for that land which comply with the provisions of the comprehensive plan of the board. The moratorium shall also apply to construction, grading and filling, and vegetative cutting as those activities are defined in the comprehensive plan. This section does not apply to work done pursuant to lawful permits issued before the land became subject to the land use planning authority of the city.

Sec. 6. [114B.06] [BIENNIAL REPORT.]

During the first year of each biennial legislative session, the board shall prepare and present to the appropriate policy committees of the legislature a report concerning the actions of the board in exercising the authority granted by the legislature pursuant to sections 1 to 5. The report shall include an assessment of the effectiveness of the board's comprehensive land use plan and its implementation in protecting and enhancing the natural, scientific, historical, recreational and cultural values of the Mississippi River and related shorelands situated within the member counties.

Sec. 7. [114B.07] [APPLICABILITY.]

Sections 1 to 6 apply to the counties of Clearwater, Hubbard, Beltrami, Cass, Itasca, Aitkin, Crow Wing and Morrison.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective upon approval by all the respective governing bodies of the counties of Clearwater, Hubbard, Beltrami, Cass, Itasca, Aitkin, Crow Wing and Morrison, and upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3. Sections 1 to 7 shall not be effective unless all of the

counties approve and comply with Minnesota Statutes, Section 645.021, Subdivision 3, by September 1, 1981. In the event any of the counties shall fail to approve and comply with Minnesota Statutes, Section 645.021, Subdivision 3, that portion of the Mississippi river and related shoreland areas within the areas subject to the plan lying within such county shall be designated under Minnesota Statutes, Section 104.35, Subdivision 4, and shall be managed in accordance with the plan approved on February 12, 1981. The membership of the board shall consist of the remaining counties."

With the recommendation that when so amended the bill pass.

The report was adopted.

Mann from the Committee on Transportation to which was referred:

S. F. No. 31, A bill for an act relating to transportation; restricting the powers of the commissioner of transportation with respect to a certain trunk highway within the city of St. Paul; proposing new law coded in Minnesota Statutes, Chapter 161.

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. 136, A bill for an act relating to elections; changing compensation of certain election judges; amending Minnesota Statutes 1980, Section 204A.23.

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

S. F. No. 200, A bill for an act relating to agriculture; prohibiting the sale of certain female cattle; amending Minnesota Statutes 1980, Section 35.245, Subdivision 3.

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

The report was adopted.

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

S. F. No. 250, A bill for an act relating to economic development; raising certain matching grant limitations; changing the composition of a community development corporation board; amending Minnesota Statutes 1980, Sections 362.12, Subdivision 4; and 362.41, Subdivision 6.

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

The report was adopted.

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

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

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

The report was adopted.

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

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

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

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

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

The report was adopted.

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

S. F. No. 436, A bill for an act relating to children; providing for review of foster care status of certain children; amending Minnesota Statutes 1980, Sections 257.071, Subdivisions 2, 3 and 4; 260.015, Subdivision 7; 260.111, Subdivision 2; and 260.131, by adding a subdivision; proposing new law to be coded in Minnesota Statutes, Chapter 260.

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

The report was adopted.

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

S. F. No. 489, A bill for an act relating to crimes; immunity from prosecution; changing the current transactional immunity to conform with federal use immunity; amending Minnesota Statutes 1980, Section 609.09, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 9, delete "Subdivision 1,"

Page 2, after line 11, insert:

"Subd. 2. In every case not provided for in subdivision 1 and in which it is provided by law that a witness shall not be excused from giving testimony tending to criminate himself, no person shall be excused from testifying or producing any papers or documents on the ground that his testimony may tend to criminate him or subject him to a penalty or forfeiture; but (HE SHALL NOT BE PROSECUTED OR SUBJECTED TO A PENALTY OR FORFEITURE FOR OR ON ACCOUNT OF ANY ACTION, MATTER, OR THING CONCERNING WHICH HE SHALL SO TESTIFY) *no testimony or other information directly or indirectly derived from such testimony or other information may be used against the witness in any criminal case, except for perjury committed in such testimony.*"

Amend the title as follows:

Page 1, line 5, delete ", Subdivision 1"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

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

The report was adopted.

