

## STATE OF MINNESOTA

## SEVENTY-SECOND SESSION - 1981

## FORTY-THIRD DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 29, 1981

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

Prayer was offered by Pastor John Michel, Grace Baptist Church, Mankato, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Schreiber was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Clawson 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. 1029, 83, 325, 673, 217, 308, 668 and 1042 and S. F. Nos. 1154, 671 and 365 have been placed in the members' files.

S. F. No. 671 and H. F. No. 1029, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

O'Connor moved that S. F. No. 671 be substituted for H. F. No. 1029 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1193 and H. F. No. 1156, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Carlson, L., moved that the rules be so far suspended that S. F. No. 1193 be substituted for H. F. No. 1156 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 28, 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. 349, relating to agriculture; regulating livestock marketing; providing a penalty;

H. F. No. 521, relating to transportation, including motels within the specific information signing program;

Sincerely,

ALBERT H. QUIE  
Governor

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 499, A bill for an act relating to financial institutions; authorizing demand deposits for members of credit unions; permitting the purchase and sale of loans; amending Minnesota Statutes 1980, Section 52.04.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 52.04, is amended to read:

52.04 [POWERS.]

Subdivision 1. [ENUMERATION.] A credit union shall have the following powers:

(1) To receive the savings of its members either as payment on shares or as deposits, including the right to conduct Christmas clubs, vacation clubs, and other such thrift organizations within its membership;

(2) To make loans to members for provident or productive purposes as provided in section 52.16;

(3) To make loans to a cooperative society or other organization having membership in the credit union;

(4) To deposit in state and national banks and trust companies authorized to receive deposits;

(5) To invest in any investment legal for savings banks or for trust funds in the state;

(6) To borrow money as hereinafter indicated;

(7) To adopt and use a common seal and alter the same at pleasure;

(8) To make payments on shares of and deposit with any other credit union chartered by this or any other state or operating under the provisions of the federal credit union act, in amounts not exceeding in the aggregate 25 percent of its unimpaired assets providing that payments on shares of and deposit with credit unions chartered by other states shall be restricted to credit unions insured by the National Credit Union Admin-

istration. The restrictions imposed by this clause shall not apply to share accounts and deposit accounts of Minnesota central credit union in U.S. central credit union;

(9) To contract with any licensed insurance company or society to insure the lives of members to the extent of their share accounts, in whole or in part, and to pay all or a portion of the premium therefor;

(10) To indemnify each director, officer, or committee member, or former director, officer, or committee member against all expenses, including attorney's fees but excluding amounts paid pursuant to a judgment or settlement agreement, reasonably incurred by him in connection with or arising out of any action, suit, or proceeding to which he is a party by reason of being or having been a director, officer, or committee member of the credit union, except with respect to matters as to which he shall be finally adjudged in such action, suit, or proceeding to be liable for negligence or misconduct in the performance of his duties. Such indemnification shall not be exclusive of any other rights to which he may be entitled under any bylaw, agreement, vote of members, or otherwise;

(11) Upon written authorization from a member, retained at the credit union, to make payments to third parties by withdrawals from the member's share or deposit accounts or through proceeds of loans made to such member, or by permitting the credit union to make such payments from the member's funds prior to deposit; to permit draft withdrawals from member accounts; however, this clause does not permit a credit union to establish demand deposits (checking accounts) for its members;

(12) To inform its members as to the availability of various group purchasing plans which are related to the promotion of thrift or the borrowing of money for provident and productive purposes by means of informational materials placed in the credit union's office, through its publications, or by direct mailings to members by the credit union;

(13) To facilitate its members' voluntary purchase of types of insurance incidental to promotion of thrift or the borrowing of money for provident and productive purposes including, but not limited to the following types of group or individual insurance: Fire, theft, automobile, life and temporary disability; to be the policy holder of a group insurance plan or a sub-group under a master policy plan and to disseminate information to its members concerning the insurance provided thereunder; to remit premiums to an insurer or the holder of a master policy on behalf of a credit union member, provided that the credit union shall obtain written authorization from such member for remittance by share or deposit withdrawals or through proceeds of loans

made by such members, or by permitting the credit union to make such payments from the member's funds prior to deposit; and to accept from the insurer reimbursement for the actual cost of ministerial tasks performed pertaining to insurance;

(14) To contract with another credit union to furnish services which either could otherwise perform. Contracted services under this clause are subject to regulation and examination by the commissioner of banks like other services;

(15) In furtherance of the twofold purpose of promoting thrift among its members and creating a source of credit for them at legitimate rates of interest for provident purposes, and not in limitation of the specific powers hereinbefore conferred, to have all the powers enumerated, authorized, and permitted by this chapter, and such other rights, privileges and powers as may be incidental to, or necessary for, the accomplishment of the objectives and purposes of the credit union;

(16) To rent safe deposit boxes to its members provided the credit union obtains adequate insurance or bonding coverage for losses which might result from the rental of safe deposit boxes;

(17) Notwithstanding the provisions of section 52.05, to accept deposits of public funds in an amount secured by insurance or other means pursuant to chapter 118;

(18) To accept and maintain treasury tax and loan accounts of the United States and to pledge collateral to secure the treasury tax or loan accounts, in accordance with the regulations of the Department of Treasury of the United States;

(19) To accept deposits pursuant to section 149.12, notwithstanding the provisions of section 52.05, if the deposits represent funding of prepaid funeral plans of members;

(20) *In addition to the sale of loans secured by a first lien on real estate, to sell, pledge, discount, or otherwise dispose of, in whole or in part, to any source, a loan or group of loans, other than a self-replenishing line of credit; provided, that within a calendar year beginning January 1 the total dollar value of loans sold, other than loans secured by real estate or insured by a state or federal agency, shall not exceed 25 percent of the dollar amount of all loans and participating interests in loans held by the credit union at the beginning of the calendar year, unless otherwise authorized in writing by the commissioner.*

Subd. 2. [STATE CHARTERED CREDIT UNIONS.] The commissioner of banks may by rule authorize a state chartered credit union to engage in any activity in which the credit union could engage were it operating as a federally chartered credit

union provided that the activity is not expressly prohibited by the laws of this state (AND WAS PERMITTED BY LAW OR RULE AS OF JUNE 1, 1977).

Sec. 2. Minnesota Statutes 1980, Section 52.19, is amended to read:

52.19 [EXPULSION OR WITHDRAWAL OF MEMBERS.]

A member may be expelled by a two-thirds vote of the members present at a special meeting called to consider the matter, but only after a hearing. Any member may withdraw from the credit union at any time, but notice of withdrawal may be required. All amounts paid on shares or as deposits of an expelled or withdrawing member, with any dividends or interest accrued thereto, to the date thereof, shall, as funds become available and after deducting all amounts due from the member to the credit union *and an amount as necessary to honor outstanding share drafts drawn against the accounts of the member*, be paid to him. The credit union may require 60 days' notice of intention to withdraw shares and 30 days' notice of intention to withdraw deposits, *except that a credit union shall not at any time require notice of withdrawal of funds subject to withdrawal by share drafts*. Withdrawing or expelled members shall have no further right in the credit union, but are not, by the expulsion or withdrawal, released from any remaining liability to the credit union.

Sec. 3. [EFFECTIVE DATE.]

*Sections 1 and 2 are effective the day following final enactment."*

Amend the title as follows:

Page 1, line 2, delete "authorizing demand"

Page 1, line 3, delete everything before "permitting" and delete "the"

Page 1, line 4, delete everything before "loans" and insert "credit unions to sell certain"

Page 1, line 4, after the semicolon insert "providing for the expulsion or withdrawal of members;"

Page 1, line 5, delete "Section" and insert "Sections" and after "52.04" insert "; and 52.19"

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. 790, A bill for an act relating to metropolitan government; revising the metropolitan agricultural preserves act; amending Minnesota Statutes 1980, Sections 473H.02, Subdivisions 2 and 3; 473H.04, Subdivisions 1 and 2; 473H.05, Subdivision 1, and by adding a subdivision; 473H.06, Subdivisions 1, 2 and 5; 473H.08, Subdivision 4; 473H.09; 473H.14; 473H.15, by adding a subdivision; and 473H.16, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 473H.

Reported the same back with the following amendments:

Page 1, lines 18 to 25, delete Section 2 and insert:

"Sec. 2. Minnesota Statutes 1980, Section 473H.02, is amended by adding a subdivision to read:

*Subd. 11. "County recorder" means registrar of titles for the purposes of registered property."*

Page 5, lines 10 to 24, delete Section 11

Page 7, after line 7, insert:

"Sec. 16. [EFFECTIVE DATE.]

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

Renumber the sections

Amend the title as follows:

Page 1, line 5, delete the first "Subdivisions" and insert "Subdivision"

Page 1, line 5, delete "and 3" and insert ", and by adding a subdivision"

Page 1, line 8, delete "473H.09;"

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. 977, A bill for an act relating to crimes; providing for review of sentences imposed prior to adoption of sentencing

guidelines; amending Minnesota Statutes 1980, Section 244.08, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 244.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 244.08, Subdivision 1, is amended to read:

Subdivision 1. Effective May 1, 1980, the Minnesota corrections board shall have only those powers and duties vested in and imposed upon it in sections 244.01 to 244.11, 609.10, 609.145, subdivision 1, 609.165, subdivision 2, and 609.346, subdivision 1, with relation to persons sentenced for crimes committed on or after May 1, 1980.

The Minnesota corrections board shall retain all powers and duties presently vested in and imposed upon it with relation to persons sentenced for crimes committed on or before April 30, 1980.

