

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1981

FORTY-FOURTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 30, 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 Frederick O. Atkinson, United Methodist Church, Preston, Minnesota.

The roll was called and the following members were present:

Aasness	Esau	Kelly	O'Connor	Sieben, M.
Ainley	Evans	Knickerbocker	Ogren	Simoneau
Anderson, B.	Ewald	Kostohryz	Olsen	Skoglund
Anderson, G.	Fjoslien	Kvam	Onnen	Stadum
Anderson, I.	Forsythe	Laidig	Otis	Staten
Anderson, R.	Friedrich	Lehto	Peterson, B.	Stowell
Battaglia	Greenfield	Lemen	Peterson, D.	Stumpf
Begich	Gruenes	Levi	Piepho	Sviggum
Berkelman	Gustafson	Long	Pogemiller	Swanson
Blatz	Halberg	Ludeman	Redalen	Tomlinson
Brandl	Hanson	Luknic	Reding	Valan
Brinkman	Harens	Mann	Rees	Valento
Byrne	Hauge	Marsh	Reif	Vanasek
Carlson, D.	Haukoos	McCarron	Rice	Vellenga
Carlson, L.	Heap	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	Wigley
Den Ouden	Johnson, C.	Nelsen, B.	Schoenfeld	Wynia
Drew	Johnson, D.	Nelson, K.	Schreiber	Zubay
Eken	Jude	Niehaus	Searles	Spkr. Sieben, H.
Elioff	Kahn	Norton	Shea	
Ellingson	Kaley	Novak	Sherman	
Erickson	Kalis	Nysether	Sherwood	

A quorum was present.

Heinitz was excused until 5:15 p.m. Osthoff was excused until 2:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Erickson 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. 977, 1081, 1277, 1392, 936, 1322, 499, 673, 691 and 1446 and S. F. Nos. 642, 460, 536, 657, 937, 1125, 1265, 1104, 830, 18, 74, 77, 537 and 525 have been placed in the members' files.

S. F. No. 937 and H. F. No. 726, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Wynia moved that the rules be so far suspended that S. F. No. 937 be substituted for H. F. No. 726 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 915 and H. F. No. 1042, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Valento moved that the rules be so far suspended that S. F. No. 915 be substituted for H. F. No. 1042 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 830 and H. F. No. 1392, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Ellingson moved that the rules be so far suspended that S. F. No. 830 be substituted for H. F. No. 1392 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 SECRETARY OF STATE
ST. PAUL 55155

April 29, 1981

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

The Honorable Jack Davies
President of the Senate

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

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1981</i>	<i>Date Filed 1981</i>
	349	54	April 28	April 28
	521	55	April 28	April 28
263		56	April 28	April 28

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

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

H. F. No. 763, A bill for an act relating to taxation; imposing certain requirements and restrictions on the use of tax increment financing; amending Minnesota Statutes 1980, Sections 273.73, Subdivision 10; 273.74, Subdivisions 1, 2, 3, and 4; and 273.77.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1980, Section 124.212, Subdivision 10, is amended to read:

Subd. 10. (a) The equalization aid review committee, consisting of the commissioner of education, the commissioner of administration, the commissioner of agriculture, and the commissioner of revenue, is hereby continued and permanently established. The duty of this committee shall be to review the assessed valuation of the districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any district furnished by any county auditor is not based upon the

market value of taxable property in such district, then said committee shall call upon the department of revenue to ascertain the market value of such property, and adjust such values as required by law to determine the adjusted assessed valuation. The department of revenue shall take such steps as are necessary in the performance of that duty and may incur such expense as is necessary therefor. The commissioner of revenue is authorized to reimburse any county or governmental official for services performed at his request in ascertaining such adjusted valuation. On or before March 15, annually, the department of revenue shall submit its report on the assessed values established by the previous year's assessment to said committee for approval or rejection and, if approved, such report shall be filed not later than the following July 1 with the commissioner of education and each county auditor for those school districts for which he has the responsibility for determination of mill rates. A copy of the adjusted assessed value so filed shall be forthwith mailed to the clerk of each district involved and to the county assessor or supervisor of assessments of the county or counties in which such district is located.

(b) For purposes of determining the adjusted assessed value of agricultural lands for the calculation of 1977 adjusted assessed values and thereafter, the market value of agricultural lands shall be the arithmetic average of (1) the price for which the property would sell in an arms length transaction, and (2) the income which could be derived from its free market gross rental rate capitalized at a rate of nine percent.

(c) *The committee shall include in the adjusted assessed value of each district the captured assessed value as defined in section 273.73, subdivision 4, of all parcels included in each economic development district as defined in section 273.73, subdivision 12, located within the district."*

Page 6, after line 21, insert:

"Sec. 7. Minnesota Statutes 1980, Section 273.75, Subdivision 4, is amended to read:

Subd. 4. [LIMITATION ON USE OF TAX INCREMENT.] All revenues derived from tax increment shall be used in accordance with the tax increment financing plan. The revenues shall be used solely for the following purposes: (a) to pay the principal of and interest on bonds issued to finance a project; (b) by a rural development financing authority for the purposes stated in section 362A.01, subdivision 2, by a port authority or municipality exercising the powers of a port authority to finance or otherwise pay the cost of redevelopment pursuant to chapter 458, by a housing and redevelopment authority to finance or otherwise pay public redevelopment costs pursuant to chapter 462, by a municipality to finance or otherwise pay the capital and administration costs of a development district pursuant to

chapter 472A, by a municipality or redevelopment agency to finance or otherwise pay premiums for insurance guaranteeing the payment of net rentals when due under the project lease or to accumulate and maintain a reserve securing the payment when due of the principal of and interest on the bonds pursuant to chapter 474. These revenues shall not be used to circumvent existing levy limit law. *No revenues derived from tax increment shall be used for the construction or renovation of a municipally owned building used primarily and regularly for conducting the business of the municipality. This provision shall not prohibit the use of revenues derived from tax increments for the construction or renovation of a parking structure, a commons area used as a public park or a facility used for social or recreational purposes and not primarily for conducting the business of the municipality."*

Page 10, line 18, before "Sections" insert "Section 1 is effective with respect to a district for which certification is requested the day following final enactment and thereafter."

Page 10, line 18, delete "1 to 6" and insert "2 to 8"

Renumber the sections

Amend the title as follows:

Page 1, line 4, after "Sections" insert "124.212, Subdivision 10;"

Page 1, line 6, after the semicolon insert "273.75, Subdivision 4;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 792, A bill for an act relating to housing; requiring municipal housing plans to incorporate policies to minimize displacement and encourage citizen participation; establishing maximum downpayment requirements; eliminating the exemption of income limits for loans in certain areas of municipalities; providing that multifamily housing loans may be used to acquire structures for purposes of conversion to cooperative ownership; amending Minnesota Statutes 1980, Sections 462C.03, Subdivisions 1, 3, and 7; and 462C.05, Subdivision 1; repealing Minnesota Statutes 1980, Sections 462C.03, Subdivision 8; and 462C.05, Subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 462C.03, Subdivision 1, is amended to read:

Subdivision 1. The housing plan shall set forth:

(a) The housing needs of the city and the data demonstrating those needs;

(b) The plan of the city to meet identified housing needs, and the specific methods to be used to carry out the plan;

(c) Target areas, if any, of the city for each method;

(d) The financing program or programs to be included in the plan;

(e) The number and qualifications of lenders eligible to participate in the program;

(f) The estimated amount of mortgage loans to be made or purchased in each program and the estimated amounts and timing of the sale of revenue bonds required to finance such loans, fund appropriate reserves, and pay costs of issuance;

(g) Methods for monitoring the implementation by participants to insure that the programs will be consistent with the plan and its objectives;

(h) The administrative capacity of the city to monitor and supervise housing finance programs;

(i) The cost to the city, including administrative costs;
(AND)

(j) An analysis of how the programs will meet the needs of low and moderate income families in the city; and

(k) *A description of the city's strategies to minimize displacement of low and moderate income persons and families and an outline of policies which will be implemented to mitigate adverse effects which do occur as a result of developments financed through programs in this chapter.*

The governing body of the city or a committee thereof shall review the plan at a public hearing and shall consider the comments presented at the hearing. The city shall cause to be published, in a newspaper of general circulation, notice of the public hearing at least 15 and not more than 30 days prior to the public

hearing. Amendments to the plan considered at the public hearing may be adopted at that hearing or a subsequent meeting.

Sec. 2. Minnesota Statutes 1980, Section 462C.03, is amended by adding a subdivision to read:

Subd. 10. Notwithstanding any provision of this chapter to the contrary, after December 31, 1981 any city of the first class issuing bonds subject to this chapter, for the purpose of financing single family housing, including condominiums or cooperatives, and subject to section 103A of the Internal Revenue Code, shall allocate at least ten percent of the proceeds of bonds issued during each calendar year for the purpose of making single family housing loans for, or purchasing single family housing loans made to families whose adjusted gross income does not exceed 80 percent of the median family income, as estimated by the department of housing and urban development for the applicable standard metropolitan statistical area. Provided, however, that if on May 1 of each year, the city determines that it is unable to issue bonds during that calendar year in the amount allocated pursuant to this subdivision, then any amount which the city determines will not be so issued may be issued for any purpose authorized by this chapter.

For the purpose of this subdivision, "single family housing" includes dwelling units owned under a condominium or cooperative form of ownership which are to be occupied by families as a principal residence.

Sec. 3. Minnesota Statutes 1980, Section 462C.03, is amended by adding a subdivision to read:

Subd. 11. Notwithstanding any provision of this chapter to the contrary, any city of the first class issuing bonds for single family housing subject to this chapter and not subject to sections 1102 and 1103 of the Mortgage Subsidy Bond Tax Act of 1980, but not including bonds issued to finance the Minneapolis/St. Paul joint housing program, shall allocate at least 20 percent of the proceeds of the bonds issued for the purpose specified in section 2. For the purpose of this subdivision, "single family housing" includes dwelling units owned under a condominium or cooperative form of ownership which are to be occupied by families as a principal residence.

Sec. 4. Minnesota Statutes 1980, Section 462C.05, Subdivision 1, is amended to read:

Subdivision 1. A city may also plan, administer, and make or purchase a loan or loans to finance one or more multifamily housing developments within its boundaries, of the kind described in subdivision 2, 3 or 4, and upon the conditions set

forth in this section. A loan may be made or purchased for the acquisition and preparation of a site and the construction of a new development, (OR) for the acquisition of an existing building and site and the rehabilitation thereof, *or for the acquisition of an existing building and site for purposes of conversion to limited equity cooperative ownership by low or moderate income families*, provided that:

(a) *Except in the case of acquisition for purposes of conversion to limited equity cooperative ownership*, the cost of rehabilitation of an existing building is estimated to equal at least \$5,000 per dwelling unit or 50 percent of the appraised value of the original building and site, whichever is less or if the rehabilitation is financed in part by proceeds from a program provided by the federal government pursuant to 24 C.F.R. Sections 882.401 to 882.519 or pursuant to section 312 of the Housing Act of 1964 (42 U.S.C. Section 1452b), the cost of rehabilitation of an existing building is estimated to equal at least \$2,000 per dwelling unit or 20 percent of the appraised value of the original building and site whichever is less;

(b) At least a substantial portion of such rehabilitation cost is estimated to be incurred for compliance with building codes or conservation of energy;

(c) Each development upon completion shall comply with all applicable code requirements;

(d) A loan or loans may be made or purchased for either the construction or the long term financing of a development, or both, including the financing of the acquisition of dwelling units and interests in common facilities provided therein, by persons to whom such units and facilities may be sold as contemplated in chapter 515 or any supplemental or amendatory law thereof; (AND)

(e) Substantially all of the proceeds of each loan shall be used to pay the cost of a multifamily housing development, including property functionally related and subordinate to it; but nothing herein prevents the construction of the development over, under, or adjacent to, and in conjunction with facilities to be used for purposes other than housing; and

(f) *The owner or borrower utilizing loans provided under this chapter certifies that he or she will not displace current tenants either during or after the rehabilitation, except as provided for in section 1.*

Sec. 5. [APPLICABILITY.]

The provisions of section 2 shall not apply to any programs which were approved or are considered approved pursuant to

section 462C.04, subdivision 2, by the Minnesota housing finance agency on or before the date of final enactment, nor to the Minneapolis/St. Paul joint housing program specifically exempted from the provisions of section 103A of the Internal Revenue Code.

Sec. 6. [EFFECTIVE DATE.]

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

Delete the title and insert:

"A bill for an act relating to housing; requiring municipal housing plans to incorporate policies to minimize displacement; requiring cities to hold public hearings for review of their municipal housing plans; placing income limits on certain loans made or purchased with certain local housing bond proceeds; providing that multi-family loans may be used to acquire structures for purposes of conversion to cooperative ownership; amending Minnesota Statutes 1980, Sections 462C.03, Subdivision 1, and by adding subdivisions; and 462C.05, Subdivision 1."

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. 539, A bill for an act relating to family law; allowing joint custody of minor children; providing for acknowledgments of paternity; changing provisions related to venue; providing expedited hearings; changing determination of maintenance and support orders; changing the division of marital property; providing for enforcement of maintenance and support orders; changing requirements for evidence, orders, and decrees; adopting the revised uniform reciprocal enforcement of support act; amending Minnesota Statutes 1980, Sections 257.34, Subdivision 1; 518.003, by adding a subdivision; 518.09; 518.131, Subdivisions 3 and 4, and by adding subdivisions; 518.145; 518.17; 518.54, Subdivision 5; 518.551; 518.58; and 518.64, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 518C; repealing Minnesota Statutes 1980, Sections 518.41; 518.42; 518.43; 518.44; 518.45; 518.46; 518.47; 518.48; 518.49; 518.491; 518.50; 518.51; 518.52; and 518.53.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 257.34, Subdivision 1, is amended to read:

Subdivision 1. The mother and father of an illegitimate child may, in a writing signed by both of them before a notary public, declare and acknowledge under oath that they are the biological parents of the child. The declaration may provide that any illegitimate child born to the mother (ON OR) *at any time* before or up to ten months after the date of execution of the declaration is the biological child of the signatories. Execution of the declaration shall:

(a) Have the same consequences as an acknowledgement by the signatories of parentage of the child for the purposes of sections 62A.041 and 62C.14, subdivision 5a;

(b) Be conclusive evidence that the signatories are parents of the child for the purposes of sections 176.111 and 197.09 to 197.11;

(c) Have the same consequences as an acknowledgement by the father of paternity of the child for the purposes of sections (257.251) 257.57 and (257.252) 257.66;

(d) When timely filed with the division of vital statistics of the Minnesota department of health as provided in section 259.-261, qualify as an affidavit stating the intention of the signatories to retain parental rights as provided in section 259.261 if it contains the information required by section 259.261 or rules promulgated thereunder;

(e) Have the same consequences as a writing declaring paternity of the child for the purposes of section 525.172; and

(f) Be conclusive evidence that the signatories are parents of the child for the purposes of chapter 573.

Sec. 2. Minnesota Statutes 1980, Section 518.003, is amended by adding a subdivision to read:

Subd. 3. [CUSTODY.] Unless otherwise agreed by the parties:

(a) *"Legal custody" means the right to determine the child's upbringing, including education, health care and religious training.*

(b) *"Joint legal custody" means that both parents have equal rights and responsibilities, including the right to participate in major decisions determining the child's upbringing, including education, health care and religious training.*

(c) *"Physical custody and residence" means the routine daily care and control and the residence of the child.*

(d) *"Joint physical custody" means that the routine daily care and control and the residence of the child is structured between the parties.*

(e) *Wherever used in this chapter, the term "custodial parent" or "custodian" means the person who has the physical custody of the child at any particular time.*

Sec. 3. Minnesota Statutes 1980, Section 518.09, is amended to read:

518.09 [PROCEEDING; HOW AND WHERE BROUGHT; VENUE.]