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

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

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1434, 116, 582, 769, 786, 830, 869, 1055, 1260, 1266 and 1344 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 399, 763, 808, 2, 31, 136, 200, 250, 268, 353, 372, 436, 489, 533 and 741 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Begich, Battaglia, Minne, Jacobs and O'Connor introduced:

H. F. No. 1435, A bill for an act relating to taxation; imposing a tax on the gross receipts from sales of petroleum products; amending Minnesota Statutes 1980, Section 271.01, Subdivision 5; proposing new law coded as Minnesota Statutes, Chapter 295A.

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

Tomlinson, Kostohryz, Brandl, Schreiber and Peterson, B., introduced:

H. F. No. 1436, A bill for an act relating to taxation; income tax; changing certain deductions to conform to federal deductions; amending Minnesota Statutes 1980, Section 290.09, Subdivisions 4 and 10.

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

Welch, Brinkman, Himle, Sarna and McDonald introduced:

H. F. No. 1437, A bill for an act relating to agriculture; regulating commerce in produce; providing penalties; amending Minnesota Statutes 1980, Sections 27.001; 27.01; 27.03; 27.04; 27.041; 27.06; 27.13; 27.14; 27.15; 27.19; 27.20; proposing new law coded in Minnesota Statutes, Chapter 27.

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

Wenzel introduced:

H. F. No. 1438, A bill for an act relating to retirement; providing for the retroactive effect for a special retirement program for the military affairs department.

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

Kelly, Gustafson, Dempsey and Jude introduced:

H. F. No. 1439, A bill for an act relating to news media; protecting news media from searches and seizures; stating exceptions; amending Minnesota Statutes 1980, Section 595.021; proposing new law coded in Minnesota Statutes, Chapter 595.

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

Lemen; Battaglia; Ogren; Carlson, D., and Ainley introduced:

H. F. No. 1440, A bill for an act relating to game and fish; expanding the list of counties in which the use of snowmobiles may be authorized in connection with taking beaver or otter; amending Minnesota Statutes 1980, Section 100.29, Subdivision 30.

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

Kelly introduced:

H. F. No. 1441, A bill for an act relating to privacy; government data practices; classifying certain contract information as nonpublic data; amending Minnesota Statutes 1980, Section 15.1673.

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

Blatz, Staten, Rothenberg, Gustafson and Kelly introduced:

H. F. No. 1442, A bill for an act relating to crimes; eliminating the defenses of mental illness and mental deficiency; amending Minnesota Statutes 1980, Section 611.026.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

S. F. Nos. 525, 625, 664 and 818.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 835.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1047.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 525, A bill for an act relating to advertising devices; requiring compensation for removing certain devices; providing for maintenance of areas; amending Minnesota Statutes 1980, Section 173.17; proposing new law coded in Minnesota Statutes, Chapter 173.

The bill was read for the first time.

Dahlvang moved that S. F. No. 525 and H. F. No. 830, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 625, A bill for an act relating to landlords and tenants; permitting certain tenant remedies actions and certain actions in unlawful detainer to be done by nonattorneys; extending the time between service of the summons in unlawful detainer proceedings and the return day; providing for a stay of the writ of restitution in unlawful detainer proceedings in cases of hardship; changing obsolete terms in certain landlord and tenant statutes; amending Minnesota Statutes 1980, Sections 481.02, Subdivision 3; 566.05; 566.06; and 566.09.

The bill was read for the first time.

Peterson, B., moved that S. F. No. 625 and H. F. No. 621, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 664, A bill for an act relating to water resources; altering certain provisions concerning the regulation of shoreland use and development in municipalities; amending Minnesota Statutes 1980, Section 105.485, Subdivision 6.

The bill was read for the first time.