The Minnesota corrections board shall (TAKE INTO CONSIDERATION, BUT NOT BE BOUND BY, THE SENTENCE TERMS EMBODIED IN THE SENTENCING GUIDELINES PROMULGATED BY THE MINNESOTA SENTENCING GUIDELINES COMMISSION AND THE PENAL PHILOSOPHY EMBODIED IN SECTIONS 244.01 TO 244.11, 609.10, 609.145, SUBDIVISION 1, 609.165, SUBDIVISION 2, AND 609.346, SUBDIVISION 1, IN ITS DELIBERATIONS RELATIVE TO PAROLE, PROBATION, RELEASE, OR OTHER DISPOSITION OF INMATES WHO COMMIT THE CRIMES GIVING RISE TO THEIR SENTENCES ON OR BEFORE APRIL 30, 1980.) *use the terms of incarceration embodied in the Minnesota sentencing guidelines promulgated by the Minnesota sentencing guidelines commission to determine the presumptive parole release date and amount of time that the person shall serve on parole. The Minnesota corrections board shall make written findings of fact as to the reasons for departures from the presumptive incarceration term, as indicated by the Minnesota sentencing guidelines, in each case in which the board imposes a term of incarceration that deviates from the sentencing guidelines term of incarceration applicable to the case. The corrections board shall complete this process of review of the terms of incarceration of all persons currently serving sentences imposed for felonies committed on or before April 30, 1980, by September 1, 1981. In this process of review, the corrections board shall first consider all terms of persons currently incarcerated before it begins consideration of the terms of persons on parole.*

**Sec. 2. [244.12] [DISTRICT COURT REVIEW OF PRIOR SENTENCES; APPEAL.]**

*Subdivision 1. [PETITION.] Any person sentenced for a felony committed on or before April 30, 1980, may seek modification of his sentence from the court which imposed it. Relief under this section shall be by petition and the court shall decide the matter before it as quickly as possible. In any case wherein the court finds that the amount of time that the petitioner is likely to be incarcerated pursuant to his present sentence is greater than that provided for by the sentencing guidelines, and the court finds that it would not have departed from the sentencing guidelines had they been applicable at the time the petitioner was originally sentenced, the petition shall be granted. If the court grants the petition, it shall re-sentence the petitioner pursuant to the sentencing guidelines retroactive to the date of the original sentencing and the petitioner shall thereafter be subject to the law applicable to persons sentenced for felonies committed on or after May 1, 1980, relative to supervised release and computation of good time. In any case wherein the new sentence would require discharge of the petitioner or placement upon supervised release the petitioner may be held for 14 days for the purpose of processing the release or discharge.*

*Subd. 2. [HEARING]. In considering any petition submitted pursuant to subdivision 1 of this section, the court shall consider its own records and any and all documents submitted by the petitioner, his attorney, or the state. The attorney for the petitioner shall be heard by the court upon request, however, the presence of the petitioner shall not be required unless ordered by the court.*

*Subd. 3. [APPELLATE REVIEW.] The provisions of section 244.11 relating to appellate review of sentence shall apply to the decision rendered by the sentencing court on any application for modification under this section.*

**Sec. 3. [EFFECTIVE DATE.]** *Section 1 is effective the day following final enactment. Section 2 is effective September 1, 1981."*

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1081, A bill for an act relating to wild animals; increasing the amount of the reward which may be paid for information relating to game law violations; amending Minnesota Statutes 1980, Section 97.51.

Reported the same back with the following amendments:

Page 1, line 13, reinstate the stricken language

Page 1, line 18, after "*shall*" insert "*only*"

Page 1, line 19, delete "*appropriated*" and insert "*donated*" and after "*commissioner*" insert "*for these purposes*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 1138, A bill for an act relating to the public defender; establishing the board of public defense; transferring public defender responsibilities from the judicial council to the board of public defense; abolishing the judicial council; amending Minnesota Statutes 1980, Sections 611.23; 611.24; 611.26, Subdivisions 1, 2, 3, 4, and 5; proposing new law coded in Minnesota Statutes, Chapter 611; repealing Minnesota Statutes 1980, Section 480.053; and Chapter 483.

Reported the same back with the following amendments:

Page 1, line 19, after "*governor*" insert "*including*"

Page 1, line 22, delete "*engaged in*" and insert "*admitted to*"

Page 1, line 22, delete "*private*"

Page 1, line 23, before the semicolon, insert "*, but not publicly employed as a prosecutor or defense counsel*"

Page 1, line 25, delete "*citizens of the state*" and insert "*public members*"

Page 2, line 8, delete the colon and insert "*have those duties and responsibilities imposed upon it by chapter 611.*"

Page 2, delete lines 9 to 14

Page 2, line 26, strike "*shall be*" and insert "*serve*"

Page 2, line 27, strike "*shall*"

Page 2, line 31, strike everything after the period

Page 2, strike line 32

Page 2, line 33, strike everything before "terms"

Page 3, line 6, strike "such"

Page 3, line 8, strike "such" and insert "*the*"

Page 3, line 11, strike "shall be" and insert "*serve*"

Page 3, line 12, strike "shall"

Page 3, line 22, after "second" insert "*district*"

Page 3, line 23, strike "such" and insert "*the*"

Page 3, line 24, strike "Such" and insert "*The*"

Page 3, line 25, strike "an"

Page 4, line 1, after "removed" insert "*for cause*"

Page 4, line 3, strike "for cause"

Page 4, line 16, strike "but only with" and insert "*subject to*"

Page 4, line 17, strike "in"

Page 4, line 18, strike "accordance with"

Page 4, line 18, strike "other"

Page 4, line 29, delete "*Section*" and insert "*Sections*"

Page 4, line 29, delete "*and Chapter 483*" and insert "*483.01; and 483.02*"

Page 4, line 36, delete "*his*" and insert "*any*"

Page 5, lines 1 and 2, after "*term*" insert "*to which he has been appointed*"

Page 5, line 2, delete "*his*" and insert "*any*"

Amend the title as follows:

Page 1, delete line 10 and insert "*Sections 480.053; 483.01; and 483.02.*"

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

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

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

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 363.03, Subdivision 7, is amended to read:

Subd. 7. [REPRISALS.] It is an unfair discriminatory practice for any employer, labor organization, employment agency, public accommodation, public service, educational institution, or owner, lessor, lessee, sublessee, assignee or managing agent of any real property, or any real estate broker, real estate salesperson or employee or agent thereof to intentionally engage in any reprisal against any person because that person:

(1) Opposed a practice forbidden under this chapter or has filed a charge, testified, assisted, or participated in any matter in an investigation, proceeding or hearing under this chapter; or

(2) Associated with a person or group of persons of different race, color, creed, religion or national origin.

*A reprisal includes, but is not limited to, any form of intimidation, retaliation, or harassment. It is a reprisal for an employer to do any of the following with respect to an individual because that individual has engaged in the activities listed in clause (1) or (2): refuse to hire the individual; depart from any customary employment practice; transfer or assign the individual to a lesser position in terms of wages, hours, job classification, job security, or other employment status; or inform another employer that the individual has engaged in the activities listed in clause (1) or (2).*

Sec. 2. Minnesota Statutes 1980, Section 363.06, Subdivision 1, is amended to read:

Subdivision 1. [CHARGE FILING.] Any person aggrieved by a violation of this chapter *may bring a civil action as provided in section 363.14, subdivision 1, clause (a), or may file a verified charge with the commissioner or his designated agent, stating the name and address of the person alleged to have committed an unfair discriminatory practice, setting out the details of the practice complained of and, if applicable, providing witnesses, documents, and any other information required by the commissioner. The commissioner may dismiss a charge when the charging party fails to provide required information.* The commissioner within five days of (SUCH) the filing shall serve a copy of the charge and a request for a response upon the respondent personally or by registered or certified mail. (PERIODICALLY) After the filing of a charge (BUT AT INTERVALS OF NO MORE THAN 60 DAYS, UNTIL THE CHARGE IS NO LONGER IN THE JURISDICTION OF THE DEPARTMENT) the commissioner shall in writing inform the charging party of *any change in the status of (HIS) the charge.* A copy of the (PERIODIC) notice shall be mailed to the respondent.

Sec. 3. Minnesota Statutes 1980, Section 363.06, Subdivision 3, is amended to read:

Subd. 3. [TIME FOR FILING (CHARGE) CLAIM.] A (CHARGE) claim of an unfair discriminatory practice must be brought as a civil action pursuant to section 363.14, subdivision 1, clause (a), or filed in a charge with the commissioner within six months after the occurrence of the practice.

Sec. 4. Minnesota Statutes 1980, Section 363.06, Subdivision 4, is amended to read:

Subd. 4. [INQUIRY INTO CHARGE.] (1) *Consistent with clause (7), when a charge has been filed, the commissioner shall promptly inquire into the truth of the allegations of the charge. The commissioner shall make an immediate inquiry when necessary to prevent a charging party from suffering irreparable loss in the absence of immediate action. The commissioner shall also make an immediate inquiry when it appears that a charge is frivolous or without merit and shall dismiss those charges. The charging party shall be notified in writing of intent to dismiss a charge because it is frivolous or without merit ten days prior to dismissal by the commissioner.* On (EACH CHARGE) all other charges the commissioner shall make a determination as to whether or not there is probable cause to credit the allegation of unfair discriminatory practices, and

((1)) (2) If the commissioner (SHALL DETERMINE) determines after investigation that no probable cause exists to

credit the allegations of the unfair discriminatory practice, the commissioner shall, within ten days of the determination, serve upon the charging party and respondent written notice of the determination. Within ten days after receipt of notice, the charging party may request in writing on forms prepared by the department that the commissioner reconsider his determination. The request shall contain a brief statement of the reasons for and new evidence in support of the request for reconsideration. At the time of submission of the request to the commissioner, the charging party shall deliver or mail to the respondent a copy of the request for reconsideration. The commissioner shall either reaffirm or reverse his determination of no probable cause within 20 days after receipt of the request for reconsideration, and he shall within ten days notify in writing the charging party and respondent of his decision to reaffirm or reverse.