A proceeding for dissolution or legal separation may be brought by either or both spouses and shall be commenced by personal service of the summons and petition venued in the county where (THE PETITIONER) *either spouse resides (OR, IF THE PETITIONER IS NOT A RESIDENT OF THE STATE, THEN VENUED IN THE COUNTY WHERE THE RESPONDENT RESIDES)*. If neither party resides in the state and jurisdiction is based on the domicile of (ONE OR BOTH OF THE PARTIES) *either spouse*, the proceeding may be brought in the county where either party is domiciled. *If neither party resides or is domiciled in this state and jurisdiction is premised upon one of the parties being a member of the armed services stationed in this state for not less than 180 days immediately preceding the commencement of the proceeding, the proceeding may be brought in the county where the member is stationed.* This venue shall be subject to the power of the court to change the place of hearing by consent of the parties, or when it appears to the court that an impartial hearing cannot be had in the county where the proceedings are pending, or when the convenience of the parties or the ends of justice would be promoted by the change. No summons shall be required if a joint petition is filed.

Sec. 4. Minnesota Statutes 1980, Section 518.145, is amended to read:

518.145 [DECREE.]

A decree of dissolution of marriage or of legal separation is final when entered, subject to the right of appeal. *When entered, the findings of fact and conclusions of law may constitute the judgment and decree.* An appeal from the decree of dissolution that does not challenge the finding that the marriage is irretrievably broken does not delay the finality of that provision of the decree which dissolves the marriage beyond the time for appealing from that provision. A party may remarry before the time for appeal has run if it is not contested that the marriage is irretrievably broken or if a stipulation that the marriage is irretrievably broken is incorporated in the decree of dissolution.

Sec. 5. Minnesota Statutes 1980, Section 518.17, is amended to read:

518.17 [CUSTODY AND SUPPORT OF CHILDREN ON JUDGMENT.]

Subdivision 1. [THE BEST INTERESTS OF THE CHILD.] "The best interests of the child" means all relevant factors to be considered and evaluated by the court including:

(a) The wishes of the child's parent or parents as to his custody;

(b) The reasonable preference of the child, if the court deems the child to be of sufficient age to express preference;

(c) The interaction and interrelationship of the child with his parent or parents, his siblings, and any other person who may significantly affect the child's best interests;

(d) The child's adjustment to his home, school, and community;

(e) The length of time the child has lived in a stable, satisfactory environment and the desirability of maintaining continuity;

(f) The permanence, as a family unit, of the existing or proposed custodial home;

(g) The mental and physical health of all individuals involved;

(h) The capacity and disposition of the parties to give the child love, affection, and guidance, and to continue educating and raising the child in his culture and religion or creed, if any; and

(i) The child's cultural background.

The court shall not consider conduct of a proposed custodian that does not affect his relationship to the child.

Subd. 2. [FACTORS WHEN JOINT CUSTODY IS SOUGHT.] *In addition to the factors listed in subdivision 1, where either joint legal or joint physical custody is contemplated or sought, the court shall consider the following relevant factors:*

(a) *The ability of parents to cooperate in the rearing of their children;*

(b) *Methods for resolving disputes regarding any major decision concerning the life of the child, and the parents' willingness to use those methods; and*

(c) *Whether it would be detrimental to the child if one parent were to have sole authority over the child's upbringing.*

Subd. 3. [CUSTODY ORDER.] Upon adjudging the nullity of a marriage, or a dissolution or separation, or a child custody proceeding, the court (MAY) shall make such further order as it deems just and proper concerning (THE CARE, CUSTODY, AND MAINTENANCE OF THE MINOR CHILDREN OF THE PARTIES AND MAY DETERMINE WITH WHICH OF THE PARENTS THEY, OR ANY OF THEM, SHALL REMAIN): (a) *the legal custody of the minor children of the parties which shall be sole or joint; (b) their physical custody and residence; and (c) their support.* In determining (THE PARENT WITH WHOM A CHILD SHALL REMAIN) custody, the court shall consider the best interests of the child and shall not prefer one parent over the other solely on the basis of the sex of the parent.

Subd. (3) 4. [CHILD SUPPORT.] The court may order either or both parents owing a duty of support to a child of the marriage to pay an amount reasonable or necessary for his support, without regard to marital misconduct, after considering all relevant factors including:

- (a) The financial resources and needs of the child;
- (b) The financial resources and needs of the custodial parent;
- (c) The standard of living the child would have enjoyed had the marriage not been dissolved;
- (d) The physical and emotional condition of the child, and his educational needs; and
- (e) The financial resources and needs of the noncustodial parent.

Sec. 6. Minnesota Statutes 1980, Section 518.551, is amended to read:

518.551 [MAINTENANCE AND SUPPORT PAYMENTS MADE TO WELFARE AGENCIES.]

Subdivision 1. [ORDER FOR PAYMENTS.] A court having jurisdiction over proceedings for dissolution or legal separation shall direct that all payments ordered for maintenance and support shall be made to the agency responsible for the welfare payments, when it appears that the party who is to receive the maintenance and support payments will receive public assistance. Amounts received by the agency greater than the amount granted to the party receiving public assistance shall be remitted to that party.

The petitioner shall notify the agency responsible for the welfare payments of all proceedings for dissolution, legal separation or for the custody of a child if either party is receiving aid to families of dependent children or applies for such aid subsequent to the commencement of the proceeding. After receipt of the notice, the agency shall recommend to the court the support that is proper and adequate for the care and support of the child or children before the issuance of the order for judgment and decree in the proceeding.

If the court finds in a dissolution or legal separation proceeding before issuing the order for judgment and decree that notification has not been given to the agency responsible for the welfare payments, the court shall order that notification be made and shall not issue its order for judgment and decree until the agency has made its recommendations. In those proceedings in which no notification has been made pursuant to this section and in which the agency determines that the judgment is not proper and adequate for the care and support of the child or children, it may petition the court for a redetermination of the support payments ordered.

Subd. 2. [SERVICE FEE.] When the public agency responsible for child support enforcement provides child support collection services either to a public assistance recipient or to a party who does not receive public assistance, the public agency may upon written notice to the obligor charge a monthly collection fee equivalent to the full monthly cost to the county of providing collection services, in addition to the amount of the child support which was ordered by the court. The fee shall be deposited in the county general fund. The service fee assessed is limited to ten percent of the monthly court ordered child support and shall not be assessed to obligors who are current in payment of the monthly court ordered child support. No fee shall be imposed on the party who requests child support collection services.

Sec. 7. Minnesota Statutes 1980, Section 518.58, is amended to read:

518.58 [DISPOSITION OF MARITAL PROPERTY.]

Upon a dissolution of a marriage, an annulment, or in a proceeding for disposition of property following a dissolution of marriage by a court which lacked personal jurisdiction over the absent spouse or lacked jurisdiction to dispose of the property and which has since acquired jurisdiction, the court shall make a just and equitable disposition of the marital property of the parties without regard to marital misconduct, after making findings regarding the disposition of the property. The court shall base its findings on all relevant factors including the length of the marriage, any prior marriage of a party, the age, health, station, occupation, amount and sources of income, vo-

cational skills, employability, estate, liabilities, needs, and opportunity for future acquisition of capital assets, the amount of support, maintenance and income of each party, whether the property award is in lieu of or in addition to maintenance or support. The court shall also consider the contribution of each in the acquisition, preservation, depreciation or appreciation in the amount or value of the marital property, as well as the contribution of a spouse as a homemaker. It shall be presumed that each spouse made a substantial contribution to the acquisition of income and property while they were living together as husband and wife. The court may also award to either spouse the household goods and furniture of the parties, whether or not acquired during the marriage.

If the court finds that either spouse's resources or property, including his portion of the marital property as defined in section 518.54, subdivision 5 are so inadequate as to work an unfair hardship, considering all relevant circumstances, the court may, in addition to the marital property, apportion up to one-half of the property otherwise excluded under section 518.54, subdivision 5, clauses (a) to (d) to prevent the unfair hardship. If the court apportions property other than marital property, it shall make findings in support of the apportionment. The findings shall be based on all relevant factors including the length of the marriage, any prior marriage of a party, the age, health, station, occupation, amount and sources of income, vocational skills, employability, estate, liabilities, needs, and opportunity for future acquisition of capital assets and income of each party.

(UNLESS OTHERWISE SPECIFICALLY SET FORTH IN THE DECREE, IF IN A DECREE OF DISSOLUTION ONE PARTY IS AWARDED THE HOMESTEAD AND THE OTHER PARTY IS AWARDED A FIXED DOLLAR AMOUNT BASED ON AN ASSUMED OR APPRAISED MARKET VALUE OF THE HOMESTEAD AND WITHIN 24 MONTHS FOLLOWING THE DECREE THE HOMESTEAD IS SOLD, WITHIN SIX MONTHS OF THE SALE EITHER PARTY MAY PETITION, AND THE COURT MAY GRANT, AN APPORTIONMENT OF THE PROCEEDS IN THE PROPORTION AWARDED IN THE DECREE, BASED UPON THE NET SALE PRICE RATHER THAN THE ASSUMED OR APPRAISED MARKET VALUE. THIS PARAGRAPH SHALL NOT APPLY TO A DECREE OF DISSOLUTION ENTERED BEFORE MAY 30, 1979.)

If the court finds that it is necessary to preserve the marital assets of the parties, the court may order the sale of the homestead of the parties or the sale of other marital assets, as the individual circumstances may require, during the pendency of a proceeding for a dissolution of marriage or an annulment. If the court orders a sale, it may further provide for the disposition of the funds received from the sale during the pendency of the proceeding.

Sec. 8. [EFFECTIVE DATE.]

Sections 3 and 7 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to family law; allowing joint custody of minor children; providing for acknowledgements of paternity; changing provisions related to venue; providing for disposition of certain marital property; providing for child support enforcement fees; amending Minnesota Statutes 1980, Sections 257.34, Subdivision 1; 518.003, by adding a subdivision; 518.09; 518.145; 518.17; 518.551; and 518.58."

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. 574, A bill for an act relating to judicial procedures; changing certain provisions relating to guardianship and conservatorship; amending Minnesota Statutes 1980, Sections 525.539, Subdivision 3, and by adding a subdivision; 525.54; 525.541; 525.542; 525.543; 525.55; 525.551; 525.5515; 525.56, Subdivisions 3 and 4; 525.58; 525.591, Subdivisions 2 and 3; 525.618, Subdivision 1; 525.6185; 525.619; 525.6192; 525.6196; 525.6198; 525.62; 525.67; 525.69; and 525.703; proposing new law coded in Minnesota Statutes, Chapter 525; repealing Minnesota Statutes 1980, Section 525.504.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 525.539, is amended by adding a subdivision to read:

Subd. 6. [VISITOR.] "Visitor" means a person who is trained in law, health care, or social work and is an officer, employee, or special appointee of the court with no personal interest in the proceedings.

Sec. 2. Minnesota Statutes 1980, Section 525.54, is amended to read:

525.54 [ADULTS SUBJECT TO GUARDIANSHIP AND CONSERVATORSHIP.]

Subdivision 1. [ADULTS SUBJECT TO GUARDIANSHIP AND CONSERVATORSHIP.] Upon petition as provided in

this chapter, the court, if satisfied of the need therefor, may appoint one or two persons suitable and competent to discharge the trust as guardians of the person or estate or of both or as conservators of the person or the estate or of both, of any incapacitated person (THE STANDARD OF PROOF IN CONTESTED CASES SHALL BE THAT OF CLEAR AND CONVINCING EVIDENCE.)

Subd. 2. [GUARDIANSHIP OR CONSERVATORSHIP OF THE PERSON.] "Incapacitated person" means, in the case of guardianship or conservatorship of the person, any adult person who is impaired (BY REASON OF MENTAL CONDITION) to the extent that he lacks sufficient understanding or capacity to make or communicate responsible decisions concerning his person, and who has demonstrated deficits in behavior which (EVIDENCES) *evidence* his inability to meet (ESSENTIAL REQUIREMENTS FOR HIS HEALTH OR SAFETY. "UNABLE TO MEET ESSENTIAL REQUIREMENTS FOR HIS HEALTH OR SAFETY" MEANS UNABLE TO MEET) his needs for medical care, nutrition, clothing, shelter, or safety (SO THAT, IN THE ABSENCE OF GUARDIANSHIP OR CONSERVATORSHIP, INJURY OR ILLNESS IS LIKELY TO OCCUR IN THE NEAR FUTURE).

Subd. 3. [GUARDIANSHIP OR CONSERVATORSHIP OF THE ESTATE.] Appointment of a guardian or conservator may be made in relation to the estate and financial affairs of an adult person: (a) voluntarily, upon the person's (REQUEST) *petition or consent in writing* if the court is satisfied of the need thereof, or (b) involuntarily, upon the court's determination that (1) (THAT) *the* person is unable to manage his property and affairs effectively because he is an incapacitated person, and (2) he has property which will be (WASTED OR) dissipated unless proper management is provided, or that funds are needed for the support, care and welfare of the person or those entitled to be supported by him and (3) (NO LESS RESTRICTIVE FORM OF INTERVENTION IS AVAILABLE WHICH WILL) *a guardian or conservator is necessary to adequately protect his estate or financial affairs.* "Incapacitated person" means, in the case of guardianship or conservatorship of the estate of an adult, any adult person who is impaired (BY REASON OF MENTAL CONDITION) to the extent that he lacks sufficient understanding or capacity to make or communicate responsible decisions concerning his estate or financial affairs, and who has demonstrated deficits in behavior which (EVIDENCES) *evidence* his inability to manage his estate, or who is unable to *manage his estate or financial affairs effectively by reason of detention by a foreign power or disappearance.*

Subd. 4. [(APPOINTMENT AS EVIDENCE OF CAPACITY) VOTING.] (APPOINTMENT OF A GUARDIAN IS EVIDENCE OF THE INCOMPETENCY OF THE INCAPACITATED PERSON.) *The appointment of a conservator shall*

not deprive the conservatee of the right to vote, unless the right is restricted by court order.

Subd. 5. [COMPETENCY.] (APPOINTMENT OF A CONSERVATOR IS NOT EVIDENCE OF INCOMPETENCY OF THE INCAPACITATED PERSON, AND DOES NOT REMOVE OR MODIFY ANY CIVIL OR LEGAL RIGHT OF THE INCAPACITATED PERSON EXCEPT AS SPECIFICALLY ORDERED BY THE COURT, PURSUANT TO SECTION 525.551. THE APPOINTMENT OF A CONSERVATOR SHALL NOT DEPRIVE THE CONSERVATEE OF THE RIGHT TO VOTE OR TO MARRY IF OTHERWISE COMPETENT.) *Appointment of a guardian is evidence of the incompetency of the incapacitated person. Appointment of a conservator is not evidence of incompetency.*

Subd. 6. [AUTHORITY TO APPOINT GUARDIAN.] *Nothing contained in this section shall diminish the power of the court to appoint a guardian to serve or protect the interest of any person under disability in any proceedings therein.*

Subd. 7. [CERTAIN PROTECTIVE ARRANGEMENTS.] *If it is established in a proper proceeding under section 525.551 that a basis exists for the appointment of a guardian or conservator, the court, instead of appointing a guardian or conservator, may (a) authorize, direct or ratify any transaction necessary or desirable to achieve any security, service, or care arrangement meeting the foreseeable needs of the protected person. Protective arrangements include, but are not limited to: payment, delivery, deposit or retention of funds or property; sale, mortgage, lease or other transfer of property; entry into an annuity contract, a contract for life care, a deposit contract or a contract for training and education; or addition to or establishment of a suitable trust; or (b) authorize, direct or ratify any contract, trust or other transaction relating to the protected person's financial affairs or involving his estate if the court determines that the transaction is in the best interests of the protected person.*

Before approving a protective arrangement or other transaction under this subdivision, the court shall consider the interests of creditors and dependents of the protected person and, in view of his disability, whether the protected person needs the continuing protection of a guardian or conservator. The court may appoint a special conservator with or without bond to assist in the accomplishment of any protective arrangement or other transaction authorized under this subdivision, who shall have the authority conferred by the order and serve until discharged by order after making a report to the court of all matters done pursuant to the order of appointment.

Sec. 3. Minnesota Statutes 1980, Section 525.541, is amended to read:

525.541 [PETITIONERS.]

Any person may petition for the appointment of a guardian (OR GUARDIANS) or conservator (OR CONSERVATORS) *or for a protective order* for any person believed to be subject to guardianship or conservatorship. The petition of an adult person for the appointment of a guardian (OR GUARDIANS) or conservator (OR CONSERVATORS) of his own person or estate shall have priority over the petition of any other person.

