

STATE OF MINNESOTA

SEVENTY-SECOND SESSION - 1981

FORTY-NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 7, 1981

The House of Representatives convened at 1:00 p.m. and was called to order by Harry A. Sieben, Jr., Speaker of the House.

Prayer was offered by Pastor J. Marshall Newton, United Methodist Church and Chadashchay Ministries, North Branch, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Hokr was excused. Rees was excused until 1:25 p.m. Berkelman and Elioff were excused until 1:45 p.m. Weaver was excused until 4:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Gustafson 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. 1357, 647, 826, 1022, 1474, 1475 and 1376 and S. F. Nos. 376, 429, 724, 984 and 1212 have been placed in the members' files.

S. F. No. 1212 and H. F. No. 1071, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Clawson moved that the rules be so far suspended that S. F. No. 1212 be substituted for H. F. No. 1071 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

May 6, 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>
	29	95	May 6	May 6
	171	96	May 6	May 6
	347	97	May 6	May 6

<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>
	410	98	May 6	May 6
	415	99	May 6	May 6
	525	100	May 6	May 6
	731	101	May 6	May 6
	1070	102	May 6	May 6
182		103	May 6	May 6
218		104	May 6	May 6
329		105	May 6	May 6
1057		106	May 6	May 6

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

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

H. F. No. 477, A bill for an act relating to education; changing a reference to the provisions governing the student loan program; including parents within the definition of eligible student for guaranteed student loan purposes; increasing the bonding authority of the higher education coordinating board; expanding the career guidance program; providing exclusive property rights in certain records; providing for certification of status of tuition subsidy recipients; amending Minnesota Statutes 1980, Sections 136A.141; 136A.15, Subdivision 7; 136A.16, Subdivisions 3 and 4; 136A.17, Subdivisions 1, 4, and 10; 136A.171; 136A.85; 136A.86, Subdivisions 2, 3, and by adding a subdivision.

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

The report was adopted.

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

H. F. No. 493, A bill for an act relating to energy; authorizing the Minnesota energy agency to administer a program of loans to municipalities for establishing and improving district heating systems; authorizing the issuance of state bonds pursuant to Article XI of the Minnesota constitution; appropriating money; amending Minnesota Statutes 1980, Sections 412.321, Subdivision 1; 412.351; 412.361, Subdivision 3; and 429.021, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapters 116H, 216B, 465, and 475.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [116H.31] [DISTRICT HEATING LOANS.]

Subdivision 1. [POLICIES.] Developing and improving efficient and economical district heating systems is a public purpose for state financing and a proper function of state government. Climate and geography make a reliable, economic supply of energy essential for industrial, commercial, and residential heating. Imported supplies are increasingly costly, unreliable, and environmentally disadvantageous. District heating systems employing cogeneration techniques and innovative technology offer an important means of increasing the efficiency of Minnesota's energy systems and reducing the state's reliance on imported energy supplies. The combination of the large initial capital cost and investors' lack of familiarity with district heating has made the private market reluctant to provide the necessary capital for district heating projects. As a result, public leadership, cooperation, and aid are needed to demonstrate the feasibility of district heating systems by establishing economically viable municipal district heating systems as demonstration projects. Municipal district heating systems may be financed by loans from the state and from other sources available to municipalities.

Subd. 2. [DEFINITIONS.] In this section:

(a) “Commissioner” means the commissioner of finance.

(b) “Construction costs” means all costs associated with the construction, modification or expansion of a district heating system except for preliminary planning costs and detailed design costs. Construction costs include the cost of debt service from the time a construction loan is made until five years after the beginning of the operation of the district heating system constructed or the part of the system being modified or expanded.

(c) "Director" means the director of the Minnesota energy agency.

(d) "District heating" means the use of a central energy conversion facility to produce hot water or steam for distribution to homes or businesses. District heating facilities may also produce electricity in addition to hot water or steam.

(e) "Municipality" means any county, city, town, municipal power agency, or public utility, as defined in section 452.01, subdivision 3, owned and operated by a city, however organized or nonprofit corporation organized pursuant to the provisions of chapter 317 whose membership is limited to the mayor and governing body of the city in which the district heating system is located.

Subd. 3. [ELIGIBILITY.] The commissioner of finance, upon request of the governor, may make loans to municipalities for the acquisition, construction, expansion, or modification of district heating systems. A loan shall be made only to a municipality that has demonstrated that:

(a) The municipality has the financial capability to sponsor the project;

(b) The project is technologically feasible;

(c) The district heating project will become a cogeneration facility or the project will utilize hot water or, if the project involves an existing district steam heating system, the project will become integrated with a hot water district heating system, or the project will allow the use of nonpetroleum fuels or will construct an efficient heat transmission system; and

(d) The municipality has made adequate provision to assure proper and efficient operation and maintenance of the project after construction is completed.

Subd. 4. [PRIORITIES.] The director shall give higher priority to a project that does more to achieve the following goals:

(a) The district heating conversion facility employs cogeneration techniques;

(b) The facility uses renewable or nonpetroleum sources of energy;

(c) The district heating facility will save petroleum or natural gas;

(d) *The operation of the district heating facility will not have an adverse impact on the environment;*

(e) *The district heating facility may readily be expanded to serve additional customers or to supply additional amounts of energy, and market demand for the energy exists;*

(f) *The project has obtained additional financing from the federal government, private sources, or other sources of capital; and*

(g) *Other goals the director finds desirable for district heating systems.*

Subd. 5. [APPLICATION.] *Application for a loan to be made pursuant to subdivision 6 shall be made by a municipality to the director on a form prescribed by the director by rule. The director shall review each application and determine:*

(a) *Whether or not the project is eligible for a loan;*

(b) *The priority of the project when ranked with all other eligible projects for which a loan application has been submitted;*

(c) *The total estimated cost of the project;*

(d) *The amount of the loan for which the project is eligible;*

(e) *The terms upon which the loan would be made; and*

(f) *The means by which the municipality proposes to finance the project, including:*

(1) *A loan authorized by state law; or*

(2) *A grant of money appropriated by state law; or*

(3) *A grant to the municipality by an agency of the federal government within the amount of money then appropriated to that agency and allocated by it to projects within the state; or*

(4) *The appropriation of proceeds of bonds or other money of the municipality to an account for the construction of the project; or*

(5) *User charges, franchise fees, special assessments or taxes; or*

(6) *Any or all of the means referred to in clauses (1) to (5).*

Subd. 6. [LOANS.] Upon the recommendation of the governor pursuant to subdivision 8, the commissioner shall make loans to municipalities on the following terms:

(a) In the case of loans for design costs, the maximum amount of the loan shall be limited by the provisions of this clause. For cities of the first class, the amount of the loan shall not exceed 40 percent of the design costs. For cities of the second, third and fourth class, the amount of the loan shall not exceed 90 percent of the design costs;

(b) In the case for loans for construction costs, a municipality must demonstrate that all design activities have been completed; that the project is economically and technologically feasible; that the district heating system will be constructed, and that it has made adequate provisions to assure proper and efficient operation and maintenance of the project. For cities of the first class, the amount of the loan shall be up to 50 percent of the construction costs. For cities of the second class, the amount of the loan shall be up to 80 percent of the construction costs. For cities of the third or fourth class, the amount of the loan shall be up to 90 percent of the construction costs.

(c) A loan made pursuant to this section is repayable over a period of 20 years, with interest payments beginning the first year. Interest shall accrue from the date of the loan at a rate of interest assigned at the date of loan commitment. Principal payments shall begin in the sixth year after the receipt of the loan on a 25 year level payment schedule with the balance of the principal to be retired with the payment due 20 years after receipt of the loan.

Subd. 7. [MODERN STEAM SYSTEMS.] (a) A municipality which has operating within its boundaries a modern steam district heating system owned by a district heating utility may apply for a loan or grant under this section even though the district heating project for which the loan or grant application is made may be planned, constructed, or owned by a district heating utility. The loan or grant application shall be treated in the same manner as loan or grant applications for district heating projects where the projects are to be planned, constructed, or owned by a municipality.

All or a portion of the proceeds of a loan made to a municipality described in this subdivision may be used to make loans to a district heating utility to provide financial assistance for the planning, modification, expansion or construction of a district heating project. Prior to making the loan to the district heating utility, the municipality shall:

(1) Adopt a district heating plan which identifies the areas of the city to be served by district heating; a time schedule in-

dicating when service would be available in different areas of the city and the type of service to be offered; and

(2) Enter into a written agreement with the district heating utility which includes a requirement that the district heating utility restrict expansion of its existing steam system within its current geographic boundaries as determined by the municipality and develop a hot water system on a specific time schedule.

(b) The powers, authority and obligations granted to a municipality under this subdivision are supplemental to the powers, authority and obligations granted all municipalities under this section.

(c) As used in this subdivision, "modern steam district heating system" means a steam district heating system with condensate return built after 1970 and before the effective date of this section. "District heating utility" means any person, corporation, or other legal entity which owns or operates or plans to own or operate a district heating system. "District heating project" means a new district heating system, or the expansion or modification of the existing modern steam district heating system.

Subd. 8. [LOAN APPROVAL.] The director shall prepare and submit to the legislative advisory commission a list of district heating loan requests. The list shall contain the supporting information required by subdivisions 3, 4, 5, 6, and 7. The recommendation of the legislative advisory commission shall be transmitted to the governor. The governor shall approve or disapprove, or return for further consideration, each project recommended for approval by the legislative advisory commission. Loans may be disbursed only upon approval by the governor.

Subd. 9. [PAYMENT; OBLIGATION.] The commissioner shall not pay money to a municipality pursuant to an approved loan until he has determined that:

(a) Financing of the project as proposed by the municipality is assured by an irrevocable undertaking, by resolution of the governing body of the municipality, to use all money made available by the financing plan exclusively for the eligible costs of the project, and to pay any additional amount by which the cost of the project exceeds the estimate by the appropriation to the construction account of additional municipal money or the proceeds of additional bonds to be issued by the municipality; and that

(b) The governing body of the municipality has adopted a resolution obligating the municipality to repay the loan according to the terms in the loan. The obligation may be payable

from user charges, franchise fees, special assessments or other money available to the municipality. The resolution shall obligate the municipality to annually impose and collect user charges, franchise fees, special assessments, or to use any other money available to it from any other specified source, in amounts and at times that if collected in full will annually produce at least five percent in excess of the amount needed for all annual costs of the system, including annual repayment on state loans. A municipality may also pledge to levy an ad valorem tax to guarantee the payments under the loan agreement. For the purpose of repaying the loan, the municipality by resolution of its governing body may fix the rates and charges for district heating system service and products, may enter into contracts for the payment by others of costs of construction, maintenance, and use of the project in accordance with section 444.075 and may pledge the revenues derived therefrom. The commissioner shall condition a loan upon the establishment of rates and charges or the execution of contracts sufficient to produce annually the revenues pledged for repayment of all annual costs of the system, including annual repayment of the state loan.

Subd. 10. [RECEIPTS.] All principal and interest payments received by the commissioner in repayment of the loans authorized by this section shall be deposited in the state treasury and credited to the state bond fund and are appropriated to the commissioner for the purposes of that account.

Subd. 11. [RULES.] The director shall adopt rules necessary to carry out this section. The director shall adopt temporary rules pursuant to section 15.0412, subdivision 5, meeting the requirements of this section. The rules shall contain as a minimum:

- (a) Procedures for application by municipalities; and
- (b) Criteria for reviewing grant and loan applications.

Sec. 2. Minnesota Statutes 1980, Section 412.321, Subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY TO OWN AND OPERATE.] Any statutory city may own and operate any waterworks, district heating system, or gas, light, power, or heat plant for supplying its own needs for utility service or for supplying utility service to private consumers or both. It may construct and install all facilities reasonably needed for that purpose and may lease or purchase any existing utility properties so needed. It may, in lieu of providing for the local production of gas, electricity, water, hot water, steam, or heat, purchase the same wholesale and resell it to local consumers. After any such utility has been acquired, the council, except as its powers have been limited through establishment of a public utilities commission

in the city, shall make all necessary rules and regulations for the protection, maintenance, operation, extension, and improvement thereof and for the sale of its utility products.

Sec. 3. Minnesota Statutes 1980, Section 412.351, is amended to read:

412.351 [COMMISSION, JURISDICTION.]

The council shall in the ordinance establishing the commission, decide which of the following public utilities shall be within the commission's jurisdiction: (1) the city water system; (2) light and power system, including any system then in use or later acquired for the production and distribution of steam heat; (3) gas system; (4) sanitary or storm sewer system or both, including the city sewage disposal plant; (5) public buildings owned or leased by the city; (6) *district heating system*. As used subsequently in sections 412.351 to 412.391, the term "public utility" means any water, light and power, gas or sewer system, or public buildings thus placed by ordinance under the jurisdiction of the public utilities commission. Any public utility not placed under the jurisdiction of the public utilities commission by the ordinance establishing the commission may be placed under the jurisdiction of the commission by an amendment to the original ordinance.

Sec. 4. Minnesota Statutes 1980, Section 412.361, Subdivision 3, is amended to read:

Subd. 3. The commission shall have power to buy all fuel and supplies, and it may purchase wholesale electric energy, steam heat, *hot water energy*, gas or water, as the case may be, for municipal distribution.

Sec. 5. Minnesota Statutes 1980, Section 429.021, Subdivision 1, is amended to read:

Subdivision 1. [IMPROVEMENTS AUTHORIZED.] The council of a municipality shall have power to make the following improvements:

(1) To acquire, open, and widen any street, and to improve the same by constructing, reconstructing, and maintaining sidewalks, pavement, gutters, curbs, and vehicle parking strips of any material, or by grading, graveling, oiling, or otherwise improving the same, including the beautification thereof and including storm sewers or other street drainage and connections from sewer, water or similar mains to curb lines.

(2) To acquire, develop, construct, reconstruct, extend and maintain storm and sanitary sewers and systems, including outlets, holding areas and ponds, treatment plants, pumps, lift sta-

tions, service connections, and other appurtenances of a sewer system, within and without the corporate limits.

(3) To construct, reconstruct, extend and maintain steam heating mains.

(4) To install, replace, extend and maintain street lights and street lighting systems and special lighting systems.

(5) To acquire, improve, construct, reconstruct, extend and maintain water works systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a water works system, within and without the corporate limits.

(6) To acquire, improve and equip parks, open space areas, playgrounds and recreational facilities within or without the corporate limits.

(7) To plant trees on streets and provide for their trimming, care and removal.

(8) To abate nuisances and to drain swamps, marshes and ponds on public or private property and to fill the same.

(9) To construct, reconstruct, extend, and maintain dikes and other flood control works.

(10) To construct, reconstruct, extend and maintain retaining walls and area walls.

(11) To acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote a pedestrian skyway system.

(12) To acquire, construct, reconstruct, extend, operate, maintain and promote underground pedestrian concourses.

(13) To acquire, construct, improve, alter, extend, operate, maintain and promote public malls, plazas or courtyards.

(14) To construct, reconstruct, extend, and maintain district heating systems.

Sec. 6. [465.74] [AUTHORIZATION TO OPERATE DISTRICT HEATING SYSTEMS.]

Subdivision 1. [CITIES OF THE FIRST CLASS.] Any city operating or authorized to operate a public utility pursuant to chapter 452 or its charter is authorized to acquire, construct, own, and operate a municipal district heating system pursuant to the provisions of that chapter or its charter. Acquisition or construction of a municipal district heating system shall not be

subject to the election requirement of sections 452.11 and 452.12, or city charter provision, but must be approved by a three-fifths vote of the city's council or other governing body. Loans obtained by a municipality pursuant to section 1 are not subject to the limitations on the amount of money which may be borrowed upon a pledge of the city's full faith and credit or the election requirements for general obligation borrowing, contained in section 452.08.

Subd. 2. [CITIES OF THE SECOND, THIRD, AND FOURTH CLASS.] A home rule or statutory city of the second, third, or fourth class may, pursuant to sections 412.331 to 412.391, or chapter 455 or its charter acquire, construct, own, and operate a municipal district heating system.

Subd. 3. [EXTENSION OF SERVICE OUTSIDE CITY.] A municipal district heating system, operating pursuant to this section, may sell energy to customers located outside of the municipality.

Subd. 4. [NET DEBT LIMITS.] The loan obligations or debt incurred by a political subdivision pursuant to section 1 or 7 shall not be considered as a part of its indebtedness under the provisions of its governing charter or of any law of this state fixing a limit of indebtedness.

Subd. 5. [DISTRICT HEATING FACILITIES.] Notwithstanding any other law, general or special, or the provisions of any home rule charter city to the contrary, the governing body of a municipality may by ordinance grant a district heating franchise for a term not to exceed 31 years and by resolution or ordinance secure any obligations issued by the municipality for a district heating system with a mortgage or indenture of trust co-extensive with the term of the obligations.

Sec. 7. [475.525] [MUNICIPAL DISTRICT HEATING BONDS.]

Subdivision 1. [GENERAL OBLIGATION BONDS.] A municipality may, by resolution, authorize, issue and sell general obligation bonds or obligations to finance any expenditure by the municipality for the acquisition, construction, expansion, modification or operation of a district heating system and for the purpose of loaning the proceeds of the bonds or obligations to any person, firm or public or private corporation to acquire, construct, expand or modify a district heating system. Except with regard to the net debt limit as provided in section 465.74, subdivision 4, the general obligation bonds or obligations authorized by this subdivision shall be authorized, issued and sold in the same manner and subject only to the same conditions as those provided in chapter 475. When revenues from the operation of a district heating system are pledged to the repayment of the bonds or obligations, the estimated collections of said revenues

so pledged may be deducted from the taxes otherwise required to be levied before the issuance of the bonds or obligations under section 475.61, subdivision 1, or the collections thereof may be certified annually to reduce or cancel the initial tax levies in accordance with section 475.61, subdivision 1 or 3.