A decision by the commissioner that no probable cause exists to credit the allegations of an unfair discriminatory practice shall not be appealed to district court pursuant to section 363.072 or section 15.0424.

**((2)) (3)** If the commissioner (**SHALL DETERMINE**) *determines* after investigation that probable cause exists to credit the allegations of unfair discriminatory practices, the commissioner shall serve on the respondent and his attorney if he is represented by counsel, by first class mail, a notice setting forth a short plain written statement of the alleged facts which support the finding of probable cause and an enumeration of the provisions of law allegedly violated. If the commissioner determines that attempts to eliminate the alleged unfair practices through conciliation pursuant to subdivision 5 have been or would be unsuccessful or unproductive, the commissioner shall issue a complaint and serve on the respondent, by registered or certified mail, a written notice of hearing together with a copy of the complaint, requiring the respondent to answer the allegations of the complaint at a hearing before a hearing examiner at a time and place specified in the notice, not less than ten days after service of said complaint. A copy of the notice shall be furnished to the charging party and the attorney general.

**((3) AFTER) (4)** *If, at any time after the filing of a charge,* the commissioner has (**DETERMINED THAT THERE IS PROBABLE CAUSE**) *reason* to believe that a respondent has engaged in (**AN**) *any* unfair discriminatory practice, the commissioner may file a petition in the district court in a county in which the subject of the complaint occurs, or in a county in which a respondent resides or transacts business, seeking appropriate temporary relief against the respondent, pending final determination of proceedings under this chapter, including an order or decree restraining him from doing or procuring an act tending to render ineffectual an order the commissioner may enter with respect to the complaint. The court shall have power to grant temporary relief or a restraining order as it deems just

and proper, but no relief or order extending beyond ten days shall be granted except by consent of the respondent or after hearing upon notice to the respondent and a finding by the court that there is reasonable cause to believe that the respondent has engaged in a discriminatory practice. *Except as modified by this section*, the Minnesota rules of civil procedure shall apply to an application, and the district court shall have authority to grant or deny such relief sought on conditions as it deems just and equitable. All hearings under this section shall be given precedence as nearly as practicable over all other pending civil actions.

((4)) (5) If a lessor, after he has engaged in a discriminatory practice defined in section 363.03, subdivision 2, clause (1), (a), shall lease or rent a dwelling unit to a person who has no knowledge of the practice or of the existence of a charge with respect to the practice, the lessor shall be liable for actual damages sustained by a person by reason of a final order as provided in this section requiring the person to be evicted from the dwelling unit.

((5)) (6) In any complaint issued under this section, the commissioner may seek relief for a class of individuals affected by an unfair discriminatory practice occurring on or after a date six months prior to the filing of the charge from which the complaint originates.

(7) *The commissioner may adopt policies to determine the order in which charges are processed based on their particular social or legal significance, administrative convenience, difficulty of resolution, or other standard consistent with the provisions of this chapter.*

Sec. 5. Minnesota Statutes 1980, Section 363.06, is amended by adding a subdivision to read:

*Subd. 8. [ACCESS TO DOCUMENTS.] The charging party or his representative may review the answer of the respondent to the charge submitted pursuant to subdivision 1. The department shall make these documents available to the charging party in a reasonable manner and consistent with any law requiring a state agency to make the answer available to the public.*

Sec. 6. Minnesota Statutes 1980, Section 363.14, Subdivision 1, is amended to read:

Subdivision 1. [COURT ACTIONS, SUITS BY PRIVATE PARTIES, INTERVENTION.] A person may bring a civil action seeking redress for an unfair discriminatory practice (, UPON WITHDRAWAL OF THE COMPLAINT FROM THE DEPARTMENT OF HUMAN RIGHTS, AT THE FOLLOWING TIMES):

(a) *Directly to district court; or*

(b) *Notwithstanding the provisions of any law to the contrary, (1) within 45 days after the commissioner has dismissed a charge because it is frivolous or without merit or has determined that there is no probable cause to credit the allegations contained in a charge filed with the commissioner (, OR, IF THE CHARGING PARTY REQUESTED A RECONSIDERATION, WITHIN 45 DAYS AFTER THE COMMISSIONER HAS REAFFIRMED HIS DETERMINATION OF NO PROBABLE CAUSE); or ((b)) (2) after 45 days from the filing of a charge pursuant to section 363.06, subdivision 1 if a hearing has not been held pursuant to section 363.071 or if the commissioner has not entered into a conciliation agreement to which the charging party is a signator. The charging party shall notify the commissioner of his intention to bring a civil action, which shall be commenced within 90 days of giving the notice;*

(c) *The commissioner may discharge, without prejudice to the charging party, any case filed with the department on or before June 30, 1978. The commissioner shall notify a charging party by regular mail sent before August 1, 1981, that he has a right to bring a civil action pursuant to this section. Within ten days after receipt of the notice, the charging party may request in writing that the commissioner reinstate his complaint. The request shall contain a brief statement of the reasons for and new evidence in support of the request for reinstatement. At the time the charging party submits this request to the commissioner, he shall deliver or mail a copy of it to the respondent. The commissioner shall either reaffirm dismissal of the charge or reinstate the charge within 60 days after receipt of the request for reinstatement, and shall immediately notify the charging party and respondent of the decision. Upon giving notice of a decision to reaffirm dismissal, the commissioner shall end all proceedings relating to the charge. Notwithstanding any statutory period of limitation to the contrary, an individual notified pursuant to this clause may bring a civil action relating to his charge; provided that the action is filed on or before February 1, 1982.*

A charging party bringing a civil action shall mail by registered or certified mail a copy of the summons and complaint to the commissioner, and upon his receipt thereof the commissioner shall cause all proceedings in the department relating to the charge to terminate. No charge shall be filed or reinstituted with the commissioner after a civil action relating to the same unfair discriminatory practice has been brought unless the civil action has been dismissed without prejudice.

Upon application by the complaining party to the district court at a special term thereof and in such circumstances as the court may deem just, the court may appoint an attorney for such per-

son and may authorize the commencement of the action without payment of fees, costs, or security.

Upon timely application, the court may, in its discretion, permit the department to intervene in a civil action brought pursuant to this section upon certification that the case is of general public importance.

(UPON REQUEST, THE COURT MAY, IN ITS DISCRETION, STAY FURTHER PROCEEDINGS FOR NOT MORE THAN 60 DAYS PENDING FURTHER EFFORTS OF THE DEPARTMENT TO OBTAIN VOLUNTARY COMPLIANCE.)

Sec. 7. [REPEALER.]

*Minnesota Statutes 1980, Section 363.04, Subdivision 3, is repealed.*

Sec. 8. [EFFECTIVE DATE.]

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

Further, delete the title and insert:

"A bill for an act relating to human rights; clarifying the meaning of reprisal; defining certain terms; permitting the filing of a charge of unfair discriminatory practice directly in district court; permitting access to certain documents; granting certain powers to the commissioner of human rights and eliminating the requirement that the commissioner provide a bond; amending Minnesota Statutes 1980, Sections 363.03, Subdivision 7; 363.06, Subdivisions 1, 3, and 4, and by adding a subdivision; 363.14, Subdivision 1; repealing Minnesota Statutes 1980, Section 363.-04, Subdivision 3."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1322, A bill for an act relating to insurance; providing for continued health and accident coverage for former spouses after dissolution of the marriage in certain circumstances; amending Minnesota Statutes 1980, Section 62A.21.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 62A.21, is amended by adding a subdivision to read:

*Subd. 2a. Every group policy described in subdivision 1 shall contain a provision which permits continuation of coverage under the policy for the insured's former spouse and children upon entry of a valid decree of dissolution of marriage, if the decree requires the insured to provide continued coverage for those persons. The coverage may be continued until the earlier of the following dates:*

*(a) The date of remarriage of either the insured or the insured's former spouse; or*

*(b) The date coverage would otherwise terminate under the group policy.*

*Any required premium contributions for the coverage shall be paid by the insured to the group policyholder for remittance to the insurer.*

Sec. 2. Minnesota Statutes 1980, Section 62A.21, is amended by adding a subdivision to read:

*Subd. 2b. Every group policy described in subdivision 1 shall contain a provision allowing a former spouse of an insured, without providing evidence of insurability, to obtain from the insurer at the expiration of any continuation of coverage required under subdivision 2a, or upon termination of coverage by reason of an entry of a valid decree of dissolution which does not require the insured to provide continued coverage for the former spouse, conversion coverage providing at least the minimum benefits required under section 62E.06, provided application is made to the insurer within 30 days following the expiration of the continued coverage and upon payment of the appropriate premium.*

Sec. 3. Minnesota Statutes 1980, Section 62A.21, Subdivision 3, is amended to read:

**Subd. 3. (THIS SECTION) Subdivision 1 applies to every policy of accident and health insurance which is delivered, issued for delivery, renewed or amended on or after (THE EFFECTIVE DATE OF THIS SECTION) July 19, 1977.**

*Subdivisions 2a and 2b apply to every policy of accident and health insurance which is delivered, issued for delivery, renewed, or amended on or after August 1, 1981.*

Sec. 4. [REPEALER.]