Sec. 4. Minnesota Statutes 1980, Section 525.542, is amended to read:

525.542 [CONTENTS OF PETITION.]

Subdivision 1. [INFORMATION.] The petition shall show (1) the name and address of the person for whom a guardian or conservator, is sought, (2) the date (AND PLACE) of his birth, (3) the names and addresses of his *living* parents, children, (AND SIBLINGS) *brothers and sisters*, or in the event that none of these persons are living, the names and addresses of his nearest kindred, (4) if he is married, the name and address of his spouse, (5) the (REASONS) *grounds* for the guardianship or conservatorship, (INCLUDING SPECIFIC FACTUAL INFORMATION WHICH THE PETITIONER BELIEVES SUPPORTS THE NEED FOR APPOINTMENT OF A GUARDIAN OR CONSERVATOR, SUCH AS MENTAL AND PHYSICAL CONDITION, FINANCIAL TRANSACTIONS, PERSONAL ACTIONS, OR ACTUAL OCCURRENCES WHICH ARE CLAIMED TO DEMONSTRATE HIS INABILITY TO MANAGE HIS ESTATE, OR TO PROVIDE FOR PERSONAL NEEDS FOR FOOD, CLOTHING, SHELTER OR HEALTH CARE) *with a statement that the proposed ward or conservatee may demand a written bill of particulars*, (6) *if conservatorship is requested*, the powers the petitioner believes are necessary in order for a (GUARDIAN OR) conservator to protect and supervise the proposed (WARD'S OR) conservatee's person or property, (7) the probable value and general character of his real and personal property and the probable amount of his debts, (8) the names, ages, addresses, and occupations of the proposed guardians or conservators.

Subd. 2. [BILL OF PARTICULARS.] *A bill of particulars may be requested from the petitioner by the proposed ward or conservatee, and when so requested shall be delivered to the proposed ward or conservatee within ten days or prior to the hearing, whichever is sooner. The bill of particulars shall be in writing and shall include specific factual information which the petitioner believes supports the need for appointment of a guardian or conservator, such as mental and physical condition, financial transactions, personal actions, or actual occurrences which are claimed to demonstrate the proposed ward's or conservatee's in-*

ability to manage his estate, or to provide for personal needs for food, clothing, shelter or health care.

Sec. 5. Minnesota Statutes 1980, Section 525.543, is amended to read:

525.543 [LIS PENDENS.]

After the filing of the petition, a certificate of the probate court certified to that fact may be filed for record in the office of the county recorder of any county in which any real estate owned by the proposed ward or conservatee is situated and if a resident of this state, in the county of his residence. The certificate shall state that a petition is pending and the name and address of the person for whom a guardian or conservator is sought. If a guardian or conservator is appointed on the petition, and, in the case of a conservatorship, if the (LETTERS OF) conservatorship (REMOVE) *order removes* or (RESTRICT) *restricts* the right of the conservatee to transfer property or to contract, then all contracts except for necessities, and all transfers of real or personal property made by the ward or conservatee after the filing and before the termination of the guardianship or conservatorship shall be void.

Sec. 6. Minnesota Statutes 1980, Section 525.55, is amended to read:

525.55 [NOTICE OF HEARING.]

Subdivision 1. [TIME OF NOTICE; TO WHOM GIVEN.] In all cases, upon the filing of the petition the court shall fix the time and place for the hearing and shall order that notice be given thereof. At least 14 days prior to the hearing, personal service of the notice shall be made upon the proposed ward or conservatee. Notice shall also be served on his spouse, parents, adult children, (SIBLINGS) *brothers and sisters*, (NEXT OF KIN) *and, if none of those are alive or can be located, on his nearest kindred as determined by the court*, and on any other persons the court may direct, by mail postmarked at least 14 days prior to the hearing. If he is a patient or resident of any hospital or other institution, notice by mail shall be given to the administrative head thereof *and to the patient or resident*. If he is a non-resident or if after diligent search he cannot be found in this state, notice shall be given in the manner and to such persons as the court may determine.

Subd. 2. [FORM; SERVICE.] The notice shall be written in language which can be easily understood. Included with the notice shall be a copy of the petition. The notice shall contain information regarding the nature, purpose and legal effects of the guardianship or conservatorship proceedings on the proposed ward or conservatee. The notice shall state that he may

be adjudged incapable of caring for his person or property, and by reason thereof, a guardian or conservator may be appointed for him, and that the adjudication may transfer to the appointed guardian or conservator certain rights, including his right to manage and control property, to enter into contracts and to determine his residence. The notice shall further contain information regarding the rights of the proposed ward or conservatee in the proceeding, including his right to attend the hearing, to be represented by an attorney, to oppose the proceeding, and to present evidence. The notice shall state that if the proposed ward or conservatee wishes to exercise the right to be represented by an attorney, he must either obtain counsel of his own choice, or ask the court to appoint an attorney to represent him, and that the county shall pay a reasonable attorney's fee if he is indigent. The procedure for requesting a court appointed attorney shall be described in the notice.

The process server shall inquire whether the proposed ward or conservatee desires the notice and petition to be read to him, and shall read the notice and petition if requested to do so. *In place of a process server, the court may appoint a visitor to deliver the notice and petition and explain them to the proposed ward or conservatee.*

Subd. 3. [DEFECTIVE NOTICE OR SERVICE.] A defect in the service of notice or process shall not invalidate any guardianship or conservatorship proceedings.

Sec. 7. Minnesota Statutes 1980, Section 525.551, is amended to read:

525.551 [HEARING; APPOINTMENT; BOND; PROSECUTION; NOTICE.]

Subdivision 1. [ATTENDANCE AT HEARING.] If the proposed ward or conservatee is within the state, he shall be present at the hearing unless *in a meeting with a visitor he specifically waives his right to appear in person or he is not able to attend by reason of medical condition as evidenced by a (LETTER) written statement from a licensed physician. The (LETTER) written statement shall be evidence only of the proposed ward's or conservatee's medical inability to attend the hearing, and shall not be considered in determining the issue of his incapacity. In any instance in which a proposed ward or conservatee is absent from the hearing, the court shall specify in its findings of fact the reason for nonattendance.*

If a visitor delivered the notice and petition pursuant to section 525.55 and the proposed ward or conservatee has waived the right to attend the hearing, the visitor may testify as to the notice and any waiver of the right to appear in person, and as to other matters which may assist the court in determining

the need for a guardian or conservator and the extent of the power to be granted.

Subd. 2. [INTERCHANGEABILITY OF PETITION.] If the circumstances warrant, the court may treat a petition for guardianship as a petition for conservatorship.

Subd. 3. [CONDUCT OF HEARING; (BURDEN OF) PROOF.] The proposed ward or conservatee has the right to summon and cross-examine witnesses. (THE RULES OF EVIDENCE SHALL APPLY, AND NO HEARSAY EVIDENCE WHICH IS NOT OTHERWISE ADMISSIBLE BY EXCEPTION IN A COURT OF LAW SHALL BE ADMITTED INTO EVIDENCE.) In the proceedings, there is a legal presumption of capacity and the burden of proof shall be on the petitioner. *The standard of proof shall be that of clear and convincing evidence.*

Subd. 4. [RECORD OF PROCEEDINGS.] In all (CONTESTED) proceedings the court shall take and preserve an accurate stenographic record or tape recording of the proceedings.

Subd. 5. [FINDINGS.] In all cases the court shall find the facts specifically, state separately its conclusions of law thereon, and direct the entry of an appropriate judgment or order.

If upon completion of the hearing and consideration of the record the court finds: (a) *that the requirements for the voluntary appointment of a conservator or guardian have been met,* or (b) (1) that the proposed ward or conservatee is incapacitated as defined in section 525.54; and (2) in need of the supervision and protection of a guardian or conservator; and (3) that no appropriate alternatives to the guardianship or conservatorship exist which are less restrictive of the person's civil rights and liberties, *such as those set forth in section 525.54, subdivision 6,* it shall enter its order or judgment granting all of the powers set out in section 525.56, subdivision 3, in the case of a guardian of the person, and section 525.56, subdivision 4, in the case of a guardian of the estate, or specifying the powers of the (GUARDIAN OR) conservator pursuant to section 525.56. (BEFORE APPOINTING A GUARDIAN OR CONSERVATOR) *Except as provided in section 525.544,* the court shall make a finding that the person to be appointed as guardian or conservator is the most suitable and best qualified person among those who have indicated to the court that they are available and willing to discharge the trust before making the appointment.

The court (SHALL) *may* enumerate in its findings which legal rights the proposed ward or conservatee is incapable of exercising.

Subd. 6. [BOND.] Upon the filing of a bond *by the guardian or conservator of an estate* in an amount the court may direct and an oath according to law, or upon the filing of an acceptance of the trust pursuant to section 48.79, letters of guardianship or conservatorship shall issue. If there is no personal property, the court may waive the filing of a bond, but if the guardian or conservator receives or becomes entitled to any property of the ward or conservatee he shall immediately file a report thereof and a bond in an amount the court may direct. In case of breach of a condition of the bond an action thereon may be prosecuted by leave of the court by any interested person *or by the court on its own motion.*

Subd. 7. [NOTIFICATION OF COMMISSIONER OF PUBLIC WELFARE.] If the ward or conservatee is a patient of a state hospital for the mentally ill, or committed to the guardianship or conservatorship of the commissioner of public welfare as mentally retarded or dependent and neglected or is under the temporary custody of the commissioner of public welfare, the court shall notify the commissioner of public welfare of the appointment of a *guardian, conservator or successor guardian or conservator of the estate of the ward or conservatee.*

Sec. 8. Minnesota Statutes 1980, Section 525.5515, is amended to read:

525.5515 [LETTERS OF GUARDIANSHIP OR CONSERVATORSHIP.]

Subdivision 1. [COPY OF ORDER TO WARD OR CONSERVATEE.] A copy of the order appointing the guardian or conservator shall be served *by mail* upon the ward or conservatee and his counsel, if he was represented at the hearing. The order shall be accompanied by a notice which advises the ward or conservatee of his right to appeal the guardianship or conservatorship appointment within 30 days.

Subd. 2. [CONTENTS OF LETTERS.] Letters of guardianship or conservatorship shall contain: (a) the name, address and telephone number of the guardian or conservator; (b) the name, address and telephone number of the ward or conservatee; (c) *whether it is of the estate or of the person or both; and* (THE NATURE AND SCOPE OF THE GUARDIANSHIP OR CONSERVATORSHIP;) (d) the (SPECIFIC POWERS AND) legal limitations, *if any*, imposed by the court on the guardian or conservator (; AND (E) A SPECIFIC LISTING OF THE LEGAL RIGHTS THE WARD OR CONSERVATEE IS NOT ABLE TO EXERCISE).

Subd. 3. [ISSUANCE OF LETTERS.] Letters of guardianship or conservatorship shall issue to the guardian or conservator. (COPIES SHALL BE MAILED OR PERSONALLY

SERVED ON THE WARD OR CONSERVATEE, HIS COUNSEL, IF HE WAS REPRESENTED AT THE HEARING, THE RELATIVES OF THE WARD OR CONSERVATEE WHOSE NAMES AND ADDRESSES APPEAR ON THE ORIGINAL PETITION, AND ANY OTHER PERSON, INSTITUTION, ORGANIZATION OR AGENCY WHICH THE COURT DEEMS REASONABLE TO NOTIFY UNDER THE CIRCUMSTANCES OF THE GUARDIANSHIP OR CONSERVATORSHIP.)

Sec. 9. Minnesota Statutes 1980, Section 525.56, Subdivision 3, is amended to read:

Subd. 3. [DUTIES OF GUARDIAN OR CONSERVATOR OF THE PERSON.] The court may appoint a guardian of the person if it determines that all (OF) the powers and duties listed in this subdivision are needed to provide for the needs of the incapacitated person. The court may appoint a conservator of the person if it determines that a conservator is needed to provide for the needs of the incapacitated person through the exercise of some, but not all, of the powers and duties listed in this subdivision. The duties and powers of a *guardian or those* which the court may grant to a (GUARDIAN OR) conservator of the person include, but are not limited to:

(1) The power to have custody of the ward or conservatee and the power to establish his place of abode within or without the state, except as otherwise provided in this clause. The ward or conservatee or any person interested in his welfare may petition the court to prevent or to initiate a change in abode. A ward or conservatee may not be admitted to any state institution by his guardian or conservator except after a hearing pursuant to section 253A.07.

(2) The duty to provide for the ward's or conservatee's care, comfort and maintenance needs, including food, clothing, shelter, health care, social and recreational requirements, and, whenever appropriate, training, education and rehabilitation. The guardian or conservator has no duty to pay for these requirements out of his own funds. Whenever possible and appropriate, the guardian or conservator (HAS THE DUTY TO) *should* meet these requirements through governmental benefits or services to which the ward or conservatee is entitled, rather than from the ward's or conservatee's estate. *Failure to satisfy the needs and requirements of this clause shall be grounds for removal, but the guardian or conservator shall have no personal or monetary liability.*

(3) The duty to take reasonable care of the ward's or conservatee's clothing, furniture, vehicles and other personal effects, and, if other property requires protection, the power to seek appointment of a guardian or conservator of the estate. The guardian or conservator must give notice in the manner required and to those persons specified in section 525.55 prior to the disposition of the ward's or conservatee's clothing, furniture, vehicles

or other personal effects. The notice must inform the person that he has the right to object to the disposition of the property within ten days and to petition the court for a review of the guardian's or conservator's proposed actions. Notice of the objection (AND OF THE DATE OF THE HEARING) must be (PERSONALLY) served *by mail or personal service* on the guardian or conservator and the ward or conservatee *unless he be the objector*. If the guardian or conservator is served with notice of an objection to the disposition of the property he may not dispose of the property unless the court approves the disposition after a hearing.

(4) (a) The power to give any necessary consent to enable the ward or conservatee to receive necessary medical or other professional care, counsel, treatment or service, except that no guardian or conservator may give consent for psychosurgery, electroshock, sterilization or experimental treatment of any kind unless the procedure is first approved by order of the court as provided in this clause. The guardian or conservator shall not consent to any medical care for the ward or conservatee which violates the known conscientious, religious, or moral belief of the ward or conservatee.

(b) A guardian or conservator who believes a procedure described in clause (4)(a) requiring prior court approval to be necessary for the proper care of the ward or conservatee shall petition the court for an order. The court shall fix the time and place for the hearing and shall give notice to the ward or conservatee and to the other persons specified in section 525.55, subdivision 1. The notice shall comply with the requirements of, and be served in the manner provided in section 525.55, subdivision 2. The court shall appoint an attorney to represent the ward or conservatee, unless he has counsel of his own choice. In every case the court shall determine if the procedure is in the best interests of the ward or conservatee. In making its determination the court shall consider a written medical report which specifically considers the medical risks of the procedure and whether alternative, less restrictive methods of treatment could be used to protect the best interests of the ward or conservatee.

(c) In the case of a petition for sterilization of a mentally retarded ward or conservatee, the court shall appoint a licensed physician, a psychologist who is qualified in the diagnosis and treatment of mental retardation, and a social worker who is familiar with the ward's or conservatee's social history and adjustment to examine or evaluate the ward or conservatee and to provide written reports to the court. The reports shall indicate whether sterilization is necessary and whether it is in the best interests of the ward or conservatee. The medical report shall specifically consider the medical risks of sterilization and whether alternative methods of contraception could be used to protect the best interests of the ward or conservatee.

(5) The power to approve or withhold approval of any contract, except for necessities, which the ward or conservatee may make or wish to make.

(6) The duty and power to exercise supervisory authority over the ward or conservatee in a manner which limits his civil rights and restricts his personal freedom only to the extent necessary to provide needed care and services.