Subd. 2. [REVENUE BONDS.] Notwithstanding any other law, general or special, or the provisions of any home rule charter to the contrary, a municipality may, by resolution, authorize, issue and sell revenue bonds or obligations payable solely from all or a portion of revenues derived from a district heating system located wholly or partially within a municipality to finance the acquisition, construction, expansion, modification, or operation of a district heating system and for the purpose of loaning the proceeds of the bonds or obligations to any person, firm or public or private corporation to acquire, construct, expand or modify a district heating system. The bonds or obligations shall mature as determined by resolution of the municipality and may be issued in one or more series and shall bear such date or dates, bear interest at such rate or rates, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in medium of payment at such place or places, and be subject to such terms of redemption, with or without premium, as such resolution, its trust indenture or mortgage may provide. The bonds or obligations may be sold at public or private sale at the price or prices as the municipality by resolution shall determine, and any provision of any law to the contrary notwithstanding, shall be fully negotiable. In any suit, action, or proceedings involving the validity or enforceability of any bonds or obligations of the municipality or the security therefor, any bond or obligation reciting in substance that it has been issued by the municipality to aid in the acquisition, construction, expansion, modification or operation of a district heating system shall be conclusively deemed to have been issued for such purpose. Neither the municipality nor any council member, officer, employee or agent of the municipality nor any person executing the bonds or obligations shall be liable personally on the bonds or obligations by reason of the issuance thereof. The bonds or obligations may be further secured by a pledge and mortgage of all or any portion of the property in aid of which the bonds or obligations are issued and such covenants as the municipality shall deem by such resolution to be necessary and proper to secure payment of the bonds or obligations. The bonds or obligations, and the bonds or obligations shall so state on their face, shall not be payable from nor charged upon any funds other than the revenues and property pledged or mortgaged to the payment thereof, nor shall the issuing municipality be subject to any liability thereon or have the powers to obligate itself to pay or pay the bonds or obligations from funds other than the revenues and properties pledged and mortgaged and no holder or holders of the bonds or obligations shall ever have the right to compel any exercise of any tax-

ing power of the issuing municipality or any other public body to pay the principal of or interest on any such bonds or obligations, nor to enforce payment thereof against any property of the municipality or other public body other than that expressly pledged or mortgaged for the payment thereof.

Subd. 3. [REDEVELOPMENT AGENCY.] A municipality may itself, or by ordinance authorize any redevelopment agency as defined in section 474.03, subdivision 3, acting for the municipality, to exercise any and all of the powers granted to the municipality under subdivision 2 and to the redevelopment agency under any other law for the purpose of financing all or any portion of the district heating system and any conversion facilities for modifying the user's heating or water system to use the heat energy converted from the steam or hot water furnished by the district heating system including, but without limitation, the payment of interest during construction and for a reasonable time thereafter and the establishment of reserves for bond payment and for working capital, in which event if the issuer is a redevelopment agency the sources of revenue that may be pledged to the payment of revenue bonds or obligations shall include any revenues of the redevelopment agency. The proceeds of bonds or obligations issued by the municipality or redevelopment agency may be used to make or purchase loans for facilities which the issuer estimates will require such financing, and, for the purpose of making or purchasing such loans the issuer shall have power to enter into loan agreements and other related agreements, both before and after the issuance of the obligations, with such persons, firms, public or private corporations, federal or state agencies, governmental units, and under such terms and conditions as the issuer shall deem appropriate; and any governmental unit in the state shall have the power to apply, contract for and receive the loans without limitation under any other provisions of chapter 475.

Sec. 8. Minnesota Statutes 1980, Section 474.02, Subdivision 1, is amended to read:

Subdivision 1. The term "project" as used in sections 474.01 to 474.13, unless a different meaning clearly appears from the context, means any properties, real or personal, used or useful in connection with a revenue producing enterprise, or any combination of two or more such enterprises engaged or to be engaged in generating, transmitting, or distributing electricity, assembling, fabricating, manufacturing, mixing, processing, storing, warehousing, or distributing any products of agriculture, forestry, mining, or manufacture, or in research and development activity in this field. The term "project" shall also include any properties, real or personal, used or useful in the abatement or control of noise, air or water pollution, or in the disposal of solid wastes, in connection with a revenue producing enterprise, or any combination of two or more such enterprises engaged or to be engaged in any business or industry. The term

"project" shall also mean any properties, real or personal, used or useful in connection with the business of telephonic communications, conducted or to be conducted by a telephone company, including, without limitation, toll lines, poles, cables, switching and other electronic equipment and administrative, data processing, garage and research and development facilities. The term "project" also means any properties, real or personal, used or useful in connection with a district heating system, consisting of the use of one or more energy conversion facilities to produce hot water or steam for distribution to homes and businesses, including cogeneration facilities, distribution lines, service facilities and retrofit facilities for modifying the user's heating or water system to use the heat energy converted from the steam or hot water.

Sec. 9. [216B.166] [COGENERATING POWER PLANTS.]

Subdivision 1. [FINDING.] The legislature finds and declares that significant public benefits may be derived from the cogeneration of electrical and thermal energy and that cogenerated district heating may result in improved utilization and conservation of fuel, the substitution of coal for scarce oil and natural gas, the substitution of domestic fuel for imported fuel, and the establishment of a reliable, competitively priced heat source. Since the cost of cogenerated thermal energy is dependent upon the method used to allocate costs between the production of electric and thermal energy at a power plant, and because the method of cost allocation can be a significant factor in determining investment in district heating, it is necessary to develop cost allocation methods rapidly.

Subd. 2. [DEFINITIONS.] For the purpose of this section, the following terms shall have the meanings given.

(a) "Cogeneration" means a combined process whereby electrical and thermal energy are simultaneously produced by a public utility power plant.

(b) "District heating" means a process whereby thermal energy is distributed within a community for use as a primary heat source.

(c) "District heating utility" means any person, corporation, or other legal entity which owns and operates a facility for district heating.

Subd. 3. [ALLOCATION.] The methods used to allocate or assign costs between electrical and thermal energy produced by cogeneration power plants owned by public utilities shall be consistent with the following principles:

(a) The method used shall result in a cost per unit of electricity which is no greater than the cost per unit which would

exist if the power plants owned by the public utility had been normally constructed and operated without cogenerating capability;

(b) Costs which the public utility incurs for the exclusive benefit of the district heating utility, including but not limited to backup and peaking facilities, shall be assigned to thermal energy produced by cogeneration;

(c) The methods and procedures may be different for retrofitted than for new cogeneration power plants; and

(d) The methods should encourage cogeneration while preventing subsidization by electric consumers so that both heating and electricity consumers are treated fairly and equitably with respect to the costs and benefits of cogeneration.

Sec. 10. [16.244] [DISTRICT HEATING CONTRACTS.]

Notwithstanding any other law, general or special, the commissioner of administration is authorized to enter into or approve a written agreement not to exceed 31 years with a district heating utility that will specify, but not be limited to, the appropriate terms and conditions for the interchange of district heating services.

Sec. 11. [APPROPRIATIONS.]

Subdivision 1. The sum of \$43,170,000 is appropriated from the state building fund to the commissioner of finance for the purpose of making loans to municipalities for district heating systems pursuant to section 1.

Subd. 2. The sum of \$2,700,000 is appropriated from the state building fund to the commissioner of administration to install district heating in the capital complex, the capital square building, and the department of economic security building.

Subd. 3. The sum of \$2,500,000 is appropriated from the state building fund to Moorhead State University to install district heating in its facilities.

Subd. 4. The sum of \$1,200,000 is appropriated from the state building fund to the commissioner of finance for the purpose of making loans to develop wood fuel conversion facilities managed by a consortium consisting of Independent School District No. 692, Babbitt, Independent School District No. 696, Ely, and Independent School District No. 708, Tower-Soudan. The loans shall be repaid to the commissioner of finance over a period not to exceed 20 years, with interest at a rate sufficient to cover the cost to the state of borrowing the money. Repayments shall be credited to the state bond fund. The money shall not be loaned

until an agreement authorized pursuant to section 471.59 is executed by the boards of the designated districts. The agreement shall include the organization of the consortium, the management, accounting and allocation of money among members of the consortium, and the consortium's plans for fuel conversion, plant retrofitting and energy conservation.

Subd. 5. The sum of \$400,000 is appropriated from the state building fund to Vermillion Community College for the purpose of funding a wood fuel conversion facility.

Subd. 6. The appropriations made by subdivisions 1, 2, 3, 4, and 5 are available until expended and shall not cancel pursuant to section 16A.28 or other law.

Sec. 12. [BOND SALE; DEBT SERVICE.]

To provide the money appropriated from the state building fund by section 11, subdivisions 1, 2, 3, 4 and 5, the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$50,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, Sections 16A.63 to 16A.67, and by the Constitution, Article XI, Sections 4 to 7.

Sec. 13. [BOND SALE EXPENSES.]

The sum of \$30,000 is appropriated to the commissioner of finance for bond sale expenses pursuant to Minnesota Statutes, Sections 16A.64, Subdivision 4; and 121.215, Subdivision 3.

Sec. 14. [EFFECTIVE DATE.]

This act is effective the day following final enactment.

Amend the title as follows:

Page 1, line 9, delete "and"

Page 1, line 10, after "1;" insert "and 474.02, Subdivision 1;"

Page 1, line 11, after "Chapters" insert "16,"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 750, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

Reported the same back with the following amendments:

Page 3, lines 11 and 12, delete section 4

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 900, A bill for an act relating to open space and recreation; providing for costs of acquisition and betterment of regional recreation open space lands by the metropolitan council and metropolitan area local governmental units; authorizing issuance of state bonds; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [OUTDOOR RECREATION BONDING.]

To provide the money appropriated by this act from the state building fund, the commissioner of finance, upon request of the governor, shall sell and issue bonds of the state in the amount of \$31,320,000 in the manner and upon terms prescribed by Minnesota Statutes, Sections 16A.63 to 16A.67 and the Minnesota Constitution, Article XI, Sections 4 to 7.

Sec. 2. [METROPOLITAN AREA RECREATION OPEN SPACE; APPROPRIATION FOR ACQUISITION AND DEVELOPMENT.]

\$12,490,000 is appropriated from the Minnesota state building fund to the state planning agency for payment to the metropolitan council established under Minnesota Statutes, Section 473.123. The state planning agency shall transfer the amount to the metropolitan council, upon receipt of a certified copy of a council resolution requesting payment. The appropriation shall be used to pay the cost of the acquisition and betterment by metropolitan council and local governmental units of regional recreation open space in accordance with the council's policy plan as provided in Minnesota Statutes, Sections 473.301 to 473.341, including relocation costs and tax equivalents required to be paid by Minnesota Statutes, Sections 473.315 and 473.341. Of the amount appropriated by this section, the metropolitan council may expend no more than \$400,000 for staff and inde-

pendent professional services necessary to acquire and better open space and for the performance of duties of the metropolitan council under this section.

With respect to grants for acquisition in the central river-front regional park, the council shall, to the maximum extent possible, require acquisition of non fee interest in the housing out parcel on Nicollet Island where consistent with continued housing use and the overall development of the park.

Sec. 3. [SPEED SKATING RINK.]

In connection with preparing the long-range system policy plan and development program for regional recreational open space under section 473.147 the council and the metropolitan parks and open space commission shall examine the need for a speed skating rink in the metropolitan area. The council and the commission shall submit recommendations and findings regarding the speed skating rink to the legislature on or before January 15, 1982.

Sec. 4. [DEPARTMENT OF NATURAL RESOURCES; APPROPRIATION FOR ACQUISITION AND DEVELOPMENT.]

The following sums are appropriated from the state building fund to the commissioner of natural resources to acquire and better public outdoor recreation lands and capital improvements:

- | | |
|---|-------------|
| (1) For acquisition of state parks and recreation areas, as listed and described in Minnesota Statutes, Sections 85.012 and 85.013 | \$2,000,000 |
| (2) For betterment of state parks and recreation areas, as listed and described in Minnesota Statutes, Sections 85.012 and 85.013 | 2,434,800 |
| (3) For acquisition of state trails listed and described in Minnesota Statutes, Section 85.015, and pursuant to Minnesota Statutes, Section 84.029, Subdivision 2 | 90,000 |
| (4) For betterment of state trails and trails within state parks, state forests and other units of the outdoor recreational system as defined in Minnesota Statutes, Section 86A.05 | 2,000,000 |
| (5) For acquisition of Minnesota Valley Trail described in Minnesota Statutes, Section 85.021 | 200,000 |
| (6) For acquisition of state forests listed and described in Minnesota Statutes, Section 89.021 | 200,000 |

\$

(7) For betterment of state forests roads and bridges 1,500,000

(8) For acquisition of fishing management lands including riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to Minnesota Statutes, Section 97.48, Subdivisions 8, 11 and 15 400,000

(9) For acquisition of wildlife management areas pursuant to Minnesota Statutes, Sections 97.48, Subdivision 13, and 97.481, and wetlands under the water bank program pursuant to Minnesota Statutes, Section 105.392 4,500,000

(10) For betterment of wildlife management areas, acquired pursuant to Minnesota Statutes, Sections 97.48, Subdivision 13, and 97.481 400,000

(11) For acquisition of natural and scientific areas designated pursuant to Minnesota Statutes, Section 84.033 300,000

(12) For acquisition of wild, scenic, and recreational rivers, designated pursuant to Sections 104.25 to 104.40, and canoe and boating routes, portages, and camp sites, as listed and described in Minnesota Statutes, Section 85.32 400,000

(13) For betterment of canoe and boating routes, portages, and camp sites as listed and described in Minnesota Statutes, Section 85.32 37,000

(14) For acquisition of lands to provide public access to public waters pursuant to Minnesota Statutes, Section 97.48, Subdivision 15 650,000

(15) For betterment of such public accesses to public waters pursuant to Minnesota Statutes, Section 97.48, Subdivision 15 1,089,000

(16) For independent professional services necessary for the acquisition and betterment of the lands and improvements described above. From this appropriation the commissioner may employ not to exceed 41 persons in the unclassified civil service who are in addition to the complement otherwise authorized by law for the department 2,594,400

Sec. 5. [LAND ACQUISITION.]

Lands shall be acquired by the commissioner of administration upon request of the commissioner of natural resources and in accordance with the policies established in Minnesota Statutes, Sections 86A.01 to 86A.09. Those acquired for each unit of the outdoor recreation system shall be suited for the purpose of that unit and suited for management in accordance with the principles applicable to it. The commissioner of natural resources shall submit semiannual work progress reports to the legislative commission on Minnesota resources, in the form requested by the commission, and shall submit a work program to the commission and request its recommendation thereon before expending any funds appropriated by section 4 for any purpose. The commission's recommendation shall be advisory only. Failure to respond to a request within 60 days after receipt shall be deemed a negative recommendation.

Sec. 6. Minnesota Statutes 1980, Section 4.36, Subdivision 2, is amended to read:

Subd. 2. [GRANTS FOR PARKS AND TRAILS.] The state planning agency shall administer a program to provide grants to units of government located within standard metropolitan statistical areas, as designated by the United States office of management and budget, but outside of the metropolitan area defined in *Minnesota Statutes*, Section 473.121. The grants shall be for acquisition and betterment by units of government of public land and improvements needed for parks, trails, conservatories, zoos and other special use facilities having recreational significance for the entire population of the particular standard metropolitan statistical area. Appropriations made for this purpose shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding the expenditures. The local contribution required shall be (IDENTICAL TO THAT REQUIRED BY THE LEGISLATIVE COMMISSION ON MINNESOTA RESOURCES FOR GRANTS-IN-AID FOR RECREATION OPEN SPACE OF REGIONAL SIGNIFICANCE) *not less than ten percent*. The program shall be administered so as to ensure the maximum possible use of available federal money.

Sec. 7. [YOUTH HOSTELS.]

The department of natural resources in cooperation with the outdoor recreation advisory council shall examine the need for youth hostels and the sources available for financial assistance to such hostels throughout the state in order to further the development of the national system of youth hostels to increase the opportunity for outdoor recreation. The examination shall be done in cooperation with the Minnesota historical society and

shall include the possibility of the use of historically significant structures and other structures on public land particularly those on or adjacent to units of the Outdoor Recreation System. The results of the study shall be submitted to the legislature on or before January 15, 1982. For the purposes of this section, the term "youth hostel" means an inexpensive, self-service, dormitory style, supervised, over-night facility, chartered by American Youth Hostels, Inc., and operated in accordance with their practices.

Sec. 8. [BOND SALES EXPENSES.]

The sum of \$34,800 is appropriated to the commissioner of finance for bond sale expenses pursuant to Minnesota Statutes, Section 16A.64, Subdivision 4; and 121.215, Subdivision 3.

Sec. 9. [REPEALER.]

Laws 1979, Chapter 301, Section 6, Subdivision 1, is repealed. The appropriation provided in subdivision 2 of that section shall be expended in accordance with section 6 of this act."