*Minnesota Statutes 1980, Section 62A.21, Subdivision 2, is repealed.*

## Sec. 5. [EFFECTIVE DATE.]

*Sections 1 to 4 are effective August 1, 1981."*

Amend the title as follows:

Page 1, line 5, after "62A.21" insert ", Subdivision 3, and by adding subdivisions; repealing Minnesota Statutes 1980, Section 62A.21, Subdivision 2"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 1367, A bill for an act relating to the attorney general; providing that the attorney general shall render bond counsel services to state agencies and political subdivisions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [8.15] [STATE BOND COUNSEL.]

*Subdivision 1. [ESTABLISHMENT.] The attorney general may make his services available as bond counsel for all state agencies and political subdivisions. Upon request, the attorney general may review the issuance, sale, and registration or refunding of all obligations of public indebtedness issued within the state with regard to the statute, charter or other authority pursuant to which the obligations were authorized, and issue official bond opinions and statements regarding the compliance of the obligations with law, including the tax exempt status of the obligations under the Internal Revenue Code of the United States.*

*Subd. 2. [LIABILITY.] The state shall be a self insurer as to errors by the attorney general or any other official of the state or its political subdivisions affecting the validity or tax exempt status of obligations after an official bond opinion by the attorney general. The state shall hold harmless any person suffering loss due to error as described in this subdivision. The sums necessary to carry out the provisions of this subdivision at any time are annually appropriated from the general fund, as an open appropriation.*

*Subd. 3. [DRAFTING LEGISLATION.] Upon request from the revisor of statutes, the attorney general shall assist in*

*drafting legislation relating to public indebtedness or obligations of state agencies or political subdivisions.*

Sec. 2. [FEES.]

*State agencies and political subdivisions for which bond counsel service is rendered shall pay a fee determined by the attorney general to be an amount adequate to cover all reasonable costs of rendering bond counsel services.*

Sec. 3. [EFFECTIVE DATE.]

*This act is effective July 1, 1981."*

Delete the title and insert:

*"A bill for an act relating to the attorney general; providing that the attorney general may render bond counsel services to state agencies and political subdivisions upon request; proposing new law coded in Minnesota Statutes, Chapter 8."*

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

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

H. F. No. 1392, A bill for an act relating to creditor's remedies; providing for an increase in the amount of household goods exemption; amending Minnesota Statutes 1980, Section 550.37, Subdivision 4.

Reported the same back with the following amendments:

Page 1, line 10, before "All" insert "(a)" and strike "household"

Page 1, line 11, strike "furniture," and after "utensils," strike the balance of the line

Page 1, line 12, strike everything before "and foodstuffs"

Page 1, line 13, after "family" strike the comma and insert "; and (b) household furniture, household appliances, phonographs, radio and television receivers of the debtor and his family,"

Page 1, line 19, after "under" insert "clause (b) of"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

S. F. No. 18, A bill for an act relating to probate; eliminating requirement of notice to representatives of foreign countries in certain formal testacy proceedings; amending Minnesota Statutes 1980, Section 524.3-403.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 524.3-403, is amended to read:

**524.3-403 [FORMAL TESTACY PROCEEDINGS; NOTICE OF HEARING ON PETITION.]**

(a) Upon commencement of a formal testacy proceeding, the court shall fix a time and place of hearing. Notice, in the form prescribed by court rule, shall be given in the manner prescribed by section 524.1-401 by the petitioner to the persons herein enumerated and to any additional person who has filed a demand for notice under section 524.3-204 of this chapter. If the petitioner has reason to believe that the will has been lost or destroyed, he shall include a statement to that effect in the notice.

Notice shall be given to the following persons: the surviving spouse, children, and other heirs of the decedent, the devisees and executors named in any will that is being, or has been, probated, or offered for informal or formal probate in the county, or that is known by the petitioner to have been probated, or offered for informal or formal probate elsewhere, and any personal representative of the decedent whose appointment has not been terminated. Notice of the hearing, in the form prescribed by court rule, shall also be given under the direction of the clerk of court by publication once a week for two consecutive weeks in a legal newspaper in the county where the hearing is to be held, the last publication of which is to be at least ten days before the time set for hearing.

If the decedent was born in a foreign country or left heirs or devisees in any foreign country, notice of a formal testacy proceeding shall be given to the consul (OR OTHER REPRESENTATIVE) of (SUCH) that country, if he resides in this state and has filed a copy of his appointment with the secretary of state (, OR TO THE NOMINEE OR NOMINEES OF SUCH CONSUL OR REPRESENTATIVE. IF NO SUCH CONSUL

OR REPRESENTATIVE EXISTS, THEN NOTICE SHALL BE GIVEN TO THE CHIEF DIPLOMATIC REPRESENTATIVE OF SUCH COUNTRY AT WASHINGTON, D.C. OR TO THE SECRETARY OF STATE AT ST. PAUL, MINNESOTA, WHO SHALL FORWARD THE SAME TO SUCH REPRESENTATIVE).

(b) If it appears by the petition or otherwise that the fact of the death of the alleged decedent may be in doubt, the court shall direct the petitioner to proceed in the manner provided in chapter 576."

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:

S. F. No. 74, A bill for an act relating to trade regulations; prescribing a penalty for the sale of imitation Indian-made goods without a brand; amending Minnesota Statutes 1980, Section 325F.46.

Reported the same back with the following amendments:

Page 1, line 16, after "*who*" insert "*knowingly*"

Page 1, line 19, after "PROVISIONS" delete "ARE CUMULATIVE"

Page 1, line 20, delete "*are cumulative and*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jude from the Committee on Judiciary to which was referred:

S. F. No 77, A bill for an act relating to foreign corporations; removing certain deficiencies and ambiguities; defining certain activities that do not constitute transacting business in the state; and removing limitations on engaging in the business of making real estate loans; amending Minnesota Statutes 1980, Sections 303.02, Subdivision 3; 303.03; 303.04; and 303.25.

Reported the same back with the following amendments:

Page 2, line 10, delete "*section*" and insert "*sections*" and after "303.13" insert "*and 543.19*"

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

The report was adopted.

Mann from the Committee on Transportation to which was referred:

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

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

The report was adopted.

Mann from the Committee on Transportation to which was referred:

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

Reported the same back with the following amendments:

Page 3, line 24, delete "one month" and insert "two months" and after the period insert "'Like loads' means loads of the same product, weight and dimension."

(c) \$24 for each quarterly permit. A quarterly permit may be issued for loads which meet the specific size and weight dimensions as approved by the commissioner."

Renumber the remaining clause

Page 3, line 28, after the period, insert "The requirement of renewal after 40 authorizations does not apply to permits issued for refuse compactor vehicles, vehicles used to alleviate a temporary crisis, motor vehicles traveling on interstate highways and carrying loads authorized under subdivision 1a, and truck cranes that carry a weight of not over 18,000 pounds on a single axle, 36,000 pounds on a tandem axle, or 48,000 pounds on a tridem axle and which are otherwise legal length, weight, and height."

Page 3, line 29, delete "shall" and insert "may"

Page 3, delete lines 31 and 32 and insert:

*"(2) construction equipment, machinery, and supplies;*

*(3) mobile homes;*

*(4) farm equipment when the movement is not made according to the provisions of section 169.30, subdivision 1, clauses (a) to (f)."*

Renumber remaining clauses

Page 4, line 10, after *"highways,"* insert *"including the construction and maintenance costs caused by various weight classifications of trucks,"*

Page 4, line 10, after *"safety,"* insert *"including the kind and severity of injuries, casualties and damages related to the size and weight of trucks involved in accidents,"*

Page 4, line 11, delete *"and"*

Page 4, line 12, delete the period and insert *"and the savings in highway construction and maintenance costs to highway users and other taxpayers from reasonable restrictions on size and weight and the effects of existing or increased size and weights of loads on competing forms of transportation specifically including rail rates, service and maintenance of rail branch lines; and*

*(c) the amount of damage done to urban streets by existing types of refuse compactor vehicles."*

Page 4, line 13, after *"study"* insert *", including recommendations for improved methods of refuse collection,"*

Page 4, line 15, delete *"1982"* and insert *"1983"*

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. 885, A bill for an act relating to regional railroad authorities; providing that cities of the first class may join in the organization of a regional railroad authority in conjunction with one or more counties; amending Minnesota Statutes 1980, Sections 398A.02; 398A.03; 398A.04, Subdivisions 8 and 9; and 398A.06, Subdivision 1.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 499 and 790 were read for the second time.

Anderson, L., moved that H. F. No. 790 be re-referred to the Committee on Taxes. The motion prevailed.

## SECOND READING OF HOUSE BILLS, Continued

H. F. Nos. 977, 1081, 1277, 1322 and 1392 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 671, 1193, 18, 74, 77, 278, 537 and 885 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Jude and Ellingson introduced:

H. F. No. 1454, A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and errors of a noncontroversial nature; amending H. F. No. 332, Sections 11, Subdivision 4; and 15, Subdivision 1.

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

Voss introduced:

H. F. No. 1455, A bill for an act relating to real estate brokers and salespersons; providing for a transfer of license upon the termination or resignation of a salesperson; requiring the issuance of a temporary license under certain circumstances; amending Minnesota Statutes 1980, Section 82.20, Subdivision 9.

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

Ellingson; Sieben, H.; Dahlvang; Forsythe and Nysether introduced:

H. F. No. 1456, A bill for an act relating to probate; changing certain records-keeping requirements; amending Minnesota Statutes 1980, Section 525.03.

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

Johnson, D., and Gustafson introduced:

H. F. No. 1457, A bill for an act relating to civil actions; requiring jury fees to be refunded upon settlement prior to trial; proposing new law coded in Minnesota Statutes, Chapter 546.