Sec. 10. Minnesota Statutes 1980, Section 525.56, Subdivision 4, is amended to read:

Subd. 4. [DUTIES OF GUARDIAN OR CONSERVATOR OF THE ESTATE.] The court may appoint a guardian of the estate if it determines that all (OF) the powers and duties listed in this subdivision are needed to provide for the needs of the incapacitated person. The court may appoint a conservator of the estate if it determines that a conservator is necessary to provide for the needs of the incapacitated person through the exercise of some, but not all, of the powers and duties listed in this subdivision. The duties and powers of a guardian or those which the court may (ORDER) grant to a conservator include, but are not limited to:

(1) The duty to pay the reasonable charges for the support, maintenance, and education of the ward or conservatee in a manner suitable to his station in life and the value of his estate. Nothing herein contained shall release parents from obligations imposed by law for the support, maintenance, and education of their children. The guardian or conservator has no duty to pay for these requirements out of his own funds. Wherever possible and appropriate, the guardian or conservator (HAS THE DUTY TO) *should* meet these requirements through governmental benefits or services to which the ward or conservatee is entitled, rather than from the ward's or conservatee's estate. *Failure to satisfy the needs and requirements of this clause shall be grounds for removal, but the guardian or conservator shall have no personal or monetary liability;*

(2) The duty to pay out of the ward's or conservatee's estate all just and lawful debts of the ward or conservatee and the reasonable charges incurred for the support, maintenance, and education of the ward's or conservatee's spouse and dependent children and, upon order of the court, pay such sum as the court may fix as reasonable for the support of any person unable to earn a livelihood who is legally entitled to support from the ward or conservatee;

(3) The duty to possess and manage the estate, collect all debts and claims in favor of the ward or conservatee, or, with the approval of the court, compromise them, institute suit on behalf of the ward or conservatee and represent the ward or conservatee in any court proceedings, and invest all funds not

currently needed for the debts and charges named in clauses (1) and (2) and the management of the estate, in accordance with the provisions of sections 48.84 and 501.125, subdivision 1, *or as otherwise ordered by the court.* (WHERE A BANK OR TRUST COMPANY IS A GUARDIAN OR CONSERVATOR, WITH OR WITHOUT COGUARDIANS OR COCONSERVATORS, IT MAY INVEST IN SECURITIES WITHOUT APPROVAL OF THE PROBATE COURT, BUT THE INVESTMENTS BY OTHER GUARDIANS OR CONSERVATORS IN SECURITIES SHALL BE SUBJECT TO THE APPROVAL OF THE PROBATE COURT EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED BY LAW.) *The standard of a fiduciary shall be applicable to all investments by a guardian or conservator.* A guardian or conservator shall also have the power to purchase certain contracts of insurance as provided in section 50.14, subdivision 14, clause (b) ;

(4) Where a ward or conservatee has inherited an undivided interest in real estate, the court, on a showing that it is for the best interest of the ward or conservatee, may authorize an exchange or sale of the ward's or conservatee's interest or a purchase by the ward or conservatee of any interest other heirs may have in the real estate.

Sec. 11. Minnesota Statutes 1980, Section 525.58, is amended to read:

525.58 [FILING OF ACCOUNTS; FILING OF AFFIDAVIT.]

Subdivision 1. [ANNUAL ACCOUNT.] Except where expressly waived by the court, every guardian or conservator of the estate annually shall file with the court within 30 days of the anniversary date of the guardian's or conservator's appointment a verified account covering the period from the date of appointment or his last account. The guardian or conservator of the estate shall give a copy of the annual account to the ward or conservatee *except where expressly waived by the court after a finding that the ward or conservatee is so incapacitated as to be unable to understand the account or there is a serious likelihood of harm to the ward or conservatee.* The court or its designee shall annually review the court file to insure that the account has been filed and that the account contains the information required by this section. If an account has not been filed or if the account does not contain the information required by this section the court shall order the guardian or conservator to file an appropriate account. The examination and acceptance shall not constitute an adjudication or determination of the merits of the account filed nor shall it constitute the court's approval of the account. At the termination of the guardianship or conservatorship, or upon the guardian's or conservator's removal or resignation, he or his surety, or in the event of his death or disability, his representative or surety

shall file a verified final account with a petition for the settlement and allowance thereof. Every account shall show in detail all property received and disbursed, the property on hand, the present address of the ward or conservatee and of the guardian or conservator, and unless the guardian or conservator be a corporation, the amount of the bond, the names and addresses of all sureties thereon, that each unincorporated surety is a resident of this state, is not under disability, and is worth the amount in which he justified.

Subd. 2. [NOTICE OF RIGHT TO PETITION FOR RESTORATION OF CAPACITY.] Except where expressly waived by the court after a finding that the ward or conservatee is so incapacitated as to be unable to understand any notice, *or there is a serious likelihood of harm to the ward or conservatee*, every guardian or conservator shall annually give notice to the ward or conservatee of his right to petition for restoration to capacity, discharge of guardian or conservator, or modification of the orders of guardianship or conservatorship. *A waiver shall not be effective for more than two years without a redetermination by the court.* The notice shall describe the procedure for preparing and filing such a petition. Notice shall also inform the ward or conservatee that after a petition is filed the court will hold a hearing on the matter and that he has the right to be present and to be represented by counsel at the hearing. The form of the notice shall be approved or supplied by the court.

Subd. 3. [AFFIDAVIT.] Except where expressly waived by the court as provided in subdivision 2, every guardian or conservator shall file annually with the court an affidavit stating that he has given (A COPY OF THE ANNUAL ACCOUNT AND) the notice required by subdivision 2 to the ward or conservatee *and every guardian or conservator of an estate shall file an affidavit stating that a copy of the annual account has been given to the ward or conservatee.*

Sec. 12. Minnesota Statutes 1980, Section 525.591, Subdivision 2, is amended to read:

Subd. 2. [SPECIAL GUARDIAN OR CONSERVATOR.] Upon a clear showing of necessity, the court with notice may appoint a special guardian or conservator *of the person or estate* or both of any adult person designated in section 525.54, whether a petition for general guardianship or conservatorship has been filed or not. Notice shall be given in language which can be easily understood at least 24 hours prior to the hearing, and shall contain the information required by section 525.55, subdivision 2, regarding the purpose of the hearing and the rights of the proposed ward or conservatee. A copy of the petition shall be served with the notice. The court may waive the 24 hour notice requirement upon a showing that immediate and reasonably foreseeable harm to the person or his estate will result from the 24 hour delay. Notice of the court's order shall be given to the proposed ward or conservatee.

Sec. 13. Minnesota Statutes 1980, Section 525.591, Subdivision 3, is amended to read:

Subd. 3. [NO APPEAL.] (AN) *There shall be no appeal (MAY BE TAKEN) from any order appointing or refusing to appoint a special guardian or conservator. (THE APPEAL SHALL BE HANDLED ON AN EXPEDITED BASIS BY THE DISTRICT COURT.)*

Sec. 14. Minnesota Statutes 1980, Section 525.618, Subdivision 1, is amended to read:

Subdivision 1. [TIME OF NOTICE; TO WHOM.] Notice of the time and place of hearing of a petition for the appointment of a guardian of a minor shall be given by the petitioner in the following manner and to the following persons:

(a) The minor, if he is 14 or more years of age, by personal service at least 14 days prior to the date of hearing;

(b) The person who has had the principal care and custody of the minor during the 60 days preceding the date of the petition by personal service, at least 14 days prior to the date of hearing;

(c) Any living parent of the minor *residing in Minnesota* by personal service, at least 14 days prior to the date of hearing;

(d) *Any living parent of the minor residing outside of Minnesota, and any adult (SIBLINGS) brothers and sisters of the minor, service by mail, at least 14 days prior to the date of hearing; and*

(e) To any other persons that the court may direct.

Sec. 15. Minnesota Statutes 1980, Section 525.6185, is amended to read:

525.6185 [CONSENT TO SERVICE BY ACCEPTANCE OF APPOINTMENT; NOTICE.]

By accepting a testamentary or court appointment as guardian, a guardian submits personally to the jurisdiction of the court in any proceeding relating to the guardianship that may be instituted by any interested person. Notice of any proceeding shall be given by *mail or personal service* upon the guardian at least 14 days prior to the date of the hearing. (LETTERS OF GUARDIANSHIP MUST INDICATE WHETHER THE GUARDIAN WAS APPOINTED BY WILL OR BY COURT ORDER.)

Sec. 16. Minnesota Statutes 1980, Section 525.619, is amended to read:

525.619 [POWERS AND DUTIES OF GUARDIAN OF MINOR.]

A guardian of a minor has the powers and responsibilities of a parent who has not been deprived of custody of his minor and unemancipated child, except that a guardian is not legally obligated to provide from his own funds for the ward. In particular, and without qualifying the foregoing, a guardian has the following powers and duties:

(a) He must take reasonable care of his ward's personal effects and commence protective proceedings if necessary to protect other property of the ward.

(b) He may receive money payable for the support of the ward to the ward's parent, guardian or custodian under the terms of any statutory benefit or insurance system, or any private contract, devise, trust, conservatorship or custodianship. He also may receive money or property of the ward paid or delivered by virtue of section 525.6196. Any sums so received shall be applied to the ward's current needs for support, care and education. He must exercise due care to conserve any excess for the ward's future needs unless a conservator has been appointed for the estate of the ward, in which case the excess shall be paid over at least annually to the conservator. Sums so received by the guardian are not to be used for compensation for his services except as approved by order of court or as determined by a duly appointed conservator other than the guardian. A guardian may institute proceedings to compel the performance by any person of a duty to support the ward or to pay sums for the welfare of the ward.

(c) The guardian is empowered to facilitate the ward's education, social, or other activities and to authorize medical or other professional care, treatment or advice. A ward may not be committed to any state institution except pursuant to sections 253A.01 to 253A.21 and no guardian may give consent for psychosurgery, electroshock, sterilization or experimental treatment of any kind unless the procedure is first approved by the order of the court, after a hearing as prescribed by section 525.56, subdivision 2.

A guardian is not liable by reason of his consent for injury to the ward resulting from the negligence or acts of third persons unless it would have been illegal for a parent to have consented, or unless he fails to comply with the requirements of this section which provide that a court order is necessary for commitment and for certain types of medical procedures. A guardian may consent to the marriage or adoption of his ward.

(d) A guardian must report the condition of his ward and of the ward's estate which has been subject to his possession or control, as ordered by the court *on its own motion* or on petition of any person interested in the minor's welfare and as required by (SECTION 525.58, SUBDIVISION 1) *court rule*.

Sec. 17. Minnesota Statutes 1980, Section 525.6192, is amended to read:

525.6192 [TERMINATION OF APPOINTMENT OF GUARDIAN; GENERAL.]

A guardian's authority and responsibility terminates upon the death, resignation or removal of the guardian or upon the minor's death, adoption, marriage or attainment of majority, but termination does not affect his liability for prior acts, nor his obligation to account for funds and assets of his ward. *A guardian may be discharged without notice or hearing on petition and acceptance of the guardian's accounts by the ward after the ward marries or attains majority, or, in the case of the ward's death, by the personal representative of the ward's estate. In other cases the court may discharge the guardian upon approval of his accounts after notice and a hearing.* Resignation of a guardian does not terminate the guardianship until it has been approved by the court. A testamentary appointment under an informally probated will terminates if the will is later denied probate in a formal proceeding.

Sec. 18. Minnesota Statutes 1980, Section 525.6196, is amended to read:

525.6196 [FACILITY OF PAYMENT OR DELIVERY.]

Any person under a duty to pay or deliver money or personal property to a minor may perform this duty, in amounts not exceeding \$5,000 per annum, by paying or delivering the money or property to, (1) the minor, if he has attained the age of (18) 16 years or is married; (2) any person having the care and custody of the minor with whom the minor resides; (3) a guardian of the minor; or (4) a financial institution incident to a deposit in a federally insured savings account in the sole name of the minor and giving notice of the deposit to the minor. This section does not apply if the person making payment or delivery has actual knowledge that a conservator has been appointed or proceedings for appointment of a conservator of the estate of the minor are pending. The persons, other than the minor or any financial institution under (4) above, receiving money or property for a minor, are obligated to apply the money to the support and education of the minor, but may not pay themselves except by way of reimbursement for out-of-pocket expenses for goods and services necessary for the minor's support. Any excess sums shall be preserved for future support of the minor and any

balance not so used and any property received for the minor must be turned over to the minor when he attains majority. Persons who pay or deliver in accordance with provisions of this section are not responsible for the proper application thereof.

Sec. 19. Minnesota Statutes 1980, Section 525.6198, is amended to read:

525.6198 [PROTECTIVE PROCEEDINGS; APPOINTMENT OF CONSERVATOR OF ESTATE OF MINOR.]

Upon petition and after notice and hearing in accordance with the provisions of section 525.618 the court may appoint a conservator or make other protective order for cause as follows:

(1) Appointment of a conservator or other protective order may be made in relation to the estate and affairs of a minor if the court determines that a minor owns money or property that requires management or protection which cannot otherwise be provided, has or may have business affairs which may be jeopardized or prevented by his minority, or that funds are needed for his support and education and that protection is necessary or desirable to obtain or provide funds.

(2) The court may grant to the conservator of the estate of a minor any or all of the powers and duties enumerated in section 525.56, subdivision 3, and the conservator shall be subject to the requirements of sections 525.58 (TO), *subdivision 1, 525.581 and 525.582 regarding an inventory and accounting, except that the court may waive the requirement that the annual account be served on the ward.* The conservator shall file a bond with the court in such amount as the court may direct.

Sec. 20. Minnesota Statutes 1980, Section 525.62, is amended to read:

525.62 [MORTGAGE AND LEASE.]

Sections 525.62 to 525.702 shall be applicable only to guardianships and conservatorships and not to decedents' estates. As used in sections 525.62 to 525.702, the word "mortgage" includes an extension of an existing mortgage, subject to the provisions of section 525.691, *and the word "lease" means a lease for one or more years, unless the context indicates otherwise.*

Sec. 21. Minnesota Statutes 1980, Section 525.67, is amended to read:

525.67 [AGREEMENT AND SALE FOR PUBLIC PURPOSE.]

When any real estate of a ward or conservatee is desired by any person, firm, association, corporation, or governmental agency having the power of eminent domain, the guardian or conservator may agree, in writing, upon the compensation to be made for the taking, injuring, damaging, or destroying thereof, subject to the approval of the court. When the agreement has been made, the guardian or conservator shall file a petition, of which the agreement shall be a part, setting forth the facts relative to the transaction. The court, with notice as provided in section 525.83, *except that no publication is required unless it is ordered by the court*, shall hear, determine, and act upon the petition. If the court approves the agreement, the guardian or conservator, upon payment of the agreed compensation, shall convey the real estate sought to be acquired and execute any release which may be authorized.

Sec. 22. Minnesota Statutes 1980, Section 525.69, is amended to read:

525.69 [CONVEYANCE OF VENDOR'S TITLE.]

When any ward or conservatee is legally bound to make a conveyance or lease, the court, (WITH) *without further* notice (AS PROVIDED IN SECTION 525.83, EXCEPT THAT NO PUBLICATION IS REQUIRED), may direct the guardian or conservator to make the conveyance or lease to the person entitled thereto. The petition may be made by any person claiming to be entitled to the conveyance or lease, or by the guardian or conservator, or by any person interested in the estate or claiming an interest in the real estate or contract, and shall show the description of the land and the facts upon which the claim for conveyance or lease is based. Upon proof of the petition, the court may order the guardian or conservator to execute and deliver an instrument of conveyance or lease upon performance of the contract.

Sec. 23. Minnesota Statutes 1980, Section 525.703, is amended to read:

525.703 [COSTS.]

In proceedings under sections 525.54 to 525.702 (, AND EXCEPT IN CASES IN WHICH THE PETITIONER FILED A PETITION IN BAD FAITH, FEES FOR COUNSEL REPRESENTING THE PROPOSED WARD OR CONSERVATEE SHALL BE BORNE BY THE PROPOSED WARD OR CONSERVATEE. IN CASES IN WHICH THE PETITIONER ACTED IN BAD FAITH, HE SHALL BEAR THE COSTS. EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE FEE OF PETITIONER'S COUNSEL SHALL BE BORNE BY THE PETITIONER. IN UNCONTESTED CASES THE COURT MAY ORDER THE FEE CHARGED TO THE WARD

OR CONSERVATEE IF THE PETITION IS GRANTED. IF THE PROPOSED WARD OR CONSERVATEE IS INDIGENT, THE FEES FOR WHICH THE WARD OR CONSERVATEE IS RESPONSIBLE SHALL BE BORNE BY THE COUNTY HAVING JURISDICTION OVER THE GUARDIANSHIP PROCEEDINGS) a lawyer or health professional rendering necessary services with regard to the appointment of a guardian or conservator, the administration of the ward's or conservatee's estate or personal affairs or the restoration of his capacity, shall be entitled to reasonable compensation from the estate of the ward or conservatee or from the county having jurisdiction over the proceedings if the ward or conservatee is indigent. When the court determines that other necessary services have been provided for the benefit of the ward or conservatee, the court may order reasonable fees to be paid from the estate of the ward or conservatee or from the county having jurisdiction over the proceedings if the ward or conservatee is indigent. If, however, the court determines that a petitioner, guardian or conservator has not acted in good faith, the court shall order some or all of the fees or costs incurred in the proceedings to be borne by those not acting in good faith.