Delete the title and insert:

"A bill for an act relating to open space and recreation; authorizing the issuance of state bonds and expenditure of the proceeds for the acquisition and betterment of regional recreation open space lands by the metropolitan council and metropolitan area local governmental units and for the acquisition and betterment of state parks, trails, forest, fish and wildlife management, scientific and natural areas, water accesses, wild, scenic and recreational rivers, and canoe and boating routes by the commissioner of natural resources; changing the terms of certain grants administered by the state planning agency; appropriating money; amending Minnesota Statutes 1980, Section 4.36, Subdivision 2; repealing Laws 1979, Chapter 301, Section 6, Subdivision 1."

With the recommendation that when so amended the bill pass.

The report was adopted.

Eken from the Committee on Rules and Legislative Administration to which was referred:

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

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1474, 1475, 477, 493, 750 and 900 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1212 and 674 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Samuelson, Jude, Wenzel, Luknic and Sviggum introduced:

H. F. No. 1476, A resolution memorializing the United States Congress to propose a constitutional amendment to provide for protection of all human life.

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

Lehto, Munger, Vanasek, Battaglia and Carlson, D., introduced:

H. F. No. 1477, A bill for an act relating to snowmobiles; increasing the registration fee and appropriating the proceeds thereof for stated purposes; amending Minnesota Statutes 1980, Sections 84.82, Subdivision 3; and 84.83.

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

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. 142, A bill for an act relating to taxation; real property; extending 3 classification to certain property used for

recreational purposes; amending Minnesota Statutes 1980, Section 273.13, Subdivision 4.

H. F. No. 192, A bill for an act relating to labor; regulating migrant labor; requiring employers and recruiters to provide employment statements to migrant workers; setting requirements for employment statements and for payment of wages to migrant workers; providing for private causes of action; proposing new law coded in Minnesota Statutes, Chapter 181.

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

H. F. No. 921, A bill for an act relating to motor vehicles; adjusting bond provisions for dealers; requiring bonds for motorized bicycle dealers; amending Minnesota Statutes 1980, Section 168.27, Subdivision 24.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 326, A bill for an act relating to health; changing eligibility requirements for catastrophic health expense protection; including insurance premiums; appropriating money; amending Minnesota Statutes 1980, Sections 62E.52, Subdivisions 2 and 3; 62E.53, Subdivisions 1 and 2; and 62E.531, Subdivision 2.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

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. 14, A bill for an act relating to agriculture; requiring notice of real estate improvement liens to be given to

certain farmers; amending Minnesota Statutes 1980, Section 514.011, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Mehrkens moved that the House concur in the Senate amendments to H. F. No. 14 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 14, A bill for an act relating to agriculture; requiring notice of real estate improvement liens to be given to certain farmers; amending Minnesota Statutes 1980, Section 514.011, by adding subdivisions; repealing Minnesota Statutes 1980, Section 514.011, Subdivision 4.

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 113 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Erickson	Kaley	Norton	Sieben, M.
Ainley	Esau	Kelly	Novak	Simoneau
Anderson, B.	Evans	Knickerbocker	Nysether	Skoglund
Anderson, G.	Fjoslien	Kostohryz	Ogren	Stadum
Anderson, I.	Friedrich	Kvam	Onnen	Staten
Anderson, R.	Greenfield	Lemen	Osthoff	Stowell
Battaglia	Gruenes	Levi	Otis	Stumpf
Begich	Gustafson	Long	Peterson, D.	Sviggum
Blatz	Halberg	Ludeman	Piepho	Tomlinson
Brandl	Hanson	Luknic	Pogemiller	Valento
Brinkman	Hauge	Mann	Redalen	Vanasek
Byrne	Haukoos	Marsh	Rice	Vellenga
Carlson, D.	Heap	McCarron	Rodriguez, C.	Voss
Clark, J.	Heinitz	McDonald	Rodriguez, F.	Welch
Clark, K.	Himle	McEachern	Rose	Welker
Clawson	Hoberg	Mehrkens	Rothenberg	Wenzel
Dahlvang	Hokanson	Metzen	Samuelson	Wieser
Dean	Jacobs	Minne	Sarna	Wigley
Dempsey	Jennings	Munger	Schafer	Wynia
Den Ouden	Johnson, C.	Murphy	Schoenfeld	Zubay
Drew	Johnson, D.	Nelsen, B.	Schreiber	Spkr. Sieben, H.
Eken	Jude	Nelson, K.	Shea	
Ellingson	Kahn	Niehaus	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. 386, A bill for an act relating to the city of St. Paul; authorizing issuance of general obligation bonds for capital improvements; fixing amounts; amending Laws 1971, Chapter 773, Section 1, as amended; and Laws 1978, Chapter 788, Section 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Byrne moved that the House concur in the Senate amendments to H. F. No. 386 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 386, A bill for an act relating to the City of St. Paul; authorizing issuance of general obligation bonds for capital improvements; fixing amounts; amending Laws 1971, Chapter 773, Section 1, as amended; and Laws 1978, Chapter 788, Section 5.

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 87 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Forsythe	Kelly	Osthoff	Simoneau
Anderson, R.	Greenfield	Knickerbocker	Otis	Skoglund
Battaglia	Gruenes	Kostohryz	Peterson, D.	Staten
Begich	Gustafson	Lehto	Pogemiller	Stowell
Blatz	Halberg	Lemen	Redalen	Stumpf
Brandl	Hanson	Long	Reif	Tomlinson
Brinkman	Hauge	Mann	Rice	Valan
Byrne	Heap	McCarron	Rodriguez, C.	Valento
Clark, J.	Heinitz	McEachern	Rodriguez, F.	Vanasek
Clawson	Himle	Mehrkens	Rose	Vellenga
Dahlvang	Hoberg	Metzen	Rothenberg	Voss
Drew	Hokanson	Minne	Samuelson	Welch
Eken	Jacobs	Munger	Sarna	Wenzel
Ellingson	Johnson, C.	Murphy	Schafer	Wynia
Erickson	Johnson, D.	Nelson, K.	Schoenfeld	Spkr. Sieben, H.
Evans	Jude	Norton	Shea	
Ewald	Kahn	Novak	Sherman	
Fjoslien	Kaley	Ogren	Sieben, M.	

Those who voted in the negative were:

Aasness	Esau	Marsh	Onnen	Welker
Ainley	Haukoos	McDonald	Plepho	Wigley
Carlson, D.	Jennings	Nelsen, B.	Schreiber	
Dempsey	Kvam	Niehaus	Stadum	
Den Ouden	Ludeman	Nysether	Sviggunn	

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. 473, A bill for an act relating to energy; establishing rates and conditions of service for cogenerators and small power producers; proposing new law coded in Minnesota Statutes, Chapter 216B.

PATRICK E. FLAHAVEN, Secretary of the Senate

Hauge moved that the House concur in the Senate amendments to H. F. No. 473 and that the bill be repassed as amended by the Senate.

Sviggunn moved that the House refuse to concur in the Senate amendments to H. F. No. 473, 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.

A roll call was requested and properly seconded.

The question was taken on the Sviggunn motion and the roll was called. There were 62 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Aasness	Friedrich	Kvam	Olsen	Sherwood
Ainley	Gruenes	Laidig	Onnen	Stadum
Anderson, R.	Halberg	Lemen	Peterson, B.	Stowell
Blatz	Haukoos	Levi	Piepho	Sviggunn
Carlson, D.	Heap	Ludeman	Redalen	Valan
Dempsey	Heinitz	Luknic	Rees	Valento
Den Ouden	Himle	Mann	Reif	Welker
Drew	Hoberg	Marsh	Rose	Wenzel
Erickson	Jennings	McDonald	Rothenberg	Wigley
Esau	Johnson, D.	Mehrkens	Schafer	Zubay
Evans	Kaley	Nelsen, B.	Schreiber	
Ewald	Kalis	Niehaus	Searles	
Forsythe	Knickerbocker	Nysether	Sherman	

Those who voted in the negative were:

Anderson, B.	Anderson, I.	Begich	Brinkman	Carlson, L.
Anderson, G.	Battaglia	Brandl	Byrne	Clark, J.

Clark, K.	Hauge	Metzen	Peterson, D.	Staten
Clawson	Hokanson	Minne	Pogemiller	Stumpf
Dahlvang	Jacobs	Munger	Rice	Swanson
Dean	Jude	Murphy	Rodriguez, C.	Tomlinson
Eken	Kahn	Nelson, K.	Rodriguez, F.	Vanasek
Ellingson	Kelly	Norton	Sarna	Vellenga
Fjoslien	Kostohryz	Novak	Schoenfeld	Voss
Greenfield	Lehto	O'Connor	Shea	Welch
Gustafson	Long	Ogren	Sieben, M.	Wynia
Hanson	McCarron	Osthoff	Simoneau	Spkr. Sieben, H.
Harens	McEachern	Otis	Skoglund	

The motion did not prevail.

CALL OF THE HOUSE

On the motion of Sviggum and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

Vanasek moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Hauge motion that the House concur in the Senate amendments to H. F. No. 473 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.

The question recurred on the Hauge motion and the roll was called.

Osthoff moved that those not voting be excused from voting. The motion prevailed.

There were 61 yeas and 68 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

Hauge moved that the House refuse to concur in the Senate amendments to H. F. No. 473, 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.

CALL OF THE HOUSE LIFTED

Vanasek moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

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. 70, A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies and the distribution of tax revenues; granting certain powers and duties to school districts, the state board of education and others; replacing AVTI capital expenditure aid with AVTI equipment aid and AVTI repair and betterment aid; requiring a legislative study of curriculum implications of secondary vocational education aid; providing a new aid and levy authorization for certain capital expenditures; changing the preschool screening program from mandatory to optional; limiting participation in teacher mobility programs; decreasing the state's obligations and changing eligibility standards for the maximum effort school aid program; appropriating money; amending Minnesota Statutes 1980, Sections 3.9278, Subdivision 1; 3.9279, Subdivisions 10 and 12; 120.17, Subdivisions 3, 3b, 4, 5a, 6, 7 and by adding a subdivision; 121.904, Subdivision 7; 121.906, Subdivisions 2 and 3; 121.912, Subdivision 1; 122.22, Subdivisions 3, 4, 5, 8, 9, 11, 13, 14, 20 and by adding a subdivision; 123.35, Subdivision 15; 123.36, Subdivision 13; 123.39, Subdivision 1 and by adding a subdivision; 123.702, Subdivision 1; 123.703, Subdivision 3; 123.705; 123.937; 124.01, Subdivisions 2, 3, 4 and by adding a subdivision; 124.11, Subdivisions 1, 2a, 2b, 2c and by adding a subdivision; 124.14, Subdivisions 3, 4 and by adding a subdivision; 124.17, Subdivisions 2, 2c and by adding a subdivision; 124.20; 124.212, Subdivisions 1, 5a, 7d, 8a, 9a and by adding a subdivision; 124.223; 124.225, Subdivisions 1, 1a, 2, 3, 4a, 5, 6, 7a, 8a, 8b, 9, 11 and by adding a subdivision; 124.245, Subdivisions 1, 2 and by adding a subdivision; 124.247, Subdivisions 3 and 5; 124.26, Subdivisions 3, 4 and by adding subdivisions; 124.271, Subdivision 2; 124.32, Subdivisions 1a, 1b, 6, 9 and by adding a subdivision; 124.38, Subdivision 7; 124.39, Subdivision 5; 124.40, Subdivision 2; 124.41; 124.42, Subdivisions 1 and 2; 124.43, Subdivisions 1, 2, 3, 4 and 5; 124.474; 124.476; 124.561, Subdivisions 2a, 3a and by adding subdivisions; 124.562, by adding a subdivision; 124.5621, Subdivisions 2, 5, 6 and 12; 124.5622, Subdivisions 3, 4 and 5; 124.5623, Subdivisions 3, 4 and 5; 124.5624; 124.565, Subdivisions 3, 4, 6 and 7; 124.566; 124.572, Subdivision 8 and by adding subdivisions; 124.573, Subdivisions 2, 3a, 5 and by adding a subdivision; 124.574, Subdivisions 2 and 4; 124.646, Subdivision 1; 125.60, Subdivisions 2a and 7; 125.611, Subdivisions 1, 3, 5, 8, 9 and 10; 126.54, Subdivision 1; 134.35, Subdivision 1; 134.351, Subdivision 5 and by adding subdivisions; 134.36; 275.125, Subdivisions 2a, 2c, 6b, 6c, 7a, 7b, 8, 11a and by adding subdivisions; 298.28, Subdivision 1; 354.094, Subdivisions 1, 2, 3 and by adding a subdivision; 354.66, Subdivision 9; 354A.091, Subdivisions 1, 2, 3 and by adding a subdivision; 354A.094, Subdivision 9; 375.335, Subdivision 4 and by adding subdivisions; Laws 1967, Chapter 822, Section 1, as amended; proposing new law coded in Minnesota Statutes, Chapters 120; and 124; repealing Minnesota Statutes 1980, Sections 3.9279, Subdivision 13; 120.17, Subdivision 3c; 122.22, Subdivisions 10, 12, 15 and 16; 123.40, Subdivision 5; 124.212, Subdivisions 6c and 7c; 124.225, Subdivisions 4, 7 and 8; 124.271, Subdivision 1a; 124.561, Subdivision 4;

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

PATRICK E. FLAHAVEN, Secretary of the Senate

McEachern moved that the House refuse to concur in the Senate amendments to H. F. No. 70, 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. 732, A bill for an act relating to agriculture; providing for continuation of certain farm tenancies on termination of life estates; proposing new law coded in Minnesota Statutes, Chapter 500.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Erickson moved that the House concur in the Senate amendments to H. F. No. 732 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 732, A bill for an act relating to agriculture; providing for continuation of certain farm tenancies on termination of life estates; proposing new law coded in Minnesota Statutes, Chapter 500.

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 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Blatz	Dahlvang	Erickson	Gustafson
Ainley	Brandl	Dean	Esau	Halberg
Anderson, B.	Brinkman	Dempsey	Evans	Hanson
Anderson, G.	Byrne	Den Ouden	Ewald	Harens
Anderson, I.	Carlson, D.	Drew	Fjoslien	Hauge
Battaglia	Carlson, L.	Eken	Friedrich	Haukoos
Begich	Clark, J.	Elhoff	Greenfield	Heap
Berkelman	Clawson	Ellingson	Gruenes	Heinitz

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

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

Reif was excused from 2:45 p.m. to 3:50 p.m.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

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

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 209

A bill for an act relating to gambling devices; clarifying definitions of gambling devices; authorizing an additional gambling device; authorizing certain payments for operation of gambling devices; changing prize limitations; changing the penalty provision for violation; amending Minnesota Statutes 1980, Sections 349.26, Subdivisions 2, 4, 5, 12, 13, 14 and 15, and by adding a subdivision; 349.30, Subdivision 2; and 349.31, Subdivision 1.

April 29, 1981

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S. F. No. 209, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 209 be amended as follows:

Page 2, line 17, delete "\$20 for a gambling"

Page 2, line 18, delete "*occasion, not to exceed \$30*" and insert "\$25", and strike "to any person"

Page 4, line 6, restore the stricken language

Page 4, line 7, restore all the stricken language after "(AND;)" after "(AND)", insert "," and after "tipboards", insert "*and pull-tabs (or ticket jars)*"

Page 4, line 8, restore "(OPERATED SHALL NOT EXCEED)", after stricken "(\$500)" insert "\$1,000" and restore the stricken period

Page 4, line 10, after the first comma insert "*each tipboard limited to a single seal,*"

Page 4, line 12, strike "and" and insert a comma

Page 4, line 13, after "tipboards" insert "*and pull-tabs (or ticket jars)*"

Page 4, line 14, delete "\$50,000" and insert "\$35,000"

We request adoption of this report and repassage of the bill.

Senate Conferees: TOM A. NELSON, JOHN B. KEEFE and COLLIN C. PETERSON.

House Conferees: LEO J. REDING, JAMES I. RICE and DWAIN H. HOBERG.

Reding moved that the report of the Conference Committee on S. F. No. 209 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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

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

The question was taken on the repassage of the bill and the roll was called. There were 98 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Ainley	Ellingson	Jude	Norton	Sherman
Anderson, B.	Evans	Kahn	Novak	Sieben, M.
Anderson, G.	Ewald	Kaley	Nysether	Skoglund
Anderson, I.	Fjoslien	Kalis	O'Connor	Stadum
Battaglia	Friedrich	Knickerbocker	Ogren	Staten
Begich	Greenfield	Kostohryz	Olsen	Stowell
Berkelman	Gruenes	Lehto	Osthoff	Stumpf
Blatz	Gustafson	Levi	Otis	Swanson
Brandl	Halberg	Long	Peterson, D.	Valan
Brinkman	Harens	Luknic	Piepho	Valento
Byrne	Hauge	Mann	Pogemiller	Vanasek
Carlson, L.	Haukoos	Marsh	Redalen	Vellenga
Clark, J.	Heap	McCarron	Reding	Welch
Clark, K.	Heinitz	McEachern	Rees	Wenzel
Clawson	Hoberg	Mehrkens	Rodriguez, C.	Wigley
Dahlvang	Hokanson	Metzen	Rodriguez, F.	Wynia
Dean	Jacobs	Minne	Rose	Zubay
Dempsey	Jennings	Munger	Rothenberg	Spkr. Sieben, H.
Drew	Johnson, C.	Murphy	Samuelson	
Elioff	Johnson, D.	Nelson, K.	Sarna	

Those who voted in the negative were:

Aasness	Hanson	Lemen	Peterson, B.	Svigggum
Carlson, D.	Himle	Ludeman	Schafer	Voss
Den Ouden	Kelly	Nelsen, B.	Schoenfeld	Welker
Erickson	Kvam	Niehaus	Shea	Wieser
Esau	Laidig	Onnen	Sherwood	

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

Mr. Speaker:

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

S. F. Nos. 118, 980, 1079, 1237, 1243 and 1323.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1305.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 118, A bill for an act relating to crimes; prohibiting the furnishing of tobacco related devices to minors; prohibiting minors from using tobacco or tobacco related devices; prescribing penalties; amending Minnesota Statutes 1980, Section 609.685.