Lemen moved that S. F. No. 664 and H. F. No. 786, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 818, A bill for an act relating to game and fish; increasing the amount set aside from any increased deer license fees for deer habitat improvement; restricting the taking of bear to adult bear; amending Minnesota Statutes 1980, Sections 97.49, Subdivision 1a; and 100.27, Subdivision 2.

The bill was read for the first time.

Reding moved that S. F. No. 818 and H. F. No. 869, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 835, A bill for an act relating to transportation; classifying the engineers' estimates for all state transportation construction projects as non-public data; adding a new route to the trunk highway system in substitution of an existing route; authorizing the commissioner of transportation to convey or otherwise dispose of certain lands no longer needed for trunk highway purposes; authorizing the temporary transfer of money from certain public funds under certain conditions to certain agency accounts and providing for repayment; increasing the dollar limits for certain contracts and agreements negotiated by the commissioner; defining motor carrier and exempt carrier; granting enforcement powers to hazardous material specialists; transferring the licensing and regulatory provisions for building movers to the transportation regulation board; requiring excess revenue from an airport to be applied to the improvement of the airport or other air navigation facility; increasing the dollar limit for development of landing strips; providing fees for hot air balloons and certain non-resident aircraft; amending Minnesota Statutes 1980, Sections 161.16, Subdivision 4; 161.32, Subdivision 2; 161.36, Subdivision 5; 161.46, Subdivision 3; 221.011, Subdivisions 15 and 22; 221.031, Subdivision 2; 221.221; 221.261; 221.81; 360.037, Subdivision 3; 360.305, Subdivision 4; and 360.55, by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapters 15 and 161.

The bill was read for the first time.

Mehrkens moved that S. F. No. 835 and H. F. No. 745, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1047, A bill for an act relating to negligent fires; altering minimum sentences for negligent fires; amending Minnesota Statutes 1980, Section 609.576.

The bill was read for the first time.

Gustafson moved that S. F. No. 1047 and H. F. No. 1055, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

S. F. No. 760 was reported to the House.

Carlson, L., moved to amend S. F. No. 760, as follows:

Delete everything after the enacting clause and insert:

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

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

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

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

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

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

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

Upon submission by the applicant of an affidavit of graduation from an approved nursing program as well as proof that the applicant has passed the examination, paid the required fees

and met all other requirements stated in this subdivision, the board shall issue a license to the applicant.

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

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

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

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

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

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

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

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

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

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

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

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

148.271 [ALLOWABLE UNLICENSED PRACTICES.]

The provisions of sections 148.171 to 148.285 shall not prohibit:

(1) The furnishing of nursing assistance in an emergency.

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

(3) Under the direct supervision of a registered nurse, the practice of nursing by a graduate of a school of professional nursing approved by the board between the date of graduation and the date of notification to (SUCH) *the* graduate of the board action upon his or her application for licensure hereunder, provided that (SUCH) *the* graduate will take the first examination for licensure hereunder following graduation given by the board and will be issued a permit by the board to engage in supervised practice of professional nursing while awaiting notification of the results of such examination. The board is authorized to issue permits to such graduates which shall permit the practice of professional nursing under direct supervision from the date of graduation until the date that the board shall notify (SUCH) *the* graduates of the results of their applications for registration conditioned upon (SUCH) *the* graduates making prompt application for registration and taking the first examination given by the board which they are eligible to take following graduation. (SUCH) *These* permits shall not be renewable.

(4) The practice of any profession or occupation licensed by the state, other than professional nursing, by any person duly licensed to practice (SUCH) *the* profession or occupation, or the performance by (SUCH) a person of any acts properly coming within the scope of (SUCH A) *the* profession, occupation or license.

(5) The performance of any act in the nursing care of the sick by a nurse's aide under the direction of a registered nurse.

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

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

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

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

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

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

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

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

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

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

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

148.294. [REGISTRATION; FEE FOR LICENSE VERIFICATION.]