Sec. 24. [525.705.] [PRE-EXISTING GUARDIANSHIPS AND CONSERVATORSHIPS.]

All guardians and conservators serving prior to August 1, 1981, shall have all powers and duties of section 525.56, subdivision 3, as to the person and section 525.56, subdivision 4, as to the estate, unless restricted by any existing court order, until those powers or duties are restricted or changed by court order.

Sec. 25. Minnesota Statutes 1980, Section 540.08, is amended to read:

540.08 [INJURY TO CHILD OR WARD; SUIT BY PARENT OR GUARDIAN.]

A father may maintain an action for the injury of his minor child. When such father has deserted his family or is dead the mother of such minor child may maintain the action. When custody of the injured child has been granted to either parent by a court having jurisdiction, that parent may maintain the action. A general guardian may maintain an action for the injury of his ward. A guardian of a dependent, neglected, or delinquent child, appointed by a court having jurisdiction, may maintain an action for the injury of such child. If no such action is brought by the father or mother, an action for the injury may be brought by a guardian ad litem, either before or after the death of such parent. Before any such parent receives any property as a result of any such action, he shall file such bond as the court prescribes and approves as security therefor. In lieu of this bond, upon petition of the parent, the court may order that the property so received shall be invested in securities issued by the United States, which shall be deposited pursuant to the order

of the court, or such property shall be invested in a savings account, savings certificate, or certificate of deposit, in a bank, savings and loan association, or trust company, or an annuity or other form of structured settlement, subject to the order of the court. A copy of the court's order and the evidence of such deposit shall be filed with the clerk of such court. No settlement or compromise of any such action is valid unless it is approved by a judge of the court in which the action is pending.

Sec. 26. [REPEALER.]

Minnesota Statutes 1980, Section 525.504, is repealed."

Delete the title and insert:

"A bill for an act relating to judicial procedures; changing certain provisions relating to guardianship, conservatorship, and actions brought on behalf of minor children; amending Minnesota Statutes 1980, Sections 525.539, by adding a subdivision; 525.54; 525.541; 525.542; 525.543; 525.55; 525.551; 525.5515; 525.56, Subdivisions 3 and 4; 525.58; 525.591, Subdivisions 2 and 3; 525.618, Subdivision 1; 525.6185; 525.619; 525.6192; 525.6196; 525.6198; 525.62; 525.67; 525.69; 525.703; and 540.08; proposing new law coded in Minnesota Statutes, Chapter 525; repealing Minnesota Statutes 1980, Section 525.504."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 763 and 792 were read for the second time.

Clark, K., moved that S. F. No. 368 be recalled from the Committee on General Legislation and Veterans Affairs and together with H. F. No. 792, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 937, 915, 830, 539 and 574 were read for the second time.

HOUSE ADVISORIES

The following House Advisory was introduced:

Brandl; Clark, J.; Swanson; Onnen and Blatz introduced:

H. A. No. 26, A proposal to examine and evaluate incentives for cost containment in the medical assistance program.

The advisory was referred to the Committee on Health and Welfare.

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. 189, A bill for an act relating to governmental operations; prohibiting the use of state government vehicles for non-governmental functions; prohibiting compensation of employees for use of personal vehicles for nongovernmental purposes; amending Minnesota Statutes 1980, Section 16.753.

H. F. No. 277, A bill for an act relating to insurance; broadening the investment authority of township mutual insurance companies; prescribing recordkeeping duties; providing remedies; proposing new law coded in Minnesota Statutes, Chapter 67A; repealing Minnesota Statutes 1980, Sections 67A.23 and 67A.24.

H. F. No. 365, A bill for an act relating to building code inspectors; authorizing certain municipalities to choose between two options to enforce the provisions of the building code related to access for handicapped persons; amending Minnesota Statutes 1980, Section 16.861, by adding a subdivision.

H. F. No. 395, A bill for an act relating to state government; allowing other public employees, as well as spouses of state and other public employees, to participate in state employee van pools under certain circumstances; amending Minnesota Statutes 1980, Section 16.756, by adding a subdivision.

H. F. No. 436, A bill for an act relating to financial institutions; setting application fees for industrial loan and thrifts; providing for publication of notices; establishing procedures for consideration of applications for consent to sell and issue certificates; increasing the minimum amounts for insurance of accounts; amending Minnesota Statutes 1980, Sections 53.03, Subdivision 1, and by adding subdivisions; and 53.10, Subdivision 1.

H. F. No. 449, A bill for an act relating to courts; providing that court reporter salaries shall be set by the district court administrator after consultation with the chief judge; amending Minnesota Statutes 1980, Sections 486.05, Subdivision 1; and 487.11, Subdivision 2.

H. F. No. 536, A bill for an act relating to retirement; city of St. Paul public housing agency; transferring retirement cover-

age for certain public employees; amending Laws 1977, Chapter 228, Section 3.

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

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. 564, A bill for an act relating to insurance; allowing a township mutual fire insurance company to insure certain property; amending Minnesota Statutes 1980, Section 67A.14, Subdivision 5.

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

H. F. No. 893, A bill for an act relating to transportation; authorizing the purchase of the closed combination railroad and highway bridge connecting St. Paul Park in Washington County and Inver Grove Heights in Dakota County, and authorizing its operation as a toll bridge by a private business entity; providing for the regulation of the operation and maintenance of the bridge and the establishment of maximum toll charges by the counties of Washington and Dakota.

H. F. No. 928, A bill for an act relating to the city of Isanti; authorizing the city to issue general obligation bonds for the acquisition and betterment of a municipal building.

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

H. F. No. 1015, A bill for an act relating to education; modifying the provisions governing teachers placed on unrequested

leave of absence in experimental paired districts; amending Minnesota Statutes 1980, Section 122.85, Subdivision 4.

H. F. No. 1075, A bill for an act relating to social and charitable organizations; increasing the threshold dollar amount required for the use of a certified financial statement; determining what is properly included in cost of goods or services; amending Minnesota Statutes 1980, Sections 309.53, Subdivision 3; and 309.555, 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:

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

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. 484, A bill for an act relating to commerce; clarifying the definition of "continuing care"; providing for implementation of the continuing care facilities disclosure and rehabilitation act in a self-executing manner; amending Minnesota Statutes 1980, Sections 80D.01; 80D.02, Subdivision 2, and by adding a subdivision; 80D.03, Subdivision 1; 80D.04; 80D.05; 80D.06; 80D.08; 80D.09; 80D.11; 80D.13, Subdivision 1; 80D.14, Subdivisions 1 and 2; 80D.15; 80D.16; and 82.18; repealing Minnesota Statutes 1980, Sections 80D.02, Subdivision 3; 80D.03, Subdivisions 3 and 4; 80D.10; 80D.12; 80D.14, Subdivision 3; 80D.17; and 80D.18.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Blatz moved that the House concur in the Senate amendments to H. F. No. 484 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

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

Mr. Speaker:

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

H. F. No. 413, A bill for an act relating to handicapped persons; prohibiting persons serving as foreign language inter-

preters or interpreters for persons with hearing or speaking impairments from disclosing communications made to them during the course of civil, criminal or administrative proceedings; amending Minnesota Statutes 1980, Sections 546.44, by adding a subdivision; 595.02; 611.30; 611.31; and 611.33, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lemen moved that the House concur in the Senate amendments to H. F. No. 413 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 413, A bill for an act relating to persons handicapped in communication; prohibiting persons serving as foreign language interpreters or interpreters for persons with hearing or speaking impairments from disclosing communications made to them during the course of civil, criminal or administrative proceedings; amending Minnesota Statutes 1980, Sections 546.42; 546.44, by adding a subdivision; 595.02; 611.30; 611.31; and 611.33, by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 258, A bill for an act relating to commerce; allowing the manufacture, sale, and shipment of gambling devices for use in other states; amending Minnesota Statutes 1980, Sections 349.31, Subdivision 1; 609.75, Subdivision 1; 609.76; proposing new law coded in Minnesota Statutes, Chapter 349.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Evans moved that the House concur in the Senate amendments to H. F. No. 258 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 258, A bill for an act relating to commerce; allowing the manufacture, sale, and shipment of gambling devices for use in jurisdictions where use of the gambling device is legal; amending Minnesota Statutes 1980, Sections 349.31, Subdivision 1; 609.75, Subdivision 1; 609.76; proposing new law coded in Minnesota Statutes, Chapter 349.

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 105 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Ainley	Clark, K.	Gustafson	Kaley	Minne
Anderson, B.	Clawson	Halberg	Kalis	Munger
Anderson, G.	Dahlvang	Harens	Knickerbocker	Murphy
Anderson, I.	Dean	Hauge	Kostohryz	Nelsen, B.
Anderson, R.	Dempsey	Haukoos	Lehto	Nelson, K.
Battaglia	Drew	Himle	Long	Norton
Begich	Eken	Hoberg	Ludeman	Novak
Berkelman	Elioff	Hokanson	Luknic	Nysether
Blatz	Ellingson	Hokr	Mann	O'Connor
Brandl	Evans	Jacobs	Marsh	Ogren
Brinkman	Ewald	Jennings	McCarron	Olsen
Byrne	Forsythe	Johnson, C.	McDonald	Otis
Carlson, D.	Friedrich	Johnson, D.	McEachern	Peterson, D.
Carlson, L.	Greenfield	Jude	Mehrkens	Piepho
Clark, J.	Gruenes	Kahn	Metzen	Pogemiller

Redalen	Rose	Sherman	Stumpf	Welker
Reding	Rothenberg	Sieben, M.	Sviggum	Wenzel
Rees	Samuelson	Simoneau	Valan	Wieser
Reif	Sarna	Skoglund	Valento	Wigley
Rodriguez, C.	Schoenfeld	Stadum	Vanasek	Zubay
Rodriguez, F.	Schreiber	Stowell	Vellenga	Spkr. Sieben, H.

Those who voted in the negative were:

Aasness	Fjoslien	Laidig	Schafer	Weaver
Den Ouden	Hanson	Niehaus	Sherwood	Wynia
Erickson	Kelly	Onnen	Swanson	
Esau	Kvam	Rice	Voss	

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. 168, A bill for an act relating to motor vehicle carriers; providing procedures for granting permits to courier service carriers in certain cases; amending Minnesota Statutes 1980, Section 221.121, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Novak moved that the House concur in the Senate amendments to H. F. No. 168 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 168, A bill for an act relating to motor vehicle carriers; providing procedures for granting permits to courier service carriers in certain cases.

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

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

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. 601, A bill for an act relating to cemeteries; requiring public cemeteries having permanent care and improvement funds to file a notice and an annual report with the county auditor; amending Minnesota Statutes 1980, Section 306.761.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Ogren moved that the House concur in the Senate amendments to H. F. No. 601 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 601, A bill for an act relating to cemeteries; requiring public cemeteries having permanent care and improvement funds to file a notice and an annual report with the county auditor; increasing the filing fee for the report; amending Minnesota Statutes 1980, Section 306.761.

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	Esau	Kalis	Novak	Sherwood
Ainley	Evans	Kelly	Nysether	Sieben, M.
Anderson, B.	Ewald	Knickerbocker	O'Connor	Simoneau
Anderson, G.	Fjoslien	Kostohryz	Ogren	Skoglund
Anderson, I.	Forsythe	Kvam	Olsen	Stadum
Anderson, R.	Friedrich	Laidig	Onnen	Staten
Battaglia	Greenfield	Lehto	Otis	Stowell
Begich	Gruenes	Lemen	Peterson, D.	Stumpf
Berkelman	Gustafson	Levi	Piepho	Sviggum
Blatz	Halberg	Long	Pogemiller	Swanson
Brandl	Hanson	Ludeman	Redalen	Tomlinson
Brinkman	Harens	Luknic	Reding	Valan
Byrne	Hauge	Mann	Rees	Valento
Carlson, D.	Haukoos	Marsh	Reif	Vanasek
Carlson, L.	Heap	McCarron	Rice	Vellenga
Clark, J.	Himle	McDonald	Rodriguez, C.	Voss
Clawson	Hoberg	McEachern	Rodriguez, F.	Weaver
Dahlvang	Hokanson	Mehrkens	Rose	Welch
Dean	Hokr	Metzen	Rothenberg	Welker
Dempsey	Jacobs	Minne	Samuelson	Wenzel
Den Ouden	Jennings	Munger	Sarna	Wieser
Drew	Johnson, C.	Murphy	Schafer	Wigley
Eken	Johnson, D.	Nelsen, B.	Schoenfeld	Wynia
Elioff	Jude	Nelson, K.	Schreiber	Zubay
Ellingson	Kahn	Niehaus	Shea	Spkr. Sieben, H.
Erickson	Kaley	Norton	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. 57, A bill for an act relating to real estate; directing a conveyance of the states right, title and interest in certain lands to Independent School District No. 417 of Tracy, Minnesota.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Ludeman moved that the House concur in the Senate amendments to H. F. No. 57 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 57, A bill for an act relating to real estate; directing a conveyance of the states right, title and interest in certain lands to Independent School District No. 417 of Tracy, Minnesota.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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. 739, A bill for an act relating to local government; regulating the tax levy of the joint recreation and park board of the city of Hibbing and Independent School District 701; amending Laws 1971, Chapter 573, Section 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Minne moved that the House concur in the Senate amendments to H. F. No. 739 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 739, A bill for an act relating to local government; regulating the tax levy of the joint recreation and park board

of the city of Hibbing and Independent School District 701; amending Laws 1971, Chapter 573, Section 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 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Rice

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. 976, A bill for an act relating to retirement; Minneapolis teachers retirement fund association; authorizing the establishment of a lump sum post retirement adjustment program; authorizing service credit for parental leaves.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sarna moved that the House concur in the Senate amendments to H. F. No. 976 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 976, A bill for an act relating to retirement; Minneapolis teachers retirement fund association; authorizing the establishment of a lump sum post retirement adjustment program; authorizing service credit for parental leaves.

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	Esau	Kalis	Novak	Sherwood
Ainley	Evans	Kelly	Nysether	Sieben, M.
Anderson, B.	Ewald	Knickerbocker	O'Connor	Simoneau
Anderson, G.	Fjoslien	Kostohryz	Ogren	Skoglund
Anderson, I.	Forsythe	Kvam	Olsen	Stadum
Anderson, R.	Friedrich	Laidig	Onnen	Staten
Battaglia	Greenfield	Lehto	Otis	Stowell
Begich	Gruenes	Lemen	Peterson, D.	Stumpf
Berkelman	Gustafson	Levi	Piepho	Swigum
Blatz	Halberg	Long	Pogemiller	Swanson
Brandl	Hanson	Ludeman	Redalen	Tomlinson
Brinkman	Harens	Luknic	Reding	Valan
Byrne	Hauge	Mann	Rees	Valento
Carlson, D.	Haukoos	Marsh	Reif	Vanasek
Carlson, L.	Heap	McCarron	Rice	Vellenga
Clark, J.	Himle	McDonald	Rodriguez, C.	Voss
Clark, K.	Hoberg	McEachern	Rodriguez, F.	Weaver
Clawson	Hokanson	Mehrkins	Rose	Welch
Dahlvang	Hokr	Metzen	Rothenberg	Welker
Dean	Jacobs	Minne	Samuelson	Wenzel
Dempsey	Jennings	Munger	Sarna	Wieser
Drew	Johnson, C.	Murphy	Schafer	Wigley
Eken	Johnson, D.	Nelsen, B.	Schoenfeld	Wynia
Elioff	Jude	Nelson, K.	Schreiber	Zubay
Ellingson	Kahn	Niehaus	Searles	Spkr. Sieben, H.
Erickson	Kaley	Norton	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. 567, A bill for an act relating to retirement; teachers retirement association and teacher retirement fund associations in cities of the first class; allowing certain types of survivor coverage be provided to a designated beneficiary instead of a surviving spouse; requiring public pension funds to provide information concerning optional annuity forms with retirement application form; requiring the signature of the spouse of a member on the retirement application form in certain instances; amending Minnesota Statutes 1980, Sections 354.46, Subdivisions 1 and 2, and by adding a subdivision; 354.47, Subdivision 1; and 354A.35, by adding a subdivision; and proposing new law coded in Minnesota Statutes, Chapter 356.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Olsen moved that the House concur in the Senate amendments to H. F. No. 567 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

The bill was read for the third time, 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 127 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Ludeman Marsh 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. 1080, A bill for an act relating to children; authorizing counties to establish multidisciplinary child protection teams; proposing new law coded in Minnesota Statutes, Chapter 626.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Anderson, R., moved that the House concur in the Senate amendments to H. F. No. 1080 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1080, A bill for an act relating to children; authorizing counties to establish multidisciplinary child protection teams; proposing new law coded in Minnesota Statutes, Chapter 626.