The bill was read for the first time.

Luknic moved that S. F. No. 118 and H. F. No. 61, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 980, A bill for an act relating to state lands; providing for the lease of certain lands to the city of Hastings.

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

S. F. No. 1079, A bill for an act relating to retirement; providing for an exemption from membership therein for city managers; modifying the income taxation of deferred compensation contributions by certain city managers; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20; proposing new law coded in Minnesota Statutes, Chapter 353.

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

S. F. No. 1237, A bill for an act relating to taxation; extending the special levy for shade tree disease control by two years; amending Minnesota Statutes 1980, Section 275.50, Subdivision 6.

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

S. F. No. 1243, A bill for an act relating to handicapped persons; providing that certain social services be available to recipients of attendant care; proposing new law coded in Minnesota Statutes, Chapter 256C.

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

S. F. No. 1323, A bill for an act relating to local government; Lake County, Independent School District No. 381, and the town of Beaver Bay; providing for the valuation and assessment for property taxes of certain unique mining property.

The bill was read for the first time.

Battaglia moved that S. F. No. 1323 and H. F. No. 1375, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1305, A bill for an act relating to the city of Duluth and the city of Cloquet and the city of Hermantown; extending the availability of an appropriation to the city of Cloquet for the purpose of constructing a water filtration plant; requiring the public utilities commission to set the terms for water service to be provided by the city of Duluth to the city of Hermantown unless the cities conclude a contract governing those services; amending Laws 1969, Chapter 720, Section 11, Subdivision 1, as amended.

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

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

McCarron, for the Committee on Reapportionment and Elections, introduced:

H. F. No. 1478, A bill for an act relating to congressional districts; apportioning congressional districts; amending Minnesota Statutes 1980, Sections 2.741; 2.751; 2.761; 2.771; 2.781; 2.791; 2.801; and 2.811.

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 70:

McEachern; Johnson, C.; Nelson, K.; Levi and Jennings.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON 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.

May 6, 1981

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H. F. No. 704, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recedes from its amendments and H. F. No. 704 be further amended as follows:

Page 1, line 26, reinstate the stricken language and delete the new language.

Page 5, after line 35, insert:

"Sec. 2. Minnesota Statutes 1980, Section 169.73, is amended to read:

169.73 [BUMPERS, SAFEGUARDS.]

Subdivision 1. [DEFINITIONS.] As used in this section "private passenger vehicle" means a four wheeled passenger automobile (, STATION WAGON, OR TRUCK OF A GROSS VEHICLE WEIGHT OF 9,000 POUNDS OR LESS,) as (THOSE TERMS ARE) defined in section 168.011, (OR A JEEP TYPE AUTOMOBILE,) but does not include (ANY) a collector vehicle as defined in section 168.10, *a station wagon or other multi-purpose vehicle or a truck having a gross weight of 9,000 pounds or less. "Suspension system" includes both the front and rear wheels and tires of a vehicle as specified in subdivision 3.*

Subd. 2. [BUMPER REQUIREMENT.] All private passenger vehicles shall be equipped with front and rear bumpers. (THE BUMPERS SHALL BE SECURELY ATTACHED TO THE FRAME, AND SHALL EXTEND BEYOND THE EXTREME FRONT AND REAR POINTS, RESPECTIVELY, OF THE VEHICLES. THE CENTER POINT OF THE BUMPERS SHALL BE NOT MORE THAN 20, NOR LESS THAN 16,

INCHES FROM THE GROUND WHEN THE VEHICLE IS UNLOADED, PROVIDED THAT TWO RIGID CROSS BARS MAY BE ATTACHED TO ANY BUMPER TO EXTEND IT SO THAT IT WILL REACH INTO A POINT WITHIN THE REQUIRED HEIGHT FROM THE GROUND.)

Subd. 3. [BUMPER RESTRICTIONS.] No person shall operate a passenger automobile, station wagon, jeep type automobile, or truck of a gross weight of 9,000 pounds or less that: (a) Was originally equipped with bumpers as standard equipment, unless the vehicle is equipped with bumpers equal to the original equipment; or (b) Has a suspension system or body so modified that the height of any bumper on the vehicle varies more than three inches from the original manufactured bumper height for the vehicle.

Subd. 4. [PENALTY.] Any person who violates this section is guilty of a misdemeanor."

Amend the title as follows:

Page 1, line 5, after "plates;" insert "redefining a private passenger vehicle for certain purposes; clarifying certain requirements for front and rear bumpers; providing penalties;"

Page 1, line 5, delete "increasing the tax thereon;"

Page 1, line 6, delete "Section" and insert "Sections"

Page 1, line 7, after "1b" insert "; and 169.73"

We request adoption of this report and repassage of the bill.

House Conferees: BERNARD J. BRINKMAN, DAVID B. GRUENES and RICHARD J. KOSTOHRYZ.

Senate Conferees: JAMES C. PEHLER, STEVE ENGLER and MIKE MENNING.

Brinkman moved that the report of the Conference Committee on H. F. No. 704 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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.

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

The question was taken on the repassage of the bill and the roll was called. There were 121 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Hanson Kahn Zubay

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

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Sieben, M., requested immediate consideration of H. F. Nos. 647, 826, 1022 and 1376.

Wynia was called to the Chair by the Speaker.

H. F. No. 647, A bill for an act relating to commerce; transferring the powers, duties, staff, and unexpended funds of the board of cosmetology examiners to the office of consumer services; establishing an advisory commission; authorizing licensing by occupation and operations; providing for enforcement; providing a complaint handling procedure; prescribing penalties; providing remedies; amending Minnesota Statutes 1980, Section 214.01, Subdivision 3; proposing new law coded as Minnesota Statutes, Chapter 155A; repealing Minnesota Statutes 1980, Sections 155.01 to 155.21.

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 105 yeas and 16 nays as follows:

Those who voted in the affirmative were:

Aasness	Fjoslien	Kvam	Novak	Sherwood
Ainley	Greenfield	Laidig	Nysether	Sieben, M.
Anderson, B.	Gruenes	Lehto	Ogren	Skoglund
Anderson, G.	Gustafson	Lemen	Olsen	Stadum
Anderson, R.	Halberg	Levi	Onnen	Staten
Berkelman	Hanson	Long	Otis	Stowell
Blatz	Hauge	Ludeman	Peterson, D.	Stumpf
Byrne	Heap	Luknic	Piepho	Sviggun
Carlson, D.	Heinitz	Mann	Pogemiller	Swanson
Clark, J.	Himle	Marsh	Redalen	Tomlinson
Clark, K.	Hoberg	McCarron	Reding	Valento
Clawson	Hokanson	McEachern	Rice	Vanasek
Dahlvang	Johnson, C.	Mehrkens	Rodriguez, C.	Vellenga
Dean	Johnson, D.	Metzen	Rodriguez, F.	Voss
Dempsey	Jude	Minne	Rothenberg	Welker
Den Ouden	Kahn	Munger	Sarna	Wenzel
Drew	Kaley	Murphy	Schafer	Wieser
Ellingson	Kalis	Nelsen, B.	Schreiber	Wigley
Erickson	Kelly	Nelson, K.	Searles	Wynia
Esau	Knickerbocker	Niehaus	Shea	Zubay
Evans	Kostohryz	Norton	Sherman	Spkr. Sieben, H.

Those who voted in the negative were:

Anderson, I.	Carlson, L.	Jacobs	Rees	Samuelson
Battaglia	Elioff	McDonald	Rose	Schoenfeld
Begich	Friedrich	O'Connor		
Brinkman	Harens	Osthoff		

The bill was passed and its title agreed to.

H. F. No. 826 was reported to the House.

Lemen moved to amend H. F. No. 826, as follows:

Page 1, line 12, delete "*and there may be a link to*"

Page 1, delete line 13 to "*well*"

Page 1, line 16, delete "*and birth defects*"

Page 1, line 24, after "*occupational*" insert "*and other*"

Page 1, line 25, delete "*and birth defect*"

Page 2, line 2, delete "*and birth defect*"

Page 2, line 5, delete "*and birth defect*"

Page 2, delete lines 6 and 7

Amend the title as follows:

Page 1, line 3, delete "and birth defects"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 14 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Dempsey	Lemen	Nysether	Schafer	Stadum
Esau	McDonald	Peterson, B.	Schreiber	Welker
Haukoos	Niehaus	Piepho	Sherwood	

Those who voted in the negative were:

Ainley	Eken	Kalis	Novak	Sherman
Anderson, B.	Elioff	Kelly	O'Connor	Sieben, M.
Anderson, G.	Ellingson	Kostohryz	Ogren	Simoneau
Anderson, I.	Evans	Kvam	Olsen	Skoglund
Anderson, R.	Forsythe	Laidig	Onnen	Staten
Battaglia	Greenfield	Lehto	Osthoff	Stumpf
Begich	Gruenes	Long	Otis	Swanson
Berkelman	Gustafson	Luknic	Peterson, D.	Tomlinson
Blatz	Hanson	Mann	Pogemiller	Valan
Brandl	Harens	Marsh	Redalen	Valento
Brinkman	Hauge	McCarron	Reding	Vanasek
Byrne	Heap	Mehrkins	Rees	Vellenga
Carlson, L.	Himle	Metzen	Rice	Voss
Clark, J.	Hoberg	Minne	Rodriguez, C.	Welch
Clark, K.	Hokanson	Munger	Rodriguez, F.	Wenzel
Clawson	Jacobs	Murphy	Rothenberg	Wigley
Dahlvang	Johnson, C.	Nelsen, B.	Samuelson	Wynia
Den Ouden	Jude	Nelson, K.	Schoenfeld	Spkr. Sieben, H.
Drew	Kahn	Norton	Shea	

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

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

H. F. No. 826, A bill for an act relating to health; proposing a population-based, statewide cancer and birth defects surveillance system; designing a system and pilot test.

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

The question was taken on the passage of the bill and the roll was called. There were 104 yeas and 26 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, G.	Anderson, R.	Begich	Blatz
Anderson, B.	Anderson, I.	Battaglia	Berkelman	Brandl

Brinkman	Gruenes	Kostohryz	Ogren	Shea
Byrne	Gustafson	Laidig	Olsen	Sherman
Carlson, D.	Halberg	Lehto	Osthoff	Sieben, M.
Carlson, L.	Hanson	Levi	Otis	Simoneau
Clark, J.	Harens	Long	Peterson, B.	Skoglund
Clark, K.	Hauge	Luknic	Peterson, D.	Staten
Clawson	Heap	Mann	Pogemiller	Stowell
Dahlvang	Heinitz	Marsh	Reding	Stumpf
Dean	Himle	McCarron	Rees	Swanson
Drew	Hoberg	McEachern	Rice	Tomlinson
Eken	Hokanson	Mehrkens	Rodriguez, C.	Valan
Elioff	Jacobs	Metzen	Rodriguez, F.	Vanasek
Ellingson	Johnson, C.	Minne	Rose	Vellenga
Erickson	Johnson, D.	Munger	Rothenberg	Welch
Evans	Jude	Murphy	Samuelson	Wenzel
Ewald	Kahn	Nelson, K.	Sarna	Wieser
Fjoslien	Kalis	Norton	Schoenfeld	Wynia
Forsythe	Kelly	Novak	Schreiber	Spkr. Sieben, H.
Greenfield	Knickerbocker	O'Connor	Searles	

Those who voted in the negative were:

Ainley	Jennings	Nelsen, B.	Schafer	Wigley
Dempsey	Kaley	Niehaus	Sherwood	Zubay
Den Ouden	Kvam	Nysether	Stadum	
Esau	Lemen	Onnen	Sviggun	
Friedrich	Ludeman	Piepho	Valento	
Haukoos	McDonald	Redalen	Welker	

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

H. F. No. 1022, A bill for an act relating to claims against the state; appropriating money for the payment thereof.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 1376, A bill for an act relating to appropriations; appropriating funds to the public utilities commission for a report on natural gas rate averaging; directing the averaging of rates in a certain geographic area.

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 97 yeas and 11 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	Knickerbocker	O'Connor	Sherman
Anderson, B.	Greenfield	Kostohryz	Olsen	Sherwood
Anderson, I.	Gruenes	Kvam	Osthoff	Sieben, M.
Battaglia	Halberg	Laidig	Otis	Staten
Begich	Hanson	Lehto	Peterson, B.	Stowell
Blatz	Hauge	Levi	Peterson, D.	Sviggum
Brandl	Haukoos	Luknic	Piepho	Swanson
Brinkman	Heap	Mann	Pogemiller	Valan
Byrne	Heinitz	Marsh	Redalen	Valento
Carlson, L.	Himle	McEachern	Reding	Vellenga
Clark, J.	Hoberg	Metzen	Rees	Welch
Dahlvang	Hokanson	Minne	Rodriguez, C.	Wenzel
Dempsey	Jennings	Munger	Rodriguez, F.	Wieser
Drew	Johnson, C.	Murphy	Rothenberg	Wigley
Elioff	Johnson, D.	Nelsen, B.	Samuelson	Wynia
Erickson	Jude	Nelson, K.	Sarna	Zubay
Esau	Kahn	Niehaus	Schafer	Spkr. Sieben, H.
Evans	Kaley	Norton	Schoenfeld	
Ewald	Kalis	Novak	Searles	
Fjoslien	Kelly	Nysether	Shea	

Those who voted in the negative were:

Dean	Jacobs	Rose	Skoglund	Welker
Den Ouden	Lemen	Schreiber		
Eken	Ogren	Simoneau		

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 1223, A bill for an act relating to retirement; providing for an exemption from membership therein for city managers; modifying the income taxation of deferred compensation contributions by certain city managers; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20; proposing new law coded in Minnesota Statutes, Chapter 353.

Reported the same back with the following amendments:

Page 2, line 18, delete "federal"

Page 10, line 25, strike "and"

Page 10, line 27, after "27" insert "; and"

(19) To the extent included in federal adjusted gross income, in the case of a city manager or city administrator who elects to be excluded from the public employees retirement association and who makes contributions to a deferred compensation program pursuant to section 1, the amount of payments from the deferred compensation program equivalent to the amount of contributions taxed under clause (a)(20)"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1346, A bill for an act relating to the city of Duluth; providing tax and bond financing for the transit authority; amending Laws 1969, Chapter 720, Section 11, Subdivision 1, as amended; and Section 13.

Reported the same back with the following amendments:

Pages 1 to 3, delete section 2

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

Amend the title as follows:

Page 1, line 2, delete "and bond"

Page 1, line 5, delete "; and Section 13"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1448, A bill for an act relating to counties; excepting a county legal assistance levy from levy limits; amending Minnesota Statutes 1980, Section 375.167, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 10, strike "and any other law"

Page 1, line 11, strike "to the contrary,"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 12, delete "*as far*"

Page 1, line 13, delete "*as possible*,"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1223, 1346 and 1448 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1265 was read for the second time.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 473:

Hauge, Otis and Sviggum.

CALENDAR

H. F. No. 1051, A bill for an act relating to health; changing the claim limitations on cost of removing nuisances; authorizing the commissioner of health to issue orders concerning well water quality; clarifying the commissioner's authority over water wells and exploratory boring to include repairs and abandonment; establishing a moratorium on certain uranium drilling; changing the penalties for violations; amending Minnesota Statutes 1980, Sections 145.22; 156A.02, Subdivisions 1, 2, and 3; 156A.03, Subdivisions 1 and 2; 156A.05; 156A.07, Subdivisions 1 and 4; and 156A.08.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Carlson, D.

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

Begich was excused from 3:15 p.m. to 3:50 p.m.

H. F. No. 986, A bill for an act relating to financial institutions; savings associations; increasing the loan term of direct reduction loans; providing for the organization, operation, conversion, merger, reorganization, consolidation, and dissolution of mutual and capital stock associations; granting the commissioner certain supervisory powers; providing certain examination and reporting requirements; authorizing the issuance and sale of capital certificates; authorizing the payment of dividends on capital stock; authorizing the issuance of certain accounts to married persons or minors as sole owners thereof; defining terms; pre-

scribing penalties; amending Minnesota Statutes 1980, Sections 51A.02, Subdivisions 2 and 4, and by adding subdivisions; 51A.-03; 51A.04; 51A.07; 51A.08; 51A.09; 51A.10; 51A.11; 51A.12; 51A.13; 51A.15, Subdivision 7; 51A.19, Subdivision 1, and by adding subdivisions; 51A.20; 51A.21, Subdivision 5, and by adding subdivisions; 51A.22; 51A.50; 51A.52; 51A.53; proposing new law coded in Minnesota Statutes, Chapter 51A; repealing Minnesota Statutes 1980, Sections 51A.06, Subdivisions 1 and 2; and 51A.49.

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 112 yeas and 11 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clark, J.	McCarron	Peterson, D.	Skoglund	Staten
Clark, K.	Minne	Rice		
Ellingson	Novak	Simoneau		

The bill was passed and its title agreed to.