Subdivision 1. [(ANNUAL) CURRENT REGISTRATION.] (EVERY LICENSED PRACTICAL NURSE SHALL REGISTER ANNUALLY WITH THE BOARD FOR EACH CALENDAR YEAR AND PAY A FEE ON OR BEFORE DECEMBER 31 OF THE IMMEDIATELY PRECEDING YEAR; THERE-

UPON, THE BOARD SHALL ISSUE A CERTIFICATE OF RENEWAL REGISTRATION. A PENALTY FEE SHALL BE ADDED FOR RENEWAL REGISTRATION APPLICATIONS POSTMARKED AFTER DECEMBER 31 OF THE IMMEDIATELY PRECEDING YEAR.) *Every person licensed to practice practical nursing must also maintain with the board a current registration for practice as a licensed practical nurse which must be renewed at regular intervals stipulated by the board by rule.*

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

Subd. 2. [FAILURE TO RE-REGISTER.] (A) Any person licensed under the provisions of (SECTION) sections 148.-291 to 148.299 who fails to re-register within the period hereinbefore provided (SHALL BE DEEMED DELINQUENT AND) shall not be entitled to practice nursing in this state as a licensed practical nurse (, UNTIL AN APPLICATION FOR RENEWAL REGISTRATION HAS BEEN FILED WITH THE BOARD ACCOMPANIED BY A REGISTRATION FEE FOR EACH CALENDAR YEAR DURING WHICH SAID APPLICANT HAS BEEN DELINQUENT, UP TO A MAXIMUM STIPULATED BY THE BOARD BY RULE, AND A CERTIFICATE OF RE-REGISTRATION ISSUED TO SUCH PERSON).

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

Subd. 4. [FEE FOR LICENSE VERIFICATION.] A person licensed under the provisions of sections 148.29 to (148.-297) 148.299 who requests the board to verify (SUCH) a Minnesota license to another jurisdiction or to an agency, facility,

school or institution shall pay a fee (OF \$5) to the board for each verification.

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

148.295 [ALLOWABLE UNLICENSED PRACTICES.]

The provisions of sections 148.29 to 148.297 shall not prohibit:

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

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

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

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

Sec. 12. [REPEALER.]

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

Sec. 13 [EFFECTIVE DATE.]

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

Delete the title and insert:

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

The motion prevailed and the amendment was adopted.

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 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 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Byrne	Esau	Heinitz	Kelly
Ainley	Carlson, D.	Ewald	Himle	Knickerbocker
Anderson, B.	Carlson, L.	Fjoslien	Hoberg	Kostohryz
Anderson, G.	Clark, J.	Forsythe	Hokanson	Kvam
Anderson, I.	Clark, K.	Friedrich	Hokr	Lehto
Anderson, R.	Dahlvang	Greenfield	Jacobs	Lemen
Battaglia	Dempsey	Gruenes	Jennings	Levi
Begich	Den Ouden	Gustafson	Johnson, D.	Long
Berkelman	Drew	Halberg	Jude	Luknic
Blatz	Eken	Hanson	Kahn	Mann
Brandl	Ellingson	Harens	Kaley	McCarron
Brinkman	Erickson	Hauge	Kalis	McDonald

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

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

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.

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

The bill was passed and its title agreed to.

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.

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 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Friedrich

The bill was passed and its title agreed to.

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

The bill was read for the 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	Battaglia	Byrne	Dahlvang	Erickson
Ainley	Begich	Carlson, D.	Dempsey	Esau
Anderson, B.	Berkelman	Carlson, L.	Den Ouden	Ewald
Anderson, G.	Blatz	Clark, J.	Drew	Fjoslien
Anderson, I.	Brandl	Clark, K.	Eken	Forsythe
Anderson, R.	Brinkman	Clawson	Ellingson	Friedrich

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

The bill was passed and its title agreed to.

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

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

The bill was passed and its title agreed to.

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.

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Sieben, M., requested immediate consideration of H. F. No. 1434.