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 131 yeas and 0 nays 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	Laidig	Otis	Stowell
Anderson, R.	Friedrich	Lehto	Peterson, D.	Stumpf
Battaglia	Greenfield	Lemen	Piepho	Sviggum
Begich	Gruenes	Levi	Pogemiller	Swanson
Berkelman	Gustafson	Long	Redalen	Tomlinson
Blatz	Halberg	Ludeman	Reding	Valan
Brandl	Hanson	Luknic	Rees	Valento
Brinkman	Harens	Mann	Reif	Vanasek
Byrne	Hauge	Marsh	Rice	Vellenga
Carlson, D.	Haukoos	McCarron	Rodriguez, C.	Voss
Carlson, L.	Heap	McDonald	Rodriguez, F.	Weaver
Clark, J.	Himle	McEachern	Rose	Welch
Clark, K.	Hoberg	Mehrkens	Rothenberg	Welker
Clawson	Hokanson	Metzen	Samuelson	Wenzel
Dahlvang	Hokr	Minne	Sarna	Wieser
Dean	Jacobs	Munger	Schafer	Wigley
Dempsey	Jennings	Murphy	Schoenfeld	Wynia
Den Ouden	Johnson, C.	Nelsen, B.	Schreiber	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.	

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. 579, A bill for an act relating to financial institutions; allowing new mortgage instruments; modifying rate restrictions on certain loans; providing a maximum late charge on certain loans; amending Minnesota Statutes 1980, Section 47.20, Subdivisions 1, 2, 4, 4a, 6, 12 and by adding subdivisions.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Berkelman moved that the House concur in the Senate amendments to H. F. No. 579 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 579, A bill for an act relating to financial institutions; allowing new mortgage instruments; modifying rate restrictions on certain loans; providing a maximum late charge

on certain loans; amending Minnesota Statutes 1980, Section 47.20, Subdivisions 1, 2, 4, 4a, 6, 12, and by adding subdivisions.

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 71 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	Kalis	Norton	Sherman
Ainley	Friedrich	Knickerbocker	Nysether	Sherwood
Anderson, B.	Gruenes	Kvam	Olsen	Stadum
Anderson, R.	Harens	Laidig	Otis	Stowell
Berkelman	Hauge	Levi	Peterson, B.	Sviggum
Blatz	Haukoos	Ludeman	Piepho	Valan
Brinkman	Heap	Luknic	Redalen	Valento
Dean	Himle	Mann	Reding	Voss
Dempsey	Hoberg	Marsh	Rees	Welker
Den Ouden	Hokr	McDonald	Reif	Wigley
Drew	Jacobs	Mehrkens	Rose	Zubay
Erickson	Jennings	Metzen	Rothenberg	
Esau	Johnson, C.	Murphy	Schafer	
Evans	Johnson, D.	Nelsen, B.	Schreiber	
Ewald	Kaley	Niehaus	Searles	

Those who voted in the negative were:

Anderson, G.	Eken	Lehto	Peterson, D.	Stumpf
Anderson, I.	Elioff	Lemen	Rice	Swanson
Battaglia	Ellingson	McCarron	Rodriguez, C.	Tomlinson
Begich	Fjoslien	McEachern	Rodriguez, F.	Vellenga
Brandl	Greenfield	Minne	Samuelson	Weaver
Byrne	Halberg	Munger	Sarna	Welch
Carlson, D.	Hanson	Nelson, K.	Schoenfeld	Wenzel
Carlson, L.	Hokanson	Novak	Shea	Wieser
Clark, J.	Jude	O'Connor	Sieben, M.	Wynia
Clark, K.	Kahn	Ogren	Simoneau	Spkr. Sieben, H.
Clawson	Kelly	Onnen	Skoglund	
Dahlvang	Kostohryz	Osthoff	Staten	

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. 1304, A bill for an act relating to state government; providing for deficiencies in and supplementing appropriations for the expenses of state government; appropriating money.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, M., moved that the House concur in the Senate amendments to H. F. No. 1304 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

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

Those who voted in the affirmative were:

Aasness	Esau	Kostohryz	Ogren	Sherwood
Ainley	Evans	Kvam	Olsen	Sieben, M.
Anderson, B.	Ewald	Laidig	Onnen	Simoneau
Anderson, G.	Fjoslien	Lehto	Osthoff	Skoglund
Anderson, I.	Forsythe	Lemen	Otis	Staten
Anderson, R.	Greenfield	Levi	Peterson, B.	Stowell
Battaglia	Gruenes	Long	Peterson, D.	Stumpf
Begich	Gustafson	Ludeman	Piepho	Sviggum
Berkelman	Halberg	Luknic	Pogemiller	Swanson
Blatz	Hanson	Mann	Redalen	Tomlinson
Brandl	Harens	Marsh	Reding	Valan
Brinkman	Hauge	McCarron	Rees	Valento
Byrne	Haukoos	McDonald	Reif	Vanasek
Carlson, D.	Heap	McEachern	Rice	Vellenga
Carlson, L.	Himle	Mehrkins	Rodriguez, C.	Voss
Clark, J.	Hokanson	Metzen	Rodriguez, F.	Weaver
Clawson	Hokr	Minne	Rose	Welch
Dahlvang	Jacobs	Munger	Rothenberg	Welker
Dean	Jennings	Murphy	Samuelson	Wenzel
Dempsey	Johnson, C.	Nelsen, B.	Sarna	Wieser
Den Ouden	Johnson, D.	Nelson, K.	Schafer	Wigley
Drew	Jude	Niehaus	Schoenfeld	Wynia
Eken	Kahn	Norton	Schreiber	Zubay
Elioff	Kalis	Novak	Searles	Spkr. Sieben, H.
Ellingson	Kelly	Nysether	Shea	
Erickson	Knickerbocker	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. 1088, A bill for an act relating to the secretary of state; requiring that government survey documents be main-

tained on microfilm; providing for filing certain documents with the Minnesota historical society; amending Minnesota Statutes 1980, Section 5.03.

PATRICK E. FLAHAVEN, Secretary of the Senate

Pogemiller moved that the House refuse to concur in the Senate amendments to H. F. No. 1088, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House request 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. 704, A bill for an act relating to motor vehicles; providing for the taxation and registration of certain collector's vehicles; including additional vehicles entitled to classic car license plates; increasing the tax thereon; amending Minnesota Statutes 1980, Section 168.10, Subdivision 1b.

PATRICK E. FLAHAVEN, Secretary of the Senate

Brinkman moved that the House refuse to concur in the Senate amendments to H. F. No. 704, 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. 1088:

Pogemiller, Rodriguez, F., and Kaley.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 704:

Brinkman, Gruenes and Kostohryz.

Mr. Speaker:

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

S. F. Nos. 207, 558, 945, 1132 and 1174.

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. 167, 823, 1126, 1188, 1248 and 1278.

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. 56, 373, 556, 641 and 655.

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. 690, 694, 814, 890, 909 and 1074.

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. 662 and 672.

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. 1321 and 1106.

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. 445 and 1122.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 207, A bill for an act relating to retirement; making various changes in the laws governing the operation of the public employees retirement association; amending Minnesota Statutes 1980, Section 353.01, Subdivision 19; 353.03, Subdivisions 1, 2, and 3a; 353.15; 353.27, Subdivision 4; 353.28, Subdivision 5; 353.29, Subdivision 8; 353.31, Subdivision 1; 353.32, Subdivision 9; 353.33, Subdivisions 4, 5, and 6; 353.64, Subdivisions 1 and 6; 353.656, Subdivision 2; and 353.657, Subdivision 3; repealing Minnesota Statutes 1980, Sections 353.272; 353.37, Subdivision 1a; and 353.46, Subdivision 1.

The bill was read for the first time.

Sarna moved that S. F. No. 207 and H. F. No. 251, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 558, A bill for an act relating to the city of Robbinsdale; providing that certain tax increment backed bond issues shall be exempt from net debt limits.

The bill was read for the first time.

Heap moved that S. F. No. 558 and H. F. No. 478, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 945, A bill for an act relating to public welfare; defining homestead for purposes of receiving medical assistance and aid to families with dependent children; amending Minnesota Statutes 1980, Sections 256.73, Subdivision 2; and 256B.06, Subdivision 1.

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

S. F. No. 1132, A bill for an act relating to education; allowing area vocational-technical institutes to grant degrees under certain conditions; proposing new law coded in Minnesota Statutes, Chapter 121.

The bill was read for the first time.

Heap moved that S. F. No. 1132 and H. F. No. 1225, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1174, A bill for an act relating to retirement; local police relief associations; authorizing the payment of benefits outside the United States in certain instances; proposing new law coded in Minnesota Statutes, Chapter 423; repealing Minnesota Statutes 1980, Section 423.811.

The bill was read for the first time.

Rodriguez, F., moved that S. F. No. 1174 and H. F. No. 1124, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 167, A bill for an act relating to the city of Moorhead; increasing the amount which the city may expend for public transportation services; amending Laws 1969, Chapter 192, Section 1.

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

S. F. No. 823, A bill for an act relating to transportation; regulating apportionment from the municipal state-aid street fund; providing for the inclusion of certain cities in the 1981 apportionment of municipal state-aid street funds.

The bill was read for the first time.

Den Ouden moved that S. F. No. 823 and H. F. No. 873, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1126, A bill for an act relating to insurance; providing for continued health and accident coverage for former spouses and children after dissolution of the marriage in certain circumstances; amending Minnesota Statutes 1980, Section 62A.21, Subdivision 3; and by adding subdivisions; repealing Minnesota Statutes 1980, Section 62A.21, Subdivision 2.

The bill was read for the first time.

Berkelman moved that S. F. No. 1126 and H. F. No. 1322, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1188, A bill for an act relating to human rights; clarifying the meaning of reprisal; 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; 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.

The bill was read for the first time.

Greenfield moved that S. F. No. 1188 and H. F. No. 1277, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1248, A bill for an act relating to local improvements; regulating the issuance of temporary improvement bonds; amending Minnesota Statutes 1980, Section 429.091, Subdivision 3, and by adding subdivisions.

The bill was read for the first time.

Schreiber moved that S. F. No. 1248 and H. F. No. 978, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1278, A bill for an act relating to elections; providing for special elections to fill vacancies in statutory city offices; amending Minnesota Statutes 1980, Sections 205.10; 205.17, by adding a subdivision; and 412.02, Subdivision 2, and by adding a subdivision.

The bill was read for the first time.

Minne moved that S. F. No. 1278 and H. F. No. 1221, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 56, A bill for an act relating to insurance; broadening the scope of mandated group accident and health coverage for ambulatory mental health services; modifying certain comprehensive health insurance benefit requirements; amending Minnesota Statutes 1980, Sections 62A.152; and 62E.06, Subdivision 1.

The bill was read for the first time.

Battaglia moved that S. F. No. 56 and H. F. No. 83, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 373, A bill for an act relating to public safety; requiring the state fire marshal to grant or deny variances from

the provisions of the state fire code within 30 days; amending Minnesota Statutes 1980, Section 299F.011, Subdivision 5.

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

S. F. No. 556, A bill for an act relating to motor vehicles; providing for registration and regulating the display of plates and insignia; providing exemptions from registration and taxation for nonresident servicemen; specifying the time when the tax is due and payable; amending Minnesota Statutes 1980, Sections 168.04, Subdivision 1; 168.09, Subdivisions 1 and 3; and 168.31, Subdivision 1.

The bill was read for the first time.

Schoenfeld moved that S. F. No. 556 and H. F. No. 945, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 641, A bill for an act relating to financial institutions; providing for uniform administration of liquidity reserve requirements among deposit institutions; amending Minnesota Statutes 1980, Sections 46.04, Subdivision 1; 50.175; and 52.17; proposing new law coded in Minnesota Statutes, Chapters 48; and 51A; and repealing Minnesota Statutes 1980, Sections 48.22; and 51A.36.

The bill was read for the first time.

Berkelman moved that S. F. No. 641 and H. F. No. 922, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 655, A bill for an act relating to financial institutions; permitting the sale of certain loans of credit unions; providing for the withdrawal of credit union members; amending Minnesota Statutes 1980, Sections 52.04 and 52.19.

The bill was read for the first time.

Simoneau moved that S. F. No. 655 and H. F. No. 499, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 690, A bill for an act relating to retirement; contributions and benefits of judges and survivors under the uniform retirement and survivors' annuities law; amending Minnesota Statutes 1980, Section 490.124, Subdivisions 9 and 12.

The bill was read for the first time.

Reding moved that S. F. No. 690 and H. F. No. 779, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 694, A bill for an act relating to commerce; regulating the manufacture, importation, distribution, sale, leasing and alteration of manufactured homes; conforming state regulatory practices and the state manufactured home building code to federal law; providing for enforcement of the code; prohibiting certain practices; providing civil and criminal penalties; amending Minnesota Statutes 1980, Sections 327.31; 327.32; 327.33; and 327.34, Subdivisions 1, 3, and 4, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 327; repealing Minnesota Statutes 1980, Section 327.34, Subdivision 2.

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

S. F. No. 814, A bill for an act relating to metropolitan government; removing the city of Victoria from the metropolitan transit taxing district; amending Minnesota Statutes 1980, Section 473.446, Subdivision 2.

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

S. F. No. 890, 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.

The bill was read for the first time.

Nelsen, B., moved that S. F. No. 890 and H. F. No. 1081, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 909, A bill for an act relating to agriculture; excluding pipeline companies from certain restrictions on acquisition of agricultural land; amending Minnesota Statutes 1980, Section 500.221, Subdivision 2.

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

S. F. No. 1074, A bill for an act relating to natural resources; extending the permissible term of agricultural leases of state peat lands; amending Minnesota Statutes 1980, Section 92.50, Subdivision 1.

The bill was read for the first time.

Clawson moved that S. F. No. 1074 and H. F. No. 1260, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 662, A bill for an act relating to commerce; providing for examinations of financial institutions; providing for the proportioning of annual assessments; providing a penalty for failure to pay certain fees and assessments; providing uniform retention periods for records; clarifying the definition of financial institution; expanding the definition of municipality to include townships with a bank; clarifying the distance drive-in or walk-up facilities may be located from a detached facility under certain circumstances; clarifying the notice and approval procedures and judicial review procedures for detached facilities; providing that voting equity in a bank's holding company satisfies the stock requirement of a director; providing additional time for submitting certain bank reports and authorizes acceptance of certain substitute reports; modifying the definition of "demand deposits"; clarifying certain withdrawal provisions applicable to savings associations; requiring credit unions to obtain a commitment for insurance of accounts prior to approval of its application for organization; expanding the exemption from the licensing requirement for sales finance companies to include certain other financial institutions; providing for a compliance exam of sales finance companies once every two years instead of annually; removing the requirement that a state bank's name contain the words "state bank"; removing an obsolete provision; amending Minnesota Statutes 1980, Sections 46.04, Subdivision 1; 46.131, Subdivisions 4 and 9; 46.21; 47.015, Subdivision 1; 47.51; 47.52; 47.54; 48.06; 48.34; 48.48; 48.51; 51A.33; 52.01; 168.67; 168.705; and 300.025; repealing Minnesota Statutes 1980, Sections 46.131, Subdivision 6; and 47.17.