H. F. No. 1048, A bill for an act relating to insurance; removing insurance solicitors from insurance licensing provisions; prescribing certain fees; providing for licensing of certain legal entities as agents; providing for the licensing of other insurance agents; providing for examinations; providing exceptions to the licensing requirements; authorizing temporary licenses; providing for appointment of agents by insurers; prohibiting certain persons from obtaining an agent's license; providing for the

revocation or suspension of licenses upon specified conditions; providing for the surrender, loss, or destruction of licenses; prescribing certain powers of the commissioner; authorizing the sale of contracts on a variable basis without licensure in certain circumstances; authorizing the commissioner to promulgate rules; prescribing penalties; amending Minnesota Statutes 1980, Sections 60A.02, Subdivision 7; 60A.14, Subdivision 1; 60A.17, Subdivisions 1, 3, 5, 6, 10, 12, and 13, and by adding subdivisions; repealing Minnesota Statutes 1980, Sections 60A.02, Subdivision 8; and 60A.17, Subdivisions 2, 2a, 2b, 4, 5a, 6a, 7, and 9.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ainley	Heinitz	Jennings	Ludeman
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The bill was passed and its title agreed to.

H. F. No. 1078, A bill for an act relating to transportation; providing for the repair of impassable town roads; establishing a dollar limit per mile for work performed by a county on impassable town roads; amending Minnesota Statutes 1980, Section 163.16, 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 113 yeas and 11 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Drew	McCarron	Nysether	Welch	Wieser
Johnson, D.	Mehrkens	Pogemiller		
Kvam	Niehaus	Schoenfeld		

The bill was passed and its title agreed to.

S. F. No. 982, A bill for an act relating to the city of St. Cloud; authorizing the improvement and operation of the city-owned Mississippi River dam to provide for generation of hydro-electric power, and the issuance of revenue bonds to finance the project.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 1087, A bill for an act relating to insurance; providing for the examination of certain insurers; requiring certain reports and providing certain alternatives to examinations; authorizing the commissioner to promulgate rules; broadening the commissioner's power to revoke or suspend certificates of authority; expanding certain insurers' investment authority; allowing the commissioner to regulate an insurer's ratio of qualified assets to required liabilities; broadening the coverage of the financial statement requirement; providing for annual audits; providing standards for the investment of assets of insurance companies; allowing the use of certain depositories and systems; providing certain limitations on the acquisition of specified investments and holdings; providing for miscellaneous changes and clarifications; amending Minnesota Statutes 1980, Sections 60A.031, Subdivisions 1, 3, 4, 5, and by adding subdivisions; 60A.05; 60A.11, by adding subdivisions; 60A.13, Subdivisions 1 and 6, and by adding subdivisions; 61A.28, Subdivisions 2, 3, and 6; 61A.282; 61A.29, Subdivision 2; 61A.30; 61A.31, Subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, Chapters 60A and 61A; repealing Minnesota Statutes 1980, Sections 60A.031, Subdivision 2; and 60A.11, Subdivisions 2 to 8.

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

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, B.	Anderson, R.	Blatz	Brinkman
Ainley	Anderson, I.	Berkelman	Brandl	Byrne

Carlson, D.	Halberg	Laidig	Ogren	Sherman
Carlson, L.	Hanson	Lehto	Olsen	Sherwood
Clark, J.	Harens	Lemen	Osthoff	Sieben, M.
Clark, K.	Hauge	Levi	Otis	Skoglund
Clawson	Haukoos	Long	Peterson, B.	Stadum
Dahlvang	Heap	Luknic	Peterson, D.	Stowell
Dean	Heinitz	Mann	Piepho	Stumpf
Dempsey	Himle	Marsh	Redalen	Swiggum
Den Ouden	Hoberg	McCarron	Reding	Swanson
Drew	Hokanson	McEachern	Rees	Tomlinson
Eken	Jacobs	Mehrkens	Rodriguez, C.	Valan
Elioff	Johnson, C.	Metzen	Rodriguez, F.	Valento
Ellingson	Johnson, D.	Minne	Rose	Vanasek
Erickson	Jude	Munger	Rothenberg	Vellenga
Evans	Kahn	Murphy	Samuelson	Welch
Ewald	Kaley	Nelsen, B.	Sarna	Wenzel
Fjoslien	Kalis	Nelson, K.	Schafer	Wieser
Forsythe	Kelly	Niehaus	Schoenfeld	Wigley
Friedrich	Knickerbocker	Norton	Schreiber	Wynia
Greenfield	Kostohryz	Novak	Searles	Zubay
Gruenes	Kvam	O'Connor	Shea	Sprk. Sieben, H.

Those who voted in the negative were:

Anderson, G.	Ludeman	Rice	Staten	Welker
Jennings	Pogemiller	Simoneau		

The bill was passed and its title agreed to.

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 third time and placed upon its final passage.

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 284 was reported to the House and given its third reading.

Elioff moved that the action whereby H. F. No. 284, was given its third reading be now reconsidered. The motion prevailed

Elioff moved to amend H. F. No. 284 as follows:

Page 1, line 26, delete *"and either"* and insert *"at his usual place of abode and delivered personally to the parent by the physician or his agent."*

Page 2, delete lines 1 to 4

Page 2, line 6, delete *"may"* and insert *"shall"*

Page 2, line 6, delete *"receipted for by the persons"*

Page 2, line 7, delete *"specified for delivery in clause (a)"* and insert *"addressed to the parent at his usual place of abode with return receipt requested and restricted delivery to the addressee which means postal employee can only deliver the mail to the authorized addressee"*

Lehto moved to amend the Elioff amendment to H. F. No. 284, as follows:

In the Elioff amendment, line 1 after *"at"* delete *"his"* and insert *"the"*

Line 3, delete *"his"* and insert *"an"*

Line 8, delete *"his"* and insert *"the"*

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

The question recurred on the Elioﬀ amendment to H. F. No. 284.

The motion prevailed and the amendment was adopted.

H. F. No. 284, A bill for an act relating to health; prescribing procedures for notification of parents, guardians, and conservators prior to performing abortions on certain persons; providing a penalty; amending Minnesota Statutes 1980, Section 144.343.

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 109 yeas and 19 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.	Forsythe	Kvam	Onnen	Stadum
Anderson, R.	Friedrich	Laidig	Osthoff	Stowell
Battaglia	Gruenes	Lemen	Peterson, B.	Stumpf
Begich	Gustafson	Levi	Piepho	Sviggum
Blatz	Halberg	Ludeman	Redalen	Swanson
Brinkman	Hanson	Luknic	Reding	Valan
Byrne	Harens	Mann	Rees	Valento
Carlson, D.	Hauge	Marsh	Reif	Vanasek
Clawson	Haukoos	McCarron	Rice	Vellenga
Dahlvang	Heap	McDonald	Rodriguez, F.	Weaver
Dean	Himle	McEachern	Rose	Welch
Dempsey	Hoberg	Mehrkens	Rothenberg	Welker
Den Ouden	Hokanson	Metzen	Samuelson	Wenzel
Drew	Jacobs	Minne	Sarna	Wieser
Eken	Jennings	Murphy	Schafer	Wigley
Elioﬀ	Johnson, C.	Nelsen, B.	Schoenfeld	Zubay
Ellingson	Johnson, D.	Niehaus	Schreiber	Spkr. Sieben, H.
Erickson	Jude	Novak	Shea	

Those who voted in the negative were:

Brandl	Greenfield	Lehto	Norton	Staten
Carlson, L.	Heinitz	Long	Otis	Tomlinson
Clark, J.	Kahn	Munger	Peterson, D.	Wynia
Clark, K.	Kaley	Nelson, K.	Searles	

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

SPECIAL ORDERS

H. F. No. 705 was reported to the House.

Anderson, I., moved that H. F. No. 705 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 184 was reported to the House.

Eken moved to amend H. F. No. 184, as follows:

Page 1, line 23, after "distribution" insert "*or cable television*"

Page 1, line 26, after the comma insert "*and programs*"

Page 1, line 26, after the period strike "This" and insert "The"

The motion prevailed and the amendment was adopted.

Osthoff moved to amend H. F. No. 184, as amended, as follows:

Page 2, line 13, after "system" delete the new language

Page 2, lines 14 and 15 delete the new language

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 80 yeas and 41 nays as follows:

Those who voted in the affirmative were:

Aasness	Fjoslien	Jude	Nelsen, B.	Sarna
Ainley	Forsythe	Knickerbocker	Niehaus	Schafer
Anderson, I.	Friedrich	Kostohryz	Novak	Schreiber
Anderson, R.	Gruenes	Kvam	Olsen	Sherman
Berkelman	Halberg	Laidig	Onnen	Sherwood
Blatz	Harens	Lemen	Osthoff	Stadum
Brinkman	Hauge	Levi	Piepho	Stowell
Carlson, D.	Haukoos	Ludeman	Pogemiller	Sviggum
Carlson, L.	Heap	Luknic	Redalen	Swanson
Dahlvang	Heinitz	Marsh	Reding	Valan
Dean	Himle	McCarron	Rees	Valento
Den Ouden	Hoberg	McDonald	Reif	Welker
Erickson	Hokanson	McEachern	Rodriguez, F.	Wenzel
Esau	Jacobs	Mehrkins	Rose	Wieser
Evans	Jennings	Metzen	Rothenberg	Wigley
Ewald	Johnson, D.	Minne	Samuelson	Zubay

Those who voted in the negative were:

Anderson, B.	Eken	Kelly	Otis	Tomlinson
Anderson, G.	Elioff	Lehto	Peterson, D.	Vanasek
Battaglia	Ellingson	Long	Rice	Vellenga
Begich	Greenfield	Mann	Rodriguez, C.	Welch
Brandl	Gustafson	Munger	Schoenfeld	Spkr. Sieben, H.
Byrne	Hanson	Murphy	Shea	
Clark, J.	Johnson, C.	Nelson, K.	Skoglund	
Clark, K.	Kahn	Nysether	Staten	
Clawson	Kalis	Ogren	Stumpf	

The motion prevailed and the amendment was adopted.

H. F. No. 184, A bill for an act relating to cities; enlarging the class of cities that may maintain cable television or signal distribution systems; clarifying the description of a system; increasing the amount of obligations that may be issued for television systems; providing for revenue obligations; validating prior issuances; amending Minnesota Statutes 1980, Section 465.70.

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 100 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Nelson, K.	Schoenfeld
Anderson, B.	Elioff	Kaley	Niehaus	Schreiber
Anderson, G.	Ellingson	Kalis	Norton	Shea
Anderson, I.	Erickson	Kelly	Novak	Sherman
Anderson, R.	Evans	Kostohryz	Nysether	Sherwood
Battaglia	Ewald	Laidig	Ogren	Simoneau
Begich	Friedrich	Lehto	Osthooff	Skoglund
Berkelman	Greenfield	Lemen	Otis	Stadum
Blatz	Gruenes	Levi	Peterson, D.	Staten
Brandl	Gustafson	Long	Pogemiller	Stumpf
Brinkman	Hanson	Luknic	Redalen	Swanson
Byrne	Haukoos	Mann	Reding	Tomlinson
Carlson, D.	Heinitz	McCarron	Rees	Valan
Carlson, L.	Himle	McEachern	Reif	Vanasek
Clark, J.	Hoberg	Mehrkens	Rice	Vellenga
Clark, K.	Hokanson	Metzen	Rodriguez, C.	Welch
Clawson	Jacobs	Minne	Rodriguez, F.	Wenzel
Dahlvang	Johnson, C.	Munger	Rose	Wynia
Dean	Johnson, D.	Murphy	Samuelson	Zubay
Drew	Jude	Nelsen, B.	Sarna	Spkr. Sieben, H.

Those who voted in the negative were:

Ainley	Forsythe	Marsh	Piepho	Valento
Dempsey	Harens	McDonald	Rothenberg	Welker
Den Ouden	Jennings	Olsen	Schafer	Wieser
Esau	Kvam	Onnen	Stowell	Wigley
Fjoslien	Ludeman	Peterson, B.	Svigum	

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

H. F. No. 1163 was reported to the House.

Lemen moved to amend H. F. No. 1163, as follows:

Page 1, line 7, after "tax" insert "not to exceed 3.5 mills"

Page 1, line 15, delete "lieu of" and insert "addition to"

Page 1, line 17, after "towns" insert "other than for the support of the joint recreation board"

Page 2, delete section 2

Renumber the section

The motion prevailed and the amendment was adopted.

H. F. No. 1163, A bill for an act relating to the Greenway joint recreation board; regulating its tax levies.

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 117 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G. Den Ouden Johnson, C. Rice Vanasek

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

S. F. No. 763 was reported to the House.

Nelson, K., moved to amend S. F. No. 763 as follows:

Page 3, line 25, delete "all or a" and insert "revenues from the program and other city housing programs. The revenue bonds or obligations may be payable from"

Page 3, line 26, delete "portion of program revenues and"

The motion prevailed and the amendment was adopted.

S. F. No. 763, A bill for an act relating to the cities of Minneapolis and St. Paul; authorizing the implementation of energy conservation programs; authorizing the financing of residential energy conservation programs; authorizing the issuance of qualified mortgage bonds; requiring a report to the legislature.

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 94 yeas and 28 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Evans	Johnson, D.	O'Connor	Shea
Anderson, G.	Ewald	Jude	Ogren	Sherman
Anderson, I.	Fjoslien	Kahn	Olsen	Sieben, M.
Anderson, R.	Forsythe	Kelly	Onnen	Simoneau
Battaglia	Greenfield	Knickerbocker	Osthoff	Skoglund
Begich	Gruenes	Kostohryz	Otis	Staten
Berkelman	Gustafson	Laidig	Piepho	Stumpf
Blatz	Halberg	Lehto	Pogemiller	Swanson
Brandl	Hanson	Lemen	Reding	Tomlinson
Brinkman	Harens	Levi	Reif	Valento
Byrne	Hauge	Long	Rice	Vanasek
Carlson, L.	Haukoos	Luknic	Rodriguez, C.	Vellenga
Clark, J.	Heap	Mann	Rodriguez, F.	Weaver
Clawson	Heinitz	McCarron	Rose	Welch
Dahlvang	Himle	Munger	Rothenberg	Wenzel
Drew	Hoberg	Murphy	Samuelson	Wieser
Eken	Hokanson	Nelson, K.	Sarna	Wynia
Elioff	Jacobs	Norton	Schoenfeld	Spkr. Sieben, H.
Ellingson	Johnson, C.	Novak	Searles	

Those who voted in the negative were:

Aasness	Esau	McDonald	Redalen	Swiggum
Ainley	Jennings	Mehrken	Rees	Welker
Carlson, D.	Kaley	Nelsen, B.	Schafer	Wigley
Dempsey	Kvam	Niehaus	Sherwood	Zubay
Den Ouden	Ludeman	Nysether	Stadum	
Erickson	Marsh	Peterson, B.	Stowell	

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

S. F. No. 835 was reported to the House.

Lehto and Skoglund moved to amend S. F. No. 835, the unofficial engrossment, as follows:

Page 11, line 16, before the semicolon insert: "*, including, but not limited to noise abatement*"

The motion prevailed and the amendment was adopted.

Fjoslien moved to amend S. F. No. 835, the unofficial engrossment, as follows:

Page 12, line 34, after the period insert "*The permit fee is in lieu of all other taxes provided for in sections 360.511 to 360.67.*"

Page 12, after line 34, insert the following: "*An aircraft owned by a non-resident of this state and operated or used in this state solely for display or exhibition is exempt from the provisions of sections 360.511 to 360.67.*"

The motion prevailed and the amendment was adopted.

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

The bill was read for the 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	Anderson, G.	Anderson, R.	Begich	Blatz
Anderson, B.	Anderson, I.	Battaglia	Berkelman	Brandt

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

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

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

Svigum
Swanson
Tomlinson
Valan

Valento
Vanasek
Vellenga
Weaver

Welch
Welker
Wenzel
Wieser

Wigley
Wynia

Zubay
Spkr. Sieben, H.

The bill was passed and its title agreed to.

Eken moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Levi and Rothenberg were excused from 7:30 p.m. until 8:30 p.m. Berkelman, Long and Wieser were excused at 7:30 p.m. Halberg was excused at 7:45 p.m.

SPECIAL ORDERS, Continued

S. F. No. 660 was reported to the House.

Rees moved to amend S. F. No. 660, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 238.08, Subdivision 5, is amended to read:

Subd. 5. Municipalities may by ordinance or resolution create a joint cable communications commission under section 471.59, to which each member municipality may delegate authority vested in the municipality by statute or charter to prepare, adopt, grant, administer, and enforce a cable communications franchise, and establish rates thereunder. The adoption, granting, administration and enforcement of a cable communications franchise, and the establishment of rates thereunder by a joint cable communications commission, pursuant to this subdivision is deemed to comply with procedural requirements of a statute or charter for the adoption, granting, administration and enforcement of a franchise, and establishment of rates. *A member of the commission may, by ordinance adopted in the manner provided by section 412.191, subdivision 4, adopt by reference the joint cable communication franchise in the manner provided by section 471.62.* The members and governing body of the joint commission shall consist of two representatives appointed by each municipality, at least one of whom shall be a member of the council of that municipality and the other a qualified voter residing within that municipality.