H. F. No. 1434 was reported to the House.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Sieben, M., moved that the rule therein be suspended and an urgency be declared so that H. F. No. 1434 be given its third reading and be placed upon its final passage. The motion prevailed.

Sieben, M., moved that the rules of the House be so far suspended that H. F. No. 1434 be given its third reading and be placed upon its final passage. The motion prevailed.

Laidig offered an amendment to H. F. No. 1434.

POINT OF ORDER

Anderson, L., raised a point of order pursuant to rule 3.9 that the Laidig amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

Laidig moved to amend H. F. No. 1434 as follows:

Page 2, line 1, delete "1981"

Page 2, line 2, delete "\$75,000"

Page 2, line 8, delete "\$75,000"

Page 4, delete lines 29 to 40

A roll call was requested and properly seconded.

Rose and Peterson, D., were excused for the remainder of today's session.

The question was taken on the amendment and the roll was called. There were 54 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Aasness	Friedrich	Kaley	Olsen	Sherwood
Ainley	Gruenes	Knickerbocker	Onnen	Stadum
Blatz	Halberg	Kvam	Peterson, B.	Stowell
Carlson, D.	Hauge	Laidig	Piepho	Swiggum
Dempsey	Heap	Lemen	Redalen	Valan
Den Ouden	Heinitz	Ludeman	Reif	Valento
Erickson	Himle	Luknic	Rose	Weaver
Esau	Hoberg	McDonald	Rothenberg	Welker
Ewald	Hokr	Mehrkens	Schafer	Wieser
Fjoslien	Jennings	Minne	Schreiber	Zubay
Forsythe	Johnson, D.	Nelsen, B.	Sherman	

Those who voted in the negative were:

Anderson, B.	Dahlvang	Kelly	O'Connor	Simoneau
Anderson, G.	Drew	Kostohryz	Ogren	Skoglund
Anderson, I.	Eken	Lehto	Otis	Staten
Anderson, R.	Ellingson	Long	Pogemiller	Stumpf
Battaglia	Greenfield	Mann	Reding	Swanson
Berkelman	Gustafson	Marsh	Rees	Tomlinson
Brandl	Hanson	McCarron	Rice	Vellenga
Brinkman	Harens	McEachern	Rodriguez, C.	Voss
Byrne	Hokanson	Metzen	Rodriguez, F.	Welch
Carlson, L.	Jacobs	Munger	Sarna	Wenzel
Clark, J.	Jude	Murphy	Schoenfeld	Wynia
Clark, K.	Kahn	Niehaus	Shea	Spkr. Sieben, H.
Clawson	Kalis	Novak	Sieben, M.	

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

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

H. F. No. 1434 was given its third reading.

UNANIMOUS CONSENT

Lemen requested unanimous consent to offer an amendment. The request was granted.

Lemen moved to amend H. F. No. 1434, as follows:

Page 11, line 32, delete "224" and insert "221"

The motion prevailed and the amendment was adopted.

H. F. No. 1434, A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other agencies with certain conditions; amending Minnesota Statutes 1980, Sections 12.14; 43.491, Subdivision 2; 46.131, Subdivision 3; 161.242, Subdivision 4; 169.451; 173.25; 174.255, by adding a subdivision; 216B.62, Subdivision 3, and by adding a subdivision; 237.295, Subdivision 2, and by adding a subdivision; 239.10; 239.52; 326.241, Subdivision 3; 326.244, Subdivision 2; 340.11, Subdivision 14; 340.113, Subdivision 2; 340.119, Subdivision 3; 340.402; 340.493, Subdivision 2; 340.62; 360.021, Subdivisions 1 and 2; 360.305, by adding subdivisions; 388.14; 388.19, Subdivision 1; and 414.051; proposing new law coded in Minnesota Statutes, Chapter 138.