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

S. F. No. 672, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey certain lands acquired for trail purposes.

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

S. F. No. 1321, A bill for an act relating to the city of Granite Falls; authorizing the establishment of a community development program and providing powers for it.

The bill was read for the first time.

Anderson, G., moved that S. F. No. 1321 and H. F. No. 1294, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1106, A bill for an act relating to retirement; clarifying certain ambiguous provisions; correcting certain oversights, inconsistencies, unintended results and erroneous provisions; eliminating certain redundant, obsolete or conflicting provisions; amending Minnesota Statutes 1980, Sections 3.85, Subdivision 3; 3A.01, Subdivisions 2 and 7; 3A.02, Subdivision 1; 3A.04, Subdivisions 1, 1a, 2 and 4; 3A.05; 3A.09; 3A.11, Subdivisions 1 and 2; 3A.12, Subdivision 1; 11A.17, Subdivision 11; 11A.23, Subdivision 2; 15A.083, Subdivision 3; 16A.19; 43.051, Subdivision 4; 69.011, Subdivision 1; 69.031, Subdivisions 5 and 6; 69.051, Subdivision 1; 69.77, Subdivisions 1, 1a, 2 and 2a; 69.772, Subdivisions 2 and 2a; 69.773, Subdivision 2; 118.01, Subdivision 11; 136.80, Subdivision 1; 136.81; 136.82; 136.83; 136.85; 136.87, Subdivisions 1 and 2; 275.125, Subdivision 6a; 275.50, Subdivision 5; 352.01, Subdivisions 2A, 11, 19 and 23; 352.029, Subdivision 1; 352.03, Subdivision 6; 352.113, Subdivision 4; 352.115, Subdivision 10; 352.116, Subdivision 3; 352.12, Subdivision 11; 352.22, Subdivisions 2a, 3 and 10; 352.72, Subdivisions 2 and 4; 352.75; 352.85, by adding a subdivision; 352.90; 352.91, Subdivision 2; 352B.02, Subdivision 1; 352B.08, Subdivision 2; 352B.11, Subdivision 2; 352B.26, Subdivisions 1 and 3; 352C.031, by adding a subdivision; 352C.04, Subdivision 1; 352D.02, Subdivisions 1 and 2; 352D.04, Subdivision 2; 352D.09, Subdivision 1; 352E.01, Subdivision 1; 353.01, Subdivisions 6, 7 and 10; 353.023; 353.03, Subdivision 1; 353.16; 353.28, Subdivisions 6 and 8; 353.29, Subdivision 4; 353.30, Subdivision 1c; 353.31, Subdivisions 1 and 9; 353.32, Subdivision 1a; 353.33, Subdivision 2; 353.34, Subdivision 3; 353.36, Subdivision 2; 353.37, Subdivisions 1 and 1a; 353.46, Subdivision 1a, and by adding a subdivision; 353.64, by adding a subdivision; 353.656, Subdivision 6; 353.71, Subdivision 1; 354.05, Subdivisions 2, 13, 24, 25 and 26; 354.06, Subdivision 1; 354.07, Subdivision 1; 354.43, Subdivision 4; 354.44, Subdivisions 1a, 4, 5, 6, 7 and 8; 354.47, Subdivision 1; 354.48, Subdivision 10, and by adding a subdivision; 354.50, Subdivision 2; 354.51, Subdivisions 1, 4 and 5; 354.52, Subdivisions 2, 3 and 4; 354.53, Subdivisions 1 and 3; 354.55, Subdivision 11; 354.56; 354.57; 354.60; 354.62, Subdivision 5; 354.66; 354.69; 354A.011, Subdivision 27; 354A.091, Subdivisions 1 and 6; 354A.092; 354A.094, Subdivisions 3, 8, 11, and by adding a subdivision; 354A.31, Subdivision 3; 354A.35, Subdivisions 2 and 3; 355.07; 355.11, Subdivisions 2, 4 and 5; 355.13, Subdivision 2; 355.21, Subdivisions 2 and 4; 355.22; 355.23, Subdivision 1; 355.29, Subdivisions 1, 3 and 4; 355.311, Subdivisions 1, 2 and 4; 355.41, Subdivisions 2, 3, 4 and 7; 355.46, Subdivision 3; 355.71, Subdivision 6; 355.72; 355.73, by adding a subdivision; 356.18, Subdivision 1; 356.20; 356.215; 356.216; 356.22, Subdivision 1; 356.24; 356.25; 356.32, Subdivision 1; 356.39; 356.45, Subdivision 2; 356.60, Subdivision 1; 422A.01, Subdivision 11; 422A.06, Subdivisions 2, 3 and 5; 422A.08, Subdivisions 1 and 5; 422A.09, Subdivision 3; 422A.101; 422A.11, Subdivision 1; 422A.15, Subdivision 1; 422A.16, Subdivision 8; 422A.22, Subdivision 2; 422A.23, Subdivision 5; 422A.24; 422A.26; 423.075, Subdivision 1; 423.38; 423.801, Subdivision 2; 423.802; 423.805; 423.806,

Subdivision 1; 423.807, Subdivisions 1 and 2; 423.808; 423.809, Subdivisions 1 and 2; 423.810, Subdivision 1; 423.815, Subdivision 1; 423A.04; 424A.02, Subdivisions 1 and 8; 424A.04; 424A.05, Subdivision 1; 458.18, Subdivision 1; 484.61; 484.68, Subdivision 8; 487.01, Subdivisions 7 and 9; 488A.115; 488A.285; 490.101, Subdivision 2; 490.106; 490.107; 490.12, by adding a subdivision; 490.121, Subdivisions 1, 4, 6 and 7; 490.122; 490.123, Subdivision 1; 490.124, Subdivisions 1, 2, 6 and 10; 490.126, Subdivision 1; 490.129; and 490.132; Laws 1955, Chapter 75, Section 12, Subdivision 2, as amended; Laws 1959, Chapter 131, Section 10, Subdivision 1, as amended; Laws 1965, Chapters 446, Section 7, Subdivision 1, as amended; 458, Section 3, Subdivision 2, as amended; and 498, Section 1, Subdivision 1, as amended; Laws 1967, Chapters 575, Section 9, Subdivision 2; 742, Section 2; 775, Section 8, as amended; 798, Section 1, Subdivision 1, as amended; and 815, Section 8, Subdivision 1; Laws 1969, Chapters 526, Section 11, Subdivision 1; 576, Section 1, Subdivision 1, as amended; 641, Section 2, Subdivision 1, as amended; 719, Section 2; 1088, Section 8, Subdivision 1, as amended; and 1105, Section 4; Laws 1971, Chapters 51, Sections 9, as amended, and 10, Subdivision 2, as amended; 114, Section 8, Subdivision 1; 184, Sections 4 and 5; 214, Section 10; 407, Section 1, Subdivisions 2 and 3; 614, Section 2; and 810, Section 7, as amended; Laws 1973, Chapters 304, Section 3, Subdivision 1; and 587, Section 1, Subdivisions 3, as amended, and 5, as amended; Laws 1974, Chapter 251, Section 1, Subdivisions 2 and 3; Laws 1975, Chapter 424, Section 11, as amended; Laws 1976, Chapter 36, Sections 2, 3 and 4; Laws 1977, Chapter 61, Section 5, Subdivision 2, as amended; and Laws 1978, Chapter 689, Sections 4, Subdivision 2, and 8; proposing new law coded in Minnesota Statutes, Chapters 345, 352, 353, 355 and 356; repealing Minnesota Statutes 1980, Sections 136.86; 352.115, Subdivision 13; 352.1181; 352B.075; 352D.10; 354.09, Subdivisions 1 and 4; 354.41, Subdivisions 6 and 8; 355.302; 355.303; 355.304; 355.305; 355.306; 355.307; 355.308; 355.309; 355.53; 355.73, Subdivisions 5, 6 and 7; 356.18, Subdivision 2; 422A.01, Subdivisions 14, 15 and 16; 422A.08, Subdivisions 2, 3, 4 and 6; 422A.081; 422A.091; 422A.30; 422A.31; 422A.32; 422A.33; 422A.34; 422A.35; 422A.39; 423.075, Subdivision 2; 423.815, Subdivision 3; 487.06; 490.104; 490.127; 490.128; and 490.13; Laws 1969, Chapter 252; Laws 1973, Chapter 481; Laws 1975, Chapter 429; Laws 1978, Chapter 538, Section 6; and Laws 1980, Chapters 342, Section 20; and 509, Section 135.

The bill was read for the first time.

Reding moved that S. F. No. 1106 and H. F. No. 1158, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 445, A bill for an act relating to courts; providing service periods on Hennepin and Ramsey County district courts,

juvenile divisions or family division; authorizing appointment of district court judges to hear cases arising under the juvenile court or family court act for terms up to four years; amending Minnesota Statutes 1980, Sections 260.019, Subdivision 3; 484.64, Subdivision 1; and 484.65, Subdivisions 1 and 6.

The bill was read for the first time.

Blatz moved that S. F. No. 445 and H. F. No. 308, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1122, A bill for an act relating to veterans; changing the method of appointment and termination of the administrator of the Minnesota veterans home; amending Minnesota Statutes 1980, Section 198.06.

The bill was read for the first time.

Harens moved that S. F. No. 1122 and H. F. No. 1182, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

S. F. No. 671, A bill for an act relating to crimes; conforming the definition of trade secret in the law proscribing theft to the definition of trade secret in the uniform trade secrets act; amending Minnesota Statutes 1980, Section 609.52, 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 825, A bill for an act relating to courts; abolishing the maintenance of certain court records; amending Minnesota Statutes 1980, Sections 485.07; 548.08; 548.15; 548.22; 548.24; and 572.22, 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Anderson, I., requested immediate consideration of H. F. No. 161, S. F. No. 432 and H. F. No. 1132.

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

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

The bill was passed and its title agreed to.

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

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

The bill was passed and its title agreed to.

H. F. No. 1132 was reported to the House.

Hokanson moved to amend H. F. No. 1132, as follows:

Amend the title as follows:

Page 1, line 3, after "counties" insert "and state district courts"

The motion prevailed and the amendment was adopted.

H. F. No. 1132, A bill for an act relating to the revenue recapture act; expanding the definition of claimant agencies to include counties and state district courts; amending Minnesota Statutes 1980, Sections 270A.02; and 270A.03, Subdivisions 2 and 5.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

CALENDAR

H. F. No. 673, A bill for an act relating to commerce; increasing the amount of the surety bond required of collection agencies; authorizing the commissioner of securities and real estate to investigate and examine certain collection agencies; broadening the classification of prohibited practices; amending Minnesota Statutes 1980, Sections 332.34; 332.37; and 332.40.

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 102 yeas and 29 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Clark, J.	Gustafson	Johnson, C.	Mann
Anderson, G.	Clark, K.	Halberg	Jude	Marsh
Anderson, I.	Clawson	Hanson	Kahn	McCarron
Anderson, R.	Dahlvang	Harens	Kaley	Mehrkins
Battaglia	Drew	Hauge	Kelly	Metzen
Begich	Eken	Haukoos	Knickerbocker	Minne
Berkelman	Eloff	Heap	Kostohryz	Munger
Blatz	Ellingson	Himle	Lehto	Murphy
Brandl	Evans	Hoberg	Lemen	Nelsen, B.
Byrne	Ewald	Hokanson	Levi	Nelson, K.
Carlson, D.	Friedrich	Hokr	Long	Norton
Carlson, L.	Greenfield	Jacobs	Luknic	Novak

Nysether	Pogemiller	Samuelson	Simoneau	Vellenga
O'Connor	Reding	Sarna	Skoglund	Voss
Ogren	Rees	Schoenfeld	Stadum	Weaver
Olsen	Reif	Schreiber	Staten	Wenzel
Onnen	Rice	Searles	Stumpf	Wynia
Osthoff	Rodriguez, C.	Shea	Sviggum	Spkr. Sieben, H.
Otis	Rodriguez, F.	Sherman	Tomlinson	
Peterson, B.	Rose	Sherwood	Valan	
Peterson, D.	Rothenberg	Sieben, M.	Vanasek	

Those who voted in the negative were:

Aasness	Erickson	Johnson, D.	McEachern	Valento
Ainley	Esau	Kalis	Niehaus	Welch
Brinkman	Fjoslien	Kvam	Piepho	Welker
Dean	Forsythe	Laidig	Redalen	Wieser
Dempsey	Gruenes	Ludeman	Schafer	Zubay
Den Ouden	Jennings	McDonald	Swanson	

The bill was passed and its title agreed to.

H. F. No. 788, A bill for an act relating to courts; conciliation courts; authorizing actions to recover amounts lost due to worthless checks in the county of issuance and where the plaintiff resides; amending Minnesota Statutes 1980, Section 487.30, by adding a subdivision; 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Vanasek
Vellenga
Voss

Weaver
Welch
Welker

Wenzel
Wieser
Wigley

Wynia
Zubay

Spkr. Sieben, H.

The bill was passed and its title agreed to.

H. F. No. 904, A bill for an act relating to unemployment compensation; including retroactive wage awards within the definition of wages for unemployment compensation purposes; amending Minnesota Statutes 1980, Section 268.04, Subdivisions 25, 26, and 29.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 923, A bill for an act relating to education; tax levies; authorizing Independent School District No. 256 to adjust its 1981 levy for school maintenance purposes.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 936, A bill for an act relating to natural resources; raising limitations on values of state timber which may be sold at public auction or informal sale; providing for special auction sales and changing certain other provisions relating to the sale and removal of state timber; sale of stumpage; amending Minnesota Statutes 1980, Sections 90.031, Subdivision 4; 90.101, Subdivision 1; 90.151, Subdivisions 11 and 13; 90.173; 90.181, Subdivision 2; 90.191, Subdivision 1; 282.04, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 90.

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

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

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Anderson, I. Osthoff Sarna

The bill was passed and its title agreed to.

H. F. No. 966, A resolution memorializing the President and Congress to maintain the present schedule for natural gas price decontrol.

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 82 yeas and 43 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

AINLEY	Dempsey	Erickson	Fjoslien	Friedrich
Dean	Den Ouden	Esau	Forsythe	Haukoos

Heap	Kvam	Nysether	Schafer	Valento
Himle	Lemen	Onnen	Searles	Welker
Hoberg	Ludeman	Peterson, B.	Sherman	Wieser
Hokr	Marsh	Piepho	Sherwood	Wigley
Jennings	McDonald	Redalen	Stadum	Zubay
Johnson, D.	Nelsen, B.	Rose	Sviggum	
Kaley	Niehaus	Rothenberg	Valan	

The bill was passed and its title agreed to.

Kvam and Searles were excused at 4:20 p.m. Anderson, B., was excused at 5:00 p.m. McDonald was excused at 6:15 p.m. Luknic and Stadum were excused at 6:45 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. 1007, 1044, 1065, 1092, 1125, 253, 560, 583, 619, 636 and 774 which it recommended to pass.

H. F. Nos. 1016, 1185, 234, 298, 491 and 586 which it recommended progress.

H. F. Nos. 1150, 534 and 616 which it recommended progress until Monday, May 4, 1981.

H. F. No. 544 which it recommended progress until Wednesday, May 6, 1981.

H. F. No. 1305 which it recommended progress until Thursday, May 7, 1981.

H. F. No. 170 which it recommended progress until Thursday, May 14, 1981.

S. F. Nos. 168, 562 and 1259 which it recommended to pass.

S. F. No. 443 which it recommended progress.

H. F. No. 1040 which it recommended progress with the following amendment offered by Kahn and Lehto:

Page 1, line 21, after "food" insert ", provided that the licensee establishment is in conformance with the Minnesota Clean Indoor Air Act"

H. F. No. 715 which it recommended to pass with the following amendment offered by Schafer:

Page 1, line 9, delete "5,000" and insert "7,500"

Page 1, line 15, delete "5,000" and insert "7,500"

Amend the title as follows:

Page 1, line 3, delete "5,000" and insert "7,500"

S. F. No. 625 which it recommended to pass with the following amendments:

Offered by Peterson, B.:

Page 3, line 34, after the first "or" delete "section" and insert "sections"

Page 4, after line 10, insert:

"Sec. 2. [504.28] [TERMINATION OF LEASE UPON DEATH OF LESSEE.]