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

McDonald and Rees introduced:

H. F. No. 1458, A bill for an act relating to metropolitan government; regulating the membership of the metropolitan council; requiring representation from each county in the metropolitan area; amending Minnesota Statutes 1980, Section 473.123, Subdivision 3.

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

Eken, Long and Mehrkens introduced:

H. F. No. 1459, A bill for an act relating to education; requiring schools to offer certain subjects; exempting nonpublic schools from the requirement of offering certain subjects; requiring classroom teachers in nonpublic schools to be licensed; excluding licensed nonpublic school teachers from certain duties and benefits; requiring nonpublic schools to report certain information to school district superintendents; providing additional remedies to enforce the compulsory attendance laws; prohibiting the state board of education from promulgating rules pursuant to this act; amending Minnesota Statutes 1980, Sections 120.10, Subdivision 2; 120.12, Subdivisions 2 and 3; 125.03, Subdivision 1, and by adding a subdivision; and 125.04; proposing new law coded in Minnesota Statutes, Chapter 120.

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

**MESSAGES FROM THE SENATE**

The following messages were received from the Senate:

**Mr. Speaker:**

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

H. F. No. 150, A bill for an act relating to parks; removing authority to lease certain lands within Tettegouche state park; repealing Laws 1979, Chapter 301, Section 10, Subdivision 7.

H. F. No. 574, A bill for an act relating to intoxicating liquor; authorizing the issuance of one off-sale license in the town of Tofte.

H. F. No. 972, A bill for an act relating to financial institutions; increasing the percentage of capital and surplus a bank or trust company may invest in the stock of certain banks or bank holding companies; amending Minnesota Statutes 1980, Section 48.61, Subdivision 3.

**PATRICK E. FLAHAVEN, Secretary of the Senate**

**Mr. Speaker:**

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

H. F. No. 13, A bill for an act relating to criminal procedure; providing officers of the United States customs service and the immigration and naturalization service with the arrest powers of peace officers; amending Minnesota Statutes 1980, Sections 629.30; and 629.34.

H. F. No. 90, A bill for an act relating to administrative rules; clarifying which rules have the force of law; amending Minnesota Statutes 1980, Section 15.0413, Subdivision 1, and by adding subdivisions.

H. F. No. 272, A bill for an act relating to administrative rules; clarifying certain powers and duties of the legislative commission to review administrative rules; amending Minnesota Statutes 1980, Section 3.965, Subdivision 3, and by adding a subdivision.

H. F. No. 480, A bill for an act relating to agriculture; changing the name of the joint legislative committee on agricultural land preservation; amending Laws 1979, Chapter 315, Sections 2 and 3.

H. F. No. 569, A bill for an act relating to housing; providing new standards and procedures for disclosing conflicts of interest for commissioners and employees of housing and redevelopment authorities; establishing penalties; proposing new law coded in Minnesota Statutes, Chapter 462; repealing Minnesota Statutes 1980, Section 462.431.

H. F. No. 876, A bill for an act relating to employment; authorizing the commissioner of economic security to make certain summer youth employment advances; amending Minnesota Statutes 1980, Section 268.34.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 171, A bill for an act relating to historic sites; changing the classification of the Kensington Runestone historic site; amending Minnesota Statutes 1980, Section 138.56, by adding a subdivision; repealing Minnesota Statutes 1980, Section 138.58, Subdivision 7.

H. F. No. 222, A bill for an act relating to families; designating an American family day; proposing new law coded in Minnesota Statutes, Chapter 517.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 937, A bill for an act relating to the city of Duluth; authorizing the city to continue to issue the number of liquor licenses it was authorized to issue in the year 1980.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 410, A bill for an act relating to public welfare; authorizing the commissioner of public welfare to designate the county of financial responsibility for patients transferred under the Interstate Compact on Mental Health who are not residents of Minnesota; amending Minnesota Statutes 1980, Section 245.52.

H. F. No. 1070, A bill for an act relating to health; exempting students in schools of dental assisting from the requirement of a dental license; amending Minnesota Statutes 1980, Section 150A.05, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 525, A bill for an act relating to agriculture; limiting the applicability and changing the size of county extension committees; amending Minnesota Statutes 1980, Section 38.36.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Murphy moved that the House concur in the Senate amendments to H. F. No. 525 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 525, A bill for an act relating to St. Louis County; authorizing an eleven member county extension committee.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 415, A bill for an act relating to financial institutions; authorizing federal funds transactions for credit unions; removing the limitation on insurance commission income and prohibiting participation of officials in such income; permitting the sale of real estate loans; amending Minnesota Statutes 1980, Section 52.04, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Simoneau moved that the House concur in the Senate amendments to H. F. No. 415 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 415, A bill for an act relating to financial institutions; authorizing federal funds transactions for credit unions; removing the limitation on insurance commission income and prohibiting participation of officials in such income; permitting

the sale of real estate loans; amending Minnesota Statutes 1980, Section 52.04, Subdivision 1.

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

The question was taken on the repassage of the bill and the roll was called. There were 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Osthoff

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

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

## CONCURRENCE AND REPASSAGE

Gruenes moved that the House concur in the Senate amendments to H. F. No. 731 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 29, A bill for an act relating to hospitals; requiring adoption of federal medicare standards for hospital licensing;

regulating hospital inspections; providing for licensing of hospitals accredited by the joint commission on hospital accreditation; amending Minnesota Statutes 1980, Sections 144.50, Subdivision 1; and 144.55.

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Berkelman moved that the House concur in the Senate amendments to H. F. No. 29 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 29, A bill for an act relating to hospitals; requiring adoption of federal medicare standards for hospital licensing; regulating hospital inspections; providing for licensing of hospitals accredited by the joint commission on hospital accreditation; amending Minnesota Statutes 1980, Sections 144.50, Subdivision 1; and 144.55.

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

The question was taken on the repassage of the bill and the roll was called. There were 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden     Welker

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

Mr. Speaker:

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

H. F. No. 347, A bill for an act relating to the cities of St. Paul and Minneapolis; exempting a certain joint housing bonding program from the provisions of Minnesota Statutes, Section 462C.07, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

O'Connor moved that the House concur in the Senate amendments to H. F. No. 347 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 347, A bill for an act relating to the cities of St. Paul and Minneapolis; exempting a certain joint housing bonding program from the provisions of Minnesota Statutes, Section 462C.07, Subdivision 2; clarifying the application of Minnesota Statutes 1980, Section 462A.18, Subdivision 2.

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

The question was taken on the repassage of the bill and the roll was called. There were 107 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dempsey	Hokanson	Mann	Peterson, B.
Anderson, G.	Eken	Hokr	Marsh	Peterson, D.
Anderson, I.	Elioff	Jacobs	McCarron	Piepho
Anderson, R.	Ellingson	Johnson, C.	McEachern	Pogemiller
Battaglia	Evans	Johnson, D.	Mehrkens	Redalen
Begich	Ewald	Jude	Metzen	Reding
Berkelman	Forsythe	Kahn	Minne	Reif
Blatz	Friedrich	Kaley	Munger	Rice
Brandl	Greenfield	Kalis	Murphy	Rodriguez, C.
Brinkman	Gustafson	Kelly	Nelson, B.	Rodriguez, F.
Byrne	Halberg	Knickerbocker	Nelson, K.	Rose
Carlson, D.	Hanson	Kostohryz	Norton	Samuelson
Carlson, L.	Harens	Kvam	Novak	Sarna
Clark, J.	Hauge	Lehto	O'Connor	Schoenfeld
Clark, K.	Heap	Lemen	Ogren	Searles
Clawson	Heinitz	Levi	Olsen	Sherman
Dahlvang	Himle	Long	Osthoff	Sieben, M.
Dean	Hoberg	Luknic	Otis	Simoneau

Skoglund	Swanson	Vellenga	Wenzel	Spkr. Sieben, H.
Staten	Tomlinson	Voss	Wigley	
Stowell	Valan	Weaver	Wynia	
Stumpf	Vanasek	Welch	Zubay	

Those who voted in the negative were:

Aasness	Esau	Ludeman	Rees	Welker
Ainley	Fjoslien	McDonald	Rothenberg	Wieser
Den Ouden	Gruenes	Niehaus	Schafer	
Drew	Haukoos	Nysether	Sherwood	
Erickson	Jennings	Onnen	Sviggum	

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

Mr. Speaker:

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

H. F. No. 969, A bill for an act relating to metropolitan government; authorizing the metropolitan council to prepare guidelines relating to the amendment of comprehensive plans; amending Minnesota Statutes 1980, Section 473.864, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Voss moved that the House refuse to concur in the Senate amendments to H. F. No. 969, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 157, A bill for an act relating to public welfare; providing that every birth to a minor shall be reported within three working days to the commissioner of public welfare; amending Minnesota Statutes 1980, Section 257.33.

PATRICK E. FLAHAVEN, Secretary of the Senate

Hokanson moved that the House refuse to concur in the Senate amendments to H. F. No. 157, that the Speaker appoint a Con-

ference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Sieben, M., moved that the House refuse to concur in the Senate amendments to H. F. No. 1421, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 460, 536, 657 and 937.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1125 and 1265.

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. 1104.

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. 830.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 460, A bill for an act relating to intoxicating liquor; authorizing the use of wine catalogs by off-sale dealers; amending Minnesota Statutes 1980, Section 340.15, Subdivision 1.

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

S. F. No. 536, A bill for an act relating to local government; providing for the board membership and powers of the Moose Lake and Windemere area sanitary sewer district; amending Laws 1974, Chapter 400, Section 3, Subdivision 12, as amended; and Section 4, Subdivision 2, as amended; repealing Laws 1974, Chapter 400, Section 8, Subdivision 5, as amended.