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 106 yeas and 16 nays as follows:

Those who voted in the affirmative were:

Aasness	Brinkman	Eken	Halberg	Jacobs
Anderson, B.	Byrne	Ellingson	Hanson	Johnson, D.
Anderson, G.	Carlson, D.	Erickson	Harens	Jude
Anderson, I.	Carlson, L.	Fjoslien	Hauge	Kahn
Battaglia	Clark, J.	Forsythe	Heap	Kaley
Begich	Clark, K.	Friedrich	Himle	Kalis
Berkelman	Clawson	Greenfield	Hoberg	Kelly
Blatz	Dahlvang	Gruenes	Hokanson	Knickerbocker
Brandl	Drew	Gustafson	Hokr	Kostohryz

Laidig	Murphy	Redalen	Sieben, M.	Vellenga
Lehto	Nelsen, B.	Reding	Simoneau	Voss
Lemen	Nelson, K.	Rees	Skoglund	Weaver
Levi	Niehaus	Reif	Stadum	Welch
Luknic	Norton	Rice	Staten	Wenzel
Mann	Novak	Rodriguez, C.	Stowell	Wieser
Marsh	O'Connor	Rodriguez, F.	Stumpf	Wynia
McCarron	Ogren	Sarna	Sviggum	Zubay
McEachern	Olsen	Schoenfeld	Swanson	Spkr. Sieben, H.
Mehrkens	Onnen	Schreiber	Tomlinson	
Metzen	Otis	Shea	Valan	
Minne	Piepho	Sherman	Valento	
Munger	Pogemiller	Sherwood	Vanasek	

Those who voted in the negative were:

Ainley	Esau	Kvam	Peterson, B.	Schafer
Anderson, R.	Ewald	Ludeman	Rothenberg	Welker
Dempsey	Heinitz	McDonald		
Den Ouden	Jennings	Nysether		

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

Aasness, Brinkman and Hoberg were excused for the remainder of today's session.

There being no objection the order of business reverted to Introduction and First Reading of House Bills.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

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

H. F. No. 1443, A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government with certain conditions; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; amending Minnesota Statutes 1980, Sections 3.005, Subdivision 3; 3.304, by adding a subdivision; 4.16, by adding subdivisions; 5.08, Subdivision 2; 9.061, Subdivision 5; 11A.20, Subdivision 3; 16A.123; 17.59, by adding a subdivision; 17A.04, Subdivision 5; 17B.15, Subdivision 1; 18.51, Subdivision 2; 18.52, Subdivision 5; 18.54, Subdivision 1; 19.19, Subdivisions 1 and 2; 19.20, Subdivision 4; 27.041, Subdivision 2; 28A.08; 32.075; 32.59; 43.46, Subdivisions 2 and 3; 85.05, Subdivisions 1 and 2; 85.22, Subdivision 2a; 97.49, Subdivision 1; 98.46, Subdivisions 2, 2a, 3, 4, 5, 5a, 6, 7, 8, 9, 9a, 10, 11, 12, 14, 15, 16, 17, 18, 19 and by adding a subdivision; 98.47, Subdivision 1; 98.50, Subdivision 5; 99.28, Subdivision 5; 100.273, Subdivision 7; 100.35, Subdivisions 1 and

5; 101.44; 116C.69, Subdivisions 2 and 2a; 139.16; 139.17; 139.18; 139.19; 176.131, Subdivision 10; 176.183, Subdivision 2; 179.71, Subdivision 2; 179.72, Subdivision 3; 223.03; 223.12, Subdivision 1; 231.16; 232.02, Subdivisions 1, 2, and 3; 233.08; 270.66; 271.02; 284.28, Subdivision 8; 290.431; 299A.03, Subdivisions 1, 8 and 13; 322A.16; 322A.71; 352E.04; 354.43, Subdivision 3; 362.10; 362.12, Subdivisions 1a and 2; 362.121; 362.125; 362.13; 480.0595; 546.27; 638.08; and 648.39; Laws 1976, Chapter 337, Section 1, Subdivisions 2, as amended, 3, and 4, as amended; Laws 1978, Chapter 510, Sections 2 and 5; proposing new law coded in Minnesota Statutes, Chapters 85; 116H; 270; 299A; and 362; repealing Minnesota Statutes 1980, Sections 7.07; 16A.75; 16A.751; 16A.752; 16A.753; 16A.754; 168B.11; 299A.03, Subdivisions 1, 2, 3, 5, 6, 7, 9, 10, 11 and 14; 362.07; 362.08; 362.09; 362.11; 362.12, Subdivisions 3 and 4; 362.23; 362.45, Subdivision 2; 363.073, Subdivisions 1 and 2; 473.56, Subdivision 15; 648.45; 648.46; Laws 1976, Chapter 337, Section 4, as amended; and Laws 1978, Chapter 510, Section 10.