Sec. 2. Minnesota Statutes 1980, Section 375.58, Subdivision 3, is amended to read:

Subd. 3. At the option of the county board, the following positions may be excluded from the jurisdiction of the county personnel department:

(a) Any or all positions subject to merit systems established pursuant to sections 12.22, subdivision 3, 144.071, 387.31 to 387.45, and (393.07, SUBDIVISION 5) 256.012;

(b) Positions designated as temporary or seasonal;

(c) Positions held by special deputies and volunteers serving without pay;

(d) Positions held by students in training.

Sec. 3 Minnesota Statutes 1980, Section 375.62, is amended to read:

375.62 [CIVIL SERVICE AND MERIT SYSTEM RELATIONSHIPS.]

Unless a county board has elected to exclude any or all positions otherwise subject to merit systems established pursuant to sections 12.22, subdivision 3, 144.071, 387.31 to 387.45, and (393.07, SUBDIVISION 5) 256.012, from the jurisdiction of the personnel department, the provisions of sections 12.22, subdivision 3, 144.071, 387.31 to 387.45, and (393.07, SUBDIVISION 5) 256.012 and any rules and regulations promulgated pursuant to those sections shall be superseded insofar as they are inconsistent; provided that no positions subject to merit systems established pursuant to sections 12.22, subdivision 3; 144.071; and (393.07, SUBDIVISION 5) 256.012, shall be removed from existing merit system coverage and placed under a personnel department established pursuant to sections 375.56 to 375.71, until that personnel department is certified (BY THE UNITED STATES CIVIL SERVICE COMMISSION AS MEETING THE OPERATING STANDARDS OF A MERIT SYSTEM) *in accordance with the United States office of personnel management's standards for a merit system of personnel administration.* Nothing in section 387.43, shall be construed to prohibit the inclusion of sheriff's department personnel in a personnel system established pursuant to sections 375.56 to 375.69.

Sec. 4. [EFFECTIVE DATE.]

Section 1 is effective on the day following final enactment."

Delete the title and insert:

"A bill for an act relating to local government; providing for adoption of certain joint cable franchises; providing correct

references to certain civil service procedures; amending Minnesota Statutes 1980, Sections 238.08, Subdivision 5; 375.58, Subdivision 3; and 375.62."

The motion prevailed and the amendment was adopted.

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

The bill was read for the 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 117 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ainley

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

S. F. No. 805 was reported to the House.

Lehto moved to amend S. F. No. 805, the second engrossment, as follows:

Page 10, line 31, after "corporations" insert "*but not including investments in the exploration, mining or development of uranium*"

A roll call was requested and properly seconded.

Lehto moved to amend the Lehto amendment to S. F. No. 805, as follows:

In the last line of the Lehto amendment, after "*uranium*" insert "*in Minnesota before July 1, 1982*"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 32 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Ellingson	Murphy	Peterson, D.	Tomlinson
Battaglia	Greenfield	Nelson, K.	Pogemiller	Vanasek
Begich	Hauge	Niehaus	Rice	Vellenga
Brandl	Jude	Novak	Rodriguez, C.	Wynia
Byrne	Kahn	O'Connor	Rodriguez, F.	
Clark, K.	Kelly	Ogren	Skoglund	
Elioff	Lehto	Otis	Staten	

Those who voted in the negative were:

Aasness	Evans	Knickerbocker	Nysether	Sherwood
Ainley	Fjoslien	Kostohryz	Olsen	Sieben, M.
Anderson, B.	Forsythe	Kvam	Onnen	Simoneau
Anderson, I.	Friedrich	Laidig	Osthoff	Stadum
Anderson, R.	Gruenes	Lemen	Piepho	Stowell
Blatz	Haukoos	Ludeman	Redalen	Sviggum
Carlson, D.	Heap	Luknic	Reding	Swanson
Carlson, L.	Heinitz	Mann	Rees	Valan
Clawson	Himle	Marsh	Reif	Valento
Dahlvang	Hoberg	McCarron	Rose	Weaver
Dean	Hokanson	McDonald	Sarna	Welch
Dempsey	Jacobs	McEachern	Schafer	Welker
Den Ouden	Jennings	Mehrkins	Schoenfeld	Wenzel
Drew	Johnson, C.	Metzen	Schreiber	Wigley
Eken	Johnson, D.	Minne	Searles	Zubay
Erickson	Kaley	Nelsen, B.	Shea	Spkr. Sieben, H.
Esau	Kalis	Norton	Sherman	

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

The question recurred on the Lehto amendment and the roll was called. There were 34 yeas and 85 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Byrne	Gustafson	Lehto	Novak
Anderson, G.	Clark, J.	Hauge	McCarron	O'Connor
Battaglia	Clark, K.	Jude	Murphy	Ogren
Begich	Elioff	Kahn	Nelson, K.	Otis
Brandl	Greenfield	Kelly	Niehaus	Peterson, D.

Pogemiller	Shea	Skoglund	Vanasek	Wynia
Rodriguez, F.	Simoneau	Staten	Welch	

Those who voted in the negative were:

Aasness	Fjoslien	Kalis	Nysether	Sherman
Ainley	Forsythe	Knickerbocker	Olsen	Sherwood
Anderson, I.	Friedrich	Kostohryz	Onnen	Sieben, M.
Anderson, R.	Gruenes	Kvam	Osthoff	Stadum
Blatz	Hanson	Laidig	Peterson, B.	Stowell
Carlson, D.	Harens	Lemen	Piepho	Stumpf
Carlson, L.	Haukoos	Ludeman	Redalen	Sviggum
Clawson	Heap	Luknic	Reding	Swanson
Dahlvang	Heinitz	Mann	Rees	Tomlinson
Dean	Himle	Marsh	Reif	Valan
Dempsey	Hoberg	McDonald	Rodriguez, C.	Valento
Den Ouden	Hokanson	McEachern	Rose	Vellenga
Drew	Jacobs	Mehrkens	Sarna	Weaver
Erickson	Jennings	Metzen	Schafer	Welker
Esau	Johnson, C.	Minne	Schoenfeld	Wenzel
Evans	Johnson, D.	Nelsen, B.	Schreiber	Zubay
Ewald	Kaley	Norton	Searles	Spkr. Sieben, H.

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

Wynia was called to the Chair by the Speaker.

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

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

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Novak	Piepho	Samuelson	Simoneau	Valento
Nysether	Pogemiller	Sarna	Skoglund	Vanasek
O'Connor	Redalen	Schafer	Stadum	Vellenga
Ogren	Reding	Schoenfeld	Staten	Weaver
Olsen	Rees	Schreiber	Stowell	Welch
Onnen	Reif	Searles	Stumpf	Wenzel
Osthoff	Rice	Shea	Swiggum	Wigley
Otis	Rodriguez, C.	Sherman	Swanson	Wynia
Peterson, B.	Rodriguez, F.	Sherwood	Tomlinson	Zubay
Peterson, D.	Rose	Sieben, M.	Valan	Spkr. Sieben, H.

Those who voted in the negative were:

Niehaus Welker

The bill was passed and its title agreed to.

S. F. No. 690 was reported to the House.

Reding moved to amend S. F. No. 690, as follows:

Delete everything after the enacting clause and insert:

Section 1. Minnesota Statutes 1980, Section 490.124, Subdivision 9, is amended to read:

Subd. 9. [SURVIVORS' ANNUITY.] Upon the death of a judge prior to retirement, or upon the death of a person who has qualified for an annuity but who ceases to be a judge prior to retirement and has not received a refund of contributions pursuant to subdivision 12, his surviving spouse or, if there be no surviving spouse, his dependent children, shall receive an annuity, payable monthly, equal to 60 percent of the normal retirement annuity which would have been payable to the judge or former judge had the date of his death been the normal retirement date, provided that the surviving spouse or dependent children shall receive an annuity of not less than 25 percent of the judge's or former judge's final average compensation.

If a judge, whose surviving spouse was not entitled to survivors benefits provided solely for judges under statutes in effect prior to January 1, 1974, shall have died prior to retirement on or after May 23, 1973 and before January 1, 1974, his surviving spouse and dependent children, if any, shall be entitled to survivors benefits as provided hereunder as if such judge had died on January 1, 1974.

Sec. 2. Minnesota Statutes 1980, Section 490.124, Subdivision 12, is amended to read:

Subd. 12. [REFUND.] Any person who ceases to be a judge but who does not qualify for a retirement annuity or other benefit under section 490.121 shall be entitled to a refund in an amount equal to all his contributions to the judges' retire-

ment fund plus interest computed to the first day of the month in which the refund is processed based on fiscal year balances at the rate of five percent per annum compounded annually. (THE SURVIVING SPOUSE, OR IF THERE IS NO SURVIVING SPOUSE, THEN THE ESTATE, OF ANY PERSON WHO HAS CEASED TO BE A JUDGE AND HAS DIED PRIOR TO RECEIVING A RETIREMENT ANNUITY OR OTHER RETIREMENT BENEFITS SHALL BE ENTITLED TO RECEIVE A REFUND IN AN AMOUNT EQUAL TO ALL THE CONTRIBUTIONS MADE BY THE PERSON TO THE JUDGES RETIREMENT FUND PLUS INTEREST COMPUTED TO THE DATE OF DEATH AT THE RATE OF FIVE PERCENT PER ANNUM COMPOUNDED ANNUALLY.)

Sec. 3. [EFFECTIVE DATE.]

This act is effective July 1, 1981, and shall apply retroactively to any person living on the effective date of this act who ceased to be a judge prior to retirement and who has not received a refund pursuant to section 490.124, subdivision 12.

The motion prevailed and the amendment was adopted.

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 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 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Himle	McCarron	Peterson, D.
Ainley	Drew	Hoberg	McDonald	Pogemiller
Anderson, B.	Eken	Hokanson	McEachern	Redalen
Anderson, G.	Elioff	Jacobs	Mehrkens	Reding
Anderson, I.	Ellingson	Jennings	Metzen	Rees
Anderson, R.	Erickson	Johnson, C.	Minne	Reif
Battaglia	Esau	Johnson, D.	Munger	Rice
Begich	Evans	Jude	Murphy	Rodriguez, C.
Blatz	Ewald	Kahn	Nelsen, B.	Rodriguez, F.
Brandl	Fjoslien	Kalis	Nelson, K.	Rose
Brinkman	Forsythe	Kelly	Niehaus	Samuelson
Byrne	Greenfield	Knickerbocker	Norton	Sarna
Carlson, D.	Gruenes	Kostohryz	Novak	Schafer
Carlson, L.	Gustafson	Kvam	Nysether	Schoenfeld
Clark, J.	Hanson	Lehto	Ogren	Schreiber
Clark, K.	Harens	Lemen	Olsen	Searles
Clawson	Hauge	Ludeman	Onnen	Shea
Dahlvang	Haukoos	Luknic	Osthoff	Sherman
Dean	Heap	Mann	Otis	Sherwood
Dempsey	Heinitz	Marsh	Peterson, B.	Sieben, M.

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

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

S. F. No. 808 was reported to the House.

Nelson, K., moved to amend S. F. No. 808 as follows:

Page 2, line 15, after the period insert:

"An energy audit to document the cost effectiveness of a full range of energy conserving measures must be performed prior to investment in such measures."

The motion prevailed and the amendment was adopted.

S. F. No. 808, A bill for an act relating to the city of Duluth; authorizing the establishment of a home energy conservation program as part of its municipal utility system and the issuance of municipal revenue bonds or notes for that purpose; requiring a report to the legislature.

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

The question was taken on the passage of the bill and the roll was called. There were 106 yeas and 15 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden	Ludeman	Niehaus	Redalen	Stadum
Erickson	McDonald	Nysether	Rees	Svigum
Kvam	Nelsen, B.	Onnen	Schafer	Welker

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

S. F. No. 876 was reported to the House.

Simoneau moved to amend S. F. No. 876, the second engrossment, as follows:

Page 8, line 22, after the period, insert *"Unless otherwise provided by law, the power or authority shall not apply to unclassified employees in the legislative and judicial branches."*

Page 15, line 30, delete *"his deputies"* and insert *"the deputy legislative auditors"*; before *"confidential"* delete *"his"* and insert *"their"*; delete *"secretary"* and insert *"secretaries"*

Page 17, line 19, delete *"subdivision"* and insert *"subdivisions"*; after *"4"* insert *"and 6"*

Page 18, line 6, delete *"43.09"* and insert *"43A.09"*

Page 30, line 28, after *"employees"* insert *", except unclassified employees in the legislative and judicial branches,"*

Page 34, after line 10, insert:

"Subd. 6. [LEGISLATIVE AND JUDICIAL BRANCH COMPENSATION.] Total compensation plans for unclassified employees of the legislature and of legislative commissions shall be determined by the legislature consistent with chapter 3, provided that insurance benefits for these employees and for legislators shall be determined by the legislative coordinating commission, consistent with sections 22 to 30. Total compensation plans for unclassified employees of the judicial branch shall be determined by the appointing authority, unless other law provides a different method for establishing this compensation. Judicial branch compensation plans shall be consistent with sections 22 to 30."

Renumber subsequent subdivisions of Section 18

Page 36, line 14, after *"agencies"* insert *"in the executive branch"*

Page 36, line 30, after *"agency"* insert *"in the executive branch"*

Page 38, line 20, after *"commissioner"* insert *"or by plans pursuant to section 18, subdivision 6"*

Page 39, line 4, delete the second comma and insert a semi-colon

Page 39, delete lines 5 to 7

Page 39, line 9, delete the first "a" and insert "the"

Page 41, line 19, delete "or" and insert ", a"

Page 41, line 20, after "court" insert ", a county court, a county municipal court, or a probate court"

Page 42, line 30, delete everything after the period

Page 42, delete line 31

Page 50, line 19, delete ", compacts"

Page 51, line 16, delete "OFFICER" and insert "EMPLOYEE"

Page 51, line 17, delete "officer" and insert "employee"

Page 51, line 19, delete "officer" and insert "employee"

Page 51, line 22, delete "officer" and insert "employee"

Page 51, line 26, delete "OFFICERS" and insert "EMPLOYEES"

Page 51, line 36, delete "OFFICERS AND"

Page 60, after line 6, insert:

"Sec. 47. Minnesota Statutes 1980, Section 3.095, is amended to read:

3.095 [LEGISLATIVE EMPLOYEES, LEAVES.]

(RULES OF THE DEPARTMENT OF EMPLOYEE RELATIONS) *The legislative coordinating commission shall adopt plans pertaining to sick leave and annual leave which shall apply to all permanent employees of the legislature and of legislative committees and commissions.*

Sec. 48. Minnesota Statutes 1980, Section 15.55, is amended to read:

15.55 [TRAVEL EXPENSES OF EMPLOYEES OF THIS STATE.]

A sending agency in this state may, in accordance with the travel regulations of such agency, pay the travel expenses of

employees assigned to a receiving agency on either a detail or leave basis, but shall not pay the travel expenses of such employees incurred in connection with their work assignments at the receiving agency. During the period of assignment, the sending agency may pay a per diem allowance to the employee on assignment or detail. Such per diem allowance shall be in lieu of, but not to exceed, the travel expense allowable under (STATE TRAVEL RULES PROMULGATED) *the plan adopted by the commissioner of employee relations pursuant to section 18, subdivision 2.*

Sec. 49. Minnesota Statutes 1980, Section 16A.17, Subdivision 7, is amended to read:

Subd. 7. (1) The commissioner of finance may authorize certification by authorized officials as to hours worked for payroll purposes in anticipation of the hours actually worked. The commissioner shall prescribe procedures as may be necessary to assure that no payment shall be made for hours not worked unless covered by leave in accordance with *collective bargaining agreements, or plans pursuant to section 18 or rules of the department of employee relations or pursuant to the resolution of a grievance through the formal steps of a grievance procedure established by law or collective bargaining agreement or as provided in clause (2).*

(2) Upon certification by the commissioner of finance, any agency of the state government shall release part or all of any fund held for an employee to correct an overpayment to any officer or employee described in subdivision 6 who has been erroneously paid.

Provided, however, that employee contributions in a retirement fund shall not be released until such time as the former state employee or person otherwise entitled thereto would be eligible to apply for a refundment and has been given proper notice. Amounts paid under the provisions of this section shall be considered the equivalent of a refundment. If an employee or survivor is entitled to an immediate or deferred annuity or survivor benefit, no funds shall be paid from his retirement account under the provisions of this section."

Page 60, line 7, delete "47" and insert "50"

Page 60, after line 23, insert:

"Sec. 51. Minnesota Statutes 1980, Section 216A.035, is amended to read:

216A.035 [CONFLICT OF INTEREST.]

No person during his term of membership on the public utilities commission shall receive any significant portion of

his income directly or indirectly from any public utility. No person shall be eligible to be appointed as a member of the public utilities commission unless and until he divests himself of any significant interest or abandons any employment with a utility.

No person who is an employee of the public service department shall participate in any manner in any decision or action of the commission where he has a direct or indirect financial interest. Each commissioner or employee of the public service department who is in the (CIVIL SERVICE SCHEDULE A) *general professional, supervisory, or technical units established in section 179.741 or who is a professional, supervisory, or technical employee defined as confidential in section 179.63, subdivision 8, or who is a management classification (LEVEL) employee and whose duties are related to public utilities or transportation regulation shall report to the ethical practices board annually before April 15 any interest he has in an industry or business regulated by the commission.*

Sec. 52. Minnesota Statutes 1980, Section 484.54, Subdivision 1, is amended to read:

Subdivision 1. Except as provided in subdivision 2, judges shall be compensated for travel and subsistence expenses in the same manner and amount as (STATE EMPLOYEES) *provided in the plan adopted by the commissioner of employee relations pursuant to section 18, subdivision 3.* Additionally, judges of the district court shall be reimbursed for all sums, not reimbursed by counties, they shall necessarily hereafter pay out for only the following purposes: telephone tolls, postage, expressage, stationery, including printed letterheads and envelopes for official business; tuition, travel and subsistence for attending educational programs except that no expense shall be paid to satisfy continuing legal education requirements, attendance at which is approved by the supreme court."