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

S. F. No. 657, A bill for an act relating to courts; providing for additional clerk and administrator duties in conciliation court; changing the jurisdiction of conciliation courts; providing for a procedure to assist in collection of conciliation court judgments; changing certain deadlines; providing penalties; amending Minnesota Statutes 1980, Sections 487.30, Subdivision 1, and by adding a subdivision; 488A.12, Subdivision 3; 488A.13, Subdivision 2; 488A.14, Subdivisions 4 and 5; 488A.16, Subdivisions 2, 5, 6 and 8; 488A.17, Subdivisions 2 and 3; 488A.29, Subdivision 3; 488A.30, Subdivision 2; 488A.31,

Subdivisions 4 and 5; 488A.33, Subdivisions 2, 5, 7 and 8; 488A.-34, Subdivisions 2 and 12.

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

S. F. No. 937, A bill for an act relating to insurance; prohibiting the issuance or renewal of certain health policies or plans which exclude or limit coverage on DES related conditions; proposing new law coded in Minnesota Statutes, Chapter 62A.

The bill was read for the first time.

Wynia moved that S. F. No. 937 and H. F. No. 726, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1125, A bill for an act relating to the cities of Bloomington and St. Louis Park; authorizing use of electronic voting systems for absentee voting; imposing rule-making duties on the secretary of state.

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

S. F. No. 1265, A bill for an act relating to the Ramsey-Washington Metro watershed district; permitting deferral of special assessments in certain cases of hardship.

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

S. F. No. 1104, A bill for an act relating to the public defender; establishing the board of public defense; transferring public defender responsibilities from the judicial council to the board of public defense; abolishing the judicial council; amending Minnesota Statutes 1980, Sections 611.23; 611.24; 611.26, Subdivisions 1, 2, 3, 4, and 5; proposing new law coded in Minnesota Statutes, Chapter 611; repealing Minnesota Statutes 1980, Sections 480.053; 483.01; and 483.02.

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

S. F. No. 830, A bill for an act relating to creditor's remedies; providing for an increase in the amount of household goods exemption; amending Minnesota Statutes 1980, Section 550.37, Subdivision 4.

The bill was read for the first time.

Ellingson moved that S. F. No. 830 and H. F. No. 1392, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

#### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 969:

Voss, Schreiber and McCarron.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 157:

Hokanson; Clark, J., and Zubay.

#### CONSENT CALENDAR

S. F. No. 1057, A bill for an act relating to the state fire marshal; deleting references to a dedicated fund and to archaic misdemeanor fines; prescribing procedures for the investigation of fires; repealing obsolete statutory requirements pertaining to flammable liquids, fire extinguishers, doors of buildings, and theaters; correcting an erroneous designation of responsibility concerning fire insurance premium returns; setting a penalty; amending Minnesota Statutes 1980, Sections 299F.011, Subdivision 1; 299F.08; 299F.09; 299F.19; 299F.20; 299F.21; 299F.22; 299F.23; 299F.24; 299F.26, Subdivision 1; 299F.29; 299F.31; 299F.36, Subdivision 2; 299F.391, Subdivision 1; and 299F.46, Subdivision 1; repealing Minnesota Statutes 1980, Sections 299F.011, Subdivision 2; 299F.27; 299G.10; 299H.01; 299H.02; and 299H.28, 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 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

McEachern

The bill was passed and its title agreed to.

S. F. No. 525 was reported to the House.

Kahn and Dahlvang moved to amend S. F. No. 525, as follows:

Page 3, delete lines 4 to 17

Re-number the remaining section

Amend the title as follows:

Page 1, line 3, delete "providing"

Page 1, line 4, delete "for maintenance of areas;"

Page 1, line 5, delete everything after "173.17" and insert a period

Page 1, delete line 6

The motion prevailed and the amendment was adopted.

Shea moved to amend S. F. No. 525, as amended by the Kahn and Dahlvang amendment, as follows:

Page 3, reinstate lines 4 to 17

Page 3, line 5, of the reinstated language, strike "shall" insert "may"

Upon objection of ten members S. F. No. 525, as amended, was stricken from the Consent Calendar and returned to General Orders.

H. F. No. 515, A bill for an act relating to coroners; eliminating the requirement of filing a certificate of no inquest; amending Minnesota Statutes 1980, Section 390.17.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 149, A bill for an act relating to delivery or filing of documents; providing for timely delivery or filing of certain documents with respect to weekends and holidays; amending Minnesota Statutes 1980, Section 645.15; proposing new law coded in Minnesota Statutes, Chapter 645.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

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

The bill was read for the 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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Welker  
WenzelWieser  
Wigley

Wynia

Zubay

Spkr. Sieben, H.

The bill was passed and its title agreed to.

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

S. F. No. 218, A bill for an act relating to landlords and tenants; changing the time limit for landlords to furnish tenants with certain information; amending Minnesota Statutes 1980, Section 290A.19.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

The bill was read for the 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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. 1446.

H. F. No. 1446 was reported to the House.

Sviggum moved to amend H. F. No. 1446, as follows:

Page 8, delete lines 54 to 62 and insert: "Funds appropriated for the Minnesota Economic Opportunity Grant Program shall be allocated to community action agencies so that each agency's share of the appropriation is proportionate to the size of the poverty level population served by the agency when compared to the size of the poverty level population in the state."

Page 9, delete line 1

A roll call was requested and properly seconded.

Byrne moved to amend the Sviggum amendment to H. F. No. 1446 as follows:

Delete the new language on lines 4 to 8 and insert:

"Notwithstanding any other law to the contrary, the state funds appropriated for community action agencies for the biennium ending June 30, 1983, shall be distributed as follows:

(1) Fifty percent of the total amount shall be allocated to community action agencies so that each agency's share of that sum is proportionate to the size of the poverty level population served by the agency when compared to the size of the poverty level population in the state. "Poverty level population" means the number of people whose household income is below the poverty line established by the federal bureau of labor and statistics;

(2) The remaining 50 percent shall be allocated to each community action agency so that each agency receives a proportion of those funds equal to the proportion of state funds which it received for the previous biennium."

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 47 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Battaglia	Ellingson	Kostohryz	Osthoff	Simoneau
Begich	Greenfield	Lehto	Otis	Skoglund
Berkelman	Gustafson	Long	Pogemiller	Tomlinson
Brandl	Hanson	McCarron	Rees	Vanasek
Byrne	Harens	Munger	Reif	Voss
Clark, J.	Hauge	Nelson, K.	Rodriguez, C.	Welch
Clark, K.	Hokanson	Norton	Rodriguez, F.	Wynia
Clawson	Jacobs	Novak	Rose	
Drew	Kahn	O'Connor	Samuelson	
Elioff	Kelly	Ogren	Sieben, M.	

Those who voted in the negative were:

Aasness	Evans	Kaley	Nelsen, B.	Sherwood
Ainley	Ewald	Kalis	Niehaus	Stadum
Anderson, B.	Fjoslien	Knickerbocker	Nysether	Staten
Anderson, G.	Friedrich	Kvam	Olsen	Stowell
Anderson, R.	Gruenes	Lemen	Onnen	Stumpf
Blatz	Halberg	Levi	Peterson, B.	Sviggum
Brinkman	Haukoos	Ludeman	Peterson, D.	Swanson
Carlson, D.	Heap	Luknic	Piepho	Valan
Carlson, L.	Heinitz	Mann	Redalen	Weaver
Dahlvang	Himle	Marsh	Rothenberg	Welker
Dean	Hoberg	McDonald	Sarna	Wenzel
Dempsey	Hokr	McEachern	Schafer	Wieser
Den Ouden	Jennings	Mehrrens	Schoenfeld	Wigley
Eken	Johnson, C.	Metzen	Searles	Zubay
Erickson	Johnson, D.	Minne	Shea	
Esau	Jude	Murphy	Sherman	

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

The question recurred on the Sviggum amendment and the roll was called. There were 89 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Jacobs	Murphy	Shea
Ainley	Elioff	Jennings	Nelsen, B.	Sherman
Anderson, B.	Erickson	Johnson, D.	Niehaus	Sherwood
Anderson, G.	Esau	Jude	Nysether	Stadum
Anderson, I.	Evans	Kaley	Ogren	Staten
Anderson, R.	Ewald	Kalis	Olsen	Stowell
Battaglia	Fjoslien	Knickerbocker	Onnen	Stumpf
Begich	Friedrich	Kvam	Peterson, B.	Sviggum
Blatz	Greenfield	Lemen	Peterson, D.	Swanson
Brinkman	Gruenes	Long	Piepho	Valan
Carlson, D.	Halberg	Ludeman	Redalen	Vanasek
Carlson, L.	Hauge	Luknic	Rees	Weaver
Clark, J.	Haukoos	Mann	Rodriguez, C.	Welker
Clawson	Heap	Marsh	Rothenberg	Wenzel
Dahlvang	Heinitz	McDonald	Sarna	Wieser
Dean	Himle	McEachern	Schafer	Wigley
Dempsey	Hoberg	Mehrkins	Schoenfeld	Zubay
Den Ouden	Hokr	Minne	Searles	

Those who voted in the negative were:

Berkelman	Hanson	McCarron	Osthoff	Simoneau
Brandl	Harens	Metzen	Pogemiller	Skoglund
Byrne	Hokanson	Munger	Reif	Tomlinson
Clark, K.	Kahn	Nelson, K.	Rodriguez, F.	Vellenga
Drew	Kelly	Norton	Rose	Voss
Ellingson	Kostohryz	Novak	Samuelson	Welch
Gustafson	Lehto	O'Connor	Sieben, M.	Wynia

The motion prevailed and the amendment was adopted.