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

CALENDAR

H. F. No. 126, A bill for an act relating to waters; requiring posting and publication of notice of aeration operations by a permittee of the commissioner of natural resources; establishing a presumption of due care; changing and clarifying administrative provisions regarding watershed districts; permitting use of a map to show notification of an assessment area; amending Minnesota Statutes 1980, Sections 112.36; 112.53, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 378.

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 137, A bill for an act relating to the legislature; establishing a legislative commission on efficiency and economy in state government; proposing new law coded in Minnesota Statutes, Chapter 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 76 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Esau	Kelly	Ogren	Stowell
Anderson, I.	Ewald	Knickerbocker	Otis	Stumpf
Anderson, R.	Greenfield	Kostohryz	Peterson, B.	Swanson
Battaglia	Gustafson	Lehto	Pogemiller	Tomlinson
Begich	Halberg	Luknic	Reding	Vellenga
Berkelman	Hanson	Mann	Rice	Voss
Blatz	Harens	McCarron	Rodriguez, C.	Welch
Brandl	Hauge	McEachern	Rodriguez, F.	Wenzel
Byrne	Heap	Metzen	Rothenberg	Wieser
Carlson, L.	Heinitz	Minne	Sarna	Wynia
Clark, J.	Hokanson	Munger	Schoenfeld	Zubay
Clark, K.	Hokr	Murphy	Shea	Spkr. Sieben, H.
Clawson	Jacobs	Nelson, K.	Sieben, M.	
Dahlvang	Jude	Norton	Simoneau	
Eken	Kahn	Novak	Skoglund	
Ellingson	Kalis	O'Connor	Staten	

Those who voted in the negative were:

Ainley	Forsythe	Lemen	Olsen	Sherman
Anderson, G.	Friedrich	Levi	Onnen	Sherwood
Carlson, D.	Gruenes	Ludeman	Piepho	Stadum
Dempsey	Jennings	Marsh	Redalen	Swiggum
Den Ouden	Johnson, D.	McDonald	Rees	Valento
Drew	Kaley	Mehrken	Reif	Vanasek
Erickson	Kvam	Niehaus	Schafer	Welker
Fjoslien	Laidig	Nysether	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 192, A bill for an act relating to labor; regulating migrant labor; requiring employers and recruiters to provide employment statements to migrant workers; setting requirements for employment statements and for payment of wages to

migrant workers; providing for private causes of action; proposing new law coded in Minnesota Statutes, Chapter 181.

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 107 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Ainley	Ewald	Kalis	Nysether	Sieben, M.
Anderson, B.	Fjoslien	Kelly	O'Connor	Simoneau
Anderson, I.	Forsythe	Kostohryz	Ogren	Skoglund
Anderson, R.	Friedrich	Laidig	Olson	Staten
Battaglia	Greenfield	Lehto	Onnen	Stowell
Begich	Gruenes	Lemen	Otis	Stumpf
Berkelman	Gustafson	Levi	Peterson, B.	Sviggum
Blatz	Halberg	Ludeman	Piepho	Swanson
Brandl	Hanson	Luknic	Pogemiller	Tomlinson
Byrne	Harens	Mann	Redalen	Valento
Carlson, D.	Hauge	Marsh	Reding	Vanasek
Carlson, L.	Heap	McCarron	Rees	Vellenga
Clark, J.	Heinitz	Mehrkens	Reif	Voss
Clark, K.	Himle	Metzen	Rice	Welch
Clawson	Hokanson	Minne	Rodriguez, C.	Wenzel
Dahlvang	Hokr	Munger	Rodriguez, F.	Wieser
Dempsey	Jacobs	Murphy	Rothenberg	Wynia
Drew	Jennings	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	

Those who voted in the negative were:

Anderson, G.	Knickerbocker	Schafer	Valan	Welker
Den Ouden	Kvam	Stadum		

The bill was passed and its title agreed to.