Page 60, line 24, delete "48" and insert "53"

Page 60, line 29, delete "49" and insert "54"

Page 61, after line 21, insert:

"241.01, Subd. 3 43.24 Section 33"

Page 61, after line 30, insert:

"Further the revisor shall remove any references to chapter 43 and replace them with references to chapter 43A, unless the context clearly indicates a different intent."

Page 61, line 31, delete "50" and insert "55"

Page 62, line 2, delete "51" and insert "56"

Further, amend the title as follows:

Page 1, line 3, after the semi-colon insert "appropriating money; amending Minnesota Statutes 1980, Sections 3.095; 15.55; 16A.17, Subdivision 7; 216A.035; and 484.54, Subdivision 1;"

The motion prevailed and the amendment was adopted.

S. F. No. 876, A bill for an act relating to state government; improving the state's personnel management and labor relations functions; proposing new law coded as Minnesota Statutes, Chapter 43A; proposing new law coded in Minnesota Statutes, Chapter 210A; repealing Minnesota Statutes 1980, Chapter 43.

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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

S. F. No. 694 was reported to the House.

Rees moved to amend S. F. No. 694, the second engrossment, as follows:

Page 2, delete lines 31 to 33 and insert:

"structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that the term includes any structure which meets all the requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary and complies with the standards established under this chapter."

Page 6, delete the new language lines 27 to 29.

Page 8, line 19, delete "also"

Page 11, line 15, delete everything after "penalty"

Page 11, delete lines 16 through 18, and insert:

"of not to exceed \$1,000 for each offense. Each violation involving a separate manufactured home or involving a separate failure or refusal to allow or perform any act required by this section constitutes a separate offense, except that the maximum civil penalties for any related series of violations occurring within one year from the date of the first violation may not exceed \$1,000,000."

Page 11, delete lines 23 to 25, and insert:

"fined not more than \$1,000 or imprisoned not more than one year, or both."

Page 12, delete lines 16 through 20, and insert:

"authorized agent access at any reasonable time to or the copying of records, or fail to make reports available or provide information, or fail or refuse to permit reasonable entry or inspection at any reasonable time of any manufactured home manufactured after June 14, 1976 or reasonable inspection of any related records pertaining to the manufactured home."

Page 13, line 12, after "appears" insert:

"except in section 10"

Page 13, line 13, insert a new section as follows:

"Sec. 10. [327.36] [APPLICATION TO LOCAL OFFICIAL CONTROLS.]

For purposes of local land use controls adopted before the effective date of this act pursuant to chapters 462, 394, and 366 or special law, mobile homes shall be defined to include the term "manufactured homes" as used in sections 327.31 to 327.34 and sections 8 and 10."

Renumber the remaining section accordingly.

The motion prevailed and the amendment was adopted.

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 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 96 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Hanson	Levi	Peterson, D.	Skoglund
Anderson, I.	Harens	Luknic	Pogemiller	Staten
Anderson, R.	Hauge	Mann	Redalen	Stowell
Blatz	Haukoos	Marsh	Reding	Stumpf
Brandl	Heap	McCarron	Rees	Svigum
Brinkman	Heinitz	McDonald	Reif	Swanson
Carlson, D.	Himle	Metzen	Rice	Tomlinson
Carlson, L.	Hoberg	Minne	Rodriguez, C.	Valan
Clark, J.	Hokanson	Munger	Rodriguez, F.	Valento
Clark, K.	Jacobs	Murphy	Rose	Vellenga
Clawson	Johnson, C.	Nelsen, B.	Rothenberg	Weaver
Dahlvang	Jude	Nelson, K.	Samuelson	Welch
Dean	Kahn	Niehaus	Sarna	Wenzel
Drew	Kalis	Norton	Schoenfeld	Wynia
Eken	Kelly	Novak	Schreiber	Zubay
Elioff	Knickerbocker	Ogren	Searles	Spkr. Sieben, H.
Ewald	Kostohryz	Olsen	Shea	
Greenfield	Laidig	Osthoff	Sherwood	
Gruenes	Lehto	Otis	Sieben, M.	
Gustafson	Lemen	Peterson, B.	Simoneau	

Those who voted in the negative were:

Ainley	Den Ouden	Ludeman	Onnen	Vanasek
Anderson, G.	Erickson	McEachern	Schafer	Welker
Battaglia	Esau	Mehrkens	Sherman	
Begich	Jennings	Nysether	Stadum	

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

S. F. No. 939 was reported to the House.

Staten moved to amend S. F. No. 939, as follows:

Delete everything after the enacting clause and insert:

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

Subdivision 1. [CHARGE FILING.] Any person aggrieved by a violation of this chapter *may bring a civil action as provided in section 5 or may file a verified charge with the commissioner or his designated agent, stating the name and address of the person alleged to have committed an unfair discriminatory practice, setting out the details of the practice complained of and any other information required by the commissioner. The commissioner within five days of such filing shall serve a copy of the charge upon the respondent personally or by registered or certified mail. Periodically after the filing of a charge but at intervals of no more than 60 days, until the charge is no longer in the jurisdiction of the department the commissioner shall in writing inform the charging party of the status of his charge. A copy of the periodic notice shall be mailed to the respondent.*

Sec. 2. Minnesota Statutes 1980, Section 363.06, Subdivision 3, is amended to read:

Subd. 3. [TIME FOR FILING CHARGE.] A charge of an unfair discriminatory practice must be *brought as a civil action or filed with the commissioner* within six months after the occurrence of the practice.

Sec. 3. Minnesota Statutes 1980, Section 363.06, Subdivision 4, is amended to read:

Subd. 4. [INQUIRY INTO CHARGE.] When a charge has been filed, the commissioner shall promptly inquire into the truth of the allegations of the charge. The commissioner shall make an immediate inquiry when necessary to prevent a charging party from suffering irreparable loss in the absence of immediate action. On each charge the commissioner shall make a de-

termination as to whether or not there is probable cause to credit the allegation of unfair discriminatory practices, and

(1) If the commissioner shall determine after investigation that no probable cause exists to credit the allegations of the unfair discriminatory practice, the commissioner shall, within ten days of the determination, serve upon the charging party and respondent written notice of the determination. Within ten days after receipt of notice, the charging party may request in writing on forms prepared by the department that the commissioner reconsider his determination. The request shall contain a brief statement of the reasons for and new evidence in support of the request for reconsideration. At the time of submission of the request to the commissioner, the charging party shall deliver or mail to the respondent a copy of the request for reconsideration. The commissioner shall either reaffirm or reverse his determination of no probable cause within 20 days after receipt of the request for reconsideration, and he shall within ten days notify in writing the charging party and respondent of his decision to reaffirm or reverse. A decision by the commissioner that no probable cause exists to credit the allegations of an unfair discriminatory practice shall not be appealed to district court pursuant to section 363.072 or section 15.0424.

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

(3) *If the commissioner determines that a reprisal in section 363.03, subdivision 7, has occurred or after the commissioner has determined that there is probable cause to believe that a respondent has engaged in (AN) any other unfair discriminatory practice, the commissioner may file a petition in the district court in a county in which the subject of the complaint occurs, or in a county in which a respondent resides or transacts business, seeking appropriate temporary relief against the respondent, pending final determination of proceedings under this chapter, including an order or decree restraining him from doing*

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

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

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

Sec. 4. Minnesota Statutes 1980, Section 363.071, Subdivision 2, is amended to read:

Subd. 2. [DETERMINATION OF DISCRIMINATORY PRACTICE.] The hearing examiner shall make findings of fact and conclusions of law, and if the hearing examiner finds that the respondent has engaged in an unfair discriminatory practice, the hearing examiner shall issue an order directing the respondent to cease and desist from the unfair discriminatory practice found to exist and to take such affirmative action as in the judgment of the examiner will effectuate the purposes of this chapter. Such order shall be a final decision of the department. In all cases the examiner may order the respondent to pay an aggrieved party, who has suffered discrimination, compensatory damages, (EXCEPT) *which may include* damages for mental anguish or suffering, and, in all cases, may also order the respondent to pay an aggrieved party, who has suffered discrimination, punitive damages in an amount not more than (\$1,000) \$10,000. In addition to the aforesaid remedies, in a case involving discrimination in

(a) employment, the examiner may order the hiring, reinstatement or upgrading of an aggrieved party, who has suffered

discrimination, with or without back pay, admission or restoration to membership in a labor organization, or his admission to or participation in an apprenticeship training program, on-the-job training program, or other retraining program, or any other relief the examiner deems just and equitable.

(b) housing, the examiner may order the sale, lease, or rental of the housing accommodation or other real property to an aggrieved party, who has suffered discrimination, or the sale, lease or rental of a like accommodation or other real property owned by or under the control of the person against whom the complaint was filed, according to terms as listed with a real estate broker, or if no such listing has been made, as otherwise advertised or offered by the vendor or lessor, or any other relief the examiner deems just and equitable.

The examiner shall cause the findings of fact, conclusions of law, and order to be served on the respondent personally, the charging party by registered or certified mail, and shall furnish copies to the attorney general and the commissioner.

Sec. 5. Minnesota Statutes 1980, Section 363.14, Subdivision 1, is amended to read:

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

(a) *Directly to district court; or*

(b) Within 45 days after the commissioner has determined that there is no probable cause to credit the allegations contained in a charge filed with the commissioner, or, if the charging party requested a reconsideration, within 45 days after the commissioner has reaffirmed his determination of no probable cause; or

((B)) (c) After 45 days from the filing of a charge pursuant to section 363.06, subdivision 1 if a hearing has not been held pursuant to section 363.071 or if the commissioner has not entered into a conciliation agreement to which the charging party is a signator. The charging party shall notify the commissioner of his intention to bring a civil action, which shall be commenced within 90 days of giving the notice.

A charging party bringing a civil action pursuant to this clause shall mail by registered or certified mail a copy of the summons and complaint to the commissioner, and upon his receipt thereof the commissioner shall cause all proceedings in the

department relating to the charge to terminate. No charge shall be filed or reinstituted with the commissioner after a civil action relating to the same unfair discriminatory practice has been brought unless the civil action has been dismissed without prejudice.

Upon application by the complaining party to the district court at a special term thereof and in such circumstances as the court may deem just, the court may appoint an attorney for such person and may authorize the commencement of the action without payment of fees, costs, or security.

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

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

Delete the title and insert:

“A bill for an act relating to human rights; permitting the filing of a charge of unfair discriminatory practice directly in district court; authorizing injunctions for acts of reprisal; increasing the award of punitive damages; permitting the recovery of damages for mental anguish and suffering; amending Minnesota Statutes 1980, Sections 363.06, Subdivisions 1, 3 and 4; 363.071, Subdivision 2; and 363.14, Subdivision 1.”

The motion prevailed and the amendment was adopted.

S. F. No. 939, A bill for an act relating to human rights; authorizing injunctions for acts of reprisal; increasing the award of punitive damages; permitting the recovery of damages for mental anguish and suffering; amending Minnesota Statutes 1980, Section 363.06, Subdivision 4; and 363.071, Subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 105 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Aasness
Ainley

Anderson, B.
Anderson, G.

Anderson, I.
Anderson, R.

Battaglia
Begich

Brandl
Brinkman

Byrne	Haukoos	McCarron	Piepho	Simoneau
Carlson, D.	Heap	McDonald	Pogemiller	Skoglund
Carlson, L.	Heinitz	McEachern	Redalen	Stadum
Clark, J.	Hokanson	Mehrkens	Reding	Staten
Clark, K.	Jacobs	Metzen	Rees	Stumpf
Clawson	Jennings	Minne	Reif	Sviggum
Dahlvang	Johnson, C.	Munger	Rice	Swanson
Dean	Johnson, D.	Murphy	Rodriguez, C.	Tomlinson
Dempsey	Jude	Nelsen, B.	Rodriguez, F.	Valan
Drew	Kahn	Nelson, K.	Rose	Valento
Eken	Kalis	Norton	Rothenberg	Vanasek
Elioff	Kelly	Novak	Samuelson	Vellenga
Esau	Knickerbocker	Nysether	Sarna	Weaver
Evans	Kostohryz	O'Connor	Schoenfeld	Welch
Greenfield	Lehto	Ogren	Searles	Wenzel
Gruenes	Lemen	Onnen	Shea	Wigley
Gustafson	Levi	Otis	Sherman	Wynia
Hanson	Luknic	Peterson, B.	Sherwood	Zubay
Hauge	Mann	Peterson, D.	Sieben, M.	Spkr. Sieben, H.

Those who voted in the negative were:

Den Ouden	Ludeman	Niehaus	Stowell	Welker
Kvam				

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

S. F. No. 1321 was reported to the House.

Anderson, G., moved to amend S. F. No. 1321 as follows:

Page 2, line 3, after "458" insert "*, except section 458.193*"

Page 2, line 11, after "458" insert "*, except section 458.193*"

Page 6, line 2, delete "*following final enactment*" and insert "*after compliance by the governing body of the city of Granite Falls with the provisions of Minnesota Statutes, section 645.021, subdivision 3*"

The motion prevailed and the amendment was adopted.

Osthoff and Aasness were excused for the remainder of today's session.

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 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 77 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Eken	Kahn	Novak	Skoglund
Anderson, G.	Elioff	Kalis	O'Connor	Stadum
Anderson, I.	Evans	Knickerbocker	Ogren	Staten
Anderson, R.	Fjoslien	Kostohryz	Olsen	Stumpf
Battaglia	Forsythe	Lehto	Otis	Swanson
Begich	Greenfield	Levi	Peterson, D.	Tomlinson
Blatz	Gustafson	Luknic	Pogemiller	Valan
Brandl	Hanson	Mann	Reding	Vanasek
Brinkman	Hauge	McCarron	Rice	Vellenga
Byrne	Heinitz	Mehrrens	Rodriguez, C.	Weaver
Carlson, L.	Himle	Metzen	Rodriguez, F.	Welch
Clark, J.	Hoberg	Minne	Samuelson	Wenzel
Clark, K.	Hokanson	Munger	Schreiber	Spkr. Sieben, H.
Clawson	Jacobs	Murphy	Shea	
Dahlvang	Johnson, C.	Nelson, K.	Sieben, M.	
Dean	Jude	Norton	Simoneau	

Those who voted in the negative were:

Ainley	Gruenes	Lemen	Piepho	Sherman
Carlson, D.	Haukoos	Ludeman	Redalen	Sherwood
Dempsey	Heap	Marsh	Rees	Sviggum
Den Ouden	Jennings	McDonald	Reif	Valento
Drew	Johnson, D.	Nelsen, B.	Rose	Welker
Erickson	Kaley	Niehaus	Rothenberg	Wigley
Esau	Kelly	Nysether	Schafer	Zubay
Friedrich	Kvam	Onnen	Searles	

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

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

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

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

Those who voted in the affirmative were:

Ainley	Clark, K.	Friedrich	Johnson, D.	Mann
Anderson, B.	Clawson	Greenfield	Jude	Marsh
Anderson, G.	Dahlvang	Gruenes	Kahn	McCarron
Anderson, I.	Dean	Hanson	Kaley	McDonald
Anderson, R.	Dempsey	Hauge	Kalis	McEachern
Battaglia	Den Ouden	Haukoos	Kelly	Mehrrens
Begich	Drew	Heap	Knickerbocker	Metzen
Blatz	Eken	Heinitz	Kostohryz	Minne
Brandl	Elioff	Himle	Kvam	Munger
Brinkman	Erickson	Hoberg	Lehto	Murphy
Byrne	Esau	Hokanson	Lemen	Nelsen, B.
Carlson, D.	Evans	Jacobs	Levi	Nelson, K.
Carlson, L.	Fjoslien	Jennings	Ludeman	Niehaus
Clark, J.	Forsythe	Johnson, C.	Luknic	Norton

Novak	Pogemiller	Samuelson	Skoglund	Vanasek
Nysether	Redalen	Sarna	Stadum	Vellenga
O'Connor	Reding	Schafer	Staten	Weaver
Ogren	Rees	Schreiber	Stowell	Welch
Olsen	Reif	Searles	Stumpf	Welker
Onnen	Rice	Shea	Sviggum	Wenzel
Otis	Rodriguez, C.	Sherman	Swanson	Wigley
Peterson, B.	Rodriguez, F.	Sherwood	Tomlinson	Wynia
Peterson, D.	Rose	Sieben, M.	Valan	Zubay
Piepho	Rothenberg	Simoneau	Valento	Spkr. Sieben, H.

The bill was passed and its title agreed to.

S. F. No. 1106 was reported to the House.

Reding moved that S. F. No. 1106 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 399, A bill for an act relating to drugs; requiring imprinting of legend drugs; amending Minnesota Statutes 1980, Section 151.361.

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Jennings Welker

The bill was passed and its title agreed to.

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

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 112 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Brandl	Byrne	Clawson	Skoglund	Wynia
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The bill was passed and its title agreed to.

S. F. No. 99 was reported to the House.

Peterson, D., moved to amend S. F. No. 99, the unofficial engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 208.03, is amended to read:

208.03 [NOMINATION OF PRESIDENTIAL ELECTORS.]