H. F. No. 1446 was read for the third time, as amended.

Carlson, D., moved that H. F. No. 1446, as amended, be referred to the Committee on Appropriations.

A roll call was requested and properly seconded.

The question was taken on the motion to re-refer and the roll was called. There were 49 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Aasness	Gruenes	Levi	Onnen	Stadum
Ainley	Halberg	Ludeman	Peterson, B.	Stowell
Blatz	Haukoos	Luknic	Piepho	Sviggum
Carlson, D.	Heap	Marsh	Redalen	Valan
Dempsey	Heinitz	McDonald	Rees	Valento
Drew	Hokr	Mehrkins	Rothenberg	Welker
Esau	Jennings	Nelsen, B.	Schafer	Wieser
Ewald	Knickerbocker	Niehaus	Searles	Wigley
Fjoslien	Kvam	Nysether	Sherman	Zubay
Friedrich	Lemen	Olsen	Sherwood	

Those who voted in the negative were:

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

The motion did not prevail.

H. F. No. 1446, A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes with certain conditions; providing appropriations for the departments of public welfare, economic security, corrections, health, sentencing guidelines, corrections ombudsman, and health related boards; amending Minnesota Statutes 1980, Sections 241.021, by adding subdivisions; 241.13; 241.69, Subdivision 4; 245.0313; 245.765, Subdivision 1; 246.151; 254A.03, by adding a subdivision; 256.-73, Subdivision 2; 256.76, Subdivision 1; 256B.02, Subdivision 8; 256B.06, Subdivision 1; 256B.091, by adding a subdivision; 256B.15; 256B.17; 256D.01, Subdivision 1; 256D.02, Subdivisions 4 and 13; 256D.05, Subdivision 3, and by adding a subdivision; 256D.06, Subdivision 1, and by adding a subdivision; 256D.-08, Subdivision 2; 256D.09, Subdivision 1; 256D.11, Subdivisions 1, 8 and 9, and by adding a subdivision; 260.311, Subdivision 5; 393.07, Subdivision 10; 401.4; and 401.12; proposing new law coded in Minnesota Statutes, Chapters 144; 245; 256D and 257; repealing Minnesota Statutes, Sections 256D.06, Subdivisions 1a and 2; 256D.09, Subdivision 2; and 256D.11, Subdivisions 1a, 2a, and 3a.

The bill was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 83 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Blatz	Clawson	Evans	Himle
Anderson, G.	Brandl	Dahlvang	Forsythe	Hoberg
Anderson, I.	Brinkman	Den Ouden	Greenfield	Hokanson
Anderson, R.	Byrne	Drew	Gustafson	Hokr
Battaglia	Carlson, L.	Eken	Hanson	Jacobs
Begich	Clark, J.	Elioff	Harens	Johnson, C.
Berkelman	Clark, K.	Ellingson	Hauge	Johnson, D.

Jude	McCarron	O'Connor	Samuelson	Swanson
Kahn	McEachern	Ogren	Sarna	Tomlinson
Kaley	Mehrkens	Otis	Schoenfeld	Vanasek
Kalis	Metzen	Peterson, D.	Shea	Vellenga
Kelly	Minne	Pogemiller	Sieben, M.	Weaver
Kostohryz	Munger	Reding	Simoneau	Wenzel
Lehto	Murphy	Reif	Skoglund	Wynia
Long	Nelson, K.	Rice	Staten	Spkr. Sieben, H.
Luknic	Norton	Rodriguez, C.	Stumpf	
Mann	Novak	Rodriguez, F.	Sviggum	

Those who voted in the negative were:

Aasness	Gruenes	Ludeman	Piepho	Valan
Ainley	Halberg	Marsh	Redalen	Valento
Carlson, D.	Haukoos	McDonald	Rees	Voss
Dean	Heap	Nelsen, B.	Rose	Welch
Dempsey	Heinitz	Niehaus	Rothenberg	Welker
Erickson	Jennings	Nysether	Schafer	Wieser
Esau	Knickerbocker	Olsen	Searles	Wigley
Ewald	Kvam	Onnen	Sherwood	Zubay
Fjoslien	Lemen	Osthoff	Stadum	
Friedrich	Levi	Peterson, B.	Stowell	

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

## CALENDAR

H. F. No. 217, A bill for an act relating to state trails; authorizing the sale or conveyance of certain lands acquired for the Luce Line Trail and certain other lands acquired for trail purposes; reducing the selling price on the sale of certain state owned trail land in Fillmore County.

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 71 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Aasness	Evans	Kvam	Ogren	Sviggum
Ainley	Fjoslien	Lemen	Onnen	Valan
Anderson, G.	Friedrich	Levi	Osthoff	Valento
Anderson, I.	Gruenes	Long	Piepho	Weaver
Anderson, R.	Gustafson	Ludeman	Redalen	Welch
Battaglia	Hauge	Luknic	Reding	Welker
Begich	Haukoos	Mann	Rees	Wenzel
Berkelman	Himle	Marsh	Samuelson	Wieser
Brinkman	Hoberg	McCarron	Schafer	Wigley
Carlson, D.	Hokr	McDonald	Schoenfeld	Zubay
Dempsey	Jennings	Mehrkens	Sherman	Spkr. Sieben, H.
Den Ouden	Johnson, C.	Minne	Sherwood	
Elioff	Johnson, D.	Nelsen, B.	Stadum	
Erickson	Kaley	Niehaus	Stowell	
Esau	Kalis	Nysether	Stumpf	

Those who voted in the negative were:

Brandl	Greenfield	Knickerbocker	Otis	Staten
Byrne	Halberg	Kostohryz	Peterson, B.	Swanson
Carlson, L.	Hanson	Lehto	Peterson, D.	Tomlinson
Clark, J.	Harens	McEachern	Pogemiller	Vanasek
Clawson	Heap	Metzen	Reif	Vellenga
Dahlvang	Heinitz	Munger	Rodriguez, C.	Voss
Dean	Hokanson	Murphy	Rose	Wynia
Drew	Jacobs	Norton	Rothenberg	
Ellingson	Jude	Novak	Sarna	
Ewald	Kahn	O'Connor	Shea	
Forsythe	Kelly	Olsen	Skoglund	

The bill was passed and its title agreed to.

H. F. No. 308 was reported to the House and given its third reading.

Blatz moved that H. F. No. 308 be continued on the Calendar for one day. The motion prevailed.

H. F. No. 668, A resolution memorializing the President and Congress to design the 1981 farm bill so as to protect the family farm system.

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

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden	Kahn	Ludeman	Munger	Welker
Drew	Levi	Metzen	Piepho	

The bill was passed and its title agreed to.

H. F. No. 691 was reported to the House and given its third reading.

O'Connor moved that the action whereby H. F. No. 691 was given its third reading be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the motion to reconsider and the roll was called. There were 66 yeas and 63 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Fjoslien	Johnson, D.	Nysether	Stowell
Anderson, G.	Forsythe	Kaley	Olsen	Svigum
Blatz	Friedrich	Knickerbocker	Onnen	Swanson
Carlson, D.	Gruenes	Kvam	Peterson, B.	Valan
Clawson	Halberg	Lemen	Redalen	Valento
Dean	Hanson	Levi	Rees	Voss
Dempsey	Haukoos	Ludeman	Reif	Weaver
Den Ouden	Heap	Luknic	Rose	Welker
Drew	Heinitz	Marsh	Rothenberg	Wieser
Erickson	Himle	McDonald	Schafer	Wigley
Esau	Hoberg	Murphy	Searles	Zubay
Evans	Hokr	Nelsen, B.	Sherwood	
Ewald	Jennings	Niehaus	Stadum	

The motion prevailed.

O'Connor and Gustafson moved to amend H. F. No. 691, as follows:

Page 2, after line 14, insert:

*"Subd. 5. [MALFUNCTION OF ELECTRONIC RECORDING.] If, when electronic recording equipment is used, a malfunction occurs in the recording process so that the recording is incomplete, the court may declare a mistrial if the malfunction is discovered during the trial. If the malfunction is discovered in the course of preparing a transcript after a verdict has been entered, the court may grant a new trial upon motion of any party."*

Swanson moved to amend the O'Connor and Gustafson amendment to H. F. No. 691, as follows:

Line 8, after "party" and before the period insert *"and the court reporter shall be responsible for the cost of the trial"*

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

The question recurred on the O'Connor and Gustafson motion to amend H. F. No. 691. The motion prevailed and the amendment was adopted.

H. F. No. 691, A bill for an act relating to court reporting; permitting the use of electronic recording equipment in certain district court proceedings; amending Minnesota Statutes 1980, Sections 486.02 and 486.03; and proposing new law coded in Minnesota Statutes, Chapter 484.

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 118 yeas and 12 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ainley	Gustafson	Piepho	Sherman	Stumpf
Dempsey	Kalis	Rodriguez, C.	Simoneau	
Elioff	Murphy	Schoenfeld		

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

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

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 79, A bill for an act relating to commerce; providing for the regulation and licensing of precious metal dealers; establishing identification procedures and recording requirements; prohibiting certain transactions; providing for criminal and civil penalties; providing remedies; amending Minnesota Statutes 1980, Section 609.53, Subdivision 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 325F.