H. F. No. 590, reconsidered on Thursday, April 23, 1981, was reported to the House and given its third reading.

UNANIMOUS CONSENT

Anderson, B., requested unanimous consent to offer an amendment. The request was granted.

Anderson, B., moved to amend H. F. No. 590 as follows:

Page 1, line 16, strike the semicolon and delete "and further" and insert:

"A city not reclassified under the provisions of this section shall receive the following percentages of its 1981 apportionment

for the years indicated: 1982, 66 percent and 1983, 33 percent. Thereafter the city shall not receive any apportionment from the municipal state-aid street fund unless its population is determined to be 5,000 or over by a federal census. The governing body of any city not reclassified under the provisions of this section may contract with the United States bureau of the census to take one special census before January 1, 1986. A certified copy of the results of the census shall be filed with the appropriate state authorities by the city. The result of the census shall be the population of the city for the purposes of any law providing that population is a required qualification for distribution of highway aids under Minnesota Statutes, Chapter 162. The special census shall remain in effect until the 1990 federal census is completed and filed. The expense of taking the special census shall be paid by the city."

Page 1, line 17, after "provided" insert "further"

The motion prevailed and the amendment was adopted.

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

The bill was read for the third time, 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 86 yeas and 27 nays as follows:

Those who voted in the negative were:

Ainley	Erickson	Knickerbocker	Ogren	Stowell
Anderson, B.	Esau	Lehto	Olsen	Stumpf
Anderson, I.	Ewald	Lemen	Otis	Tomlinson
Battaglia	Greenfield	Ludeman	Piepho	Valan
Begich	Gustafson	Luknic	Pogemiller	Valento
Berkelman	Halberg	Mann	Redalen	Vellenga
Blatz	Hanson	McCarron	Reif	Voss
Brandl	Harens	McEachern	Rice	Weaver
Byrne	Hokanson	Mehrkens	Rodriguez, C.	Welch
Carlson, D.	Hokr	Metzen	Rodriguez, F.	Wenzel
Clark, J.	Jacobs	Minne	Schafer	Wieser
Clark, K.	Jennings	Munger	Schoenfeld	Wynia
Clawson	Johnson, D.	Murphy	Shea	Zubay
Dahlvang	Jude	Nelson, K.	Sherman	Spkr. Sieben, H.
Dempsey	Kahn	Niehaus	Sherwood	
Den Ouden	Kaley	Norton	Sieben, M.	
Drew	Kalis	Novak	Simoneau	
Ellingson	Kelly	O'Connor	Skoglund	

Those who voted in the affirmative were:

Anderson, G.	Carlson, L.	Fjoslien	Friedrich	Hauge
Anderson, R.	Eken	Forsythe	Gruenes	Heap

Heinitz
Kostohryz
Kvam
Laidig

Levi
Marsh
Nelsen, B.
Nysether

Onnen
Reding
Rees
Schreiber

Stadum
Sviggum
Swanson
Vanasek

Welker

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

GENERAL ORDERS

Eken moved that the bills on General Orders be continued one day. The motion prevailed.

MOTIONS AND RESOLUTIONS

Heap moved that the name of Hokr be added as an author on H. F. No. 707. The motion prevailed.

Ogren introduced:

House Resolution No. 17, A house resolution proclaiming Minnesota to be the host state to the Pederson South Pole Expedition.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, April 27, 1981. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 27, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