Subdivision 1. [TERMINATION OF LEASE.] Any party to a lease of residential premises other than a lease at will may terminate the lease prior to its expiration date in the manner provided in subdivision 2 upon the death of the lessee or, if there is more than one lessee, upon the death of all lessees.

Subd. 2. [NOTICE.] Either the lessor or the personal representative of the lessee's estate may terminate the lease upon at least two months' written notice, to be effective on the last day of a calendar month, and hand delivered or mailed by postage prepaid, first class United States mail, to the address of the other party. The lessor may comply with the notice requirement of this subdivision by delivering or mailing the notice to the premises formerly occupied by the lessee. The termination of a lease under this section shall not relieve the lessee's estate from liability either for the payment of rent or other sums owed prior to or during the notice period, or for the payment of amounts necessary to restore the premises to their condition at the commencement of the tenancy, ordinary wear and tear excepted.

Subd. 3. [WAIVER PROHIBITED.] Any attempted waiver by a lessor and lessee or lessee's personal representative,

by contract or otherwise, the right of termination provided by this section, and any lease provision or agreement requiring a longer notice period than that provided by this section, shall be void and unenforceable; provided, however, that the lessor and lessee or lessee's personal representative may agree to otherwise modify the specific provisions of this section.

Subd. 4. [APPLICABILITY.] The provisions of this section shall apply to leases entered into or renewed after the effective date of this section."

Renumber the remaining sections

Page 5, line 11, reinstate the stricken language

Page 5, line 12, reinstate "shall be prima facie proof,"

Amend the title as follows:

Page 1, line 4, after the semicolon insert "permitting termination of a residential lease upon the death of the tenant;"

Page 1, line 11, before the period insert "; proposing new law coded in Minnesota Statutes, Chapter 504"

Offered by Peterson, B.:

Page 3, line 30, before the semicolon insert ", except that the provision of this clause does not authorize a person who is not a licensed attorney at law to conduct a jury trial or to appear before a district court or the supreme court pursuant to an appeal"

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 motion to recommend passage of H. F. No. 1040, as amended, and the roll was called. There were 50 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Clark, K.	Greenfield	Hokr	Long
Begich	Dahlvang	Gustafson	Jacobs	Marsh
Brandl	Dempsey	Hauge	Kahn	McCarron
Brinkman	Evans	Heap	Knickerbocker	McEachern
Clark, J.	Ewald	Himle	Levi	Metzen

Minne	O'Connor	Pogemiller	Sarna	Tomlinson
Murphy	Otis	Rees	Searles	Wenzel
Nelson, K.	Peterson, B.	Rice	Sieben, M.	Wieser
Norton	Peterson, D.	Rodriguez, F.	Simoneau	Wynia
Novak	Piepho	Samuelson	Staten	Zubay

Those who voted in the negative were:

Aasness	Ellingson	Johnson, D.	Nelsen, B.	Sherwood
Ainley	Erickson	Jude	Niehaus	Skoglund
Anderson, B.	Esau	Kaley	Nysether	Stadum
Anderson, G.	Fjoslien	Kalis	Ogren	Stowell
Anderson, R.	Forsythe	Kelly	Onnen	Stumpf
Battaglia	Friedrich	Kostohryz	Redalen	Sviggum
Byrne	Gruenes	Kvam	Reding	Swanson
Carlson, D.	Halberg	Laidig	Rodriguez, C.	Valan
Carlson, L.	Hanson	Lehto	Rose	Vanasek
Clawson	Harens	Lemen	Rothenberg	Vellenga
Dean	Haukoos	Ludeman	Schafer	Voss
Den Ouden	Hoberg	Luknic	Schoenfeld	Weaver
Drew	Hokanson	Mann	Schreiber	Welch
Eken	Jennings	Mehrkens	Shea	Welker
Elioff	Johnson, C.	Munger	Sherman	Wigley

The motion did not prevail.

Schafer moved to amend H. F. No. 715, as follows:

Page 1, line 9, delete "5,000" and insert "7,500"

Page 1, line 15, delete "5,000" and insert "7,500"

Amend the title as follows:

Page 1, line 3, delete "5,000" and insert "7,500"

The question was taken on the amendment and the roll was called. There were 68 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Johnson, D.	Nysether	Sherwood
Ainley	Evans	Kaley	O'Connor	Stadum
Anderson, B.	Ewald	Knickerbocker	Ogren	Stowell
Anderson, R.	Fjoslien	Laidig	Olsen	Sviggum
Battaglia	Forsythe	Lemen	Onnen	Valan
Begich	Friedrich	Levi	Peterson, B.	Valento
Blatz	Gruenes	Ludeman	Piepho	Weaver
Carlson, D.	Halberg	Marsh	Redalen	Welker
Dean	Haukoos	McDonald	Rees	Wenzel
Dempsey	Heap	Mehrkens	Reif	Wieser
Den Ouden	Himle	Minne	Rose	Wigley
Drew	Hoberg	Murphy	Rothenberg	Zubay
Elioff	Hokr	Nelsen, B.	Schafer	
Erickson	Jennings	Niehaus	Sherman	

Those who voted in the negative were:

Anderson, G.	Anderson, I.	Berkelman	Brandl	Brinkman
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Byrne	Harens	Long	Peterson, D.	Skoglund
Carlson, L.	Hauge	Mann	Pogemiller	Staten
Clark, J.	Hokanson	McCarron	Reding	Stumpf
Clark, K.	Jacobs	McEachern	Rice	Swanson
Clawson	Johnson, C.	Metzen	Rodriguez, C.	Tomlinson
Dahlvang	Jude	Munger	Rodriguez, F.	Vanasek
Eken	Kahn	Nelson, K.	Sarna	Vellenga
Ellingson	Kalis	Norton	Schoenfeld	Voss
Greenfield	Kelly	Novak	Shea	Wynia
Gustafson	Kostohryz	Osthoff	Sieben, M.	
Hanson	Lehto	Otis	Simoneau	

The motion prevailed and the amendment was adopted.

Lehto moved to amend H. F. No. 298, as follows:

Page 1, delete line 16

Page 1, line 17, delete "air."

The question was taken on the amendment and the roll was called. There were 40 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	Kaley	O'Connor	Stadum
Ainley	Friedrich	Kalis	Onnen	Sviggum
Anderson, G.	Gruenes	Laidig	Reding	Valento
Brinkman	Haukoos	Lehto	Rodriguez, C.	Vellenga
Den Ouden	Heap	Lemen	Schafer	Weaver
Drew	Jennings	Ludeman	Schoenfeld	Welch
Erickson	Johnson, C.	Mann	Sherman	Welker
Esau	Johnson, D.	Niehaus	Sherwood	Zubay

Those who voted in the negative were:

Anderson, I.	Evans	Levi	Osthoff	Simoneau
Battaglia	Ewald	Long	Otis	Skoglund
Begich	Fjoslien	McCarron	Peterson, D.	Staten
Berkelman	Greenfield	McDonald	Piepho	Stowell
Brandl	Gustafson	McEachern	Pogemiller	Stumpf
Byrne	Halberg	Mehrkens	Redalen	Swanson
Carlson, D.	Hanson	Metzen	Rees	Vanasek
Carlson, L.	Heinitz	Minne	Reif	Voss
Clark, J.	Hokanson	Murphy	Rice	Wenzel
Dahlvang	Jacobs	Nelsen, B.	Rodriguez, F.	Wieser
Dean	Jude	Nelson, K.	Rose	Wigley
Dempsey	Kahn	Novak	Samuelson	
Elioff	Kelly	Ogren	Sarna	
Ellingson	Knickerbocker	Olsen	Sieben, M.	

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

Weaver moved to amend H. F. No. 298, as follows:

Page 1, line 14, after "compressor" insert ", foot operated or hand operated tire inflating device"

The question was taken on the amendment and the roll was called. There were 53 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Aasness	Evans	Kaley	Nysether	Stowell
Ainley	Ewald	Kalis	Onnen	Sviggunn
Anderson, R.	Fjoslien	Knickerbocker	Piepho	Valento
Brinkman	Forsythe	Laidig	Redalen	Vellenga
Carlson, D.	Friedrich	Lemen	Rees	Weaver
Dean	Halberg	Ludeman	Reif	Welker
Dempsey	Haukoos	Marsh	Rose	Wieser
Den Ouden	Heap	McDonald	Rothenberg	Wigley
Drew	Heinitz	Mehrkins	Schafer	Zubay
Erickson	Jennings	Nelsen, B.	Sherman	
Esau	Johnson, D.	Niehaus	Sherwood	

Those who voted in the negative were:

Anderson, G.	Elioff	Mann	Otis	Staten
Anderson, I.	Ellingson	McCarron	Peterson, D.	Stumpf
Battaglia	Greenfield	McEachern	Pogemiller	Swanson
Begich	Gruenes	Metzen	Reding	Valan
Berkelman	Gustafson	Minne	Rice	Vanasek
Brandl	Hanson	Munger	Rodriguez, F.	Voss
Byrne	Hokanson	Murphy	Samuelson	Welch
Carlson, L.	Jacobs	Nelson, K.	Sarna	Wenzel
Clark, J.	Johnson, C.	Norton	Schoenfeld	Spkr. Sieben, H.
Clark, K.	Jude	Novak	Shea	
Clawson	Kahn	O'Connor	Sieben, M.	
Dahlvang	Kelly	Ogren	Simoneau	
Eken	Long	Osthoff	Stadum	

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

The question was taken on the motion to recommend passage of H. F. No. 298 and the roll was called. There were 52 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Elioff	Long	Ogren	Skoglund
Anderson, I.	Ellingson	Mann	Osthoff	Staten
Battaglia	Greenfield	McCarron	Otis	Swanson
Begich	Gustafson	McEachern	Peterson, D.	Welch
Brandl	Hanson	Metzen	Pogemiller	Wenzel
Byrne	Harens	Minne	Rice	Wynia
Carlson, L.	Hokanson	Munger	Rodriguez, F.	Spkr. Sieben, H.
Clark, J.	Jacobs	Murphy	Samuelson	
Clark, K.	Jude	Nelson, K.	Sarna	
Dahlvang	Kahn	Norton	Sieben, M.	
Eken	Kelly	Novak	Simoneau	

Those who voted in the negative were:

Aasness	Den Ouden	Friedrich	Jennings	Lemen
Ainley	Drew	Gruenes	Johnson, C.	Levi
Anderson, R.	Erickson	Halberg	Johnson, D.	Ludeman
Brinkman	Esau	Hauge	Kaley	Marsh
Carlson, D.	Evans	Haukoos	Kalis	McDonald
Clawson	Ewald	Heap	Knickerbocker	Mehrkins
Dean	Fjoslien	Heinitz	Laidig	Nelsen, B.
Dempsey	Forsythe	Hokr	Lehto	Niehaus

Nysether	Reding	Shea	Sviggum	Welker
O'Connor	Rees	Sherman	Tomlinson	Wieser
Onnen	Rodriguez, C.	Sherwood	Valan	Wigley
Peterson, B.	Rose	Stadum	Valento	Zubay
Piepho	Rothenberg	Stowell	Vellenga	
Redalen	Schafer	Stumpf	Weaver	

The motion did not prevail.

Sviggum moved to amend S. F. No. 562, as follows:

Page 2, line 11, after "*building*" insert "*when the value of the home improvement is \$500 or more*"

The question was taken on the amendment and the roll was called. There were 57 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Aasness	Friedrich	Knickerbocker	Onnen	Stowell
Ainley	Gruenes	Laidig	Piepho	Sviggum
Anderson, R.	Halberg	Lemen	Redalen	Valan
Carlson, D.	Harens	Levi	Rees	Valento
Dean	Haukoos	Ludeman	Rose	Weaver
Dempsey	Heap	Marsh	Rothenberg	Welker
Den Ouden	Heinitz	McDonald	Sarna	Wieser
Drew	Hokr	McEachern	Schafer	Wigley
Erickson	Jennings	Mehrkens	Schoenfeld	Zubay
Esau	Johnson, D.	Nelsen, B.	Sherman	
Evans	Kaley	Niehaus	Sherwood	
Fjoslien	Kalis	Nysether	Stadum	

Those who voted in the negative were:

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

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

The question was taken on the motion to recommend passage of H. F. No. 636 and the roll was called. There were 70 yeas and 55 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Aasness	Ewald	Jennings	Olsen	Sherwood
Ainley	Fjoslien	Johnson, D.	Onnen	Stadum
Anderson, R.	Forsythe	Kalis	Peterson, B.	Stowell
Blatz	Friedrich	Knickerbocker	Piepho	Svigum
Dean	Gruenes	Laidig	Redalen	Valan
Dempsey	Halberg	Ludeman	Reif	Valento
Den Ouden	Haukoos	Marsh	Rose	Weich
Drew	Heap	Mehrkens	Rothenberg	Welker
Erickson	Himle	Nelsen, B.	Schafer	Wieser
Esau	Hoberg	Niehaus	Schreiber	Wigley
Evans	Hokr	Nysether	Sherman	Zubay

The motion prevailed.

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. 1443, A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government with certain conditions; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; amending Minnesota Statutes 1980, Sections 3.005, Subdivision 3; 3.304, by adding a subdivision; 4.16, by adding subdivisions; 5.08, Subdivision 2; 9.061,

Subdivision 5; 11A.20, Subdivision 3; 16A.123; 17.59, by adding a subdivision; 17A.04, Subdivision 5; 17B.15, Subdivision 1; 18.51, Subdivision 2; 18.52, Subdivision 5; 18.54, Subdivision 1; 19.19, Subdivisions 1 and 2; 19.20, Subdivision 4; 27.041, Subdivision 2; 28A.08; 32.075; 32.59; 43.46, Subdivisions 2 and 3; 85.05, Subdivisions 1 and 2; 85.22, Subdivision 2a; 97.49, Subdivision 1; 98.46, Subdivisions 2, 2a, 3, 4, 5, 5a, 6, 7, 8, 9, 9a, 10, 11, 12, 14, 15, 16, 17, 18, 19 and by adding a subdivision; 98.47, Subdivision 1; 98.50, Subdivision 5; 99.28, Subdivision 5; 100.273, Subdivision 7; 100.35, Subdivisions 1 and 5; 101.44; 116C.69, Subdivisions 2 and 2a; 139.16; 139.17; 139.18; 139.19; 176.131, Subdivision 10; 176.183, Subdivision 2; 179.71, Subdivision 2; 179.72, Subdivision 3; 223.03; 223.12, Subdivision 1; 231.16; 232.02, Subdivisions 1, 2, and 3; 233.08; 270.66; 271.02; 284.28, Subdivision 8; 290.431; 299A.03, Subdivisions 1, 8 and 13; 322A.16; 322A.71; 352E.04; 354.43, Subdivision 3; 362.10; 362.12, Subdivisions 1a and 2; 362.121; 362.125; 362.13; 480.0595; 546.27; 638.08; and 648.39; Laws 1976, Chapter 337, Section 1, Subdivisions 2, as amended, 3, and 4, as amended; Laws 1978, Chapter 510, Sections 2 and 5; proposing new law coded in Minnesota Statutes, Chapters 85; 116H; 270; 299A; and 362; repealing Minnesota Statutes 1980, Sections 7.07; 16A.75; 16A.751; 16A.752; 16A.753; 16A.754; 168B.11; 299A.03, Subdivisions 1, 2, 3, 5, 6, 7, 9, 10, 11 and 14; 362.07; 362.08; 362.09; 362.11; 362.12, Subdivisions 3 and 4; 362.23; 362.45, Subdivision 2; 363.073, Subdivisions 1 and 2; 473.56, Subdivision 15; 648.45; 648.46; Laws 1976, Chapter 337, Section 4, as amended; and Laws 1978, Chapter 510, Section 10.

PATRICK E. FLAHAVEN, Secretary of the Senate

Sieben, M., moved that the House refuse to concur in the Senate amendments to H. F. No. 1443, 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 House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Aasness moved that the House refuse to concur in the Senate amendments to H. F. No. 1052, 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.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1052:

Aasness, Lehto and Norton.

MOTIONS AND RESOLUTIONS

Jacobs moved that his name be stricken as an author on H. F. No. 1435. The motion prevailed.

Wenzel moved that the name of Welch be added as an author on H. F. No. 1376. The motion prevailed.

Kaley moved that H. F. No. 1103 be returned to its author. The motion prevailed.

ADJOURNMENT

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Friday, May 1, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