PATRICK E. FLAHAVEN, Secretary of the Senate

Pogemiller moved that the House refuse to concur in the Senate amendments to H. F. No. 79, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 326, A bill for an act relating to health; changing eligibility requirements for catastrophic health expense protection; including insurance premiums; appropriating money; amending Minnesota Statutes 1980, Sections 62E.52, Subdi-

visions 2 and 3; 62E.53, Subdivisions 1 and 2; and 62E.531, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Swanson moved that the House refuse to concur in the Senate amendments to H. F. No. 326, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

#### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 79:

Pogemiller, Vanasek and Blatz.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 326:

Swanson; Carlson, L., and Reif.

Sarna and Reif were excused at 5:30 p.m.

#### GENERAL ORDERS

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

#### REPORT OF COMMITTEE OF THE WHOLE

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

H. F. Nos. 788, 923, 904 and 966 which it recommended to pass.

H. F. Nos. 544, 715, 873 and 945 which it recommended progress.

H. F. Nos. 756 and 764 which it recommended progress until Thursday, May 7, 1981.

S. F. No. 365 which it recommended progress until Thursday, May 7, 1981.

H. F. No. 263 which it recommended re-referral to the Committee on Labor-Management Relations.

H. F. No. 673 which it recommended to pass with the following amendment offered by Heap :

Page 4, line 16, delete "*witnesses*" and insert "*licensees*"

Page 4, after line 23, insert :

*"In the event that the licensee refuses to obey the subpoena, or should the commissioner, upon completion of the examination of the licensee, reasonably conclude that a violation has occurred, the commissioner may examine additional witnesses, including third parties, as may be necessary to complete the investigation.*

*Any subpoena issued pursuant to this section shall be served in the same manner as a summons. Service shall be made at least 15 days prior to the date of appearance."*

H. F. No. 936 which it recommended to pass with the following amendment offered by Lemen :

Page 6, after line 26, insert :

"Sec. 10. Minnesota Statutes 1980, Section 282.04, Subdivision 1, is amended to read :

Subdivision 1. [TIMBER SOLD FOR CASH.] The county auditor may sell dead, down and mature timber upon any tract that may be approved by the natural resources commissioner. Such sale of timber products shall be made for cash at not less than the appraised value determined by the county board to the highest bidder after not less than one week's published notice in an official paper within the county. Any timber offered at such public sale and not sold may thereafter be sold at private sale by the county auditor at not less than the appraised value thereof, until such time as the county board may withdraw such timber from sale. The appraised value of the timber and the forestry practices to be followed in the cutting of said timber shall be approved by the commissioner of natural resources. Payment of the full sale price of all timber sold on tax-forfeited lands shall be made in cash at the time of the timber sale. The county board may require final settlement on the basis of a scale of cut products. Any parcels of land from which timber is to be sold by scale of cut products shall be so designated in the published notice of sale above mentioned, in which case the notice shall contain a description of such parcels, a statement of the estimated quantity of each species of timber thereon and the appraised

price of each specie of timber for 1,000 feet, per cord or per piece, as the case may be. In such cases any bids offered over and above the appraised prices shall be by percentage, the percent bid to be added to the appraised price of each of the different species of timber advertised on the land. The purchaser of timber from such parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the notice of sale as estimated to be standing on the land, and in addition shall pay at the same rate for any additional amounts which the final scale shows to have been cut or was available for cutting on the land at the time of sale under the terms of such sale. Where the final scale of cut products shows that less timber was cut or was available for cutting under terms of such sale than was originally paid for, the excess payment shall be refunded from the forfeited tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board as in case of other claims against the county. No timber, except hardwood pulpwood, may be removed from such parcels of land or other designated landings until scaled by a person or persons designated by the county board and approved by the commissioner of natural resources. Landings other than the parcel of land from which timber is cut may be designated for scaling by the county board by written agreement with the purchaser of the timber. The county board may, by written agreement with the purchaser and with a consumer designated by him when the timber is sold by the county auditor, and with the approval of the commissioner of natural resources, accept the consumer's scale of cut products delivered at the consumer's landing. No timber shall be removed until fully paid for in cash. Small amounts of green standing, dead, down, dying, insect infected or diseased timber not exceeding (\$1,500) \$3,000 in appraised valuation may be sold for not less than the full appraised value at private sale to individual persons without first publishing notice of sale or calling for bids, provided that in case of such sale involving a total appraised value of more than \$200 the sale shall be made subject to final settlement on the basis of a scale of cut products in the manner above provided and not more than two such sales, directly or indirectly to any individual shall be in effect at one time. As directed by the county board, the county auditor may lease tax-forfeited land to individuals, corporations or organized subdivisions of the state at public or private vendue, and at such prices and under such terms as the county board may prescribe, for use as cottage and camp sites and for agricultural purposes and for the purpose of taking and removing of hay, stumpage, sand, gravel, clay, rock, marl, and black dirt therefrom, and for garden sites and other temporary uses provided that no leases shall be for a period to exceed ten years; provided, further that any leases involving a consideration of more than \$300 per year, except to an organized subdivision of the state shall first be offered at public sale in the manner provided herein for sale of timber. Upon the sale of any such leased land, it shall remain subject to the lease for not to exceed one year from the beginning of the term of the lease. Any rent paid by the lessee for the portion of the term cut off by such cancellation shall be refunded from the forfeited tax sale fund upon

the claim of the lessee, to be audited and allowed by the county board as in case of other claims against the county. The county auditor, with the approval of the county board is authorized to grant permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores, tailings, or waste products from mines or ore milling plants, upon such conditions and for such consideration and for such period of time, not exceeding 15 years, as the county board may determine; said permits, licenses, or leases to be subject to approval by the commissioner of natural resources. Any person who removes any timber from tax-forfeited land before said timber has been scaled and fully paid for as provided in this subdivision is guilty of a misdemeanor. The county auditor may, with the approval of the county board and the commissioner of natural resources, and without first offering at public sale, grant leases, for a term not exceeding 25 years, for the removal of peat from tax-forfeited lands upon such terms and conditions as the county board may prescribe.

Provided, however, that no lease for the removal of peat shall be made by the county auditor pursuant to this section without first holding a public hearing on his intention to lease. One printed notice in a legal newspaper in the county at least ten days before the hearing, and posted notice in the courthouse at least 20 days before the hearing shall be given of the hearing."

Renumber the remaining section

Amend the title as follows:

Page 1, line 6, after "timber;" insert "sale of stumpage;"

Page 1, line 10, after "Subdivision 1;" insert "282.04, Subdivision 1;"

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

#### ROLL CALLS IN COMMITTEE OF THE WHOLE

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

The question was taken on the Nysether motion to re-refer H. F. No. 966 to the Committee on Energy, and the roll was called. There were 53 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Aasness	Carlson, D.	Drew	Ewald	Friedrich
Ainley	Dempsey	Erickson	Fjoslien	Halberg
Blatz	Den Ouden	Esau	Forsythe	Haukoos

Heap	Knickerbocker	Olsen	Schafer	Valento
Heinitz	Kvam	Onnen	Searles	Weaver
Himle	Lemen	Peterson, B.	Sherman	Welker
Hoberg	Levi	Piepho	Sherwood	Wieser
Hokr	Ludeman	Redalen	Stadum	Wigley
Jennings	McDonald	Rees	Stowell	Zubay
Johnson, D.	Niehaus	Rose	Sviggun	
Kaley	Nysether	Rothenberg	Valan	

Those who voted in the negative were:

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

The motion did not prevail.

The question was taken on the motion to recommend passage of H. F. No. 966 and the roll was called. There were 74 yeas and 42 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Forsythe	Johnson, D.	Niehaus	Stadum
Ainley	Friedrich	Kaley	Nysether	Sviggun
Blatz	Haukoos	Kvam	Peterson, B.	Valan
Brinkman	Heap	Lemen	Piepho	Welker
Dempsey	Heinitz	Levi	Redalen	Wigley
Den Ouden	Himle	Ludeman	Rothenberg	Zubay
Erickson	Hoberg	Marsh	Schafer	
Esau	Hokr	McDonald	Sherman	
Fjoslien	Jennings	Nelsen, B.	Sherwood	

The motion prevailed.

## MOTIONS AND RESOLUTIONS

Kelly moved that the name of Pogemiller be added as an author on H. F. No. 1431. The motion prevailed.

Begich moved that the name of Pogemiller be added as an author on H. F. No. 544. The motion prevailed.

Stumpf moved that the name of Elioff be added as an author on H. F. No. 1424. The motion prevailed.

Kostohryz moved that the name of Evans be added as an author on H. F. No. 1312. The motion prevailed.

Anderson, B., moved that H. F. No. 757 be returned to its author. The motion prevailed.

Stumpf moved that H. F. No. 1117 be returned to its author. The motion prevailed.

Ainley moved that H. F. No. 1261 be returned to its author. The motion prevailed.

Battaglia moved that H. F. No. 571 be returned to its author. The motion prevailed.

## SUSPENSION OF RULES

Eken moved that the rules be so far suspended that House Concurrent Resolution No. 3 be recalled from the Committee on Rules and Legislative Administration and be placed upon its adoption. The motion prevailed.

Eken moved that House Concurrent Resolution No. 3 be now adopted.

## HOUSE CONCURRENT RESOLUTION NO. 3

A house concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

*Be It Resolved* by the House of Representatives of the state of Minnesota, the Senate concurring:

(1) The House of Representatives and the Senate shall meet in joint convention on Monday, May 4, 1981, at 5:00 p.m. in the

chamber of the House of Representatives to elect members to the Board of Regents of the University of Minnesota.

(2) The Education Committee of the Senate and the Education Committee of the House of Representatives, in a joint meeting, are appointed to submit a slate of nominations and to report the slate at the meeting of the joint convention.

The motion prevailed and House Concurrent Resolution No. 3 was adopted.

#### ADJOURNMENT

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, April 30, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