Presidential electors for the several political parties of this state shall be nominated by delegate conventions called and held

under the supervision of the respective state central committees of the parties of this state. The names of the persons nominated as presidential electors shall be certified to the secretary of state by the chairperson of the convention for the office of presidential elector *on or before primary election day*.

Sec. 2. Minnesota Statutes 1980, Section 208.05, is amended to read:

208.05 [STATE CANVASSING BOARD.]

The state canvassing board at its meeting on the second Tuesday after each general election shall open and canvass the returns made to the secretary of state for presidential electors, prepare a statement of the number of votes cast for the persons receiving votes for these offices, and declare the person or persons receiving the highest number of votes for each office duly elected. When it appears that more than the number of persons to be elected as presidential electors have the highest and an equal number of votes, the secretary of state, in the presence of the board shall decide by lot which of the persons shall be declared elected. The governor shall transmit to each person declared elected a certificate of election, signed by the governor, sealed with the state seal, and countersigned by the secretary of state. (IMMEDIATELY AFTER THE CANVASS IS COMPLETED THE SECRETARY OF STATE SHALL CAUSE A STATEMENT OF THEIR ELECTION TO BE PUBLISHED IN ONE OR MORE OF THE DAILY NEWSPAPERS PUBLISHED IN ST. PAUL AND IN ONE OR MORE OF THE DAILY NEWSPAPERS PUBLISHED IN MINNEAPOLIS.)

Sec. 3. Minnesota Statutes 1980, Section 201.061, as amended by Laws 1981, Chapter 29, Article II, Section 8, is amended to read:

Sec. 8. Minnesota Statutes 1980, Section 201.061, is amended to read:

201.061 [REGISTRATION ON OR BEFORE ELECTION DAY.]

Subdivision 1. [PRIOR TO ELECTION DAY.] At any time (BEFORE THE 20th DAY) *except during the 20 days immediately preceding any election*, an eligible voter or any individual who will be an eligible voter at the time of the next election may register to vote in the precinct in which the voter maintains residence by completing a registration card and submitting it in person or by mail to the county auditor of that county. A registration card that is postmarked no later than (11:59) 5:00 p.m. on the (20TH) 21st day preceding any election (OR RECEIVED ON THE NEXT WORKING DAY) shall be accepted. An improperly addressed or delivered registration card shall be

forwarded within two working days after receipt to the county auditor of the county where the voter maintains residence.

Subd. 2. [POLITICAL SUBDIVISION WITHOUT PERMANENT SYSTEM.] Subdivision 1 does not apply to eligible voters in any political subdivision which does not on July 1, 1973 have a permanent system of voter registration unless the governing body of that political subdivision by ordinance or resolution elects to come under the provisions of subdivision 1. The decision to allow preregistration may not be rescinded.

Subd. 3. [ELECTION DAY REGISTRATION.] Any individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration card, making an oath in the form prescribed by the secretary of state and providing proof of residence. An individual may prove residence for purposes of registering by:

(1) Showing his drivers license or Minnesota identification card issued pursuant to section 171.07;

(2) Showing any document approved by the secretary of state as proper identification; or

(3) Having a voter who is registered to vote in the precinct sign an oath in the presence of the election judge stating that he personally knows that the individual is a resident of the precinct. No individual who registers to vote on election day by proving residence as provided in clause (3) shall provide proof of residence for any other individual on that election day.

A county or municipality may require that an election judge responsible for election day registration initial each completed registration card.

Subd. 4. [REGISTRATION BY ELECTION JUDGES; PROCEDURES.] Registration at the polling place on election day shall be conducted by the election judges. The election judge who registers an individual at the polling place on election day shall not handle that voter's ballots at any time prior to the opening of the ballot box after the voting ends. Registration cards and forms for oaths shall be available at each polling place. If an individual who registers on election day proves residence by oath of a registered voter, the form containing the oath shall be attached to the individual's registration card until his address is verified by the county auditor. Registration cards completed on election day shall be forwarded to the county auditor who shall add the name of each voter to the registration system unless the information forwarded is substantially deficient. A county auditor who finds an election day registration substantially deficient shall give written notice to the individual whose registration is found deficient. An election day registra-

tion shall not be found deficient solely because the individual who provided proof of residence was ineligible to do so.

Subd. 5. [UNREGISTERED VOTERS; PENALTY.] No election judge in any precinct in which registration is required may receive the vote at any election of any individual whose name is not registered in a manner specified in Article II, Section 6, Subdivision 1 or not recorded under Article III, Section 19. A violation of this subdivision is a felony.

Subd. 6. [PRECINCT MAP.] Except as otherwise provided by this subdivision, the county auditor shall provide each precinct with an accurate precinct map or precinct finder to assist the election judges in determining whether an address is located in that precinct. A county auditor may delegate this responsibility as provided in Article II, Section 24, Subdivision 4, to a municipal clerk who prepares precinct maps as provided in Article IV, Section 14, Subdivision 5.

Subd. 7. [RECORD OF ATTEMPTED REGISTRATIONS.] The election judge responsible for election day registration shall attempt to keep a record of the number of individuals who attempt to register on election day but who cannot provide proof of residence as required by this section. The record shall be forwarded to the county auditor with the election returns for that precinct.

Sec. 4. Minnesota Statutes 1980, Section 206.20, Subdivision 2, as amended by Laws 1981, Chapter 29, Article VII, Section 20, is amended to read:

Sec. 20. Minnesota Statutes 1980, Section 206.20, Subdivision 2, is amended to read:

Subd. 2. For the instruction of the voters there shall be, so far as practicable in each polling place, at least one mechanical model being a mechanical reproduction of a portion of the face of the voting machine. The model shall be located during the election in some place which the voter must pass to reach the machine. Every voter before entering the booth shall be instructed regarding its operation. The instruction shall be illustrated on the model and the voter given the opportunity to personally operate the model. The voter's attention shall also be called to the diagram (ON) of the face of the machine so that the voter becomes familiar with the location of the questions and the names of the offices and candidates. At least one election judge shall remain in constant attendance at the instruction model and diagram and occupy himself at all times with the duties of instructing the voters. If any voter after entering the voting machine booth asks for additional instruction in operating the machine the instruction shall be given him by two election judges who are members of different major political parties, if such there be. After giving instruction the election judges shall retire from the voting machine booth and the voter

shall thereafter proceed to vote alone and in secrecy. If any voter at a primary after entering the voting machine booth and setting the primary lever of a major political party so as to release the candidates of that party for voting, and turning down levers over the names of candidates, but before recording the votes for any candidates, states to the election judges that he wishes to enter the primary of a different major political party, the entire election board shall go to the machine and shall see that all voting levers have been returned to the unvoted position so that no votes may be cast for any candidates or for or against any questions or other propositions, and the voter shall then be permitted to return the operating lever to its original position and start from the beginning once more. In each such case the entire election board shall sign a certificate stating what was done and the certificate shall be returned with the official returns of the primary.

Sec. 5. Laws 1981, Chapter 29, Article IV, Section 28, is amended to read:

Sec. 28. [204B.28] [CLERKS; ELECTION SUPPLIES; DUTIES.]

Subdivision 1. [TRAINING PROGRAM FOR ELECTION OFFICIALS.] Before each state primary, each county auditor shall conduct a training program for local election officials. The county auditor may require the municipal clerks and the chairmen of the election boards in the county to meet for this training program *before the election* at a time and place set by the county auditor. The training program shall include instruction in election procedures and the duties of municipal clerks and election judges. The chairmen of the election boards shall be compensated by the municipalities for the incidental expenses incurred by them to attend a training program.

Subd. 2. [ELECTION SUPPLIES; DUTIES OF COUNTY AUDITORS AND CLERKS.] Except as otherwise provided for absentee ballots in Article IV, Section 35, Subdivision 4, the county auditor shall complete the preparation of the election materials for which he is responsible at least one week before every state primary and state general election. At any time after all election materials are available from the county auditor but not later than one week before the election each municipal clerk shall secure from the county auditor:

(a) The forms that are required for the conduct of the election;

(b) Any printed voter instruction materials furnished by the secretary of state;

(c) Any other instructions for election officers; and

(d) A sufficient quantity of the official ballots, ballot boxes, registers, registration files, envelopes for ballot returns, and other supplies and materials required for each precinct in order to comply with the provisions of the Minnesota election law. The county auditor may furnish the election supplies to the municipal clerks in the same manner as the supplies are furnished to precincts in unorganized territory pursuant to Article IV, Section 29, Subdivision 1.

Sec. 6. Laws 1981, Chapter 29, Article V, Section 10, is amended to read:

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

In election precincts with a permanent registration system, an individual seeking to vote shall print his name and address on a certificate which states that the individual *is at least 18 years of age, a citizen of the United States, has resided in Minnesota for 20 days immediately preceding the election, certifies that he resides at the address shown, is not under guardianship of the person, has not been adjudicated insane or convicted of a felony without having civil rights restored*, is registered and will be voting only in that precinct. The individual shall then sign the certificate.

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

Sec. 7. Laws 1981, Chapter 29, Article V, Section 24, is amended to read:

Sec. 24. [204C.24] [ELECTION RETURNS; SUMMARY STATEMENTS.]

Subdivision 1. [INFORMATION REQUIREMENTS.] Notwithstanding the provisions of Minnesota Statutes, Sections 206.185, Subdivision 5; and 206.21, Subdivisions 1 and 2, precinct summary statements shall be submitted by the election judges in every precinct. The election judges shall complete three or more copies of the summary statements, and each copy shall contain the following information for each kind of ballot:

(a) The number of votes each candidate received or the number of yes and no votes on each question, the number of partially blank ballots and the number of partially defective ballots with respect to each office or question;

(b) The number of totally blank ballots, the number of totally defective ballots, the number of spoiled ballots, and the number of unused ballots;

(c) The number of individuals who voted at the election in the precinct;

(d) In counties with permanent registration, the number of voters registered before the polling place opened and the number of voters registering on election day in that precinct; and

(e) The signatures of the election judges who counted the ballots certifying that the national flag was displayed on a suitable staff during voting hours; that all of the ballots cast were properly piled, checked, and counted; and that the numbers entered by the election judges on the summary statements correctly show the number of votes cast for each candidate and for and against each question.

Subd. 2. [SEALING IN ENVELOPES.] The election judges shall place a full set of completed summary statements in each of three separate envelopes and seal them so that the envelopes cannot be opened without leaving evidence that they have been opened. The election judges shall then sign each envelope over the sealed part so that no envelope can be opened without disturbing the continuity of the signatures. Each of the envelopes shall show substantially the following information on its face:

"Summary statements of the returns of the . . . election precinct, (Town) or (City) of . . . , in the County of . . . , State of Minnesota".

Sec. 8. Laws 1981, Chapter 29, Article V, Section 26, is amended to read:

Sec. 26. [204C.26] [SUMMARY STATEMENTS AND ENVELOPES FOR BALLOT RETURNS; ELECTION OFFICIALS TO FURNISH.]

Subdivision 1. [SUMMARY STATEMENTS.] Each official responsible for printing ballots shall furnish three or more blank summary statement forms for the returns of those ballots for each precinct. The blank summary statement forms shall be furnished at the same time and in the same manner as the ballots. The county auditor shall furnish blank summary statement forms containing separate space for the summary statement of

the returns of the white ballot and the summary statement of the returns for the state pink ballot.

Subd. 2. [SUMMARY STATEMENTS; CONTENTS.] The blank summary statement forms furnished to each precinct shall identify the precinct, ward number if any, city or town, date, and kind of election and, under appropriate headings identifying each color ballot, shall contain spaces for the election judges to enter the information required by Article V, Section 24, Subdivision 1.

Each blank summary statement form shall also contain a certificate to be signed by the election judges stating that the national flag was displayed on a suitable staff during voting hours; that all of the ballots cast were properly piled, checked, and counted; and that the numbers entered by the election judges on the summary statements correctly show the number of votes cast for each candidate and for and against each question.

Subd. 3. [SECRETARY OF STATE.] On or before July 1 of each even numbered year, the secretary of state shall prescribe the form for summary statements of election returns and the methods by which returns for the state primary and state general election shall be recorded by precinct, county, and state election officials. Each county auditor and municipal clerk required to furnish summary statements shall prepare them in the manner prescribed by the secretary of state. The summary statement of the primary returns shall be in the same form as the summary statement of the general election returns except that a separate part of the summary statement shall be provided for the partisan primary ballot and a separate part for the non-partisan primary ballot.

Subd. 4. [ENVELOPES FOR COUNTED BALLOTS.] Each official responsible for printing ballots shall also furnish envelopes to contain those ballots after they have been counted. The envelopes shall be made of heavy paper (OF THE SAME COLOR AS), *printed or marked to distinguish the color of* the ballots to be contained in them. They shall be of convenient size to hold the ballots and shall be furnished at the same time and in the same manner as the ballots.

Sec. 9. Laws 1981, Chapter 29, Article VI, Section 15, is amended to read:

Sec. 15. [204D.15] [PINK BALLOT; FORM; DISTRIBUTION; SAMPLE BALLOT.]

Subdivision 1. [TITLES FOR CONSTITUTIONAL AMENDMENTS.] The secretary of state shall provide an appropriate title for each question printed on the pink ballot. The title shall be approved by the attorney general, and shall consist of not

more than one printed line above the question to which it refers. At the top of the ballot just below the heading, a conspicuous notice shall be printed stating that a voter's failure to vote on a constitutional amendment has the effect of a negative vote.

Subd. 2. [DISTRIBUTION.] The pink ballot shall be provided in groups of 50. At least 15 days before the state general election the secretary of state shall forward to the county auditor of each county sufficient ballots to enable the county auditor to comply with the absentee voting provisions of Article IV, Section 28, Subdivision 2. The county auditor shall give a receipt to the secretary of state stating the number of pink ballots and the date when they were received.

Subd. 3. [SAMPLE PINK BALLOT.] Four weeks before the state general election the secretary of state shall file sample copies of the pink ballot in his office for public inspection. Three weeks before the state general election the secretary of state shall mail sample copies of the pink ballot to each county auditor. *Each auditor shall post the sample ballot in a conspicuous place in the auditor's office.*

Sec. 10. Laws 1981, Chapter 29, Article VI, Section 16, is amended to read:

Sec. 16. [204D.16] [SAMPLE GENERAL ELECTION BALLOTS; POSTING; PUBLICATION.]

Two weeks before the state general election the county auditor shall prepare sample copies of the white and canary ballots and shall post copies of these sample ballots and a sample of the pink ballot in his office for public inspection. (AT LEAST ONE WEEK) *No earlier than 15 days and no later than two days before the state general election the county auditor shall cause the sample white, canary and pink ballots to be published in at least one newspaper of general circulation in the county.*

Sec. 11. [REPEALER.]

Minnesota Statutes 1980, Section 201.18, as amended by Laws 1981, Chapter 29, Article II, Section 21, is repealed."

Further, delete the title and insert:

"A bill for an act relating to elections; changing certain procedures and requirements relating to elections; amending Minnesota Statutes 1980, Sections 208.03; and 208.05; Minnesota Statutes 1980, Sections 201.061, as amended by Laws 1981, Chapter 29, Article II, Section 8; and 206.20, Subdivision 2, as amended by Laws 1981, Chapter 29, Article VII, Section 20; Laws 1981, Chapter 29, Article IV, Section 28; Article V, Sections 10, 24,

and 26; Article VI, Sections 15 and 16; repealing Minnesota Statutes 1980, Section 201.18, as amended by Laws 1981, Chapter 29, Article II, Section 21."

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

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

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 116 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

Eken moved that the House advance to the order of business "Motions and Resolutions". The motion prevailed. Pursuant to Rules of the House S. F. Nos. 513 and 732 were returned from Special Orders to General Orders.

MOTIONS AND RESOLUTIONS

Anderson, G., moved that the name of Wigley be stricken and the name of Rodriguez, C., be added as an author on H. F. No. 553. The motion prevailed.

Schreiber moved that his name be stricken as an author on H. F. No. 900. The motion prevailed.

There being no objection the order of business reverted to Petitions and Communications.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 7, 1981

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

Dear Speaker Sieben:

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

H. F. No. 972, relating to financial institutions; increasing the percentage of capital and surplus a bank or trust company may invest in the stock of certain banks or bank holding companies;

H. F. No. 13, relating to criminal procedure, providing officers of the United States customs service and the immigration and naturalization service with the arrest powers of peace officers;

H. F. No. 90, relating to administrative rules; clarifying which rules have the force of law;

H. F. No. 150, relating to parks; removing authority to lease certain lands within Tettegouche state park;

H. F. No. 272, relating to administrative rules; clarifying certain powers and duties of the legislative commission to review administrative rules;

H. F. No. 467, relating to motor vehicles; authorizing identification of certain tax exempt vehicles use of removable plates or placards;

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

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

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

Sincerely,

ALBERT H. QUIE
Governor

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

May 7, 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>
1047		107	May 7	May 7
	13	108	May 7	May 7
	90	109	May 7	May 7
	150	110	May 7	May 7
	222	111	May 7	May 7
	272	112	May 7	May 7
	467	113	May 7	May 7
	574	114	May 7	May 7
	937	115	May 7	May 7
	972	116	May 7	May 7

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 11:00 a.m. Friday, May 8, 1981. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Friday, May 8, 1981.

EDWARD A. BURDICK, Chief Clerk, House of Representatives